

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488 - 907-745-9683

BOROUGH MAYOR

Vacant

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Lynne Woods, District 1
Pete Houston, District 2
Michelle R. Church, District 3
Mark Ewing, District 4
Cindy L. Bettine, District 5
Robert F. Wells, District 6
Tom Kluberton, District 7

ASSEMBLY AGENDA

**ASSEMBLY CHAMBERS
350 E. DAHLIA AVENUE, PALMER**

REGULAR MEETING

6 P.M.

TUESDAY, MARCH 17, 2009

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 02/17/09

B. Regular Assembly Meeting: 02/17/09

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities
2. Matanuska-Susitna Borough School District
3. Mat-Su Convention and Visitors Bureau - Ms. Bonnie Quill
4. Small Business Development Center - Mr. Jason Dinneen

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues
2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Update of Borough Space Issues
3. South Palmer Elementary School

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Board of Ethics, 04/09/08, 04/30/08
 - b. Big Lake, Meadow Lakes, and Wasilla-Lakes Fire Service Area Joint Board of Supervisors: 02/11/08, 06/09/08
 - c. Big Lake, and Meadow Lakes Fire Service Area Joint Board of Supervisors: 03/10/08, 05/05/08
 - d. Citizens Advisory Committee on the Goose Creek Correctional Center: 01/07/09
 - e. Enhanced 911 Advisory Board: 11/12/08
 - f. Greater Talkeetna RSA No. 29: 11/13/08
 - g. Local Road Service Area Advisory Board: 08/21/08, 11/20/08
 - h. Mayor's Blue Ribbon Sportsmen's Committee: 10/23/08
 - i. Meadow Lakes FSA No. 34: 01/14/08, 02/04/08, 04/01/08, 06/03/08
 - j. Planning Commission: 12/01/08, Resolution Serial No. 09-01(AM)
 - k. Platting Board: 01/08/09
 - l. Transportation Advisory Board: 11/18/08
2. Community Council Correspondence:
 - a. Meadow Lakes Community Council: 12/10/08; 01/21/09
 - b. North Lakes Community Council: 5/27/08, 11/25/08
 - c. Trapper Creek Community Council: 01/22/09
 - d. Willow Area Community Organization: 3/17/08; 12/1/08

G. INFORMATIONAL MEMORANDUMS

1. IM No. 09-075: MONTHLY REPORTING OF AMENDED CONTRACTS AND NEW AWARDS UNDER \$100,000, ALONG WITH THE SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF FEBRUARY 1, 2009, TO FEBRUARY 28, 2009.

VII. SPECIAL ORDERS (to begin at 7 p.m.)

- A. PERSONS TO BE HEARD (MSB 2.12.081; Three minutes per person.)
(Requires 11 days advance notice and must otherwise be in compliance with the necessary code requirements. If no advance notice is given, persons wishing to speak may do so under the Audience Participation section of the agenda.)

- B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 09-026: AN ORDINANCE AMENDING MSB 5.25.145, TO ADOPT A NAME CHANGE FROM LAKES FIRE SERVICE AREA TO WEST LAKES FIRE SERVICE AREA AND ADOPTING A NAME CHANGE FROM LAKES FIRE SERVICE AREA BOARD OF SUPERVISORS TO WEST LAKES FIRE SERVICE AREA BOARD OF SUPERVISORS.
 - a. IM No. 09-036
2. Ordinance Serial No. 09-027: AN ORDINANCE APPROVING AN APPROPRIATION OF \$80,000 FROM THE WEST LAKES FIRE SERVICE AREA NO. 136 FUND BALANCE, FUND 249 TO FUND 405, PROJECT NO. 45244, FOR THE PURCHASE OF A REPLACEMENT VEHICLE FOR SUPPORT 81 AND A DUTY OFFICER COMMAND VEHICLE.
 - a. Resolution Serial No. 09-021: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45244, TO ALLOW FOR THE PURCHASE OF A REPLACEMENT VEHICLE FOR SUPPORT 81 AND A DUTY OFFICER COMMAND VEHICLE FOR THE WEST LAKES FIRE SERVICE AREA.
 - (1) IM No. 09-011
3. Ordinance Serial No. 09-028: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$170,000 FROM THE UNRESTRICTED NET ASSETS IN THE SOLID WASTE ENTERPRISE FUND, FUND 510, TO THE FISCAL YEAR 2009 CENTRAL LANDFILL DIVISION OPERATING BUDGET, FUND 510.
 - a. IM No. 09-046

4. Ordinance Serial No. 09-039: AN ORDINANCE CALLING FOR A SPECIAL ELECTION ON JUNE 2, 2009, TO FILL THE OFFICE OF MAYOR.

- a. IM No. 09-080

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 09-025: A RESOLUTION SUPPORTING THE HUMAN SERVICES TRANSPORTATION COORDINATION PLAN, PHASE TWO.

- (1) IM No. 09-076

2. ASSEMBLY MEMORANDUMS

- a. AM No. 09-016: AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT FOR FIRE PROTECTION SERVICES WITH THE CITY OF PALMER FOR FISCAL YEAR 2009 IN THE AMOUNT OF \$283,506.50.

- b. AM No. 09-018: AWARD OF BID NO. 09-075 TO EMULSION PRODUCTS COMPANY FOR THE CONTRACT AMOUNT OF \$112,200 FOR THE SUPPLY OF BITUMINOUS MATERIAL.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing – 03/31/09, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 09-056: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ENACT AN AREAWIDE SALES TAX NOT EXCEEDING 3 PERCENT OF SALES, SERVICES, AND RENTALS WITHIN THE BOROUGH AND TO SUBMIT THE QUESTIONS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE JUNE 2, 2009, SPECIAL BOROUGH ELECTION.

- a. Ordinance Serial No. 09-055: AN ORDINANCE ADOPTING MSB 3.35, A UNIFORM SALES TAX.

(1) IM No. 09-083

B. INTRODUCTION (For public hearing – 04/07/09, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 09-033: AN ORDINANCE AMENDING MSB 2.12.070, MEETINGS; TO CHANGE THE TIME OF DAY THAT THE FIRST REGULAR MONTHLY MEETING OF THE ASSEMBLY BEGINS.
(Sponsored by: Assemblymembers Bettine and Houston)
 - a. IM No. 09-040
2. Ordinance Serial No. 09-034: AN ORDINANCE AMENDING MSB 27.20.045 TO ALLOW PROVISIONS TO EXEMPT THE SUBDIVISION OF CERTAIN AGRICULTURAL PARCELS FROM ROAD CONSTRUCTION REQUIREMENTS.
 - a. IM No. 09-047
3. Ordinance Serial No. 09-035: AN ORDINANCE AUTHORIZING THE BOROUGH TO ISSUE AREAWIDE GENERAL OBLIGATION BONDS, 2009 IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$19,030,000 TO FINANCE THE ACQUISITION, CONSTRUCTION, INSTALLATION, MAJOR RENOVATION AND RENEWAL OF EDUCATIONAL AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS AND AUTHORIZING THEIR SALE.
 - a. IM No. 09-052
4. Ordinance Serial No. 09-036: AN ORDINANCE APPROVING AN APPROPRIATION OF \$377,055 FROM THE DISPATCH SERVICES RESERVE FUND, FUND 100, TO THE TELECOMMUNICATIONS FISCAL YEAR 2009 OPERATING BUDGET, FUND 100, TO PAY FOR FISCAL YEAR 2009 DISPATCH SERVICES FROM JANUARY 1, 2009, THROUGH JUNE 30, 2009. ¹
 - a. IM No. 09-067
5. Ordinance Serial No. 09-037: AN ORDINANCE ACCEPTING AND APPROPRIATING AN \$800 DONATION FROM THE BIG LAKE COMMUNITY COUNCIL TO FUND 440, PROJECT NO. 15018, FOR FISH CREEK PARK PLAYGROUND EQUIPMENT.

¹ OR Serial No. 09-036 was introduced and set for public hearing on 03/31/09

- a. Resolution Serial No. 09-023: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FISH CREEK PARK PLAYGROUND EQUIPMENT.
(1) IM No. 09-069
- 6. Ordinance Serial No. 09-040: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$10,613 FROM THE ROAD SERVICE AREA GRID ROLLER MAINTENANCE FUND BALANCE, FUND 266, TO THE ROAD SERVICE AREA GRID ROLLER FISCAL YEAR 2009 OPERATING BUDGET, FUND 266.
 - a. IM No. 09-032
- 7. Ordinance Serial No. 09-041: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$15,000 FROM ALPINE ROAD SERVICE AREA NO. 31 FUND BALANCE, FUND 285, TO THE ALPINE ROAD SERVICE AREA NO. 31 FISCAL YEAR 2009 OPERATING BUDGET, FUND 285.
 - a. IM No. 09-055
- 8. Ordinance Serial No. 09-042: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$70,000 FROM FAIRVIEW ROAD SERVICE AREA NO.14 FUND BALANCE, FUND 271, TO THE FAIRVIEW ROAD SERVICE AREA NO. 14 FISCAL YEAR 2009 OPERATING BUDGET, FUND 271.
 - a. IM No. 09-057
- 9. Ordinance Serial No. 09-043: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$25,000 FROM KNIK ROAD SERVICE AREA NO. 17 FUND BALANCE, FUND 274, TO THE KNIK ROAD SERVICE AREA NO. 17 FISCAL YEAR 2009 OPERATING BUDGET, FUND 274.
 - a. IM No. 09-059
- 10. Ordinance Serial No. 09-044: AN ORDINANCE APPROVING SUPPLEMENTAL APPROPRIATION OF \$6,500 FROM NORTH COLONY ROAD SERVICE AREA NO. 23 FUND BALANCE, FUND 278, TO THE NORTH COLONY ROAD SERVICE AREA NO. 23 FISCAL YEAR 2009 OPERATING BUDGET, FUND 278.
 - a. IM No. 09-060
- 11. Ordinance Serial No. 09-045: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$40,000 FROM MEADOW LAKES ROAD SERVICE AREA NO. 27 FUND BALANCE, FUND 281, TO MEADOW LAKES ROAD SERVICE

AREA NO. 27 FISCAL YEAR 2009 OPERATING BUDGET,
FUND 281.

a. IM No. 09-062

12. Ordinance Serial No. 09-046: AN ORDINANCE APPROVING AN APPROPRIATION OF \$100,000 FROM MIDWAY ROAD SERVICE AREA NO. 9 FUND BALANCE, FUND 270, TO FUND 410, PROJECT NO. 30036, FOR MIDWAY ROAD SERVICE AREA NO. 9 CAPITAL PROJECTS.

a. IM No. 09-064

13. Ordinance Serial No. 09-047: AN ORDINANCE APPROVING AN APPROPRIATION OF \$15,000 FROM ALPINE ROAD SERVICE AREA NO. 31 FUND BALANCE, FUND 285, TO FUND 410, PROJECT NO. 30051, FOR ALPINE ROAD SERVICE AREA NO. 31 CAPITAL PROJECTS.

a. IM No. 09-065

14. Ordinance Serial No. 09-048: AN ORDINANCE AMENDING MSB 2.47.060(E) BOROUGHWIDE RECORDS MANAGEMENT PROGRAM.

a. IM No. 09-066

15. Ordinance Serial No. 09-049: AN ORDINANCE APPROVING THE MODIFICATION OF THE SPECIFIC RESTRICTION WITHIN QUITCLAIM DEED SERIAL NO. 2002-001549-0, RECORDED OCTOBER 7, 2002, LIFTING THE RESTRICTION ON A SPECIFIC 20-ACRE AND A SPECIFIC 10-ACRE PARCEL WITHIN GREAT ALASKA COUNCIL PROPERTY THAT "ALL ACTIVITIES BE OPERATED BY AND FOR THE SOLE BENEFIT OF NOT-FOR-PROFIT ENTITIES" FOR THE PURPOSE OF ALLOWING LEGAL ACCESS ACROSS AND THROUGH DENALI SON-GLO TRUST LAND AND ALASKA HOTEL PROPERTIES LAND FROM THE PARKS HIGHWAY TO GREAT ALASKA COUNCIL, BOY SCOUTS OF AMERICA, PROPERTY.

a. IM No. 09-068

16. Ordinance Serial No. 09-050: AN ORDINANCE ACCEPTING AND APPROPRIATING \$114,000 FROM THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, TO FUND 475, PROJECT NO. 47016 FOR THE PURCHASE OF VANS FOR USE IN A REGIONAL VANPOOL PROGRAM.

a. Resolution Serial No. 09-026: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET

FOR THE PURCHASE OF VANS FOR USE IN A
REGIONAL VANPOOL PROGRAM.

(1) IM No. 09-071

17. Ordinance Serial No. 09-051: AN ORDINANCE APPROVING AN APPROPRIATION OF \$360,000 FROM THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA FUND BALANCE, FUND 259, TO FUND 405, PROJECT NO. 45055, TO ALLOW FOR THE PURCHASE OF A NEW TANKER AND RELATED EQUIPMENT.

a. Resolution Serial No. 09-027: A RESOLUTION APPROVING THE SCOPE OF WORK AND AMENDED BUDGET FOR PROJECT NO. 45055, TO ALLOW FOR THE PURCHASE OF A NEW TANKER AND RELATED EQUIPMENT.

(1) IM No. 09-072

18. Ordinance Serial No. 09-052: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$60,000 FROM THE WEST LAKES FIRE SERVICE AREA NO. 136 FUND BALANCE, FUND 249, TO THE WEST LAKES FIRE SERVICE AREA NO. 136 FISCAL YEAR 2009 OPERATING BUDGET, FUND 249, TO PROVIDE FUNDING FOR PAYROLL EXPENSES FOR THE REMAINDER OF FISCAL YEAR 2009.

a. IM No. 09-073

19. Ordinance Serial No. 09-053: AN ORDINANCE ADOPTING MSB 1.55 EXEMPTION FROM PAYMENT OF FILING FEE AND CRITERIA FOR EVALUATION.

a. IM No. 09-081

20. Ordinance Serial No. 09-054: AN ORDINANCE AMENDING MSB 5.25.140, TO ANNEX PROPERTIES IN AND AROUND THE CARPENTER LAKE AREA INTO THE WASILLA-LAKES FIRE SERVICE AREA NO. 130 WITHOUT THE PLACEMENT OF THE QUESTION ON THE BALLOT, PER MSB 5.20.005(G), AND CORRECTING CLERICAL ERRORS IN THE LEGAL DESCRIPTION. *(Sponsored by: Assemblymember Bettine)*

a. Resolution Serial No. 09-028: A RESOLUTION FINDING THE ANNEXATION OF PROPERTIES IN AND AROUND THE CARPENTER LAKE AREA INTO THE WEST-LAKES FIRE SERVICE AREA NO. 130 SERVES THE PUBLIC INTEREST WITHOUT THE PLACEMENT OF THE QUESTION ON THE BALLOT.

(1) IM No. 09-082

C. INTRODUCTION (For public hearing – 04/21/09, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 09-029: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE MOUNTAIN CREST DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 428 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 09-030: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$35,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE MOUNTAIN CREST DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 428, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 09-053

2. Ordinance Serial No. 09-031: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SHEENA MAY AND PINWYCK ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 429 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 09-032: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$84,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SHEENA MAY AND PINWYCK ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 429, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 09-054

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

E. OTHER NEW BUSINESS

F. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

1. Ordinance Serial No. 09-038: AN ORDINANCE REPEALING MSB 27.15.070, PUBLIC USE EASEMENT ACCEPTANCE PROCEDURE; AND AMENDING MSB 27.15.080, WAIVER SUBDIVISIONS AND MSB 27.15.090, ABBREVIATED PLATS; AND AMENDING THE LAND MANAGEMENT DIVISION POLICY AND PROCEDURE MANUAL RELATING TO THE DONATION OF PUBLIC USE EASEMENTS.

(Sponsored by: Assemblymember Church)

- a. IM No. 09-070

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION *(for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough and matters which by law, municipal charter, or ordinance are required to be confidential.)*

- A. Susitna Valley High School Insurance Claim Proposed Settlement and Potential Litigation Regarding the Fire.

XIII. MAYOR AND ASSEMBLY COMMENT

XIV. ADJOURNMENT

**Disabled persons needing reasonable accommodation in order to participate at an Assembly meeting
Should contact the Borough ADA Coordinator at 746-7432 at least one week in advance of the meeting.**