

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on June 2, 2015, 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
Ms. Barbara Doty, Assembly District No. 6 (*attended telephonically*)
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Jamie Newman, Deputy Borough Clerk
Mr. Brad Sworts, Acting Capital Projects Director
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. William Gamble, Emergency Services Director
Mr. Eric Phillips, Community Development Director
Mr. Eric Wyatt, Information Technology Director

III. APPROVAL OF AGENDA

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Joe Hannan, Palmer City Manager.

V. MINUTES OF PRECEDING MEETINGS

(There was no meeting minutes presented.)

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer City

Mr. Joe Hannan, City Manager:

- thanked Mayor DeVilbiss for honoring veterans on Memorial Day;
- thanked the Assembly for their commitment to protecting the Veterans' Wall of Honor as the area around the memorial develops;
- spoke to Palmer's Sister City Program;
- reported that delegates from Palmer's Sister City, Saroma, Japan, will be in Palmer to celebrate the program's 35th Anniversary;
- spoke to events planned in honor of the visit.

Wasilla City

Mayor Cottle:

- spoke to the Family Fun Circus at the Menard Sports Center on June 5, 6, and 7; and
- spoke to the Summer Block Party at the Dorothy Page Museum on June 6.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Transportation Advisory Board – Mr. Don Carney

Mr. Carney:

- spoke to the actions of the Transportation Advisory Board;
- related that the Board passed Resolution Serial No. 15-01 regarding the formation and funding of a Regional Transportation Planning Organization; and
- invited Board Member Beth Fread to come forward to speak about a Regional Transportation Planning Organization.

Ms. Fread spoke to the subject of a Regional Transportation Planning Organization.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck:

- reported that the School District is thankful for the increase in school funding appropriated by the Assembly;
- related that the School District anticipates having to make minor cuts to teacher and aide positions due to the current financial climate;
- added that the School District may discontinue some capital improvement projects that have been proposed in light of finances;
- further added that the School District is waiting to make final decisions until the State budget is adopted;
- reported that bond construction projects are on target; and
- added that there is a minor delay with the Big Lake Elementary School Upgrade Project, however, the issue is being worked on.

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

Assemblymember Sykes:

- spoke to a KTUU Channel 2 news report that featured him and Mayor DeVilbiss;
- added that cutaway shot used in the report featured the Planning Commission; and
- added that perhaps Public Affairs could provide the news agency with footage of the Assembly to use in future stories.

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- reported that a building dedication for the new Caswell Lakes Fire Station will be held on June 6;
- reported that Governor Walker has scheduled a meeting in Fairbanks on strategic issues;
- added that James Wilson will be attending the meeting;
- spoke to a series of Assembly meetings he would like scheduled; and
- added that he and his wife are celebrating their 31st Wedding Anniversary today.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- spoke to regulations that are out for comment from the Alaska Alcohol Beverage Control Board regarding the regulation of marijuana;
- added that portions of the proposed regulations contradict the initiative and referendum process in Title 29;

- further added that if passed, the regulations would conflict with State Statute; and
- related that he plans to submit written comments regarding the regulations.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- spoke to meetings requests by Administration and asked if there was objection to scheduling the meetings as follows:
 - 6 p.m. on June 24, 2015, to discuss the M/V Susitna, Union Negotiations, and a presentation on the Alaska Liquid Natural Gas;
 - 4 p.m. on August 4, 2015, to discuss the Department of Emergency Services Plans and Projects; and
 - 4 p.m. on August 18, 2015, to discuss Strategic Opportunities.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Fairview RSA Board of Supervisors: Resolution No. 15-02
- b. Gold Trail RSA Board of Supervisors: Resolution No. 15-01
- c. Planning Commission: 03/16/15, 04/06/15, 04/20/15, Resolution Nos. 15-13, 15-19 (AM), 15-21

2. Community Council Minutes:

(There were no meeting minutes presented.)

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. 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. 15-033:** An Ordinance Amending MSB 17.19.045, Sheep Mountain Sub District, To Allow For Three Acre Lots In Cases Where A Waterbody, Easement, Or Roadway Splits An Existing Parcel. *(Sponsored By Assemblymember Sykes)*
 - a. IM No. 15-055

Mayor DeVilbiss opened the public hearing.

The following person spoke to community council meeting minutes: Mr. Eugene Carl Haberman.

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

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 15-033.

MOTION: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 15-033, as follows:

- Ordinance Title: To strike “3 Acre” and insert “Smaller” to read: “Amending MSB 17.19.045, Sheep Mountain Sub District, To Allow For Smaller Lots In Cases Where A Waterbody, Easement Or Roadway Splits An Existing Parcel.”
- MSB 17.19.045(E): To add the words “except that” after the words “five acres” to read: (E) Lot Area. The minimum lot area for any use shall be five acres, except that.
- MSB 17.19.045(E)(1): To strike the subsection in its entirety and insert the following to read: “In the case where a waterbody (as defined in MSB 17.125), public easement or public roadway splits an existing parcel, the minimum lot size may be reduced, as long as the resulting parcels meet all other requirements under Title 43 and the intent of the goals in the Sheep Mt. Subdistrict Plan.”

VOTE: The primary amendment passed without objection.

VOTE: The motion passed as amended without objection.

2. **Ordinance Serial No. 15-076:** An Ordinance Reappropriating \$75,000 To A Sharepoint Development And Implementation Project Fund.
 - a. **Resolution Serial No. 15-053:** A Resolution Approving The Scope Of Work And Budget For A Sharepoint Development And Implementation Project.
 - (1) IM No. 15-120

Mayor DeVilbiss opened the public hearing.

The following person spoke to Information Technology projects and the Borough’s website: Mr. Carl Eugene Haberman.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 15-076 and Resolution Serial No. 15-053.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 15-077:** An Ordinance Reappropriating \$60,000 To An Information Technology Security Project Fund.
 - a. **Resolution Serial No. 15-054:** A Resolution Approving The Scope Of Work And Budget For An Information Technology Security Program Project.
 - (1) IM No. 15-121

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. 15-077 and Resolution Serial No. 15-054.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 15-078:** An Ordinance Reappropriating \$50,000 To An Aerial Imagery Acquisition Program Project Fund, Fund 47519.
 - a. **Resolution Serial No. 15-055:** A Resolution Approving The Scope Of Work And Budget For An Aerial Imagery Acquisition Program Project.
 - (1) IM No. 15-125

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. 15-078 and Resolution Serial No. 15-055.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 15-079:** An Ordinance Amending MSB 4.32.010, Emergency Services Board, Established.
 - a. IM No. 15-128

Mayor DeVilbiss opened the public hearing.

The following person spoke to information provided in the legislation: Mr. Eugene Carl Haberman.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 15-079.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 15-080:** An Ordinance Reappropriating \$150,000 From The Emergency Services Telecommunications Fiscal Year 2015 Operating Budget, Fund 100, To Project No. 47045, Fund 480, To Build A Microwave Network.
 - a. **Resolution Serial No. 15-056:** A Resolution Approving The Scope Of Work And Budget For Project No. 47045, For A Microwave Network.
 - (1) IM No. 15-129

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. 15-080 and Resolution Serial No. 15-056.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 15-081:** An Ordinance Reappropriating \$23,739 From Fund 480, Project No. 47509, Voice Over Internet Protocol To Fund 480, Project No. 45232, Emergency Medical Services Patient Care Reporting.
 - a. **Resolution Serial No. 15-057:** A Resolution Amending The Budget For The Emergency Medical Services Patient Care Reporting, Project No. 45232.
 - (1) IM No. 15-132

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. 15-081 and Resolution Serial No. 15-057.

VOTE: The motion passed without objection.

(The meeting recessed at 7:03 p.m. and reconvened at 7:15 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding road improvement plans for Maverick Drive: Mr. Mary Ann Holmquist.

The following person spoke regarding the need for a Boroughwide septage facility: Ms. Helen Munoz.

The following person spoke in support of AM No. 15-080: Mr. Chris Whittington-Evans.

The following person spoke to public process: Mr. Eugene Carl Haberman.

The following person spoke regarding AM No. 15-077: Mr. Bill Stearns.

Mayor DeVilbiss:

- spoke to AM No. 15-078;
- added that Mr. Kopperud gave him some grader blades for his farm; and
- further added that because of that, he will relinquish the gavel to the Deputy Mayor during the deliberation of AM No. 15-078.

D. CONSENT AGENDA

1. RESOLUTIONS

- a. **Resolution Serial No. 15-058:** A Resolution In Support Of The Borough's Grant Application To The Alaska State Department Of Natural Resources, Division Of Parks And Outdoor Recreation, For Land And Water Conservation Fund Grant For Acquisition Of The Butte Summit.

(1) IM No. 15-135

2. ACTION MEMORANDUMS

- a. **AM No. 15-071:** Approval Of Change Order No. 1 For Contract No. 14-136P With Hattenburg, Dilley, And Linnell In The Amount Of \$100,000 For Geotechnical Services.

- b. **AM No. 15-072:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

- c. **AM No. 15-073:** Award Of Proposal No. 15-022L To Arctic Fires Bronze Sculptureworks In The Contract Amount Of \$130,000 For Art Services At Dena'ina Elementary, Iditarod Elementary, Career And Technical High, And Joe Redington, Sr. Junior/Senior High Schools.

- d. **AM No. 15-074:** Award Of Bid No. 15-136B To McKenna Brothers Paving, Inc. In The Annual Contract Amount Of \$227,679.58 For Midway Road Service Area No. 9 Road Maintenance.

- e. **AM No. 15-075:** Award Of Bid No. 15-137B To J.A. Spain And Sons, Inc. In The Annual Contract Amount Of \$366,099.70 For Caswell Road Service Area No. 15 Road Maintenance.
- i. **AM No. 15-079:** Award Of Bid No. 15-141B To D & S Road Services In The Annual Contract Amount Of \$111,247.50 For Trapper Creek Road Service Area No. 30 Road Maintenance.
- j. **AM No. 15-080:** Award Of Proposal No. 15-150P To Howdie, Inc. In The Contract Amount Of \$6,761,905 For The Design And Construction Of The New Fronteras Charter School.

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.

- f. **AM No. 15-076:** Award Of Bid No. 15-138B To McKenna Brothers Paving, Inc. In The Annual Contract Amount Of \$468,974.22 For South Colony Road Service Area No. 16 Road Maintenance.
- g. **AM No. 15-077:** Award Of Bid No. 15-139B To McKenna Brothers Paving, Inc. In The Annual Contract Amount Of \$422,613.45 For Bogard Road Service Area No. 25 Road Maintenance.

MOTION: Assemblymember Arvin moved to adopt AM Nos. 15-076 and 15-077.

VOTE: The motion passed with Assemblymembers Halter and Beck opposed.

- h. **AM No. 15-078:** Award Of Bid No. 15-140B To Norse Alaska, LLC. In The Annual Contract Amount Of \$268,332 For Greater Butte Road Service Area No. 26 Road Maintenance.

Mayor DeVilbiss relinquished the gavel to Deputy Mayor Arvin and exited the room.

MOTION: Assemblymember Sykes moved to adopt AM No. 15-078.

VOTE: The motion passed without objection.

Deputy Mayor Arvin returned the gavel to Mayor DeVilbiss.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

IX. VETO

1. Motion To Override Any Possible Mayoral Veto On Fiscal Year 2016 Budget Items (Ordinance Serial No. 15-015).

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 06/16/15 Assembly Chambers)

1. **Ordinance Serial No. 15-063:** An Ordinance Amending MSB 15.24.031, Initiating And Amending Lake Management Plans, By Placing A Temporary Moratorium On Initiation And Amendments To Lake Management Plans.
 - a. IM No. 15-104
2. **Ordinance Serial No. 15-083:** An Ordinance Authorizing A Fair Market Value Lease Of Borough-Owned Real Property To WestPac Logistics, LLC. For Marine And Surface Transportation, Logistics, And Terminal Operator Services (MSB006891).
 - a. IM No. 15-115
3. **Ordinance Serial No. 15-084:** An Ordinance Reappropriating \$194,800 From The Planning Division Fiscal Year 2015 Operating Budget, Fund 100, To Fund 480, For The Build-Out Analysis Project, The U-Med District Project, The Artifact Inventory And Relocation Project, The Planning Department Records Management Project, The Cab/Lab Relocation Project, The Planning Office Modification Project, And The Housing Analysis Project.
 - a. **Resolution Serial No. 15-059:** A Resolution Amending The Budgets For Project Nos. 45005, 20384, 23087, 47036, And 47011, And Extending The Time Of Completion For Project Funding And Approving The Scope Of Work And Budget For The Build-Out Analysis Project, The U-Med District Project, The Artifact Inventory And Relocation Project, The Planning Department Records Management Project, The Cab/Lab Relocation Project, The Planning Office Modification Project, And The Housing Analysis Project.
 - (1) IM No. 15-131
4. **Ordinance Serial No. 15-085:** An Ordinance Approving An Appropriation Of \$114,000 From 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.
 - a. IM No. 15-134

5. **Ordinance Serial No. 15-086:** An Ordinance Amending MSB 3.04.095, General Fund Balance Policy And Reservations. *(Sponsored by Assemblymember Halter)*
 - a. IM No. 15-138

6. **Ordinance Serial No. 15-087:** An Ordinance Reappropriating \$70,000 From The Finance Department Fiscal Year 2015 Operating Budget Fund 100, To Project No. 10057, Fund 435, For Upgrades And Furnishings For The Dorothy Swanda Jones Phase II Capital Project For The Finance Section.
 - a. IM No. 15-139

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 hearing for June 16, 2015.

VOTE: The motion passed without objection.

MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following appointment for confirmation:

Trapper Creek RSA No. 30
Mr. Donna Massay

MOTION: Assemblymember Arvin moved to confirm the Mayor's appointment.

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 Doty:

- spoke to public process;
- noted she is currently in Iceland on business; and
- added that it has been cold and snowing.

Assemblymember Mayfield:

- spoke to Ordinance Serial No. 15-069;
- added that the legislation was intended to save the Borough money;
- further added that the legislation has brought unintended emotions;
- spoke to his intent to pull the legislation at the next regular meeting;
- congratulated Mr. Spiropoulos on an excellent evaluation; and
- added that he is impressed by his work.

Assemblymember Beck:

- thanked the Attorney and all Borough staff for their excellent work;
- thanked the public for attending tonight's meeting; and
- thanked listeners of Radio Free Palmer for participating in tonight's meeting from home.

Assemblymember Sykes:

- spoke to Ordinance Serial No. 15-033;
- congratulated Mr. Spiropoulos on a job well done;
- added that Mr. Spiropoulos is an asset to Borough;
- commented on Ordinance Serial No. 15-069; and
- remarked that no good deed goes unpunished.

Assemblymember Colligan:

- thanked Mr. Spiropoulos for his work;
- spoke to Fronteras Charter School;
- added that he looks forward to the school's ground breaking;
- spoke to the competitive bid process; and
- thanked Mayor Cottle for his service to Wasilla.

Assemblymember Halter:

- spoke to Resolution Serial No. 15-058;
- spoke about his neighbor's house catching fire;
- thanked the firefighters for their effort in extinguishing the fire; and
- spoke in support of allocating resources towards emergency services.

Assemblymember Arvin:

- spoke to the concept of a Regional Transportation Planning Organization; and
- cautioned that there may be requirements attached to Federal grant money.

Mayor DeVilbiss:

- spoke to concerns about the rising cost of road service area contracts;

- spoke to his decision to relinquish the gavel to the Deputy Mayor this evening;
- thanked Assemblymember Mayfield for his decision to pull Ordinance Serial No. 15-069; and
- spoke to the excellent work of the Attorney.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 8:09 p.m.



LARRY DeVILBISS, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 08/04/15