MATANUSKA-SUSITNA BOROUGH ASSEMBLY — **REGULAR MEETING OCTOBER 17, 2000**

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on October 17, 2000, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Larry DeVilbiss, Assembly District No. 1
Mr. Talis J. Colberg, Assembly District No. 3
Mr. Dan Kelly, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6
Ms. Kelly Lankford Ladere, Assembly District No. 7

Assemblymember absent and excused:

Ms. Sara Jansen, Assembly District No. 2

Staff in attendance were:

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

III. APPROVAL OF AGENDA

Mayor Anderson requested the following change to the agenda:

- addition of draft letter of recommendation for Mr. Mike Scott to the beginning of item VI, Reports/Correspondence.

Assemblymember Lankford Ladere requested the following change to the agenda:

- removal of AM No. 00-115 from the Consent Agenda and address it immediately after Audience Participation.

Ms. Dillon:

- announced that a report from Federal Lobbyist Steve Silver was included in the red folder; and
- stated that the minutes of the October 13, 2000, special meeting were complete.

There was no objection to the agenda as amended.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by a member of the public, Mr. Bill Larkin.

V. MINUTES OF PRECEDING MEETINGS

A. Special Joint Assembly/School Board Meeting: September 12, 2000
B. Regular Assembly Meeting: September 19, 2000

MOTION: Assemblymember Simpson moved for approval of the special joint assembly/school board meeting minutes of September 12, 2000, and the regular assembly meeting minutes of September 19, 2000.

Assemblymember Simpson noted a correction to page 19 of the September 19, 2000, minutes. *[After clerk's research, comments attributed to Simpson were correctly credited to Assemblymember Jansen.]*

Assemblymember DeVilbiss requested research to page 10 of the September 19, 2000, minutes regarding Mr. Tom Pine's comments during public hearing for Ordinance Serial Nos. 00-154, 155, 156, 157, 158, and 159 on page 10. *[After clerk's research, the correction was made to show Mr. Pine speaking in opposition of the ordinances as written.]*

GENERAL CONSENT: The motion passed without objection and the September 12 and September 19, 2000, minutes were approved pending the clerk's research.

VI. REPORTS/CORRESPONDENCE

A. Draft letter of recommendation for Mr. Mike Scott.

MOTION: Assemblymember DeVilbiss moved to approve the letter of recommendation for Mr. Mike Scott

GENERAL CONSENT: The motion passed without objection.

MOTION: Assemblymember Lankford Ladere moved for immediate reconsideration of approval of the recommendation letter for Mr. Scott.

VOTE: The motion, to reconsider, failed with Assemblymember Kelly in favor.

B. AGENCY REPORTS

1. Report from cities

Palmer Mayor Guinotte:

- encouraged the mayor and assemblymembers to participate in the November AML meeting in Juneau;
- reported that AML continues to draft a community dividend program to present to the state for funding;
- discussed the Garvey bond paving proposal and deletion of upgrade to the Glenn Highway; and
- announced a proposed upgrade to the Parks Highway/Glenn Highway intersection.

Wasilla Council Member Patrick:

- noted that Mr. Mike Krieber, Wasilla Public Works, presented a conceptual drawing of the city's proposed changes to the Parks Highway in the Wasilla area;
- stated the city council passed a resolution opposing the state hemp proposition;
- reported that the public safety department will move to their new facility by December 1, 2000; and
- welcomed Mayor Anderson to his new position.

2. Matanuska-Susitna Borough School District

(There was no school district representative present.)

B. COMMITTEE REPORTS

(The assembly currently has no committees.)

C. MANAGER COMMENTS

Ms. Clayton:

- stated that Mr. Scott had prepared and distributed a manager's report and an exit report.

Assemblymember DeVilbiss noted that in Steve Silver's report there was no request for funding of rail connections to the port or for utility corridor funding.

D. ATTORNEY COMMENTS

(There were no attorney comments.)

E. CLERK COMMENTS

Ms. Dillon:

- shared a schedule for upcoming assembly meetings and spoke to the joint assembly/planning commission meeting on October 24, 2000, and the joint assembly/Anchorage assembly meeting on November 2, 2000; and
- discussed the tracking report and invited assembly comments on projects listed.

Mayor Anderson requested that the clerk schedule a special meeting at 4 p.m. on October 24, 2000, to discuss procedures to hire a borough manager.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Agricultural and Forestry Advisory Board - 09/11/00
b. Big Lake Fire Service Area Board of Supervisors - 03/13/00
c. Greater Willow Road Service Area No. 20 - 06/22/00
d. Historic Preservation Commission - 04/07/00, 06/07/00
e. Local Road Service Area Advisory Board - 09/21/00
f. Parks and Recreation Board - 08/22/00
g. Planning Commission - 09/18/00
h. Platting Board - 09/07/00, 09/21/00
i. Port Commission - 09/11/00
j. School Board - 08/16/00
k. Wasilla Lakes Fire Service Area Board of Supervisors - 07/10/00

2. Community Council Correspondence:
a. Meadow Lakes Community Council - 07/12/00, 08/09/00
b. South Knik River Community Council - 07/15/00, 09/23/00, general meeting; (09/01/00-board meeting)
c. Trapper Creek Community Council - 09/14/00
d. Willow Area Community Organization - 06/05/00, 07/03/00, 08/07/00, 09/11/00

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 00-224: RESULTS OF SEALED BID REAL ESTATE BROKER LAND SALE, BID NO. 00-012.

The informational memorandum was presented and no comments were given.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

IX. NEW BUSINESS

A. INTRODUCTION (Suggested public hearing - 11/07/00)

1. Ordinance Serial No. 00-176: AN ORDINANCE ADOPTING MSB 15.24.030(C)(23), MARION LAKE, LAKE MANAGEMENT PLAN.
   a. Ordinance Serial No. 00-177: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.
      (1) IM No. 00-219

2. Ordinance Serial No. 00-178: AN ORDINANCE ACCEPTING AND APPROPRIATING $65,491 FROM THE ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO THE PUBLIC SAFETY RADIO TRANSMITTER SITES PROJECT, FUND 425, PROJECT 20319, FOR THE UPGRADE OF THE SYSTEM AND RELOCATION OF TRANSMITTER SITES.
   a. Resolution Serial No. 00-071: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PUBLIC SAFETY RADIO TRANSMITTER SITES PROJECT GRANT, FUND 425, PROJECT 20319.
      (1) IM No. 00-220

3. Ordinance Serial No. 00-179: AN ORDINANCE APPROPRIATING $76,400 FROM THE STATE OF ALASKA MUNICIPAL CAPITAL PROJECT MATCHING GRANT PROGRAM TO REPLACE AN AMBULANCE AND RELATED MEDICAL AND RESCUE EQUIPMENT.
   a. Resolution Serial No. 00-072: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET AS ADOPTED IN RESOLUTION SERIAL NO. 98-006(SUB) AND RESOLUTION SERIAL NO. 00-007, WHICH SET THE SCOPE OF WORK AND BUDGET TO REPLACE, REFURBISH OR REMOUNT PUBLIC SAFETY EQUIPMENT, PROJECT 20308.
      (1) IM No. 00-221

4. Ordinance Serial No. 00-180: AN ORDINANCE APPROPRIATING $25,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE FIRE SERVICE CAPITAL PROJECT FUND 405, PROJECT 45065, TO PURCHASE A CLASS A FOAM SYSTEM.
   a. Resolution Serial No. 00-073: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET AS ADOPTED IN THE FISCAL YEAR 2001 BUDGET, CAPITAL PROJECTS FUND 405, FOR THE AMOUNT OF $240,000, SPECIFICALLY TO PURCHASE A NEW ENGINE AND EQUIPMENT PROJECT NO. 45065, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR $25,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA CAPITAL PROJECT FUND 405, PROJECT NO. 45065 TO PURCHASE FIRE APPARATUS AND RELATED EQUIPMENT.
      (1) IM No. 00-223

5. Ordinance Serial No. 00-181: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION SCHOOL BONDS, 2000

SERIES B, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $14,143,000 TO PROVIDE FUNDS FOR SCHOOL AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS, AND AUTHORIZING THEIR SALE.
   a. IM No. 00-224

6. Ordinance Serial No. 00-182: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION PARK BONDS, 2000 SERIES C, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $4,400,000 TO PROVIDE FUNDS FOR BALLPARKS, INDOOR AND OUTDOOR RECREATIONAL FACILITIES, TRAILS AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS AND AUTHORIZING THEIR SALE.
   a. IM No. 00-225

7. Ordinance Serial No. 00-183: AN ORDINANCE ACCEPTING AND APPROPRIATING $15,217 FROM WILDER CONSTRUCTION TO THE PORT MACKENZIE PROJECT FROM THE SALE OF SHEET PILE.
   a. IM No. 00-226

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Simpson moved for introduction of the above-referenced legislation and set the for public hearing on November 7, 2000.

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

8. Ordinance Serial No. 00-184: AN ORDINANCE ACCEPTING AND APPROPRIATING $7,234,822 FROM THE STATE OF ALASKA SENATE BILL 192 FOR POINT MACKENZIE PORT DEVELOPMENT AND ASSOCIATED RAIL LINE IMPROVEMENTS WITHIN THE BOROUGH.
   a. IM No. 00-227

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Simpson moved for introduction of Ordinance Serial No. 00-184 and set the public hearing for December 19, 2000.

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

B. CONSENT AGENDA

(Resolution Serial No. 00-075 and AM Nos. 00-119, 120,121, 122, and 123 were pulled from the consent agenda, see pages 7, 8, 15, and 16 for assembly action.)

1. RESOLUTIONS

a. Resolution Serial No. 00-074: A RESOLUTION RECOMMENDING THE DENALI HIGHWAY, GLENN HIGHWAY, HATCHER PASS ROAD, PARKS HIGHWAY, OLD GLENN HIGHWAY, AND PETERSVILLE ROAD BE DESIGNATED AS STATE SCENIC BY-WAYS.
    (1) IM No. 00-211

2. ACTION MEMORANDUMS

b. AM No. 00-116: VACATION OF PUBLIC RIGHT OF WAY BETWEEN LOTS 19 AND 20, CORCORAN SUBDIVISION, SECTION 8, T17N, R2W, SEWARD MERIDIAN, ALASKA, MEADOW LAKES COMMUNITY COUNCIL AREA.

c. AM No. 00-117: VACATION OF PORTION OF PUBLIC RIGHT OF WAY, WEST FOWLER CIRCLE, BLUEBERRY HILL SUBDIVISION, WITHIN SECTION 3, T19N, R3W, SEWARD MERIDIAN, ALASKA, WILLOW COMMUNITY COUNCIL AREA.

d. AM No. 00-118: VACATION OF PORTION OF SECTION LINE EASEMENT ON LOT 1, BLOCK 1, SUNDANCE CHATEAU SUBDIVISION, WITHIN SECTION 28, T17N, R1W, SEWARD MERIDIAN, ALASKA, KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.

j. AM No. 00-124: FORMATION OF THE ACADEMY CHARTER SCHOOL SITE SELECTION COMMITTEE.

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

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

GENERAL CONSENT: The motion passed without objection.

b. Resolution Serial No. 00-075: A RESOLUTION DESIGNATING AN ACTING MANAGER FOR THE MATANUSKA-SUSITNA BOROUGH. (Sponsors: Assemblymembers Simpson and Kelly)
    (1) IM No. 00-228

MOTION: Assemblymember Kelly moved to adopt Resolution Serial No. 00-075, a resolution designating an acting manager for the Matanuska-Susitna Borough.

Assemblymember Kelly spoke to the resolution stating that this resolution supports continuity between management and the assistant manager position.

VOTE: The motion, to adopt Resolution Serial No. 00-075, passed with Assemblymembers DeVilbiss and Lankford Ladere opposed.

e. AM No. 00-119: APPROVAL OF TEELAND MIDDLE SCHOOL CHANGE ORDER FOR ROOFING, FIRE PROTECTION, EXCAVATOR, ELECTRICAL EQUIPMENT COST INCREASES.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest because although he is a subcontractor for the project, he wanted to avoid any possible appearance of impropriety.

RULING: Mayor Anderson ruled that Assemblymember Colver had a conflict of interest and would be recused from voting on the issue. *(Assemblymember Colver left the room.)*

MOTION: Assemblymember Simpson moved for approval of AM No. 00-119.

GENERAL CONSENT: The motion, for approval, passed without objection with Assemblymember Colver abstaining. *[Assemblymember Colver returned to the assembly chambers.]*

f. Am No. 00-120: APPROVAL OF WASILLA PUBLIC SAFETY BUILDING CHANGE ORDER FOR COLD WEATHER CONSTRUCTION.

MOTION: Assemblymember Colver moved for approval of AM No. 00-120.

Ms. Clayton:
- stated that the access to the new building is safer than the access to the existing fire station;
- noted that the new building will house the ambulances and allow for immediate decontamination; and
- reported that the current lease for the Wasilla Fire Station may be terminated July 1, 2001.

Mr. Gatti:
- commented that until we accept completion of the project, the borough has no liability for the building.

Mr. Swing:
- remarked that the building construction is ahead of schedule;
- related that the contractor is responsible for the materials and the work until the borough accepts it;
- spoke to the process for testing concrete work completed during cold weather; and
- stated that the majority of the change order request was to purchase tenting in order that construction may continue during cold weather.

GENERAL CONSENT: The motion passed without objection.

State Representative Scott Ogan:
- welcomed the new members and mayor and pledged his support to work with the borough;
- commented on the recent borough community survey report;

- encouraged the assembly to work with the state and federal legislative delegates in a consistent manner; and
- noted that the borough's constant population growth will merit an additional house seat in the near future.

The regular meeting recessed at 6:55 p.m. and reconvened at 7:03 p.m.

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

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

1. Michelle Church, Friends of Mat-Su: Request support for a visual preference study.

Ms. Church, Executive Director, Friends of Mat-Su:
- explained briefly the use of photographs for a visual preference study;
- requested a resolution of support from the assembly for in-kind borough staff participation to help develop the visual preference study; and
- stated that the project has received $25,000 in grant funds.

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 00-144: AN ORDINANCE CREATING LEATHERLEAF LOOP ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 321, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
IM No. 00-179

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

MOTION: Assemblymember Kelly moved for adoption of Ordinance Serial No. 00-117.

GENERAL CONSENT: The motion failed unanimously. *[An LID may not proceed unless ballots approving the local improvement district are timely filed by owners of property bearing more than one-half of the estimated cost of improvement. This LID received 38 percent approval.]*

2. Ordinance Serial No. 00-145: AN ORDINANCE CREATING SPRINGWOOD DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 323, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
IM No. 00-180

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

MOTION: Assemblymember Colberg moved for adoption of Ordinance Serial No. 00-145.

GENERAL CONSENT: The motion passed without objection.

3. Ordinance Serial No. 00-146: AN ORDINANCE CREATING WALDRON COVE DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 329, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 00-181

Mayor Anderson opened the public hearing.

The following spoke in favor of the ordinance: Mr. Carol Christensen and Mr. Tom Hunter.

The following spoke in opposition of the ordinance: Ms. Petra Albecker.

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

MOTION: Assemblymember Colberg moved for adoption of Ordinance Serial No. 00-146.

Ms. Clayton:
- recommended defeat of the ordinance;
- stated an owner of several lots has filed a preliminary plat to vacate and not pave a cul de sac; and
- remarked that expenses to remaining property owners would be increased which is not reflected in this proposed ordinance.

Assemblymember Colver requested that management address the issues of encroachment to private property, an intersection problem, and a drainage problem and handle them as a maintenance opportunity with the road service board in this area.

GENERAL CONSENT: The motion, to adopt, failed unanimously.

4. Ordinance Serial No. 00-147: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE CHERRY HILL SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 295 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
   a. Ordinance Serial No. 00-148: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $52,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE CHERRY HILL SUBDIVISION

NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 295, AND FIXING DETAILS OF SAID BONDS. IM No. 00-194

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

MOTION: Assemblymember Simpson moved for adoption of Ordinance Serial Nos. 00-147 and 148.

GENERAL CONSENT: The motion passed without objection.

5. Ordinance Serial No. 00-149: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BIG ROCK ROAD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 292 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
   a. Ordinance Serial No. 00-150: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $31,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BIG ROCK ROAD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 292, AND FIXING DETAILS OF SAID BONDS. IM No. 00-195

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

MOTION: Assemblymember Colver moved for adoption of Ordinance Serial Nos. 00-149 and 150.

GENERAL CONSENT: The motion passed without objection.

6. Ordinance Serial No. 00-167: AN ORDINANCE CREATING DESTIN DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 324, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 00-197

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

MOTION: Assemblymember Colberg moved for adoption of Ordinance Serial No. 00-167.

GENERAL CONSENT: The motion passed without objection.

7. Ordinance Serial No. 00-168: AN ORDINANCE CREATING WEATHERVANE CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 326, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO

PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
IM No. 00-198

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

MOTION: Assemblymember DeVilbiss moved for adoption of Ordinance Serial No. 00-168.

GENERAL CONSENT: The motion failed unanimously. *[An LID may not proceed unless ballots approving the local improvement district are timely filed by owners of property bearing more than one-half of the estimated cost of the improvement. The LID received 27 percent approval.]*

8. Ordinance Serial No. 00-169: AN ORDINANCE CREATING GAIL DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 327, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
IM No. 00-199

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

MOTION: Assemblymember Colver moved for adoption of Ordinance Serial No. 00-169.

Mr. Gatti clarified the requirement of supporting votes for passage of an LID.

MOTION: Assemblymember Colver moved to postpone to a time certain of November 17, 2000.

VOTE: The motion, to postpone, failed with Assemblymember Colver in support.

VOTE: The motion, to adopt, failed with Assemblymember Colver in support. *[An LID may not proceed unless ballots approving the local improvement district are timely filed by owners of property bearing more than one-half of the estimated cost of the improvement. The LID received 50 percent approval.]*

9. Ordinance Serial No. 00-170: AN ORDINANCE CREATING PARKWOOD DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 328, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
IM No. 00-200

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

MOTION: Assemblymember Colver moved for adoption of Ordinance Serial No. 00-170.

GENERAL CONSENT: The motion failed unanimously. *[An LID may not proceed unless ballots approving the local improvement district are timely filed by owners of property bearing more than one-half of the estimated cost of the improvement. The LID received 15 percent approval.]*

10. Ordinance Serial No. 00-171: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BUTLER SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 304 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
    a. Ordinance Serial No. 00-172: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $84,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BUTLER SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 304, AND FIXING DETAILS OF SAID BONDS. IM No. 00-210

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

MOTION: Assemblymember Simpson moved for adoption of Ordinance Serial Nos. 00-171 and 172.

GENERAL CONSENT: The motion passed without objection.

11. Ordinance Serial No. 00-173: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE FLITE SIDE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 309 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
    a. Ordinance Serial No. 00-174: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $54,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE FLITE SIDE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 309, AND FIXING DETAILS OF SAID BONDS. IM No. 00-212

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

MOTION: Assemblymember Simpson moved for adoption of Ordinance Serial Nos. 00-173 and 174.

GENERAL CONSENT: The motion passed without objection.

12. Ordinance Serial No. 00-175: AN ORDINANCE AMENDING ROAD SERVICE AREAS TO INCLUDE TRAILS. IM No. 00-215

Mayor Anderson opened the public hearing.

The following spoke against the ordinance as written: Mr. Jim Norcross.

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

MOTION: Assemblymember Kelly moved for adoption of Ordinance Serial No. 00-175.

MOTION: Assemblymember Kelly moved to postpone indefinitely.

Assemblymember DeVilbiss suggested that the assembly address a trail service area issue in light of the bond package that passed recently.

GENERAL CONSENT: The motion, to postpone indefinitely, passed without objection.

13. Resolution Serial No. 00-068: A RESOLUTION CONTINUING THE HEALTH PLANNING COUNCIL TO SEPTEMBER 1, 2003. IM No. 00-216

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

MOTION: Assemblymember Simpson moved for adoption of Resolution Serial No. 00-068.

Discussion followed on the merits of continuing the council, their past accomplishments, and general health powers of the borough.

MOTION: Assemblymember Simpson moved the previous question.

VOTE: The motion, to move the previous question, passed with Assemblymember Colver opposed.

VOTE: The motion, to adopt, failed with Assemblymembers Kelly and Colver in support.

14. Resolution Serial No. 00-069: A RESOLUTION PROVIDING FOR THE CONTINUANCE OF THE LOCAL ROAD SERVICE AREA ADVISORY BOARD. IM No. 00-217

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

MOTION: Assemblymember Simpson moved to adopt Resolution Serial No. 00-069.

GENERAL CONSENT: The motion to adopt passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Mr. Rick Stehdman spoke in opposition of Am No. 00-115.

Mr. Christian Hartley spoke in opposition of AM No. 00-115.

Mr. James Green spoke in opposition to AM No. 00-115 and read into the record a letter of opposition from Mr. Gary Boley.

Ms. Agnes Quaas, Secretary, South Knik Community Council, read a letter thanking the administration for support of the special events ordinance.

Mr. Red Secoy expressed disappointment in the recent resignation of Borough Manager Mike Scott.

Mr. Carol Christensen spoke in opposition to AM No. 00-115 and requested the assembly research road service areas thoroughly.

a. AM No. 00-115: VACATION OF A PORTION OF PUBLIC USE EASEMENT WITHIN TAX PARCEL A-8, SECTION 32, T24N, R4W, SEWARD MERIDIAN, ALASKA, "Y" COMMUNITY COUNCIL AREA.

CONFLICT OF INTEREST: Mayor Anderson declared a conflict of interest because he is an accountant for the Upper Susitna Senior Center and appointed Assemblymember Simpson as Acting Mayor. *[Mayor Anderson left the room and the gavel was passed to Assemblymember Simpson.]*

MOTION: Assemblymember Lankford Ladere moved to adopt AM No. 00-115.

Mr. Gatti:
- commented that borough code allows a 15-day time period to file an appeal to a Board of Adjustment and Appeals decision; and
- remarked that Title 29 states a vacation is automatically approved unless the assembly vetoes it within 30 days and today is the last day to do that.

Assemblymember Lankford Ladere reported that notice of this vacation request was not shared with the local community council for their review and comments.

Discussion continued concerning the vacation request.

GENERAL CONSENT: The motion failed unanimously. *[Mayor Anderson returned to the room.]*

The regular meeting recessed at 8:55 p.m. and reconvened at 9:07 p.m.

g. AM No. 00-121: AWARD OF PROPOSAL NO. 01-030 TO SHANNON & WILSON, INC. FOR GOOSE CREEK FUEL SPILL SITE ASSESSMENT.

MOTION: Assemblymember DeVilbiss moved to approve AM No. 00-121.

Mr. Swanson gave a staff report concerning the digging of test wells and stated they are monitored quarterly.

GENERAL CONSENT: The motion passed without objection.

h. AM No. 00-122: ADOPTION OF THE PORT MACKENZIE TERMINAL TARIFF NO. 1.

MOTION: Assemblymember DeVilbiss moved to approve AM No. 00-122.

GENERAL CONSENT: The motion passed without objection.

i. AM No. 00-123: AWARD OF BID NO. 01-029 TO AXBERG BUILDERS FOR TALKEETNA LIBRARY INTERIOR REMODEL, MSB PROJECT NO. 10143.

MOTION: Assemblymember Lankford Ladere moved to adopt AM No. 00-123.

Ms. Clayton gave a staff report stating that all monies for the project have been budgeted.

GENERAL CONSENT: The motion to adopt passed without objection.

Assemblymember DeVilbiss volunteered to serve on the Academy Charter School Site Selection Committee (AM No. 00124) as approved under the consent agenda. Assemblymember Jansen will also serve on this committee as representative of the district where the school will be built.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson:

- commented that he will work rapidly to fill vacancies on all boards;
- requested Sherrod School Site Committee be reactivated;
- recommended Assemblymembers Jansen and DeVilbiss be appointed to the Academy Charter School Site Committee; and
- recommended Assemblymember Jansen be appointed Deputy Mayor and stated her name will come forward on November 17, 2000, for assembly confirmation.

Mayor Anderson requested the following removal from office:

Agricultural and Forestry Advisory Board

Ms. Vicki Talbot - resignation

MOTION: Assemblymember Simpson moved to accept the to accept the resignation of Ms. Vicki Talbot.

GENERAL CONSENT: The motion passed without objection.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

MOTION: Assemblymember DeVilbiss moved to reconsider Resolution Serial No. 00-068, regarding continuance of the Health Planning Council.

VOTE: The motion, to reconsider, failed with Assemblymember Colver in support.

MOTION: Assemblymember Simpson moved to reconsider Resolution Serial No. 00-075, designating an acting manager.

VOTE: The motion, to reconsider, failed with Assemblymembers Lankford Ladere and DeVilbiss in support.

XI. VETO

(There was no veto pending.)

XII. EXECUTIVE SESSION

(There was no executive session.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember DeVilbiss:

- discussed the notice given for the special meeting of October 13, 2000;
- requested that mayor and assembly member comments be added as an agenda item for special meetings;
- joined with Assemblymember Kelly in asking that November be declared avalanche awareness month;
- suggested that the mayor issue a proclamation to Butte Elementary Principal Lebron McPhail recognizing his national education Milkin award;
- stated non-support of the proposed four lane highway improvement from the Parks Highway to Palmer at this time; and
- thanked public works for assistance with problems that would have related to glaciation and drainage on Lazy Mountain this winter; and

- requested that the clerk provide a copy of the South Knik Community Council letter to Mr. Mike Scott.

Assemblymember Kelly:
- requested that the clerk prepare a resolution of support for the visual preference survey;
- asked that a work session be scheduled for trails issues;
- welcomed the mayor and newly elected members to the assembly; and
- discussed his plan for supporting changes to health services in the borough.

Assemblymember Colver:
- spoke to the issue of trail maintenance and construction;
- suggested that the borough work with non-profit and user groups through grants for trail projects;
- restated the importance of continuing the Sherrod Site Selection Committee;
- agreed with Assemblymember DeVilbiss that improvements to the Glenn Highway are not a priority at this time; and
- commented that the community survey results rated road maintenance as a high priority.

Assemblymember Lankford Ladere:
- spoke to the need for trails development;
- commented that community councils play a valuable role in local government;
- suggested that a modification to the 30-day platting notice be researched which would allow more time for community councils to respond; and
- opposed the borough accepting substandard roads into the road system.

Assemblymember Colberg:
- remarked that the incremental steps taken by the assembly make peoples lives better; and
- appreciated Assemblymember Lankford Ladere's extensive knowledge of her district.

Assemblymember Simpson;
- volunteered to work on a trails development committee;
- stated that dedication is required before trails construction and maintenance is undertaken;
- requested an assembly work shop be scheduled to set assembly goals and objectives; and
- appreciated the EMS discussion and review given tonight.

Mayor Anderson:
- acknowledged the clerk for assistance with parliamentary procedures;
- spoke to the October 13, 2000, special meeting notification and the manager's choice to enter into executive session;
- restated his intent to continue open, responsible government;
- thanked the assembly for cooperative participation;
- stated that assembly members will be allowed to ask questions during public testimony.

Mr. Gatti spoke to the issue of allowing assemblymember questions to public without allowing administration the chance to respond.

Discussion continued regarding allowing dialog with people who testify.

Mayor Anderson:

- clarified his approach to the port and Hatcher Pass projects and intention to continue development of both;
- thanked the borough staff for assistance in this learning stage;
- commended the new assembly members for a good job; and
- thanked the audience for their support.

XIV. ADJOURNMENT

The regular meeting adjourned at 10:04 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, Borough Clerk

Minutes approved: November 7, 2000