

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on August 2, 2011, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1
Mr. Noel Woods, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*) (*attended telephonically*)
Mr. Mark Ewing, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6 (*attended telephonically*)
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Ms. Elizabeth Gray, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Ms. Shaune O'Neil, Public Works Director
Ms. Christine Nelson, Planning and Land Use Director
Ms. Patty Sullivan, Public Affairs Director
Ms. Sharon Huckins, Administrative Secretary I
Ms. Eileen Flagg, Microfilm Scanning Technician
Mr. Michael Newman, Document Specialist
Mr. Brad Sworts, Transportation and Environmental Manager

III. APPROVAL OF AGENDA

Mayor DeVilbiss:

- noted that Administration had requested that the items under unfinished business be postponed to a time certain of September 20, 2011; and
- queried if there was any objection.

There was no objection noted.

Ms. McKechnie stated that it was requested that Ordinance Serial No. 11-083 and Resolution Serial No. 11-087 be moved up to the first public hearing, as the staff member who would speak to that has a family emergency.

Mayor DeVilbiss inquired if there was any objection.

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 Ms. Terry Snyder, a member of the audience.

Mayor DeVilbiss:

- spoke to the large amount of business on the agenda;
- stated that he would like each member to speak to items on the agenda only two times with a time limit of three minutes each time; and
- queried if there was any objection.

There was no objection noted.

Assemblymember Colver:

- opined that some of the ballot propositions may take more in depth discussion; and
- stated that perhaps the road bonds and schools bonds discussion should be moved to the August 9, special meeting agenda.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 07/05/11
- B. Regular Assembly Meeting: 07/19/11

Mayor DeVilbiss inquired if there were any corrections to the special meeting minutes of July 5, 2011, or the regular meeting minutes of July 19, 2011.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

- 1. Reports from cities

Wasilla City

Mr. Burt Cottle, city of Wasilla Deputy Administrator:

- noted the City's support of the creation of the Waste Water and Septage Board;
- related that the Lake Lucille park transfer is still moving forward;
- thanked Mr. Christine Nelson, Mr. Brad Sworts, and Assemblymember Bettine for their attendance at the City's Planning Commission meeting on July 6, 2011; and
- stated that the city of Wasilla's Comprehensive Plan was introduced at the Borough Planning Commission meeting on August 1, 2011.

2. Matanuska-Susitna Borough School District

Dr. Deena Paramo, School District Superintendent:

- related that all schools are currently staffed with office staff and principals in order to make it easier for parents to contact the schools;
- noted that the School District changed their system, so that all staff are on board at the same time district-wide;
- related that the first wave of users for online registration went well;
- noted that they have discovered some things that need fine tuning regarding the online registration process;
- stated that school starts on August 17; and
- noted that they are all anxious to learn and ready to go.

Mr. Forrest noted that the School District has reviewed and has no issue with Ordinance Serial No. 11-086, which would change the dates for the capital program submission.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Assembly Public Relations

Mayor DeVilbiss noted that he will be attending the upcoming Talkeetna Sewer and Water meeting.

Assemblymember Ewing:

- stated that he attended the National Rifle Association Safari Dinner at the Menard Sports Complex; and
- noted that he had the opportunity to visit with Senator Charlie Huggins and Lieutenant Governor Mead Treadwell.

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. M/V Susitna Update

Mr. Moosey:

- stated that Mr. Madden will not be providing a report on the M/V Susitna this evening; and
- related that he would like to schedule a work session for further discussion on the ferry;
- noted that he is working on a plan regarding the goals and priorities set by the Assembly at the planning session and will be providing a report;
- spoke to his attendance at a senior executive institute in Virginia, regarding high performance organizations; and
- noted that he is enthusiastic to apply what he learned.

D. ATTORNEY COMMENTS

1. State Redistricting
2. Cook Inlet Drift Netters Association Litigation

Mr. Spiropoulos:

- advised that the state redistricting law suits were consolidated in Fairbanks with a January 9, 2012, trial date;
- stated that he will work with the attorneys in Fairbanks to get all the information possible;
- related that the Alaska State Board of Fisheries moved for reconsideration on the Cook Inlet Drift Netters Association litigation;
- noted that the Judge granted reconsideration on July 27, 2011, with 15 days for the parties to respond;
- spoke to the direction provided by the Assembly to look at intervening in the suit, hiring outside council, and enjoining with one of the defendants;
- noted that there will be nothing new to report until the reconsideration is addressed; and
- stated that he will provide an update at the next meeting.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- noted that there was a request to schedule a three-month evaluation of the Borough Manager; and
- suggested either August 16 or September 6.

Discussion ensued regarding:

- the possibility of changing the August 16 work session regarding the ethics code revisions to a special meeting in order to conduct the Manager's evaluation; and
- the possibility of rolling both issues into one meeting.

(The Assembly decided to change the August 16, 2011, work session to a special meeting in order to conduct a three-month evaluation of the Borough Manger and take up the discussion of the ethics code revisions in one meeting.)

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Greater Butte RSA Board of Supervisors: 01/13/11
 - b. Greater Palmer Consolidated FSA Board of Supervisors: 04/12/11
 - c. Greater Talkeetna RSA Board of Supervisors: 04/14/11
 - d. Port Commission: 05/16/11
2. Community Council Correspondence:
 - a. Willow Area Community Organization: 01/03/11, 03/07/11, 04/13/11

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. UNFINISHED BUSINESS

- A. ~~AM No. 11 033: AWARD OF BID NO. 11 083 TO HOWDIE, INC. FOR THE CONTRACT AMOUNT OF \$213,428, FOR THE DOROTHY SWANDA JONES BUILDING DOOR HARDWARE AND SECURITY UPGRADES.~~
 - B. ~~Resolution Serial No. 11 062: A RESOLUTION AUTHORIZING EMINENT DOMAIN AND USE OF DECLARATION OF TAKING PROCEDURES TO ACQUIRE PROPERTY INTERESTS NEEDED FOR THE BOGARD ROAD EXTENSION EAST PROJECT.~~
- ~~(1) IM 11 099~~

[Clerk's note: Unfinished business was postponed to September 20, 2011, at the setting of the agenda.]

VIII. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

- A. INTRODUCTIONS (For public hearing – 08/16/11, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 11-022: AN ORDINANCE REPEALING MSB 2.70, CODE OF ETHICS AND ADOPTING MSB 2.71, CODE OF ETHICS.
 - a. IM No. 11-036
2. Ordinance Serial No. 11-072: AN ORDINANCE REPEALING MSB TITLE 27 AND ADOPTING MSB TITLE 16, SUBDIVISIONS. *(Sponsored by Assemblymember Colver)*
 - a. IM No. 11-122
3. Ordinance Serial No. 11-073: AN ORDINANCE AMENDING MSB 17.02, MANDATORY LAND USE PERMIT; AND MSB 17.29.160, GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION. *(Sponsored by Assemblymember Colver)*
 - a. IM No. 11-123
4. Ordinance Serial No. 11-100: AN ORDINANCE ACCEPTING AND APPROPRIATING \$270,000 FROM THE KNIK ARM BRIDGE AND TOLL AUTHORITY TO FUND 480, PROJECT NO. 47023, FOR IMPLEMENTING MEASURES TO FACILITATE A CONSOLIDATED PERMITTING PROCESS FOR THE MATANUSKA-SUSITNA BOROUGH.
 - a. Resolution Serial No. 11-101: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPLEMENTING MEASURES TO FACILITATE A CONSOLIDATED PERMITTING PROCESS FOR THE MATANUSKA-SUSITNA BOROUGH.
 - (1) IM No. 11-139
5. Ordinance Serial No. 11-101: AN ORDINANCE AMENDING MSB 4.32.010, EMERGENCY MEDICAL SERVICES BOARD, ESTABLISHED; AND MSB 4.32.030, EMERGENCY MEDICAL SERVICES BOARD POWERS AND DUTIES.
 - a. IM No. 11-142
6. Ordinance Serial No. 11-102: AN ORDINANCE ACCEPTING AND APPROPRIATING \$313,509 FROM THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO FUND 475, PROJECT NO. 20383, FOR THE HUMAN SERVICES COMMUNITY MATCHING GRANT.
 - a. Resolution Serial No. 11-102: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PARTICIPATION IN THE HUMAN SERVICES COMMUNITY MATCHING GRANT PROGRAM.
 - (1) IM No. 11-155

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Colver moved to divide the question to take up the introduction of Ordinance Serial No. 11-073 separately.

VOTE: The motion passed without objection.

MOTION: Assemblymember Bettine moved to divide the question to take up the introduction of Ordinance Serial No. 11-072 separately.

VOTE: The motion failed with Assemblymembers Keogh, Halter, and Bettine in favor.

MOTION: First Segment. Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 16, 2011.

VOTE: The first segment passed without objection.

MOTION: Second Segment. Assemblymember Colver moved to direct the Clerk to separate Ordinance Serial No. 11-073 into two ordinances, one that would address mandatory land use permits (MSB 17.02) and one that would address general standards for flood hazard (MSB 17.29.160), and to set the public hearings for August 16, 2011.

Assemblymember Colver:

- stated that he would like the Clerk to split Ordinance Serial No. 11-073 into two ordinances;
- noted that this would not change the substance of the legislation; and
- opined that it would make it easier to discuss as they are different items, with one being more complicated than the other.

Assemblymember Keogh queried why this would be done at this late date.

Assemblymember Colver:

- stated that he was advised that it would be best to do at this time; and
- noted that the issue of land use permits would be a more simple item of discussion than flood hazards.

Discussion ensued regarding:

- the benefits to splitting the ordinance into two;
- whether or not the legislation would need to go forward to the Planning Commission should it be split; and
- the fact that the substance of the legislation would not change should it be split apart.

(The regular meeting recessed at 6:34 p.m. and reconvened at 6:35 p.m.)

VOTE: The second segment passed with Assemblymembers Keogh, Halter, and Bettine opposed.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Local Emergency Planning Committee
Sarah Sandlin, resignation
Daniel Deedy

Mayor DeVilbiss made the following recommendations:

Aviation Advisory Board
John Glass
Health and Social Services Board
Katherine Fueller
Sondra Kaplan
Labor Relations Board
Joy Fearn-Condon
Local Emergency Planning Committee
William Morrow
Transportation Advisory Board
Sonya Walden
Willow FSA No. 35
Michel "Kel" Jacobs
Knik RSA No. 17
Joy Fearn

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

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

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

1. Ordinance Serial No. 11-103: AN ORDINANCE AMENDING MSB 8.52.015, PROHIBITED ACTS, AND MSB 8.52.035, DEFINITIONS, UNDER THE NOISE AND AMPLIFIED SOUND, AND VIBRATION PORTION OF THE CODE. *(Sponsored by Assemblymember Woods)*
 - a. IM No. 11-171

MOTION: Assemblymember Woods moved to refer Ordinance Serial No. 11-103 to the Planning Commission for 90 days (October 1, 2011).

VOTE: The motion passed without objection.

(The regular meeting recessed at 6:43 p.m. and reconvened at 7 p.m.)

IX. 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.)

6. Ordinance Serial No. 11-083: AN ORDINANCE PROVIDING FOR THE COMPOSITION, FORM OF REPRESENTATION, AND APPORTIONMENT OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AND SUBMITTING THE QUESTION TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2011, REGULAR ELECTION; AND AMENDING MSB 2.12.010, CONCERNING ASSEMBLY ELECTION DISTRICTS.
 - a. Resolution Serial No. 11-087: A RESOLUTION DECLARING THE APPORTIONMENT OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY DISTRICTS OUT OF COMPLIANCE WITH THE STANDARDS OF ALASKA STATUTE 29.20.060(A).
 - (1) IM No. 11-143
 - (2) IM No. 11-144

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-083 and Resolution Serial No. 11-087.

Ms. McKechnie:

- stated that after speaking to the Division of Elections, that she discovered that Assembly District No. 2 was not put at the original boundary line in the middle of the Matanuska River;
- noted that this does not affect any voters, as it is the middle of the river, however, it would follow the precinct boundary; and
- requested that the Assembly make that change.

MOTION: Assemblymember Keogh moved a primary amendment to Ordinance Serial No. 11-083, by adjusting the boundaries of District No. 2 to the middle of the Matanuska River.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

1. Ordinance Serial No. 11-061: AN ORDINANCE CREATING WAXWING STREET AND HALLIE DRIVE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 449, 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. 11-125

Mayor DeVilbiss opened the public hearing.

The following person spoke in opposition of Ordinance Serial No. 11-061: Mr. Richard Welton.

The following persons spoke in support of Ordinance Serial No. 11-061: Ms. Tricia McClure, and Mr. Craig Stoker.

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

Ms. Clayton provided a staff report.

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 11-061.

VOTE: The motion failed unanimously.

Mayor DeVilbiss inquired if there was any objection to taking up Ordinance Serial Nos. 11-063 and 11-064 together.

There was no objection noted.

2. Ordinance Serial No. 11-063: AN ORDINANCE CREATING FAIRVIEW ACRES AND LUPINE LANE ACRES ADDITION NO. 1 AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 453, 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. 11-127
3. Ordinance Serial No. 11-064: AN ORDINANCE CREATING AURORA LANE AREA NO. 2 NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 454, 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. 11-128

Ms. Clayton provided a staff report.

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial Nos. 11-063 and 11-064.

VOTE: The motion passed without objection.

4. Resolution Serial No. 11-086: A RESOLUTION NAMING THE POINT MACKENZIE PUBLIC SAFETY BUILDING THE “ART AND BOOTS SCATES PUBLIC SAFETY BUILDING.”
 - a. IM No. 11-141

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Bettine moved to adopt Resolution Serial No. 11-086.

Assemblymember Bettine stated that she is proud to sponsor this legislation and to memorialize Mr. and Mrs. Scates for their contribution to the fire service area and the Point MacKenzie community.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 11-082: AN ORDINANCE APPROPRIATING \$905,000 FROM THE AREAWIDE SCHOOL SITE ACQUISITION RESERVE, FUND 100, TO FUND 400, PROJECT NO. 40159, FOR ACADEMY CHARTER SCHOOL BUILDING AND PARKING EXPANSION, AND ACCESS TO EXISTING AND FUTURE BOROUGH PUBLIC FACILITIES, AND APPROVAL OF THE ACQUISITION OF THE REAL PROPERTY DESCRIBED AS THE EAST 1/2, SOUTH WEST 1/4, NORTH EAST 1/4, LOCATED IN SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, PALMER RECORDING DISTRICT (MSB TAX PARCEL 18N02E33A015), CONTAINING 19.25 ACRES (MSB006553).
 - a. Resolution Serial No. 11-090: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ACADEMY CHARTER SCHOOL BUILDING AND PARKING EXPANSION AND ACCESS TO EXISTING AND FUTURE BOROUGH PUBLIC FACILITIES, PROJECT NO. 40159.
 - (1) IM No. 11-135

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 11-082 and Resolution Serial No. 11-090: Ms. Barbara Gerard, Academy Charter Principal; Ms. Holly Metzler, Advisory Board President for Academy Charter; Mr. Brent Taylor; Ms. Dawn Paulsen; and Ms. Helen Munoz.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-082 and Resolution Serial No. 11-090.

Assemblymember Ewing noted his support of the legislation, as the price of the land has come down considerably.

Assemblymember Colver:

- thanked Administration for their hard work in making the land purchase possible; and
- noted that he has an amendment.

MOTION: Assemblymember Colver moved a primary amendment to Ordinance Serial No. 11-082, Resolution Serial No. 11-090 and IM No. 11-135, by:

- striking all references to the amount of “\$905,000” and replacing it with the amount of “\$955,000,” for an increase of \$50,000 throughout the legislation;
- inserting in Ordinance Serial No. 11-082, a whereas clause on page 2 of 3 to read: “Whereas, it is in the public interest for orderly use of a multipurpose site to first prepare a plan integrating the school expansion, Mat-River Park needs, and possible district access;”
- inserting in Resolution Serial No. 11-090, a whereas clause on page 1 to read: “Whereas, it is in the public interest for orderly use of a multipurpose site to first prepare a plan integrating the school expansion, Mat-River Park needs, and possible district access;” and
- inserting in Resolution Serial No. 11-090, scope of work page 1, to include the following: “and preparation of a master plan by a landscape architect with cost not to exceed \$50,000.”

Ms. Cameron provided a staff report.

Assemblymember Bettine queried the amount of the Borough’s appraisal of the land.

Ms. Cameron stated that it was \$840,200 and the owner’s appraisal was \$945,000, which is a 12 percent difference.

Assemblymember Ewing queried the acreage.

Ms. Cameron stated that it is 19.25 acres.

Discussion ensued regarding:

- the difference in the values of the appraisals;
- concerns with zoning issues that have been addressed;
- opposition to using site selection funds for landscaping and design work;
- the fact that the site selection committee was not involved in selection of this site; and
- other possible funding sources for design and landscaping work.

MOTION: Assemblymember Arvin moved to postpone Ordinance Serial No. 11-082 to a time certain of August 16, 2011.

Assemblymember Colver:

- noted that the intent is to design a multi-functional facility;
- stated that unless funds are spent on design this may not happen; and
- opined it is important to get the project moving.

Assemblymember Halter queried the site selection fund balance after the purchase of the land.

Ms. Clayton stated that it would be \$3,222,000.

WITHDRAWAL: Assemblymember Arvin moved to withdraw his motion for postponement.

There was no objection noted.

Discussion ensued regarding the primary amendment and other possible funding sources.

WITHDRAWAL: Assemblymember Colver moved to withdraw his primary amendment.

There was objection noted.

VOTE: The motion to withdraw failed with Assemblymembers Bettine, Keogh, and Halter in support.

Assemblymember Colver noted that funds have been used at other schools for things other than site selection.

VOTE: The primary amendment failed with Assemblymembers Arvin, Colver, Halter, and Ewing in support (required five votes).

VOTE: The main motion passed without objection.

7. Ordinance Serial No. 11-084: AN ORDINANCE RELATING TO THE CONSTRUCTION, ADDITIONS, IMPROVEMENTS, BETTERMENTS, REPAIR, RECONSTRUCTION, OR ACQUISITION OF PUBLIC ROADS AND FACILITIES RELATED THERETO IN THE MATANUSKA-SUSITNA BOROUGH, TOGETHER WITH ALL NECESSARY EQUIPMENT AND TRANSPORTATION FACILITIES, AND THE ACQUISITION OF LANDS OR RIGHTS IN LANDS IN CONNECTION

THEREWITH, AND A DEBT OF THE BOROUGH, AUTHORIZING THE ISSUANCE OF AREAWIDE GENERAL OBLIGATION BONDS OF THE BOROUGH IN AN AMOUNT NOT TO EXCEED THE SUM OF THIRTY-TWO MILLION DOLLARS (\$32,000,000) TO FINANCE THE COST, IN WHOLE OR IN PART, OF SUCH PUBLIC ROADS, FACILITIES AND LANDS, AND PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE BOROUGH OF A PROPOSITION RATIFYING THE AUTHORIZATION OF SUCH BONDS AT THE OCTOBER 4, 2011, REGULAR BOROUGH ELECTION.

a. IM No. 11-146

Mr. Moosey and Mr. Sworts provided a staff report.

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 11-084 and in support of increasing funding for paving roads: Mr. Jim Norcross.

The following person spoke in support of Ordinance Serial No. 11-084: Mr. Randy Dellar.

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-084.

MOTION: Assemblymember Halter moved primary amendment to Ordinance Serial No. 11-084 and IM No. 11-146, to strike "\$600,000" for Willow Lake Drive Upgrade, Paving and Extension and inserting in its place "\$900,000."

Assemblymember Halter noted that the increase of funds for this project is what was recommended to him by staff and by the Willow Road Service Area.

Assemblymember Keogh:

- opined that the Assembly should be decreasing the amount of the proposed bond package rather than increasing it; and
- noted that he will be striking projects in District No. 1 in order to contribute to that effort.

VOTE: The primary amendment passed with Assemblymembers Ewing and Woods opposed.

MOTION: Assemblymember Keogh moved a primary amendment to Ordinance Serial No. 11-084 and IM No. 11-146 by:

- striking the "Collection Upgrades to Sutton – Jonesville Road, Lazy Mountain – Clark/Wolverine, Butte – Maud Road, Smith Road, and South Butte Road in the amount of \$1,710,000;"
- striking "Bodenburg Creek Bridge Upgrade in Butte at Sullivan Road in the amount of \$125,000;" and
- insert after the Paved Pathway for the Old Glenn Highway the following project:

- “Paved Pathway adjacent to Wright Way and Chickaloon Way from Sutton Elementary School to Glenn Highway – Collector” in the amount of “\$500,000.”

Assemblymember Keogh:

- stated that if the amendment passed, it will reduce the appropriations for his district;
- related that he is striking the Bodenburg Loop project as there are funds coming forward for this project from the State; and
- noted that he is in hopes that other members will also strike projects from their districts.

Assemblymember Ewing opined that is a great idea, except that he only has one project in his area.

Discussion ensued regarding:

- concerns that if the projects are not split between district’s evenly that the bond package will not pass;
- the number of projects within the core area that benefit all residents of the Borough;
- the amount of Assembly and staff time that has been put into the road bond legislation; and
- the desire to ensure that the bond package will be accepted by the voters.

MOTION: Assemblymember Ewing called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 11-084, to insert after Caswell Lakes road and Bendapole Road the following: “to East Passthebait Avenue to Hidden Hills including South Caswell Lake Loop to Lot 15 Upgrades,” and to strike the amount of “\$900,000” and insert it its place the amount of “\$1,100,000.”

Assemblymember Halter advised that he was informed that this would provide sufficient funding in order to complete the project all the way to the new fire station.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Keogh to amend Ordinance Serial No. 11-084 and IM 11-146 by changing the classification of Vine Road, Big Lake/South Big Lake Intersections, and Hermon Road from “collector” to “arterial.”

Assemblymember Keogh advised that this change was requested by staff.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial No. 11-084 to a time certain of August 9, 2011.

Assemblymember Bettine opined that this legislation should be postponed to August 9, in order to allow for more in-depth discussion, that could include funding information for each project.

Assemblymember Arvin:

- noted that the Assembly has had a lot of work sessions on the subject; and
- opined that there is no need to postpone the legislation.

Assemblymember Colver stated that he too is against postponement and that the legislation should be moved forward.

Assemblymember Ewing:

- opined that the bond would not be passed by the voters at \$32,000,000; and
- stated that he is against postponement.

VOTE: The motion to postpone failed with Assemblymembers Keogh and Bettine in support.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-084, by striking "Hermon Road Extension, Collector, for \$2,875,000."

Assemblymember Bettine:

- stated that she believes there is no funding for this project; and
- noted that the shopping mall that was envisioned there is no longer to be built.

Assemblymember Ewing noted that he is in support of the amendment.

VOTE: The primary amendment passed without objection.

Assemblymember Bettine queried the need for the Beverly Lake Road existing road paving and upgrade.

Mr. Sworts:

- stated that if Seldon Road is extended past Church Road to Beverly Lake Road, that it would be necessary for this project; and
- noted that if the connection does not happen, then there is no need to upgrade Beverly Lake Road.

Discussion ensued regarding the Beverly Lake Road project and if it could be combined into another project.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-084, by striking “Beverly Lake Road Existing Paving and Upgrade for \$500,000” and strike the amount of \$3,250,000 for “Seldon Road Extension: Church Road to Beverly Lake Road” and to insert in its place “\$3,750,000.”

MOTION: Assemblymember Halter moved a secondary amendment to change the title to “Seldon Road extension: Church Road to Beverly Lake Road and Existing Beverly Lake Road Paving and Upgrade.”

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed without objection.

Assemblymember Ewing opined that there is a need to reduce the bond package.

Assemblymember Keogh:

- spoke to the Houston, Hawk Lane upgrade and paving: Houston High School to Beaver Lake Road; and
- stated that he thought that there was \$300,000 in funding from the city of Houston for this project.

Mr. Sworts affirmed the query.

Assemblymember Keogh queried if the dollar amount for the project could be reduced, knowing that there is \$300,000, for the project from the city of Houston.

Mr. Sworts stated that he does not know why it could not be reduced.

MOTION: Assemblymember Ewing moved a primary amendment to Ordinance Serial No. 11-084, by:

- striking the words “Lucille Street Upgrade North of Spruce, and Seldon Improvements from Lucille to Ward’s Road” to read: “Seldon and Lucille Intersection Safety Improvements;” and
- striking the amount of “\$5,000,000” and inserting “\$2,500,000” in its place.

Discussion ensued regarding:

- the Seldon and Lucille Street Intersection safety project;
- the need to reduce the road bond package; and
- the best projects to trim funding from.

VOTE: The primary amendment passed with Assemblymembers Colver, Arvin, and Halter opposed.

Assemblymember Arvin queried the total of the bond package with the changes that have been made thus far.

Ms. Clayton stated that it is \$28,790,000, which would include the primary amendment proposed by Assemblymember Ewing, should the Assembly pass it.

Assemblymember Ewing:

- stated that the sooner the Assembly addresses this, the sooner the information can be put out for the voters; and
- opined that discussion has gone on long enough.

Assemblymember Bettine opined that it would be beneficial to the public to postpone the legislation until August 9, in order to provide the public with accurate information.

MOTION: Assemblymember Ewing called for the question (to stop debate).

VOTE: The motion failed with Assemblymembers Woods, Ewing, Halter and Bettine in support (required five votes).

Assemblymember Colver:

- spoke to the need to address the safety issues at the Lucille and Seldon intersection;
- opined that it would be better to take care of existing safety issues rather than upgrading other areas; and
- queried how the scope of work for funding for substandard roads is usually prepared.

Ms. Sworts:

- stated that in the past, it has been up to the Public Works Director to put together the scope of work for substandard roads; and
- noted that he has not been involved with that.

Assemblymember Colver:

- spoke to concerns that there may not be adequate funding for projects on the list;
- stated that he would hate to act in haste and have a project not meet the needs of the community; and
- noted that the Assembly has spent a lot of time on the road bond list.

Assemblymember Ewing:

- stated that the problem is the intersection at Lucille and Sledon, not the portion from Wards Road to Church Road; and
- opined that the safety issue needs to be addressed first and then substandard portions later.

Assemblymember Colver stated that if we have no affirmative plan for the substandard funds, that more should be moved into the intersection safety issue.

MOTION: Assemblymember Keogh moved a primary amendment to Ordinance Serial No. 11-084, by striking the issuance cost of \$365,000” and inserting in its place “\$325,000.”

Assemblymember Keogh stated that the purpose of the amendment, is that the cost of issuance decreases as the total of the bond package decreases.

Mayor DeVilbiss queried if that was appropriate.

Ms. Clayton affirmed the query.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-084, by striking "\$1,000,000" and inserting in its place "\$500,000" for the Big Lake and Big Lake South Road Intersection Improvements.

VOTE: The primary amendment passed without objection.

Assemblymember Bettine:

- spoke to the high volume of traffic at the Big Lake Road intersections; and
- noted that they have been upgraded to arterial standard.

Mayor DeVilbiss opined that the bond package has been put in jeopardy, with too many key projects being removed.

Assemblymember Arvin noted his agreement.

Discussion ensued regarding:

- at what amounts Anchorage has been successful in getting their bond packages passed; and
- whether the reductions will make the bond package fail at the polls.

MOTION: Assemblymember Colver moved to postpone Ordinance Serial No. 11-084 to a time certain of August 9, 2011.

VOTE: The motion to postpone failed with Assemblymembers Halter, Arvin and Colver in support (requires five votes).

VOTE: The main motion passed as amended without objection.

(The regular meeting recessed at 9:03 p.m. and reconvened at 9:16 p.m.)

8. Ordinance Serial No. 11-085: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE AREAWIDE GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$214,120,000, TO FINANCE THE ACQUISITION, DESIGN, 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, 2011, BOROUGH REGULAR ELECTION.

- a. Ordinance Serial No. 11-085 (SUB): AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE AREAWIDE GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$75,455,000, TO FINANCE THE ACQUISITION, DESIGN, 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, 2011, BOROUGH REGULAR ELECTION. *(Sponsored by Assemblymember Colver)*
- (1) IM No. 11-147
 - (2) IM No. 11-165

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 11-085: Dr. Deena Paramo, School District Superintendent;

The following person spoke to concerns with Ordinance Serial No. 11-085: Ms. Lynn Gattis, School Board Member.

Mayor DeVilbiss queried if the School Board has reviewed Ordinance Serial No. 11-085.

Ms. Gattis:

- affirmed the query; and
- noted that she voted against the ordinance.

Mayor DeVilbiss queried if Ms. Gattis had a position regarding the substitute ordinance.

Ms. Gattis stated that she has not reviewed the substitute ordinance.

Discussion ensued regarding:

- the position of the School Board on the original ordinance; and
- the process by which the School Board arrived at \$214,000,000, for the bond package.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-085 and to amend by substitute ordinance Serial No. 11-085 (sub).

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-085, Finger Lake, Knik, Larson, Meadow Lakes and Trapper Creek Elementary Schools and Wasilla Middle School flooring replacement, to strike the word “Knik” and insert in its place “Goose Bay.”

Assemblymember Bettine noted that it should read Goose Bay Elementary and not Knik Elementary, as Goose Bay is the proper name.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Keogh moved a primary amendment to Ordinance Serial No. 11-085, to add Sutton Elementary to the multisport indoor/outdoor physical education improvements, and to strike the amount of “\$1,125,000” and insert in its place “\$1,200,000.”

Assemblymember Keogh noted that it was a typo that Sutton Elementary was omitted.

VOTE: The primary amendment passed without objection.

Assemblymember Colver queried the estimated cost to apply the rubberized track coating to the existing asphalt tracks.

Mr. Ken Forrest, School District Chief Financial Officer:

- related that the tracks have deteriorated so much that it is not feasible to apply the rubberized coating to them;
- spoke to the desire of the School District to improve the tracks so that the District can host statewide events; and
- stated that the School District has not been able to do so in 10 years, due to the deterioration of the tracks.

Discussion ensued regarding:

- the condition of the rubber track at Palmer High School;
- the maintenance required to prevent deterioration of rubberized tracks;
- the life of tracks being 20 years and being extendable with proper maintenance;
- maintenance services and products being more superior than just five years ago;
- what schools would be replaced and or renovated;
- the desire of the School District to host statewide sports events;
- tracks being a safety issue;
- the possibility of reimbursement for the projects at 70 percent by the State;
- reasons that bonds cannot be issued unless they are expected to sell within 24 months;
- the School District’s plan to sell the bonds if they are authorized;
- legislative grants to improve the turf;
- the need to install the turf and track at the same time in order to prevent damage;
- the inability to bond for design work and that it had been removed from the original package;
- the unfunded State mandate to conduct the seismic studies;

- outdated controls and outdated systems being safety issues;
- the large decline in the cost of back-up generators;
- the fact that the generator life is determined by number of hours they have been operated;
- what qualifies as high hours for generators; and
- electrical services that have been added that are now too much for existing generators.

MOTION: Assemblymember Keogh moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 12 a.m.

VOTE: The motion failed with Assemblymembers Halter, Keogh, Woods, and Arvin in support (requires five votes).

MOTION: Assemblymember Ewing moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 11 p.m.

VOTE: The motion passed without objection.

Discussion ensued regarding:

- the desire to consolidate public facilities;
- the retiring of bonds;
- the cost per household for the bonds; and
- the possibility of removing multisport improvements and athletic facilities and putting them on a separate bond.

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial Nos. 11-085 and 11-085(SUB) to a time certain of August 9, 2011.

Assemblymember Bettine spoke to the need to postpone the legislation in order to be able to do a good job with a clear head.

Assemblymember Ewing stated that he opposes postponement.

(Assemblymembers Colver and Arvin temporarily dropped off the conference call due to technical difficulties with the conference line.)

VOTE: The motion passed with Assemblymember Ewing opposed.

(Assemblymembers Colver and Arvin re-entered the meeting via teleconference at 10:16 p.m.)

(Assemblymember Ewing exited the meeting at 10:17 p.m.)

9. Ordinance Serial No. 11-086: AN ORDINANCE AMENDING MSB 3.04.060, CAPITAL PROGRAM, SUBMISSION AND CONTENTS.
 - a. IM No. 11-148

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-086.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 11-087: AN ORDINANCE CREATING A WASTEWATER AND SEPTAGE ADVISORY BOARD. *(Sponsored by Assemblymember Keogh)*

a. IM No. 11-149

(Assemblymember Ewing re-entered the meeting at 10:19 p.m.)

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 11-087: Ms. Helen Munoz.

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

MOTION: Assemblymember Keogh moved to adopt Ordinance Serial No. 11-087.

Assemblymember Keogh:

- spoke to Ms. Munoz's speaking about the need for a waste water system at numerous Assembly meetings;
- stated that the cities have not noted any opposition to creating the Board; and
- noted it is a small but significant step in the right direction.

Assemblymember Ewing:

- noted that he is in support of this Board being created; and
- stated that the Assembly knows there is a need.

Assemblymember Arvin queried the term of board members, as it is not stated in the legislation.

Mr. Spiropoulos noted that if it is not specifically addressed in the legislation creating a board, that terms are governed by MSB 4.05.050.

Assemblymember Keogh noted that the legislation allows for members to serve more than two consecutive terms.

Assemblymember Colver:

- queried if there was a sunset date to the Board;
- noted that the issue of septage disposal has been put forward in the Joint Facility Plan; and
- related that the creation of a joint facility requires wetlands that the Wetland Trust trying to purchase.

Ms. McKechnie advised that sunset clauses are not typically included in the codification of boards, as those boards that would typically end after a date would be created by resolution.

MOTION: Assemblymember Halter called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The motion passed without objection.

Mayor DeVilbiss inquired if there was any objection to taking up Items 11 through 15 together.

There was no objection noted.

11. Ordinance Serial No. 11-088: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$1,111 FROM THE BUTTE FIRE SERVICE AREA FISCAL YEAR 2012 OPERATING BUDGET, FUND 251, TO PROJECT NO. 20144, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.
 - a. Resolution Serial No. 11-092: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR BUTTE FIRE SERVICE AREA, PROJECT NO. 20144, FUND 405.
 - (1) IM No. 11-150

12. Ordinance Serial No. 11-089: AN ORDINANCE ACCEPTING, APPROPRIATING, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR A \$4,428.24 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$493 FROM THE CASWELL LAKES FIRE SERVICE AREA FISCAL YEAR 2012 OPERATING BUDGET, FUND 248, TO PROJECT NO. 20150, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.
 - a. Resolution Serial No. 11-093: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR CASWELL LAKES FIRE SERVICE AREA, PROJECT NO. 20150, FUND 405.
 - (1) IM No. 11-151

13. Ordinance Serial No. 11-090: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$1,111 FROM THE SUTTON FIRE SERVICE AREA FISCAL YEAR 2012 OPERATING BUDGET, FUND 253, TO PROJECT

NO. 20255, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.

- a. Resolution Serial No. 11-094: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR SUTTON FIRE SERVICE AREA, PROJECT NO. 20255, FUND 405.

(1) IM No. 11-152

- 14. Ordinance Serial No. 11-091: AN ORDINANCE ACCEPTING, APPROPRIATING, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR A \$2,776.83 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$309 FROM THE TALKEETNA FIRE SERVICE AREA FISCAL YEAR 2012 OPERATING BUDGET, FUND 254, TO PROJECT NO. 20145, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.

- a. Resolution Serial No. 11-095: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR TALKEETNA FIRE SERVICE AREA, PROJECT NO. 20145, FUND 405.

(1) IM No. 11-153

- 15. Ordinance Serial No. 11-092: AN ORDINANCE ACCEPTING, APPROPRIATING, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR A \$7,575.18 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A REAPPROPRIATION OF \$842 FROM THE WILLOW FIRE SERVICE AREA FISCAL YEAR 2012 OPERATING BUDGET, FUND 258, TO PROJECT NO. 20146, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.

- a. Resolution Serial No. 11-096: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR WILLOW FIRE SERVICE AREA, PROJECT NO. 20146, FUND 405.

(1) IM No. 11-154

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-088, Resolution Serial No. 11-092, Ordinance Serial No. 11-089, Resolution Serial No. 11-093, Ordinance Serial No. 11-090, Resolution Serial No. 11-094, Ordinance Serial No. 11-091, Resolution Serial No. 11-095, Ordinance Serial No. 11-092, and Resolution Serial No. 11-096.

VOTE: The motion passed without objection.

16. Ordinance Serial No. 11-093: AN ORDINANCE ACCEPTING AND APPROPRIATING \$87,458 FROM THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, TO FUND 475, PROJECT NO. 47016, FOR THE PURCHASE OF VANS FOR USE IN A REGIONAL VANPOOL PROGRAM.
 - a. Resolution Serial No. 11-097: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PURCHASE OF VANS FOR USE IN A REGIONAL VANPOOL PROGRAM.
 - (1) IM No. 11-156

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 11-093 and Resolution Serial No. 11-097: Ms. Chrissy Dittmore, Project Manager for the Regional Anchorage/Mat-Su Van Pool Program.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-093 and Resolution Serial No. 11-097.

VOTE: The motion passed without objection.

RECONSIDERATION: Assemblymember Bettine moved for immediate reconsideration of Ordinance Serial No. 11-093 and Resolution Serial No. 11-097.

VOTE: The motion for reconsideration passed without objection.

Assemblymember Arvin queried how this service interacts or compares with what Mr. Tew is offering.

Ms. Dittmore:

- related that most public transportation operations offer several options to residents;
- noted that one option does not typically meet the needs of all residents; and
- stated that traditionally speaking, a bus does not offer the same service as a van pool, therefore they are not in competition.

Assemblymember Bettine spoke to the need to provide commuter transportation within the Borough not only in to Anchorage.

Ms. Dittmore stated that is definitely part of the plan.

VOTE: The main motion passed without objection.

17. Ordinance Serial No. 11-094: AN ORDINANCE APPROVING THE CLASSIFICATION OF LOT 15, BLOCK 6, HIDDEN HILLS ESTATES (MSB TAX I.D. 6598B06L015), A BOROUGH-OWNED PARCEL LOCATED IN THE CASWELL LAKES AREA, CONTAINING 4.73 ACRES, AS RESERVED USE LANDS FOR A FUTURE EMERGENCY SERVICES FACILITY (MSB006488).
- a. IM No. 11-157

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 11-094.

Assemblymember Halter:

- noted that this property recently had a covenant removed; and
- stated that there are funds in place to put in a well, the septic, driveways, and to design a warm storage facility.

Assemblymember Ewing:

- spoke to concerns that the proposed fire station is located six miles in from the Parks Highway; and
- opined that it should be closer to where the accidents happen and still accessible to the Caswell Lakes area.

Assemblymember Halter:

- noted that Hidden Hills Estates is the highest concentrated subdivision in the state of Alaska;
- related that there is a piece of property on the Parks Highway that could be reserved later; and
- noted that he has walked the area and found that this is the most efficient use of the property.

MOTION: Assemblymember Bettine called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The main motion passed with Assemblymember Ewing opposed.

Assemblymember Bettine requested to take up Public Hearing No. 20, which is Ordinance Serial No. 11-097, as there are people who would like to speak to it who are in attendance.

There was no objection noted.

20. Ordinance Serial No. 11-097: AN ORDINANCE AMENDING MSB 1.10 TO ADOPT AND EXERCISE THE POWER TO PROVIDE FOR THE CONSTRUCTION, MAINTENANCE, AND REPAIR OF ROADS, STREETS, HIGHWAYS, SIDEWALKS AND RELATED DRAINAGE FACILITIES IN THE

AREA OUTSIDE OF THE CITIES AND TO SUBMIT THE QUESTION TO THE QUALIFIED NON-AREAWIDE VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2011, REGULAR ELECTION. *(Sponsored by Mayor DeVilbiss)*

a. IM No. 11-167

Mayor DeVilbiss opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 11-097: Mr. Doyle Holmes; Mr. Tim Sweezy, Meadow Lakes Community Council President; Ms. Sherrie Rusher; and Mr. Jim Norcross.

MOTION: Assemblymember Keogh moved to suspend the rules to extend the meeting past 11 p.m. and not to exceed 11:30 p.m.

VOTE: The motion passed without objection.

The following person spoke in opposition to Ordinance Serial No. 11-097: Ms. Becky Long.

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

Mr. Spiropoulos provided a staff report.

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-097.

Assemblymember Ewing stated that he is opposed to the legislation, as it appears that the Assembly is doing away with road service areas and it is unclear.

Assemblymember Bettine:

- noted her opposition to the legislation;
- stated that the road service issue needs to be looked into; and
- opined that the issue should be addressed later, after the Assembly has invited input from road service areas, as well as community councils.

Assemblymember Halter:

- noted that no community councils or road service areas that he has heard from agree with the legislation;
- stated that as it is now, local contractors are reliable and residents have easy access to them when there is an issue with a road; and
- opined that the legislation is not well written.

Assemblymember Keogh:

- stated that he opposes the legislation;
- noted that the current system is adequate and functional;
- further added that there are inequities that need addressed and that there is room for improvement; and
- opined that the legislation is premature and hastily written.

MOTION: Assemblymember Arvin called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The main motion failed unanimously.

18. Ordinance Serial No. 11-095: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$40,100 FROM THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA FUND BALANCE, FUND 259, TO THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA FISCAL YEAR 2012 OPERATING BUDGET, FUND 259.
 - a. IM No. 11-159
 - b. AM No. 11-050: AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF PALMER FOR A CONTRACT PERIOD OF JULY 1, 2011, TO JUNE 30, 2012 FOR FIRE PROTECTION SERVICES IN AN AMOUNT OF \$295,578.

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-095 and AM No. 11-050.

Assemblymember Woods requested support of the legislation.

VOTE: The motion passed without objection.

19. Ordinance Serial No. 11-096: AN ORDINANCE ACCEPTING AND APPROPRIATING \$19,018 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT FOR THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE, FUND 480, PROJECT NO. 20259, FOR FISCAL YEAR 2012 OPERATIONS.

- a. Resolution Serial No. 11-098: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NO. 20259, FUND 480, FOR THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE.
- (1) IM No. 11-164

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 11-096 and Resolution Serial No. 11-098.

VOTE: The motion passed without objection.

21. Ordinance Serial No. 11-099: AN ORDINANCE PLACING ON THE BALLOT OF THE OCTOBER 2011, REGULAR 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 MSB 25.15.010(A), CANDIDATE QUALIFICATIONS. *(Sponsored by Assemblymember Bettine)*
- a. IM No. 11-068

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 11-099: Ms. Sherrie Rusher and Ms. Julie Starr.

The following persons spoke in opposition to Ordinance Serial No. 11-099: Ms. Lynn Gattis, School Board Member; Mr. William Bruu; Dr. Deena Paramo, School District Superintendent; and Ms. Helen Munoz.

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

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial No. 11-099 to a time certain of August 9, 2011.

MOTION: Assemblymember Ewing moved to suspend the rules to extend the meeting past 11:30 p.m. and not to exceed 11:45 p.m.

VOTE: The motion passed with Assemblymember Bettine opposed.

Assemblymember Bettine:

- opined that the body should do this with a clear mind and take up discussion on August 9, 2011; and
- spoke to the business remaining on the agenda that needs to be taken up this evening.

Assemblymember Halter opined that it is not an urgent issue and that the body could honor the request to postpone.

Assemblymember Ewing stated that he is opposed to postponement.

VOTE: The motion to postpone failed with Assemblymembers Halter, Keogh, and Bettine in support.

Discussion ensued regarding:

- the benefits of school board members being elected from a non-areawide basis versus an areawide basis;
- the possibility of seats being district specific providing more of an opportunity to people who would like to run;
- the positives of having more than one person to go to with School District concerns;
- the opinion that the District is better served with members elected on an areawide basis;
- the fact that the Assembly represents all constituents not just those within their districts;
- the role of the School Board being different than that of the Assembly;
- the concern that there are not enough candidates that run for office currently; and
- concerns with ensuring equal representation.

VOTE: The main motion failed with Assemblymembers Halter, Keogh, and Bettine in support.

MOTION: Assemblymember Keogh moved to suspend the rules to extend the meeting past 11:45 p.m. and not to exceed 12 a.m.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person thanked the Mayor for attending the Cardboard City event bringing attention to homelessness and invited the Assembly to attend the next forum on homelessness: Mr. Michael Carson.

The following person spoke in support of the new proposed Title 16: Ms. Julie Starr.

The following persons spoke in opposition to the new proposed Title 16: Mr. Tim Sweezy, Ms. Sherrie Rusher, Mr. William Bruu, Mr. Mark Mastellar, and Mr. Doyle Holmes.

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 11-099: A RESOLUTION TO THE GOVERNOR OF THE STATE OF ALASKA AND THE COMMISSIONER OF FISH AND GAME RECOMMENDING APPEAL OF THE STEPHEN VANEK ET. AL. VERSUS STATE OF ALASKA LAWSUIT AND REFORM OF THE BOARD OF FISHERIES REGULATION ADOPTION PROCESS. *(Sponsored by Assemblymember Colver)*

(1) IM No. 11-169

- b. Resolution Serial No. 11-100: A RESOLUTION COMMENTING ON THE NATIONAL WEATHER SERVICE'S PROPOSAL TO PRIORITIZE CLOSURE AND AUTOMATION OF WEATHER REPORTING STATIONS. *(Sponsored by Assemblymember Keogh)*

(1) IM No. 11-170

2. ACTION MEMORANDUMS

- a. AM No. 11-075: VACATION OF SOUTH LOREN CIRCLE PUBLIC USE ROAD EASEMENT WITHIN LOT 13, BLOCK 3, MARION LAKE ESTATES, LOCATED IN SECTION 1, TOWNSHIP 16 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA.

- b. AM No. 11-076: AUTHORIZING THE PURCHASE OF AN AMBULANCE THROUGH BRAUN NORTHWEST, INC. FOR THE PALMER AMBULANCE SERVICE, IN THE AMOUNT OF \$152,225.

- c. AM No. 11-078: AUTHORIZATION TO PURCHASE SODIUM CHLORIDE FROM BERING MARINE CORPORATION, IN AN AMOUNT UP TO \$145,500.

- d. AM No. 11-079: APPROVAL OF ELECTION OFFICIALS FOR THE OCTOBER 4, 2011, REGULAR BOROUGH ELECTION.

Ms. McKechnie read the above legislation into the record.

Mayor DeVilbiss inquired if there was any objection to approving the consent agenda as read into the record by the Clerk.

There was no objection noted.

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

(There were no comments provided.)

XIV. ADJOURNMENT

The regular meeting adjourned at 11:58 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 09/06/11