

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 5, 2009, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:04 p.m. by Deputy Mayor Lynne Woods.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*)
Mr. Pete Houston, Assembly District No. 2 (*arrived at 6:10p.m.*)
Ms. Michelle R. Church, Assembly District No. 3
Mr. Mark Ewing, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Robert Wells, Assembly District No. 6 (*arrived at 6:03 p.m.*)
Mr. Tom Kluberton, Assembly District No. 7 (*arrived at 6:49 p.m.*)

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Elizabeth Gray, Assistant Borough Manager
Mr. Lisa Thomas, Assistant Borough Attorney
Mr. John Aschenbrenner, Assistant Borough Attorney
Ms. Cheryl D. Marino, Deputy Borough Clerk
Ms. Cheyenne Heindel, Financial Analyst
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Linda Brenner, Community Development Director
Mr. Mark Mayo, Planning and Land Use Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Dave Hanson, Economic Development Director
Ms. Susan Lee, Planner II
Mr. Bruce Paulson, Land Management Specialist
Mr. Robert Haskell, Chief Animal Care and Regulation Officer

III. APPROVAL OF AGENDA

Deputy Mayor Woods inquired if there were any changes to the agenda.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Bruce Paulson, Land Management Specialist.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 04/07/09

Deputy Mayor Woods inquired if there were any corrections to the special meeting minutes of April 7, 2009.

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

B. Regular Assembly Meeting: 04/07/09

Deputy Mayor Woods inquired if there were any corrections to the regular meeting minutes of April 7, 2009.

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

C. Special Assembly Meeting: 04/09/09

Deputy Mayor Woods inquired if there were any corrections to the special meeting minutes of April 9, 2009

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

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation in Recognition of Relay for Life

Deputy Mayor Woods:

- read the proclamation into the record; and
- presented the proclamation to Ms. Karen Layton.

B. Proclamation in Recognition of Women's Health Week

Deputy Mayor Woods read the proclamation into the record.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Mat-Su Convention and Visitors Bureau (MSCVB) – Ms. Dee Dee Kay

Ms. Dee Dee Kay, MSCVB Board Member:

- noted that the MSCVB is pleased with the funds that the Assembly is proposing;
- advised that one of her personal goals is to operate the Talkeetna Lodge during the winter;
- spoke to Japan Airline Tours having had 150 guests come to the Talkeetna Alaskan Lodge;
- spoke regarding the presentations that the MSCVB have been providing to communities within the Borough;
- advised that MSCVB has started a new “Value Values” campaign;
- advised that MSCVB members can post specials they have at their facilities that are only for Alaskan residents; and
- thanked the Assembly for their support so that the MSCVB is able to promote tourism within the Borough.

Assemblymember Bettine queried what the bed tax is looking like for the businesses Ms. Kay represents.

Ms. Kay:

- advised that McKinley Princess Lodge were not going to open up all their beds, but have since changed their mind;
- noted there have been some value conscience rates built into their land program;
- stated that the rate is being absorbed by the marketing program;
- noted that smaller members are having one of the best seasons they have ever had;
- spoke to the conferences that will be occurring at the Talkeetna Alaskan Lodge; and
- noted that there are already conferences on the books for 2010.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Wells:

- advised that they received a positive Susitna Valley High School update, noting that it is possible it could open sooner than expected;
- advised that they briefly discussed the south Palmer Elementary School access;
- noted that that the School Bonds are underway;
- spoke to the federal stimulus package possibly providing \$15 million in funds to the School District; and
- advised they spoke briefly to the fiscal year 2010 budget.

2. Assembly Public Relations

Assemblymember Ewing:

- advised that he attended the Fishhook Community Council Spaghetti feed; and
- noted that it went well.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- spoke to the school bond schedule;
- spoke regarding the positive feedback from the Federal Delegation regarding the Agricultural Processing Plant;
- advised that he would provide the Assembly with the draft Strategic Plan for review; and
- spoke regarding the budget information package that he provided to the Assembly.

(The Manager's Report is continued on page 7.)

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. Marino:

- provided an overview of the meeting schedule;
- noted that in the past the Assembly has cancelled the meeting that is near the July 4 holiday; and
- queried if the Assembly would like to cancel the July 7, 2009, regular meeting.

There was no objection noted.

Ms. Marino advised that the Election Brochure for the June 9, 2009, special election is attached to the Clerk's report for the Assembly's review and approval.

Assemblymember Bettine:

- stated that she would like to compliment the Clerk's Office for the work on the brochure for the special election; and
- noted that with the changes that have been made to the brochure, it is sure to be less costly than it has been in the past.

There was no objection noted on the Election Brochure.

Ms. Marino:

- noted the pertinent dates that have been provided for the regular election; and
- advised that the quasi-judicial report is provided for Assembly Review.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Local Emergency Planning Committee: 02/18/09
 - b. Planning Commission: 09/22/08, 10/06/08
 - c. Real Property Asset Management Board: 01/14/09
2. Community Council Correspondence:
 - a. Big Lake Community Council: 02/11/09
 - b. Lazy Mountain Community Council: 09/11/08, 10/09/08, 11/13/08, 01/08/09, 02/12/09, Resolution Serial No. 08-11-01
 - c. Meadow Lakes Community Council: 02/11/09, 02/18/09
 - d. Sutton Community Council: 12/08/08

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

X. NEW BUSINESS

A. INTRODUCTION (For public hearing – 05/19/09, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 09-066: AN ORDINANCE ACCEPTING AND APPROPRIATING \$150,000 FROM ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES TO PROJECT NO. 35359, FUND 430, FOR SHIRLEY TOWN DRIVE IMPROVEMENTS.
 - a. Resolution Serial No. 09-042: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SHIRLEY TOWN DRIVE IMPROVEMENTS, PROJECT NO. 35359, FUND 430
 - (1) IM No. 09-101
2. Ordinance Serial No. 09-067: AN ORDINANCE REAPPROPRIATING \$75,000 FROM THE ECONOMIC DEVELOPMENT DEPARTMENT, FUND 200, FISCAL YEAR 2009 OPERATING BUDGET, TO FUND 480, FOR ECONOMIC DEVELOPMENT PLANNING PROJECT NO. 47012.
 - a. IM No. 09-107
 - b. AM No. 09-034: AWARD OF PROPOSAL NO. 09-091 TO TIP STRATEGIES, INC., FOR THEMATANUSKA-SUSITNA BOROUGH ECONOMIC DEVELOPMENT PLAN IN THEAMOUNTNOTTOEXCEED \$125,000.

3. Ordinance Serial No. 09-068: AN ORDINANCE AMENDING MSB 3.04.110 TO CHANGE THE MANNER IN WHICH UNEXPENDED SCHOOL DISTRICT FUNDS LAPSE. *(Sponsored by Assemblymember Wells)*
 - a. IM No. 09-108

Ms. Marino read the above legislation into the record.

MOTION: Assemblymember Bettine moved to introduce the legislation as read into the record by the Clerk and set the public hearings for May 19, 2009.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Deputy Mayor Woods requested the following confirmations and resignations:

Enhanced 911 Advisory Board
Resignation of Angella Long
Platting Board
Resignation of Yvonne Summer
Trapper Creek RSA No. 30
Darlene Rich

Deputy Mayor Woods made the following recommendations:

Commission on Salaries and Emoluments
Terry Snyder
Midway RSA No. 9
N. Roy Goodman

MOTION: Assemblymember Bettine moved to confirm the Mayor's recommendations and resignations up for confirmation this evening.

VOTE: The motion passed without objection.

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. 09-069: AN ORDINANCE ESTABLISHING A WASILLA DEVELOPMENT STANDARDS DISTRICT, AND AMENDING MSB 27.10.065, MSB 27.15.020, AND MSB 27.15.130 TO APPLY THE DESIGN AND CONSTRUCTION STANDARDS ADOPTED IN THE DEVELOPMENT STANDARDS DISTRICT TO

PRELIMINARY AND FINAL PLATS OF PROPERTY LOCATED IN THE DEVELOPMENT STANDARDS DISTRICT.

a. IM No. 09-102

MOTION: Assemblymember Ewing moved to refer Ordinance Serial No. 09-069 to the Planning Commission for 90 days.

VOTE: The motion passed without objection.

(Manager's Report continued from page 4)

Mr. Duffy:

- spoke to the 2008 through 2009 Road Improvement Projects report provided to the Assembly; and
- noted that this will update the Assembly on the road improvement projects.

Assemblymember Bettine queried if there were any road improvement funds from previous years that have lapsed.

Mr. Duffy:

- advised that Road Service Area No. 9 has \$846,000 available;
- stated that there is also an additional \$105,000 that relates to Senate Bill 231 for substandard roads; and
- noted that there is also \$30,000 in miscellaneous grants and expenses.

Assemblymember Bettine:

- queried if there were funds left over from any projects in 2006; and
- further asked if there were funds left over and where would the amounts be reflected.

Mr. Duffy:

- advised that any project that was not completed, no matter when it began, would be reflected in the report he provided to the Assembly; and
- stated that it would be listed by project name.

Assemblymember Ewing:

- queried the Fern Street improvement funds in the amount of \$30,000; and
- further asked if these funds were to connect Fern Street with Edlund Road.

Mr. Duffy:

- affirmed the query;
- spoke to the active grant log within the report he provided;
- stated that the log lists State and Federal grants the Borough has received;
- noted that the report reflects the legislative bill the grant originated from; and
- further added that the report also reflects the amount of the grant award and the balance as of March 30, 2009.

Discussion ensued regarding the Road Improvement Project Report.

Assemblymember Church queried where remaining funds from Boroughwide Building Energy Audit, Phase I, would return to.

Mr. Duffy:

- noted that he hoped that the report would be completed by May 7, 2009; and
- advised that any remaining funds would return to the general fund.

(Assemblymember Kluberton arrived at 6:49 p.m.)

(The regular meeting recessed at 6:52 p.m. and reconvened at 7:05 p.m.)

VIII. 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. 09-062: AN ORDINANCE ADOPTING AN AMENDMENT TO MSB 17.28.090(A)(3), DESIGNATING GOVERNMENT LOTS 1 AND 2, WITHIN TOWNSHIP 18 NORTH, RANGE 2 EAST, SECTION 31, SEWARD MERIDIAN, AS AN INTERIM MATERIALS DISTRICT.
 - a. IM No. 09-085

Mr. Mayo provided a staff report.

Assemblymember Church queried if the application was originally requested as an interim materials district.

Mr. Mayo affirmed the query.

Assemblymember Church queried the reason that a conditional use permit was not explored.

Ms. Lee noted that when the application was submitted that it was submitted as an interim materials district and therefore she processed it as such.

Assemblymember Houston queried the difference between a conditional use permit and an interim materials district.

Ms. Lee:

- stated that an interim materials district is a zoning designation and if approved, it will stay with that property until there is a zoning change; and
- further added that a conditional use permit can be for a certain duration of time or not, as it may be an ongoing activity without an expiration date.

Mr. Duffy noted that a comprehensive plan effort could also change this.

Discussion ensued regarding:

- how the property is assessed and taxed;
- the Planning Commission's resolutions regarding the interim materials district;
- the 10-year limitation on the interim materials district;
- the need to have an overview process in the Planning Department with regards to interim materials district;
- the Bogard Road Extension and how it affects the subject property;
- the Planning Commission members who recused themselves from this issue;
- the topography of the property;
- what would occur should the Assembly request that the interim materials district be requested to go through the conditional use permit process;
- the conditions of the interim materials district;
- the reason that the consultants for the Title 17 re-write are recommending that the interim materials district section of the code be repealed;
- setbacks on the property; and
- whether the Assembly can require the property owners to farm the land.

Deputy Mayor Woods opened the public hearing.

The following persons noted that they were the owners of the subject property and spoke to the reasons they would like an interim materials district: Mr. Bill Wiederkehr and Ms. Pam Bue, Wiederkehr, Inc.

The following person spoke in support of Ordinance Serial No. 09-062: Mr. Robert Kennerson, Kennerson Excavation.

The following persons spoke in opposition to Ordinance Serial No. 09-062: Mr. Brent Taylor; Mr. Michael Stanton; Mr. Joel Stefanski; Ms. Linda Beller; Mr. Dave Horner; Ms. Cindy Payne; Ms. Kim Taylor; Ms. Kathy Wells, Executive Director of Friends of Mat-Su;

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

(The regular meeting recessed at 8:48 p.m. and reconvened at 8:59 p.m.)

MOTION: Assemblymember Houston moved to adopt Ordinance Serial No. 09-062.

Assemblymember Church:

- opined that the Wiederkehr's were provided bad advice from the Planning Department;
- added that the Planning Department should understand the ramifications of an interim materials district:
- spoke in favor of the applicant applying for a conditional use permit for this issue;
- spoke to her father-in-law extracting gravel and making the land a hayfield;
- opined that the interim materials district does not comply with the core area comprehensive plan; and
- noted that the Borough does need gravel; however, the extraction needs to be done in an appropriate location.

Assemblymember Ewing:

- spoke regarding the route selection process for Bogard Road Extension;
- stated that he sees this interim materials district as adding insult to injury to the people affected by the Bogard Road Extension; and
- noted that a conditional use permit would be in order.

Assemblymember Houston:

- stated that he does not believe that the Wiederkehr's are trying to create a gravel pit;
- noted that the Wiederkehr's have gone through the process and have tried to do the right thing;
- commented that the Assembly has supported the protection of farmlands;
- opined that to bring more land into farmable property is a good thing;
- opined that the problem with the Bogard Road Extension was that 20 years ago property was not set aside; and
- requested that the conditional use permit process for the Wiederkehr's be as streamlined as possible.

Discussion ensued regarding:

- Scott Road not being able to handle an industrial contract;
- the Assembly's decision to protect agriculture;
- concerns that a conditional use process would only go through the Planning Commission, where the interim materials district goes through the Planning Commission and the Assembly;
- the Assembly choosing the route for the Bogard Road Extension was to protect as much farmland as possible;
- the need to make the conditional use permit process smooth for the Wiederkehr's; and
- the differences between an interim materials district and a conditional use permit.

VOTE: The main motion failed with Assemblymember Wells in support.

MOTION: Assemblymember Houston moved to direct staff to waive any fees associated with the Wiederkehr's application for a conditional use permit.

Assemblymember Houston:

- stated that he wanted to make it clear that he was not encouraging staff to go around the administrative processes;
- noted that it is important to preserve the public hearing process; and
- opined that it is important to streamline the conditional use permit application for the Wiederkehr's.

Ms. Thomas spoke to concerns with directing staff how to handle a conditional use permit.

WITHDRAW: Assemblymember Houston withdrew the motion.

There was no objection noted.

Assemblymember Bettine:

- stated that this is an unusual situation;
- opined that the applicants were not ill advised in their application process; and
- queried other times when providing refunds to applicants might be at issue.

Ms. Thomas responded that it would require further research.

Mr. Duffy:

- advised that the history is that the Administration does not have the authority to waive fees; and
- further added it is only the Assembly that can waive fees.

Assemblymember Bettine noted that the reason that fees are required is for the time that staff has spent on these issues.

2. Ordinance Serial No. 09-063: AN ORDINANCE ADOPTING AN AMENDMENT TO THE RECREATIONAL TRAILS PLAN COMPONENT OF THE BOROUGH'S COMPREHENSIVE PLAN TO ADD/DELETE TRAILS AND TRAIL SYSTEMS.
 - a. IM No. 09-093

Mr. Paulson provided a staff report.

Deputy Mayor Woods opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 09-063: Mr. Dan Kruse; Vice President of Big Lake Trails; Mr. Dan Mayfield, President of the Big Lake Trails; Mr. Scott Lapiene, President of the Mat-Su Trails Council.

Assemblymember Bettine thanked the Big Lake Trails group for resurrecting community involvement in the Big Lake area with the work they are doing.

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

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

VOTE: The motion passed without objection.

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 09-063.

VOTE: The main motion passed without objection.

3. Ordinance Serial No. 09-064: AN ORDINANCE APPROPRIATING THE LOAN PROCEEDS IN THE AMOUNT OF \$2,500,000 FROM THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, CLEAN WATER FUND, TO THE SOLID WASTE ENTERPRISE FUND, FUND 510, AND REAPPROPRIATING \$2,500,000 FROM FUND 510, SOLID WASTE ENTERPRISE FUND, AND \$3,000,000 FROM FUND 480, MISCELLANEOUS CAPITAL PROJECTS FUND, TO FUND 420, PROJECT NO. 25051, VALLEY COMMUNITY FOR RECYCLING SOLUTIONS.

a. Resolution Serial No. 09-037: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 25051 TO ALLOW FOR THE CONSTRUCTION OF A NEW REGIONAL RESOURCE RECOVERY AND TRAINING FACILITY.

(1) IM No. 09-095

Mr. Duffy provided a staff report.

Assemblymember Bettine queried if this project was in the current budget.

Mr. Duffy advised that the project is located in the capital budget.

Assemblymember Houston queried when construction would start.

Mr. Duffy advised that construction would start in July.

Deputy Mayor Woods 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 Houston moved to adopt Ordinance Serial No. 09-064 and Resolution Serial No. 09-037.

VOTE: The main motion passed without objection.

4. Ordinance Serial No. 09-065: AN ORDINANCE APPROPRIATING \$56,000 OF INTEREST EARNINGS FROM THE ANIMAL CARE FACILITY LEASE CERTIFICATES OF PARTICIPATION TO FUND 435, PROJECT NO. 65007, FOR

TELEPHONE AND INTERNET PROTOCOL SWITCH INSTALLATION AND
PAVING AT THE NEW ANIMAL CARE FACILITY.

a. IM No. 09-099

Chief Haskell provided a staff report.

Assemblymember Ewing queried if there was anywhere else in the Borough that is using an internet protocol switch.

Chief Haskell advised that he believes that Animal Care and Regulation will be the only one with and internet protocol switch.

Assemblymember Ewing queried the cost for the voice over internet protocol switch.

Chief Haskell stated that it was \$20,000.

Assemblymember Ewing queried if this was put out to bid or as a request for proposal.

Chief Haskell:

- noted that he cannot speak to that;
- stated that it will save the division approximately \$400 per month;
- related that it is already active and in use; and
- stated that there was confusion as to where the funds would come from, and that is why it is being requested after the equipment is already in place.

Assemblymember Church queried when the formal opening will be for the new Animal Shelter.

Chief Haskell advised that it will be scheduled for late July or early August.

Assemblymember Houston queried if the Assembly was again voting on an item without the Assembly having an option.

Mr. Duffy stated that money is being appropriated, which requires Assembly action.

Deputy Mayor Woods 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 Houston moved to adopt Ordinance Serial No. 09-065.

Assemblymember Ewing advised that he will be voting against the legislation, as staff needs to ensure that the correct process is being followed when making purchases on behalf of the Borough.

VOTE: The main motion passed with Assemblymember Ewing opposed.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

(There was no one present who wished to provide comments.)

D. CONSENT AGENDA (Resolution Serial No. 09-040 and AM No. 09-033 were pulled from the consent agenda and addressed separately. *(See pp. 15-16)*)

1. RESOLUTIONS

a. Resolution Serial No. 09-038: A RESOLUTION REACTIVATING CHASE COMMUNITY COUNCIL AND AMENDING ITS BOUNDARIES.

(1) IM No. 09-096

b. Resolution Serial No. 09-039: A RESOLUTION AMENDING THE SCOPE OF WORK FOR PROJECT NO. 40023, IDITAROD ELEMENTARY SCHOOL FENCING.

(1) IM No. 09-103

d. Resolution Serial No. 09-041: A RESOLUTION SUPPORTING THE APPLICATION FOR GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF ENERGY, OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY, FOR THE PURPOSE OF FUNDING AN EXTENSION OF ELECTRICAL SERVICE ON THE PARKS HIGHWAY FOR SOUTH DENALI DEVELOPMENT.

(1) IM No. 09-106

2. ASSEMBLY MEMORANDUMS

Ms. Marino read the above legislation into the record.

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

VOTE: The motion passed without objection.

c. Resolution Serial No. 09-040: A RESOLUTION AMENDING THE BUDGETS FOR THE DOROTHY SWANDA JONES BUILDING INFORMATION TECHNOLOGY WALL DEMOLITION, GYM WALL REPAIRS AND PAINT, EXIT SIGN REPLACEMENTS, AND ASPHALT SEAL COAT AND STRIPING PROJECTS, PROJECT NO. 10057, AND APPROVE THE SCOPE OF WORK AND BUDGET FOR DOROTHY SWANDA JONES BUILDING ENTRYWAY REPAIR AND REPLACEMENT, PROJECT NO. 10057.

(1) IM No. 09-104

Mr. Rountree provided a staff report.

MOTION: Assemblymember Church moved to adopt Resolution Serial No. 09-040.

Assemblymember Church:

- advised that she will be pulling any legislation coming forward regarding building repair or renovation until a report is received from the Owner's Representative on Borough space; and
- queried if a report had been received from the Owner's Representative.

Mr. Duffy:

- advised that a draft has been received from the Owner's Representative; and
- advised that he intends to present it to the Assembly at the May 19, 2009, meeting.

Assemblymember Ewing advised that he will not be supporting the legislation until the report is received by the Owner's Representative

Assemblymember Bettine noted that normally she would agree with Assemblymembers Church and Ewing; however, the stairs are in extremely poor condition and require repair.

Assemblymember Houston spoke to the need to take care of the building that the Borough owns.

VOTE: The motion passed with Assemblymember Ewing opposed.

- a. AM No. 09-033: AWARD OF BID NO. 09-098 TO VALLEY GENERAL CONSTRUCTION, LLC, IN THE CONTRACT AMOUNT OF \$168,750 FOR CARMEL ROAD EXTENSION PHASE II PROJECT.

MOTION: Assemblymember Bettine moved to adopt AM No. 09-033.

Assemblymember Bettine:

- stated that the Knik Road Service area is funded enough that they actually build roads;
- requested that when the road is built, that Administration ensure that there is room beside it for a trail for public access;
- spoke to the need to preserve trails within the Borough; and
- opined that a policy should be created to ensure that when roads are built, that trails or additional lanes can be accommodated at later dates.

Assemblymember Houston queried if a resolution needs to come forward in support of Assemblymember Bettine's suggestion.

Mr. Duffy advised that there will be something brought back to the Assembly for approval.

Assemblymember Bettine:

- stated that there is fear amongst the road service area boards that doing something such as this, would cost them extra money;
- noted that the easements are not owned by the road service areas; and
- opined that further discussion is necessary.

VOTE: The motion passed without objection.

IX. UNFINISHED BUSINESS

(There was no unfinished business presented.)

XI. RECONSIDERATION

(There were no reconsiderations presented.)

XII. VETO

(There were no vetoes presented.)

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Bettine:

- spoke to the road service area mill rates and the need to discuss how the mill rate increase will be presented to the road service areas board of supervisors;
- commented regarding the fire training center located at Knik Goose Bay and Vine; and
- queried if there has been any public hearings regarding the planned jet fuel fire training being held at that location.

Mr. Duffy stated that staff was directed to bring it to the Assembly.

Assemblymember Church:

- opined that there should be a better process when advising applicants when deciding between interim material districts and conditional use permits;
- stated that it would be better if applicants understand their options; and
- opined that things should be clearer.

Assemblymember Ewing:

- thanked Mr. Rountree and his staff for the assistance they provided when working with a code violation in Williwaw Subdivision;
- spoke to how other areas have dealt with these types of code issues; and
- noted the need for the Borough to have ways to enforce code violations.

Assemblymember Kluberton:

- advised that there was a lack of clarity of what Mr. Bill Tucker would be offering for the Nelson Road issue;
- stated that Mr. Tucker advised that Lounsbury and Associates and the Public Works Department estimated the need for the four percent grade; and

- opined that it is imperative that Lounsbury and Associates, the Public Works Department, Mr. Tucker, and the Assembly meet to determine why the four percent slope was chosen prior to taking it to the public.

Assemblymember Houston:


- spoke to the re-write of Title 17; and
- requested that staff look at incorporating into the Title 17 re-write a process like the State uses for alcohol licenses for interim material districts.

Deputy Mayor Woods:

- noted that today is Agriculture Appreciation Day;
- stated that it is an irony for the Borough to be blessed with so much gravel;
- commented that it is understandable why conflicts occur; and
- noted that the Assembly will wrestle with this issue for a long time to come.

XV. ADJOURNMENT

The regular meeting adjourned at 10:25 p.m.


LYNNE WOODS, Deputy Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 06/16/09