

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 19, 2007

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA¹
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
- VI. SPECIAL ORDERS OF THE DAY
 - A. A Proclamation in Recognition of Elmer Feltz
- VII. REPORTS/CORRESPONDENCE
 - A. AGENCY REPORTS
 1. Reports from cities
 2. Matanuska-Susitna Borough School District
 - B. COMMITTEE REPORTS

¹ AM Nos. 07-092 and 07-095 were pulled from the agenda.

1. Joint Assembly/School Board Committee on School Issues
2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Su Valley High School Update

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Trapper Creek Road Service Area No. 30: 2/08/07
 - b. Caswell Lakes Road Service Area No. 15: 3/09/07
 - c. Board of Equalization Minutes Summary: 2007
2. Community Council Correspondence:
 - a. North Lakes Community Council: 12/14/06

G. INFORMATIONAL MEMORANDUMS

1. IM No. 07-152: NOTIFICATION OF CERTIFICATION OF 2007 REGULAR REAL PROPERTY ASSESSMENT ROLL.
2. IM No. 07-153: A NOTIFICATION OF CONTRACTS COSTING \$100,000 OR LESS THAT NOTICE OF APPARENT SUCCESSFUL BIDDER NOTICES WERE ISSUED FOR DURING THE PERIOD FROM MAY 1, 2007, TO MAY 31, 2007.
3. IM No. 07-157: A NOTIFICATION OF BOROUGH MANAGER'S INTENT TO DISPOSE OF A PORTION OF BOROUGH-OWNED LAND LOCATED ON THE OLD GLENN HIGHWAY IDENTIFIED AS PARCEL 4 FOR THE MATANUSKA RIVER BRIDGE TO GLENN HIGHWAY CHANNELIZATION PROJECT NO 54434 – ACHHE – 0576(10)-0001(117) TO THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (ADOT&PF) FOR \$17,300 (MSB004878).

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. 07-069: AN ORDINANCE APPROVING THE APPLICATION FROM HARRY AND JUDI DAVIDSON AND RONALD AND ALICE 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
2. Ordinance Serial No. 07-073: AN ORDINANCE ADOPTING MSB 2.52.210, RESIDENCY REQUIREMENTS. (*Sponsored by Assemblymember Church*)
 - a. IM No. 07-123
3. 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 Assemblymembers Church and Kvalheim*)
 - a. IM No. 07-124
4. Ordinance Serial No. 07-075: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 07-129
5. Ordinance Serial No. 07-076: AN ORDINANCE ADOPTING MSB 17.02, ESSENTIAL SERVICE UTILITIES.
 - a. IM No. 07-130
6. 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

7. Ordinance Serial No. 07-078: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$7,360 OF REVENUES FROM PUBLIC DONATIONS TO THE FISCAL YEAR 2007 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET, 200-160-606, AND REAPPROPRIATING \$7,360 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

8. 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

9. 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

10. 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

11. 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

12. 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

13. 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 TRAPPER CREEK AMBULANCE/LIBRARY PROJECT.
 - a. IM No. 07-147

14. 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

15. 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

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA²

1. RESOLUTIONS

- a. Resolution Serial No. 07-065: A RESOLUTION REQUESTING CONGRESS COMBINE THE POINT MACKENZIE ROAD DESIGN, BOGARD/SELDON ROAD EXTENSION WEST, AND THE HATCHER PASS EARMARKS INTO ONE PROJECT FOR THE HATCHER PASS SKI AREA DEVELOPMENT.
(1) IM No. 07-144
- b. Resolution Serial No. 07-066: A RESOLUTION AMENDING THE BUDGETS FOR THE NORDIC TRAIL GRANT MATCH AND THE DEVELOPMENT OF NORDIC TRAIL SYSTEM PROJECTS AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE HATCHER PASS SKI AREA DEVELOPMENT – ENVIRONMENTAL DOCUMENT.
(1) IM No. 07-158

2. ASSEMBLY MEMORANDUMS

- a. AM No. 07-086: AWARD OF PROPOSAL NO. 07-184, TO MIKUNDA COTTRELL & CO., FOR THE AMOUNT OF \$362,000, FOR THE AUDIT SERVICES FOR THE MATANUSKA-SUSITNA BOROUGH AND MATANUSKA-SUSITNA SCHOOL DISTRICT.
- b. AM No. 07-087: APPROVAL OF A CHANGE ORDER TO DOWL ENGINEERS, FOR THE AMOUNT OF \$1,504,215, FOR THE BOGARD ROAD EXTENSION EAST DESIGN SERVICES FOR PHASE TWO SERVICES.
- c. AM No. 07-088: APPROVAL OF CHANGE ORDERS ON PROPOSAL NOS. 07-004, 07-010, AND 07-011, FOR THE AMOUNT OF \$200,000 AND TIME EXTENSIONS FOR ON-CALL PROFESSIONAL SERVICES CONTRACTS.
- d. AM No. 07-089: AWARD OF BID NO. 07-120, TO LOGGERS, MINERS, FRAMERS, AND FARMERS, L.P., FOR THE CONTRACT AMOUNT OF \$589,140, FOR THE ANNUAL MAINTENANCE AND OPERATION OF THE CENTRAL LANDFILL.

² Resolution Serial Nos. 07-065 and 07-066 and AM Nos. 07-088, 07-089, and 07-091 were pulled from the consent agenda and addressed separately.

- e. AM No. 07-090: AWARD OF BID NO. 07-122, TO VALLEY GENERAL CONSTRUCTION, FOR THE CONTRACT AMOUNT OF \$133,900, FOR THE GARDEN TERRACE SUBDIVISION WATER SYSTEM UPGRADE CONSTRUCTION.
- f. AM No. 07-091: AWARD OF PROPOSAL NO. 07-129, TO ARCHITECTS ALASKA, INC., FOR THE CONTRACT AMOUNT OF \$196,471, FOR THE WASILLA MIDDLE SCHOOL CAFETERIA ADDITION AND REMODEL DESIGN.
- g. AM No. 07-092: AWARD OF BID NO. 07-175, TO WM CONTRACTING, INC., FOR THE CONTRACT AMOUNT OF \$261,438.24, FOR RSA #9, MIDWAY ANNUAL ROAD MAINTENANCE.
- h. AM No. 07-093: AWARD OF BID NO. 07-176, TO SNOWBALL EXPRESS, INC., FOR THE CONTRACT AMOUNT OF \$158,412.50, FOR THE RSA #14, FAIRVIEW ANNUAL ROAD MAINTENANCE.
- i. AM No. 07-094: AWARD OF BID NO. 07-177, TO KOPPERUD TRANSPORTATION, INC., FOR THE CONTRACT AMOUNT OF \$534,916.30, FOR RSA #25, BOGARD ANNUAL ROAD MAINTENANCE.
- j. AM No. 07-095: AWARD OF BID NO. 07-178, TO L & N VENTURES, FOR THE CONTRACT AMOUNT OF \$527,331.90, FOR RSA #27, MEADOW LAKES ANNUAL ROAD MAINTENANCE.
- k. AM No. 07-096: TO AUTHORIZE THE PURCHASE OF COMMUNICATIONS EQUIPMENT FROM MOTOROLA FOR THE AMOUNT NOT TO EXCEED \$250,000 PER FISCAL YEAR.
- l. AM No. 07-097: AWARD OF BID NO. 07-195, TO NORTHWEST LININGS AND GEOTEXTILE PRODUCTS, INC., FOR THE CONTRACT AMOUNT OF \$611,494.88, FOR THE CENTRAL LANDFILL CELL THREE LINER PURCHASE.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 07/17/2007, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 07-087: AN ORDINANCE ACCEPTING AND APPROPRIATING \$500,000 FROM THE FEDERAL TRANSIT ADMINISTRATION TO FUND 475, PROJECT NO. 20343, FOR THE PURCHASE OF BUSES AND A DRIVING SIMULATOR FOR MASCOT.
 - a. Resolution Serial No. 07-067: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE FTA AND MASCOT FOR THE PURCHASE OF NEW BUSES AND A DRIVING SIMULATOR.
 - (1) IM No. 07-059

2. Ordinance Serial No. 07-088: AN ORDINANCE APPROVING THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, APPLICATION TO ACQUIRE BOROUGH-OWNED LAND IDENTIFIED AS PARCEL 43 FOR THE RECONSTRUCTION OF TRUNK ROAD (MSB004876).
 - a. IM No. 07-145

3. Ordinance Serial No. 07-089: AN ORDINANCE AMENDING MSB 19.08, SCHOOL BUILDING DESIGN AND CONSTRUCTION.
 - a. IM No. 07-146

4. Ordinance Serial No. 07-090: AN ORDINANCE ACCEPTING AND APPROPRIATING \$40,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE COTTONWOOD CREEK AT ENGSTROM ROAD CULVERT REPLACEMENT PROJECT, PROJECT NO. 30091, FUND 410.
 - a. Resolution Serial No. 07-068: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE COTTONWOOD CREEK AT ENGSTROM ROAD CULVERT REPLACEMENT PROJECT, PROJECT NO. 30091.
 - (1) IM No. 07-149

5. Ordinance Serial No. 07-091: AN ORDINANCE AMENDING MSB 2.12.070(J) MEETINGS, SPECIFICALLY TO MODIFY THE TIME OF ADJOURNMENT FOR MEETINGS. (*Sponsored by Assemblymember Allen*)
 - a. IM No. 07-154

6. Ordinance Serial No. 07-092: AN ORDINANCE AMENDING MSB 2.08.060, MAYORAL COMPENSATION AND REIMBURSEMENT, AND MSB 2.12.060, ASSEMBLY COMPENSATION AND REIMBURSEMENT. *(Sponsored by Assemblymember Bettine)*
 - a. IM No. 07-155

7. Ordinance Serial No. 07-093: AN ORDINANCE PLACING ON THE BALLOT OF THE OCTOBER 2007 REGULAR BOROUGH ELECTION, A PLAN FOR SCHOOL BOARD MEMBERSHIP STRUCTURE, SPECIFICALLY IN REGARD TO DISTRICTING SEATS OF SCHOOL BOARD MEMBERS AND QUALIFICATIONS OF OFFICE BY AMENDING MSB 19.04.020 AND MSB 19.04.040, AND AMENDING MSB 25.15.010(A), CANDIDATE QUALIFICATIONS. *(Sponsored by Assemblymember Bettine)*
 - a. IM No. 07-159

8. Ordinance Serial No. 07-094: AN ORDINANCE ADOPTING MSB 3.15.075, TAX ADJUSTMENTS ON PROPERTY AFFECTED BY FIRE. *(Sponsored by Assemblymember Bettine)*
 - a. IM No. 07-156

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

XI. RECONSIDERATION

XII. VETO

XIII. EXECUTIVE SESSION

XIV. MAYOR AND ASSEMBLY COMMENTS

XV. ADJOURNMENT