

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on July 19, 2005, 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:

Ms. Lynne Woods, Assembly District No. 1
Mr. Bill Allen, Assembly District No. 2
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. Betty Vehrs, Assembly District No. 7

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Teresa S. Williams, Borough Attorney
Ms. Marian Romano, Assistant Borough Manager
Ms. Janice A. Case, Deputy Borough Clerk
Mr. Dennis Brodigan, Emergency Services Director
Ms. Tammy Clayton, Finance Director
Mr. Ron Swanson, Community Development Director
Mr. Murph O'Brien, Planning and Land Use Director
Mr. Keith Roundtree, Public Works Director
Mr. David Allison, Chief Animal Care and Regulation Office
Dr. Lisa Espey, Veterinarian/Shelter Assistant

III. APPROVAL OF AGENDA

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

Mr. Duffy:

- requested that Ordinance Serial Nos. 05-123, 05-124, and 05-125 be set for public hearing on September 6, 2005; and
- requested that AM No. 05-125 be pulled from the agenda.

Deputy Mayor Colver inquired if there was any objection to placing Ordinance Serial Nos. 05-123, 05-124, and 05-125 under the introductions to be set for public hearing on September 6, 2005, and pulling AM No. 05-125 from the agenda.

There was no objection noted.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Harold Ward, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

Deputy Mayor Colver inquired if there was any objection to addressing all of the minutes together.

There was no objection noted.

- A. Special Assembly Meeting: 06/13/05
- B. Special Assembly Meeting: 06/14/05
- C. Joint Assembly/School Board Assembly Meeting: 06/14/05
- D. Regular Assembly Meeting: 06/21/05
- E. Special Assembly Meeting: 06/23/05
- F. Joint Assembly/Planning Commission Meeting: 06/28/05
- G. Special Assembly Meeting: 06/28/05

Deputy Mayor Colver inquired if there were any corrections to the June 13, 2005, special meeting, the June 14, 2005, special meeting, the June 14, 2005, joint Assembly/School Board Assembly meeting, the June 21, 2005, regular meeting, the June 23, 2005, special meeting, the June 28, 2005, joint Assembly/Planning Commission meeting, and the June 28, 2005, special meeting minutes.

Assemblymember Simpson requested verification on the vote for overriding the veto of AM No. 05-093 on the June 13, 2005. *[This item was corrected accordingly.]*

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

(There was no report provided.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Regional Transportation Planning Organization

(There was no report provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- stated that representatives of the Alaska State Department of Transportation and Public Facilities met with him and Mr. O'Brien to discuss the proposed amendment no. 8 to the State Transportation Improvement Program (STIP);
- noted that the Borough has until July 31, 2005, to make comments on the proposed amendment;
- stated that the Port of Anchorage has opened bids on their expansion project and three bids were received;
- commented that he met with representatives from Alaska Interstate Construction (AIC) who stated that they are considering gravel from the Point MacKenzie area as well as at least four other locations;
- stated that Alutiiq and VECO are working together to manufacture truckable oil field modules at the Alutiiq location at the Port;
- referred to the federal lobbyist report for June and July included in the Manager's report;
- stated that the Borough is working with the Alaska State Department of Natural Resources to revise the Fish Creek Management Plan; and
- noted that Collins Construction is ahead of schedule with the Wasilla Area Elementary School.

D. ATTORNEY COMMENTS

Ms. Williams:

- stated that she has been receiving questions regarding the proposed tax cap initiative and what funds would be included as part of the cap, specifically in regard to the service areas; and
- noted that it is her opinion that the service areas would also be subject to the proposed tax cap and that this provision is lacking from the sponsor's petition ordinance.

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming meeting schedule for July, August, and September;
- referred to the election schedule included in the Clerk's report;
- noted that the candidate filing period is open and will close on July 29, 2005, at 5 p.m.;
- stated that an update on the quasi-judicial boards has been included in the Clerk's report;
- commented that the code supplement 30 has arrived and asked the members of the Assembly to please turn in their code books to be updated; and
- stated that the tracking report is included in the Clerk's report.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Board of Equalization: 05/27/05
- b. Caswell Lakes Road Service Area No. 15: 05/20/05
- c. Gold Trail Road Service Area No. 28: 06/30/05
- d. Greater Butte Road Service Area No. 26: 06/09/05
- e. Joint Fire Service Areas: 05/02/05
- f. Local Road Service Area Advisory Board: 06/16/05
- g. Parks, Recreation, and Trails Advisory Board: 05/23/05, 06/27/05
- h. Planning Commission: 06/06/05, 06/20/05
- i. Port Commission: 05/16/05, Resolution Serial Nos. 05-003 and 05-004
- j. Senior Citizen Advisory Board: 05/16/05
- k. Talkeetna Community Council/Greater Talkeetna Road Service No. 29/Talkeetna Fire Service Area No. 24 Joint Meeting: 01/14/05
- l. Wasilla-Lakes, Meadow Lakes, Big Lakes Fire Service Areas Joint Meeting: 04/11/05
- m. Wasilla-Lakes Fire Service Area No. 130: 01/24/05

2. Community Council Correspondence:

- a. Willow Area Community Organization: 06/06/05

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VIII. UNFINISHED BUSINESS

Deputy Mayor Colver inquired if there was any objection to addressing Ordinance Serial No. 05-083 prior to Ordinance Serial No. 05-082.

There was no objection noted.

- B. Ordinance Serial No. 05-083: AN ORDINANCE ISSUING NON-AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,635,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION AND EXPANSION OF LIBRARY FACILITIES AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED NON-AREAWIDE VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, BOROUGH ELECTION.

(Motion pending: 06/21/05)

1. IM No. 05-128

MOTION PENDING: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-083.

Mr. Swanson:

- reviewed issues associated with various libraries throughout the Borough;
- stated that the libraries are limited in space, which cuts down on circulation;
- noted that computers are in demand but the building does not have the existing wiring to support the need for computers;
- stated that the libraries are very archaic and are in need of improvement;
- reviewed the projected maintenance costs for the facilities;
- discussed the possibility of grant programs for increased circulation; and
- discussed the staffing needs associated with the new facilities.

Deputy Mayor Colver voiced concern regarding the size of the proposed central library facility.

Assemblymember Allen inquired regarding the insurance on the facilities.

Ms. Clayton stated that the Borough's property is insured with a deductible of \$100,000 and for liability the Borough is self-insured for the first \$250,000.

Assemblymember Allen requested that Ms. Clayton ask the Borough's underwriters for quotes starting at \$250,000 up to \$500,000.

MOTION: Assemblymember Vehrs moved a primary amendment to add an additional 5,000 square feet to the core area library for a total cost of \$1.3 million.

Assemblymember Simpson inquired if a sensitivity analysis had been conducted on an amount that the voters would be willing to pass.

Mr. Swanson:

- replied that a sensitivity analysis had not been performed; and
- noted that he felt comfortable at the \$15 million figure.

Deputy Mayor Colver noted that the primary amendment would increase the total bond amount to \$16,935,000.

Assemblymember Simpson inquired if the librarians made recommendations regarding the expansions.

Mr. Swanson stated that each librarian is mainly concerned regarding their community needs.

Assemblymember Allen stated that he would like future expansion to be considered in the design of the core area library.

Deputy Mayor Colver spoke in support of the primary amendment.

Assemblymember Woods voiced concerns regarding the amount of the bond proposal.

Assemblymember Kvalheim spoke in opposition to the primary amendment.

WITHDRAW: Assemblymember Vehrs withdrew the primary amendment to add an additional 5,000 square feet to the core area for \$1.3 million.

VOTE: The main motion passed without objection.

MOTION: Assemblymember Vehrs moved to reconsider Ordinance Serial No. 05-083.

VOTE: The motion to reconsider failed unanimously.

(The regular meeting recessed at 6:47 p.m. and reconvened at 7 p.m.)

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

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

1. Kathy Wells Re: Hatcher Pass Special Use District

Ms. Kathy Wells spoke in support of the Hatcher Pass Special Land Use District (SPUD) that is being created and recommended completion of the SPUD prior to development.

2. Ralph Baldwin: Hatcher Pass Public Use Areas

Mr. Ralph Baldwin spoke in support of protecting the public use areas in Hatcher Pass.

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 05-070: AN ORDINANCE CREATING MARCUS BAKER, TATLOW, AND LAKE GEORGE DRIVES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 411, 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. 05-133

Ms. Clayton provided a staff report and recommended approval of Ordinance Serial No. 05-070.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 05-070.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 05-107: AN ORDINANCE ACCEPTING AND APPROPRIATING \$65,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT TO FUND 480, PROJECT NO. 20330, MAT-SU BOROUGH GIS PROPERTY WEBSITE PROJECT.
 - a. Resolution Serial No. 05-079: A RESOLUTION APPROVING THE REVISED SCOPE OF WORK AND BUDGET FOR THE MAT-SU BOROUGH GIS PROPERTY WEBSITE PROJECT, PROJECT NO. 20330 AND AUTHORIZING THE MANAGER TO MODIFY AN ASSISTANCE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT FOR MANAGEMENT OF THE GRANT.
 - (1) IM No. 05-160

Mr. Duffy provided a staff report.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-107 and Resolution Serial No. 05-079.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 05-108: AN ORDINANCE AMENDING MSB 5.25.044(A), AND PLACING ON THE BALLOT OF THE OCTOBER 4, 2005, REGULAR ELECTION THE ANNEXATION OF CERTAIN PROPERTIES IN AND AROUND THE ROLLING ACRES SUBDIVISION INTO THE MEADOW LAKES ROAD SERVICE AREA NO. 27.
 - a. IM No. 05-161

Ms. McGehee provided a staff report.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-108.

Assemblymember Vehrs spoke in support of placing Ordinance Serial No. 05-108 on the ballot for the October 4, 2005, election.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 05-109: AN ORDINANCE APPROVING AN APPROPRIATION OF \$110,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45088, FUND 405, TO COMPLETE PROJECTS AT STATIONS 71 AND 72.
 - a. Resolution Serial No. 05-080: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45088, FUND 405, TO COMPLETE PROJECTS AT STATIONS 71 AND 72.
 - (1) IM No. 05-176

Mr. Brodigan provided a staff report.

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-109 and Resolution Serial No. 05-080.

Assemblymember Vehrs spoke in support of Ordinance Serial No. 05-109 and Resolution Serial No. 05-080.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in opposition to Ordinance Serial No. 05-130 and spoke in support of the previously certified petition for the proposed tax limitation initiative: Mr. Penny Nixon and Mr. Dennis Oakland.

The following persons spoke in support of Ordinance Serial No. 05-082: Ms. Delisa Renideo, representing Rays of Hope; Ms. Gail Landingham, owner of Compassion in Action Pet Rescue; Ms. Jackie Adams; and Ms. Dawn Whisenhunt.

Ms. Lucille Frey:

- spoke regarding Resolution Serial No. 05-098;
- spoke in opposition to Ordinance Serial No. 05-130; and
- spoke in support of a library for the Butte area.

The following person spoke in support of Hatcher Pass Special Land Use District: Mr. Jean Woods.

The following person displayed a golden piling from the deep draft dock at Port MacKenzie and thanked the Manager, staff, Port Commission, and several members of the Assembly for the efforts on the port: Ms. Jay Nolfi.

There being no others who wished to address the Assembly, Deputy Mayor Colver closed audience participation.

(The regular meeting recessed at 7:39 p.m. and reconvened at 7:47 p.m.)

(Unfinished Business continued from p. 6 of 21)

A. Ordinance Serial No. 05-082: AN ORDINANCE ISSUING NON-AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,660,000 TO FINANCE THE DESIGN AND CONSTRUCTION OF AN ANIMAL CARE FACILITY AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED NON-AREAWIDE VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, BOROUGH ELECTION. *(Motion pending: 06/21/05)*

1. IM No. 05-127

MOTION PENDING: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-082.

Mr. Roundtree and Dr. Espey:

- reviewed the services provided by the animal care and regulation shelter;
- discussed the current conditions of the existing animal care facility; and
- provided an overview of the proposed animal care facility.

Assemblymember Allen spoke to the need for the new facility.

Assemblymember Vehrs spoke in support of Ordinance Serial No. 05-082.

Assemblymember Woods asked if the cost per taxpayer would be included on the ballot proposition.

Ms. McGehee replied that as it is written in the current proposition language, the cost would not be included unless an amendment to that effect was made.

Assemblymember Woods spoke to the voters being educated regarding these costs.

Assemblymember Allen stated that he would like to see the debt service cost and the projected operations and maintenance costs also provided to the voters.

Mr. Duffy stated that they could prepare information to be included in the election brochure.

Ms. McGehee stated that she would coordinate with Administration to place this information in the election brochure.

VOTE: The motion passed without objection.

MOTION: Assemblymember Allen moved to reconsider Ordinance Serial No. 05-082.

VOTE: The motion to reconsider failed unanimously.

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 08/02/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-114: AN ORDINANCE APPROVING THE MODIFICATION OF THE LEASE AGREEMENT WITH ALUTIIQ MANUFACTURING CONTRACTORS, LLC., EXPANDING ALLOWED USES, SUBLEASING, AND RELATED TERMS (MSB002946).

a. IM No. 05-105

2. Ordinance Serial No. 05-115: AN ORDINANCE PLACING ON THE BALLOT OF THE OCTOBER 2005 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.

(Sponsor: Mayor Anderson)

a. IM No. 05-151

3. Ordinance Serial No. 05-116: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$66,200 ALASKA STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45158, FUND 425, FOR SURVEILLANCE, WARNING, ACCESS, AND INTRUSION CONTROL EQUIPMENT.
 - a. Resolution Serial No. 05-089: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45158, FUND 425, TO PURCHASE SURVEILLANCE, WARNING, ACCESS, AND INTRUSION CONTROL EQUIPMENT.
 - (1) IM No. 05-155
4. Ordinance Serial No. 05-117: AN ORDINANCE AMENDING MSB 2.12.090, AGENDA, ORDER OF BUSINESS, PARAGRAPHS C(7) AND C(9), BY MOVING THE CONSENT AGENDA TO SPECIAL ORDERS.
 - a. IM No. 05-179
5. Ordinance Serial No. 05-118: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,444 FROM THE ALASKA STATE OFFICE OF HISTORY AND ARCHAEOLOGY, TO FUND 480, PROJECT NO. 20358, TO RESEARCH THE FEASIBILITY OF NATIONAL HERITAGE AREA DESIGNATION FOR PROPERTIES WITHIN THE MATANUSKA-SUSITNA BOROUGH.
 - a. Resolution Serial No. 05-090: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO RESEARCH THE FEASIBILITY OF NATIONAL HERITAGE AREAS DESIGNATION FOR PROPERTIES WITHIN THE MATANUSKA-SUSITNA BOROUGH.
 - (1) IM No. 05-182
6. Ordinance Serial No. 05-119: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,444 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, PROJECT NO. 20354, TO CREATE A DOCUMENT OR DESIGN GUIDELINES AND ASSIST THE COMMUNITY IN IMPLEMENTING AN ORDINANCE TO PROTECT THE 1935 MATANUSKA COLONY HISTORIC DISTRICT LOCATED IN PALMER.
 - a. Resolution Serial No. 05-091: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONTINUE TO CREATE A DOCUMENT OR DESIGN GUIDELINES AND ASSIST THE COMMUNITY IN IMPLEMENTING AN ORDINANCE TO PROTECT THE 1935 MATANUSKA COLONY HISTORIC DISTRICT LOCATED IN PALMER.
 - (1) IM No. 05-183

7. Ordinance Serial No. 05-120: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGHWIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAXES YEARS 1997, 1998, AND 1999 AND PRIOR, AND FOR DELINQUENT SPECIAL ASSESSMENTS YEARS 2000 AND 2001 AND PRIOR, AND NOT NEEDED FOR PUBLIC PURPOSE.
 - a. IM No. 05-188
8. Ordinance Serial No. 05-121: AN ORDINANCE ACCEPTING AND APPROPRIATING \$240 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE TO FUND 480, PROJECT NO. 45131, FOR THE CONTINUATION OF THE SPRUCE BARK BEETLE WILDFIRE HAZARD MITIGATION PROJECT.
 - a. Resolution Serial No. 05-092: A RESOLUTION AMENDING THE BUDGET FOR PROJECT NO. 45131, FUND 480, FOR THE CONTINUATION OF THE SPRUCE BARK BEETLE WILDFIRE HAZARD MITIGATION PROJECT.
 - (1) IM No. 05-190
9. Ordinance Serial No. 05-122: AN ORDINANCE APPROVING REAPPROPRIATIONS FROM PROJECT NOS. 45030, 45055, 45071, 45090, 45115, 45154, AND 45155, TO THE GREATER PALMER FIRE SERVICE AREA FUND BALANCE, FUND 259, IN THE AMOUNT OF \$348,015, TO CLEAR THE REMAINING BALANCES AND CLOSE THE PROJECTS.
 - a. Resolution Serial No. 05-093: A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 45030, 45055, 45071, 45090, 45115, 45154, AND 45155, FUND 405, TO CLEAR THE REMAINING BALANCES AND CLOSE THE PROJECTS.
 - (1) IM No. 05-191
10. Ordinance Serial No. 05-126: AN ORDINANCE ISSUING AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$12,700,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION, AND RENEWAL OF EDUCATIONAL CAPITAL IMPROVEMENT PROJECTS 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 4, 2005, BOROUGH ELECTION.
 - a. Ordinance Serial No. 05-127: AN ORDINANCE ISSUING AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$27,870,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION, AND RENEWAL OF EDUCATIONAL CAPITAL IMPROVEMENT PROJECTS 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 4, 2005, BOROUGH ELECTION.
 - (1) IM No. 05-197
11. Ordinance Serial No. 05-128: AN ORDINANCE ACCEPTING AND APPROPRIATING \$200,384 FROM THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO FUND 475, PROJECT NO. 20360, HUMAN SERVICES COMMUNITY MATCHING GRANT.

- a. Resolution Serial No. 05-094: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PARTICIPATION IN THE HUMAN SERVICES COMMUNITY MATCHING GRANT PROGRAM.
(1) IM No. 05-199
- 12. Ordinance Serial No. 05-129: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,500,000 GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE ACADEMY CHARTER GYM CONSTRUCTION, PROJECT NO. 40159.
 - a. Resolution Serial No. 05-095: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ACADEMY CHARTER SCHOOL GYM CONSTRUCTION, PROJECT NO. 40159.
(1) IM No. 05-200
- 13. Ordinance Serial No. 05-130: AN ORDINANCE ADOPTING MSB 3.04.075, TAX LEVY LIMITATION. (*Sponsor: Assemblymember Colver*)
 - a. IM No. 05-202
- 14. Ordinance Serial No. 05-131: AN ORDINANCE EXPANDING CURRENT NON-AREAWIDE HEALTH POWERS BY ADOPTING AREAWIDE HEALTH POWERS FOR THE LIMITED PURPOSE OF EDUCATING, REGULATING AND PROTECTING THE PUBLIC'S HEALTH, SAFETY, AND WELFARE AS AFFECTED BY METHAMPHETAMINES, AND REFERRING THE ISSUE TO THE VOTERS AT THE OCTOBER 4, 2005, GENERAL ELECTION.
 - a. Ordinance Serial No. 05-132: AN ORDINANCE ESTABLISHING REGULATIONS WITH REGARD TO THE SALE OF METHAMPHETAMINE PRECURSOR DRUGS WITHIN THE MATANUSKA-SUSITNA BOROUGH. (*Sponsor: Assemblymember Colver*)
(1) IM No. 05-203
- B. INTRODUCTION (For public hearing - 08/16/05, 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 05-096: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR EVE'S DRIVE AND RIB ROAD ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 385 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 05-097: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$29,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE EVE'S DRIVE AND RIB ROAD ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 385, AND FIXING DETAILS OF SAID BONDS.
(1) IM No. 05-163

2. Ordinance Serial No. 05-098: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE UNALASKA AND ST. PAUL DRIVES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 388 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial Nos. 05-099: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$19,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE UNALASKA AND ST. PAUL DRIVES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 388, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 05-164
3. Ordinance Serial No. 05-100: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE COUNTRY FIELD CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 392 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 05-101: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$21,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE COUNTRY FIELD CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 392, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 05-166
4. Ordinance Serial No. 05-102: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE NORTH WILLOW DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 393 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 05-103: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$32,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE NORTH WILLOW DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 393, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 05-167
5. Ordinance Serial No. 05-104: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SUN RIDGE CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 400 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 05-105: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$30,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SUN RIDGE CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 400, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 05-168

- C. INTRODUCTION (For public hearing - 09/06/05, 7 p.m., Borough Assembly Chambers)
1. Ordinance Serial No. 05-111: AN ORDINANCE CREATING RAVEN DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 412, 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. 05-181
 2. Ordinance Serial No. 05-112: AN ORDINANCE CREATING JADE LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 407, 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. 05-185
 3. Ordinance Serial No. 05-113: AN ORDINANCE CREATING CHINOOK AVENUE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 410, 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 IMPROVEMENT.
 - a. IM No. 05-189
 4. Ordinance Serial No. 05-123: AN ORDINANCE ADOPTING MSB 17.28, INTERIM MATERIALS DISTRICT.
 - a. Ordinance Serial No. 05-124: AN ORDINANCE ADOPTING MSB 17.30, CONDITIONAL USE PERMIT (CUP) FOR EARTH MATERIALS EXTRACTION ACTIVITIES.
 - b. Ordinance Serial No. 05-125: AN ORDINANCE ADOPTING MSB 17.125, DEFINITIONS.
 - (1) IM No. 05-196

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Kvalheim moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 2, 2005, August 16, 2005, and September 6, 2005, respectively.

(The regular meeting recessed at 8:35 p.m. and reconvened at 8:42 p.m.)

MOTION: Assemblymember Colberg moved to divide the question to address Ordinance Serial No. 05-115 separately.

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

MOTION: First segment of the motion: To introduce the legislation as read into the record by the Clerk and set the public hearings for August 2, 2005, August 16, 2005, and September 6, 2005, respectively, with the exception of Ordinance Serial No. 05-115.

VOTE: The first segment, to introduce the legislation as read into the record by the Clerk and set the public hearings for August 2, 2005, August 16, 2005, and September 6, 2005, respectively, with the exception of Ordinance Serial No. 05-115, passed without objection.

MOTION: Second segment: To introduce Ordinance Serial No. 05-115 and set the public hearing for August 2, 2005.

Assemblymember Colberg spoke to the School Board reviewing this legislation before the Assembly takes action on it.

MOTION: Assemblymember Colberg moved to postpone the introduction of Ordinance Serial No. 05-115 indefinitely.

VOTE: The motion to postpone indefinitely passed with Assemblymembers Colver and Vehrs opposed.

MOTION: Assemblymember Colberg moved to reconsider the postponement of the introduction of Ordinance Serial No. 05-115.

VOTE: The motion to reconsider failed unanimously.

C. CONSENT AGENDA

Assemblymember Vehrs requested to be added as a sponsor of AM No. 05-115.

Assemblymember Kvalheim and Deputy Mayor Colver requested to be added as a sponsor of Resolution Serial No. 05-098.

Assemblymember Simpson voiced objection to additional sponsors being added to Resolution Serial No. 05-098, or any other sponsor requested legislation, and asked that her position on the matter be noted for the record.

Assemblymember Kvalheim withdrew her request to be added as a sponsor of Resolution Serial No. 05-098.

1. RESOLUTIONS

- a. Resolution Serial No. 05-096: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC

DEVELOPMENT, FISCAL YEAR 2005 DESIGNATED LEGISLATIVE GRANT, PROJECT NO. 45026, FUND 405, TO PURCHASE BUTTE FIRE SERVICE AREA RESCUE EQUIPMENT AND SUPPLIES.

(1) IM No. 05-186

- b. Resolution Serial No. 05-097: A RESOLUTION AMENDING THE BUDGETS FOR THE DOROTHY SWANDA JONES ADMINISTRATION BUILDING REPAIR PROJECTS FOR THE CHILLER REPLACEMENT PROJECT AND THE WINDOW REPLACEMENT PROJECT.

(1) IM No. 05-192

- c. Resolution Serial No. 05-098: A RESOLUTION ESTABLISHING A POLICY WHEN EMINENT DOMAIN MAY BE USED BY THE BOROUGH BY SPECIFYING CERTAIN PUBLIC USE PROJECTS QUALIFYING FOR CONSIDERATION AND BY FURTHER ESTABLISHING A POLICY THAT ANY PROPOSED EMINENT DOMAIN OR CONDEMNATION ACTION MUST HAVE PRIOR APPROVAL OF THE ASSEMBLY. *(Sponsors: Assemblymembers Allen, Colberg, Simpson, and Colver)*

(1) IM No. 05-193

- d. Resolution Serial No. 05-099: A RESOLUTION STATING NON-OBJECTION TO THE CHICKALOON FIRE SERVICE BEING RECOGNIZED AS A VOLUNTEER FIRE SERVICE TO PROVIDE FIRE PROTECTION IN THE CHICKALOON AREA. *(Sponsor: Assemblymember Woods)*

(1) IM No. 05-194

- e. Resolution Serial No. 05-100: A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT FOR THE DEVELOPMENT OF AN ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE MULTI-MODAL TRANSPORTATION CORRIDOR.

(1) IM No. 05-195

- f. Resolution Serial No. 05-101: A RESOLUTION AMENDING THE BUDGETS FOR THE MEADOW LAKES ELEMENTARY SCHOOL CONSTRUCTION PROJECT AND THE WASILLA AREA ELEMENTARY SCHOOL CONSTRUCTION PROJECT.

(1) IM No. 05-198

2. ACTION MEMORANDUMS

- a. AM No. 05-102: RETROACTIVE APPROVAL FOR THE LATE FILING OF APPLICATIONS FOR DISABLED VETERANS AND SENIOR CITIZENS EXEMPTIONS.

- b. AM No. 05-105: AUTHORIZING THE PURCHASE OF HURST RESCUE EQUIPMENT FROM L.N. CURTIS & SONS, INC. FOR A TOTAL AMOUNT OF \$28,567.90 TO BE UTILIZED IN THE GREATER PALMER AREA.

- c. AM No. 05-106: AUTHORIZING THE PURCHASE OF FIREFIGHTER TURNOUT GEAR FROM L.N. CURTIS & SONS, INC., FOR A TOTAL AMOUNT OF \$111,088 FOR THE SUTTON, MEADOW LAKES, AND BIG LAKE FIRE SERVICE AREAS.
- d. AM No. 05-115: AWARD OF BID NO. 05-118 TO BRAUN NORTHWEST, INC., FOR THE CONTRACT AMOUNT OF \$120,385 FOR THE PURCHASE OF A FOUR-WHEEL DRIVE AMBULANCE FOR THE TRAPPER CREEK AREA.
(Sponsor: Assemblymember Vehrs)
- e. AM No. 05-116: AWARD OF BID NO. 05-136 TO ALL-WRIGHT CONSTRUCTION, INC., FOR THE CONTRACT AMOUNT OF \$246,290 TO PROVIDE ALL LABOR, SUPPLIES, PERSONNEL, AND EQUIPMENT TO COMPLETE SITE IMPROVEMENTS AT MEADOW LAKES PUBLIC SAFETY BUILDINGS NOS. 71 AND 72.
- f. AM No. 05-118: AWARD OF BID NO. 05-209 TO PINNACLE CONSTRUCTION, INC., IN THE AMOUNT OF \$69,400 TO PROVIDE ALL PARTS, EQUIPMENT, AND LABOR TO UPGRADE THE ELECTRICAL AND MECHANICAL SYSTEMS WITHIN THE DOROTHY SWANDA JONES BUILDING.
- g. AM No. 05-119: AWARD OF BID NO. 05-123 TO ALASKA SAFETY, INC., IN THE AMOUNT OF \$25,310 FOR THE PURCHASE OF TWO RAPID DEPLOYMENT AIR SHELTER TENTS AND HEATERS.
- h. AM No. 05-121: AWARD OF BID NO. 05-147A TO L & N VENTURES FOR THE CONTRACT AMOUNT WHICH MAY EXCEED \$25,000 BUT NOT TO EXCEED \$190,000 PER FISCAL YEAR FOR THE SUPPLY OF SCREENED GRAVEL AND PIT RUN TO BE USED FOR ROAD SURFACE TOPPING.
- i. AM No. 05-122: AWARD OF BID NO. 05-174 TO TEW'S EXCAVATION, INC., IN THE AMOUNT OF \$70,000 TO CLEAR AND GRUB LAND BETWEEN KAREN STREET AND CHARLENE STREET IN PREPARATION FOR FUTURE CONSTRUCTION OF A ROAD.
- j. AM No. 05-123: AWARD OF BID NO. 05-168 TO JIM PSENAK CONSTRUCTION FOR THE AMOUNT OF \$84,800 TO UPGRADE JIM COTTRELL CIRCLE AND CONNECT JIM COTTRELL CIRCLE TO UPPER MESA DRIVE.
- k. AM No. 05-124: AWARD OF BID NO. 05-170 TO L & N VENTURES FOR THE AMOUNT OF \$98,530 TO REDUCE GRADE AND WIDEN THE ROAD, FILL AND WIDEN THE ROADWAY, AND TO REDUCE THE "S" TURN BETWEEN HILLS IN THE LOWER ROAD AREA.

- ~~l. AM No. 05-125: AWARD OF BID NO. 05-172 TO R L TRUCKING IN THE AMOUNT OF \$35,960 TO CONSTRUCT 600 FEET OF NEW ROAD TO CONNECT BELUGA AVENUE TO FORAKER STREET.¹~~
- m. AM No. 05-126: AWARD OF BID NO. 06-002 TO WESTERN CONSTRUCTION AND EQUIPMENT IN THE AMOUNT OF \$472,486.92 FOR THE APPLICATION OF CHIP SEAL SURFACE ON SELECTED ROADS THROUGH THE BOROUGH.
- n. AM No. 05-127: AWARD OF CONTRACT TO BEZEK DURST SEISER ARCHITECTS IN THE AMOUNT NOT TO EXCEED \$30,538 FOR THE BOROUGH WIND FAILURE MITIGATION PROJECT.
- o. AM No. 05-128: AWARD OF BID NO. 05-147B TO NECHESTA GENERAL FOR THE CONTRACT AMOUNT WHICH MAY EXCEED \$25,000 BUT NOT TO EXCEED \$90,000 FOR THE SUPPLY OF SCREENED GRAVEL AND PIT RUN TO BE USED FOR ROAD SURFACE TOPPING.
- p. AM No. 05-129: AWARD OF BID NO. 05-124 TO YOUNG'S FIREHOUSE IN THE AMOUNT NOT TO EXCEED \$35,000 PER FISCAL YEAR FOR EMERGENCY SERVICES STATION UNIFORMS AND ACCESSORIES.
- q. AM No. 05-130: AWARD OF BID NO. 05-114 TO MECHANICAL SPECIALIST, INC., IN THE CONTRACT AMOUNT NOT TO EXCEED \$86,500 TO REPLACE A GAS/OIL FIRED BOILER, HOT WATER STORAGE TANK, AND ASSOCIATED EQUIPMENT WITH A GAS FIRED WATER HEATER AND REQUIRED EQUIPMENT AT WASILLA MIDDLE SCHOOL.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Planning Commission
Curtis Menard

¹ This item was pulled from the agenda under approval of the agenda.

Mayor Anderson requested the following confirmations:

Historical Preservation Commission
Resignation of Victoria Cole
Parks, Recreation, and Trails Advisory Board
Resignation of Ricardo Ernst
Senior Citizens Advisory Board
Resignation of Henrietta Nugen

MOTION: Assemblymember Kvalheim moved to confirm the Mayor's resignations up for confirmation this evening.

VOTE: The motion passed without objection.

E. OTHER NEW BUSINESS

X. RECONSIDERATION

(There were no reconsiderations presented.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Colberg spoke to limiting the amount of sponsors on a piece of legislation to three members of the Assembly prior to the meeting.

Assemblymember Simpson:

- thanked the members of the staff for their excellent presentations on the library bonds and the animal care and regulation shelter;
- spoke to the need to implement a special land use district for Hatcher Pass before finalizing negotiations with the private sector;
- requested that a definitions section for the proposed tax cap legislation be drafted; and
- spoke in opposition to members of the Assembly adding their names as sponsors to legislation at the last minute.

Assemblymember Kvalheim:

- requested that the Manager schedule a meeting between the Planning Commission, Platting Board, and the Transportation Advisory Board to discuss transportation issues; and

- requested a report on the possibility of using the land management permanent fund for the agricultural land matching funds.

Assemblymember Allen thanked the members of the staff for their presentations on the library bonds and the animal care and regulation shelter.

Assemblymember Vehrs:

- thanked the members of the staff for their presentations on the library bonds and the animal care and regulation shelter;
- requested an update on the status of the Hatcher Pass Special Land Use District; and
- spoke in support of members of the Assembly adding their names as sponsors to legislation.

Deputy Mayor Colver:

- spoke in support of the eminent domain legislation;
- stated that he is proud to be a part of an organization with such a professional staff;
- thanked the staff members for their excellent presentations; and
- stated that the election propositions will be a success if the information presented tonight is conveyed to the voters.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:11 p.m.

/ S /

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/ S /

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 08/02/05