

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 SPECIAL MEETING

6:00 PM

TUESDAY, JULY 31, 2018

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, July 31, 2018, 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 Jim Sykes, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Barbara J. Doty, and Assemblymember Randall Kowalke

Telephonic 1 - Assemblymember Matthew Beck

III. APPROVAL OF AGENDA

Mayor Halter queried if there was any objection to taking up the action memorandums and the resolution, together.

There was no objection noted.

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

Mr. Moosey requested to have Mr. Eric Wyatt, Borough IT Director, provide a status report on the cyber attack immediately following the pledge of allegiance.

Mayor Halter queried if there was any objection.

There was no objection noted.

Mayor Halter queried if there were any other changes to the agenda.

Assemblymember Sykes moved to take up Unfinished Business as the first item of business. The agenda was approved as amended by the following vote:

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

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Butch Moore, a member of the audience.

Mr. Eric Wyatt, Borough IT Director, reported on the status of recovery from the cyber-attack.

V. AUDIENCE PARTICIPATION

The following persons spoke to concerns with crime in the Borough: Mr. Dave Jenkins, Ms. Amy Henry, Mr. Tim Rockey, and Mr. Dave Clausen.

The following person spoke to concerns with OR 18-028 and proposed an amendment: Mr. Brian Endle.

The following person spoke in support of the Borough acquiring police powers: Mr. Robert Hall.

The following person spoke in support of putting the advisory question regarding police powers to the voters: Mr. Jake Almeida.

The following person spoke to concerns with the public process and to the need for transparency regarding the expense of the cyber attack: Mr. Eugene Carl Haberman.

The following person thanked the Assembly for supporting Bree's Law: Mr. Butch Moore.

The following person spoke in opposition to the Borough acquiring police powers: Mr. Ben Miller.

The following person stated that he is running for the Assembly District 6 seat: Mr. Jesse Sumner.

The following persons spoke in support of the road bond package: Mr. Richard Nelson, Mr. Tom Sojka, and Mr. Ray Bleeder.

The following person spoke in support of the Borough's action in response to the cyber attack: Mr. Kurt Bunker.

C. UNFINISHED BUSINESS

[OR 18-071](#)

An Ordinance Submitting An Advisory Question To The Voters Outside The Cities On The Issue Of Police Powers.

Sponsors: Sykes

Ms. McKechnie read the legislation into the record.

PENDING AMENDMENT: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 18-071, by inserting an additional sentence after the first sentence below "Advisory Vote on Police Powers" that reads: "At this time, the Matanuska-Susitna Borough cannot contract for additional State Troopers, extend City Police to extend coverage outside city boundaries, contract directly for police officers, create police service districts, or other possible options to provide police service."

Assemblymember Sykes moved to withdraw his pending amendment. The motion passed by the following vote:

Yes: 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

The meeting recessed at 7:38 p.m. and reconvened at 7:41 p.m.

Assemblymember Sykes moved a primary amendment by striking the current proposed ballot language in its entirety and inserting the following in its place: " The Matanuska-Susitna Borough does not have police powers. Without police powers, the Borough cannot contract for additional state troopers or City Police coverage, contract directly for police officers, create police service districts, or other possible options to provide enhanced police services. If granted police powers, the Borough could pursue these options and still allow the Cities to maintain their own police departments if the Cities agree. Any future plan to obtain police powers will require additional voter approval.

Should the Matanuska-Susitna Borough investigate and consider steps to develop a proposal to voters that adds police powers to its responsibilities?"

The primary amendment passed by the following vote:

Yes: 7 - Assemblymember Sykes, Assemblymember Beck,
Assemblymember McKee, Assemblymember Leonard,
Assemblymember Mayfield, Assemblymember Doty, and
Assemblymember Kowalke

The main motion passed as amended by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember Beck,
Assemblymember Leonard, Assemblymember Mayfield,
and Assemblymember Doty

No: 2 - Assemblymember McKee, and Assemblymember Kowalke

VI. ITEMS OF BUSINESS

A. PUBLIC HEARINGS (Three Minutes Per person)

[OR 18-078](#)

An Ordinance Relating To The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or Acquisition Of Public Roads And Facilities Related Thereto In The Matanuska-Susitna Borough, Together With All Necessary Equipment And Transportation Facilities, And The Acquisition Of Lands Or Rights In Lands In Connection Therewith, And A Debt Of The Borough, Authorizing The Issuance Of Areawide General Obligation Bonds Of The Borough In An Amount Not To Exceed The Sum Of Seventy-Two Million Five Hundred Thousand Dollars (\$72,500,000) To Finance The Cost, In Whole Or In Part, Of Such Public Roads, Facilities And Lands, And Providing For The Submission To The Voters Of The Borough Of A Proposition Ratifying The Authorization Of Such Bonds At The October 2, 2018, Regular Borough Election.

Ms. McKechnie read the legislation into the record.

Mayor Halter opened the public hearing.

The following persons spoke in support of the road bond package: Ms. Patti Fisher, Ms. Kim Kalmbach, and Ms. Sherry Rusher.

The following person opined that unless there was a proposed 50/50 match for the road bonds that it would not pass the voters: Mayor Bert Cottle, City of Wasilla.

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

Assemblymember Mayfield moved to adopt Ordinance Serial No. 18-078.

Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 18-078, as follows:

- to the preamble, by inserting the following whereas clauses, to read: "Whereas, if approved by the voters, the Borough will issue its general obligation debt sufficient to cover fifty percent of the costs of the projects; and Whereas, before general obligation debt may be issued for any project(s), fifty percent matching funds must be obtained from other sources";**
- in Section 5, Election and Proposition, to amend the title by inserting the words "fifty percent match" prior to the word "Borough" to read: Fifty percent match borough**

transportation systems bonds”;

- to insert at the end of the ballot language, the following:
“This is the amount of the Borough’s contribution for the above projects. Bonds may not be issued to pay costs of a Project unless matching funds for the Project are received from sources other than the Bonds”; and
- reduce the cost amounts in the title of the ordinance, Sections 2, 3, and 5 by fifty percent after any amendments to projects.

Assemblymember Sykes moved to postpone the amendment until after the project has been amended. The motion passed by the following vote:

- Yes:** 4 - Assemblymember Sykes, Assemblymember McKee, Assemblymember Leonard, and Assemblymember Doty
- No:** 2 - Assemblymember Mayfield, and Assemblymember Kowalke

Assemblymember Sykes moved a primary amendment to the projects to insert: "Smith Road Extension and Paved Pathway - \$1.49 million." The motion passed by the following vote:

- Yes:** 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Doty, and Assemblymember Kowalke
- No:** 2 - Assemblymember Leonard, and Assemblymember Mayfield
- Assemblymember Kowalke moved a primary amendment to the project list, by inserting: "Wood Pecker Avenue Upgrade - \$500,000." The motion failed by the following vote:**

- Yes:** 3 - Assemblymember Sykes, Assemblymember McKee, and Assemblymember Kowalke
- No:** 4 - Assemblymember Beck, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Doty

Assemblymember Doty moved a primary amendment to the project list by striking the following projects:

- Id No. 111 - Lakes Boulevard (Beaver Lake Road to Rogers Road);**
- Id No. 202 - Oilwell Road Upgrade (Petersville Road to Mile 6.2);**
- Id No. 207 - Yoder Road Upgrade;**
- Id No. 210 - Echo Lake Drive from Gonder Road to Big Lake Road;**
- Id No. 213 - Point MacKenzie Road Upgrade (Point MacKenzie Road to Burma Road); and**
- Id No. 214 - Caswell Lakes Road, Bendapole Road, Hidden Hills Road Upgrade.**

Assemblymember McKee called for the question (to stop debate). The motion passed by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Leonard, Assemblymember Doty, and Assemblymember Kowalke

No: 2 - Assemblymember McKee, and Assemblymember Mayfield

The primary amendment passed by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, and Assemblymember Doty

No: 2 - Assemblymember Mayfield, and Assemblymember Kowalke

Assemblymember Sykes moved a primary amendment to the project list by striking "Id No. 108 - Fern Street Upgrade." The motion passed by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Doty

No: 2 - Assemblymember McKee, and Assemblymember Kowalke

Assemblymember Mayfield moved a primary amendment to the project list by striking the following projects:

- Id No. 102 - Hermon Road Upgrade and Extension North to Bogard Road;**
- Id No. 105 - Cheri Lake Drive/Karen Drive/King Arthur Drive Corridor Improvements; and**
- Id No. 107 - Tex A1 Upgrade and Extension.**

The motion failed by the following vote:

Yes: 2 - Assemblymember Mayfield, and Assemblymember Kowalke

No: 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, and Assemblymember Doty

Assemblymember Leonard moved to reconsider the amendment on the removal of the following projects:

- Id No. 111 - Lakes Boulevard (Beaver Lake Road to Rogers Road);**
- Id No. 202 - Oilwell Road Upgrade (Petersville Road to Mile 6.2);**
- Id No. 207 - Yoder Road Upgrade;**
- Id No. 210 - Echo Lake Drive from Gonder Road to Big Lake Road;**
- Id No. 213 - Point MacKenzie Road Upgrade (Point MacKenzie Road to Burma Road); and**
- Id No. 214 - Caswell Lakes Road, Bendapole Road, Hidden Hills Road Upgrade.**

The motion for reconsideration passed by the following vote:

Yes: 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

Assemblymember Leonard moved to strike from the project list, Id. No. 111 - Lakes Boulevard (Beaver Lake Road to Rogers Road) to leave the project in the bond package. The motion failed by the following vote:

Yes: 4 - Assemblymember Beck, Assemblymember McKee, Assemblymember Doty, and Assemblymember Kowalke

No: 3 - Assemblymember Sykes, Assemblymember Leonard, and Assemblymember Mayfield

Assemblymember McKee moved to strike from the project list, Id. No. 103 - MSB School District 2018 Pedestrian Projects (Safe Routes to School Plan Implementation). The motion failed by the following vote:

Yes: 1 - Assemblymember McKee

No: 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

Assemblymember Mayfield called for the question (to stop debate). The motion failed (required 5 votes) by the following vote:

Yes: 4 - Assemblymember Beck, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Kowalke

No: 3 - Assemblymember Sykes, Assemblymember McKee, and Assemblymember Doty

PENDING AMENDMENT: Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 18-078, as follows:

- **to the preamble, by inserting the following whereas clauses, to read: "Whereas, if approved by the voters, the Borough will issue its general obligation debt sufficient to cover fifty percent of the costs of the projects; and Whereas, before general obligation debt may be issued for any project(s), fifty percent matching funds must be obtained from other sources";**
- **in Section 5, Election and Proposition, to amend the title by inserting the words "fifty percent match" prior to the word "Borough" to read: Fifty percent match borough transportation systems bonds";**
- **to insert at the end of the ballot language, the following: "This is the amount of the Borough's contribution for the above projects. Bonds may not be issued to pay costs of a Project unless matching funds for the Project are received from sources other than the Bonds"; and**
- **reduce the cost amounts in the title of the ordinance, Sections 2, 3, and 5 by fifty percent after any amendments to projects.**

The motion passed by the following vote:

- Yes:** 4 - Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, and Assemblymember Kowalke
- No:** 3 - Assemblymember Sykes, Assemblymember Beck, and Assemblymember Doty

Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 18-078, as follows:

- **Section 3, to amend the project lists headings, by inserting the word "estimated" before the words amount per tax payer per \$100,000" and by inserting the word "annual" before the words "cost to"; and**
- **Section 5, by inserting the words "pursuant to" before the word "ordinance" to read: "The bonds shall be secured by a pledge of the full faith and credit of the Borough pursuant to Ordinance Serial No. 18-078, of the Matanuska-Susitna Borough Assembly on ___, ___, 2018."**

The motion passed by the following vote:

Yes: 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

The main motion passed as amended by the following vote:

Yes: 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, and Assemblymember Doty

No: 2 - Assemblymember Mayfield, and Assemblymember Kowalke

B. ACTION MEMORANDUMS AND RESOLUTION

[AM 18-066](#) Approval of Change Order For Contract No. 18-060B With F-E Contracting, Inc. In The Amount Of \$269,436 For The Brett Memorial Ice Arena Improvements.

[AM 18-067](#) Approval Of Change Order For Contract No. 18-096B With Orion Construction Inc. In the Amount Of \$31,408.22, And Request Of A 10 Percent Change Order Authority Not To Exceed \$549,400 For The Wasilla Pool Improvements Project.

[RS 18-060a](#) A Resolution Urging The Alaska State Department Of Transportation And Public Facilities And The Commissioner To Address The Concerns Of The Citizens And The Businesses Impacted By The Phase III Construction Of The Parks Highway.

Sponsors: Halter and Kowalke

Ms. McKechnie read the legislation into the record.

Assemblymember Mayfield moved to adopt AM Nos. 18-066, 18-067, and RS 18-060. The motion passed by the following vote:

Yes: 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

VII. MAYOR, ASSEMBLY, AND STAFF COMMENT

Assemblymember Doty thanked the public for the testimony provided. Thanked staff for their hard work on putting together the road bond project list. Stated that she enjoyed the positive deliberations.

Assemblymember Leonard thanked all of the people who have been assisting the Borough's IT Department with the cyber-attack. Stated that he would like to see an informational pamphlet for the voters regarding the ballot propositions. Noted that he would like to have a public safety discussion in the near future.

Assemblymember Sykes thanked the public for the testimony provided. Spoke to his appreciation of the report regarding the cyber-attack. Thanked the body for the meeting.

Assemblymember Kowalke opined that the body missed the opportunity to have the road bond passed by the voters due to the changes that were made.

Assemblymember Beck thanked the body for their patience with him appearing telephonically. Noted that he was out of town for a family emergency.

Mayor Halter stated that he is not in favor of the Borough acquiring police powers. Stated that the Borough needs to put pressure on the State Legislature to fund more Troopers for the Borough.

VIII. ADJOURNMENT

The meeting adjourned at 9:56 p.m.



Mayoral Signature and Clerk Attestment

For

July 31, 2018, Special Meeting Minutes (13 pages)


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 10/30/18