

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645 - 907-861-8683

## BOROUGH MAYOR

Vern Halter

## BOROUGH CLERK

Lonnie R. McKechnie, CMC

## BOROUGH MANAGER

John Moosey

## BOROUGH ATTORNEY

Nicholas Spiropoulos



## BOROUGH ASSEMBLY

Jim Sykes, District 1

Matthew Beck, District 2

George McKee, District 3

Ted Leonard, District 4

Dan Mayfield, District 5

Barbara Doty, District 6

Randall Kowalke, District 7

## MEETING MINUTES

### ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, AUGUST 7, 2018

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, August 7, 2018, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:01 p.m. by Presiding Officer Sykes.

## II. ROLL CALL

**Present:** 6 - Assemblymember Jim Sykes, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Barbara J. Doty, and Assemblymember Randall Kowalke

**Excused:** 1 - Assemblymember Matthew Beck

## III. APPROVAL OF AGENDA

Presiding Officer Sykes queried if there were any changes to the agenda.

**Assemblymember Kowalke moved to pull Ordinance Serial No. 18-081 from introduction. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

Presiding Officer Sykes queried if there were any other changes to the agenda.

**The agenda was approved as amended by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

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

The Pledge of Allegiance was led by Ms. Tam Boeve, a member of the audience.

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

[18-087](#)

1. Special Meeting Minutes: 06/05/18
2. Regular Meeting Minutes: 06/05/18
3. Special Meeting Minutes: 06/19/18
4. Regular Meeting Minutes: 06/19/18

The minutes were approved as presented without objection.

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

##### **A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person)**

###### **1. Reports From Cities**

Mayor Bert Cottle, Wasilla City Mayor, reported on the activities of the city.

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

Dr. Monica Goyette, School District Superintendent, 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**

Presiding Officer Sykes spoke to having attended the Mat-Su Health Foundation's Smoke Free Work Place Celebration.

##### **C. MANAGER COMMENTS**

###### **1. State/Federal Legislation**

## **2. Strategic Planning Issues**

Mr. Terry Dolan, Public Works Director, reported on the flooding that is occurring due to the rain.

Mr. Otto Feather, Emergency Services Director, reported that the Borough is on standby for rescue operations, should they be needed.

Mr. Moosey spoke to the emergency disaster declaration that was done due to the cyber-attack. Summarized the response by the Federal Bureau of Investigation and the Borough's insurance company's forensics team.

Mr. Eric Wyatt, Office of Information Technology Director, reported on the status of recovery after the cyber-attack.

### **D. ATTORNEY COMMENTS**

There was no report provided.

### **E. CLERK COMMENTS**

Ms. McKechnie spoke to the upcoming meeting schedule and pertinent election dates.

### **F. CITIZEN AND OTHER CORRESPONDENCE**

### **G. INFORMATIONAL MEMORANDUMS**

[IM 18-123](#) Reporting Of Conclusion Of Contract For Bid No. 18-121B To McKenna Brothers Paving Inc, For Big Lake Recycled Asphalt Material.

[IM 18-124](#) Reporting Of Conclusion Of Contract For Bid No. 17-031P To Howdie, Inc. For The Station 7-3 Design/Build Project No. 45254/10184.

[IM 18-129](#) Reporting Of Conclusion Of Contract For Bid No. 17-107b To Western Construction & Equipment LLC. For Foothills Boulevard At Lucille Creek Fish Passage.

The informational memorandums were presented and no comments were noted.

## **VII. 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.)

There were no persons to be heard.

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

[OR 18-073](#) An Ordinance Reappropriating \$16,667 From The Fiscal Year 2016 Capital Projects Budget, Fund 480, To Fund 440, Project No. 20203, For The Rebarchek Colony Farm Certified Local Government Grant. Ms. McKechnie read the legislation into the record.

Presiding Officer Sykes opened the public hearing.

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

**Assemblymember Leonard moved to adopt Ordinance Serial No. 18-073. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

[OR 18-080](#) An Ordinance Eliminating The Sunset Provisions For Distribution Of Motor Vehicle Tax, And Eliminating The Sunset Provisions Of The Permanent Motor Vehicle Registration And Permanent Registration Of Noncommercial Trailers To Allow Such Registrations To Continue.

**Sponsors:** Sykes

**Assemblymember Kowalke moved to adopt Ordinance Serial No. 18-080.**

Ms. McKechnie read the legislation into the record.

Presiding Officer Sykes opened the public hearing.

The following person spoke in opposition to the legislation: Ms. Donna Massey.

The following person spoke in support of the legislation: Mr. Mark Grison.

The following person opined that the public hearing should be continued: Mr. Eugene Carl Haberman.

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

**Assemblymember Sykes moved to postpone Ordinance Serial No. 18-080 to August 21, 2018. The motion failed (tie vote) by the following vote:**

- Yes:** 3 - Assemblymember Sykes, Assemblymember McKee, and Assemblymember Doty
- No:** 3 - Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Kowalke

**Assemblymember McKee called for the question (to stop debate). The motion failed (required five votes) by the following vote:**

- Yes:** 3 - Assemblymember Sykes, Assemblymember McKee, and Assemblymember Kowalke
- No:** 3 - Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Doty

**The main motion passed by the following vote:**

- Yes:** 5 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Kowalke
- No:** 1 - Assemblymember Doty

Presiding Officer Mayfield relinquished the duties of the Chair.

Assemblymember Sykes resumed the duties of the Chair.

### C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person spoke to concerns with his property tax assessment: Mr. Chris Dearman.

The following person spoke in support of amending Ordinance Serial No. 18-021: Mr. Steve VanCleve.

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

The following person suggested installing an emergency fire fighting drain pipe in the Wasilla Pool: Mr. Tom Roberson.

The following person spoke in support of removing Ordinance Serial No.18-081 from introduction: Ms. Donna Massey.

The following person opined that the Borough needs to weigh in on the State's election: Mr. Jake Almeida.

### D. CONSENT AGENDA

#### 1. RESOLUTIONS

[RS 18-050](#) A Resolution Supporting The Construction Of A Restroom Facility On The Alaska State Fairgrounds.

**Sponsors:** Beck

[RS 18-051](#) A Resolution Nominating Ms. Kirsten Dixon To The Cook Inlet Aquaculture Association Board Of Directors, To Fill The Vacant Position For The Matanuska-Susitna Borough Director Seat.

**Sponsors:** Halter

[RS 18-058](#) A Resolution Amending The Scope Of Work For Project No. 47525 To Place A Tower And Communications Building And Equipment In The Sutton/Palmer Area.

[RS 18-061](#) A Resolution Amending The Scope Of Work For Project No. 47519, Aerial Imagery Acquisition Program, To Include Collection Of Elevation Data As Well As Development Of Derivative Products.

#### 2. ACTION MEMORANDUMS

- [AM 18-064](#) Authorization To Purchase From Bering Marine Corporation In The Amount Of \$515,257.50 For Sodium Chloride.
- [AM 18-068](#) Approve Utility Relocation Costs In The Amount Of \$116,257.31 To Matanuska Telephone Association, Inc. For Ryan's Creek Drive Improvements Project No. 30043
- [AM 18-069](#) Award Of Contract No. 19-023C To Braun Northwest, Inc. In The Contract Amount Of \$644,312 To Remount And Refurbish 4 Ambulances.
- [AM 18-070](#) Award Of Bid No. 19-002B To GMG General, Inc. For The Contract Amount Of \$124,665 For The Dorothy Swanda Jones Parking Lot Rehabilitation.
- [AM 18-072](#) Approval Of Contract Amendment For Contract No. 18-112B In The Amount Of \$200,000 To Jim Psenak Construction LLC. For The Reddane Avenue Extension Project; And To Extend The Project To October 31, 2018.
- [AM 18-073](#) Approval Of Change Order For Contract No. 17-036B With The Boutet Company, Inc. In The Amount Of \$20,200 For The Recreational And Cultural Interest Area Sign Program, Project No. 15035, Fund 480.
- [AM 18-074](#) Approval Of Election Officials For The October 2, 2018, Regular Borough Election.
- [AM 18-075](#) Authorization To Purchase From Swissphone, LLC. In An Amount Not To Exceed \$255,000 For Voice Pagers For Emergency Services.
- [AM 18-076](#) Award Of Bid No. 19-012B To Dirtworks, Inc. In The Contract Amount Of \$553,769.16 For Ryan's Creek Drive And Lazy Lake Drive Improvements.
- [AM 18-077](#) Award Of Bid No. 19-006B To Specialized Pavement Marking, Inc. In The Contract Amount Of \$122,804.88 For 2018 Road Striping.  
Ms. McKechnie read the legislation into the record.
- Assemblymember Leonard moved to approve the consent agenda as read into the record by the Clerk. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

## VIII. UNFINISHED BUSINESS

There was no unfinished business.

## IX. VETO

There were no vetoes presented.

## X. NEW BUSINESS

### A. INTRODUCTIONS (For Public Hearing 08/21/18, Assembly Chambers)

[OR 18-030](#) An Ordinance Amending The Applicability Of MSB 17.60, Conditional Uses, To Exempt Conditional Use Permitting Requirements Within The Port Mackenzie Special Use District; And Adding Standards Required By State Law To MSB 17.60 And MSB 17.23, Port Mackenzie Special Land Use District.

[OR 18-070](#) An Ordinance Amending MSB 10.12, Abatement Of Abandoned Vehicles.

[OR 18-077](#) An Ordinance Amending MSB 3.32.050, Returns; Payments; Penalties; And MSB 3.32.055, Involuntary Filing Fee, Appeal; To Provide For A Minimum Penalty For Failure To File By An Operator.

[OR 18-081](#) An Ordinance Repealing MSB 28.60.070-100, Timber Transport Permit And Related Requirements.

**Sponsors:** Kowalke

[Clerk's note: Ordinance Serial No. 18-081 was pulled from the agenda and not introduced.]

[OR 18-082](#) An Ordinance Accepting And Appropriating \$40,000 From The Alaska State Department Of Health And Social Services Grant Program, To Fund 425, Project No. 45284, For Supplies, Equipment, And Personnel Costs To Allow For The Implementation And Management Of Points Of Dispensing And Medical Countermeasures.

RS 18-053: A Resolution Approving The Scope Of Work And Budget For The Alaska State Department Of Health And Social Services Grant, Project No. 45284, Fund 425, For Supplies, Equipment, And Personnel Costs To Allow For The Implementation And Management Of Points Of Dispensing And Medical Countermeasures.



[OR 18-083](#) An Ordinance Approving An Appropriation Of \$80,000 From The Greater Palmer Consolidated Fire Service Area Fund Balance, Fund 259 To Project No. 45215, For The Purchase Of Mobile Vehicle Radios And Related Equipment For The Greater Palmer Consolidated Fire Service Area.

RS 18-054: A Resolution Approving The Scope Of Work And Budget For Project No. 45215, To Allow For The Purchase Of Mobile Vehicle Radios And Related Equipment For The Greater Palmer Consolidated Fire Service Area.

[OR 18-085](#) An Ordinance Establishing The Colleen Street Signals Zone 16-A, As A Differential Tax Zone Within Road Service Area No. 16, South Colony Road Service Area.

**Sponsors:** Beck

[OR 18-086](#) An Ordinance Establishing A Commercial Outdoor Shooting Facility Working Group.

**Sponsors:** Doty

[OR 18-088](#) An Ordinance Accepting And Appropriating \$289,311 From The Alaska State Department Of Health And Social Services, To Fund 475, Project No. 20393, For The Human Services Community Matching Grant.

RS 18-059: A Resolution Approving The Scope Of Work And Budget For Participation In The Human Services Community Matching Grant Program.

Ms. McKechnie read the legislation into the record.

**Assemblymember Leonard moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for September 4, 2018. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

## **B. MAYORAL NOMINATIONS AND APPOINTMENTS**

### **1. VACANCY REPORT**

There was no vacancy report.

## **C. OTHER NEW BUSINESS**

### **1. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED**

OR 18-021

An Ordinance Amending MSB 17.63, Race Track Regulations By Amending The Applicability And Making The Standards More Consistent With Other Permits Within Borough Code.

**Sponsors:** Sykes

**Assemblymember Doty moved to amend Ordinance Serial No. 18-021, MSB 17.60.010, that was previously adopted as follows:**

- **(D)(2), by inserting the words “and shall renew such registration every three years” after the word “operating” and by inserting the words “or renewal” after the word “registration” to read: “small-scale race tracks shall register with the Borough prior to operating and shall renew such registration every three years. Upon registration or renewal the following shall be submitted to the Borough’;**
- **by inserting a new (3) to read as follows: “If the owner, operator, agent, or land upon which a small-scale operation exists is convicted of more than three citations involving a violation of MSB 17.63, the small-scale designation is revoked and a conditional permit under this chapter is required”; and**
- **MSB 17.63.010(E), by inserting the words “or lose their small-scale designation” after the word “year” to read: “Commercial race tracks which host more than 10 events per year, or lose their small-scale designation, are considered large-scale and require a conditional use permit in accordance with this chapter.”**

**Assemblymember Sykes moved to postpone the primary amendment to November 20, 2018. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

**D. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)**

There were no referrals.

**XI. RECONSIDERATION**

There were no reconsiderations presented.

## **XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Mr. Spiropoulos advised that should the Assembly decide they want the Planning Commission to review the amendment to Ordinance Serial No. 18-021, that they could direct the Manager to have them do so.

Mr. Moosey advised that he would not be at the August 21 Assembly meeting as he will be at the Alaska Municipal League Conference.

Ms. McKechnie thanked the Assembly for her evaluation.

Assemblymember Doty opined that the voters need to know all the different ways the Borough can achieve a 50/50 match for the road bond package.

Assemblymember Mayfield spoke in support of Ordinance Serial No. 18-080. Stated that Ms. McKechnie is a valued employee and congratulated her on a great evaluation.

Assemblymember Kowalke thanked the body for their support of the permanent registration legislation. Spoke to concerns with the proposed road bond package. Opined that it should cover all areas of the Borough in order to garner the support of the voters.

Assemblymember McKee spoke in support of contracting out some Borough services.

Presiding Officer Sykes thanked the public for their testimony.

## **XIII. EXECUTIVE SESSION**

There was no executive session.

## **XIV. ADJOURNMENT**


The meeting adjourned at 7:37 p.m.



Mayoral Signature and Clerk Attestment

For

August 7, 2018, Assembly Regular Meeting Minutes (11 pages)

  
VERN HALTER, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 10/30/18