



Mayoral Signature and Clerk Attestment

For

February 2, 2021, Assembly Regular Meeting Minutes

(13 pages)


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 02/16/21

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
Michael Brown

BOROUGH ATTORNEY
Nicholas Spiropoulos



BOROUGH ASSEMBLY
Tim Hale, District 1
Stephanie Nowers, District 2
George McKee, District 3
Robert Yundt, District 4
Mokie Tew, District 5
Jesse Sumner, District 6
Tam Boeve, District 7

MEETING MINUTES

ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, FEBRUARY 2, 2021

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, February 2, 2021, 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

Present: 6 - Assemblymember Stephanie Nowers, Assemblymember George McKee, Assemblymember Robert Yundt, Assemblymember Mokie Tew, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

Telephonic: 1 - Assemblymember Tim Hale

III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ms. Bonnie Quill, Mat-Su Convention and Visitor's Bureau Executive Director.

V. MINUTES OF PRECEDING MEETINGS

21-026

A. Regular Assembly Meeting: 01/05/21

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

City of Wasilla Mayor Glenda Ledford, reported on the activities of the city.

2. Matanuska-Susitna Borough School District

There was no report provided.

3. State of Alaska

Mr. Todd Smolden, Executive Director of Governor Dunleavy's Mat-Su Office, reported on the status of the Governor's budget.

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

21-029

Presentations Under Manager's Report

Mr. Brad Sworts, Borough Assessor, provided the 2021 Annual Property Appraisal Report.

D. ATTORNEY COMMENTS

21-038

Attorney Comments

Mr. Spiropoulos reported on the purpose and construction of the Alaska Constitution and the powers granted to local governments.

E. CLERK COMMENTS

Ms. McKechnie reported on the upcoming meeting schedule.

Assemblymember Yundt requested to reschedule the planning session scheduled for February 27, due to conflicts with his schedule.

Ms. McKechnie suggested February 20, 2021.

Mayor Halter queried if there was any objection.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

- 21-023**
1. Butte FSA Board of Supervisors: 11/05/20
 2. Central Mat-Su FSA Board of Supervisors: 11/09/20
 3. Greater Butte RSA Board of Supervisors: 10/08/20
 4. Greater Palmer Consolidated FSA Board of Supervisors: 09/23/20
 5. Local Emergency Planning Committee: 07/15/20
 6. MSB Fish and Wildlife Commission: 10/15/20, 11/19/20
 7. Louise/Susitna/Tyone Community Association: 10/10/20
 8. Meadow Lakes RSA Board of Supervisors: 10/20/20
 9. Planning Commission: 12/21/20, Resolution Nos. 20-47, 20-48
 10. Platting Board: 11/19/20, 12/03/20
 11. South Colony RSA Board of Supervisors: 10/21/20, 01/08/21
 12. Susitna Community Council: 12/03/20
 13. Trapper Creek Community Council: 10/15/20

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

G. INFORMATIONAL MEMORANDUMS

- IM 21-022** Reporting Of Conclusion Of Contract For Bid No. 20-95B With Tutka, LLC. For Marble Way At Cottonwood Creek Fish Passage.
- IM 21-024** Informing The Assembly Of Agreements And Amendments For The Community Assistance Program That Are To Be Presented To The Borough Manager For Signature.
- IM 21-025** Informing The Assembly Of A Grant Agreement With The Matanuska-Susitna Borough School District To Provide Funds To Assist In The Talkeetna Elementary School Community Enrichment Program.

IM 21-026 Informing The Assembly Of Grant Amendments From The Alaska State Department Of Military And Veterans' Affairs That Are To Be Presented To The Borough Manager For Signature.

IM 21-027 Advising the Assembly That The Solid Waste Division Does Not Intend To Issue The Annual Disposal Coupon In Fiscal Year 2021 Due To The Expense.

The informational memorandum were presented.

VII. SPECIAL ORDERS

A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)

B. PUBLIC HEARINGS (Three Minutes Per Person.)

OR 20-046 An Ordinance Repealing The Manager Plan Of Government And Submitting The Proposal To The Qualified Voters At The November 3, 2020, Regular Borough Election.

Sponsors: Sumner and Leonard

Ms. McKechnie read the legislation into the record.

Mr. Spiropoulos provided a staff report.

Mayor Halter opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 20-046: Mr. Eugene Carl Haberman, Mr. Don Dyer, and Mr. Aaron Hutka.

The following persons spoke to concerns with Ordinance Serial No. 20-046: Mr. Beth Fread and Mr. Robert Hall.

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

Assemblymember Sumner moved to adopt Ordinance Serial No. 20-046.

Assemblymember Sumner moved a primary amendment to Ordinance Serial No. 20-046, by striking "November 3, 2020" and inserting "November 2, 2021" throughout the legislation. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

Assemblymember Sumner moved a primary amendment to Ordinance Serial No. 20-046, as follows:

- **by striking sections 2 through 10; and**
- **section 12, by striking all language after the first sentence.**

The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

**Assemblymember McKee called for the question (to stop debate).
The motion passed without objection.**

The main motion failed by the following vote:

Yes: 3 - Assemblymember McKee, Assemblymember Yundt, and Assemblymember Sumner

No: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Tew, and Assemblymember Boeve

The meeting recessed at 7:21 p.m. and reconvened at 7:28 p.m.

OR 20-061 An Ordinance Proposing A Reclassification Of The Matanuska-Susitna Borough From A Second Class Borough To A First Class Borough And Submitting The Proposal To The Qualified Voters At The November 3, 2020 Regular Borough Election.

Sponsors: Halter and Leonard

Ms. McKechnie read the legislation into the record.

Mr. Spiropoulos provided a staff report.

Mayor Halter opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 20-061: Ms. Leighann Pope, Mr. Brian Endle, Mr. Dave Maxwell, Mr. Mike Hill, Mr. Matt Win, Mr. Gordon DeVries, Ms. Renee Wellington, Mr. John Hinman, Mr. Nick Brocket, Ms. Beth Fread, Mr. Ron Farnsworth, Ms. Cori DeVries, Ms. Laura Maxwell, Mr. Aaron Hutka, Mr. Robert Hall, Mr. Eugene Carl Haberman, Ms. Janice Risen, and Ms. Victoria Brehm.

The following persons spoke in support of Ordinance Serial No. 20-061: Ms. Becky Stoppa; and Ms. Stephanie Allen, Executive Director of United Way Mat-Su.

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

MOTION PENDING: Assemblymember Mayfield moved to adopt Ordinance Serial No. 20-061.

Assemblymember Boeve moved a primary amendment to Ordinance Serial No. 20-061, by striking "November 3, 2020" and inserting in its place "November 2, 2021," throughout the legislation. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

Assemblymember McKee moved to postpone Ordinance Serial No. 20-061 indefinitely.

Assemblymember McKee called for the question (to stop debate). The motion passed without objection.

The motion to postpone indefinitely passed by the following vote:

Yes: 4 - Assemblymember Hale, Assemblymember McKee, Assemblymember Tew, and Assemblymember Boeve

No: 3 - Assemblymember Nowers, Assemblymember Yundt, and Assemblymember Sumner

OR 21-007 An Ordinance Adopting MSB 15.24.030(H), The Matanuska-Susitna Borough Hazard Mitigation Plan Update.

Ms. McKechnie read the legislation into the record.

Ms. Taunnie Boothby, Planner II, provided a staff report.

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.

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-007. The motion passed by the following vote:

Yes: 4 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Yundt, and Assemblymember Boeve

No: 3 - Assemblymember McKee, Assemblymember Tew, and Assemblymember Sumner

OR 21-011 An Ordinance Accepting And Appropriating Additional Disaster Relief Funds For Colony High School Of \$49,728.09 For Damages Sustained During The 2018 Cook Inlet Earthquake, Project No. 55026.
RS 21-008: A Resolution Amending The Budget For Additional Disaster Relief Funds Of \$49,728.09 For Colony High School For Damages
Ms. McKechnie read the legislation into the record.

Ms. Cheyenne Heindel, Finance Director, provided a staff report.

Mayor Halter opened the public hearing.

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

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

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-011 and Resolution Serial No. 21-008. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

OR 21-014 An Ordinance Reappropriating \$30,000 From Project No. 47506, To Capital Project Fund 435, Project No. 10063, To Remodel The Ambulance Billing Office.
RS 21-009: A Resolution Approving Scope Of Work And Budget For The Remodel Of The Ambulance Billing Office.
Ms. McKechnie read the legislation into the record.

Ms. Cheyenne Heindel, Finance Director, provided a staff report.

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.

Assemblymember Boeve moved to adopt Ordinance Serial No. 21-014 and Resolution Serial No. 21-009. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following persons spoke to the need for an educational gun range: Mr. Neil Moss, Ms. Lindy Moss, Mr. Paxton Crum, Ms. Angelina Monfrey, and Mr. Frank Monfrey.

The following persons spoke in support of the Borough hosting the 2024 Arctic Winter Games: Ms. Bonnie Quill, Executive Director Mat-Su Convention and Visitor's Bureau; Mr. John Estle; Mr. John Rodda; Mr. Robert Hall; Mr. Jason Michael; Ms. Jessica Viera, Wasilla Chamber of Commerce Executive Director; and Ms. Denise Huffy

The following person spoke in opposition to the Borough hosting the 2024 Arctic Winter Game: Mr. Eugene Carl Haberman.

The following person spoke to concerns with the on-site consumption of marijuana: A gentleman whose name was not discernible on the audio.

The following person spoke to concerns with the Jonesville Management Ordinance: Mr. Ryan Johnson.

D. CONSENT AGENDA

1. RESOLUTIONS

2. ACTION MEMORANDUMS

AM 21-001 Destruction Of Ballots From The November 3, 2020, Regular Borough Election.

AM 21-006 Award Of Bid No. 21-108B To Western Construction & Equipment, LLC. In The Contract Amount Of \$168,996 For South Joanne Drive Improvements.

AM 21-007 Award Of Bid No. 21-109B To Granite Construction Company In The Contract Amount Of \$519,650 For Sunset Drive Improvements.

AM 21-008 Award Of Bid No. 21-110B To Northern Asphalt Construction, Inc. In The Contract Amount Of \$373,361.50 For Marble Way Improvements.

AM 21-009 Award Of Bid No. 21-113B To Pruhs Construction Company, LLC. In The Contract Amount Of \$436,952.50 For Central Midway Streets Improvements.

AM 21-010 Award Of Bid No. 21-123B To Western Construction & Equipment, LLC. In The Contract Amount Of \$534,487.58 For Michigan Street And Lakeshore Circle Improvements.

Ms. McKechnie read the legislation into the record.

Assemblymember Boeve moved to approve the consent agenda as read into the record by the Clerk. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

RS 21-012 A Resolution To Approve Submittal Of A Bid To Host The 2024 Arctic Winter Games In The Matanuska-Susitna Borough.

Ms. McKechnie read the legislation into the record.

Ms. Kim Sollien, Planning Services Manager, provided a staff report.

Assemblymember Sumner moved to adopt Resolution Serial No. 21-012. The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

No: 1 - Assemblymember McKee

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 02/16/21, Assembly Chambers)

OR 21-012 An Ordinance Annexing Parcels That Are In The Process Of Being Subdivided From The Greater Palmer Consolidated Service Area Into The Central Mat-Su Fire Service Area, To Adhere To The Provisions Found In MSB 43.15.049(E), Final Plat; General Provisions; And Making The Boundary Changes To MSB 5.25.142(A) And 5.25.140(A).

Sponsors: Sumner

OR 21-015 An Ordinance Adopting The Five-Year Timber Harvest Schedule (MSB007621 2021-2025) Per MSB 23.20.090.

OR 21-016 An Ordinance To Accept And Appropriate COVID-19 Disaster Relief Funds Of \$118,483.05 From The Federal Emergency Management Agency; And \$39,494.34 From The Alaska State Division Of Homeland Security And Emergency Management, To Fund 445, Project No. 55029. RS 21-011: A Resolution Approving The Scope Of Work And Budget For COVID-19 Disaster Relief Funds, Project No. 55029.

OR 21-017 An Ordinance Amending MSB 17.60, Conditional Uses, To Change The Applicability And Standards For Cultivation Facilities And Address On-Site Consumption Of Marijuana.

Sponsors: Sumner

Assemblymember Boeve moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for February 16, 2021. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

21-025 Mayoral Requests for Confirmation
Historical Preservation Commission
Fran Seger-Boss
MSB Fish and Wildlife Commission
Kendra Zamzow
Peter Probasco
Talkeetna FSA No. 24
Steve Hanson

Assemblymember Boeve moved to confirm the appointments requested by the Mayor. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

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.

XI. RECONSIDERATION

There were no reconsiderations.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Brown spoke to his intent for the strategic planning session on February 20, 2021.

Assemblymember McKee opined that face masks being effective in preventing the spread of COVID-19 is still a hypothesis as it has not been proven that they actually work.

Assemblymember Tew spoke in support of an educational shooting range for students.

Assemblymember Sumner moved to direct the Manager to gather information on locations suitable for educational shooting ranges and to present that information at a future meeting. The motion passed by the following vote:

Yes: 7 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Yundt, Assemblymember Tew, Assemblymember Sumner, and Assemblymember Boeve

Assemblymember Hale spoke to his support of a shooting range. Related that he shot trap all through high school. Noted that he would like to see this project come to fruition.

Assemblymember Sumner opined that it is inappropriate to postpone legislation indefinitely. Stated that it is better to vote legislation up or vote it down so that there is a clear history of the action taken.

Assemblymember Nowers noted that she agrees with Assemblymember Sumner regarding postponing legislation indefinitely. Thanked staff for presentations, through which she received a lot of good information. Stated that she is looking forward to the strategic planning session. Noted that she has been listening to the Senate Finance Committee hearings on Gavel-to-Gavel. Noted that the Sutton Community Council has proposed seven potential amendments to the legislation. Noted that the Sutton Community Council is discussing the possibility of hiring an attorney to review it for them. Stated that because of their input, she is happy that it has been postponed.

Assemblymember Yundt spoke to concerns with Jonseville Management Plan being postponed. Spoke in support of an educational gun and rifle range being located on Borough property.

Mayor Halter stated that he is happy that the strong mayor legislation was defeated. Related that he would have liked to have seen the body vote on the possible change to first class Borough. Spoke in support of strong manager form of government. Noted that the Borough has been experiencing a lot of growth even during the pandemic.

Assemblymember Boeve thanked the firefighters for Willow, Caswell, and Houston for their back-to-back efforts fighting fires in below zero weather.

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 10:58 p.m.