

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on April 1, 2014, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)(*entered telephonically at 8:48 p.m.*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Jim Colver, Assembly District No. 6
Mr. Vern Halter, Assembly District No. 7

Assembly members absent and excused:

Mr. Darcie K. Salmon, Assembly District No. 5

Staff in attendance were:

Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Jamie Newman, Deputy Borough Clerk
Ms. Brenda J. Henry, Assistant Clerk
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Don Dyer, Economic Development Director
Mr. Eric Phillips, Community Development Director
Mr. Michael Brown, Capital Projects Director
Mr. Larry Macknicki, Information Technology Director
Mr. Michael Newman, Document Specialist

III. APPROVAL OF AGENDA

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

Mr. Moosey requested to postpone Ordinance Serial No. 13-144 to a time certain of May 6, 2014, due to continuing work on amendments.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Mr. Moosey:

- advised that the M/V Susitna Executive session is not necessary, as there is no new information to be reported; and
- requested to remove it from the agenda.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Mayor DeVilbiss:

- advised that the sponsor of Ordinance Serial No. 14-050 is not present;
- stated that the sponsor has requested that the legislation be pulled from the agenda; and
- queried if there was any objection.

Assemblymember Sykes:

- stated that Ordinance Serial No. 14-050 was advertised for public hearing;
- noted that he would like to hear public testimony regarding the legislation; and
- opined that if it is pulled from the agenda that it gives an improper process appearance.

Mayor DeVilbiss advised that the public could speak under audience participation.

Assemblymember Colver objected, as the public hearing has been scheduled and should go forward.

Mr. Spiropoulos:

- noted that if the legislation was to be postponed, that the public hearing could be held and then the legislation be postponed to a time certain;
- related that if the legislation was to be pulled from the agenda and no action taken, that it could be pulled from the agenda without a public hearing; and
- spoke to a case in Arizona that if legislation is going to be pulled from the agenda and not heard at all that the public hearing does not have to be held.

VOTE: The motion to pull Ordinance Serial No. 14-050 from the agenda passed with Assemblymember Sykes opposed.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Patricia Chesbro, former Matanuska-Susitna Borough School District Superintendent.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 03/18/14

Mayor DeVilbiss inquired if there were any corrections to the regular meeting minutes of March 18, 2014.

GENERAL CONSENT: The minutes were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- invited the body to Tuesday night fights at the Menard Center;
- invited the body to the home show scheduled for April 4 through April 6 at the Menard Center; and
- advised that the City's spice ordinance has been successfully introduced with the public hearing scheduled for April 14.

Palmer City

Mr. Doug Griffin:

- spoke to the ongoing contract negotiations for 911 dispatch;
- stated that the City has begun interviews for a new city manager; and
- advised that his last day with the City will be May 1.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Mat-Su Convention and Visitors Bureau – Ms. Bonnie Quill

Ms. Bonnie Quill, Executive Director, reported on the promotion of tourism in the Borough.

4. Wastewater and Septage Advisory Board – Mr. Tom Healy

Mr. Tom Healy reported on the activities of the Wastewater and Septage Advisory Board.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Assembly Public Relations

(There were no reports provided.)

3. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. Moosey:

- spoke to a recent meeting regarding Anchorage's septic and sewage treatment;
- noted that septage treatment and disposal is an ongoing issue;
- advised that Anchorage has suggested that the Borough move forward with their own solution;
- noted that locations for the Borough's future facility are being scouted;
- spoke to the insurance cost savings that was on the joint Assembly/School Board meeting agenda;
- stated that he will be meeting with School Administrators in order to further discuss what can be done on that issue; and
- related that the Susitna Forest is gaining traction in Juneau.

3. Board Road Extension Update

Mr. Mike Brown, Capital Projects Director, provided an update regarding the Bogard Road Extension project.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. Newman:

- spoke regarding the upcoming meeting schedule; and
- noted that the Willow Community Center has been reserved for the May 2, budget public hearing.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Planning Commission: 02/03/14
 - b. Platting Board: 01/02/14
 - c. Port Commission: 07/15/13, 09/16/13, 12/09/13, Resolution Serial Nos. 13-005, 13-006, 13-007, 13-008
 - d. Wasilla-Lakes FSA Board of Supervisors: 12/09/13
2. Community Council Minutes:
 - a. Big Lake Community Council: 06/12/13, 07/10/13, 08/14/13, 10/09/13, 12/11/13, 01/08/14
 - b. South Knik Community Council: 05/18/13, 09/19/13, 10/17/13

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 13-144:** An Ordinance Amending MSB 17.63, Race Track Regulations. *(Sponsored By Assemblymember Salmon)*
 1. IM No. 13-242

MOTION PENDING: Assemblymember Salmon moved to adopt Ordinance Serial No. 13-144.

[Clerk's note: Ordinance Serial No. 13-144 was postponed to a time certain of May 6, 2014, under approval of the agenda.]

(The meeting recessed at 6:56 p.m. and reconvened at 7:10 p.m.)

- B. **Ordinance Serial No. 14-023:** An Ordinance Amending MSB 24.15.050, Adoption and MSB 24.15.060, Voluntary Release.
 1. **Resolution Serial No. 14-016:** A Resolution Revising The Animal Care And Regulation Facilities Fee Schedule.
 - a. IM No. 14-031

MOTION PENDING: Assemblymember Beck moved to adopt Ordinance Serial No. 14-023 and Resolution Serial No. 14-016.

Assemblymember Sykes:

- spoke to the meetings that were conducted at the request of rescue groups;
- noted that everyone was able to come to agreement as to the changes to the fee schedule;
- stated that as a result of that meeting, he had amendments to the ordinance and the resolution; and
- summarized the amendments that he intended to move.

Mr. Spiropoulos:

- spoke to reasons that animals would be classified as a level 5;
- advised that when an animal is classified as a level 5, they are euthanized;
- stated that with the proposed amendment to the ordinance, it would say that an animal that is to be euthanized shall be adopted out if someone is willing to take it;
- noted that the question to the Assembly is whether the intent for the amendment is to apply to level 5 animals;
- advised that if the answer is yes, additional code changes would need to be made; and
- related that if the answer is no, a simple sentence could be added to the amendment.

Mayor DeVilbiss queried if there was any objection to taking up the amendment to the ordinance after the amendment to the resolution.

There was no objection noted.

MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 14-016, in the fee schedule as follows:

[Clerk's note: **bold and underlined being inserted**; and all [CAPITALS AND BRACKETED] being deleted.

Adoption Fees	
Dogs-	
Newly available for adoption, <u>altered at the shelter</u> (flat fee)	\$135.00
<u>Newly available for adoption, previously altered (flat fee)</u>	<u>\$89.00</u>
After 14 <u>calendar</u> [BUSINESS] days <u>if altered at the shelter</u>	\$89.00
<u>After 14 calendar days if previously altered</u>	\$19.00
[AFTER 28 BUSINESS DAYS]	
Cats-	
Newly available for adoption, <u>altered at the shelter</u> (flat fee)	\$117.00
<u>Newly available for adoption, previously altered (flat fee)</u>	<u>\$59.00</u>

After 14 <u>calendar</u> [BUSINESS] days <u>if altered at the shelter</u>	\$75.00
<u>After 14 calendar days if previously altered</u> [AFTER 28 BUSINESS DAYS]	\$17.00
Rescue Adoption Fees After 14 calendar days Dogs-	
<u>Altered at the shelter</u> [AFTER 14 BUSINESS DAYS]	\$89.00
<u>Previously altered</u> [AFTER 28 BUSINESS DAYS]	\$19.00
Cats-	
<u>Altered at the shelter</u> [AFTER 14 BUSINESS DAYS]	<u>\$59.00</u> [\$75.00]
<u>Previously altered</u> [AFTER 28 BUSINESS DAYS]	\$17.00

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 14-023, MSB 24.15.050(D), by inserting at the beginning of the second sentence the words “Except for those animals, and animals classified as level 5;” by striking the word “may” after the word “designee” and inserting “shall” in its place; by striking the last sentence in its entirety and inserting in its place “Specifically, shall approve without cost the rescue of those cats with upper respiratory infection,” to read:

- “(D) An animal may not be adopted from impoundment that shows symptoms of infectious or contagious disease or shows signs of aggression toward humans or other animals. Except for those animals, and animals classified as level 5, the chief animal control officer or designee shall approve the rescue of an animal or unclaimed animal that would otherwise be euthanized if the rescue group or private individual agrees to provide necessary medical care for the animal. Specifically, shall approve without cost the rescue of those cats with upper respiratory infection.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

VIII. VETO

(There were no vetoes presented.)

IX. SPECIAL ORDERS

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. 14-020:** An Ordinance Amending MSB 8.50, Trash And Junk, To Update The Definitions. *(Sponsored By Assemblymember Beck)*
 - a. IM No. 14-021

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 14-020: Mr. John Stuart, Mr. Bill Quantick, Mr. Zennon McNeill, Mr. Ralph Tender, Mr. Richard Harbuck, and Ms. Stephanie Fagan.

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

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 14-020.

MOTION: Assemblymember Beck moved to postpone Ordinance Serial No. 14-020 to a time certain of April 15, 2014.

VOTE: The motion passed without objection.

2. **Ordinance Serial No. 14-026:** An Ordinance Creating West Carpenter Lake Road Natural Gas Local Improvement District No. 530, 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. 14-040

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-026.

Ms. Clayton advised that the local improvement district (LID) did not meet code requirements and recommended that Ordinance Serial No. 14-026 not be adopted.

VOTE: The motion failed without objection.

3. **Ordinance Serial No. 14-027:** An Ordinance Creating Wagner And Blue Mountain Ski Village Non-Contiguous Natural Gas Local Improvement District No. 510, 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. 14-041

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 14-027: Mr. John Vinduska, Ms. Kathy Bacon, and Mr. Warren Keogh.

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

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 14-027.

Assemblymember Sykes:

- spoke to his attendance at a meeting when the idea of a non-contiguous LID was first brought up;
- spoke to concerns with those residents who do not want to participate in the LID taking advantage of accessing the gas line at a later date; and
- requested support of the legislation.

Discussion ensued regarding:

- the pros and cons of non-contiguous LID's;
- the process of bringing other properties gas through Enstar;
- the inherent risks of non-contiguous LID's;
- that the Borough has no control over who participates in LID's;
- if additional participants could be added to the assessment roll at a later date; and
- that the Borough should get out of the LID business.

MOTION: Assemblymember Beck called for question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The main motion passed without objection.

4. **Ordinance Serial No. 14-048:** An Ordinance Approving A Supplemental Appropriation Of \$10,000 Of Revenue From Public Donations To The Fiscal Year 2014 Animal Care And Regulation Division Operating Budget For Medical Supplies.
 - a. IM No. 14-059

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 14-048.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 14-049:** An Ordinance Approving A Supplemental Appropriation Of \$45,000 From Caswell Lakes Road Service Area No. 15 Fund Balance, Fund 272, To Caswell Lakes Road Service Area No. 15 Fiscal Year 2014 Operating Budget, Fund 272.

a. IM No. 14-072

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-049.

VOTE: The motion passed without objection.

6. ~~**Ordinance Serial No. 14-050:** An Ordinance Amending MSB 25.05.090, To Allow For Use Of Borough Funds To Influence Ballot Propositions At The State Level. *(Sponsored By Assemblymember Arvin)*~~

a. ~~IM No. 14-074~~

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with the contract amendment that is the subject of AM No. 14-023 and in opposition to Ordinance Serial No. 14-050: Ms. Cathy Hummel.

The following person spoke in opposition to Ordinance Serial No. 14-050: Ms. Michelle Church.

The following person spoke to concerns with the Wishbone Mine permit: Ms. Kendra Zamzow.

The following person spoke to the need for a regional wastewater and septage facility: Ms. Helen Munoz.

The following person stated that she was not aware of any improvements near Knik Glacier that may be under consideration: Ms. Patty Rosnel.

D. CONSENT AGENDA

1. RESOLUTIONS

- a. **Resolution Serial No. 14-032:** A Resolution Extending The Expiration Date For The MSB 8.32 Review Commission (Energy Policy) And Changing The Composition Of Commission Membership. *(Sponsored By Assemblymember Colligan)*
(1) IM No. 14-073
- b. **Resolution Serial No. 14-033:** A Resolution Approving The Financial Responsibility For The M/V Susitna For April, May, And June 2014.
(1) IM No. 14-076

2. ACTION MEMORANDUMS

- a. **AM No. 14-019:** Award Of Proposal No. 14-082P, To HDR Alaska, Inc. In The Contract Amount Of \$286,281 For The Big Lake Intersection Design.
- d. **AM No. 14-025:** Authorization To Purchase From Craig Taylor Equipment, In The Contract Amount Of \$125,252.32, A Compact Track Loader And Attachments.

Ms. Newman read the above legislation into the record.

MOTION: Assemblymember Halter moved to approve the consent agenda as read into the record by the Deputy Clerk.

VOTE: The motion passed without objection.

- b. **Resolution Serial No. 14-034:** A Resolution In Support Of An Application To The United States Department Of Transportation Investment Generating Economic Recovery Funding (TIGER Grant) For The Palmer-Wasilla Highway Corridor Plan
(1) IM No. 14-086

MOTION: Assemblymember Halter moved to adopt Resolution Serial No. 14-034.

Assemblymember Halter:

- spoke in opposition to the Borough being involved in a State owned road corridor analysis; and
- spoke in opposition to the legislation.

Assemblymember Colligan:

- noted that the Borough does own roads that are off of the Palmer-Wasilla Highway;
- stated that Borough property would be impacted by the corridor plan; and
- opined that the Borough should be more involved in road planning that occurs within the Borough regardless of who owns the road.

VOTE: The motion passed with Assemblymember Halter opposed.

- b. **AM No. 14-023:** Approval Of A Contract Amendment For Contract No. 13-121B, To Wolverine Supply In The Amount Of \$120,000 For The Big Lake Elementary School Renovation, Project No. 40180.

MOTION: Assemblymember Sykes moved to adopt AM No. 14-023.

Assemblymember Sykes requested a staff report.

Mr. Brown provided a staff report.

VOTE: The motion passed without objection.

- c. **AM No. 14-024:** Approval Of A Contract Amendment To Lounsbury And Associates, Inc. In The Amount Of \$237,664 For The Trunk Road Extension South Design Services, Project No. 35007.

MOTION: Assemblymember Beck moved to adopt AM No. 14-024.

Assemblymember Colver:

- provided a history of the contract; and
- opined that numerous contract amendments are bad business and the practice should end.

VOTE: The motion passed with Assemblymember Colver opposed.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 04/15/14, Assembly Chambers)

1. **Ordinance Serial No. 14-025:** An Ordinance Adopting MSB 17.67, Tall Towers, And Repealing Portions Of MSB 17.60 That Address Tall Structures.

a. IM No. 14-037

2. **Ordinance Serial No. 14-028:** An Ordinance Confirming The Assessment Roll For The Rose Glenn Estates Natural Gas Local Improvement District No. 477 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

a. **Ordinance Serial No. 14-029:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$118,000 Principal Amount Of Special Assessment Bonds For The Rose Glenn Estates Natural Gas Local Improvement District No. 477, And Fixing Details Of Said Bonds.

(1) IM No. 14-047

3. **Ordinance Serial No. 14-030:** An Ordinance Confirming The Assessment Roll For The West Caroline's Circle Natural Gas Local Improvement District No. 494 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

a. **Ordinance Serial No. 14-031:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$18,000 Principal Amount Of Special Assessment Bonds For The West Caroline's Circle Natural Gas Local Improvement District No. 494, And Fixing Details Of Said Bonds.

(1) IM No. 14-048

4. **Ordinance Serial No. 14-032:** An Ordinance Confirming The Assessment Roll For The West Demaree Circle Natural Gas Local Improvement District No. 501 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - a. **Ordinance Serial No. 14-033:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$31,000 Principal Amount Of Special Assessment Bonds For The West Demaree Circle Natural Gas Local Improvement District No. 501, And Fixing Details Of Said Bonds.
 - (1) IM No. 14-049
5. **Ordinance Serial No. 14-034:** An Ordinance Confirming The Assessment Roll For The Kaye Estates Phase I And Phase II Natural Gas Local Improvement District No. 506 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - a. **Ordinance Serial No. 14-035:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$209,000 Principal Amount Of Special Assessment Bonds For The Kaye Estates Phase I And Phase II Natural Gas Local Improvement District No. 506, And Fixing Details Of Said Bonds.
 - (1) IM No. 14-050
6. **Ordinance Serial No. 14-036:** An Ordinance Confirming The Assessment Roll For The West Klutina Natural Gas Local Improvement District No. 511 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - a. **Ordinance Serial No. 14-037:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$35,000 Principal Amount Of Special Assessment Bonds For The West Klutina Natural Gas Local Improvement District No. 511, And Fixing Details Of Said Bonds.
 - (1) IM No. 14-051
7. **Ordinance Serial No. 14-052:** An Ordinance Accepting And Appropriating A \$490,067 United States Department Of Homeland Security, Staffing For Adequate Fire And Emergency Response (SAFER) Grant, For The West Lakes Fire Service Area No. 136 To Fund 405, Project No. 45270, For Regional Fire Service Area Firefighter Recruitment And Retention.
 - a. **Resolution Serial No. 14-035:** A Resolution Approving The Scope Of Work And Budget For A United States Department Of Homeland Security, Staffing For Adequate Fire And Emergency (SAFER) Grant, For The West Lakes Fire Service Area No. 136.
 - (1) IM No. 14-064
8. **Ordinance Serial No. 14-053:** An Ordinance Approving An Appropriation Of \$250,000 From Bogard Road Service Area No. 25 Fund Balance, Fund 279, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.
 - a. IM No. 14-077

9. **Ordinance Serial No. 14-054:** An Ordinance Approving An Appropriation Of \$500,000 From Knik Road Service Area No. 17 Fund Balance, Fund 274, To Fund 410, Project No. 30040, For Knik Road Service Area No. 17 Capital Projects.
 - a. IM No. 14-078
10. **Ordinance Serial No. 14-055:** An Ordinance Approving An Appropriation Of \$100,000 From Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.
 - a. IM No. 14-080
11. **Ordinance Serial No. 14-056:** An Ordinance Approving An Appropriation Of \$200,000 From Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.
 - a. IM No. 14-082
13. **Ordinance Serial No. 14-057:** An Ordinance Appropriating \$32,720,000 To Fund 400, School Projects, For The Acquisition, Construction, And Installation Of School And Related Capital Improvements Within The Borough And \$325,426 To Fund 400, For Related Issuance Costs From The Proceeds Of The 2014 Series "B" General Obligation School Bonds.
 - a. IM No. 14-084
14. **Ordinance Serial No. 14-058:** An Ordinance Reapportioning Assembly Districts To Eliminate Precincts That Are Split By An Assembly District Boundary, Submitting The Question To The Qualified Voters Of The Borough At The October 7, 2014, Regular Election; And Amending MSB 2.12.010, Assembly Election Districts. *(Sponsored by Assemblymember Colligan)*
 - a. IM No. 14-085

Ms. Newman read the above legislation into the record.

MOTION: Assemblymember Halter moved to introduce the legislation as read into the record by the Clerk and set the public hearings for April 1, 2014.

MOTION: Assemblymember Halter moved to divide the question to take up Ordinance Serial No. 14-025 separately.

VOTE: The motion passed without objection.

MOTION: First segment. Assemblymember Halter moved to introduce the legislation as read into the record by the Clerk and set the public hearings for April 15, 2014, with the exception of Ordinance Serial No. 14-025.

VOTE: First segment. The motion passed without objection.

MOTION: Second segment. Assemblymember Halter moved to introduce Ordinance Serial No. 14-025, and set the public hearing for April 15, 2014.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest as his firm does a lot of work in the telecommunications industry.

RULING: Mayor DeVilbiss ruled that Assemblymember Colver had a conflict and would be recused from voting.

(Assemblymember Colver exited the meeting.)

Assemblymember Beck:

- noted that tall towers have been an ongoing issue; and
- opined that the legislation should be postponed indefinitely or referred back to the Planning Commission.

Discussion ensued regarding:

- the possibility of referring the legislation back to the Planning Commission;
- the possibility of postponing the legislation indefinitely;
- the possibility of defeating the legislation;
- the desire to move forward with the legislation; and
- that the Planning Commission voted against the legislation.

MOTION: Assemblymember Sykes called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: Second segment. The motion failed with Assemblymember Colligan in support.

(Assemblymember Colver re-entered the meeting.)

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Board of Ethics

Tamie Miller, resignation

Local Emergency Planning Committee

Linda Russell

Knik RSA No. 17

Roger "Toby" Riddell

Mayor DeVilbiss has the following under consideration:

Board of Equalization
Samantha Oslund
Tendra Nicodemus
Health and Social Services Board
Sondra Kaplan

South Colony RSA No. 16
Daniel Monarch

MOTION: Assemblymember Halter moved to approve the Mayor's resignation and appointments up for confirmation this evening.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

(There was no other new business.)

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

(There were no referrals presented.)

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Spiropoulos requested that the meeting be extended prior to entering into executive session.

MOTION: Assemblymember Halter moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 10:30 p.m.

VOTE: The motion passed without objection.

Assemblymember Sykes:

- thanked the IT Department for assisting in making the budget available online;
- spoke to the need for transparency; and
- stated that he is looking forward to the budget process.

Assemblymember Colver:

- stated that he is looking forward to driving on Bogard Road Extension upon its completion;
- noted the high traffic volume on the Palmer-Wasilla Highway;

- related that he is not in any way involved bringing forward Ordinance Serial No. 14-050;
- thanked the Clerk’s Office for their hard work on the meetings while Ms. McKechnie is out of the office; and
- wished Mr. Moosey well on bringing forward a balanced budget.

Assemblymember Colligan:

- opined that the meeting with the School District was a good meeting;
- noted that there will be questions that will need to be asked;
- spoke to concerns with attainable funding levels;
- expressed his condolences to Assemblymember Salmon on the loss of his father;
- spoke to recent trips to Juneau to promote Borough projects;
- thanked Assemblymember Colver and the MSB Fish and Wildlife Commission for their efforts on protecting fish; and
- opined that their efforts were very effective and well received by the community.

Assemblymember Beck:

- thanked Staff for being present to answer questions during the meeting;
- thanked the public for providing testimony; and
- expressed his condolences to Assemblymember Salmon during his time of loss.

Assemblymember Halter:

- clarified that he supported the LID that was adopted this evening;
- opined that the Borough needs to be removed from the LID process;
- spoke to a resolution before the State Legislature regarding Alaska being a “Right to Mush” state, which is the first in the nation;
- spoke in support of the Susitna Forest; and
- complimented the School District on their polished budget presentation.

Assemblymember Arvin:

- apologized for entering the meeting so late; and
- noted that he was on an airplane and unable to call in before now.

Mayor DeVilbiss:

- spoke to meeting Norwegian tourists at the Valley Hotel;
- spoke in support of developing the area near the Knik Glacier;
- stated that he would like to see Knik River Road extended out to be near the face of the glacier;
- opined that the Borough should take leadership on extending the road and that it would not be expensive;
- noted that there are only three weeks left in the legislative session; and
- stated that he has been pleased with the process.

XIII. EXECUTIVE SESSION

A. **Public Employees Retirement System Litigation** *(For Matters, Which 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 Kept Confidential; And Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure.)*

~~B. **M/V Susitna Disposition Of Ferry Grant Property** *(For Matters, Which 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 Kept Confidential; And Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure.)*~~

MOTION: Assemblymember Halter moved to enter into executive session for matters, which 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 kept confidential; and matters involving consideration of government records that by law are not subject to public disclosure. In particular to discuss various aspects of the Public Employees Retirement System litigation. Those present during the executive session will be the Mayor, the Assembly, the Manager, the Attorney, the Deputy Clerk, the Finance Director, the Emergency Services Director, the Human Resources Director, and Mr. Tom Daniel.


VOTE: The motion passed without objection and the Assembly entered into executive session at 8:57 p.m.

MOTION: Assemblymember Halter moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 9:50 p.m.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:50 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 04/15/14