

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on June 5, 2007, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Curtis D. Menard.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*)  
Mr. Bill Allen, Assembly District No. 2  
Ms. Michelle R. Church, Assembly District No. 3  
Ms. Mary Kvalheim, Assembly District No. 4  
Mr. Robert Wells, Assembly District No. 6  
Mr. Tom Kluberton, Assembly District No. 7

Assembly members absent and excused were:

Ms. Cindy L. Bettine, Assembly District No. 5

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk  
Mr. John Duffy, Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Lonnie R. McKechnie, Deputy Borough Clerk  
Ms. Tammy Clayton, Finance Director  
Ms. Marian Romano, Assistant Borough Manager  
Mr. Keith Rountree, Public Works Director  
Mr. Dennis Brodigan, Emergency Services Director  
Mr. Murph O'Brien, Planning and Land Use Director  
Ms. Patty Sullivan, Public Information Manager  
Ms. Linda Brenner, Acting Community Development Director  
Ms. Linda Kelley, Real Property Analyst  
Mr. Brad Sworts, Transportation and Environmental Manager

**III. APPROVAL OF AGENDA**

Mayor Menard inquired if there were any changes to the agenda.

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

#### **IV. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Ms. Linda Brenner, Matanuska-Susitna Borough Recreational Services Division Manager.

#### **V. MINUTES OF PRECEDING MEETINGS**

##### **A. Special Meeting: 05/03/07**

Mayor Menard inquired if there were any corrections to the special meeting minutes of May 3, 2007.

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

##### **B. Special Meeting: 05/08/07**

Mayor Menard inquired if there were any corrections to the special meeting minutes of May 8, 2007.

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

##### **C. Regular Assembly Meeting: 05/15/07**

Mayor Menard inquired if there were any corrections to the regular meeting minutes of May 15, 2007.

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

#### **VI. SPECIAL ORDERS OF THE DAY**

##### **A. A Proclamation in Recognition of Robert Doyle**

Mayor Menard:

- read the proclamation into the record; and
- advised that School Board Member Menard would be presenting the proclamation to Mr. Doyle this evening.

##### **B. A Proclamation in Recognition of ConocoPhillips**

Mayor Menard:

- read the proclamation into the record; and
- presented the proclamation to Ms. Natalie McRae Knox, Director of Communications for ConocoPhillips.

C. A Presentation of the Borough Seal

Mayor Menard:

- spoke regarding Mr. Murph O'Brien's retirement from service to the Borough; and
- stated that Mr. O'Brien will be missed.

Mr. O'Brien:

- spoke regarding his years working at the Borough; and
- stated that it has been wonderful to work with the people at the Borough.

**VII. REPORTS/CORRESPONDENCE**

A. AGENCY REPORTS

1. Reports from cities

*(There were not reports provided.)*

2. Matanuska-Susitna Borough School District

*(There was no report provided.)*

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Wells advised that the Joint Assembly/School Board Committee on School Issues meeting has been rescheduled for June 11, 2007.

2. Assembly Public Relations

*(There were no reports provided.)*

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- provided an overview of the written Manager's Report;
- advised that the requested land transfer for the Willow school has been denied by the State;
- spoke regarding the survey results for the Knik Arm Crossing; and
- noted that former Commissioner Perkins is under contract to assist with the project management for the rail line extension.

D. ATTORNEY COMMENTS

*(There was no report provided.)*

E. CLERK COMMENTS

Ms. McGehee:

- spoke regarding the upcoming meeting schedule; and
- advised that it has been requested that a work session be scheduled for a presentation from HDR Alaska for late July.

Mr. Duffy requested that the work session be scheduled for July 24, 2007, at 6 p.m., for HDR Alaska to provide a presentation on the septage handling and disposal plan, and the water, wastewater, and drainage analysis.

There was no objection noted.

Assemblymember Church queried when the next sales tax work session would take place.

Mr. Duffy advised that the legislation would be introduced on June 19, 2007.

Discussion ensued regarding a sales tax work session.

Ms. McGehee queried if there was any objection to scheduling a sales tax work session on June 19, 2007, at 4 p.m.

There was no objection noted.

Ms. McGehee:

- spoke regarding the June 12, 2007, Joint Assembly/School Board meeting;
- advised that quasi-judicial boards and records management update has been provided; and
- provided a report regarding the International Institute of Municipal Clerk's Conference.

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

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

#### 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).

The informational memorandums were presented and no comments were noted.

## **IX. UNFINISHED BUSINESS**

*(There was no unfinished business presented.)*

## **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 MORaine 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

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for June 19, 2007.

MOTION: Assemblymember Woods moved to divide the question to take Ordinance Serial No. 07-078 and accompanying Resolution Serial No. 07-062 separately.

VOTE: The motion to divide the question passed without objection.

MOTION: First Segment. Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk, except for Ordinance Serial No. 07-078, and set the public hearings for June 19, 2007.

VOTE: The first segment passed without objection.

MOTION: Second Segment. Assemblymember Woods moved to introduce Ordinance Serial No. 07-078 and set the public hearing for June 19, 2007.

MOTION: Assemblymember Woods moved a primary amendment to the title of Ordinance Serial No. 07-078 by striking the appropriation amount of “\$5,592” and inserting in its place “\$7,360.”

Ms. McGehee:

- advised that the Chief of Animal Care and Regulation has received additional donations; and
- noted that the amendment would affect the title and not the body of legislation; therefore, on June 19, 2007, an amendment would need to be made to change the monies in the legislation.

VOTE: The primary amendment passed without objection.

VOTE: Second segment passed without objection.

## B. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Menard made the following recommendations:

Board of Equalization  
William Tull  
Enhanced 911 Advisory Board  
David Tracy  
Office of Administrative Hearings  
Karen Jennings

MOTION: Assemblymember Woods moved to confirm the Mayor’s recommendations up for confirmation this evening.

VOTE: The motion passed without objection.

## C. OTHER NEW BUSINESS

## XI. RECONSIDERATION

- A. 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.

1. IM No. 07-099

MOTION: Assemblymember Wells moved to reconsider Ordinance Serial No. 07-064.

Assemblymember Wells stated that at the time this piece of legislation was passed, the budget in Juneau was unknown; however, things turned out well and his concerns have been addressed.

VOTE: The motion to reconsider failed unanimously.

*(The regular meeting recessed at 6:53 p.m. and reconvened at 7:05 p.m.)*

**VIII. SPECIAL ORDERS (to begin at 7 p.m.)**

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

*(There were no persons present to be heard.)*

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

Mr. Brenner provided a staff report.

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 07-068.

MOTION: Assemblymember Kluberton moved to postpone Ordinance Serial No. 07-068 indefinitely.

Assemblymember Kluberton:

- advised that at the time that he requested the change to the ordinance, he misunderstood a section that dealt with measuring sound from adjacent properties; and
- noted that the amendment was a mistake in the reading of the legislation.

VOTE: The motion to postpone Ordinance Serial No. 07-068 indefinitely passed unanimously.

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: SW4NW4, SECTION 15, TOWNSHIP 18 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, AND PARCEL 2: S2SW4NE4 AND SE4NW4, 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

Mr. Heier provided a staff report.

Mayor Menard opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 07-069: Ms. Kathy Wells, Director of Friends of Mat-Su.

The following person spoke in support of Ordinance Serial No. 07-069: Mr. Harry Davidson.

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

MOTION: Assemblymember Wells moved to continue Ordinance Serial No. 07-069 to June 19, 2007.

Assemblymember Wells:

- disclosed that he was part of an agricultural land sale in 1977; and
- stated that he would like to afford the opportunity for all of the affected parties a chance to speak.

Assemblymember Kvalheim:

- advised that she objects to postponement; and
- noted that the property was purchased for agricultural purposes.

Discussion ensued regarding postponement of the ordinance.

MOTION: Assemblymember Allen called for the question (to stop debate).

VOTE: The motion to stop debate passed without objection.

VOTE: The motion to postpone Ordinance Serial No. 07-069 to a time certain of June 19, 2007, passed with Assemblymembers Woods, Allen, and Wells in favor and Assemblymembers Church, Kvalheim, and Kluberton opposed. *(Mayor Menard broke the tie by voting in the affirmative.)*

Mr. Duffy advised that currently there is a wild land fire in Big Lake and there is a structure fire at Susitna Valley High School.

Mr. Spiropoulos requested that the assembly members refrain from discussion on the fire at Susitna Valley High School, as currently there is a law suit pending on the way that the sprinkler system was installed.

- 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

Mr. O'Brien, Mr. Sworts, and Mr. Tom Bingham of HDR Alaska provided a staff report.

Assemblymember Woods queried the changes that have been made.

Mr. Bingham:

- noted the population growth on Knik-Goose Bay Road; and
- spoke regarding the need to widen Knik-Goose Bay Road.

Assemblymember Allen:

- stated that the plan needs to be continually monitored and updated; and
- queried if the Long Range Transportation Plan could be put in ordinance form.

Mr. O'Brien stated that an updated status report could be provided to the Assembly yearly and the total update could be done every five years.

Assemblymember Allen spoke to the importance of the Long Range Transportation Plan.

Discussion ensued regarding the Long Range Transportation Plan.

Mayor Menard opened the public hearing.

The following person spoke in support of Ordinance Serial No. 07-070: Ms. Kathy Wells, Director of Friends of Mat-Su.

The following person spoke in support of the Long Range Transportation Plan and to concerns with Koppenburg Road becoming a collector road: Mr. Jim Sykes.

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

**MOTION:** Assemblymember Woods moved to adopt Ordinance Serial No. 07-070.

MOTION: Assemblymember Woods moved a primary amendment to IM No. 07-127 (the Long Range Transportation Plan) as follows:

- Section 2.8, Rail Transportation, by adding a second criterion to read as follows “Oppose additional at grade rail crossing in high density, high traffic area to reduce traffic accidents and to improve emergency response for emergency vehicles;
- Section 2.9, Waterborne Transportation, objective no. 1, by adding a second criterion to the first objective to read as follows “Accelerate and promote rail extension between Willow and Point MacKenzie;
- Section 2.9, Waterborne Transportation, objective no. 2, to insert the phrase “and improving alternative transportation for local residents and visitors” at the end of the sentence to read: Ferry service operating between Mat-Su and Anchorage supporting the development of Port MacKenzie and improving alternative transportation for local residents and visitors;
- Section 2.9, Waterborne Transportation, by striking the objection no. 3 in its entirety and inserting the following:
  - Objective No. 3. Coordinate transportation with the Municipality of Anchorage and Mascot at Pt. MacKenzie ferry terminal and Municipality of Anchorage ferry terminal for public transportation for ferry riders.
  - Criterion. Expands ridership;
- Section 2.9, Waterborne Transportation, by inserting an objective no. 4 to read as follows:
  - Objective No. 4. Promote tourist facilities such as a small boat ramp on harbor at Pt. MacKenzie for the purpose of expanding the visitor industry.
  - Criterion. Inventory and coordinate tourism’s businesses in the area, such as the Little Susitna fishing guides, bird dog hunting, bird watching, off road touring, and equestrian riding;
- Section 2.9, Waterborne Transportation, by inserting an objective no. 5 to read as follows:
  - Objection No. 5. Study benefits of expanding Pt. MacKenzie’s dock for large and small cruise ship facilities.
  - Criterion. Provide rail cost savings for passenger trains once the Willow to Pt. MacKenzie rail is completed;
- Section 2.9, Waterborne Transportation, by inserting an objective no. 6 to read as follows:
  - Objective No. 6. Promote the proper development of river and lake recreational facilities; inventory current developed facilities and other possible sites on Borough lands.
  - Criterion. Creates recreational opportunities that create a better place to live;
- Section 7.1, Existing Air Transportation Facilities, by insert the following paragraph prior to the table: “Along the north boundary of Fish Creek Park (Tract 5b, First Addition to Fish Creek Subdivision) a 0.41 acre parcel has

been reclassified to “Reserved Use-Transportation” as a public easement for transportation purposes that is limited for the purpose of aircraft movement between the Big Lake Airport and Fish Creek for the conversion of landing gear, and for public recreation as a day use area. Permit is required and can be obtained through the Land Management Division.”

- Section 9.2, Point MacKenzie to Anchorage Ferry, third paragraph, by striking “The Port MacKenzie Terminal will be constructed to connect to the existing dock, and the Municipality of Anchorage, the Alaska Railroad, and the Borough have agreed that the Anchorage Terminal will be constructed at Ship Creek Point” and to insert in its place “The Mat-Su Borough and the Alaska Railroad’s preferred site for the ferry terminal in Anchorage is the Ship Creek Point site. As of mid-June 2007, the Municipality of Anchorage prefers North Star Terminal; however, permits and a sub-lease from North Star have not been granted” to read as follows: As of 2006, the Borough has Federal funding in place for the first ferry, as well as partial funding for ferry terminals at Port MacKenzie and Anchorage. The Mat-Su Borough and the Alaska Railroad’s preferred site for the ferry terminal in Anchorage is the Ship Creek Point site. As of mid-June 2007, the Municipality of Anchorage prefers North Star Terminal; however, permits and a sub-lease from North Star have not been granted.
- Section 9.2, Point MacKenzie to Anchorage Ferry, Demand for Ferry Services, first paragraph, to insert the phrase “or from” in between the words “to” and “Anchorage” and to insert the phrase “and Mat-Su” at the end of the last bullet to read as follows: Visitors to or from Anchorage and tours operated out of the Anchorage and Mat-Su.
- Section 9.2, Point MacKenzie to Anchorage Ferry, Demand for Ferry Services, third paragraph, to insert a fourth bullet to read as follows: Small tourism business with increased access to Anchorage residents and Anchorage visitors.
- Section 9.3, River and Lake Waterborne Transportation, to strike the second paragraph in its entirety and insert in its place the follows: Currently, public and private boat launches provide the necessary facilities for river and lake waterborne transportation. It is important that these facilities continue to be available to users. Future availability of exiting private facilities could be an issue. There are some concerns associated with the operation and maintenance of the facilities. The first issue is the condition of the private facilities as it relates to safety. Facilities need to be maintained to ensure the public’s safety. Another concern is litter cleanup at the facilities as well as along the waterways being used for transportation. Funding sources are available for the government-owned development of boat launch facilities, but those same funding sources are generally not available for the operation and maintenance of the facilities. It is important to partner with private launch facilities to guarantee access and reduce government maintenance costs. It is also important that maintenance and operating funds be identified and provided for public boat launch facilities; and

- Section 9.3, River and Lake Waterborne Transportation, first paragraph, to insert the sentence “It is also recognized that the financial health of the private launch facilities is important to our transportation system and public/private partnerships should be explored” after the second sentence to read as follows: River and lake waterborne transportation is recognized as an important element of the overall transportation system within the Borough. It is recommended that the need for continued operation and maintenance of existing public boat launch facilities and public access point to lakes and rivers be recognized. It is also recognized that the financial health of the private launch facilities is important to our transportation system and public/private partnerships should be explored. The clean-up, maintenance, and improvement of existing public access points and boat launch facilities should be a priority. Improvements should include appropriate signage indicating allowed uses; facilities such as fire pits, toilets, and litter containers if camping or picnicking is allowed; and fencing when necessary to delineate the boundaries of public property. Also, new facilities should not be built without a provision for continued maintenance of the facilities.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Kvalheim moved a primary amendment to IM No. 07-127, to approve the Planning Commissions recommended changes as follows:

- Section 2.3, Environment, by renumbering the seventh objective/criterion to number three;
- Section 2.4, Public Participation, fifth criteria, to delete the phrase “two per year” and insert in its place the work “monthly” to read as follows: Criterion. Monthly meetings;
- Section 2.5, Road and Trail System, second objective, to add the sentence “Some of the trails should have pervious surfaces” and the end of the objection to read: Develop a coordinated network of multi-modal (pedestrian, bicycle, four-wheeler, snow machine) trails throughout the Borough. Some of the trails should have pervious surfaces;
- Section 2.5, Road and Trail System, by inserting an objective no. 6 to read:
  - Objective. Develop and integrate a Green Infrastructure Plan into existing and future transportation corridors.
  - Criterion. Adopt and implement a plan;
- Section 2.8, Rail Transportation, second objective/criterion as follows:
  - to strike the phrase “explore the possibility of” and insert in its place the word “implement” in the objective to read as follows: Objective. Work with the Alaska Railroad, the Municipality of Anchorage and the State to implement rail commuter service between the Borough and Anchorage,
  - to strike the word “trial” and insert in its place the word “rail” in the criterion to read as follows: Criterion. Completion of a memorandum of understanding between the parties covering the financing and operation of rail commuter service; operation of rail service; operation of commuter service long term in economically satisfactory manner.

- Section 2.9, Waterborne Transportation, third objective, to insert the word “of” in between the words “development” and “river” to read as follows: Promote the proper development of river and lake recreational facilities.
- Section 4.4, Rural Area Road System, Other Recommended Rural Improvements in the Mat-Su Borough Not Included in a Community Comprehensive Plan, first bullet, to strike the phrase “Hatcher Pass Road” and insert in its place “Willow Fishhook Road (AKA Hatcher Pass Road)” and to insert the words “industrial and” in between the words “accommodate” and “recreational” to read as follows: Willow Fishhook Road (AKA Hatcher Pass Road) improvements from Willow to the Independence Mine to accommodate industrial and recreational traffic on the Willow side.
- Section 4.7, Congestion Management, Effects of Congestion on the Transportation Network and Community, second paragraph, to insert the word “bus” in between the words “as” and “rail” to read as follows: Some alternatives improve the function of the highway system through better use or management of the existing system; other alternatives use non-auto modes of travel such as bus, rail or bicycle, or increase vehicle occupancy through carpooling or vanpooling;
- Section 4.7, Congestion Management, Recommendations, last bulleted item, by insert the phrase “and offer incentives to commuters who car or vanpool, e.g., gas tax credits, carpool lane” at the end to read: Encourage alternatives to single occupied automobiles for commuter travel, especially the Mat-Su to Anchorage commuter trips and offer incentives to commuters who car or vanpool, e.g., gas tax credits, carpool lane;
- Section 4.7, Congestion Management, Recommendations, add the following two bulleted items at the end as follows:
  - Begin pilot projects of commuter train from Palmer/Wasilla to Anchorage.
  - Work with Anchorage to address commuter transport from the Ship Creek Rail Depot to places around Anchorage for work, shopping, and recreation;
- Section 5.1, Separated Pathways, by striking the word “trail” and inserting in its place the word “trail” in the last paragraph to read as follows: These responses imply that a significant portion of the Borough population, between 13, and 54 percent, is forced to reluctantly rely on road for trail related recreation/alternative non-motorized transportation and would prefer to use trails;
- Section 5.2, Future Separated Pathway Projects, to insert a bullet at the end that reads: Begin planning for separated pathways along arterials and collectors in addition to the main highways, e.g., Parks Highway and Glenn Highway;
- Section 5.2, Future Separated Pathway Projects, User Conflict, to strike the word “potential,” to strike the word “may” and insert in its place the word “will” and to insert the sentence “Additional snowmachine and ATV trails should be developed to compensate for future restriction along highways” at the end of the paragraph to read as follows: Another conflict is the use of road rights-of-way by snowmachine and ATV users. As the Borough becomes

more developed, this practice will need to be reconsidered in specific higher-density areas. Additional snowmachine and ATV trails should be developed to compensate for future restrictions along highways;

- Section 5.4, Recommendations, to insert the phrase “should have a larger or wider buffer/barrier distance from roads and have some vegetative species between roads and pathway” in the first section of the fourth bullet to read: Separated paths or bicycle lanes should have a larger or wider buffer/barrier distance from roads and have some vegetative species between roads and pathways, along all collector or higher level use roads;
- Section 6.2, Local Transit Service, Background, to insert the phrase “and parking lots” at the end of the last bullet to read: Using transit to handle in-city trips more efficiently than can be done with automobiles, reducing the need to use valuable (and taxable) real estate for roadways;
- Section 6.2, Local Transit Service, Current MASCOT Service, to strike the phrase “Lifequest Mental Health Services” and insert in its place “Mat-Su Health Services” between the words “Mat-Su,” and “and” in the last paragraph to read: Examples of non-profit agencies that receive regular service include the United Way of Mat-Su, Mat-Su Health Services, and the Mat-Su Recovery Center; and
- Section 6.2, Existing Commuter Services, Ridesharing, to strike the word “of” in the second paragraph to read: Federal capital funds were available to expand the number of vans in the program during the first half of 2006.

**MOTION:** Assemblymember Kluberton moved a secondary amendment to IM No. 07-127 to include staff recommended amendments as follows:

- Section 9.3, figure 9.3, by changing the line in the map to show the rail route between Willow and Port MacKenzie as a dash;
- Section 9.3, to insert the following language after figure 9.3: The final route selection will be based on the findings of the Rail Line Extension Environmental Impact Statement (EIS). The EIS will look at several alternative routes plus the no action alternative and will include an extensive public process to help determine the final alternative; and
- Section 8.3, Alaska Railroad, Near Term Projects, to insert the following paragraph: The final route selection will be based on the findings of the Rail Line Extension Environmental Impact Statement (EIS). The EIS will look at several alternative routes plus the no action alternative and will include an extensive public process to help determine the final alternative

**VOTE:** The secondary amendment passed without objection.

**VOTE:** The primary amendment passed as amended without objection.

**MOTION:** Assemblymember Kvalheim moved a primary amendment to IM No. 07-127 to include staff recommended amendments as follows:

- Create an executive summary, with a table referenced as an appendix, that describes the project, ownership, the status, and estimated project cost. This table is intended to be updated annually;
- Reference the OSH&P in Section 4.1, Functional Classifications;
- Add to pages 4-18 set priorities for collector road projects that improve access and circulation and reduce congestion on the National Highway System;
- Chapter 4, Road System, reference ADOT/PF Parks Highway Visioning Document;
- Section 4.3, Central Area Road System, Land Use and Traffic Forecasting, Traffic Modeling, to insert the phrase “for that year” at the end of the fourth bullet in the second paragraph to read as follows: The model is calibrated, which means the model parameters are adjusted to first have it produce traffic volumes on Borough road for the base year that are as close as possible to traffic counts conducted by the ADOT&PF and the Borough for that year.
- Section 4.3, Central Area Road System, Local Road, to strike the last sentence in the first paragraph in its entirety and insert in its place “Through traffic movement is discouraged, though may occur, until a full collector network is in place;
- Section 4.1, Functional Classification System, Functional Classification, Minor Collectors, to strike the last sentence in the first paragraph and insert in its place “Through traffic movement is discouraged, though may occur, until a full collector network is in place” to read” Primary purpose is to collect traffic from local roads and bring all developed areas within reasonable distance of collector roads. Through traffic movement is discouraged, though may occur, until a full collector network is in place;
- Section 3.1, to move the reference to the Y Comprehensive Plan from being a draft document to being adopted by the Borough; and
- Section 4.4, Rural Area Road System, Y Area (2005 draft), to delete “(2005 draft)” in the title and insert in its place “2007” to read “Y Area 2007” and to insert the following paragraph as bullet 4: Plan for expansion of the Parks Highway, including restricting roadside commercial development. Reserve a route for a bypass in the vicinity of the planned town center rather than widening the existing highway. Working with the community, pick a specific route that minimized impacts on the natural environment, existing businesses and landowners.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

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

Ms. Brenner provided a staff report.

Mayor Menard 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 Wells moved to adopt Ordinance Serial No. 07-071 and Resolution Serial No. 07-060.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in favor of AM No. 07-084: Mr. Greg Miller, Principal of Twindly Bridge Charter School; and Mr. Richard Webb, Board Chairman of Twindly Bridge Charter School.

The following person spoke in favor of AM No. 07-071 and forming a tourism task force: Ms. Bonnie Quill, Mat-Su Convention and Visitors Bureau.

*(Assemblymember Kluberton exited the meeting at this time.)*

*(The regular meeting recessed at 8:37 p.m. and reconvened at 8: 47p.m.)*

Ms. Sullivan provided an update regarding the fire at Susitna Valley High School.

D. CONSENT AGENDA (Resolution Serial No. 07-061 and AM No. 07-071 was pulled from the consent agenda and addressed separately. *See pp. 20-21*)

1. RESOLUTIONS

2. ASSEMBLY MEMORANDUMS

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.
- 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.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Allen declared a conflict of interest on Resolution Serial No. 07-061.

RULING: Mayor Menard ruled that Assemblymember Allen has a conflict of interest on Resolution Serial No. 07-061 and would be recused from voting.

*(Assemblymember Allen exited the meeting at this time.)*

- 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

MOTION: Assemblymember Woods moved to approve Resolution Serial No. 07-061.

VOTE: The motion passed without objection.

*(Assemblymember Allen re-entered the meeting at this time.)*

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

MOTION: Assemblymember Woods moved to approve AM No. 07-071.

Assemblymember Woods:

- voiced objection to extending the grant for another year;
- advised that she supported the original 70/30 split;
- noted her support of the tourism industry in the Borough; and
- spoke regarding the funding that comes from the State.

Assemblymember Church noted that this is a budget issue.

Ms. Clayton:

- advised that the Manager's proposed budget has a 70/30 split; and
- spoke to the amendments that were made during the Assembly's budget deliberations.

Discussion ensued regarding the grant for the Mat-Su Convention and Visitors Bureau.

VOTE: The motion passed without objection.

## **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)

Mayor Menard:

- spoke regarding the security positions for Port MacKenzie being cut from the budget;
- spoke to concerns that the bottom line of the Port Enterprise Fund was cut by \$184,000;
- noted the items that the funds that were cut would have been used for at Port MacKenzie; and
- spoke regarding a supplemental appropriation for the Port Enterprise Fund.

## **XIII. EXECUTIVE SESSION**

*(There was no executive session held.)*

## **XIV. MAYOR AND ASSEMBLY COMMENTS**

Assemblymember Wells:

- advised that the Board of Directors of the National Farmers Union will be hosting a barbecue on June 14, 2007, with a brief farm tour; and
- noted that the National Farmers Union are very involved in the farmer's bill that is before Congress.

Assemblymember Woods:

- spoke regarding the management plan for the Knik Public Use Area; and
- queried whether the Borough provided public testimony on this issue.

Mr. Duffy stated that he believed that Mr. Swanson provided comments on this issue.

Assemblymember Woods:

- noted that the Borough has a parcel of land by Jim Creek that is subject to the same trouble that the people in the Knik area are having;
- stated that the Borough could work together with the Alaska State Division of Natural Resources on patrolling the Borough land; and
- spoke in support to finding a location for a shooting range.

Assemblymember Church:

- thanked Mr. O'Brien for his work at the Borough;
- requested that the Assembly consider having an agricultural work session in August; and
- spoke to the need to be careful in changing agricultural or land use covenants.

Assemblymember Kvalheim:

- advised that she received many calls from the public that were not happy with the advertisement thanking the Mat-Su delegation of the Legislature;
- spoke to the need to think of a different way to thank the Legislature in the future; and
- spoke regarding the possibility of Wasilla Library charging \$50 for a non-resident library card.

Assemblymember Allen:

- opined that that libraries should be under one governance, which is the Borough;
- spoke to concerns regarding the city of Wasilla wanting to charge library fees;
- advised that he would like to see administrations response to the letter from Mr. Sorenson to Mr. Heier;
- requested that the administration look into the noise issue that the model airplanes are causing at the end of Marsh Road; and
- advised that his grandson, Rhys, is progressing well.

Mayor Menard:

- spoke regarding meeting with Mayor Keller from the city of Wasilla regarding the library fees;
- noted that constituents may have been upset regarding the number of times that the ad appeared thanking the Mat-Su Delegation; and
- stated in the future, the number of times the ad appears can be reduced; however, it is worth while to thank the State Delegation for the amount of money they bring into the Borough.

#### **XIV. ADJOURNMENT**

The regular meeting adjourned at 9:24 p.m.