

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on December 20, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Vern Halter.

**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 (*Deputy Mayor*)  
Mr. Dan Mayfield, Assembly District No. 5  
Ms. Barbara Doty, Assembly District No. 6  
Mr. Randall Kowalke, Assembly District No. 7

Assemblymembers absent and excused were:

Mr. George McKee, Assembly District No. 3  
Mr. Steve Colligan, Assembly District No. 4

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. John Moosey, Borough Manager  
Mr. George Hays, Assistant Borough Manager  
Mr. John Aschenbrenner, Assistant Borough Attorney  
Ms. Brenda J. Henry, Assistant Clerk  
Mr. Jude Bilafer, Capital Projects Director  
Ms. Cheyenne Heindel, Acting Finance Director  
Mr. Terrance Dolan, Public Works Director  
Ms. Eileen Probasco, Planning and Land Use Director  
Mr. Bill Gamble, Emergency Services Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Eric Phillips, Community Development Director  
Mr. Eric Wyatt, Information Technology Director

**III. APPROVAL OF AGENDA**

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

Ms. McKechnie:

- reported that the public hearing notice for Ordinance Serial No. 16-136 was not properly advertised;
- noted that the Assembly could go ahead and accept testimony on the legislation if they choose; and
- suggested that the Assembly re-introduce it and set it for public hearing on January 10, 2017.

MOTION: Assemblymember Sykes moved to accept testimony this evening on Ordinance Serial No. 16-136 and to move the legislation under introductions for public hearing on January 10, 2017.

VOTE: The motion passed without objection.

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

Assemblymember Beck advised that he would need to exit the meeting fairly early due to prior commitments.

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

The Pledge of Allegiance was led by Superintendent Gene Stone, Matanuska-Susitna Borough School District.

The Palmer High School Jazz Choir performed the National Anthem and two Christmas carols.

#### **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 reported on the activities of the city.

##### Palmer City

Mr. Nathan Wallace, City Manager, reported on the activities of the city.

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

Superintendent Gene Stone reported on the activities of the School District.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

*(There was no report provided.)*

2. Assembly Public Relations

*(There were no reports provided.)*

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Ms. Ellen Kazary, Great Land Trust Executive Director, reported on conservation efforts of the Great Land Trust.

D. ATTORNEY COMMENTS

*(There was no report provided.)*

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- noted that it was requested to consolidate or cancel some of the special meetings that were requested by the Manager and previously approved by the Assembly; and
- recommended consolidation of some of the meetings as indicated in the table below.

<b>Meeting Title and Date Originally Scheduled</b>	<b>Recommended Meeting Dates</b>
Service Level Reductions – 2/7	February 21
Emergency Radio Systems Upgrade – 2/21	
Foreclosure Process – 3/7	March 21
Union Negotiation Preparation- 3/21	
Code Compliance – 6/6	June 20
Erosion Flood Control – 6/20	
Economic Development – 8/15	August 15
Marijuana Industry – 9/19	

Mayor Halter queried if there was any objection to consolidating the meetings.

There was no objection noted.

Mayor Halter queried if there was any objection to going back to the Manager's Report.

There was no objection noted.

Ms. Patty Sullivan reported on the Alaska State Board of Fisheries meeting.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 08/25/15, 12/14/15
- b. Aviation Advisory Board: 06/09/16
- c. Board of Adjustment and Appeals: 04/25/16, BOAA 16-02 Final Decision
- d. Parks, Recreation, and Trails Advisory Board: 10/24/16
- e. Platting Board: 11/03/16
- f. Transportation Advisory Board: 04/27/16, 05/25/16

2. Community Council Minutes:

- a. Fishhook Community Council: 02/04/16, 05/12/16, 08/18/16
- b. Trapper Creek Community Council: 09/15/16

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 16-209:** Reporting the Conclusion of the NOVAtime, Time Entry and Reporting System Project.
- 2. **IM No. 16-212:** Hiring A Contract Project Manager For The Dispatch Contract Award And Transition.

The informational memorandums were presented and no comments were noted.

*(The meeting recessed at 6:45 p.m. and reconvene at 6:51 p.m.)*

*(Assemblymember Beck exited the meeting during the recess.)*

**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. 16-133:** An Ordinance Accepting And Appropriating \$12,365 In Project Income For The Rail Extension From Port MacKenzie To The Mainline, Project No. 75001.
- a. **Resolution Serial No. 16-089:** A Resolution Approving The Scope Of Work And Budget For Project Income On The Rail Extension From Port MacKenzie To The Mainline Project.
- (1) IM No. 16-200

Mayor Halter 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. 16-133 and Resolution Serial No. 16-089.

VOTE: The motion passed without objection.

2. **Ordinance Serial No. 16-134:** An Ordinance Approving An Appropriation Of \$150,000 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. 16-202

Mayor Halter 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 Sykes moved to adopt Ordinance Serial No. 16-134.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 16-135:** An Ordinance To Relinquish Any Rights For Pre-Existing Legal Nonconforming Use Status To Maintain Earth Materials Extraction Sites On Borough Owned Land Within The Christiansen Lake Subdistrict Of The Talkeetna Special Land Use District (Parcels 26N04W29B012 And 26N04W30A003). *(Sponsored by Assemblymember Kowalke)*
- a. IM No. 16-206

Mayor Halter opened the public hearing.

The following person spoke to concerns with the public hearing process: 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 Kowalke moved to adopt Ordinance Serial No. 16-135.

MOTION: Assemblymember Mayfield moved to postpone Ordinance Serial No. 16-135 to a time certain of January 10, 2017.

VOTE: The motion to postpone passed without objection.

Public Comment on Ordinance Serial No. 16-136.

Mayor Halter noted that there would be no public hearing this evening on the legislation but that the body would still take public comments.

The following person suggested amendments regarding setbacks and limited cultivation facilities for MSB 17.60: Ms. Sara Williams.

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

The following person requested the Assembly enact an emergency moratorium in the Talkeetna Special Land Use District: Ms. Geri McCann.

The following persons spoke in support of Ordinance Serial No. 16-136: Mr. Joe McAneney and Mr. Kerby Coman.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke to concerns with the 100-foot setback requirements in MSB 17.60.160(E): Mr. Terry Goosen, Ms. Beth Fread, and Mr. Joe McAneney.

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

The following person recommended Ms. Beth Fread for the Planning Commission: Mr. Brian Endle.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 16-090:** A Resolution Amending The Scope Of Work For Project No. 45254 To Fund The Land Purchase And Design And Construction Of The New West Lakes Station 7-3.

(1) IM No. 16-207

b. **Resolution Serial No. 16-091:** A Resolution Approving The Amended Scope Of Work, Reverse 911 Equipment, Fund 202, Project No. 45184-2600-2603 In The Amount Of

\$150,000; And Computer Aided Dispatch To Computer Aided Dispatch And Alaska Public Safety Information Network Interface, Project No. 45184-2600-2604 In The Amount Of \$150,000.

(1) IM No. 16-210

## 2. ACTION MEMORANDUMS

- a. **AM No. 16-086:** Award Of Proposal No. 16-100P, E-911 And Dispatch Services To The City Of Wasilla In The Contract Amount Of \$8,833,107 Over A Five Year And Three Month Period.
- b. **AM No. 16-103:** Vacate Any Public Interest In A Public Use Easement Granted At Reception No. 2011-014457-0 And Reception No. 2011-014458-0, July 29, 2011, Containing .5+ Acres, Within New 1/4 Southeast 1/4 Section 15, Township 18 North, Range 1 East, Seward Meridian.
- c. **AM No. 16-106:** Approve Utility Relocation Costs To Matanuska Telephone Association In The Amount Of \$138,225 For Waldron Cove, Finger Cove, And Finger Lake Road Project No. 30045.
- d. **AM No. 16-107:** Authorize The Extension Of The Agreement With The City Of Palmer For Emergency 911 Dispatch Services For The Period Of January 1, 2017, Until December 31, 2017, In The Contract Amount Of \$900,000.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

## VIII. UNFINISHED BUSINESS

*(There was no unfinished business.)*

## IX. VETO

*(There were no vetoes presented.)*

## X. NEW BUSINESS

### A. INTRODUCTIONS (For public hearing – 01/10/17 Assembly Chambers)

1. **Ordinance Serial No. 16-136:** An Ordinance Amending MSB 17.60.020(A), Applicability; and MSB 17.60.150, General Standards For Marijuana Related Facilities.
1. IM No. 16-192

2. **Ordinance Serial No. 16-105:** An Ordinance Amending MSB 8.45.010, Buildings And Construction; Adoption Of Codes To Reflect International Codes.
  - a. IM No. 16-154
  
3. **Resolution Serial No. 17-001:** A Resolution Adopting The Capital Improvement Program For Fiscal Year 2018 To Fiscal Year 2023.
  - a. IM No. 17-001
  
3. **Ordinance Serial No. 17-001:** An Ordinance Appropriating \$4,889,980 To Project No. 10183 And \$93,716 To Project No. 65012 For The Purpose Of Designing And Constructing A Public Safety Facility And Related Capital Improvements And Issuance Costs Of The Lease Certificates Of Participation, 2016B.
  - a. IM No. 17-002
  
4. **Ordinance Serial No. 17-002:** An Ordinance Appropriating \$5,547,713 To Project No. 10184 And \$104,303 To Project No. 65014 For The Purpose Of Designing And Constructing A Public Safety Facility And Related Capital Improvements And Issuance Costs Of The Lease Certificates Of Participation, 2016A.
  - a. IM No. 17-003
  
5. **Ordinance Serial No. 17-003:** An Ordinance Appropriating \$322,218 To Fund 400 For Issuance Costs From The Proceeds Of The 2016 Series "A" School Refunding General Obligation Bonds.
  - a. IM No. 17-005
  
6. **Ordinance Serial No. 17-004:** An Ordinance Accepting And Appropriating \$20,000 From The Alaska State Department Of Commerce, Community, And Economic Development, Division Of Community Advocacy To Fund 415, Project No. 25053, For Equipment And Supplies Needed To Inspect And Repair The Talkeetna Water Distribution And Wastewater Collection Systems.
  - a. **Resolution Serial No. 17-002:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Department Of Commerce, Community, And Economic Development, Division Of Community Advocacy Funds, Project No. 25053, Fund 415, For Equipment And Supplies Needed To Inspect And Repair The Talkeetna Water Distribution And Wastewater Collection Systems.
    - (1) IM No. 17-006
  
7. **Ordinance Serial No. 17-005:** An Ordinance Appropriating \$40,268 To Fund 325 For Issuance Of Costs From The Proceeds Of The Animal Care Facility Lease Refunding Certificates Of Participation, 2016C.
  - a. IM No. 17-008

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Doty moved to introduce the legislation as read into the record by the Clerk and set the public hearings for January 10, 2017.

VOTE: The motion passed without objection.

## MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Halter requested the following board member resignations for confirmation:

Local Emergency Planning Committee

Amy Kearns, resignation

Transportation Advisory Board

David Wilson, resignation

MOTION: Assemblymember Doty moved confirm the board member resignations as requested by the Mayor.

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.)*

## XI. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey wished the body happy holidays.

Ms. McKechnie wished the body happy holidays.

Assemblymember Mayfield:

- spoke to his deep appreciation of the Palmer High School Jazz Choir performance; and
- wished everyone health, wealth, and prosperity for the coming year.

Assemblymember Kowalke:

- wished everyone happy holidays; and
- spoke to a potential commercial company that has contacted him about locating within the Borough.

Assemblymember Sykes:

- spoke in appreciation of the Choir;
- summarized his personal history with music;
- spoke to attending the several Christmas celebrations around the Borough;
- noted he provided a copy of the Borough's Platting procedure pamphlet to the body;
- spoke in support of the Borough aligning code with State law regarding marijuana; and
- spoke to his thoughts for the coming budget cycle.

MOTION: Assemblymember Sykes moved to schedule special meetings to review department budgets for January 21 and February 11, from 10 a.m. to 2 p.m.

MOTION: Assemblymember Doty moved to postpone the motion to January 10, 2017.

VOTE: The motion to postpone passed without objection.

Assemblymember Doty:

- spoke to her appreciation of the choir performance;
- stated that she appreciates the public testimony that was provided this evening; and
- expressed her appreciation for staff staying late during the holiday season.

Mayor Halter:

- stated that he really enjoyed the choir performance;
- commented that he has always thought that the Borough should not be regulating marijuana;
- spoke to concerns with local and state marijuana regulations conflicting;
- opined that the body should be cautious getting into the budget cycle too early; and
- wished everyone merry Christmas.

### **XIII. EXECUTIVE SESSION**


*(There was no executive session held.)*

**XIV. ADJOURNMENT**

The regular meeting adjourned at 8 p.m.

  
VERN HALTER, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 01/10/17