

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, APRIL 7, 2009

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA¹

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 03/10/09
- B. Joint Assembly/School Board Meeting: 03/10/09
- C. Special Assembly Meeting: 03/17/09
- D. Regular Assembly Meeting: 03/17/09

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

- 1. Reports from cities
- 2. Matanuska-Susitna Borough School District
- 3. Mat-Su Convention and Visitors Bureau – Ms. Karen Harris

¹ The agenda was amended to address Ordinance Serial No. 09-054 and Resolution Serial No. 09-028 as the first public hearing.

B. COMMITTEE REPORTS

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

C. MANAGER COMMENTS

1. State/Federal Legislation

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Big Lake and Meadow Lakes Fire Service Area: 04/07/08, 11/17/08, 12/15/08
 - b. Board of Adjustment and Appeals Minutes: 02/04/08, 02/08/08, 06/23/08, 07/16/08, 07/22/08, 08/14/08, 08/29/08, 10/03/08, 12/09/08
 - c. Library Board: 11/15/08
 - d. Local Planning Committee Minutes: 12/17/08, 01/28/09
 - e. Parks, Recreation and Trails Advisory Board: Resolution Serial No.08-09, Resolution Serial No. 08-10, Resolution Serial No. 08-12, Resolution Serial No. 09-01, Resolution Serial No. 09-02
 - f. Planning Commission Minutes: 09/08/08, 11/17/08, 12/15/08, 01/05/09, 01/19/09, Resolution Serial No. 08-21(AM), Resolution Serial No. 08-038, Resolution Serial No. 08-40, Resolution Serial No. 09-02, Resolution Serial No. 09-03, Resolution Serial No. 09-04, Resolution Serial No. 09-07 (AM), Resolution Serial No. 09-09, Resolution Serial No.09-10, Resolution Serial No.09-11, Resolution Serial No. 09-17
 - g. Platting Board Minutes: 02/05/09
 - h. Port Commission Minutes: 12/15/08, Resolution Serial No. 08-003, Resolution Serial No. 08-004
 - i. Real Property Asset Management Board Minutes: 10/08/08, 11/12/08, Resolution Serial No. 08-04(AM), Resolution Serial No. 09-01, Resolution Serial No. 09-02
 - j. South Colony Road Service Area No. 16 Minutes: 10/16/08, Resolution dated 10/06/08
 - k. Trapper Creek Road Service Area No. 30 Minutes: 11/13/08

- l. Senior Citizen's Advisory Board Minutes: 09/15/08, Resolution Serial No. 08-01, Resolution Serial No. 08-02, Resolution Serial No. 08-03
 - m. Transportation Advisory Board: Resolution Serial No. 08-09, Resolution Serial No. 09-01
 - n. Wasilla Lakes Fire Service Area Board of Supervisors Minutes: 11/10/08
- 2. Community Council Correspondence:
 - a. Gateway Community Council Minutes, 01/24/08, 04/24/08, 10/23/08, 01/08/09
 - b. Sutton Community Council Minutes: 08/06/08, 09/03/08, 09/09/08, 11/10/08

G. INFORMATIONAL MEMORANDUMS

- 1. IM No. 09-092: AN INFORMATIONAL MEMORANDUM (REVISOR OF ORDINANCE) REGARDING A REVISION TO MSB 17.23.130(A), POINT MACKENZIE PORT SPECIAL USE DISTRICT, ADOPTED BY ORDINANCE SERIAL NO. 02-208.

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. 09-033: 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. 09-037: 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.
 - 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

5. 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

6. 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

7. 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 285.
 - a. IM No. 09-057

8. 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

9. 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

10. 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

11. 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

12. 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

13. Ordinance Serial No. 09-048: AN ORDINANCE AMENDING MSB 2.47.060(E) BOROUGHWIDE RECORDS MANAGEMENT PROGRAM.
 - a. IM No. 09-066

14. 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

15. 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

16. 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
 - (2) AM No. 09-025: AWARD OF BID NO. 09-060 TO PIERCE MANUFACTURING, INC., IN THE AMOUNT OF \$322,395 FOR THE PURCHASE OF A PUMPER TANKER FOR THE PALMER FIRE SERVICE AREA.

17. 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

18. 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

19. 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. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA²

1. RESOLUTIONS

- a. Resolution Serial No. 09-031: A RESOLUTION AMENDING THE BUDGETS AND SETTING A SCOPE OF WORK AND BUDGET FOR THE VEHICLE PURCHASE PROJECT NO. 20266, TO ALLOW FOR THE PURCHASE OF A FORD F350 ONE-TON FOUR WHEEL

² Resolution Serial Nos. 09-031 and 09-033 were pulled from the consent agenda and addressed separately.

DRIVE TRUCK AND PLOW AND PORTABLE HEATER
AND TRAILER.

(1) IM No. 09-049

- b. Resolution Serial No. 09-032: A RESOLUTION
AUTHORIZING THE BOROUGH MANAGER TO ENTER
INTO AN AGREEMENT OF SERVICES WITH THE CITY
OF PALMER FOR ANIMAL CARE SERVICES.

(1) IM No. 09-090

- c. Resolution Serial No. 09-033: A RESOLUTION
POSTPONING THE SOUTH PALMER ELEMENTARY
SCHOOL OPENING. (*Sponsored by: Assemblymember Church*)

(1) IM No. 09-091

2. ASSEMBLY MEMORANDUMS

- a. AM No. 09-020: ACCEPTANCE OF LATE FILED AND
RETROACTIVE SENIOR CITIZEN AND DISABLED
VETERAN EXEMPTION APPLICATIONS.

- b. AM No. 09-021: AUTHORIZING THE MANAGER TO
ENTER INTO A MEMORANDUM OF UNDERSTANDING
WITH THE STATE OF ALASKA REGARDING STATE USE
OF 2007 HOMELAND SECURITY GRANT FUNDING ON
BEHALF OF THE MATANUSKA-SUSITNA BOROUGH
FOR A STATE MANAGED SECURITY VULNERABILITY
ASSESSMENT.

- c. AM No. 09-022: APPROVING A TRANSFER OF \$33,000
FROM ASSEMBLY RESERVES (100-100-102) TO
PROVIDE FUNDING FOR THE JUNE 9, 2009, SPECIAL
ELECTION (100-100-105).

- d. AM No. 09-023: ACCEPTANCE OF LATE FILED AND
RETROACTIVE SENIOR CITIZEN AND DISABLED
VETERAN EXEMPTION APPLICATIONS.

- e. AM No. 09-024: AWARD OF PROPOSAL NO. 09-072 TO
ALASKA RIM ENGINEERING, INC., IN THE AMOUNT
NOT TO EXCEED \$250,000 FOR THE ENGSTROM ROAD
UPGRADE DESIGN PROJECT.

- f. AM No. 09-026: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH MATANUSKA TELEPHONE ASSOCIATION TO EXTEND AND INSTALL TELEPHONE AND DATA COMMUNICATION LINES TO THE GOOSE CREEK CORRECTIONAL CENTER FOR AN AMOUNT NOT TO EXCEED \$502,996.70.

VIII. UNFINISHED BUSINESS³

- A. Ordinance Serial No. 09-024: AN ORDINANCE AMENDING MSB 15.39.130, NOTICE OF APPEALS; FORM, TO CHANGE THE APPEAL FEE.
 - a. IM No. 09-038

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 04/21/09, 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 09-057: AN ORDINANCE AMENDING MSB 2.08.060, COMPENSATION AND REIMBURSEMENT, FOR THE MAYOR; AND AMENDING MSB 2.12.060, COMPENSATION AND REIMBURSEMENT, FOR THE ASSEMBLY; TO INCLUDE THE ALLOTTED EXPENSE REIMBURSEMENTS INTO THE MAYORS, DEPUTY MAYORS, AND ASSEMBLY YEARLY COMPENSATION. *(Sponsored by Assemblymember Bettine.)*
 - a. IM No. 09-084
 - 2. Ordinance Serial No. 09-058: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$10,000 FROM CASWELL LAKES ROAD SERVICE AREA NO. 15 FUND BALANCE, FUND 272, TO CASWELL LAKES ROAD SERVICE AREA NO. 15 FISCAL YEAR 2009 OPERATING BUDGET, FUND 272.
 - a. IM No. 09-056
 - 3. Ordinance Serial No. 09-059: AN ORDINANCE APPROVING AN APPROPRIATION OF \$220,000 FROM GOLD TRAIL ROAD SERVICE AREA NO. 28 FUND BALANCE, FUND 282, TO

³ Ordinance Serial No. 09-024 under unfinished business was not addressed and carried forward to the April 21, 2009, regular Assembly meeting.

FUND 410, PROJECT NO. 30048, FOR GOLD TRAIL ROAD
SERVICE AREA NO. 28 CAPITAL PROJECTS.

a. IM No. 09-063

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

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

1. Ordinance Serial No. 09-060: AN ORDINANCE ADOPTING THE
2009 BIG LAKE COMPREHENSIVE PLAN UPDATE.

a. IM NO. 09-086

2. Ordinance Serial No. 09-061: AN ORDINANCE AMENDING
MSB 27.15.040 TO IMPOSE AN ABSOLUTE DURATIONAL
LIMIT OF THIRTY-SIX MONTHS FOR PRELIMINARY
PLATS AND FORTY-EIGHT MONTHS FOR PHASED
DEVELOPMENT MASTER PLANS UNDER FORMER TITLE 16:
SUBDIVISIONS, BY LIMITING TOTAL EXTENSIONS TO
NO MORE THAN TWELVE MONTHS.

a. IM No. 09-087

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

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.**