

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488 - 907-745-9683

## **BOROUGH MAYOR**

Larry DeVilbiss

## **BOROUGH CLERK**

Lonnie R. McKechnie, CMC

## **BOROUGH MANAGER**

John Moosey

## **BOROUGH ATTORNEY**

Nicholas Spiropoulos



## **BOROUGH ASSEMBLY**

Jim Sykes, District 1  
Matthew Beck, District 2  
Ronald Arvin, District 3  
Steve Colligan, District 4  
Darcie K. Salmon, District 5  
Jim Colver, District 6  
Vern Halter, District 7

## **ASSEMBLY AGENDA** **ASSEMBLY CHAMBERS** **350 EAST DAHLIA AVENUE, PALMER**

**REGULAR MEETING**

**6 P.M.**

**TUESDAY, DECEMBER 17, 2013**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
- VI. REPORTS/CORRESPONDENCE
  - A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)
    1. Reports From Cities
    2. Matanuska-Susitna Borough School District
    3. Mat-Su Convention and Visitors Bureau – Ms. Bonnie Quill
  - B. COMMITTEE REPORTS
    1. Joint Assembly/School Board Committee On School Issues
    2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Economic Development Corporation Plan
4. Business License Tax
5. Business License
6. Personnel Management Software System
7. Knik Goose Bay School Road Infrastructure

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

pp. 11-74

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 08/26/13
- b. Emergency Medical Services Board: 08/07/13
- c. Local Emergency Planning Committee: 09/18/13
- d. Local Road Service Area Advisory Board: 09/19/13, Resolution Serial No. 13-03
- e. MSB Fish and Wildlife Commission: 09/19/13
- f. Planning Commission: 10/07/13, Resolution Serial Nos. 13-47, 13-48, 13-49
- g. Platting Board: 09/19/13, 10/03/13, 10/17/13
- h. Transportation Advisory Board: 10/08/13, Resolution Serial No. 13-04

2. Community Council Minutes:

- a. Talkeetna Community Council: 07/01/13

G. INFORMATIONAL MEMORANDUMS

VII. UNFINISHED BUSINESS

VIII. VETO

IX. SPECIAL ORDERS

- A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)  
*(Requires 11 Days Advance Notice And Must Otherwise Be In Compliance With The Necessary Code Requirements. If No Advance Notice Is Given, Persons Wishing To Speak May Do So Under The Audience Participation Section Of The Agenda.)*

- B. PUBLIC HEARINGS (Three Minutes Per Person.)

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

- pp. 75-171  
Arvin                    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
  
- pp. 172-180  
Arvin                    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
  
- pp. 181-194  
Arvin                    3.     **Ordinance Serial No. 13-163:** An Ordinance Amending MSB 8.35, Fireworks Control.
  - a.     IM No. 13-275
  
- pp. 195-204  
Arvin                    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
  
- pp. 205-244  
Salmon                 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
  
- pp. 245-250  
Arvin                    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
  
- pp. 251-256  
Arvin                    7.     **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

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C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

D. CONSENT AGENDA

1. RESOLUTIONS

pp. 257-259  
Colligan

- a. **Resolution Serial No. 13-139:** A Resolution Directing The Manager And The Purchasing Division To Notify All Participants In The Borough's Emergency Services Dispatch That The Borough Will Be Soliciting Request For Proposals For Actual Reimbursable Costs For Fire And Ambulance Services For The Next Annual Budget Cycle. *(Sponsored by Assemblymember Colligan)*  
(1) IM No. 13-249

pp. 260-265  
Arvin

- b. **Resolution Serial No. 13-140:** A Resolution Revising The Schedule Of Fees For The Collection And Disposal Of Solid Waste.  
(1) IM No. 13-284

pp. 266-268  
Arvin

- c. **Resolution Serial No. 13-141:** A Resolution Amending The Public Employees' Retirement System (PERS) Participation.  
(1) IM No. 13-302

2. ACTION MEMORANDUMS

pp. 269-273  
Beck

- a. **AM No. 13-161:** Request To Eliminate The Shelter Assistant Position From Fiscal Year 2014 Budgets And Replace It With One Full-Time Customer Service Representative Position Within The Fiscal Year 2014 Budgets.

pp. 274-276  
Arvin

- b. **AM No. 13-162:** Approval Of Contract Amendment To PND Engineers, Inc. In The Amount Of \$18,201 To Provide Construction Inspection And Administrative Services For The Bridge Replacement Projects, Project No. 09-079.

pp. 277-280  
Sykes

- c. **AM No. 13-163:** Award Of Bid No. 14-050B To Reberland Equipment, Inc. In The Amount Of \$461,802 For The Purchase Of A Vacuum Pumper Tanker Fire Apparatus.

pp. 281-285  
Arvin

- d. **AM No. 13-164:** Approval Of Contract Amendment To DOWL HKM In The Amount Of \$992,614 For The Bogard

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Road Extension East, Project No. 06-134 For Construction Administrative Services And Additional Design Services.

pp. 286-290  
Colligan

e. **AM No. 13-165:** Authorization To Purchase From Braun Northwest, Inc. In The Amount Of \$162,032 An Ambulance For Central Mat-Su Fire Station.

pp. 291-293  
Arvin

f. **AM No. 13-166:** Approval Of Change Order No. 2 To Contract No. 11-043 Health Benefits Consultant With Parker, Smith, And Feek For A Two Year Extension, Subject To Annual Appropriation And For An Amount Of \$154,250.

X. NEW BUSINESS

XI.

A. INTRODUCTIONS (For public hearing – 01/07/14, Assembly Chambers)

pp. 294-298  
Arvin

1. **Ordinance Serial No. 14-001:** An Ordinance Amending MSB 23.20, Forest Management, To Amend 23.20.170, Noncommercial Personal Use Of Forest Products To Increase The Annual Limit Of Six Cords Per Year To Ten Cords Per Year.  
a. IM No. 14-001

pp. 299-303  
Arvin

2. **Ordinance Serial No. 14-002:** An Ordinance Accepting And Appropriating \$500,000 For A Portion Of The Fiscal Year 2014 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development, For A School District Preschool Program.

pp. 304-305

a. **Resolution Serial No. 14-001:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2014 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development, For A School District Preschool Program.  
(1) IM No. 14-002

pp. 306-310  
Halter

3. **Ordinance Serial No. 14-003:** An Ordinance Accepting And Appropriating A Grant In An Amount Not To Exceed \$135,000 From The Mat-Su Health Foundation, And An Amount Not To Exceed \$30,000 From The Friends Of The Talkeetna Library, Inc. To Fund 435, Project No. 10170, For The Construction Of The Talkeetna Library And Community Resource Center.

pp. 311-314

a. **Resolution Serial No. 14-002:** A Resolution Approving The Scope Of Work And Amended Budget For The Talkeetna Library And Community Resource Center.  
(1) IM No. 14-003

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- pp. 315-319  
Arvin
4. **Ordinance Serial No. 14-004:** An Ordinance Approving An Appropriation Of \$50,000 From The Midway Road Service Area No. 9 Fund Balance, Fund 270, To Fund 410, Project No. 30036, For Midway Road Service Area No. 9 Capital Projects.  
a. IM No. 14-004
- pp. 320-327  
Arvin
5. **Ordinance Serial No. 14-005:** An Ordinance Approving A Reappropriation Of \$150,000 From The Bogard Road Service Area No. 25 Fiscal Year 2014 Operating Budget, Fund 279, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.  
a. **Ordinance Serial No. 14-006:** An Ordinance Approving An Appropriation Of \$370,000 From The Bogard Road Service Area No. 25 Fund Balance, Fund 270, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.  
(1) IM No. 14-005  
(2) IM No. 14-006
- pp. 328-329
6. **Ordinance Serial No. 14-007:** An Ordinance Approving An Appropriation Of \$175,000 From The Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.  
a. IM No. 14-007
- pp. 330-334  
Halter
7. **Ordinance Serial No. 14-008:** An Ordinance Approving A Reappropriation Of \$70,000 From The Gold Trail Road Service Area No. 28 Fiscal Year 2014 Operating Budget, Fund 282, To Fund 410, Project No. 30048, For Gold Trail Road Service Area No. 28 Capital Projects.  
a. **Ordinance Serial No. 14-009:** An Ordinance Approving An Appropriation Of \$300,000 From The Gold Trail Road Service Area No. 28 Fund Balance, Fund 282, To Fund 410, Project No. 30048, For Gold Trail Road Service Area No. 28 Capital Projects.  
(1) IM No. 14-008  
(2) IM No. 14-009
- pp. 335-340  
Colver
- pp. 341-342
8. **Ordinance Serial No. 14-010:** An Ordinance Approving An Appropriation Of \$30,000 From The Lazy Mountain Road Service Area No. 19 Fund Balance, Fund 275, To Fund 410, Project No. 30041, For Lazy Mountain Road Service Area No. 19 Capital Projects.  
a. IM No. 14-010
- pp. 343-346  
Sykes

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- pp. 347-352  
Sykes
9. **Ordinance Serial No. 14-011:** An Ordinance Approving A Supplemental Appropriation Of \$10,000 From The North Colony Road Service Area No. 23 Fund Balance, Fund 278, To North Colony Road Service Area No. 23 Fiscal Year 2014 Operating Budget, Fund 278.
- pp. 353-354
- a. **Ordinance Serial No. 14-012:** An Ordinance Approving An Appropriation Of \$30,000 From The North Colony Road Service Area No. 23 Fund Balance, Fund 278, To Fund 410, Project No. 30044, For North Colony Road Service Area No. 23 Capital Projects
- (1) IM No. 14-011
- (2) IM No. 14-012
- pp. 355-359  
Halter
10. **Ordinance Serial No. 14-013:** An Ordinance Approving An Appropriation Of \$100,000 From The Caswell Road Service Area No. 15 Fund Balance, Fund 272, To Fund 410, Project No. 30038, For Caswell Road Service Area No. 15 Capital Projects.
- a. IM No. 14-013
- pp. 360-367  
Arvin
11. **Ordinance Serial No. 14-015:** An Ordinance Approving An Appropriation Of \$100,000 From The Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.
- pp. 368-369
- a. **Ordinance Serial No. 14-016:** An Ordinance Approving A Supplemental Appropriation Of \$50,000 From Fairview Road Service Area No. 14 Fund Balance, Fund 271 To Fairview Road Service Area No. 14 Fiscal Year 2014 Operating Budget, Fund 271.
- (1) IM No. 14-014
- (2) IM No. 14-015
- pp. 370-376  
Beck
12. **Ordinance Serial No. 14-017:** An Ordinance Approving The Acquisition Of Land In The Amount Of \$1,000,000 For The Purpose Of Location Of The Future Mat-Su Valley South Gateway Visitor Center, Said Land Being Identified As Lot 1, And Tract A, Homestead RV Park Subdivision, Containing 48.83 Acres More Or Less (MSB006841).
- pp. 377-379
- a. **Resolution Serial No. 14-003:** A Resolution Amending The Scope Of Work And Budget Of Fiscal Year 2014 Records Storage Building Roof Replacement Project, Project No. 10117, For The Purpose Of Acquiring Land For The Location Of The Future Mat-Su Valley South Gateway Visitor Center, Project No. 10022.
- (1) IM No. 14-016

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pp. 380-383  
Halter

13. **Ordinance Serial No. 14-018:** An Ordinance Approving A Supplemental Appropriation Of \$12,148 Of Revenues From The Willow Area Community Council To The Willow Fire Service Area Fiscal Year 2014 Operating Budget, Fund 258, To Provide For Firefighter Clothing And Equipment.
  - a. IM No. 14-019

B. MAYORAL NOMINATIONS AND APPOINTMENTS

pp. 384-473

1. VACANCY REPORT
- C. OTHER NEW BUSINESS
- D. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)

XII. RECONSIDERATION

pp. 474-563  
Halter

- A. Ordinance Serial No. 12-169: An Ordinance Amending MSB 17.73, Multifamily Development Design Standards, And MSB 17.125.010, Definitions. *(Reconsideration Filed By Assemblymember Halter 12/04/13)*
  1. IM No. 12-258

XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XIV. EXECUTIVE SESSION

- A. RAY DeVILBISS VS. MATANUSKA-SUSITNA BOROUGH *(For Matters, The Immediate Public Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Borough, Specifically To Discuss the Supreme Court Appeal Of Ray DeVilbiss Vs. Matanuska-Susitna Borough.)*

XV. ADJOURNMENT

**Disabled Persons Needing Reasonable Accommodation In Order To Participate At An Assembly Meeting Should Contact The Borough ADA Coordinator At 861-8432 At Least One Week In Advance Of The Meeting.**