

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on June 17, 2014, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1  
Mr. Matthew Beck, Assembly District No. 2  
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)  
Mr. Steve Colligan, Assembly District No. 4  
Mr. Darcie K. Salmon, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6  
Mr. Vern Halter, Assembly District No. 7 (*entered telephonically at 6:16 p.m.*)

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. George Hays, Assistant Borough Manager  
Ms. Shannon Bodolay, Assistant Borough Attorney  
Ms. Brenda J. Henry, Assistant Clerk  
Ms. Tammy Clayton, Finance Director  
Mr. Terrance Dolan, Public Works Director  
Ms. Eileen Probasco, Planning and Land Use Director  
Mr. Dennis Brodigan, Emergency Services Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Eric Phillips, Community Development Director  
Mr. Michael Brown, Capital Projects Director  
Mr. Alex Strawn, Development Services Manager  
Ms. Glenda Smith, Real Property Analyst  
Mr. Carl Hereford, Acting Information Technology Director  
Ms. Debra Wetherhorn, Administrative Assistant II

**III. APPROVAL OF AGENDA**

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

**MOTION:** Assemblymember Sykes moved to take up audience participation prior to unfinished business.

**VOTE:** The motion passed without objection.

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

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

The Pledge of Allegiance was led by Ms. Angela Houser, a member of the public.

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

- A. Regular Assembly Meeting: 05/20/14
- B. Special Assembly Meeting: 06/03/14
- C. Regular Assembly Meeting: 06/03/14

Mayor DeVilbiss inquired if there were any corrections to the regular meeting minutes of May 20, 2014, the special meeting minutes of June 3, 2014, or the regular meeting minutes of June 3, 2014.

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

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS**

##### **1. Reports from cities**

###### Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- invited the body to the July 4<sup>th</sup> parade, which will begin at 11 a.m.; and
- stated that the fireworks will be that evening at 11:30 p.m.

###### Palmer City

Mr. Joe Hannan, City Manager:

- spoke in support of improving Borough communications;
- spoke to airport improvements that are underway;
- noted that the 20<sup>th</sup> anniversary of the Job Corp is June 20;
- spoke to the edible gardens throughout the City; and
- thanked the Borough for supporting the Mat-Su Miners.

##### **2. Matanuska-Susitna Borough School District**

*(There was no report provided.)*

##### **B. COMMITTEE REPORTS**

##### **1. Joint Assembly/School Board Committee on School Issues**

*(There was no report provided.)*

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

*(There was no report provided.)*

3. Assembly Public Relations

*(There were no reports provided.)*

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Road Project Update

Mr. Hays:

- stated that the Manager is in Washington, D.C. with the Borough Attorney discussing relief options regarding the ferry debt;
- noted that they are also discussing Federal Emergency Management Act dept reimbursement, regarding the 2012 flood event; and
- advised that Borough priorities will be submitted to Legislators there in order to get them in early.

Mr. Brown provided an update regarding road bond projects.

D. ATTORNEY COMMENTS

*(There was no report provided.)*

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule; and
- noted that it was requested to schedule a special meeting for July 2 to introduce legislation and to bring forward action memorandums that require action prior to August 5.

Mayor DeVilbiss queried if there was any objection to scheduling that meeting.

There was no objection noted.

Ms. McKechnie

- advised that there was an invitation from the Big Lake community for the Assembly to hold a meeting at their new community recreation center in August; and
- suggested that the meeting date of August 26.

Discussion ensued regarding the best date for the meeting.

Mayor DeVilbiss queried if there was any objection to conducting the September 2 meeting in Big Lake.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Library Board: 02/22/14
- b. MSB 8.32 Review Commission: 03/21/14
- c. Parks, Recreation, and Trails Advisory Board: 03/24/14, Resolution Serial Nos. 14-03, 14-04
- d. Platting Board: 03/20/14
- e. Transportation Advisory Board: 02/26/14
- f. Wasilla-Lakes FSA Board of Supervisors: 01/13/14
- g. West Lakes FSA Board of Supervisors: 01/13/14

2. Community Council Minutes:

- a. South Knik River Community Council: 03/20/14, 04/05/14
- b. Willow Area Community Organization: 02/10/14

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 14-141:** An Informational Memorandum Advising The Assembly Of The Intent To Change The Retention Schedule Of Assembly Audio (Recording Of Meetings) And Changing To Action Minutes.

The informational memorandum was presented and no comments were noted.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with the deterioration of the road at the intersection of Beaver Lake Road and Wilma Road: Mr. Darwin Fischer.

The following person spoke to concerns with the water table on Bella Vista Road: Mr. Chuck Kaucic.

The following persons spoke in support of increasing recycling within the Borough: Ms. Patty Fisher, Ms. Sammy Taylor, and Mr. Ralph Buzard.

The following persons spoke to the desire to keep South Knik River area undeveloped commercially: Mr. Dennis Sayer, South Knik River Community Council Member at Large; Ms. Laurie Hobbs, South Knik River Community Council Member at Large; Ms. Ann Houseal, South Knik River Community Council Secretary; Mr. Paul Houser, South Knik River Community Council President; Ms. Janet Read, South Knik River Community Council Member at Large; and Mr. John Nystrom.

The following person spoke to concerns with contractor requirements for road maintenance contracts: Mr. Mokie Tew.

The following person spoke to the need for a regional wastewater septage facility: Ms. Helen Munoz.

The following persons requested a waiver on a sand and gravel extraction permit for the Machen Road project: Mr. Steve Bargabos and Mr. Dave Bargabos

The following person invited the Assembly to attend the Palmer Midsummer Garden and Art Faire: Ms. Brooke Heppinstall.

## **VII. UNFINISHED BUSINESS**

- A. **Ordinance Serial No. 14-042:** An Ordinance Adopting MSB 15.24.030(B)(36), The South Knik River Comprehensive Plan.
  - 1. IM No. 14-056

MOTION PENDING: Assemblymember Sykes moved to adopt Ordinance Serial No. 14-042.

Ms. Driscoll provided a staff report.

MOTION: Assemblymember Sykes moved a primary amendment to the South Knik River Comprehensive Plan, by removing appendix D and E.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

*(The meeting recessed at 7:13 p.m. and reconvened at 7:30 p.m.)*

## **VIII. VETO**

*(There were no vetoes presented.)*

## **IX. SPECIAL ORDERS**

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 14-051:** An Ordinance Adopting MSB 15.24.030(B)(37), Matanuska-Susitna Borough Energy Policy. *(Sponsored by Assemblymember Colligan)*
  - a. IM No. 14-067

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-051: Mr. Berkeley Tilton, MSB 8.32 Review Commission (Energy Policy) Chair.

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

MOTION: Assemblymember Colligan moved to adopt Ordinance Serial No. 14-051.

MOTION: Assemblymember Colver moved a primary amendment to Ordinance Serial No. 14-051, by inserting a no. 5 to read: “(5) Provide for public participation, involvement, and comment for energy infrastructure.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

2. **Ordinance Serial No. 14-076:** An Ordinance To Submit An Advisory Question To The Qualified Non-Areawide Voters Of The Borough At The October 7, 2014, Regular Borough Election To Determine Whether The Public Supports Zoning Within The Matanuska-Susitna Borough. *(Sponsored by Assemblymember Salmon)*
  - a. IM No. 14-023

Mayor DeVilbiss opened the public hearing.

The following persons spoke to the need to involve the public in zoning issues in their areas: Ms. Helen Munoz.

The following person spoke in opposition to Ordinance Serial No. 14-076: Ms. Krista Maciolek. There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 14-076.

VOTE: The motion failed with Assemblymembers Salmon, Colligan, and Arvin in support.

3. **Ordinance Serial No. 14-078:** An Ordinance Extending The Time Limit For Completion Of Borough Capital Projects.
  - a. IM No. 14-111

Mayor DeVilbiss 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 Arvin moved to adopt Ordinance Serial No. 14-078.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 14-079:** An Ordinance Approving Request For Assembly Approval From Agricultural Rights Owner Of MSB000471 To Subdivide The 40-Acre Parcel Containing The Home Site From The Parent Parcel And Convey All Or Part Of The Property To A New Owner (MSB000471).
  - a. IM No. 14-114

Mayor DeVilbiss opened the public hearing.

The following person spoke to the need to ensure standards for sales of agriculture land: Ms. Beverly Cutler.

The following person spoke in support of Ordinance Serial No. 14-079: Mr. Delbert Simeon, owner of MSB000471.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 14-079.

MOTION: Assemblymember Colver moved to continue the public hearing on Ordinance Serial No. 14-079 to a time certain of August 5, 2014, and to send written notice to agriculture parcel owners of Borough agriculture parcels sold in 1977.

MOTION: The motion passed without objection.

5. **Ordinance Serial No. 14-081:** An Ordinance Approving A Supplemental Appropriation Of \$11,724 Of Revenues From Public Donations And Animal Supply Sales To The Fiscal Year 2014 Animal Care And Regulation Division Operating Budget, And Reappropriating \$11,724 From The Fiscal Year 2014 Animal Care And Regulation Division Operating Budget, Fund 200, To Fund 480, Project No. 45276, For The Mobile Animal Spay/Neuter Hospital.
  - a. IM No. 14-120

Mayor DeVilbiss 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 Beck moved to adopt Ordinance Serial No. 14-081.

VOTE: The motion passed without objection.

*(Assemblymember Halter exited the meeting.)*

6. **Ordinance Serial No. 14-082:** An Ordinance Adopting MSB 15.24.030(C)(41) The Caswell Lake, Lake Management Plan, And Amending MSB 17.59, Lake Management Plan Implementation.
  - a. IM No. 14-123

Mayor DeVilbiss 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 Arvin moved to adopt Ordinance Serial No. 14-082.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 14-083:** An Ordinance Reappropriating \$89,200 From Planning And Land Use Department's Fiscal Year 2014 Operating Budget, Fund 100, To Fund 480, Project No. 20280, For The Long Range Transportation Plan, Project No. 47021, Salmon Trends Report, And Project No. 47038 Regional Transportation Planning.
  - a. **Resolution Serial No. 14-052:** A Resolution Approving The Scope Of Work And Budget For The Long Range Transportation Plan, The Salmon Trends Report, And Regional Transportation Planning.
    - (1) IM No. 14-125

Mayor DeVilbiss 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 Arvin moved to adopt Ordinance Serial No. 14-083 and Resolution Serial No. 14-052.

VOTE: The motion passed without objection.

8. **Ordinance Serial No. 14-084:** An Ordinance Appropriating \$900,000 From The School Site Acquisition Reserve, Fund 100, To Fund 400, For The Utilities Design And Construction And An Additional \$350,000 To Fund 430, For The Design And Road Improvements For The New Knik Area Middle/High School, Authorize The Transfer Of Expenditures To The State Legislative Grants Once Accepted And Appropriated And The Reappropriation Of The \$1,250,000 Back To The School Site Acquisition Reserve.
  - a. IM No. 14-127

Mayor DeVilbiss 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 Salmon moved to adopt Ordinance Serial No. 14-084.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 14-085:** An Ordinance Accepting And Appropriating \$6,000 From The Alaska State Department Of Commerce, Community, And Economic Development To Fund 480, Project No. 47040, For Federal Emergency Management Agency Training.
  - a. **Resolution Serial No. 14-053:** A Resolution Approving The Scope Of Work And Budget For Federal Emergency Management Agency Training.
    - (1) IM No. 14-128

Mayor DeVilbiss 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 Arvin moved to adopt Ordinance Serial No. 14-085 and Resolution Serial No. 14-053.

VOTE: The motion passed without objection.

10. **Ordinance Serial No. 14-086:** An Ordinance Amending MSB 3.15.037 To Provide For A Residential Real Property Tax Exemption Of \$68,000 Of The Assessed Value Of Real Property Owned And Occupied As A Permanent Abode By A Resident Who Is 65 Years Of Age Or Older, A Disabled Veteran, Or A Person At Least 60 Years Old Who Is A Widow Or Widower Of A Person Who Was Qualified For The Exemption, And Submitting The Question To The Qualified Voters At The October 7, 2014, Regular Borough Election. *(Sponsored by Assemblymember Arvin)*
  - a. IM No. 14-131

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-086: Mr. Tom Stearns, Ms. Jane Soeten, and Mr. William Engel.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-086.

MOTION: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 14-086, by inserting the following language throughout the legislation: "\$20,000 a year for the next three years."

VOTE: The primary amendment failed with Assemblymember Sykes in support.

MOTION: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 14-086, by amending the ballot language to include the following language: "The estimated loss in revenue to the Borough will be \$2,400,000."

VOTE: The primary amendment failed with Assemblymember Sykes and Beck in support.

MOTION: Assemblymember Colligan moved a primary amendment to Ordinance Serial No. 14-086, by:

- amending the ballot language by inserting after the words "(1) or (2) above?" "This would be adjusted annually to the median home value" to read: "Should the Matanuska-Susitna Borough provide a real property tax exemption of \$68,000 of assessed value that exceeds \$150,000 of assessed value of real property owned and occupied as a permanent place of abode a resident who is (1) Sixty-five years of age or older, (2) a disabled veteran, including a person who was disabled in the line of duty while serving in the Alaska Territorial Guard, or (3) at least 60 years old and a widow or widower of a person who qualified for an exemption as noted in (1) or (2) above? This would be adjusted annually to the median home value;" and
- by inserting the following in MSB 3.15.037(A) after the first sentence: "This would be adjusted annually to the median home value to be determined by Finance."

MOTION: Assemblymember Arvin moved a secondary amendment by striking the word "median" and inserting "average assessed."

VOTE: The secondary amendment passed with Assemblymember Salmon opposed.

VOTE: The primary amendment passed as amended with Assemblymember Salmon opposed.

VOTE: The main motion passed as amended without objection.

11. **Ordinance Serial No. 14-087:** An Ordinance Reappropriating \$210,000 From The Fiscal Year 2014 Information Technology Department's Operating Budget To Fund 480 For Areawide Computer Replacements.
  - a. **Resolution Serial No. 14-054:** A Resolution Approving The Scope Of Work And Budget For The Areawide Computer Replacement Project.
    - (1) IM No. 14-132

Mayor DeVilbiss 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 Arvin moved to adopt Ordinance Serial No. 14-087 and Resolution Serial No. 14-054.

VOTE: The motion passed without objection.

12. **Ordinance Serial No. 14-089:** An Ordinance Appropriating \$350,000 From Fiscal Year 2015 Areawide Fund Balance To The West Butte Parking Lot And Trail, Government Peak Chalet Kitchen, France Road Crevasse Moraine Trailhead And Trail Improvements; Jordan Lake Park Improvements, And Purchase Of The Fireweed Building. *(Sponsored by Assemblymembers Beck and Halter)*
  - a. IM No. 14-134

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 14-089: Ms. Cathy Kramer, Mr. Floyd Shylanski, Mr. Jim Hutton, Mr. Bill Kramer; Ms. Helen Munoz; and Ms. Dot Helm.

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

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 14-089.

MOTION: Assemblymember Colligan moved a primary amendment to Ordinance Serial No. 14-089, as follows:

- by striking all projects except Jordan Lake Park;
- to bring back the legislation for introduction after amendment; and
- to encumber the remaining funds for a wastewater septage facility.

*(The meeting recessed at 9:08 p.m. and reconvened at 9:15 p.m.)*

MOTION: Assemblymember Arvin moved a secondary amendment to reinstate all previously stricken projects, except the Fireweed Building.

VOTE: The secondary amendment passed with Assemblymembers Salmon and Colligan opposed.

VOTE: The primary amendment passed as amended with Assemblymember Colligan opposed.

MOTION: Assemblymember Colligan moved to divide the question to take up Jordan Lake Park separately.

VOTE: The motion to divide the question failed with Assemblymembers Colligan and Salmon in support.

VOTE: The main motion passed as amended with Assemblymember Colligan opposed.

13. **Ordinance Serial No. 14-090:** An Ordinance Amending MSB 3.04.095, General Fund Balance Policy And Reservations.

a. IM No. 14-135

Mayor DeVilbiss 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 Arvin moved to adopt Ordinance Serial No. 14-090.

VOTE: The motion passed without objection.

14. **Ordinance Serial No. 14-091:** An Ordinance Providing The City Of Palmer A Full Distribution Under The Motor Vehicle Tax For Borough Fiscal Year 2014. *(Sponsored by Assemblymember Beck)*

a. IM No. 14-124

Mayor DeVilbiss 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 Beck moved to adopt Ordinance Serial No. 14-091.

VOTE: The motion passed without objection.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 14-055:** A Resolution Waiving The Floodplain Development Permitting Fee For The Cottonwood Creek Cleanup Community Project. *(Sponsored by Mayor DeVilbiss)*

(1) IM No. 14-140

2. ACTION MEMORANDUMS

- a. **AM No. 14-082:** Award Of Bid No. 14-160B To Bristol Environment Remediation Services, LLC In The Contract Amount Of \$3,965,983 For The Mack Drive Extension/Clapp Street Improvements.
- b. **AM No. 14-083:** Award Of Proposal No. 14-120 To Hattenburg Dilley And Linnell, LLC In The Contract Amount Of \$299,192 For The Trunk Road Connector Design.
- c. **AM No. 14-084:** Award Of Bid No. 14-159P To E&E Construction, Inc. In The Contract Amount Of \$3,396,599 For The Talkeetna Public Library/Community Resource Center Construction.
- d. **AM No. 14-085:** Award Of Bid No. 14-170B To Earhart Roofing Company, Inc. In The Contract Amount Of \$1,174,000 For The Willow Elementary School Roof Replacement.
- e. **AM No. 14-087:** Award Of Bid No. 14-154B To Northern Asphalt Construction, Inc. For An Annual Contract Amount Of \$1,231,588 For Fairview Road Service Area No. 14 And Knik Road Service Area No. 17 Annual Road Maintenance.
- f. **AM No. 14-088:** Award Of Bid No. 14-155B To Northern Asphalt Construction, Inc. For An Annual Contract Amount Of \$1,066,146.60 For Meadow Lakes Road Service Area No. 27 And Gold Trail Road Service Area No. 28 Annual Road Maintenance.
- g. **AM No. 14-089:** Award Of Bid No. 14-156B To Norse Alaska, LLC. For An Annual Contract Amount Of \$227,976.20 For North Colony Road Service Area No. 23 and Alpine Road Service Area No. 31 Annual Road Maintenance.
- h. **AM No. 14-090:** Award Of Bid No. 14-164B To J.A. Spain and Sons, Inc. For An Annual Contract Amount Of \$376,632.90 For Greater Willow Road Service Area No. 20 Annual Road Maintenance.
- i. **AM No. 14-091:** Award Of Bid No. 14-166B To D&S Road Services For An Annual Contract Amount Of \$416,308.50 For Talkeetna Road Service Area No. 29 Annual Road Maintenance.
- j. **AM No. 14-092:** Award Of Bid No. 14-167B To Tew's Inc. For An Annual Contract Amount Of \$601,859 For Big Lake Road Service Area No. 21 Annual Road Maintenance.
- k. **AM No. 14-094:** Award Of Bid No. 14-161B To Tew's Inc. In The Amount Of \$340,599.50 For Solid Waste Transportation.

- l. **AM No. 14-095:** Approval To Enter Into A Utility Agreement With Matanuska Electric Association In The Amount Of \$395,000 For Utility Installation To The Joe Redington, Sr. Junior/Senior High School, As Appropriated In Ordinance Serial No. 14-084.
- m. **AM No. 14-096:** Approval To Enter Into A Utility Agreement With Enstar Natural Gas Company In The Amount Of \$208,959 For Utility Installation To The Joe Redington, Sr. Junior/Senior High School, Project No. 40187, From Fund 400, As Appropriated In Ordinance Serial No. 14-084.
- n. **AM No. 14-097:** Approval To Enter Into A Utility Agreement With Enstar Natural Gas Company In The Amount Of \$322,556 For Utility Relocation Within The Bogard Road Extension East Project.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- o. **AM No. 14-098:** Authorization To Amend Contract No. 14-148B With QAP In An Amount Not To Exceed \$500,000 For Seldon Road And Lucille Street Upgrades To Include Improvements Along Lucille Street Between Spruce Avenue And Luther Avenue.

CONFLICT OF INTEREST: Assemblymember Arvin declared a conflict of interest as QAP is his client.

RULING: Mayor DeVilbiss ruled that Assemblymember Arvin had a conflict and would be recused from voting.

*(Assemblymember Arvin exited the meeting.)*

MOTION: Assemblymember Salmon moved to adopt AM No. 14-098.

VOTE: The motion passed without objection.

*(Assemblymember Arvin re-entered the meeting.)*

- p. **AM No. 14-099:** Award Of Bid No. 15-002C To Global Diving And Salvage In The Amount Of \$1,209,870 For Installation Of Port Mackenzie Cathodic Protection.

CONFLICT OF INTEREST: Mayor DeVilbiss declared a conflict of interest as his son is the owner of the business awarded the bid.

RULING: Deputy Mayor Arvin ruled that Mayor DeVilbiss had a conflict and would relinquish the duties of the Chair.

*(Mayor DeVilbiss exited the meeting and Deputy Mayor Arvin assumed the duties of the Chair.)*

MOTION: Assemblymember Salmon moved to adopt AM No. 14-099.

VOTE: The motion passed without objection.

*(Mayor DeVilbiss re-entered the meeting and resumed the duties of the Chair.)*

## **X. NEW BUSINESS**

### **A. INTRODUCTIONS (For public hearing – 08/05/14, Assembly Chambers)**

1. **Ordinance Serial No. 14-092:** An Ordinance Adopting The 2014 Crystal Lake - Lake Management Plan Update, And Amending MSB 17.59, Lake Management Plan Implementation, To Address Revised Quiet Hours And A 100-Foot No Wake Zone.
  - a. IM No. 14-112
2. **Ordinance Serial No. 14-068:** An Ordinance Creating Dusk Lake Estates Natural Gas Local Improvement District No. 532, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
  - a. IM No. 14-116
3. **Ordinance Serial No. 14-074:** An Ordinance Creating East Carney Road Natural Gas Local Improvement District No. 534, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
  - a. IM No. 14-121
4. **Ordinance Serial No. 14-075:** An Ordinance Creating West Carpenter Lake Road Natural Gas Local Improvement District No. 542, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
  - a. IM No. 14-122
5. **Ordinance Serial No. 14-093:** An Ordinance Providing For The Sale Of Certain Borough-Wide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2005 And Prior, 2006 And Prior, 2007 And Prior, 2008 And Prior, And Delinquent Special Assessment For The Year 2009 And Prior And Not Needed For Public Purpose.
  - a. IM No. 14-137

6. **Ordinance Serial No. 14-094:** An Ordinance Authorizing The Borough To Issue Areawide General Obligation Bonds, In One Or More Series, To Refund Certain Outstanding General Obligation Bonds Of The Borough; Fixing Details Of Such Bonds; And Authorizing Their Sale.
  - a. IM No. 14-142

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 5, 2014.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Parks, Recreation, and Trails Advisory Board  
David palmer  
Fairview RSA No. 14  
Richard Buzby  
Gold Trail RSA No. 28  
Kenneth Widmer

Mayor DeVilbiss has the following appointments under consideration:

Animal Care and Regulation Board  
David Allen  
Jamie West, resignation from alternate position  
West Lakes FSA No. 136  
Steve Simpson

MOTION: Assemblymember Arvin moved to approve the Mayor's appointments up for confirmation this evening.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

*(There was no other new business.)*

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

*(There were no referrals presented.)*

## **XI. RECONSIDERATION**

*(There was no reconsideration presented.)*

## **XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Assemblymember Sykes:

- thanked the body for approving the South Knik River Comprehensive Plan;
- spoke to his pleasure with the public participation;
- thanked Ms. Munoz for coming to the meetings; and
- noted that there is a plan for a septage treatment facility underway.

Assemblymember Salmon:

- stated that his intent is to facilitate the ability for B & E to continue with gravel extraction to complete the project while the conditional use permit is processed; and
- opined that special dispensation needs to occur and a gravel extraction permit be given.

Ms. Bodolay advised that there is no provision in code for the Manager to give a waiver and a permit be provided prior to the application process.

Discussion ensued regarding:

- the possibility of expediting the permit;
- the conditional use permit process;
- the code requirements associated with conditional use permits;
- different types of gravel extraction permits;
- the desire to keep the project moving forward;
- that B&E does have an application for a permit that is going through the issuance process; and
- concerns with the timeframe in which Development Services can process the permit.

**MOTION:** Assemblymember Colver moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 10:15 p.m.

**VOTE:** The motion passed without objection.

Assemblymember Colver:

- requested that the Manager work with him and the Community Development Department to conduct work sessions to develop a policy regarding agriculture parcels;
- spoke to the need to have a policy in place; and
- requested an artistically created interpretive panel be placed in the lobby explaining why the dais is so high.

Assemblymember Colligan:

- thanked the Clerk and her staff for their hard work;
- stated that he looks forward to the work of the body; and
- stated that he will work with Finance in order to apply the \$87,500 from the amendment to Ordinance Serial No. 14-089 to the future septage facility.

Assemblymember Beck:

- thanked the body for a good meeting;
- thanked the public for their attendance and testimony;
- thanked the city representatives for their attendance;
- thanked staff for attending the meeting to answer questions;
- thanked the Clerk's Office for their professionalism; and
- spoke to the need for a septage treatment facility.

Assemblymember Arvin:

- spoke highly of the Clerk's Office staff;
- noted that the information that is provided is always clear and helpful; and
- spoke to the need to ensure that seniors and disabled veterans do not lose their homes due to tax burdens.

Mayor DeVilbiss:

- noted that there are many layers to agriculture parcel sales;
- spoke to the many rules and policies that apply;
- opined that the Borough should not deviate too quickly from State requirements;
- requested that the Community Development Department to resend to the Assembly the proposed 5-year land sale;
- requested that the body respond to the proposals within their district; and
- noted that the payment in lieu of taxes (PILT) funds will be arriving soon.

### **XIII. EXECUTIVE SESSION**

*(There was no executive session held.)*

**XIV. ADJOURNMENT**

The regular meeting adjourned at 9:59 p.m.

  
LARRY DEVILBISS, Borough Mayor

ATTEST:



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LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 08/05/14