

# MATANUSKA-SUSITNA BOROUGH

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

## **BOROUGH MAYOR**

Timothy L. Anderson

## **BOROUGH CLERK**

Michelle M. McGehee, CMC

## **BOROUGH MANAGER**

John Duffy

## **BOROUGH ATTORNEY**

Teresa S. Williams



## **BOROUGH ASSEMBLY**

Lynne Woods, 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**

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

**REGULAR MEETING**

**6 P.M.**

**TUESDAY, MAY 17, 2005**

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA<sup>1</sup>

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 04/19/05

B. Regular Assembly Meeting: 05/03/05

C. Special Assembly Meeting: 05/05/05

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation Re: Emergency Services Week

B. Proclamation Re: Methamphetamine Awareness Month

C. Proclamation In Honor of Mr. John Nash, Former Member of the Assembly

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<sup>1</sup> Resolution Serial No. 05-067 and AM No. 05-068 were pulled from the agenda. A proclamation in recognition of Emergency Services Week was added as item A of Special Orders of the Day.

## VII. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS

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
2. Design of the Nutrition Services Facility – Mr. Gary Wolf, Wolf Architecture

### D. ATTORNEY COMMENTS

### E. CLERK COMMENTS

### F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Local Road Service Area Advisory Board: 03/17/05, 04/21/05
  - b. Mat-Su Fire Chief Association: 03/23/05, 04/27/05
  - c. Parks, Recreation, and Trails Advisory Board: Resolution Serial No. 05-05
  - d. Senior Citizens Advisory Board: 04/18/05
  - e. Talkeetna Sewer and Water SSA No. 36: 03/31/05
2. Community Council Correspondence:
  - a. Gateway Community Council: 04/13/05
  - b. Glacier View Community Council: 04/21/05, Amended By-Laws

### G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-121: AN INFORMATIONAL MEMORANDUM REVISING MSB 23.10.270(B), ADOPTED BY ORDINANCE

SERIAL NO. 04-088 ON MAY 18, 2004, TO CORRECT A TYPOGRAPHICAL ERROR.

VIII. 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. 05-058: AN ORDINANCE REAPPROPRIATING \$105,097 FROM THE PLANNING DIVISION'S FISCAL YEAR 2005 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NOS. 20129, 45135, 45172, 20338, 45173, 20358, AND 45174, FOR THE PURPOSE OF PLANNING STUDY SERVICES AND \$10,000 FROM THE PLATTING DIVISION'S FISCAL YEAR 2005 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45175, FOR THE PURPOSE OF DISPUTE RESOLUTIONS.

a. IM No. 05-097

2. Ordinance Serial No. 05-059: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS A PORTION OF TAX PARCEL 26N04W31D002, LOCATED TWO MILES SOUTH OF TALKEETNA AT THE INTERSECTION OF TALKEETNA SPUR ROAD AND SOUTH COMSAT ROAD AS PUBLIC RECREATION LANDS.

a. IM No. 05-105

3. Ordinance Serial No. 05-060: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS LOTS 6 AND 7, EAST 1/2 SOUTHWEST 1/4, SECTION 6, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE CREVASSE MORAINÉ AREA, AS RESERVED USE/PUBLIC RECREATION LANDS.

a. IM No. 05-106

4. Ordinance Serial No. 05-061: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS TAX PARCEL 17N01E10A011, LOCATED AT THE INTERSECTION OF TRUNK ROAD AND EAST COLLEGE DRIVE, AS RESERVED USE LANDS FOR AN EMERGENCY SERVICES FACILITY.

a. IM No. 05-107

5. Ordinance Serial No. 05-062: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS SOUTH 1/2 SOUTHEAST 1/4, SECTION 11, SOUTHWEST 1/4 SOUTHWEST 1/4, SECTION 12, AND NORTH 1/2 NORTHWEST 1/4, SECTION 13, TOWNSHIP 17 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE CREVASSE MORAIN/KEPLER-BRADLEY LAKES AREA, AS PUBLIC RECREATION LANDS.
  - a. IM No. 05-108
  
6. Ordinance Serial No. 05-063: AN ORDINANCE ADOPTING THE LITTLE LONELY LAKE LAKE MANAGEMENT PLAN AND AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES, AND MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.
  - a. IM No. 05-109
  
7. Ordinance Serial No. 05-064: AN ORDINANCE APPROPRIATING \$250,000 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 400, PROJECT NO. 40147 FOR THE DESIGN, RIGHT-OF-WAY ACQUISITION, UPGRADE, AND CONSTRUCTION OF NORTH FRANCE ROAD, WHICH PROVIDES ACCESS TO 160 ACRES OF BOROUGH-OWNED LAND, AND ACCESS TO THE PALMER ALTERNATIVE SCHOOL (VALLEY PATHWAYS).
  - a. Resolution Serial No. 05-056: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR NORTH FRANCE ROAD, WHICH PROVIDES ACCESS TO BOROUGH-OWNED LAND, AND ACCESS TO THE PALMER ALTERNATIVE SCHOOL (VALLEY PATHWAYS), PROJECT NO. 40147.
    - (1) IM No. 05-110
  
8. Ordinance Serial No. 05-068: AN ORDINANCE ESTABLISHING AN EXCISE TAX ON CIGARETTES AND TOBACCO PRODUCTS ACQUIRED WITHIN OR BROUGHT INTO THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING FOR PENALTIES FOR FAILURE TO PAY TAXES DUE BY ADOPTING MSB 3.30, EXCISE TAX ON CIGARETTES AND TOBACCO PRODUCTS.
  - a. IM No. 05-115

C. AUDIENCE PARTICIPATION (Three minutes per person.)

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 06/07/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-071: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 GRANT TO FUND 480, PROJECT NO. 45015, FROM THE ALASKA STATE DIVISION OF COMMUNITY ADVOCACY, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, TO ESTABLISH IMPROVED PUBLIC ACCESS TO WOLVERINE LAKE.

a. Resolution Serial No. 05-060: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO ESTABLISH IMPROVED PUBLIC ACCESS ON BOROUGH-OWNED LAND AT THE NORTHEAST END OF WOLVERINE LAKE.

(1) IM No. 05-101

2. Ordinance Serial No. 05-072: AN ORDINANCE AMENDING MSB. 24.10.070(A) TO CHANGE THE LICENSE REGISTRATION FEES FOR KENNELS AND CATTERIES AND NEWLY ADOPTED ANIMALS FROM THE ANIMAL CARE AND REGULATION SHELTER.

a. Resolution Serial No. 05-061: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REVISING THE ANIMAL CARE AND REGULATION SHELTER'S FEE SCHEDULE FOR KENNEL AND CATTERY LICENSE REGISTRATION AND NEWLY ADOPTED ANIMALS FROM THE ANIMAL CARE AND REGULATION SHELTER. (*Sponsor: Assemblymember Vehrs*)

(1) IM No. 05-120

3. Ordinance Serial No. 05-073: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$14,500 FROM FUND 480, PROJECT NO. 15012, TO FUND 440, PROJECT NO. 10157, FOR REMODELING AND BUILDING IMPROVEMENTS AT THE BRETT MEMORIAL ICE ARENA.

- a. Resolution Serial No. 05-062: A RESOLUTION AMENDING THE BUDGETS FOR CAPITAL PROJECT NOS. 15012 AND 10157.
  - (1) IM No. 05-122
  
- 4. Ordinance Serial No. 05-074: AN ORDINANCE ACCEPTING AND APPROPRIATING \$26,638 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 480, PROJECT NO. 45126, TO EMPLOY A CITIZEN CORPS COORDINATOR AND PURCHASE SUPPLIES.
  - a. Resolution Serial No. 05-063: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45125, FUND 480, TO EMPLOY A CITIZEN CORPS COORDINATOR AND PURCHASE SUPPLIES.
    - (1) IM No. 05-124
  
- 5. Ordinance Serial No. 05-075: AN ORDINANCE ACCEPTING AND APPROPRIATING \$195,200 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 480, PROJECT NO. 10061, TO CONDUCT EXERCISES, DEVELOP AND CONDUCT ASSESSMENTS, AND PURCHASE EQUIPMENT AND SUPPLIES.
  - a. Resolution Serial No. 05-064: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NO. 10061, FUND 480, TO CONDUCT EXERCISES, DEVELOP AND CONDUCT ASSESSMENTS, AND PURCHASE EQUIPMENT AND SUPPLIES.
    - (1) IM No. 05-125
  
- 6. Ordinance Serial No. 05-076: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
  - a. IM No. 05-130

7. Ordinance Serial No. 05-077: AN ORDINANCE AMENDING MSB 5.25.060(C), TALKEETNA SEWER AND WATER SERVICE AREA NO. 36, AND AMENDING THE OPERATING RULES, RATES, AND PROCEDURES FOR THE USE OF SUPPLY OF PUBLIC SEWER AND WATER SYSTEMS IN TALKEETNA. (*Sponsor: Assemblymember Vehrs*)
  - a. IM No. 05-131

B. CONSENT AGENDA<sup>2</sup>

1. RESOLUTIONS

- a. Resolution Serial No. 05-066: A RESOLUTION AUTHORIZING THE MANAGER TO SUBMIT TO THE STATE OF ALASKA AN APPLICATION FOR A FEDERAL GRANT FOR THE NATIONAL HERITAGE AREAS DESIGNATION STUDY.
  - (1) IM No. 05-100
- b. Resolution Serial No. 05-067: A RESOLUTION SETTING THE SURCHARGE FOR THE WIRELINE AND WIRELESS ENHANCED 911 SYSTEMS FOR THE PERIOD OF JULY 1, 2005, THROUGH JUNE 30, 2006.
  - (1) IM No. 05-111<sup>3</sup>
- c. Resolution Serial No. 05-068: A RESOLUTION SUPPORTING THE STATE DESIGNATION OF LAND IN THE KNIK RIVER WATERSHED AS A STATE SPECIAL MANAGEMENT AREA AND THE STATE TO PROVIDE FUNDING TO THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MULTIPLE-USE MANAGEMENT PLAN FOR THE AREA. (*Sponsor: Assemblymember Woods*)
  - (1) IM No. 05-126

2. ACTION MEMORANDUMS

- a. AM No. 05-065: APPROVAL OF VACATION OF THE 66-FOOT-WIDE SECTION LINE EASEMENT WITHIN LOT 9, BEAVER GREEN SUBDIVISION WITHIN SECTIONS 4 AND 9, TOWNSHIP 17 NORTH, RANGE 3

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<sup>2</sup> Resolution Serial No. 05-068 was pulled from the consent agenda and addressed separately.

<sup>3</sup> Resolution Serial No. 05-067 was pulled from the agenda.

WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.

- b. AM No. 05-066: APPROVAL OF VACATION OF THE WEST 30-FEET OF MASONIC HALL PLACE PUBLIC USE EASEMENT WITHIN THE PROPOSED GEMSTONE ESTATES, LOCATED IN SECTION 31, TOWNSHIP 18 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE NORTH LAKES COMMUNITY COUNCIL AREA.
- c. AM No. 05-067: APPROVAL OF CHANGE ORDER NO. 4 TO MCCOOL CARLSON GREEN IN THE AMOUNT OF \$84,133 FOR ADDITIONAL DESIGN SERVICES AND CONSTRUCTION MONITORING FOR THE WASILLA AREA ELEMENTARY SCHOOL, PROJECT NO. 40146.
- d. AM No. 05-068: APPROVAL OF CONTRACT AMENDMENT NO. 3 TO CONTRACT NO. 03-029 IN THE AMOUNT OF \$136,350 SUBJECT TO ANNUAL APPROPRIATIONS TO GILLESPIE AND ASSOCIATES FOR STATE LOBBYIST SERVICES FOR FISCAL YEARS 2006 AND 2007. <sup>4</sup>
- e. AM No. 05-069: AWARD OF BID NO. 05-107 TO MECHANICAL SPECIALIST INC., FOR THE CONTRACT AMOUNT OF \$167,420 FOR THE WASILLA HIGH SCHOOL FIRE PUMP AND DOMESTIC WATER BOOSTER PUMP INSTALLATION.
- f. AM No. 05-071: APPROVAL OF AN AMENDMENT TO THE ROAD MAINTENANCE AND REPAIR CAPITAL PROJECTS LIST FOR THE GOLD TRAILS ROAD SERVICE AREA NO. 28 TO INCLUDE THE PAVING OF SNOW GOOSE DRIVE.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

D. OTHER NEW BUSINESS

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<sup>4</sup> AM No. 05-068 was pulled from the agenda.

- XI. RECONSIDERATION
- XII. VETO
- XIII. EXECUTIVE SESSION
- XIV. MAYOR AND ASSEMBLY COMMENTS
- XV. ADJOURNMENT