

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Curtis D. Menard

BOROUGH CLERK

Michelle M. McGehee, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Lynne Woods, District 1
Bill Allen, District 2
Michelle R. Church, District 3
Mary Kvalheim, 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, JUNE 5, 2007

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA¹

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Meeting: 05/03/07
- B. Special Meeting: 05/08/07
- C. Regular Assembly Meeting: 05/15/07

VI. SPECIAL ORDERS OF THE DAY

- A. A Proclamation in Recognition of Robert Doyle
- B. A Proclamation in Recognition of ConocoPhillips
- C. A Presentation of the Borough Seal to Mr. Murph O'Brien

¹ Presentation of the Borough Seal to Mr. Murph O'Brien was added to the agenda under 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. 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 FSA Board of Supervisors: 03/12/07
 - b. Enhanced 911 Advisory Board: 01/09/07, 2/13/07, 3/13/07
 - c. Historical Preservation Commission: 1/06/06, 5/05/06, 6/02/06
 - d. Library Board: 1/20/07
 - e. Parks, Recreation, and Trails Advisory Board Resolution Serial No. 07-09(AM)
 - f. Parks, Recreation, and Trails Advisory Board: 2/26/07, 3/26/07
 - g. Platting Board: 2/1/07, 3/01/07, 4/05/07
 - h. Port Commission Resolution Serial No. 07-02
 - i. Port Commission: 1/15/07
 - j. Real Property Asset Management Board: 3/14/07
 - k. Senior Citizen's Advisory Board: 3/19/07
2. Community Council Correspondence:
 - a. Lazy Mountain Community Council: 11/9/06, 2/08/07
 - b. Sutton Community Council: 2/08/07, 3/08/07
 - c. Willow Area Community Organization: 2/12/07, 3/05/07

G. INFORMATIONAL MEMORANDUMS

1. IM No. 07-126: AN INFORMATIONAL MEMORANDUM SHOWING CONTRACTS COSTING \$100,000, OR LESS, THAT NOTICE OF APPARENT SUCCESSFUL BIDDER NOTICES WERE ISSUED FOR DURING THE PERIOD OF APRIL 17, 2007, TO APRIL 30, 2007. BID NO. 07-118 WAS AWARDED TO PROGRESSIVE COATINGS, INC. IN THE AMOUNT OF \$34,800 TO PAINT OR SEAL THE CONCRETE FLOORS IN THE MEADOW LAKES PUBLIC SAFETY BUILDINGS. BID NO. 07-132 WAS AWARDED TO KOPPERUD TRANSPORTATION INC. IN THE AMOUNT OF \$32,190.98 FOR THE UPGRADE OF ROBIN LANE. BID NO. 07-134 WAS AWARDED TO MILLER SERVICES IN THE AMOUNT OF \$14,490 TO UPGRADE AND DRAIN HARTER DRIVE AND EUGENE DRIVE. BID NO. 07-136 WAS AWARDED TO WESTERN CONSTRUCTION AND EQUIPMENT IN THE AMOUNT OF \$21,890 TO ALLEVIATE PERSISTENT DRAINAGE PROBLEMS AND UPGRADE AUDIE STREET AND LEA STREET TO BOROUGH STANDARDS. BID NO. 07-139 WAS AWARDED TO NECHESTA GENERAL IN THE AMOUNT OF \$24,998 TO UPGRADE CREDO DRIVE. BID NO. 07-140 WAS AWARDED TO VALLEY GENERAL CONSTRUCTION IN THE AMOUNT OF \$56,210 TO UPGRADE SECTIONS OF LYNNE LAKE ROAD AND BLACKIE LOOP. BID NO. 07-147 WAS AWARDED TO MCKENNA BROTHERS PAVING COMPANY, INC. IN THE AMOUNT OF \$35,470 TO PREPARE AND SURFACE PARKING AREA AND ACCESS DRIVEWAYS AT PALMER MIDDLE AND PALMER HIGH SCHOOLS. BID NO. 07-151 WAS AWARDED TO FERGUSON ENTERPRISE TO SUPPLY MULTI-PLATE ARCH PIPE FOR STREAM CROSSING RESTORATION PROJECTS. BID NO. 07-155 WAS AWARDED TO VERMEER ALASKA IN THE AMOUNT OF \$24,999 FOR A LARGE WOOD CHIPPER FOR USE BY PARKS AND OUTDOOR RECREATION. BID NO. 07-162 WAS AWARDED TO FUELS REDUCTION OF ALASKA IN THE AMOUNT OF \$24,998 TO SUPPORT THE BOROUGH'S FIRE MITIGATION PLAN. BID NO. 07-164 WAS AWARDED TO SPENARD BUILDERS SUPPLY IN THE AMOUNT OF \$13,064.27 FOR METAL ROOFING MATERIALS FOR USE BY PARKS AND OUTDOOR RECREATION.

2. IM No. 07-134: AN INFORMATIONAL MEMORANDUM INFORMING THE ASSEMBLY, PURSUANT TO MSB 23.10.202(B), THAT THE BOROUGH MANAGER INTENDS TO SELL TWO PARCELS OF LAND TOTALING 0.164 ACRE ON THE CORNER OF TRUNK ROAD AND

COLLEGE DRIVE TO THE STATE OF ALASKA, DEPARTMENT OF
TRANSPORTATION AND PUBLIC FACILITIES FOR PROJECT
NO. 52432 STP-0001(117), REALIGNMENT OF TRUNK ROAD.
(MSB 004877)

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. 07-068: AN ORDINANCE AMENDING MSB 28.60.030, NOISE IN TIMBER HARVEST AREAS, AND MSB 28.100, DEFINITIONS.
 - a. IM No. 07-117
2. Ordinance Serial No. 07-069: AN ORDINANCE APPROVING THE APPLICATION FROM HARRY AND JUDI DAVIDSON AND RONALD AND ALISON BICKLEIN REQUESTING THE BOROUGH ASSEMBLY RELEASE AND VACATE THE “ONLY FOR AGRICULTURAL PURPOSES” COVENANT FOR PARCEL 1: SW¹/₄NW¹/₄, SECTION 15, TOWNSHIP 18 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, AND PARCEL 2: S¹/₂SW¹/₄NE¹/₄ AND SE¹/₄NW¹/₄, SECTION 15, TOWNSHIP 18 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALL BEING WITHIN THE PALMER RECORDING DISTRICT; FISHHOOK COMMUNITY COUNCIL AREA (MSB004513).
 - a. IM No. 07-122
3. Ordinance Serial No. 07-070: AN ORDINANCE AMENDING MSB 15.24.030, COMPREHENSIVE PLANS AND PURPOSES, ADOPTING THE 2007 MSB LONG RANGE TRANSPORTATION PLAN AND THE 2007 OFFICIAL STREETS AND HIGHWAYS PLAN MAP.
 - a. IM No. 07-127 ½
4. Ordinance Serial No. 07-071: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT NOT TO EXCEED \$52,000 TO FUND 440, PROJECT NO. 15032, FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE STUDENT CONSERVATION CORPS FOR THE HATCHER PASS TRAILS.

- a. Resolution Serial No. 07-060: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE HATCHER PASS TRAILS.
(1) IM No. 07-133

- C. AUDIENCE PARTICIPATION (Three minutes per person.)

- D. CONSENT AGENDA²
 - 1. RESOLUTIONS
 - a. Resolution Serial No. 07-061: A RESOLUTION AMENDING THE BUDGET FOR THE FISCAL YEAR 2007 DESIGNATED LEGISLATIVE GRANT FROM THE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE LAZY MOUNTAIN ROAD SERVICE AREA NO. 19, ROADS UPGRADE PROJECT, PROJECT No. 30041.
(1) IM No. 07-135

 - 2. ASSEMBLY MEMORANDUMS
 - a. AM No. 07-071: MATANUSKA-SUSITNA CONVENTION AND VISITORS BUREAU GRANT AGREEMENT.

 - b. AM No. 07-080: VACATION OF 100 FOOT SECTION LINE EASEMENT IN ASLS 2005-43. LOCATED IN SECTION 17, 18 AND 20, TOWNSHIP 28 NORTH, RANGE 4 EAST, SEWARD MERIDIAN, ALASKA.

 - c. AM No. 07-081: VACATION OF 100 FOOT PUBLIC USE EASEMENT ALSO KNOWN AS ADL 060064 AND ADL 18560 ON THE COMMON LINE OF TAX LOTS B11, B13 AND B14. LOCATED IN SECTION 17, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA. LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.

 - d. AM No. 07-082: APPROVAL TO HIRE A PROJECT-FUNDED CIVIL ENGINEERING TECHNICIAN FOR THE BOROUGH-WIDE ROAD UPGRADES GRANT.

² Resolution Serial No. 07-061 and AM No. 07-071 were pulled from the consent agenda and addressed separately.

- e. AM No. 07-083: AWARD OF BID NO. 07-181 TO QAP IN THE AMOUNT OF \$1,498,630 FOR 2007 ROADS PAVING.
- f. AM No. 07-084: REQUEST FOR A WAIVER FROM THE REQUIREMENTS OF MSB 19.08.023 SITE APPROVAL PROCESS FOR LEASE OF CHARTER SCHOOL FACILITIES, TO ALLOW THE TWINDLY BRIDGE CHARTER SCHOOL TO RELOCATE TO A DIFFERENT LEASE FACILITY.
- g. AM No. 07-085: AWARD OF BID NO. 07-174 TO JANSSEN CONTRACTING COMPANY, INC. IN THE AMOUNT OF \$597,000 FOR THE WASILLA HIGH SCHOOL REMODEL PHASE III.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 06/19/2007, 7 p.m., Borough Assembly Chambers)

- 1. Ordinance Serial No. 07-073: AN ORDINANCE ADOPTING MSB 2.52.210, RESIDENCY REQUIREMENTS. (*Sponsored by Assemblymember Church*)
 - a. IM No. 07-123
- 2. Ordinance Serial No. 07-074: AN ORDINANCE AMENDING MSB 2.52.653, EXCLUDED EMPLOYEES; AMENDING MSB 2.52.690, DISCIPLINE AND DISCHARGE OF EXECUTIVE AND EXEMPT EMPLOYEES; AND REPEALING MSB 2.52.692, DISCIPLINE AND DISCHARGE PROCEDURES FOR EXEMPT/EXCLUDED EMPLOYEES. (*Sponsored by Assemblymember Church*)
 - a. IM No. 07-124
- 3. Ordinance Serial No. 07-075: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 07-129
- 4. Ordinance Serial No. 07-076: AN ORDINANCE ADOPTING MSB 17.02, ESSENTIAL SERVICE UTILITIES.
 - a. IM No. 07-130
- 5. Ordinance Serial No. 07-077: AN ORDINANCE AMENDING MSB 17.28, DESIGNATING THE ALASKA RAILROAD CURRY QUARRY AN

INTERIM MATERIALS DISTRICT, WITHIN TOWNSHIP 29 NORTH,
RANGE 4 WEST, SECTIONS 10 AND 15, SEWARD MERIDIAN.

a. IM No. 07-131

6. Ordinance Serial No. 07-078: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$5,592 OF REVENUES FROM PUBLIC DONATIONS TO THE FISCAL YEAR 2007 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET, 200-160-606, AND REAPPROPRIATING \$5,592 FROM THE FISCAL YEAR 2007 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET, FUND 200, TO FUND 435, PROJECT NO. 10151, TO PURCHASE SHELTER FACILITY AMENITIES, IMPROVEMENTS AND RELATED EQUIPMENT.

a. Resolution Serial No. 07-062: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 10151, FUND 435, TO PURCHASE SHELTER FACILITY AMENITIES, IMPROVEMENTS AND RELATED EQUIPMENT.
(1) IM No. 07-137

7. Ordinance Serial No. 07-079: AN ORDINANCE APPROVING AN APPROPRIATION OF \$600,000 FROM THE UNRESTRICTED NET ASSETS IN THE SOLID WASTE ENTERPRISE FUND, FUND 510, TO FUND 420, PROJECT NO. 25050, CENTRAL LANDFILL CELL III DEVELOPMENT, TO ALLOW FOR THE PROCUREMENT OF MATERIALS FOR CELL III AT CENTRAL LANDFILL.

a. Resolution Serial No. 07-063: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO ALLOW FOR THE PROCUREMENT OF THE MATERIALS FOR PROJECT NO. 25050, A SYSTEM LINER AT CELL III, CENTRAL LANDFILL.
(1) IM No. 07-138

8. Ordinance Serial No. 07-080: AN ORDINANCE AMENDING MSB 23.10.270(D), ACQUISITION AND EXCHANGE, APPRAISAL, TO REMOVE THE REQUIREMENT OF THE APPRAISER BEING A MEMBER OF THE APPRAISAL INSTITUTE.

a. IM No. 07-139

9. Ordinance Serial No. 07-081: AN ORDINANCE REAPPROPRIATING \$13,356 FROM THE FISCAL YEAR 2007 LAND MANAGEMENT FUND 203, LAND AND RESOURCE MANAGEMENT DIVISION OPERATING BUDGET TO A NON-LAPSING, NON-CAPITAL, FUND 480, PROJECT NO. 45223, TO COMPLETE THE DEVELOPMENT OF A MINING PLAN AND INTERIM MATERIALS DISTRICT PERMIT FOR

THE POINT MACKENZIE MORAINÉ GRAVEL AREA WHICH IS LOCATED WITHIN PORT MACKENZIE.

a. IM No. 07-140

10. Ordinance Serial No. 07-082: AN ORDINANCE REAPPROPRIATING \$110,000 FROM THE EMERGENCY RESPONSE RESERVE FUND 100 TO FUND 445, PROJECT NO. 55015, FOR THE SUTTON FUEL SPILL ON TAX ID PARCEL 19N04E18D011.

a. Resolution Serial No. 07-064: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SUTTON FUEL SPILL RESPONSE AND CLEAN-UP ON TAX ID PARCEL 19N04E18D011.

(1) IM No. 07-141

11. Ordinance Serial No. 07-083: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$75,000 FROM THE HUMAN RESOURCES DIVISION FISCAL YEAR 2007 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45195, FOR THE REVIEW AND REVISION OF THE CLASSIFICATION AND PAY PLAN FOR THE BOROUGH EMPLOYEES.

a. IM No. 07-143

12. Ordinance Serial No. 07-084: AN ORDINANCE REAPPROPRIATING \$45,000 FROM THE FISCAL YEAR 2007 ECONOMIC DEVELOPMENT DIVISION OPERATING BUDGET, FUND 200, TO A NON-LAPSING, FUND 435, PROJECT NO. 10173 FOR THE LIBRARY PORTION OF THE TRAPPER CREEK AMBULANCE/LIBRARY PROJECT.

a. IM No. 07-147

13. Ordinance Serial No. 07-085: AN ORDINANCE REAPPROPRIATING \$283,262 FROM THE EMERGENCY RESPONSE RESERVE FUND 100, TO FUND 445, PROJECT NOS. 55011, 55012, AND 55013 FOR THE BOROUGH'S PORTION OF COSTS ASSOCIATED WITH THE 2003 WIND DISASTER, THE 2006 POINT MACKENZIE AND SUTTON FIRES, AND THE 2006 FLOOD DISASTER.

a. IM No. 07-148

14. Ordinance Serial No. 07-086: AN ORDINANCE REAPPROPRIATING \$245,000 FROM THE AREAWIDE FUND, FUND 100, RESERVE FOR CAPITAL AND \$240,000 FROM THE AREAWIDE FUND, FUND 100, EMERGENCY SERVICES DEPARTMENT FISCAL YEAR 2007 OPERATING BUDGET TO FUND 425, AND AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO AN AGREEMENT TO

PURCHASE LOT 4, BLOCK 3, PALMER COMMERCIAL CENTER
(630 EAST STEEL LOOP) INCLUDING ALL IMPROVEMENTS AND
APPURTENANCES FOR \$480,000 PLUS CLOSING COSTS FOR

AMBULANCE OPERATIONS.

a. IM No. 07-150

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

XI. RECONSIDERATION

1. Ordinance Serial No. 07-064: AN ORDINANCE REAPPROPRIATING \$275,000 FROM THE PLANNING DIVISION'S FISCAL YEAR 2007 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45220, BIG LAKE COMPREHENSIVE PLAN UPDATE; PROJECT NO. 45179, FOR THE MSB PUBLIC FACILITIES PLAN UPDATE; PROJECT NO. 20332, ASSIST DEVELOPERS TO INCORPORATE TRAFFIC CALMING INTO THEIR SUBDIVISION PLAN; PROJECT NO. 45221, A STUDY TO CONNECT COLLECTOR ROADS ALONG PARKS HIGHWAY CORRIDOR BETWEEN WASILLA AND BIG LAKE; AND PROJECT NO. 45222, COMPLETION OF THE LAZY MOUNTAIN COMPREHENSIVE PLAN AND THE SUTTON COMPREHENSIVE PLAN UPDATE.

a. IM No. 07-099

XII. VETO

- A. MOTION TO OVERRIDE ANY POSSIBLE MAYORAL VETO ON FISCAL YEAR 2008 BUDGET ITEMS (ORDINANCE SERIAL NO. 07-007 AND ORDINANCE SERIAL NO. 07-054)

XIII. EXECUTIVE SESSION

XIV. MAYOR AND ASSEMBLY COMMENTS

XV. ADJOURNMENT