

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on December 3, 2013, at the Borough Assembly Chamber, 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. Darcie K. Salmon, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6 (*arrived at 6:07 p.m.*)  
Mr. Vern Halter, Assembly District No. 7

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  
Mr. Dennis Brodigan, Emergency Services Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Don Dyer, Economic Development Director  
Mr. Eric Phillips, Community Development Director  
Mr. Michael Brown, Capital Projects Director  
Mr. James Wilson, Internal Auditor  
Mr. Larry Macknicki, Information Technology Director  
Ms. Nancy Cameron, Land Management Agent  
Mr. Dave Dunivan, Borough Assessor  
Mr. Michael Newman, Document Specialist

**III. APPROVAL OF AGENDA**

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

Ms. McKechnie:

- stated that the public hearing scheduled for December 10 needs to be changed to December 17; and
- advised that this is due to the December 10 meeting being cancelled.

Assemblymember Colligan requested to pull AM No. 13-159 from the consent agenda for further discussion.

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

#### **IV. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mr. Nathan Hawk, a Boy Scout Member of Den 36, Pack 354.

#### **V. MINUTES OF PRECEDING MEETINGS**

- A. Special Assembly Meeting: 11/05/13
- B. Regular Assembly Meeting: 11/05/13

Mayor DeVilbiss inquired if there were any corrections to the special meeting minutes of November 5, 2013, or the regular meeting minutes of November 5, 2013.

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

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS**

##### **1. Reports from cities**

##### Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- spoke to the upcoming gun show on December 6 and 7, at the Menard Sports Complex;
- related that the New Years fireworks will be on December 31, 2013, at 8 p.m. at Iditapark in Wasilla; and
- spoke in support of Ordinance Serial No. 13-157.

##### **2. Matanuska-Susitna Borough School District**

Mr. Luke Fulp, Assistant Superintendent of Business and Operations:

- thanked the Borough staff for the cooperative work regarding projects;
- spoke to work sessions regarding Dena'ina Elementary that have been ongoing;
- stated that there was a forum held December 21 regarding the Joe Redington Junior/Senior High School in order to connect the public with the project;

- advised that the school colors will be navy blue and action green, similar to the Seattle Seahawks colors;
- spoke to the ice storm in November that caused a some incidents with school buses;
- thanked Emergency Medical Services and Public Works for their hard work during the ice storm; and
- noted that a list of upcoming holiday events for the School District has been provided to staff so that the Assembly can participate if they are intested.

3. Aviation Advisory Board – Mr. Archie Giddings

Mr. Archie Giddings provided an Aviation Advisory Board update.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymembers Beck and Colver provided an update on the Joint Assembly/School Board Committee on school issues.

2. Assembly Public Relations

Assemblymember Beck:

- commended the School District on their efforts of keeping parents informed as to the safety of students during the ice storm;
- thanked staff for keeping school bond projects on time; and
- advised that the proposed Susitna Valley High School ice rink was removed from the bond before it went to the voters.

Mayor DeVilbiss advised that this was due to matching funds and the State does not match funds for ice rinks.

Assemblymember Colver:

- opined that there was some confusion about that project before it went on the ballot;
- spoke to the history of how projects were added and removed during that process;
- noted that the site was prepped and utilities were run to the site, but that it was not completed; and
- stated that it was intended to be done as it was not to be a huge amount of funding.

Mr. Fulp:

- agreed that it was discussed;
- spoke to the research that was conducted, as no one was familiar with the conversation that was held with the former superintendent;
- stated that it was discovered that a schedule that was presented was for a future project for Talkeetna, not Susitna Valley High School specifically; and

- advised that State Statute does not allow for funding of items that are single purpose recreational facilities for reimbursement purposes.

Assemblymember Colver opined that the hockey rink could be a multiuse facility.

#### C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- stated that Mr. Joe Perkins had an accident and had to go to the hospital and will be unable to co-present this evening regarding capital road projects;
- spoke to Federal Emergency Management Agency discussion regarding the federal insurance program;
- related that he is preparing to have a discussion with Federal Transportation Administration regarding the M/V Susitna; and
- spoke to his efforts on public engagement for the possible economic development corporation.

Mr. Michael Brown, Capital Projects Director, provided an update regarding the status of road bond projects within the Borough.

Assemblymember Arvin requested an update in January to ensure that the projects are still on time.

Assemblymember Sykes queried the options for the M/V Susitna – ferry.

Mr. Moosey:

- stated that the monthly service costs have been greatly reduced;
- noted that he understands that the Assembly desires to eliminate the costs all together;
- related that the search for a buyer is ongoing;
- advised that staff will be travelling to Washington D.C. next week to have discussions with the Federal Transit Authority on the possibility of forgiveness; and
- opined that the Borough has a strong case, but that it may be precedent setting.

#### D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- provided a summary of the ongoing rail litigation;
- advised that the oral argument will be in January or February;
- spoke to the pending lawsuit regarding Ray DeVilbiss vs. Matanuska-Susitna Borough;
- advised that an appeal has been filed with the Supreme Court, as all actions at trial court are concluded;
- advised that the Court will direct the parties to explore avenues for settlement; and

- requested an executive session for December 17, 2013, to discuss strategies for settlement; and
- stated that he will be out of the office for the January 7 meeting and that Mr. Aschenbrenner will attend in his place.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- stated that the MSB Fish and Wildlife Commission had requested to meet with the Assembly on January 7, at 4 p.m. to discuss their strategies for the upcoming Board of Fisheries meeting; and
- queried if this is a meeting the body would like to schedule.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Ms. McKechnie:

- advised that previously the Assembly had discussed scheduling a joint meeting with the cities to receive Incident Command System training for elected officials;
- stated that January 15, at 6 p.m. looks like a good date and time; and
- queried if this is a meeting the body would like to schedule.

Mr. Brodigan provided a summary of what the training would encompass.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Ms. McKechnie:

- advised that it was requested at the economic development presentation meeting to schedule an additional meeting for ongoing economic development discussion; and
- queried if the body would like to schedule that meeting for February 4, at 4 p.m.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Ms. McKechnie advised that there would be an Economic Development Work Group work session on February 4, at 2 p.m. that Mr. Dyer intends to invite the Assembly to.

Assemblymember Colligan requested an update regarding redistricting.

Ms. McKechnie:

- stated that there has been a ruling that has been made;
- advised that in March, the State plans on updating their VREMS program, which is the voter registration system;
- related that she has requested to meet with the State prior to them drawing new precinct lines; and
- spoke to the work being done in order to eliminate split precincts.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Alpine RSA Board Of Supervisors: 03/26/13, 05/14/13, 08/13/13
- b. Bogard RSA Board Of Supervisors: 02/07/13, 03/06/13, 06/05/13
- c. Enhanced 911 Advisory Board: 06/11/13
- d. Fairview RSA Board Of Supervisors: 05/14/13
- e. Greater Palmer Consolidated FSA Board Of Supervisors: 08/06/13
- f. Greater Talkeetna RSA Board Of Supervisors: 08/08/13
- g. Planning Commission: 08/05/13, 08/19/13, 09/16/13, Resolution Serial Nos. 13-33 (AM), 13-34 (AM), 13-35, 13-37, 13-39
- h. Talkeetna Sewer And Water Advisory Board: 07/24/13, 10/09/13
- i. Transportation Advisory Board: 07/24/13
- j. Trapper Creek RSA Board Of Supervisors: 02/13/13, Resolution (Not Numbered)
- k. Wastewater And Septage Advisory Board: 07/09/13, Resolution Serial Nos. 13-02, 13-03
- l. West Lakes FSA Board of Supervisors: 06/10/13, 07/08/13

2. Community Council Minutes:

- a. Chase Community Council: 03/28/13, 06/13/13
- b. Meadow Lakes Community Council: 06/12/13, 07/10/13

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 13-280:** Sale Of Borough-Owned Real Property Including Any Improvements Thereon, Identified As Lot 10 And Lot 11, Block 4, Felton Addition To Palmer Townsite, MSB Tax Parcel 55008B04L10-1, Located At 247 South Alaska Street In Downtown Palmer (MSB006853).

The informational memorandum was presented and no comments were noted.

**VII. UNFINISHED BUSINESS**

- A. Ordinance Serial No. 13-119:** An Ordinance Amending MSB 17.25.005(B), 17.25.070(C)(5) And (F)(2), Talkeetna Special Land Use District, To Allow For Community Civic Use Building Footprints To Exceed 6,000 Square Feet Within The Spur Road South District.
1. IM No. 13-199

**MOTION PENDING:** Assemblymember Halter moved to adopt Ordinance Serial No. 13-119.

**MOTION:** Assemblymember Halter moved a primary amendment to Ordinance Serial No. 13-119, as follows:

- MSB 17.25.005(B), to insert the word “municipality” after the words “public agency” to read: “Community civic use” use means any use by a public agency, municipality, or a nonprofit organization for purposes of education, community meetings, performing arts, library, or comparable civic activity;”
- MSB 17.25.070(C)(5), to insert “6,000 square feet or less” after the word “building” to read: “parks, playgrounds, or buildings 6,000 square feet or less for community civic purposes;”
- MSB 17.25.070(D), to insert a new (11) to read: “(11) buildings greater than 6,000 square feet for community civic uses;” and
- MSB 17.25.070(F)(2), to insert after the words “square feet” the words “except that the footprint of buildings for community civic uses shall not exceed 10,000 feet” to read: “maximum building footprint – 6,000 square feet, except that the footprint of buildings for community civic uses shall not exceed 10,000 feet.”

**VOTE:** The primary amendment passed without objection.

**VOTE:** The main motion passed as amended without objection.

- B. AM No. 13-147:** Acceptance Of Retroactive And Late Filed Senior Citizen And Disabled Veteran Exemption Applications, Which The Assessment Department Does Not Recommend Approval Of These Requests.

**MOTION PENDING:** Assemblymember Beck moved to adopt AM No. 13-147.

Mr. Dunivan provided a staff report.

Assemblymember Sykes queried if it was possible to include the exemption notice on the tax bills.

Mr. Dunivan stated that there is not room on the assessment card, but that his office fields calls every day regarding the exemption.

Discussion ensued regarding:

- the amount of time it takes to evaluate the exemption applications;
- the desire of the body to make the process as easy as possible for those that have the right to the exemption;
- the authority of the Assembly to waive late filed exemptions;
- concerns that if all late file exemptions are granted that there is no reason for a rule; and
- that the exemption has to be filed for every year.

VOTE: The motion passed without objection.

- C. **AM No. 13-151: Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications, Which The Assessment Department Recommends Approval Of These Requests.**

MOTION PENDING: Assemblymember Sykes moved to adopt AM No. 13-151.

VOTE: The motion passed without objection.

*(The meeting recessed at 7:10 p.m. and reconvened at 7:20 p.m.)*

### VIII. VETO

*(There were no vetoes presented.)*

### IX. SPECIAL ORDERS

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

*(There were no persons to be heard.)*

- B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 13-132: An Ordinance Creating East Pace Drive Road Paving Local Improvement District No. 522, 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. 13-227

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. 13-132.

Assemblymember Beck spoke in opposition to the legislation based on the lack of required votes.

VOTE: The motion failed with Assemblymember Colligan in support.

2. **Ordinance Serial No. 12-169:** An Ordinance Amending MSB 17.73, Multifamily Development Design Standards, And MSB 17.125.010, Definitions. (*Motion Pending, Amending MSB 17.73.040*)
  - a. IM No. 12-258

MOTION PENDING: Assemblymember Colver moved to amend Ordinance Serial No. 12-169, MSB 17.73.040, which was previously adopted on June 4, 2013, by:

- inserting the word “or” after subsection (A)(1);
- inserting a new section (A)(2) to read as follows: “or (2) any development exceeding six dwelling units, regardless of lot size;” and
- to renumber the other subsections accordingly.

Mayor DeVilbiss opened the public hearing.

The following person spoke to concerns with the density thresholds: Mr. Darwin Fisher.

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

Assemblymember Sykes queried where the idea for six units came from.

Assemblymember Colver:

- noted that he is not the sponsor of the legislation;
- provided a summary of the changes that were made; and
- advised that the intent was to try to determine a trigger point that would require a permit.

VOTE: The motion to amend something previously adopted passed with Assemblymembers Salmon and Colligan opposed.

MOTION: Assemblymember Colver moved to amend Ordinance Serial No. 12-169, which was previously adopted on June 4, 2013, MSB 17.73.040, by inserting a subsection (C) to read: “(C) For the purposes of this section contiguous lots in common ownership shall be treated as one lot.”

Assemblymember Colver:

- stated that the intent is in respond to constituent concerns; and
- advised that it would ensure that the public is involved in the process of when an intensive development may occur.

Discussion ensued regarding:

- the possibility of putting a limit on timeframes for development;
- how density thresholds would impact two 40-acre lots next to each other;
- concerns with the government interfering with personal property rights; and
- the desire to let the ordinance go into effect to see how it will work.

**MOTION:** Assemblymember Colver moved a primary amendment to Ordinance Serial No. 12-169, MSB 17.73.040, to insert the words “less than five acres” after the words “contiguous lots” to read: “(C) For the purposes of this section contiguous lots less than five acres in common ownership shall be treated as one lot.”

Assemblymember Colver spoke to the importance of the public having a process to provide input being balanced with promoting growth.

Assemblymember Arvin spoke in opposition to the amendment.

Discussion ensued regarding:

- how lots owned by the same company could be impacted;
- concerns with transferring property titles between close associates; and
- the strict guidelines of financial institutions when it comes to financing large projects.

**VOTE:** The primary amendment failed with Assemblymembers Colver, Halter, and Beck in support.

**VOTE:** The main motion failed with Assemblymembers Colver, Sykes, and Beck in support.

3. **Ordinance Serial No. 13-147:** An Ordinance Approving The Acquisition Of Land, Containing Approximately 15 Acres, Lying Adjacent To The New Joe Redington, Sr. Junior/Senior High School Site Which Is Located Off Knik Goose Bay Road At Milepost 10, And Classification Of Said Parcels As Reserved Use Lands, For Purpose Of School Site And Internal School Access For The New Knik-Goose Bay Area Elementary School (MSB006823).
  - a. IM No. 13-225

Mayor DeVilbiss opened the public hearing.

The following person spoke to concerns with access to and the topography of the parcels of land selected for the school site: Mr. Clay Chapman.

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

**MOTION:** Assemblymember Salmon moved to adopt Ordinance Serial No. 13-147.

Assemblymember Colver requested a staff report.

Ms. Cameron provided a staff report.

Assemblymember Arvin:

- spoke to concerns with school site access issues;
- summarized the issues that previously impacted access to Machetanz Elementary School;
- stated that he wants to ensure that this school site access is not an issue;
- noted that the process for securing school site access can become quite expensive when the public knows that it is the government trying to purchase the land; and
- stated that he would like to understand the costs associated with accessing an educational campus such as the one for this project.

Discussion ensued regarding:

- how the topography of the area impacts campus access;
- that the contractor has to develop the construction plan before costs can be determined;
- whether there would be any impacts to the purchase agreement if the legislation is postponed;
- that staff has done their due diligence in moving this project forward;
- that the design has been awarded and is under way; and
- other parcels that were attempted to be acquired for access.

MOTION: Assemblymember Arvin moved to postpone Ordinance Serial No. 13-147 to a time certain of December 17, 2014.

Assemblymembers Halter and Salmon spoke in opposition to postponement.

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

VOTE: The main motion passed with Assemblymember Arvin opposed.

*(The meeting recessed at 8:35 p.m. and reconvened at 8:40 p.m.)*

4. **Ordinance Serial No. 13-148:** An Ordinance Authorizing The Matanuska-Susitna Borough To Issue Areawide General Obligation Bonds, In The Principal Amount Not To Exceed \$19,265,000, In One Or More Series, To Finance 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; Fixing Certain Details Of Such Bonds; And Authorizing Their Sale.
  - a. IM No. 13-251

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. 13-148.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 13-149:** An Ordinance Approving The Fair Market Value Sale Of Borough-Owned Land To The Knik Arm Bridge And Toll Authority (KABATA) For Purpose Of Public Right-Of-Way Within The Port MacKenzie District As Part Of The Proposed Connection Between The Matanuska-Susitna Borough And The Municipality Of Anchorage In Association With The Proposed Toll Bridge Across Knik Arm (MSB 004964).
  - a. IM No. 13-254

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 13-149: Ms. Janet Kincaid, Knik Arm and Bridge Toll Authority Board member.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 13-149.

Assemblymember Sykes queried if the fair market value was arrived at through a good process.

Mr. Moosey affirmed the query.

Assemblymember Sykes queried if the tideland issue was still unresolved.

Ms. Cameron affirmed the query and stated that the process is still ongoing.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 13-150:** An Ordinance Accepting And Appropriating A Fiscal Year 2014 Designated Legislative Grant From Alaska State Department Of Commerce, Community, And Economic Development In The Amount Of \$150,000 To Fund 410, Project No. 30047, For Gunflint Trail Upgrade.
  - a. **Resolution Serial No. 13-131:** A Resolution Approving The Scope Of Work And Budget For A Fiscal Year 2014 Designated Legislative Grant In The Amount Of \$150,000 From The Alaska State Department Of Commerce, Community, And Economic Development For The Gunflint Trail Upgrade, Project No. 30047.
    - (1) IM No. 13-258

Mr. Moosey:

- advised that this legislation is a duplicate of legislation previously adopted and is unnecessary; and
- stated that it should be postponed indefinitely.

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. 13-150 and Resolution Serial No. 13-131.

MOTION: Assemblymember Halter moved to postpone Ordinance Serial No. 13-150 and Resolution Serial No. 13-131 indefinitely.

VOTE: The motion to postpone passed without objection.

Mayor DeVilbiss queried if there was any objection to taking up public hearing nos. 7 through 11 together.

There was no objection noted.

7. **Ordinance Serial No. 13-151:** An Ordinance Approving A Supplemental Appropriation Of \$30,000 From Alpine Road Service Area No. 31 Fund Balance, Fund 285 To Alpine Road Service Area No. 31 Fiscal Year 2014 Operating Budget, Fund 285.

a. IM No. 13-259

8. **Ordinance Serial No. 13-152:** An Ordinance Approving A Reappropriation Of \$50,000 From The Knik Road Service Area No. 17 Fiscal Year 2014 Operating Budget, Fund 274, To Fund 410, Project No. 30040, For Knik Road Service Area No. 17 Capital Projects.

a. IM No. 13-260

9. **Ordinance Serial No. 13-153:** An Ordinance Approving An Appropriation Of \$50,000 From The 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. 13-261

10. **Ordinance Serial No. 13-154:** An Ordinance Approving An Appropriation Of \$60,000 From The Greater Talkeetna Road Service Area No. 29 Fund Balance, Fund 283, To Fund 410, Project No. 30049, For The Greater Talkeetna Road Service Area No. 29 Capital Projects.

a. IM No. 13-262

11. **Ordinance Serial No. 13-155:** An Ordinance Approving A Supplemental Appropriation Of \$20,000 From The Greater Talkeetna Road Service Area No. 29 Fund Balance, Fund 283 To The Greater Talkeetna Road Service Area No. 29 Fiscal Year 2014 Operating Budget, Fund 283.

a. IM No. 13-263

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 Nos. 13-151, 13-152, 13-153, 13-154, and 13-155.

VOTE: The motion passed without objection.

12. **Ordinance Serial No. 13-156:** An Ordinance Retaining For Public Purpose Property Acquired Through Tax Foreclosure Described As Lot 1, Block 2, Garden Terrace Estates Subdivision, Identified As Tax Parcel 51114B02L001, Located In The Wasilla Area; Last Record Owners Timothy Patrick And Winfred G. Lucas (MSB006852).

a. IM No. 13-265

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. 13-156.

VOTE: The motion passed without objection.

13. **Ordinance Serial No. 13-157:** An Ordinance Approving Conveyance To The City Of Wasilla, Lot 1, Block 2, Garden Terrace Estates Subdivision, Identified As Borough Tax Parcel 51114B02L001, And The Community Water Distribution System Located On Said Lot For The Public Purpose Of Transferring To The City All Operations And Maintenance Of The Community Water System Which Serves Garden Terrace Estates Residents (MSB006437).

a. IM No. 13-266

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. 13-157.

VOTE: The motion passed without objection.

14. **Ordinance Serial No. 13-158:** An Ordinance Accepting And Appropriating \$87,667 From The Alaska State Division Of Homeland Security And Emergency Management Grant Program, To Fund 425, Project No. 45158, For Emergency And Communications Equipment, Hazmat Training, And Alaska Shield 2014.

a. **Resolution Serial No. 13-132:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 45158, Fund 425, For Emergency And Communications Equipment, Hazmat Training, And Alaska Shield 2014.

(1) IM No. 13-268

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. 13-158 and Resolution Serial No. 13-132.

**VOTE:** The motion passed without objection.

15. **Ordinance Serial No. 13-159:** An Ordinance Approving An Appropriation Of \$5,000 From The Greater Palmer Consolidated Fire Service Area Fund Balance, Fund 259 To Fund 405, Project No. 10166 For Plumbing Upgrades At Palmer Fire Station 3-5.
  - a. **Resolution Serial No. 13-133:** A Resolution Amending The Budget For Project No. 10166 For Plumbing Upgrades At Palmer Fire Station 3-5.
    - (1) IM No. 13-270

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. 13-159 and Resolution Serial No. 13-133.

Assemblymember Beck requested a staff report.

Mr. Brodigan provided a staff report.

**VOTE:** The motion passed without objection.

16. **Ordinance Serial No. 13-160:** An Ordinance Approving The Request By Agricultural Rights Owners Of The 1977 Sale Farm Unit, To Divide His 80-Acre Parcel Into Two 40-Acre Parcels, Southeast 1/4, Southwest 1/4 And Southwest 1/4, Southeast 1/4 Of Section 10, Township 24 North, Range 4 West, Seward Meridian, According To Notice Of Forty-Acre Exemption Recorded In The Talkeetna Recording District On November 27, 2007, As Plat 2007-173-EXM; To Provide Platted Driveway Access Through The Original Home Site To Previously Subdivided Parcel; To Sell The Southeast 1/4, Southwest 1/4, 40-Acre Parcel Containing The Original 5-Acre Home Site; To Approve A 2-Acre Agricultural Rights Only Home Site On The 40-Acre Subdivided Parcel Southwest 1/4, Southeast 1/4; And To Sell The Southwest 1/4, Southeast 1/4 Subdivided Parcel (MSB004879).
  - a. IM No. 13-271

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. 13-160.

VOTE: The motion passed without objection.

17. **Ordinance Serial No. 13-161:** An Ordinance Approving A Supplemental Appropriation Of \$30,000 From The Caswell Fire Service Area Fund Balance, Fund 248, To The Caswell Fire Service Area Fiscal Year 2014 Operating Budget, Fund 248, To Reimburse For The Caswell Fire Service Area's Warm Storage Building Water System And Restroom Facilities Project.

a. IM No. 13-274

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. 13-161.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with the location of the M/V Susitna and to concerns with the animal care policies of the Borough: Ms. Carolyn Johnson.

The following person spoke to concerns with the animal care policies of the Borough: Ms. Rhonda Weinrick.

The following person spoke to the need for proper zoning within the Borough: Ms. Cathy Hummel.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 13-135:** A Resolution Authorizing Participation In And Submission Of An Application Under The Federal Fiscal Year 2013 Community Development Block Grant Program For Grant Funds In An Amount Not To Exceed \$850,000 For Construction Of An Emergency Response Facility At Port Mackenzie.

(1) IM No. 13-267

b. **Resolution Serial No. 13-136:** A Resolution Approving The Scope Of Work And Budget For A Fiscal Year 2014 Designated Legislative Grant In The Amount Of

\$2,500,000 From The Alaska State Department Of Commerce, Community, And Economic Development For Fisheries And Fish Protection, Project No. 30114.

(1) IM No. 13-279

c. **Resolution Serial No. 13-137:** A Resolution Authorizing The Submission Of A Grant Application To The Alaska State Office Of History And Archaeology For The Purpose Of Conducting An Archaeological Survey And Inventory On Borough And State Of Alaska Lands Slated To Encompass The Fish Creek Townsite And Agricultural Areas In Partnership With The Knik Tribal Council And University Of Alaska, Anchorage.

(1) IM No. 13-281

d. **Resolution Serial No. 13-138:** A Resolution Authorizing A Loan Application To The Alaska State Department Of Environmental Conservation, Alaska Clean Water Fund, For The Amount Of \$4,300,000 For Design, Construction, And Closure Of Cell 2A At The Central Landfill.

(1) IM No. 13-282

## 2. ACTION MEMORANDUMS

b. **AM No. 13-160:** Authorization To Purchase From Guamard Scientific Company, Inc. In The Amount Of \$163,381.86 For Human Patient Simulators And Associated Equipment.

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. 13-159:** Authorizing The Continuation Of Borough-wide Standardization Of Ambulance Purchases To Braun Northwest Ambulance For Five Years.

**MOTION:** Assemblymember Colligan moved to adopt AM No. 13-159.

Assemblymember Colligan requested a staff report.

Mr. Brodigan provided a staff report.

**VOTE:** The motion passed without objection.

## X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 12/17/13, Assembly Chambers)

1. **Resolution Serial No. 13-134:** A Resolution Adopting The Capital Improvement Program For Fiscal Year 2015 To Fiscal Year 2020.
    - a. IM No. 13-256
  2. **Ordinance Serial No. 13-162:** An Ordinance Adopting MSB 2.45, Capital Projects Department And Amending Other Related Provisions Of Code Assigning Duties And Functions.
    - a. IM No. 13-222
  3. **Ordinance Serial No. 13-163:** An Ordinance Amending MSB 8.35, Fireworks Control.
    - a. IM No. 13-275
  4. **Ordinance Serial No. 13-164:** An Ordinance Amending The Definition Of Structure Within MSB 17.55, Setbacks And Screening Easements, To Not Include Utility Boxes And Other Incidental Structures Related To Utility Services.
    - a. IM No. 13-278
  5. **Ordinance Serial No. 13-165:** An Ordinance Authorizing A New Fair Market Value Lease Of Borough-Owned Real Property To Alutiiq, For Construction Of Residential, Commercial, And Industrial Facilities And The Operation Of Worker Construction Camps For Employees Of Alutiiq And Its Affiliates (MSB002946).
    - a. IM No. 13-296
  6. **Ordinance Serial No. 13-166:** An Ordinance Amending Portions Of MSB 3.32 Relating To Penalties Concerning The Transient Accommodations Tax. (*Sponsored By Mayor DeVilbiss*)
    - a. IM No. 13-300
- B. INTRODUCTIONS (For public hearing – ~~12/10/13~~, 12/17/13, Assembly Chambers)
1. **Ordinance Serial No. 13-167:** An Ordinance Approving The Increase Of Water Safety Instructor (PCN No. 238) From .625 Full Time Employee To .75 Full Time Employee, Water Safety Instructor (PCN No. 223) From .625 Full Time Employee To .75 Full Time Employee, Librarian Assistant (PCN No. 202) From .625 Full Time Employee To .875 Full Time Employee, Reappropriating \$13,300 From The Fiscal Year 2014 Animal Care And Regulation Operating Budget, Fund 200, To The Fiscal Year 2014 Talkeetna Library Operating Budget, Fund 200, And Reappropriating \$14,100 From The Fiscal Year 2014 Administration Operating Budget, Fund 100, To The Fiscal Year 2014 Community Pools Operating Budget, Fund 100, For The Cost Of The Increase In Full Time Employees.
    - a. IM No. 13-286

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 17, 2013.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

- Borough Area Schools Site Selection Committee
  - Matthew Beck, resignation from At-Large position
- Emergency Medical Services Board
  - Isis Ace
  - Deborah Spaulding
- Platting Board
  - Sarah Buck
- Big Lake RSA No. 21
  - Jill Parson
- Fairview RSA No. 14
  - Stanley Gillespie, resignation
- Gold Trail RSA No. 28
  - Joy Fearn-Condon

Mayor DeVilbiss made the following recommendations:

- Animal Care and Regulation Board
  - Dr. Sabrieta Holland (Term Begins 01/01/14)
- Aviation Advisory Board
  - Barry Stanley (Term Begins 01/01/14)
- Board of Adjustment and Appeals
  - Terry Nicodemus (Term Begins 01/01/14)
- Board of Equalization
  - Tait Zimmerman
- Borough Area Schools Site Selection Committee
  - Ray Michaelson
- Emergency Medical Services Board
  - Brooke Dager (Term Begins 01/01/14)
  - Patricia Stewart (Term Begins 01/01/14)
- Enhanced 911 Advisory Board
  - Hans Brinke (Term Begins 01/01/14)
  - Lance Ketterling (Term Begins 01/01/14)
  - Alaina Anderson (Term Begins 01/01/14)
- Health and Social Services Board
  - Joan Tower (Term Begins 01/01/14)
- Library Board
  - Virginia Robson (Term Begins 01/01/14)
  - Marci Hawkins (Term Begins 01/01/14)

Local Emergency Planning Committee  
Shari Turner (Term Begins 01/01/14)  
Beatrice Adler (Term Begins 01/01/14)  
Ray Hollenbeck (Term Begins 01/01/14)  
Yukon Tanner (Term Begins 01/01/14)  
MSB 8.32, Review Commission (Energy Policy)  
Berkley Tilton (Term Begins 01/01/14)  
Office of Administrative Hearings  
Ross Kopperud (Term Begins 01/01/14)  
Parks, Recreation, and Trails Advisory Board  
Kenneth Barber (Term Begins 01/01/14)  
Lyle Downing (Term Begins 01/01/14)  
Planning Commission  
John Klapperich (Term Begins 01/01/14)  
William "Bill" Kendig (Term Begins 01/01/14)  
Platting Board  
Stanley Gillespie (Term Begins 01/01/14)  
Tall Tower Advisory Committee  
James Ellis (Term Begins 01/01/14)  
Wastewater and Septage Advisory Board  
Helen Munoz (Term Begins 01/01/14)  
Ronald Phillips (Term Begins 01/01/14)  
Thomas Stoelting (Term Begins 01/01/14)  
Caswell FSA No. 135  
Kenneth Eggleston (Term Begins 01/01/14)  
Greater Palmer Consolidated FSA No. 132  
Jesse Werner (Term Begins 01/01/14)  
Wasilla-Lakes FSA No. 130  
Daniel Tucker (Term Begins 01/01/14)  
West Lakes FSA No. 136  
Gerard Billinger (Term Begins 01/01/14)  
Willow FSA No. 35  
Doyle Holmes (Term Begins 01/01/14)  
Alpine RSA No. 31  
Dean Lust (Term Begins 01/01/14)  
Big Lake RSA No. 21  
Gerard Billinger (Term Begins 01/01/14)  
Greater Talkeetna RSA No. 29  
John Strassenburgh (Term Begins 01/01/14)  
Meadow Lakes RSA No. 27  
Stephen Edwards (Term Begins 01/01/14)  
Talkeetna Sewer and Water Service Area No 36  
Jane Steere (Term Begins 01/01/14)

**MOTION:** Assemblymember Arvin moved to approve the Mayor's recommendations and resignations up for confirmation this evening.

VOTE: The motion passed without objection.

**D. OTHER NEW BUSINESS**

*(There was no other new business.)*

**E. 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 Sykes:

- thanked the body for the meeting;
- spoke to the need to ensure proper access for school sites; and
- spoke to the importance of the Animal Care Shelter.

Assemblymember Salmon:

- spoke to the possibility of putting the zoning issue on the next ballot;
- noted that covenants help provide regulation for individual subdivisions; and
- spoke to concerns with the attempt to codify every single concern brought forward by constituents regarding the multifamily legislation.

Assemblymember Colver:

- spoke to the December 4, public meeting regarding the Seldon and Lucille intersection;
- related that the MSB Fish and Wildlife Commission also has a meeting on the same day at the same time to discuss fish returns; and
- spoke to the need to be prepared to work hard on the upcoming budget cycle.

Assemblymember Colligan:

- requested a report regarding business license and business inventory tax be provided at the next meeting;
- stated that last year there were management and time card systems requested and budgeted for that have yet to be implemented; and
- spoke to concerns with the business inventory tax being a voluntary tax and not being pursued; and
- stated that he wants deadlines set and met for the concerns he has expressed.

Assemblymember Beck:

- thanked the body for a good meeting;
- thanked staff for providing staff reports to the body;
- noted his desire to continue in a different seat on the Borough Area School Site Selection Committee;
- stated that he would like to see Tom Adams reappointed to the Planning Commission;
- opined that there needs to be a Borough agriculture board to work with the Assembly;
- spoke to attending the ribbon cutting at Academy Charter; and
- spoke in support of rescuing animals.

Assemblymember Arvin:

- opined that staff at the Animal Care Shelter is well-rounded;
- spoke to the intensive training that volunteers must attend before they are allowed to volunteer;
- opined that there may need to be changes to Animal Care and Regulation policies; and
- reiterated his concerns with the school site access.

Mayor DeVilbiss:

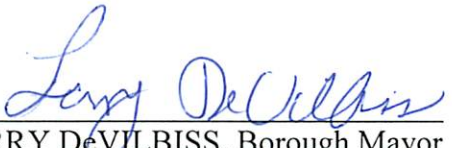
- noted that the Animal Care and Regulation Board has been working on Title 24 revisions and that the Assembly will have an opportunity to weigh in;
- spoke to concerns with the naming of elementary schools; and
- spoke to a speech given by Vladimir Putin that he really enjoyed.

### **XIII. EXECUTIVE SESSION**

*(There was no executive session held.)*

### **XIV. ADJOURNMENT**

The regular meeting adjourned at 9:53 p.m.

  
LARRY DEVILBISS, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 01/07/14