

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on July 15, 2003, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Jim Colver.

II. ROLL CALL

Assembly members present and establishing a quorum were:

- Mr. J. Bruce Bush, Assembly District No. 1
- Mr. Bill Allen, Assembly District No. 2 (*via teleconference*)
- Mr. Talis J. Colberg, Assembly District No. 3
- Ms. Mary Kvalheim, Assembly District No. 4
- Ms. Jody Simpson, Assembly District No. 5
- Mr. Jim Colver, Assembly District No. 6 (Deputy Mayor)
- Ms. Kelly Ladere, Assembly District No. 7

Staff in attendance were:

- Ms. Michelle M. McGehee, Acting Borough Clerk
- Mr. John Duffy, Borough Manager
- Ms. Teresa S. Williams, Borough Attorney
- Mr. David Germer, Assistant Borough Manager
- Ms. Janice Case, Borough Clerk's Secretary
- Mr. Daniel Graham, Public Works Director
- Ms. Tammy Clayton, Finance Director
- Mr. Jack Krill, Emergency Services Director
- Mr. Ron Swanson, Community Development Director
- Ms. Susan Dickinson, Planning and Land Use Director

III. APPROVAL OF AGENDA

Deputy Mayor Colver inquired if there were any changes to the agenda.

Mr. Duffy requested that the following legislation be pulled from the agenda:

- Ordinance Serial No. 03-133, regarding the revisions to the budget, due to additional changes received from the state of Alaska;
- Resolution Serial No. 03-080, so that Mayor Anderson could be present to address the resolution; and
- AM No. 03-140 in order to schedule a work session to further discuss the item.

GENERAL CONSENT: The agenda was approved as amended.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Joe Lawton, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

Deputy Mayor Colver referenced the minutes of the June 10, 2003, special meeting; June 17, 2003, special meeting; June 17, 2003, regular meeting; June 24, 2003, special meeting; and June 24, 2003, joint Assembly/Planning Commission/Platting Board meeting, and asked if there were any corrections thereto.

Ms. McGehee:

- noted a correction to p. 9 of 19 of the June 17, 2003, regular meeting minutes, Paul D. McRoberts should have been listed under the vacancy report recommendations for the Big Lake Road Service Area No. 21. *[After clerk's research, this item was corrected accordingly.]*

GENERAL CONSENT: The minutes of the June 10, 2003, special meeting; June 17, 2003, special meeting; June 17, 2003, regular meeting; June 24, 2003, special meeting; and June 24, 2003, joint Assembly/Planning Commission/Platting Board meeting were approved as amended without objection.

VI. SPECIAL ORDERS OF THE DAY

- A. Proclamation in Honor of AmeriCorps National Civilian Community Corps "Green 5" Team

Deputy Mayor Colver presented a proclamation in honor of the AmeriCorps National Civilian Community Corps "Green 5" Team to team leader, Ang Arechaga, and team members, Braden Baker, Katia Sussman, Adam Peavy, Martine Hudson, Jenny Cloud, Tracy Dankers, Ben Koverman, Annie Hayes, and Meredith Charles.

VII. REPORTS/CORRESPONDENCE

- A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Deputy Mayor Howard O'Neil:

- noted that the Wasilla City Council will be holding a work session on July 17, 2003, to discuss potential uses and access to Lake Lucille;
- stated that funds have been allocated to remodel the Wasilla Library;
- reported that steel for the sports complex arrived on-site today and that construction will begin on July 16, 2003;

- stated that the Assembly can contact Don Moore to set up a tour of the sports complex; and
- noted that Wasilla City has received funding for a traffic light on the intersection of Church Road and the Palmer Wasilla Highway.

Houston City

Mayor Dale Adams:

- reported that the city of Houston will be voting on a sales tax proposal; and
- noted that Houston City received the animal control contract for the city of Wasilla.

(Assemblymember Allen entered the meeting via teleconference at this time.)

2. Matanuska-Susitna Borough School District

Mr. Mike Chmielewski, School Board President:

- noted that the school district administration building has moved to a new location; and
- invited the Assembly to visit the new school district administration building.

Assemblymember Kvalheim applauded Burchell High School for their example of excellence.

3. Alaska State Fair Re: Update on Fair Activities

Mr. Joe Lawton, General Manager of the Alaska State Fair:

- updated the Assembly on the current commuter project;
- requested additional funding for a new farm exhibit building, which has the potential to be a meeting place for the Borough, a showcase for Alaskan agriculture, and appropriate to handle disaster situations; and
- noted that Assemblymember Allen helped to arrange a meeting with the Denali Commission, but that they will need additional help.

Discussion ensued regarding a new farm exhibit building.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Deputy Mayor Colver reported that no committee meetings have been held.

2. Regional Transportation Planning Organization (RTPO)

Deputy Mayor Colver noted that the RTPO meeting has been rescheduled for July 28, 2003, at the Elks Lodge on Finger Lake from 1 p.m. to 4 p.m.

C. MANAGER COMMENTS

Mr. Duffy:

- reported that the calcium chloride project on Point MacKenzie Road is now complete;
- noted that the Department of Labor has certified the Borough's Federal Transit Administration grant;
- referred to attached letters from VECO, Alaska Air Taxi, and NPI, which stated support of the Borough's efforts to provide a marine transportation link between the Borough's port and Anchorage;
- discussed his trip to Washington, D.C. with Mr. Germer and Mayor Anderson, where they met with the Borough's Congressional Delegation and Mr. Katz, the Governor's Representative, to discuss the Borough's federal priorities;
- stated that the dual-use vessel is presently funded as a demonstration project, and it appears that funding for the South Denali Visitor Center, and perhaps Hatcher Pass, is likely to be in the Interior Bill;
- reported that it is unlikely that there will be a reauthorization of TEA-21 this year;
- congratulated Emergency Services Director Jack Krill for the tentative funding approval in the amount of \$1,020,905, which has been received under the Homeland Security Grant Program; and
- informed that the circulation for all of the libraries has increased by over 12 percent with the Big Lake Library leading with a 53 percent increase over the last year.

D. ATTORNEY COMMENTS

Ms. Williams:

- noted that she has given the Assembly a memorandum regarding an update on current legal matters;
- reviewed House Bill 69 and the Borough's remaining regulatory options; and
- stated that a handout, which discusses general police powers and the Borough's ability to expend funds for extra police/trooper patrols, has been included in the red folder.

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming Assembly meetings;
- stated that the candidate filing period will open on July 21, 2003, through August 1, 2003, and that the candidacy packets are available in the Clerk's office;
- noted the inclusion of letters from Sherrod Elementary School students thanking for Ms. Dillon for the tour of the Borough; and
- reported that an additional workshop has been scheduled on July 22nd at AML in Girdwood.

Assemblymember Kvalheim requested that the Platting Board attend the joint Planning Commission/Assembly meeting on October 28, 2003.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 05/12/03 (hearing); 05/12/03 (regular meeting)
 - b. Board of Adjustment and Appeals: 04/10/03
 - c. Consolidated Dispatch Advisory Committee: 04/08/03, 05/13/03
 - d. Emergency Medical Services Advisory Board: 05/07/03, 06/04/03
 - e. Enhanced 9-1-1 Advisory Board: 04/08/03, 05/13/03
 - f. Mat-Su Fire Chiefs Association: 06/25/03
 - g. Parks, Recreation, and Trails Advisory Board: 05/27/03, 06/09/03
 - h. Senior Citizens Advisory Board: 05/19/03
 - i. Transportation Advisory Board: 05/28/03
 - j. Wasilla-Lakes Fire Service Area Board of Supervisors: 04/14/03
- 2. Community Council Correspondence:
 - a. Meadow Lakes Community Council: 05/14/03
 - 3. Other Correspondence:
 - a. Cook Inlet Aquaculture Association Planning Committee: 05/29/03

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

G. INFORMATIONAL MEMORANDUMS

- 1. IM No. 03-156: AN INFORMATIONAL MEMORANDUM REGARDING THE CERTIFICATION OF THE 2003 REGULAR REAL PROPERTY ASSESSMENT ROLL.
- 2. IM No. 03-182: AN INFORMATIONAL MEMORANDUM REGARDING VINE ROAD EMERGENCY REPAIRS.
- 3. IM No. 03-184: AN INFORMATIONAL MEMORANDUM REGARDING THE LOCAL ROAD SERVICE AREA ADVISORY BOARD'S REQUEST TO THE ASSEMBLY TO REVISIT THE FUNDING FORMULA FOR THE AIR QUALITY CONTROL PROGRAM TO ENSURE CONTINUED ANNUAL FUNDING FOR PAVING/DUST CONTROL THROUGHOUT THE ROAD SERVICE AREAS.

The informational memorandums were presented and no comments were noted.

IX. UNFINISHED BUSINESS

- A. Ordinance Serial No. 03-080: AN ORDINANCE AMENDING MSB 4.48.030(B), REDUCING THE QUORUM REQUIREMENT FOR THE LOCAL ROAD SERVICE AREA ADVISORY BOARD.
(Sponsored by: Assemblymember Ladere) (Postponed from 05/27/03, Main motion pending)
- 1. IM No. 03-023

MOTION: Assemblymember Kvalheim moved a primary amendment to Ordinance Serial No. 03-080, to add a sunset clause to read, "This ordinance shall sunset on July 15, 2004, unless otherwise extended."

Assemblymember Kvalheim stated that she does not like changing quorum requirements, but would like to see what could be accomplished with the board.

Assemblymember Ladere spoke in favor of amendment.

VOTE: The primary amendment passed without objection.

Assemblymember Ladere:

- stated that she attended the last advisory board meeting; and
- reported that there was a discussion of the proposed ordinance, and although the board members did not see it as the best solution, they realize it is a realistic short-term solution to the problem.

Assemblymember Simpson spoke in opposition of the legislation.

VOTE: The main motion to adopt Ordinance Serial No. 03-080 passed as amended, with Assemblymembers Colberg and Simpson in opposition.

(The regular meeting recessed at 6:50 p.m. and reconvened at 7:03 p.m.)

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

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. 03-078: AN ORDINANCE CREATING OLD KNIK HARBOR AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 370, 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. 03-119

Ms. Clayton recommended that the Assembly defeat Ordinance Serial No. 03-119, as it does not meet the requirements of the code.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-078.

VOTE: The motion failed without objection.

2. Ordinance Serial No. 03-079: AN ORDINANCE CREATING BAR-BAR-A NO. 2 NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 378, 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. 03-120

Ms. Clayton recommended adoption of Ordinance Serial No. 03-079.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 03-079.

VOTE: The motion passed with Assemblymember Simpson in opposition.

3. Ordinance Serial No. 03-088: AN ORDINANCE CREATING JADE LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 371, 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. 03-125

Ms. Clayton recommended the Assembly defeat Ordinance Serial No. 03-088, as it does not meet the requirements of code.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-088.

VOTE: The motion failed without objection.

4. Ordinance Serial No. 03-089: AN ORDINANCE CREATING LUTHER AVENUE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 382, 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. 03-126

Ms. Clayton:

- recommended adoption of Ordinance Serial No. 03-089; and
- noted that the Gold Trails Road Service Area No. 28 has agreed to decrease the cost to each property owner by 25 percent matching funds from the Gold Trails Road Service Area budget.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 03-089.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 03-108: AN ORDINANCE ADOPTING AMENDMENTS TO THE CITY OF HOUSTON COMPREHENSIVE PLAN, AND AMENDING MSB 15.24.
 - a. Ordinance Serial No. 03-109: AN ORDINANCE ADOPTING MSB 17.41.532 PARKS HIGHWAY (PH) DISTRICT.
 - b. Ordinance Serial No. 03-110: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HOUSTON, REZONING CERTAIN PARCELS TO THE PARKS HIGHWAY (PH) DISTRICT.
- (1) IM No. 03-151

Ms. Eileen Probasco:

- reported on the history of the legislation; and
- summarized the changes made from the last time the ordinance was presented to the Assembly.

Assemblymember Simpson inquired regarding the Planning Commission's concerns of the plan.

Ms. Probasco stated that a copy of the Planning Commission minutes were included in the attached informational memorandum discussing their concerns.

Deputy Mayor Colver opened the public hearing.

The following persons spoke in favor of Ordinance Serial No. 03-108, Ordinance Serial No. 03-109, and Ordinance Serial No. 03-110: Houston City Mayor Dale Adams, Mr. Charles Thomas, Ms. Phyllis Beckhouse, and Mr. Ron Eggleston.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 03-108, Ordinance Serial No. 03-109, and Ordinance Serial No. 03-110.

Assemblymember Ladere stated that it was a pleasure to see the Houston City Council and Mayor put so much time and effort into working with their community for economic development.

Assemblymember Simpson asked if the Planning Commission met in July and if this item was discussed.

Ms. Dickinson stated that the Planning Commission did not have the item listed for action on the July agenda.

Assemblymember Colberg discussed the importance of following procedures and sending items to the Planning Commission for review and recommendations.

Discussion ensued regarding Planning Commission action and general procedures for amending a comprehensive plan.

VOTE: The motion passed without objection.

MOTION: Assemblymember Ladere moved to reconsider Ordinance Serial No. 03-108, Ordinance Serial No. 03-109, and Ordinance Serial No. 03-110.

VOTE: The motion to reconsider failed unanimously.

(The regular meeting recessed at 7:55 p.m. and reconvened at 8:05 p.m.)

6. Ordinance Serial No. 03-111: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$44,250,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION AND RENEWAL OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 7, 2003, BOROUGH ELECTION.
 - a. Ordinance Serial No. 03-112: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$16,285,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION AND RENEWAL OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 7, 2003, BOROUGH ELECTION.
 - b. Ordinance Serial No. 03-113: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,495,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION AND RENEWAL OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 7, 2003, BOROUGH ELECTION.

- c. Ordinance Serial No. 03-114: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,650,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION AND RENEWAL OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 7, 2003, BOROUGH ELECTION.
- (1) IM No. 03-153

Ms. Clayton explained that the bonds were segregated into four different groups, two of the groups are eligible for 60 percent reimbursement and the other two are eligible for 70 percent reimbursement.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-111, Ordinance Serial No. 03-112, Ordinance Serial No. 03-113, and Ordinance Serial No. 03-114.

Assemblymember Simpson spoke in favor of the legislation.

Ms. Clayton stated that the new mill rate would be approximately .57 mills.

MOTION: Assemblymember Allen moved the previous question (stop debate).

VOTE: The motion to stop debate passed without objection.

VOTE: The main motion passed without objection.

MOTION: Assemblymember Kvalheim moved to reconsider Ordinance Serial No. 03-111, Ordinance Serial No. 03-112, Ordinance Serial No. 03-113, and Ordinance Serial No. 03-114.

VOTE: The motion to reconsider failed unanimously.

7. Ordinance Serial No. 03-115: AN ORDINANCE AMENDING MSB 2.12.060(D), COMPENSATION AND REIMBURSEMENT, RELATING TO OUT-OF-BOROUGH TRAVEL. *(Sponsored by: Assemblymember Colberg)*
- a. IM No. 03-155

Deputy Mayor Colver opened the public hearing.

The following persons spoke in favor of Ordinance Serial No. 03-115: Ms. Jean Woods and Ms. Jay Nolfi.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial No. 03-115.

MOTION: Assemblymember Colberg moved a primary amendment to Ordinance Serial No. 03-115, by inserting the words “on borough business” between the words “travel” and “from.” The last sentence in the subsection would then read, “Mileage, expense reimbursement, and travel tickets exceeding the prorated share or any request to pay for travel on borough business from any other source shall require prior approval by the assembly.”

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Kvalheim moved a primary amendment to Ordinance Serial No. 03-115, by inserting the phrase, “unless authorized in writing by three members of the assembly if timing does not permit addressing the request at a special or regular meeting,” to read, “Mileage, expense reimbursement, and travel tickets exceeding the prorated share or any request to pay for travel from any other source shall require prior approval by the assembly, unless authorized in writing by three members of the assembly if timing does not permit addressing the request at a special or regular meeting.”

Assemblymember Colberg:

- discussed the intent of the ordinance; and
- spoke in opposition of the primary amendment.

Assemblymember Ladere inquired why the amendment only required three Assembly members.

Ms. McGehee replied that three members would comply with the Open Meetings Act.

Assemblymember Simpson spoke in opposition of the amendment.

VOTE: The primary amendment failed with Assemblymember Kvalheim, Colver, and Allen in support.

Assemblymember Colver queried how the Assembly would address emergency situations.

Assemblymember Colberg stated that the Assembly would call for an emergency meeting.

Assemblymember Bush spoke in support of Ordinance Serial No. 03-115.

VOTE: The main motion as amended passed without objection.

MOTION: Assemblymember Colberg moved to reconsider Ordinance Serial No. 03-115.

VOTE: The motion to reconsider failed unanimously.

8. Ordinance Serial No. 03-117: AN ORDINANCE APPROVING AN APPROPRIATION OF \$317,902 FROM THE AREAWIDE FUND BALANCE, FUND 100, TO FUND 410, FOR THE DUST CONTROL MATCHING GRANT PROGRAM.
 - a. IM No. 03-165

Mr. Duffy reported that the Borough received additional funding from vehicle taxes and requested that they be applied to the Dust Control Matching Grant Program.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-117.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 03-118: AN ORDINANCE AMENDING PORTIONS OF MSB. 3.38, ENHANCED 911 SERVICES, TO ADDRESS A SURCHARGE ON WIRELESS TELEPHONES AND SURCHARGE BILLING.
 - a. IM No. 03-166

Mr. Germer:

- reported on the current surcharge and explained how the funds are collected and used;
- noted that this ordinance would amend the code to include wireless telephones due to the increased calls from wireless phones;
- stated that the existing 911 system is not phase II or wireless phone compliant; and
- informed that the federal government has mandated that by December 31, 2005, the Borough must be phase II compliant.

Deputy Mayor Colver opened the public hearing.

The following spoke in favor of Ordinance Serial No. 03-118: Mr. Charlie Fannon and Ms. Jean Woods.

The following addressed concerns regarding the surcharge: Ms. Jay Nolfi.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-118.

Assemblymember Simpson inquired if the Borough is working with the Municipality of Anchorage to implement phase II.

Mr. Germer replied that discussions have been held with the city of Anchorage and that as the Borough will be working with the city of Anchorage as it moves forward.

Assemblymember Simpson queried when the Borough will know how the carriers will recoup the charges.

Mr. Germer replied that once the Borough gives notice that it is phase II compliant, the carriers have six months to become compliant.

Assemblymember Simpson spoke in favor of the legislation.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 03-119: AN ORDINANCE ACCEPTING AND APPROPRIATING \$408,175 FROM THE WORKFORCE INVESTMENT ACT, STATE OF ALASKA DEPARTMENT OF LABOR AND BUSINESS PARTNERSHIPS TO FUND 480, FOR IMPLEMENTATION AND COORDINATION OF THE YOUTH GRANT PROGRAMS.
 - a. Resolution Serial No. 03-068: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPLEMENTATION OF THE WORKFORCE INVESTMENT ACT GRANTS FOR FISCAL YEAR 2004.
 - (1) IM No. 03-167

Mr. Duffy:

- reported that the funds are for the youth program, which would be carried out as it was last year, by the school district;
- stated that the funds are used to assist in additional education achievement, specific job skills training, and assistance in securing employment; and
- complimented Ms. Tammy Carr and Ms. Patricia VonAh, as the Borough received the number one rank in the state of Alaska for the grant application.

Assemblymember Ladere inquired as to the amount of funds received last year versus this year.

Ms. Carr explained why the funds have decreased.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-119 and Resolution Serial No. 03-068.

Assemblymember Ladere spoke in favor of the legislation.

VOTE: The motion passed without objection.

(The regular meeting recessed at 8:55 p.m. and reconvened at 9:05 p.m.)

11. Ordinance Serial No. 03-120: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,375,000 TO FINANCE THE DESIGN, ACQUISITION AND CONSTRUCTION OF PARK AND RECREATIONAL FACILITY CAPITAL IMPROVEMENTS IN THE BOROUGH, AND TO PROVIDE FOR THE COSTS OF THE ISSUANCE OF SUCH BONDS; AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 7, 2003, ELECTION.
 - a. IM No. 03-170

Ms. Clayton:

- reported that the mill rate affect of the bonds would be approximately .13 mills; and
- noted that the Borough has received a memorandum from the city of Wasilla identifying specific projects they would like accomplished.

Deputy Mayor Colver opened the public hearing.

The following persons spoke in favor of Ordinance Serial No. 03-120: Wasilla City Mayor Dianne Keller, Wasilla Deputy Mayor Howard O'Neil, Mr. Charlie Fannon, and Mr. Ted Leonard.

The following spoke regarding concerns of the Borough issuing bonds for the cities: Ms. Jean Woods.

The following spoke in opposition of Ordinance Serial No. 03-120: Ms. Lucille Frey.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-120.

Assemblymember Simpson asked Bond Counsel to clarify that if the Borough does move forward with the cities, the Borough will be co-owners of the land and facilities, and whether or not there will be a memorandum of agreement between the Borough and the cities.

Mr. Klinkner:

- replied that in order to meet state constitutional qualifications for the issuance of bonds, the Borough must have an ownership interest in the facilities that are constructed with the proceeds of the bonds; and
- noted that the interest may vary depending upon practicalities of the situation and the nature of the improvement.

Discussion ensued regarding bonding with the cities.

Assemblymember Ladere spoke in favor of the legislation.

Assemblymember Kvalheim noted that she is excited about the quality community facilities that will be funded with these bonds.

Assemblymember Simpson:

- thanked Mr. Klinkner for clarifying several issues;
- addressed concerns regarding the Borough being part owners in city facilities; and
- spoke to concerns with the park and recreation bonds being on same ballot as the school bonds.

Deputy Mayor Colver:

- noted that the projects in the park and recreation bonds will be magnets for creating jobs;
- stated that these are needed recreation projects; and
- commented that the bonding would provide alternative entertainment for our community and healthy activities for kids.

Assemblymember Bush stated that recreation is a high point of the Valley and one of the reasons people come here.

VOTE: The motion passed without objection.

MOTION: Assemblymember Kvalheim moved for reconsideration of Ordinance Serial No. 03-120.

VOTE: The motion to reconsider failed unanimously.

12. Ordinance Serial No. 03-122: AN ORDINANCE AMENDING PORTIONS OF MSB 3.28, SPECIAL ASSESSMENTS, AS IT RELATES TO THE CREATION OF NATURAL GAS DISTRIBUTION LINE LOCAL IMPROVEMENT DISTRICTS.

a. IM No. 03-172

Mr. Clayton:

- reviewed the various alternatives researched prior to drafting Ordinance Serial No. 03-122; and
- recommended adoption of the legislation.

Deputy Mayor Colver opened the public hearing.

The following persons spoke in favor of Ordinance Serial No. 03-122: Mr. Ron Eggleston and Ms. Lucille Frey.

The following persons recommended no longer funding natural gas local improvement districts: Ms. Jean Woods, Ms. Jay Nolfi, and Ms. Lucille Frey.

The following person spoke regarding the borough enforcing tax liens: Mr. Ken Slauson.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 03-122.

Assemblymember Simpson asked what would happen if the Assembly did repeal natural gas local improvement districts.

Ms. Williams:

- replied that the state of Alaska has a provision that only requires 50 percent approval; and
- noted that in the absence of Borough code, Alaska State rules would be enforced.

Assemblymember Colberg stated that the legislation is a reasonable compromise.

Deputy Mayor Colver:

- addressed concerns with funding private enterprise, and noted that another issue is economic development; and
- stated that he cannot support the legislation, as many communities still do not have natural gas.

Discussion ensued on the cost of issuing bonds and the size of the bonds.

VOTE: The motion passed with Assemblymember Colver in opposition.

MOTION: Assemblymember Colberg moved for reconsideration.

VOTE: The motion to reconsider failed unanimously.

(Assemblymember Allen exited the meeting at this time.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of the Mayor's veto of Ordinance Serial No. 03-121: Mr. Arthur M. Quaas and Ms. Agnes Quaas.

The following person spoke in opposition of Ordinance Serial No. 03-122, regarding natural gas local improvement districts: Mr. Ron Eggleston.

The following person spoke regarding public input on the Title 16 review: Ms. Jean Krause.

The following person spoke regarding the park and recreation and school bonds: Ms. Jay Nolfi.

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 08/05/03, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 03-124: AN ORDINANCE AMENDING MSB 5.25.142(A) AND PLACING ON THE BALLOT OF THE OCTOBER 7, 2003, REGULAR ELECTION THE ANNEXATION OF CERTAIN PROPERTIES IN THE BUFFALO MINE ROAD/SOAPSTONE ROAD AREA TO THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA NO. 132.
 - a. IM No. 03-157
2. Ordinance Serial No. 03-125: AN ORDINANCE AMENDING MSB 5.25.036(A) TO ANNEX CERTAIN PROPERTIES IN THE MURPHY ROAD/RIDGE RUNNER CIRCLE AREA INTO THE NORTH COLONY ROAD SERVICE AREA NO. 23 AND TO INCLUDE THE LEGAL DESCRIPTION OF THE SERVICE AREA IN CODE.
 - a. IM No. 03-174
3. Ordinance Serial No. 03-126: AN ORDINANCE AMENDING MSB 5.25.038(A) AND PLACING ON THE BALLOT OF THE OCTOBER 7, 2003, REGULAR ELECTION THE ANNEXATION OF CERTAIN PROPERTIES IN THE MONTANA CREEK/WILLOW AREA TO THE TALKEETNA FIRE SERVICE AREA NO. 24.
 - a. IM No. 03-175
4. Ordinance Serial No. 03-127: AN ORDINANCE AMENDING MSB 5.25.030(A) AND PLACING ON THE BALLOT OF THE OCTOBER 7, 2003, REGULAR ELECTION THE ANNEXATION OF CERTAIN PROPERTIES IN THE DESHKA LANDING TO THE GREATER WILLOW ROAD SERVICE AREA NO. 20.
 - a. IM No. 03-176
5. Ordinance Serial No. 03-128: AN ORDINANCE AMENDING MSB 5.25.018(A), SERVICE AREA NO. 14, FAIRVIEW ROAD SERVICE AREA, BY ADJUSTING THE BOUNDARY TO REFLECT THE DELETION OF AN AREA OF LAND THAT WOULD BE SPLIT BY A SERVICE AREA BOUNDARY FROM A PROPOSAL FOR A PRELIMINARY PLAT.
 - a. Ordinance Serial No. 03-129: AN ORDINANCE AMENDING MSB 5.25.024(A), SERVICE AREA NO. 17, KNIK ROAD SERVICE AREA, BY ADJUSTING THE BOUNDARY TO REFLECT THE ADDITION OF AN AREA OF LAND THAT WOULD BE SPLIT BY A SERVICE AREA BOUNDARY FROM A PROPOSAL FOR A PRELIMINARY PLAT.
 - (1) IM No. 03-177
6. Ordinance Serial No. 03-130: AN ORDINANCE ACCEPTING AND APPROPRIATING \$40,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30085, LITTLE MEADOW CREEK CULVERT REPLACEMENT.

- a. Resolution Serial No. 03-070: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MEADOW CREEK CULVERT REPLACEMENT, PROJECT NO. 30085.
 - (1) IM No. 03-178

- 7. Ordinance Serial No. 03-131: AN ORDINANCE ACCEPTING AND APPROPRIATING \$55,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30084, FISH PASSAGE CONSTRUCTION PROJECT.
 - a. Resolution Serial No. 03-071: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FISH PASSAGE CONSTRUCTION PROJECT, PROJECT NO. 30084.
 - (1) IM No. 03-180

- 8. Ordinance Serial No. 03-132: AN ORDINANCE AMENDING THE BOROUGH CODE TITLE 18, RELATING TO THE PORT COMMISSION CHANGING REGULAR MEETINGS TO BE HELD MONTHLY, SETTING PROCEDURES FOR ADOPTING A YEARLY MEETING SCHEDULE, AND PROVIDING FOR CALLING A SPECIAL MEETING.
 - a. IM No. 03-186

- 10. Ordinance Serial No. 03-134: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,000,000 FROM THE FEDERAL HIGHWAY ADMINISTRATION THROUGH THE ALASKA STATE DEPARTMENT OF TRANSPORTATION TO FUND 410, FOR POINT MACKENZIE ROAD IMPROVEMENTS, PROJECT NO. 35245.
 - a. Resolution Serial No. 03-072: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE POINT MACKENZIE ROAD IMPROVEMENT PROJECT, PROJECT NO. 35245.
 - (1) IM No. 03-193

- B. INTRODUCTION (For public hearing - 08/19/03, 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 03-123: AN ORDINANCE CREATING EVE'S DRIVE AND RIB ROAD ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 385, 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. 03-185

Ms. McGehee read the introductions into the record.

MOTION: Assemblymember Simpson moved to introduce the legislation as read into the record by the Clerk, and set the public hearings for August 5, 2003, and August 19, 2003, respectively.

VOTE: The motion passed without objection.

C. CONSENT AGENDA

(Resolution Serial Nos. 03-076 and 03-078, and AM Nos. 03-133, 03-134, and 03-143 were pulled from the consent agenda and addressed separately. See p. 21-23 of 27)

1. RESOLUTIONS

a. Resolution Serial No. 03-073: A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE CITY OF WASILLA IN THE AMOUNT OF \$34,216.26 FOR THE PAVING OF NELSON AVENUE AND ENTERPRISE DRIVE WITHIN THE CITY OF WASILLA.

(1) IM No. 03-168

b. Resolution Serial No. 03-074: A RESOLUTION SUPPORTING THE PURCHASE OF PROPERTY FROM THE UNIVERSITY OF ALASKA FOR AN EMERGENCY SERVICES TRAINING COMPLEX.

(1) IM No. 03-173

c. Resolution Serial No. 03-075: A RESOLUTION APPROVING A SCOPE OF WORK AND BUDGET FOR THE CONSTRUCTION OF BOARDWALKS, VIEWING PLATFORMS, INTERPRETATIVE SIGNAGE, AND FOREST REHABILITATION WORK ON BOROUGH-OWNED PROPERTY AT JORDAN LAKE NEAR THE NEW BIG LAKE LIBRARY.

(1) IM No. 03-179

e. Resolution Serial No. 03-077: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR FUND 405, PROJECT NO. 45079, COMPRESSOR/CASCADE SYSTEM; PROJECT NO. 45108, VEHICLE AND EQUIPMENT; PROJECT NO. 45080, SUPPORT VEHICLE AND EQUIPMENT; PROJECT NO. 45065, 4-WHEEL DRIVE ENGINE AND EQUIPMENT; PROJECT NO. 45044, FIRE TRUCK AND EQUIPMENT; AND PROJECT NO. 10127, POINT MACKENZIE PUBLIC SAFETY BUILDING, TO PURCHASE AND INSTALL VARIOUS PUMP CERTIFICATION EQUIPMENT, CONCRETE PAD, ADDITIONAL LANDSCAPING AND PAVING, FOR THE APPARATUS PUMP TEST FACILITY AT STATION 62, FUND 405, PROJECT NO. 45047.

(1) IM No. 03-188

g. Resolution Serial No. 03-079: A RESOLUTION SUPPORTING THE INSTALLATION OF A NEW INTERSECTION AND TRAFFIC SIGNAL ON THE GLENN HIGHWAY AT WEST DOGWOOD AVENUE IN THE CITY OF PALMER.

(1) IM No. 03-190

2. ACTION MEMORANDUMS

- a. AM No. 03-123: THE VACATION OF THE 20-FOOT- WIDE POWER LINE EASEMENT WITHIN PROPOSED SEVEN PEAKS ADDITION NO. 1 SUBDIVISION, LOCATED IN SECTION 26, TOWNSHIP 17 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA; LOCATED IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.
- b. AM No. 03-124: THE VACATION OF THE SECTION LINE EASEMENT COMMON TO SECTIONS 25 AND 26, TOWNSHIP 17 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA, WITHIN PROPOSED SEVEN PEAKS ADDITION NO. 1 SUBDIVISION; LOCATED IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.
- c. AM No. 03-128: THE VACATION OF THE 60-FOOT EASEMENT ALONG THE SOUTH BOUNDARY OF TAX PARCEL C008 SECTION 28, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, IN THE PROPOSED SUNRISE MOUNTAIN ESTATES PHASE II SUBDIVISION; LOCATED IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.
- d. AM No. 03-129: THE VACATION OF PATENT RESERVATIONS LOCATED ON LOT 2, YOUNG ESTATES, AND U.S. GOVERNMENT LOT 7 (TAX PARCEL B003), IN SECTION 13, TOWNSHIP 17 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA; LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.
- e. AM No. 03-130: AWARD OF BID NO. 03-196 TO TEW'S EXCAVATION IN THE AMOUNT OF \$58,080 FOR ROAD SERVICE AREA NO. 9, LOWER ROAD REPAIR PROJECT.
- f. AM No. 03-131: AWARD OF BID NO. 03-193 TO TEW'S EXCAVATION IN THE AMOUNT OF \$24,184 FOR ROAD SERVICE AREA NO. 28 GRAVEL ROAD UPGRADE PROJECT.
- i. AM No. 03-136: AWARD OF BID NO. 03-202 TO ALCO CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$56,500 FOR THE LAKE LOUISE BOAT LAUNCH PROJECT.
- j. AM No. 03-137: AWARD OF BID NO. 03-189 TO LITTLE SUSITNA CONSTRUCTION IN THE AMOUNT OF \$748,686 FOR THE INSTALLATION OF A FIRE SPRINKLER SYSTEM AT SU-VALLEY HIGH SCHOOL.
- k. AM No. 03-138: CHANGE ORDER TWO TO CONTRACT NO. 03-177 TO ALL-WRIGHT CONSTRUCTION IN THE AMOUNT OF \$18,000 FOR CONSTRUCTION OF A GRAVEL PARKING LOT AT THE EAST END OF THE BIG LAKE ELEMENTARY SCHOOL PLAYGROUND AREA.

- l. AM No. 03-139: AWARD OF BID NO. 03-201 TO MIDNIGHT SUN SERVICES IN AN AMOUNT NOT TO EXCEED \$34,057.28 FOR ROAD STRIPING.
- o. AM No. 03-144: AWARD OF BID NO. 03-195 TO SHANNON AND WILSON, INC. FOR \$31,864 FOR SAND AND GRAVEL EVALUATION WITHIN THE PORT DISTRICT.
- p. AM No. 03-145: AWARD OF BID NO. 03-208 TO TEW'S EXCAVATION FOR \$37,268 FOR CASWELL LAKES SUBDIVISION ROADS PROJECT.
- q. AM No. 03-146: AWARD OF BID NO. 03-199 BASE BID ONLY TO ALCAN ELECTRICAL AND ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$765,925 FOR A COMPUTER TECHNOLOGY UPGRADE PROJECT IN BOROUGH SCHOOLS.

Ms. McGehee read the legislation into the record.

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

VOTE: The motion passed without objection.

MOTION: Assemblymember Simpson moved to extend the regular meeting past 11 p.m. and no later than 12 midnight.

VOTE: The motion passed without objection.

- f. Resolution Serial No. 03-078: A RESOLUTION RECOGNIZING ALL VETERANS SERVING, OR WHO HAVE SERVED, IN IRAQ.
(1) IM No. 03-189

MOTION: Assemblymember Kvalheim moved to adopt Resolution Serial No. 03-078.

Assemblymember Kvalheim asked how the Borough would be informing the veterans of the resolution.

Mr. Duffy stated that he would publish the resolution recognizing the veterans.

VOTE: The motion passed without objection.

(The regular meeting recessed at 10:50 p.m. and reconvened at 10:55 p.m.)

- n. AM No. 03-143: REQUEST TO THE ASSEMBLY TO RECOMMEND THREE NAMES FOR THE GOVERNOR'S CONSIDERATION FOR A BOROUGH REPRESENTATIVE TO SERVE ON THE KNIK ARM BRIDGE AND TOLL AUTHORITY BOARD OF DIRECTORS.

MOTION: Assemblymember Kvalheim moved to approve AM No. 03-143.

MOTION: Assemblymember Kvalheim moved to nominate Assemblymember Simpson, Mr. Don Moore, and Mr. David Germer for the Governor's consideration for a Borough representative to serve on the Knik Arm Bridge and Toll Authority Board of Directors.

Assemblymember Simpson spoke in favor of Mr. Don Moore and Mr. David Germer.

Assemblymember Colberg expressed concern his preference for more time to research the issue of nominations.

MOTION: Assemblymember Simpson moved to postpone AM No. 03-143 to a time certain of August 5, 2003.

VOTE: The motion to postpone passed without objection.

Deputy Mayor Colver asked Assemblymember Simpson to take the Chair, as he had a conflict of interest on Resolution Serial No. 03-076, AM No. 03-132, AM No. 03-133, and AM No. 03-134.

(Deputy Mayor Colver relinquished the Chair to Assemblymember Simpson at this time.)

- d. Resolution Serial No. 03-076: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE WILLOW COMMUNITY CENTER, PROJECT NO. 10060.
 - (1) IM No. 03-181
 - (2) AM No. 03-132: CHANGE ORDER APPROVAL TO ALASKA ROADBUILDERS, INC. IN THE AMOUNT OF \$140,000 FOR THE 2003 PHASE I ROADS PAVING PROJECT TO ALLOW THE PAVING OF THE ACCESS ROAD AND PARKING AREA AT THE WILLOW COMMUNITY CENTER AND FOR ADDITIONAL PAVING IN MIDWAY ROAD SERVICE AREA NO. 9.

CONFLICT OF INTEREST: Deputy Mayor Colver declared a conflict of interest on AM No. 03-132, AM No. 03-133, and AM No. 03-134 and asked to be recused from voting.

RULING: Presiding Officer Assemblymember Simpson ruled that Deputy Mayor Colver had a conflict of interest and would be recused from voting on these issues.

(Assemblymember Colver exited chambers at this time.)

MOTION: Assemblymember Ladere moved to adopt Resolution Serial No. 03-076 and AM No. 03-132.

VOTE: The motion passed without objection.

- g. AM No. 03-133: APPROVAL OF CHANGE ORDER TO CONSTRUCTION UNLIMITED, INC. IN THE AMOUNT OF \$56,234 FOR THE TALKEETNA WATER AND SEWER UPGRADE PROJECT.

MOTION: Assemblymember Ladere moved to approve AM No. 03-133.

Assemblymember Ladere spoke in favor of the legislation.

VOTE: The motion passed without objection.

- h. AM No. 03-134: CHANGE ORDER APPROVAL TO ALASKA ROADBUILDERS, INC. IN THE AMOUNT OF \$445,090 FOR THE 2003 PHASE II ROADS PAVING PROJECT TO INCLUDE ADDITIVE ALTERNATIVES 1 THROUGH 4 OF BID NO. 03-182.

MOTION: Assemblymember Colberg moved to approve AM No. 03-134.

VOTE: The motion passed without objection.

(Deputy Mayor Colver returned to chambers at this time and resumed his duties as Chair.)

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Agricultural and Forestry Advisory Board

Lorene Lynn

Enhanced 911 Advisory Board

Thomas Remaley

Equalization Board

Terrie Irwin

Site Selection Committee – Mid-Valley Pathways Alternative School

Doyle E. Currier

Kristal Whitted

Site Selection Committee – Nutrition Services Facility

Kay Slack

Site Selection Committee – Valley Pathways Alternative School

Cindi Payne

Meadow Lakes Road Service Area No. 27

William L. Attwood

Mayor Anderson requested the following confirmations:

Board of Adjustment and Appeals

Sammye Pokryfki
Agricultural and Forestry Advisory Board
Resignation of Ellen Amicus
Enhanced 911 Advisory Board
Resignation of Christine Fritz
Local Emergency Planning Committee
Resignation of Joe LeBeau
Site Selection Committee – Beryozava School
Dan Kelly
Site Selection Committee – Mid-Valley Pathways Alternative School
Sheri Schultz
Site Selection Committee – Nutrition Services Facility
Kelly Marre
Marian Romano
Site Selection Committee – Valley Pathways Alternative School
Audrey Ayay-DeHart
Jacquiline Briggs
Big Lake Road Service Area No. 21
Paul D. McRoberts
Bogard Road Service Area No. 25
Resignation of Wrex Diem
Meadow Lakes Road Service Area No. 27
Resignation of Warren Hutchison

MOTION: Assemblymember Simpson moved to confirm the mayor's appointments and resignations up for confirmation this evening.

VOTE: The motion passed without objection.

E. OTHER NEW BUSINESS

XI. RECONSIDERATION

(There were no reconsiderations.)

XII. VETO

A. Ordinance Serial No. 03-121: AN ORDINANCE AMENDING MSB 8.55 TO FACILITATE EFFECTIVE EVENT PERMITTING.

(Sponsored by: Assemblymember Ladere) (Veto issued by Mayor Anderson on 06/30/03)

1. IM No. 03-171

MOTION: Assemblymember Ladere moved to override the Mayor's veto of Ordinance Serial No. 03-121.

Assemblymember Ladere:

- discussed MSB 15.04.015, the functions of the Planning Commission;
- stated that there is nothing in the code that requires the ordinance be presented to the Planning Commission; and
- asked if the Mayor must give a reason for a veto.

Ms. Williams affirmed that the Mayor must give a reason for a veto.

Assemblymember Ladere asked if the reason must reside in the code.

Ms. Williams replied that it did not need to reside in code.

Discussion ensued regarding the functions of the Planning Commission.

Assemblymember Simpson spoke in favor of overriding the veto.

Discussion ensued regarding sending the ordinance back to the Planning Commission for review.

VOTE: The motion to override failed with Assemblymembers Ladere and Simpson in support.

Deputy Mayor Colver asked if there was any objection suspend the order of business to address Mayor and Assembly comments, before the executive session.

GENERAL CONSENT: The motion passed without objection.

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Colberg:

- addressed concerns regarding the junk car clean-up day;
- commented that when people know that there is going to be a free pick-up of junk cars, they will wait for the free clean-up day; and
- asked administration to look into possible procedures.

MOTION: Assemblymember Ladere moved that administration issue a letter in support of the upgrade to the Alaska State Fair Farm Exhibit building.

CONFLICT OF INTEREST: Assemblymember Bush declared a conflict of interest as he serves on a committee for the Alaska State Fair Farm Exhibit.

RULING: Deputy Mayor Colver ruled that Assemblymember Bush had a conflict of interest and would be recused from voting on this issue.

(Assemblymember Bush exited the meeting at this time.)

VOTE: The motion passed without objection.

(Assemblymember Bush returned to chambers at this time.)

MOTION: Assemblymember Ladere moved to refer Ordinance Serial No. 03-121 to the Planning Commission for review and comments. *[As Ordinance Serial No. 03-121 was vetoed, the concept of the legislation was sent to the Planning Commission for review and comments.]*

VOTE: The motion passed without objection.

Deputy Mayor Colver asked that the Clerk schedule a work session for July 29, 2003, at 6 p.m. regarding Hatcher Pass.

XIII. EXECUTIVE SESSION *(matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough; in particular, to discuss the employee's labor contract negotiations.)*

MOTION: Assemblymember Simpson moved to enter into executive session to discuss the employee's labor contract negotiations.

VOTE: The motion passed without objection and the Assembly entered the executive session at 11:35 p.m. Those present during the executive session were: members of the Assembly, Mr. Duffy, Ms. Williams, Ms. McGehee, and the Negotiating Team.

MOTION: Assemblymember Simpson moved to exit from executive session.

VOTE: The motion passed and the Assembly exited the executive session at 11:52 p.m.

XV. ADJOURNMENT

The regular meeting adjourned at 11:55 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, CMC, Borough Clerk

Minutes Approved: August 5, 2003