

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Timothy L. Anderson

BOROUGH CLERK

Sandra A. Dillon, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Teresa S. Williams



BOROUGH ASSEMBLY

J. Bruce Bush, District 1

Bill Allen, District 2

Talis J. Colberg, District 3

Mary Kvalheim, District 4

Jody Simpson, District 5

Jim Colver, District 6

Betty Vehrs, District 7

ASSEMBLY AGENDA

BOROUGH ASSEMBLY CHAMBERS

350 E. DAHLIA AVENUE, PALMER, ALASKA

REGULAR MEETING

6 P.M.

TUESDAY, MAY 4, 2004

**Teleconferenced to the Su-Valley High School Library
Mile 98.6 Parks Highway, Talkeetna, Alaska**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA 1
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
 - A. Regular Assembly Meeting: April 20, 2004
- VI. REPORTS/CORRESPONDENCE
 - A. AGENCY REPORTS

1 Resolution Serial No. 04-072 was added to the agenda. Ordinance Serial No. 04-092 was introduced as a revised yellow copy in the Assembly's red folders. A Special Orders of the Day section was added to the agenda in order to present a proclamation to the Mat-Su Convention and Visitor's Bureau

1. Reports from cities
2. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues
2. Regional Transportation Planning Organization

C. MANAGER COMMENTS

1. State/Federal Legislation

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Borough Schools Site Selection Committee: 03/22/04
 - b. Citizens' Advisory Committee for Title 16 Rewrite: 03/31/04
 - c. Mayor's Blue Ribbon Task Force on Police Powers: 04/07/04
 - d. Planning Commission: 04/05/04
 - e. Wasilla-Lakes Fire Service Area Board of Supervisors: 01/26/04
2. Community Council Correspondence:
 - a. Butte Community Council Resolution
 - b. Glacier View Community Council: 04/01/04
 - c. Trapper Creek Community Council: 04/14/04
 - d. Willow Area Community Organization: 04/05/04

G. INFORMATIONAL MEMORANDUMS

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

A. PERSONS TO BE HEARD (Three minutes per person.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 04-059: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE MCCORMICK LANE AND MCADOO WAY ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 372 AND ESTABLISHING THE METHOD OF

TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 04-064: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$34,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE MCCORMICK LANE AND MCADOO WAY ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 372, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 04-087

2. Ordinance Serial No. 04-060: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE DOWNWIND AND UPDRAFT CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 379 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 04-065: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$42,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE DOWNWIND AND UPDRAFT CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 379, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 04-088

3. Ordinance Serial No. 04-061: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE ALDER DRIVE/COTTONWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 381 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 04-066: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$45,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE ALDER DRIVE/COTTONWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 381, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 04-089

4. Ordinance Serial No. 04-062: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE LUTHER AVENUE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 382 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 04-067: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$28,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE LUTHER AVENUE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 382, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 04-090

5. Ordinance Serial No. 04-063: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE LANI DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 384 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 04-068: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$23,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE LANI DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 384, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 04-091

6. Ordinance Serial No. 04-079: AN ORDINANCE APPROVING AN APPROPRIATION OF \$67,000 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO THE NON-LAPSING, NON-CAPITAL PROJECT NO. 45160, FUND 480, FOR DEMOLITION OF THE COLLAPSING BOROUGH-OWNED STORAGE BUILDING AND ABATEMENT AND DISPOSAL OF HAZARDOUS MATERIALS AT TRACT 1, ALPINE HISTORICAL SITE, TAX PARCEL NO. 2810000T001, SUTTON COMMUNITY COUNCIL AREA.
 - a. Resolution Serial No. 04-058: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR DEMOLITION OF THE COLLAPSING BOROUGH-OWNED STORAGE BUILDING AND ABATEMENT AND DISPOSAL OF HAZARDOUS MATERIALS AT TRACT 1, ALPINE HISTORICAL SITE, TAX PARCEL

NO. 2810000T001, SUTTON COMMUNITY COUNCIL
AREA.

(1) IM No. 04-100

7. Ordinance Serial No. 04-080: AN OMNIBUS ORDINANCE AMENDING MSB TITLE 4, BOARDS AND COMMISSIONS; REPEALING MSB 3.38.050-.060, THE ENHANCED 911 ADVISORY BOARD, AND RE-ENACTING IT AS MSB 4.28.
 - a. IM No. 04-106

8. Ordinance Serial No. 04-081: AN OMNIBUS ORDINANCE AMENDING MSB TITLE 1, GENERAL PROVISIONS.
 - a. IM No. 04-107

9. Ordinance Serial No. 04-082: AN ORDINANCE ACCEPTING AND APPROPRIATING \$37,000 FROM THE CITY OF HOUSTON FOR ADDITIONAL PAVING OF KING ARTHUR DRIVE AND PAVING MILLER'S REACH ROAD TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECT NO. 35283, CITY OF HOUSTON PAVING.
 - a. Resolution Serial No. 04-059: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PAVING KING ARTHUR DRIVE AND MILLER'S REACH ROAD IN THE CITY OF HOUSTON, PROJECT NO. 35283.
 - (1) IM No. 04-108

10. Ordinance Serial No. 04-083: AN ORDINANCE ACCEPTING AND APPROPRIATING \$3,144.32 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY, TO THE NON-LAPSING/NON-CAPITAL FUND 480, PROJECT 20324, FOR REIMBURSEMENT FOR TRAVEL TO THE CERTIFIED LOCAL GOVERNMENT WORKSHOP BY THE HISTORIC PRESERVATION COMMISSION MEMBERS.
 - a. Resolution Serial No. 04-060: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT 20324, FOR REIMBURSEMENT FOR TRAVEL TO THE CERTIFIED LOCAL GOVERNMENT WORKSHOP BY THE HISTORIC PRESERVATION COMMISSION MEMBERS.
 - (1) IM No. 04-109

11. Ordinance Serial No. 04-084: AN ORDINANCE RECLASSIFYING A BOROUGH-OWNED PARCEL LOCATED ALONG THE PETERSVILLE ROAD IN THE TRAPPER CREEK AREA FROM FOREST MANAGEMENT LANDS TO RESOURCE MANAGEMENT LANDS AND APPROVING THE DEVELOPMENT OF A GRAVEL SOURCE AND A RECREATIONAL VEHICLE PARKING LOT.
 - a. IM No. 04-114

C. AUDIENCE PARTICIPATION (Three minutes per person.)

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 04-048: AN ORDINANCE AMENDING MSB 3.04.095 TO ESTABLISH A RESERVE WITHIN THE GENERAL FUND FOR MAJOR REPAIR AND RENOVATION.
 1. AM No. 04-042: ESTABLISHING A RESERVE FOR MAJOR REPAIRS AND RENOVATION AND ESTABLISHING THE CRITERIA FOR QUALIFICATION OF SUCH PROJECTS.
(Sponsors: Assemblymembers Allen and Colver) (Postponed from 04/20/04, Motion pending)
- B. Resolution Serial No. 04-065: A RESOLUTION SUPPORTING SENATE BILL 382, RELATED TO THE METHOD USED TO PERFORM PROPERTY LINE CHANGES ASSOCIATED WITH RIGHTS-OF-WAY FOR NEW TRANSPORTATION PROJECTS. *(Postponed from 04/20/04, Motion pending)*
 1. IM No. 04-115

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 05/18/04, 7 p.m., Borough Assembly Chambers)
 1. Ordinance Serial No. 04-085: AN ORDINANCE REAPPROPRIATING \$23,612 TO FUND 480, PROJECT NO. 20280; \$25,000 TO FUND 480, PROJECT NO. 45161; AND \$31,064 TO FUND 480, PROJECT NO. 45162, FROM THE FY04 PLANNING DIVISION'S OPERATING BUDGET (100-130-130-429-300) FOR THE PURPOSE OF PLANNING STUDY SERVICES TO ASSIST IN THE UPDATE OF THE LONG RANGE TRANSPORTATION PLAN, TO ASSIST IN THE DEVELOPMENT OF THE TRAPPER CREEK COMMUNITY

COMPREHENSIVE PLAN AND THE BIG LAKE ACCESS
EASEMENT STUDY.

- a. IM No. 04-112
2. Ordinance Serial No. 04-086: AN ORDINANCE AMENDING MSB CHAPTER 8.50, TRASH AND JUNK.
 - a. IM No. 04-113
3. Ordinance Serial No. 04-087: AN ORDINANCE REAPPROPRIATING \$39,240 FROM FISCAL YEAR 2004 AREAWIDE FUND 100, RECREATIONAL SERVICES OPERATING BUDGET TO A NON-LAPSING, NON-CAPITAL, FUND 440, PROJECT NO. 20345 FOR THE COMMUNITY SCHOOLS PROGRAM.
 - a. IM No. 04-122
4. Ordinance Serial No. 04-088: AN ORDINANCE ADOPTING MSB 23.10.270, ACQUISITION AND EXCHANGE, AND REPEALING THAT SECTION OF THE LAND MANAGEMENT DIVISION POLICY AND PROCEDURE MANUAL ON ACQUISITION AND EXCHANGE.
 - a. IM No. 04-123
5. Ordinance Serial No. 04-089: AN ORDINANCE ACCEPTING AND APPROPRIATING \$6,000 FROM THE CITY OF HOUSTON FOR ADDITIONAL PAVING OF WEST MEADOWOOD DRIVE AND KING ARTHUR DRIVE TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECT NO. 35247, 2003 CITY OF HOUSTON PAVING.
 - a. Resolution Serial No. 04-069: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR ADDITIONAL PAVING IN THE CITY OF HOUSTON 2003 PAVING, PROJECT NO. 35247.
 - (1) IM No. 04-124
6. Ordinance Serial No. 04-090: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$2,368.30 OF REVENUES FROM PUBLIC DONATIONS TO THE FISCAL YEAR 2004 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET, 200-160-606, FOR PURCHASING ANIMAL FENCING, TOYS, AND EQUIPMENT.
 - a. IM No. 04-126

7. Ordinance Serial No. 04-091: AN ORDINANCE ACCEPTING AND APPROPRIATING \$10,000 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY ALL HAZARDS EMERGENCY OPERATIONS PLANNING GRANT, TO FUND 480, PROJECT NO. 45125, FOR THE PURPOSE OF UPDATING AND PUBLISHING THE BOROUGH EMERGENCY OPERATIONS PLAN AND TRAINING.
 - a. Resolution Serial No. 04-070: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY ALL HAZARDS EMERGENCY OPERATIONS PLANNING GRANT, PROJECT NO. 45125, FUND 480, FOR THE PURPOSE OF UPDATING AND PUBLISHING THE BOROUGH EMERGENCY OPERATIONS PLAN AND TRAINING.
 - (1) IM No. 04-127

8. Ordinance Serial No. 04-092: AN ORDINANCE ADOPTING MSB 8.52, NOISE AND VIBRATION.
 - a. IM No. 04-131

B. INTRODUCTION (For public hearing - 06/15/04, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 04-078: AN ORDINANCE CREATING NORTH WILLOW DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 393, 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. 04-121

C. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 04-071: A RESOLUTION RECOGNIZING MAY 8 THROUGH MAY 16, 2004, AS NATIONAL TOURISM WEEK AND DESIGNATING THIS SAME WEEK AS MATANUSKA-SUSITNA BOROUGH TOURISM WEEK.
 - (1) IM No. 04-129

- b. Resolution Serial No. 04-072: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RECOMMENDING THAT THE ALASKA STATE LEGISLATURE AMEND PROPOSED LEGISLATION TO ALLOW AFFECTED RAILBELT MUNICIPALITIES AND THE ALASKA RAILROAD THE ABILITY TO DEVELOP MUTUALLY AGREEABLE LEGISLATION REGARDING LOCAL PLANNING AUTHORITY.
(1) IM No. 04-134

2. ACTION MEMORANDUMS

- a. AM No. 04-078: RETROACTIVE APPROVAL OF SENIOR CITIZEN PROPERTY TAX EXEMPTION FOR ELLEN R. LOCKHART ON TAX ACCOUNT NUMBER 6262000L015 FOR TAX YEARS 2002 AND 2003.
- b. AM No. 04-079: RETROACTIVE APPROVAL OF SENIOR CITIZEN PROPERTY TAX EXEMPTION FOR ERNEST C. LAMB ON TAX ACCOUNT NUMBER 1714B01L001 FOR TAX YEAR 2003.
- c. AM No. 04-080: RETROACTIVE APPROVAL OF DISABLED VETERAN PROPERTY TAX EXEMPTION FOR DUANE R. EVERTSON ON TAX ACCOUNT NUMBERS 6523B03L007 AND 6523B03L008 FOR TAX YEAR 2003.
- d. AM No. 04-081: APPROVAL OF CHANGE ORDER TO PSENAK CONSTRUCTION IN THE AMOUNT OF \$45,000 FOR MATANUSKA RIVER EROSION CONTROL PROJECT, PROJECT NO. 25043.
- e. AM No. 04-082: AWARD OF PROPOSAL NO. 04-131 TO HDR ALASKA, INC., IN AN AMOUNT NOT TO EXCEED \$60,000 FOR AN UPDATE OF THE MATANUSKA-SUSITNA BOROUGH LONG-RANGE TRANSPORTATION PLAN AND OFFICIAL STREETS AND HIGHWAYS PLAN.
- f. AM No. 04-083: CHANGE ORDER APPROVAL TO STEPPERS CONSTRUCTION, INC., IN THE AMOUNT OF \$158,598.55 (FEDERAL AND STATE GRANT FUNDS)

FOR CONSTRUCTION OF CENTRAL LANDFILL CELL
2B CONSTRUCTION, PROJECT NO. 25038.

- D. MAYORAL NOMINATIONS AND APPOINTMENTS
 - 1. VACANCY REPORT
- E. OTHER NEW BUSINESS
- X. RECONSIDERATION
- XI. VETO
- XII. EXECUTIVE SESSION
- XIII. MAYOR AND ASSEMBLY COMMENTS
- XIV. ADJOURNMENT