MATANUSKA-SUSITNA BOROUGH ASSEMBLY

REGULAR MEETING
JULY 18, 2000

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on July 18, 2000, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Darcie K. Salmon.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Larry DeVilbiss, Assembly District No. 1
Ms. Sara Jansen, Assembly District No. 2
Mr. James Colberg, Assembly District No. 3
Mr. Dan Kelly, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Turner, Assembly District No. 6
Mr. Doyle Holmes, Assembly District No. 7 (Deputy Mayor)

Staff in attendance were:

Ms. Sandra Dillon, Borough Clerk
Mr. Michael J. Scott, Borough Manager
Mr. John Duffy, Assistant Manager
Mr. Michael Gatti, Borough Attorney
Ms. Elizabeth Manfred, Borough Deputy Clerk
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Mr. Karl Borglum, Borough Assessor
Ms. Cindy Gilder, Planning Director
Mr. Ron Swanson, Community Development Director
Mr. Kevin Koechlein, Public Safety Director

III. APPROVAL OF AGENDA

There was no objection to the agenda as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Assemblymember DeVilbiss.

V. MINUTES OF PRECEDING MEETINGS

A. Special Joint Assembly/School Board Meeting: June 13, 2000
B. Regular Assembly Meeting: June 20, 2000

C. Special Assembly Meeting: June 27, 2000
D. Special Joint Assembly/Planning Commission Meeting: June 27, 2000

MOTION: Assemblymember Simpson moved for approval of the above-referenced assembly meeting minutes.

Assemblymember DeVilbiss:

- requested a correction to the spelling of Planning Commissioner Rowland's name in the June 27, 2000, special joint meeting minutes.

GENERAL CONSENT: The motion passed without objection and the June 13, 2000, special assembly minutes, the June 20, 2000, regular assembly minutes, and the June 27, 2000, special assembly minutes were approved as presented. The June 27, 2000, special joint assembly minutes were approved as corrected.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Report from cities

Houston Council Member Totten:

- stated that a preliminary report on the septage facility will soon be available;
- invited the assembly and public to attend the Houston Founders Day festivities on Saturday, August 19, 2000; and
- requested that the assembly approve the Lakeland Shooting Facility Resolution. (Resolution Serial No. 00-053)

2. Matanuska-Susitna Borough School District

(There was no school district representative present.)

3. GDM Re: Burchell High School design and development (See AM No. 00-081)

Mr. James Blair:

- presented design development drawings to the assembly; and
- stated that new alternative schools will be built as the student population increases.

B. COMMITTEE REPORTS

(The assembly currently has no committees.)

C. MANAGER COMMENTS

Mr. Scott:

- presented the Port MacKenzie Project/Hatcher Pass Project - purchase order notification and expense report;
- shared that the DOT has solicited the Corps of Engineers to evaluate the Mat-Su port facility;
- spoke to the status of the Port MacKenzie Phase II construction funding;
- revealed that a second time extension was requested for the Chijuk Creek timber sale harvest;
- announced the borough finance department has received a national achievement award;
- discussed a letter received from bond counsel explaining the effect of voter approval of bonds for Sherrod school replacement at the October 2000 borough election;
- acknowledged a memorandum from the finance and community development departments outlining publication requirements for lease certificates of participation;
- presented the latest bond sizing information in respect to the certificates of participation;
- shared the FY01 state revenue sharing program-notice of entitlement letter;
- addressed a letter regarding tax foreclosure information;
- commented on a letter from Senator Stevens concerning the payment in lieu of taxes program;
- referred to a Buffalo Mine/Soapstone Community Council letter of support for the proposed ordinance to change community council membership requirements;
- cited a Point MacKenzie Community Council letter supporting the proposed special events ordinance;
- disclosed a receipt for $315,000 as payment for the Alcantra site;
- spoke to a memorandum addressing the state policy for shallow natural gas leases;
- communicated that the Meridian Ice Rink construction will commence in the spring;
- discussed the decision of the Department of Natural Resources regarding RST 17;
- addressed the Butte transfer station hours of operation;
- talked about municipalities that have adopted paperless meetings procedures;
- revealed a borough proposal to host an AML conference;
- provided the Mat-Su Youth Facility dedication program;
- reported that a notice of potential flooding was issued on July 14, 2000;
- advised that a letter was received from the MSBEA ratifying the labor agreement;
- shared the Port MacKenzie project update and status report;
- spoke to the evaluation of the borough's EMS system completed by the Polaris Group;
- revealed a proposal to add three new EMS positions (department chiefs) for a total $197,000;
- explained the rationale behind paying honorariums for design-build projects;
- provided a schedule of payments and mill rates on the certificates of participation for the new Wasilla public safety building;
- cited an Associated General Contractors magazine article regarding the proposed 10 mill tax cap;
- announced the third annual MSBEA blood drive;
- shared a letter complimenting the finance department for public service;
- addressed a memo supporting the parks, recreation, and trails bond proposal; and
- summarized recent governor-approved appropriations made by the legislature.

Assemblymember DeVilbiss requested a work session be scheduled to discuss the EMS report.

D. ATTORNEY COMMENTS

(There were no attorney comments.)

E. CLERK COMMENTS

Ms. Dillon:
- spoke to the scheduled meetings for August and September:
- announced a work session was scheduled to address bonding issues;
- addressed the publication requirements for bond information;
- requested assembly members contact the clerk's office if they wish to attend to August AML meetings in Fairbanks;
- stated candidate filing information is provided daily upon clerk certification;
- informed the assembly of new staff members in the clerk's office;
- announced that the deputy clerk received membership to the Master Municipal Clerk Academy which is an international recognition of educational achievement;
- stated that a sales tax proposition will be on the city of Houston ballot;
- reported that Anchorage Assemblymember Von Gemmingen is assisting with the request for an Anchorage/borough joint meeting;
- supported the concept of paperless meetings and stated that this procedure would be costly and would require changes to the assembly chambers; and
- related that the special meeting on August 8, 2000, is an election issue.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Agricultural and Forestry Advisory Board - 06/12/00
b. Historic Preservation Commission - 02/05/00, 03/03/00
c. Local Road Service Area Advisory Board - 06/15/00
d. Planning Commission - 06/5/00, 06/19/00
e. Senior Citizens Advisory Board - 06/20/00
f. Transportation Advisory Board - 03/28/00, 04/25/00, 06/27/00

2. Community Council Minutes:
a. Big Lake Community Council - 05/10/00
b. Talkeetna Community Council - 05/01/00, 06/05/00

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

G. INFORMATIONAL MEMORANDUMS

There were no informational memorandums.

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

A. INTRODUCTION (Suggested public hearing - 08/01/00)

1. Ordinance Serial No. 00-110: AN ORDINANCE PERMANENTLY EXTENDING THE EXPIRATION DATE FOR MSB 8.50 (TRASH AND JUNK). IM No. 00-143

2. Ordinance Serial No. 00-111: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $31,855 FROM ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE MAT-SU VOLUNTEER WATER QUALITY MONITORING PROGRAM.

a. Resolution Serial No. 00-050: A RESOLUTION APPROVING THE SCOPE OF WORK FOR THE MAT-SU VOLUNTEER WATER QUALITY MONITORING PROGRAM AS FUNDED BY THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION. IM No. 00-144

3. Ordinance Serial No. 00-112: AN ORDINANCE ACCEPTING AND APPROPRIATING $11,753 FROM THE ALASKA STATE LIBRARY FOR THE PURCHASE OF COMPUTERS AND RELATED EQUIPMENT.

a. Resolution Serial No. 00-051: A RESOLUTION IDENTIFYING THE SCOPE OF WORK AND BUDGET FOR THE INTERLIBRARY COOPERATION GRANT FUNDED BY THE ALASKA STATE LIBRARY. IM No. 00-156

4. Ordinance Serial No. 00-113: AN ORDINANCE AUTHORIZING THE CLASSIFICATION OF BOROUGH-OWNED LAND LOCATED IN A PORTION OF SECTION 18, T25N, R4W, SEWARD MERIDIAN, ALASKA, DESCRIBED AS THE PARCEL OF HIGH GROUND LYING WITHIN THE N1/2 AND THE NE1/4SW1/4 OF SECTION 18, LOCATED WEST OF TALKEETNA SPUR ROAD, EXCLUDING THE PORTION OF LAND LYING NORTH OF LICHTENWALNER ROAD AND GLO LOTS 1 AND 2 THAT HAVE PREVIOUSLY BEEN CLASSIFIED, AS "GENERAL PURPOSE LANDS", ALL BEING IN THE TALKEETNA AREA NEAR THE INTERSECTION OF THE TALKEETNA SPUR ROAD AND LICHTENWALNER ROAD. (MSB002986)

a. Ordinance Serial No. 00-114: AN ORDINANCE AUTHORIZING THE SALE TO THE APPLICANT, UNDER THE TERMS AND CONDITIONS SPECIFIED, OF THE PROPERTY DESCRIBED AS THE "HIGH GROUND" WITHIN GLO LOTS 1 AND 2 AND THE NE1/4SW1/4 AND THE N1/2 LYING WEST OF THE TALKEETNA SPUR ROAD, EXCLUDING APPROXIMATELY TEN ACRES APPROVED FOR SALE UNDER MSB002745, ALL BEING WITHIN SECTION 18, T25N, R4W, SEWARD MERIDIAN, ALASKA, IN THE TALKEETNA AREA NEAR THE INTERSECTION OF THE TALKEETNA SPUR ROAD AND LICHTENWALNER ROAD. (MSB002986)
IM No. 00-157

5. Ordinance Serial No. 00-115: AN ORDINANCE CLASSIFYING AND APPROVING THE SALE OF BOROUGH-OWNED LANDS FOR THE 2000 LAND SALE THROUGH REAL ESTATE BROKERS AND FUTURE LAND SALE PROGRAMS (MSB 003143).
IM No. 00-158

6. Ordinance Serial No. 00-116: AN ORDINANCE AUTHORIZING THE RECLASSIFICATION AND SALE OF BOROUGH-OWNED LAND DESCRIBED AS PARCEL NO. 1 OF PLAT WAIVER RESOLUTION 78-10 (AMENDED) BEING THE E1/2E1/2SE1/4SE1/4 LYING EAST OF HOLLYWOOD ROAD RIGHT-OF-WAY, SECTION 22, T17N, R3W, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BIG LAKE AREA ABOUT 1.75 MILES EAST OF THE INTERSECTION OF HOLLYWOOD ROAD AND BIG LAKE ROAD. (MSB003276) IM No. 00-159

7. Ordinance Serial No. 00-117: AN ORDINANCE AMENDING TITLE 8, HEALTH AND WELFARE, BY ADDING CHAPTER 8.55, SPECIAL EVENTS. IM No. 00-161

8. Ordinance Serial No. 00-118: AN ORDINANCE APPROPRIATING $4,406,382 TO FUND 405, WASILLA PUBLIC SAFETY BUILDING PROJECT, PROJECT 10140, FOR THE PURPOSE OF CONSTRUCTING A PUBLIC SAFETY BUILDING. IM No. 00-163

9. Ordinance Serial No. 00-119: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $14,500,000 TO FINANCE THE ACQUISITION, CONSTRUCTION, MAJOR RENOVATION AND RENEWAL OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 3, 2000, BOROUGH ELECTION. IM No. 00-164

b. Resolution Serial No. 00-052: A RESOLUTION AMENDING THE ADOPTED CAPITAL IMPROVEMENT PROGRAM/TRANSPORTATION IMPROVEMENT PROGRAM FOR FISCAL YEAR 2001 THROUGH FISCAL YEAR 2006. IM No. 00-162

B. INTRODUCTION (Suggested public hearing - 09/05/00)

1. Ordinance Serial No. 00-120: AN ORDINANCE CREATING SOUTH COLONIAL PARK ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 315, 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.
IM No. 00-148

2. Ordinance Serial No. 00-121: AN ORDINANCE CREATING ROAN DRIVE PAVING LOCAL IMPROVEMENT DISTRICT NO. 312, 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. IM No. 00-149

3. Ordinance Serial No. 00-122: AN ORDINANCE CREATING WILDERNESS ACRES NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 320, 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. IM No. 00-151

4. Ordinance Serial No. 00-123: AN ORDINANCE CREATING CAUDILL AND WALLING ROAD AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 317, 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. IM No. 00-152

5. Ordinance Serial No. 00-124: AN ORDINANCE CREATING NORTH WOLVERINE ROAD AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 314, 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. IM No. 00-153

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Holmes moved for introduction of the above-referenced legislation and set for public hearing August 1, 2000, and September 5, 2000, respectively.

GENERAL CONSENT: The motion, for introduction, passed without objection.

The regular assembly meeting recessed at 6:52 p.m. and reconvened at 7:08 p.m.

VII. 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. 00-099: AN ORDINANCE CREATING ROCKY LAKE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 301, 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. IM No. 00-093

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Simpson moved for adoption of Ordinance Serial No. 00-099.

VOTE: The motion failed unanimously. *[The assembly may not proceed with the improvement unless ballots approving the local improvement district are timely filed by owners of the property bearing more than one-half of the estimated cost of the improvement. The LID received 45 percent in favor.]*

2. Ordinance Serial No. 00-100: AN ORDINANCE CREATING BAUDER SUBDIVISION AND PORTION OF OLD GLENN HWY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 306, 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. IM No. 00-094

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember DeVilbiss moved for adoption of Ordinance Serial No. 00-100.

VOTE: The motion failed unanimously. *[The assembly may not proceed with the improvement unless ballots approving the local improvement district are timely filed by owners of the property bearing more than one-half of the estimated cost of the improvement. The LID received 43 percent.]*

3. Ordinance Serial No. 00-101: AN ORDINANCE CREATING GALLOWAY/EAST RIDGEVIEW DRIVE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 297, 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. IM No. 00-126

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Turner moved for adoption of Ordinance Serial No. 00-101.

VOTE: The motion failed unanimously. *[The assembly may not proceed with the improvement unless ballots approving the local improvement district are timely filed* *by owners of the property bearing more than one-half of the estimated cost of the improvement. The LID received 18 percent.]*

4. Ordinance Serial No. 00-103: AN ORDINANCE ACCEPTING AND APPROPRIATING $14,255 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY, TO FUND 480 FOR THE PURPOSE OF SURVEYING AND INVENTORY OF THE OLD KNIK TOWNSITE.

a. Resolution Serial No. 00-044: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PHASE III OF THE SURVEY, EVALUATION, AND INVENTORY OF THE RESIDENTIAL PORTION OF THE OLD KNIK TOWNSITE. IM No. 00-113

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Simpson move for adoption of Ordinance Serial No. 00-103 and Resolution Serial No. 00-044.

GENERAL CONSENT: The motion passed without objection.

5. Ordinance Serial No. 00-104: AN ORDINANCE REVISING MSB 2.76, COMMUNITY COUNCILS, RELATING TO DUES AND VOTING ELIGIBILITY. IM No. 00-123

Mayor Salmon opened the public hearing.

The following spoke in favor of the ordinance as presented: Ms. Gay Ward and Ms. Lisa Ameen.

Ms. Jean Holt read a letter from the Lake Louise Community Non-profit Corporation in support of the ordinance as presented and personally spoke in support with effective date changed.

The following spoke in opposition of the ordinance as presented: Mr. Michael Janecek, Vice President of the Meadow Lakes Community Council, Mr. Ken Slauson, Ms. Betty Faed, Mr. Tom Pine, Mr. Art Scates, President of the Point McKenzie Community Council, Mr. Garvin Bucaria, Mr. Tom Whitsteen, and Mr. Red Secoy.

There being no others wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Holmes moved for adoption of Ordinance Serial No. 00-104.

MOTION: Assemblymember DeVilbiss moved a primary amendment to strike "may receive contributions of no more than $50 per member per year to meet the costs of its operations."

GENERAL CONSENT: The primary amendment passed without objection.

MOTION: Assemblymember DeVilbiss moved a primary amendment to strike proposed MSB 2.76.030, paragraphs F (2) and (3) "(2) one representative from each business located within the geographical areas designated as community council districts by the assembly; and (3) one representative from each nonprofit association with offices located within the geographical areas designated as community council districts by the assembly."

GENERAL CONSENT: The primary amendment passed without objection.

Mr. Scott recommended that community councils decide who will be voting members and that there be no dues required for voting rights.

Discussion continued on proposed amendments regarding dues and eligibility.

Mr. Scott stated the intent of the ordinance was to separate the right to vote from the participation and membership in the organization.

MOTION: Assemblymember Colberg moved a primary amendment to MSB 2.76.030(B)(3) to strike the proposed phrase "for voting privileges" and insert "as a condition of membership or participation, in excess of $10 per member per year."

Discussion continued on the merits of charging dues for membership versus voting privileges.

MOTION: Assemblymember Colberg moved the previous question on the amendment.

VOTE: The motion, to move the previous question, failed with Assemblymembers Jansen, Kelly, and Colberg in support.

Discussion continued on the community council dues requirements.

VOTE: The primary amendment passed with Assemblymembers Holmes, DeVilbiss, and Turner opposed.

MOTION: Assemblymember Colberg moved the previous question on the main motion as amended.

VOTE: The motion failed with Assemblymembers Colberg and Simpson in favor.

Discussion continued on the proposed ordinance changes.

Mr. Scott:
- reported that Lake Louise was advised by the borough that they may not form a community council under the current borough code; and
- stated that property owners in Lake Louise would not be eligible to be community council members unless they were residents.

Discussion continued on residency requirements.

MOTION: Assemblymember DeVilbiss moved the previous question on the main motion as amended.

GENERAL CONSENT: The motion, to move the previous question, was passed without objection.

VOTE: The main motion, as amended, failed with Assemblymember DeVilbiss in support.

The regular assembly meeting recessed at 8:35 p.m. and reconvened as 8:48 p.m..

6. Ordinance Serial No. 00-105: AN ORDINANCE ACCEPTING AND APPROPRIATING $50,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, FOR REMOVAL AND REPLACEMENT OF A BRIDGE ACROSS BODENBURG CREEK.

a. Resolution Serial No. 00-045: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE REMOVAL AND REPLACEMENT OF A BRIDGE ACROSS BODENBURG CREEK. IM No. 00-137

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed, and discussion moved to the assembly.

MOTION: Assemblymember DeVilbiss moved for adoption of Ordinance Serial No. 00-105 and Resolution Serial No. 00-045.

GENERAL CONSENT: The motion passed without objection.

7. Ordinance Serial No. 00-106: AN ORDINANCE ACCEPTING AND APPROPRIATING $134,887.42 FROM THE STATE OF ALASKA SENATE BILL 32 REAPPROPRIATION FOR HATCHER PASS.

a. Resolution Serial No. 00-046: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR HATCHER PASS INFRASTRUCTURE. IM No. 00-138

Mayor Salmon opened the public hearing.

Mr. David Colton spoke to the assembly and was ruled out of order by the mayor. He was advised of his right to address the assembly during Audience Participation.

There being no one else wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Holmes moved for adoption of Ordinance Serial No. 00-106 and Resolution Serial No. 00-046.

Mr. Scott:
- stated that this ordinance formally accepts the funds from the state;
- related that the proposed ordinance lists generic projects; and
- commented that the administration will consolidate all funding sources and return legislation to the assembly for approval with construction projects defined.

GENERAL CONSENT: The motion passed without objection.

8. Ordinance Serial No. 00-107: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE AND SELL NOT TO EXCEED $6,250,000 WASILLA PUBLIC SAFETY BUILDING LEASE CERTIFICATES OF PARTICIPATION, 2000; THE EXECUTION AND DELIVERY OF A LEASE AND A LEASE PURCHASE AGREEMENT AND TRUST INDENTURE TO SECURE THE CERTIFICATES; THE EXECUTION OF A CERTIFICATE PURCHASE AGREEMENT; AND PROVIDING FOR RELATED MATTERS. IM No. 00-139

Mayor Salmon opened the public hearing.

The following spoke in favor of the ordinance: Mr. Ken Slauson, Ms. Tyan Stanley, Mr. Mahlan Green, Mr. James Steele.

There being no one else wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Holmes moved for adoption of Ordinance Serial No. 00-107.

MOTION: Assemblymember Holmes moved to amend Ordinance Serial No. 00-107 by substitution. The changes are technical corrections relating to notice requirements and requirements of the provider of the bond insurance.

Ms. Clayton introduced Ms. Kathleen Erp as bond counsel.

Ms. Erp explained that the substitute changes reflect additional documents in connection with the certificates of participation such as the deed of trust and technical changes as to the bond insurer.

Discussion continued regarding construction expenses.

Ms. Clayton:
- stated that the substitution ordinance contains a reduced total amount;
- commented that construction bids were under $3.8 million;
- predicted that the land purchase, A&E services, honorariums, and future costs predicted to incur for testing, project review, site visits, and compliance to code requirements will bring the total project costs to $4.2 million;
- remarked that the issuance costs are approximately $200,000;
- reported that the borough is required to have a reserve equating to one year's payment;

- mentioned that during the year of construction, the borough is required to have capitalized interest which is estimated at $402,000; and
- advised that the borough is still redefining the projected project costs.

Discussion continued on effects of the possible 10 mill tax cap to construction costs.

Mr. Gatti addressed the notice period of land sale requirements.

GENERAL CONSENT: The motion, to amend by substitution, passed without objection.

Discussion continued regarding honorariums, debt allocation, mill rates and the Certificate of Participation.

GENERAL CONSENT: The main motion, as amended, passed without objection.

9. Ordinance Serial No. 00-108: AN ORDINANCE ACCEPTING AND APPROPRIATING A $90,970 GRANT FROM THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (DOT&PF) FOR THE MAT-SU BOROUGH LONG RANGE TRANSPORTATION PLAN.

a. Resolution Serial No. 00-047: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A TRANSPORTATION PLANNING GRANT. IM No. 00-142

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Holmes moved for adoption of Ordinance Serial No. 00-108 and Resolution Serial No. 00-047.

With assembly consensus, the administration was directed to extend the completion date as not later than June 30, 2001.

Assemblymember Jansen questioned the budget and scope of work in Resolution Serial No. 00-047.

Mr. Scott:

- related that the borough will put out an RFP for professional services for a contractor to do the study work;
- remarked that borough staff will complete computer modeling;
- stated that the grant will pay the borough $30,000 for staff services provided;
- commented that long range planning in the borough must incorporate planning with Anchorage and the state DOT; and
- summarized that approximately 20 percent of the grant will support the regional plan.

GENERAL CONSENT: The motion passed without objection.

10. Ordinance Serial No. 00-109: AN ORDINANCE AMENDING MSB 4.05.030(B), VACANCIES ON BOARDS, ADDING A PROVISION THAT A VACANCY OCCURS ON THE DATE A LETTER OF INTENT TO RUN OR A DECLARATION OF CANDIDACY IS FILED BY A BOARD MEMBER. (Sponsors: D. Holmes, D. Kelly)

Mayor Salmon opened the public hearing.

The following spoke in favor of the ordinance as presented: Ms. Gay Ward and Ms. Lucille Frey.

Ms. Jean Woods supported the ordinance with a recommended amendment for an effective date of November 2000.

The following spoke in opposition to the ordinance as presented: Mr. Tom Pine, Mr. Tom Whitstine, Ms. Jean Holt, Ms. Cecilia Hidalgo, Ms. Michelle Church, Mr. Michael Janecek, Mr. Ken Slauson, and Mr. Bill Larkin.

There being no others wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Holmes moved for adoption of Ordinance Serial No. 00-109.

Assemblymember Kelly stated his support of assembly members exercising the option to present ordinances.

MOTION: Assemblymember DeVilbiss moved a primary amendment to insert the effective date be "November 1, 2000."

VOTE: The primary amendment passed with Assemblymember Colberg opposed.

MOTION: Assemblymember Simpson moved the previous question.

VOTE: The motion to move the previous question passed with Assemblymembers Holmes and Turner opposed.

VOTE: The main motion, as amended, failed with Assemblymember Holmes in support.

Mr. Gatti:

- stated that the provision presented tonight was a resign to run law;
- remarked that the ordinance would have limited the pool of candidates;
- expressed a concern that the ordinance may have added to the qualifications to run for office which is in opposition to Title 29 requirements; and
- the borough code addresses the incompatible offices acceptance.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Ms. Sharon L. Shields:

- requested that the assembly focus on end products;
- requested the government be accountable for its actions; and
- spoke to mandatory unionizing.

Mr. David Colton Bartels:

- spoke to required oaths of office for municipal officials; and
- requested proof of authority for the borough attorney position.

Ms. Jean Woods commended Mr. Swanson and staff for disposing of nails in the parking lot at Lazy Mountain trail head.

Ms. Michelle Church:

- addressed the vacancies on boards ordinance; and
- requested to be on record as stating Assemblymember Holmes made false statements.

Mr. Garvin Bucaria spoke in support of AM 00-073.

MOTION: Assemblymember Holmes moved to extend the meeting beyond 11 p.m.

GENERAL CONSENT: The motion, to extend the meeting, passed without objection.

The regular assembly meeting recessed at 10:47 p.m. and reconvened at 10:55 p.m.

C. CONSENT AGENDA

(Resolution Serial No. 00-053 and AM Nos. 00-070, 073, 075, 078, and 083 were pulled from the consent agenda, see pages 16-17 for assembly action.)

1. RESOLUTIONS

2. ACTION MEMORANDUMS

a. AM No. 00-069: AWARD BID NO. 00-129, FURNISH COMMUNICATION EQUIPMENT.

c. AM No. 00-071: VACATION OF A FIFTY-FOOT PLAT DEDICATED SECTION LINE EASEMENT WITHIN BRECKENRIDGE SUBDIVISION, SECTION 23, TOWNSHIP 18 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, TANAINA COMMUNITY COUNCIL AREA.

d. AM No. 00-072: VACATION OF MEADOWVIEW DRIVE RIGHT-OF-WAY LOCATED WITHIN BRECKENRIDGE SUBDIVISION, SECTION 23, TOWNSHIP 18 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, TANAINA COMMUNITY COUNCIL AREA.

f. AM No. 00-074: TEELAND MIDDLE SCHOOL CHANGE ORDER APPROVAL TO ADDRESS A DIFFERENT BOOK DETECTION SYSTEM AND FULLY AUTOMATE A BOOK CHECKING SYSTEM.

h. AM No. 00-076: AWARD OF BID NO. 00-87, ROAD SERVICE AREA NO. 27, MEADOW LAKES ANNUAL MAINTENANCE CONTRACT.

i. AM No. 00-077: BID NO. 01-003, 2000 ROADS PAVING - PHASE II.

k. AM No. 00-079: AWARD OF BID NO. 01-002, MANUFACTURING OF CRUSHED ROAD MATERIALS.

l. AM No. 00-081: BURCHELL HIGH SCHOOL DESIGN DEVELOPMENT APPROVAL.

m. AM No. 00-082: BID NO. 01-001, PURCHASE VEHICLES FOR PUBLIC WORKS AND PUBLIC SAFETY.

Ms. Dillon read the above-referenced consent agenda items into the record.

MOTION: Assemblymember Holmes moved for approval of the above-referenced consent agenda items.

GENERAL CONSENT: The motion passed without objection.

a. Resolution Serial No. 00-053: A RESOLUTION SUPPORTING DEVELOPMENT OF THE LAKELAND EDUCATIONAL SHOOTING FACILITY IN HOUSTON, ALASKA.
IM No. 00-140

MOTION: Assemblymember Holmes moved for approval Resolution Serial No. 00-053.

GENERAL CONSENT: The motion passed without objection.

b. AM No. 00-070: APPROVAL OF CHANGE ORDER NO. 7 TO ALASKA INTERSTATE CONSTRUCTION FOR PORT MACKENZIE PHASE II CONSTRUCTION.

MOTION: Assemblymember Holmes moved for approval of AM 00-070.

Assemblymember Colberg questioned the replacement costs of the anodes.

Mr. Swing:
- stated the replacement was a result of an interpretation of weld instructions on construction plans; and
- explained that the change order will allow welding of all anodes.

GENERAL CONSENT: The motion passed without objection.

e. AM No. 00-073: VACATION OF ONE-HUNDRED FOOT TOTAL SECTION LINE EASEMENT COMMON TO SECTIONS 22 AND 23, TOWNSHIP 14 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, AND PUBLIC INTEREST IN TRAILS, BOTH LOCATED WITHIN LAKE LORRAINE SUBDIVISION, SAID SECTION, TOWNSHIP, AND RANGE, POINT MACKENZIE COMMUNITY COUNCIL AREA.

MOTION: Assemblymember Holmes moved for approval of AM -00-073.

Discussion followed on the public input process for platting actions.

GENERAL CONSENT: The motion passed without objection.

g. AM No. 00-075: AWARD OF BID NO. 00-091, ROAD SERVICE AREA NO. 16, SOUTH COLONY ANNUAL MAINTENANCE CONTRACT.

MOTION: Assemblymember Holmes moved for approval of AM 00-075.

Mr. Swing endorsed the current contractor and supported AM No. 00-075.

GENERAL CONSENT: The motion passed without objection.

j. AM No. 00-078: BID NO. 01-004, MAINTENANCE STRIPING OF PAVED ROADS.

MOTION: Assemblymember Holmes moved for approval of AM 00-078.

Assemblymember Holmes suggested road painting be done in the early spring.

Mr Swing spoke to different methods and expenses of road striping.

GENERAL CONSENT: The motion passed without objection.

n. AM No. 00-083: AWARD OF PROPOSAL NO. 00-121, DESIGN/BUILD WASILLA PUBLIC SAFETY BUILDING.

MOTION: Assemblymember Holmes moved for approval of AM No. 00-083.

Assemblymember Colberg spoke against the honorarium process.

Assemblymember DeVilbiss requested the concept of honorariums be studied by the assembly.

Mr. Scott explained the build/design procedure and cost savings related to the process.

GENERAL CONSENT: The motion passed without objection.

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Salmon made the following recommendations:
Board of Adjustment and Appeals
Ms. Judy Scorup, alternate position
Mr. Kevin Crozier, at-large position

Parks, Recreation, and Trails Advisory Board
Mr. Tuckerman Babcock - resignation

MOTION: Assemblymember Holmes moved to accept Mayor's recommendations and resignation of Mr. Tuckerman Babcock.

GENERAL CONSENT: The motion passed without objection.

E. OTHER NEW BUSINESS

(There was no other new business.)

X. RECONSIDERATION

(There was no reconsideration pending.)

XI. VETO

(There was no veto pending.)

XII. EXECUTIVE SESSION

(There was no executive session.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember DeVilbiss:

- commented that he was impressed with the practical and economical public safety building design;
- appreciated the clerk addressing the questions regarding general law and charter;
- expressed sympathy to those opposing required unionization rules;
- encouraged the borough research the paperless meetings proposal; and
- remarked that the parks and recreation bond issue was untimely.

Assemblymember Kelly:

- thanked everyone attending for their contributions to the process tonight; and

- expressed opposition to use of personal names in assembly member comments.

Assemblymember Holmes:

- reported that DOT is testing new striping materials on the Glenn Highway; and
- spoke to Ordinance Serial No. 00-109.

XIV. ADJOURNMENT

The regular meeting adjourned at 11:30 p.m.

DARCIE K. SALMON, Borough Mayor

ATTEST:

SANDRA A. DILLON, Borough Clerk

Minutes approved: August 1, 2000