

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on December 2, 2014, 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. Jim Sykes, Assembly District No. 1
- Mr. Matthew Beck, Assembly District No. 2
- Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)
- Mr. Steve Colligan, Assembly District No. 4
- Mr. Dan Mayfield, Assembly District No. 5
- Mr. Jim Colver, Assembly District No. 6 (*entered telephonically at 6:50 p.m.*)
- Mr. Vern Halter, Assembly District No. 7 (*entered telephonically at 6:10 p.m.*)

Staff in attendance were:

- Ms. Lonnie R. McKechnie, Borough Clerk
- Mr. John Moosey, Borough Manager
- Mr. George Hays, Assistant Borough Manager
- Mr. Nicholas Spiropoulos, Borough Attorney
- Ms. Brenda J. Henry, Assistant Clerk
- Ms. Tammy Clayton, Finance Director
- Mr. Terrance Dolan, Public Works Director
- Ms. Eileen Probasco, Planning and Land Use Director
- Mr. Dennis Brodigan, Emergency Services Director
- Ms. Patty Sullivan, Public Affairs Director
- Mr. Eric Phillips, Community Development Director
- Mr. Michael Brown, Capital Projects Director
- Mr. Eric Wyatt, Information Technology Director
- Ms. Hilary Schwaderer, Administrative Assistant I

III. APPROVAL OF AGENDA

Mayor DeVilbiss inquired if there were any changes to the agenda.

MOTION: Assemblymember Sykes moved to take up audience participation immediately preceding unfinished business.

VOTE: The motion passed without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Tim Sweezy, Meadow Lakes Community Council President.

V. MINUTES OF PRECEDING MEETINGS

(There were no minutes presented.)

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mayor Bert Cottle spoke to the gun show on December 6 and 7 at the Menard Sports Center.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Transportation Advisory Board

Mr. Don Carney reported on the recent activities of the Transportation Advisory Board.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. Moosey spoke to meeting with local legislators regarding the Point MacKenzie rail extension project.

D. ATTORNEY COMMENTS

Mr. Spiropoulos reported on the newly enacted Alaska State Marijuana Initiative.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- noted that the agenda for the Joint Assembly/School Board meeting has the incorrect start time; and
- stated that the time will be corrected.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Caswell Lakes RSA Board of Supervisors: 04/14/14
- b. Enhanced 911 Advisory Board: 08/12/14
- c. Greater Talkeetna RSA Board of Supervisors: 08/14/14
- d. Library Board: Resolution Serial No. 14-02
- e. MSB Fish and Wildlife Commission: 08/28/14
- f. Platting Board: 09/04/14
- g. Port Commission: 08/18/14
- h. South Colony RSA Board of Supervisors: 02/12/14, 05/14/14

2. Community Council Minutes:

- a. Chickaloon Community Council: 07/09/14, 08/13/14

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

G. INFORMATIONAL MEMORANDUMS

1. **IM No. 14-255:** Implementation Of A Personal Use Gravel Area Containing 2.5 Acres In Point Mackenzie Area In Accordance With The Natural Resource Management Plan.
2. **IM No. 14-256:** Reporting Of Conclusion Of Contract For Bid No. 13-132B To Western Construction And Equipment, LLC. For Willow Lake Drive Upgrade, For The Final Contract Amount Of \$1,061,422.35.

The informational memorandum was presented and no comments were noted.

(The meeting recessed at 6:55 p.m. and reconvene at 7:05 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke in support of Resolution Serial No. 14-115 and suggested amendments for the legislation: Ms. Sammy Taylor.

The following person requested that the Circle View Estates residents be involved in the land buyout: Ms. R’Nita Rogers.

The following person spoke to concerns with AM No. 14-149 and in support of recycling within the Borough: Mr. Tim Swezey.

The following person spoke to concerns with the public process: Mr. Eugene Haberman.

The following person thanked the Assembly for their support of libraries and spoke to programs that local libraries are implementing: Ms. Jeanne Troshynski.

The following person spoke to concerns with AM No. 14-149 and noted that the community council objected to the easement that is the subject of the legislation: Ms. Cally Leader.

The following person spoke in support of AM No. 14-149: Mr. Gary LoRusso and Mr. Doug Longacre.

The following person spoke to the possibility of industrial hemp being a sustainable agricultural resource for the Borough: Mr. Mike Chmielecki.

The following person spoke to concerns with IM No. 14-255: Ms. Patricia Rosnel.

VII. UNFINISHED BUSINESS

A. **Ordinance Serial No. 14-159:** An Ordinance Amending MSB 15.39.050 And MSB 3.15.215 In Order To Remove Term Limits For The Board Of Adjustment And Appeals And Board Of Equalization. (*Sponsored By Mayor DeVilbiss*)

1. IM No. 14-233

MOTION PENDING: Assemblymember Colligan moved to adopt Ordinance Serial No. 14-159.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial No. 14-159 to a time certain of January 20, 2014.

VOTE: The motion to postpone failed with Assemblymembers Mayfield, Sykes, and Beck in support.

MOTION: Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 14-159, by striking the additional language that is bold and underlined in

Sections 2 and 3 and inserting “Board members may serve three consecutive full terms.”

MOTION: Assemblymember Sykes moved a secondary amendment to strike the primary amendment in its entirety and to insert “members expiring in 2014 may have their term extended to December 31, 2015.

VOTE: The secondary amendment failed with Assemblymembers Sykes, Mayfield, and Beck and in support.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

VIII. VETO

A. **Ordinance Serial No. 14-119:** An Ordinance Approving A Supplemental Appropriation Of \$450,000 From The Wasilla-Lakes Fire Service Area Fund Balance, Fund 250, To The Fiscal Year 2015 Wasilla-Lakes Fire Service Area Operating Budget, Fund 250, For Wages And Benefits For Four New Permanent Fire Service Captain Positions. *(Filed by Mayor DeVilbiss 11/25/14)*

1. IM No. 14-175

MOTION: Assemblymember Mayfield moved to override the mayoral veto of Ordinance Serial No. 14-119.

VOTE: The motion to override the mayoral veto passed with Assemblymembers Colver and Colligan opposed.

MOTION: Assemblymember Arvin moved to amend Ordinance Serial No. 14-119, which was previously adopted on November 19, 2014, by reinserting the last whereas clause that was stricken, which reads: “Whereas, the FFII/Captain Positions will be employees who supervise other supervisory employees, these positions will be “exempt” from the MSBEA Bargaining Unit as per Borough Code 2.52.653.”

VOTE: The motion to amend something previously adopted failed with Colligan, Arvin, and Colver in support.

IX. SPECIAL ORDERS

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

The following person spoke regarding

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 14-141:** An Ordinance Creating West Mollie's Circle Road Paving Local Improvement District No. 550, 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. 14-235

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 Mayfield moved to adopt Ordinance Serial No. 14-141.

VOTE: The motion passed without objection.

2. **Ordinance Serial No. 14-161:** An Ordinance Approving A Supplemental Appropriation Of \$50,000 From The Greater Willow Road Service Area No. 20 Fund Balance, Fund 276, To The Greater Willow Road Service Area No. 20 Fiscal Year 2015 Operating Budget, Fund 276.
 - a. IM No. 14-240

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 Arvin moved to adopt Ordinance Serial No. 14-161.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 14-162:** An Ordinance Approving An Appropriation Of \$83,000 From The Midway Road Service Area No. 9 Fund Balance, Fund 270, To Fund 410, Project No. 30036, For The Midway Road Service Area No. 9 Capital Projects.
 - a. **Ordinance Serial No. 14-163:** An Ordinance Approving A Reappropriation Of \$97,000 From The Midway Road Service Area No. 9 Fiscal Year 2015 Operating Budget, Fund 270, To Fund 410, Project No. 30036, For The Midway Road Service Area No. 9 Capital Projects.
 - (1) IM No. 14-241
 - (2) IM No. 14-242

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 Colligan moved to adopt Ordinance Serial Nos. 14-162 and 14-163.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 14-164:** An Ordinance Appropriating \$60,000 From The Greater Palmer Consolidated Fire Service Area Fund Balance, Fund 259, To Fund 405, Project No. 45071, For The Purchase Of A Wildland Fire Vehicle And Related Equipment.
 - a. **Resolution Serial No. 14-111:** A Resolution Approving The Scope Of Work And Budget For Project No. 45071 For The Purchase Of A Wildland Fire Vehicle And Related Equipment.
 - (1) IM No. 14-245

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 Beck moved to adopt Ordinance Serial No. 14-164 and Resolution Serial No. 14-111.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 14-165:** An Ordinance Approving An Appropriation Of \$40,000 From The Knik Road Service Area No. 17 Fund Balance, Fund 274, To Fund 410, Project No. 30040, For The Knik Road Service Area No. 17 Capital Projects.
 - a. IM No. 14-247

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 Mayfield moved to adopt Ordinance Serial No. 14-165.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 14-166:** An Ordinance Approving A Supplemental Appropriation Of \$10,000 Of Revenues From Public Donations To The Fiscal Year 2015 Animal Care And Regulation Division Operating Budget.
 - a. IM No. 14-248

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 Beck moved to adopt Ordinance Serial No. 14-166.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 14-167:** An Ordinance Accepting And Appropriating \$600,000 For A Portion Of Grant Funds From The Alaska State Department Of Commerce, Community, And Economic Development For A Willow Fire Service Area Fiscal Year 2015 Designated Legislative Grant Project For Project No. 45282, Fund 405.
 - a. **Resolution Serial No. 14-112:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Alaska State Department Of Commerce, Community, And Economic Development Grant For Willow Fire Service Area Project No. 45282.
 - (1) IM No. 14-250

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 Arvin moved to adopt Ordinance Serial No. 14-167 and Resolution Serial No. 14-112.

VOTE: The motion passed without objection.

8. **Ordinance Serial No. 14-168:** An Ordinance Amending MSB 2.71.100, MSB 4.05.040 And MSB 25.15.050(C) To Add A Requirement That Municipal Officials, Candidates For Elective Office And Applicants To Boards And Commissions Disclose Civil And Criminal Judgments Which Are Less Than 10 Years Old. (*Sponsored By Assemblymember Mayfield*)
 - a. IM No. 14-252

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 Mayfield moved to adopt Ordinance Serial No. 14-168.

VOTE: The motion passed without objection.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 14-113:** A Resolution Establishing Dates Certain For Payment, Delinquency, Protest, And Appeal Of 2015 Regular Assessment And Tax Rolls, Business Inventory Filing, And For The Commencement Of Hearings Before The Board Of Equalization.

(1) IM No. 14-246

b. **Resolution Serial No. 14-114:** A Resolution Authorizing Eminent Domain And Use Of Declaration Of Taking Procedures To Acquire A Property Interest Needed For The South Mack Drive Extension/Clapp Street Improvements Project.

(1) IM No. 14-253

c. **Resolution Serial No. 14-115:** A Resolution Supporting Mid Valley Recycling Grant Application Efforts. *(Sponsored By Assemblymember Halter)*

(1) IM No. 14-258

2. ACTION MEMORANDUMS

b. **AM No. 14-150:** Award Of Request For Proposal 15-042P To Wolf Architecture In The Amount Of \$1,172,075 For The Mat-Su South Gateway Visitor Center Design.

c. **AM No. 14-151:** Award Of Bid No. 15-060B To Triple V Contracting For The Contract Amount Of \$192,100 For The Sutton Ambulance Building Renovation.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

a. **AM No. 14-149:** Vacate Any Public Interest In The 33-Foot Wide Road Easement On The East Side Of Lot 1, Dedicated By Plat No. 63-13, Beverly Lake Estates, Excepting The Southerly 36-Foot, Located In Section 26, Township 18 North, Range 2 West, Seward Meridian.

MOTION: Assemblymember Arvin moved to adopt AM No. 14-149.

MOTION: Assemblymember Arvin moved to postpone AM No. 14-149 to a time certain of December 9, 2014.

VOTE: The motion passed without objection.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 12/16/14, Assembly Chambers)

1. **Resolution Serial No. 14-116:** A Resolution Adopting The Capital Improvement Program For Fiscal Years 2016-2021.
 - a. IM No. 14-197
2. **Ordinance Serial No. 14-169:** An Ordinance Approving An Appropriation Of \$280,000 From South Colony Road Service Area No. 16 Fund Balance, Fund 273, To Fund 410, Project No. 30039, For South Colony Road Service Area No. 16 Capital Projects.
 - a. IM No. 14-254

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for December 16, 2014.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Aviation Advisory Board

Patrick Martin (Term Begins 01/01/15)

Michael Pannone (Term Begins 01/01/15)

Mark Stigar (Term Begins 01/01/15)

Board of Adjustment and Appeals

H. Paul Campbell (Term Begins 01/01/15)

Board of Equalization

David Heier (Term Begins 01/01/15)

Reed Dunn (Term Begins 01/01/15)

Edna DeVries (Term Begins 01/01/15)

Emergency Medical Services Board

Alaina Anderson (Term Begins 01/01/15)

Sandra Hoeft (Remainder of 2014 Term and New Term Begins 01/01/15)

Mia Mangione (Term Begins 01/01/15)

Health and Social Services Board

Judy Gette (Term Begins 01/01/15)

Victoria Knapp (Term Begins 01/01/15)

Jennifer Burkmire (Term Begins 01/01/15)

Library Board

Veronica Cavanaugh (Term Begins 01/01/15)

Local Emergency Planning Committee

William Morrow (Term Begins 01/01/15)

Linda Russell (Term Begins 01/01/15)

MSB Fish and Wildlife Commission

Jehnifer Ehmann (Term Begins 01/01/15)
Office of Administrative Hearings
Karen Jennings (Term Begins 01/01/15)
Parks, Recreation, and Trails Advisory Board
David Palmer (Term Begins 01/01/15)
George Brown (Term Begins 01/01/15)
Sonya Larkey-Walden (Term Begins 01/01/15)
Planning Commission
Vern Rauchenstein (Term Begins 01/01/15)
Platting Board
Marty VanDiest (Term Begins 01/01/15)
Transportation Advisory Board
Beth Fread (Term Begins 01/01/15)
Daniel Elliott (Term Begins 01/01/15)
Wastewater and Septage Advisory Board
Gina Jorgensen (Term Begins 01/01/15)
Michael Campfield (Term Begins 01/01/15)

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

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

(There was no other new business.)

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

(There were no referrals presented.)

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Beck:

- thanked the Planning Commission for their hard work at the December 1 meeting; and
- opined that there should be a board and commission fair to recruit members.

Assemblymember Sykes:

- stated that he will be bringing forward legislation to move audience participation up on the agenda; and

- spoke to the need for the public to be involved in the process and have the opportunity to speak to agenda items before the body takes them up.

MOTION: Assemblymember Sykes moved to amend special meeting agendas so that audience participation is prior to items of business.

VOTE: The motion passed without objection.

Assemblymember Sykes stated that he is looking forward to increasing government transparency and how that can occur, during the January planning session.

Assemblymember Mayfield:

- commended first responders that were out today;
- noted how dangerous the roads are;
- opined that first responders are heroes in his book; and
- noted that the ice on Big Lake is not yet thick enough to be driven on.

Assemblymember Halter stated that he missed being present at the meeting.

Assemblymember Colver encouraged the body that the Ad Hoc Agricultural Committee be set up soon.

Mayor DeVilbiss:

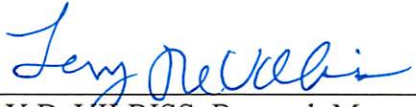
- stated that he is hosting Dr. James Carey, who is the eminent linguist who wrote “Shem Pete’s Alaska;” and
- noted that he will be coming from Fairbanks to do a presentation, Thursday evening at 7 p.m. in the Assembly Chambers.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 8:46 p.m.



LARRY DeVILBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 01/06/15