

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Edna DeVries

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

Michael Brown

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Tim Hale, District 1
Stephanie Nowers, District 2
Dee McKee, District 3
Robert Yundt, District 4
Mokie Tew, District 5
Dmitri Fonov, District 6
Ron Bernier, District 7

ASSEMBLY AGENDA

ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, JULY 18, 2023

WAYS TO PARTICIPATE IN THE ASSEMBLY MEETING IF YOU CANNOT ATTEND IN PERSON:

IN WRITING:

- * You can submit written comments to leg.com@matsugov.us

TELEPHONIC TESTIMONY:

- * Dial 1-855-225-2326
- * You will hear "Joining conference" when you are admitted to the meeting.
- * You will be automatically muted and able to listen to the meeting.
- * When the Mayor announces audience participation or a public hearing you would like to speak to, press *3; you will hear "Your hand has been raised."
- * When it is your turn to testify you will hear "Your line has been unmuted."
- * State your name for the record, spell your last name, and provide your testimony.

OBSERVE: observe the meeting via the live stream video at:

- * <https://matanuska.legistar.com/Calendar.aspx>
- * <https://www.facebook.com/MatSuBorough>
- * Matanuska-Susitna Borough - YouTube

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

[23-085](#)

A. Special Meeting Minutes: 06/20/23

B. Regular Meeting Minutes: 06/20/23

Attachments: [062023 - SIGNED - Assembly Special Meeting Minutes](#)
[062023 - SIGNED - Assembly Regular Meeting Minutes](#)

VI. REPORTS/CORRESPONDENCE

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

- 1. Reports From Cities**
- 2. Matanuska-Susitna Borough School District**
- 3. State of Alaska**

B. COMMITTEE REPORTS

- 1. Joint Assembly/School Board Committee On School Issues**
- 2. Assembly Public Relations**

C. MANAGER COMMENTS

- 1. State/Federal Legislation**
- 2. Strategic Planning Issues**

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

[23-088](#)

1. Abbreviated Plat: 06/07/23, 06/14/23, 06/21/23, 06/28/23, 07/05/23
2. Big Lake Community Council: 05/09/23
3. Chickaloon Community Council: 04/12/23, 05/10/23
4. Enhanced 911 Advisory Board: 04/11/23
5. Planning Commission Resolution Nos. 23-27
6. Transportation Advisory Board: 03/31/23, Resolution No. 23-04
7. Joint West Lakes and Central Mat-Su FSA Board of Supervisors: 05/08/23

Attachments: [07/18/23 - Citizen and Other Correspondence](#)

G. INFORMATIONAL MEMORANDUMS

[IM 23-139](#)

Informing The Assembly Of The Manager's Authorization And Submittal Of A Grant Application To The Alaska Sustainable Salmon Fund For Fish Passage Improvements.

Attachments: [IM 23-139](#)

[IM 23-148](#)

Informing The Assembly Of A Grant Amendment To Be Presented To The Manager For Signature.

Attachments: [IM 23-148](#)

[IM 23-150](#)

Informing The Assembly Of A Grant Amendment For Grant No. 22-RR-002 To Be Presented To The Manager For Signature.

Attachments: [IM 23-150](#)

[IM 23-161](#)

Reporting Manager Waivers Of Formal Bidding Procedures In Accordance With MSB 3.08.320(B) For May and June of 2023.

Attachments: [IM 23-161](#)

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.)

B. PUBLIC HEARINGS (Three Minutes Per Person.)

[OR 23-048](#) An Ordinance Amending MSB Title 17; Zoning, By Adding A Chapter 17.11, Sex Offenders, To Prohibit Registered Sex Offenders From Establishing Permanent Residency Within 1,000 Feet Of Schools, Daycare Facilities, And Public Parks After The Effective Date Of This Ordinance And Amending MSB Chapter 2.29; Office Of Administrative Hearings.

Sponsors: Bernier

Attachments: [OR 23-048](#)
[IM 23-111](#)
[Planning Commission Resolution No. 23-29](#)
[07/18/23 - Bernier Possible Amendment](#)

[OR 23-049](#) An Ordinance Amending MSB 17.55; Setbacks And Screening Easements, To Allow Structures To Be Constructed Within 75 Feet Of A Waterbody, So Long As Certain Engineering Standards To Protect Water Quality Are Applied.

Sponsors: Tew and Yundt

Attachments: [OR 23-049](#)
[IM 23-112](#)
[Planning Commission Resolution No. 23-28](#)
[Fish and Wildlife Commission RS 23-01](#)

[OR 23-062](#) An Ordinance Re-Creating Ridgefield And Drinkhouse Road Paving Local Improvement District No. 638, Re-Approving The Improvement Plan For The District, Re-Authorizing The Manager To Proceed With The Improvement, And Re-Assessing Equally Among The Properties Within The District The Costs Of The Improvement.

Attachments: [OR 23-062](#)
[IM 23-134](#)
[LID638 Ballot Tally Recommends Denial](#)

[OR 23-063](#) An Ordinance Re-Creating Moose Park Subdivision II Road Paving Local Improvement District No. 645, Re-Approving The Improvement Plan For The District, Re-Authorizing The Manager To Proceed With The Improvement, And Re-Assessing Equally Among The Properties Within The District The Costs Of The Improvement.

Attachments: [OR 23-063](#)
[IM 23-135](#)
[LID645 Ballot Tally Recommends Approval](#)

[OR 23-064](#) An Ordinance Re-Creating Forest Grove Circle Road Paving Local Improvement District No. 647, Re-Approving The Improvement Plan For The District, Re-Authorizing The Manager To Proceed With The Improvement, And Re-Assessing Equally Among The Properties Within The District The Costs Of The Improvement.

Attachments: [OR 23-064](#)
[IM 23-136](#)
[LID647 Ballot Tally Recommends Denial](#)

[OR 23-065](#) An Ordinance Amending The Beverly Lake, Lake Management Plan To Allow For Electric Motors And 15 Horsepower Or Less Motors On Non-Motorized Days.

Sponsors: Yundt

Attachments: [OR 23-065](#)
[IM 23-137](#)

[OR 23-066](#) An Ordinance Approving The Less Than Fair Market Value Sale Of Borough-Owned Real Property Identified As Eight Lots Within The Enchanted Forest Subdivision And One Lot In The Houston Heights Subdivision To The City Of Houston For The Purpose Of Public Parks.

Attachments: [OR 23-066](#)
[IM 23-140](#)

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 23-073](#) A Resolution Approving The Percentage Allocations Breakdown And Preliminary Distribution Method Of Opioid Remediation Funds In The Borough.

Attachments: [RS 23-073](#)
[IM 23-146](#)

[RS 23-074](#) A Resolution In Support Of Protecting Female Sports During The Arctic Winter Games To Be Held In 2024.

Sponsors: Fonov, McKee and Tew

Attachments: [RS 23-074](#)
[IM 23-147](#)

[RS 23-075](#) A Resolution Directing The Borough Manager To Offer Six Borough-Owned Parcels Located In The Long Lake Road Area In A Competitive Land Sale.

Attachments: [RS 23-075](#)
[IM 23-151](#)

[RS 23-076](#) A Resolution Approving The Scope Of Work And Amended Budget For The Woodpecker Avenue Paving Project.

Attachments: [RS 23-076](#)
[IM 23-152](#)

[RS 23-081](#) A Resolution In Support Of The State Designating the entity, Mat-Su Valley Planning For Transportation, As The Metropolitan Planning Organization For The Borough; And In Support Of Them Being Designated As An Independent 501C3 Non-Governmental Organization.

Attachments: [RS 23-081](#)
[07/18/23 - MPO Power Point Presentation](#)
[IM 23-158](#)

[RS 23-082](#) A Resolution Providing For Waiver Of Landfill Fees For Residential Customers From September 16, 2023, Through September 30, 2023, For Fall/Pre-Winter Cleanup.

Sponsors: Yundt, Tew and Fonov

Attachments: [RS 23-082](#)
[IM 23-159](#)
[07/18/23 - Nowers Possible Amendment](#)

[RS 23-083](#) A Resolution Providing For A Fee Waiver For Driveway Permits From October 1, 2023, Through September 30, 2024, For Driveways Installed Prior To 2018; And Directing The Manager Not To Issue Citations During This Period.

Sponsors: Yundt, Tew and Fonov

Attachments: [RS 23-083](#)
[IM 23-160](#)
[07/18/23 - Yundt Possible Amendment](#)

[RS 23-085](#) A Resolution Amending The Scope Of Work For The American Rescue Plan Funding.

Attachments: [RS 23-085](#)
[IM 23-164](#)

[RS 23-086](#) A Resolution Authorizing The Manager To Pursue A Federal Grant And State Of Alaska Assistance To Utilize The Port Mackenzie Rail Extension Corridor For Multi-Modal Use.

Attachments: [RS 23-086](#)
[IM 23-165](#)

2. ACTION MEMORANDUMS

[AM 23-046](#) Approval Of The Big Lake Road Service Area No. 21 Road Improvement Project List 2023.

Attachments: [AM 23-046](#)

[AM 23-064](#) Award Of Bid No. 24-002C To L.N. Curtis In The Contract Amount Of \$387,250 To Purchase A Paratech Gen2 Combo Tender.

Attachments: [AM 23-064](#)

[AM 23-065](#) Approving A Waiver Of MSB 2.71.070(L) Regarding The Public Works Director So He May Perform His Duties As Department Director Even If His Prior Employer Is Involved In A Borough Project.

Attachments: [AM 23-065](#)

[AM 23-066](#) Award Of Bid No. 23-112B To Big Dipper Construction, Inc. In The Contract Amount Of \$585,719.50 To Perform Road Improvements To South B-Shannon Street, East Brenda Avenue, And East Carefree Road.

Attachments: [AM 23-066](#)

[AM 23-068](#) Award Of Bid No. 24-015C To True North Emergency Equipment In The Contract Amount Of \$950,512 To Purchase A Star Pumper-Tender For The Palmer Fire Service Area.

Attachments: [AM 23-068](#)

[AM 23-069](#) Award Of Bid No. 23-126B To Western Construction And Equipment In The Amount Of \$458,790 For Big Rock Road Improvements.

Attachments: [AM 23-069](#)

[AM 23-070](#) Approval Of Utility Relocation Costs To GCI Communications, Inc. In The Contract Amount Of \$181,057.91 For South Vicki Way, East Dimond Way, East Dewan Court, South Begich Drive, South Hay Street, And Greenstreet Circle Improvements Project.

Attachments: [AM 23-070](#)

[AM 23-071](#) Approval Of Change Order No. 3 To Contract No. 20-117P-A With HDL Engineering Consultants, LLC. For The Settlers Bay Drive At Crocker Creek Fish Passage Improvements.

Attachments: [AM 23-071](#)

[AM 23-072](#) Approval Of Change Order No. 2 For Contract No. 23-073B With Western Construction And Equipment For The Central Landfill Access Road Improvement Project.

Attachments: [AM 23-072](#)

[AM 23-073](#) Approval Of Contract Amendment No. 2 For Contract No. 22-052B With Northern Asphalt Construction, Inc. To Extend The Final Completion Date Of The Cormorant Way Road Improvements Project To September 30, 2023.

Attachments: [AM 23-073](#)

[AM 23-074](#) Approval Of Contract Amendment No. 13 For Contract 21-150B With Roger Hickel To Extend The Contract Completion Date For The Houston Middle School Construction Project.

Attachments: [AM 23-074](#)

[AM 23-075](#) Award Of Lynda Lake Portage At Beaver Lake Road Fish Passage Improvement Design Services Project To Stantec Consulting Services In The Amount Of \$105,001.

Attachments: [AM 23-075](#)

[AM 23-076](#) Approval Of Contract Amendment No. 2 For Contract No. 22-136P With Lounsbury And Associates, Inc. For The Birch Harbor Estates Project Design.

Attachments: [AM 23-076](#)

VIII. UNFINISHED BUSINESS

IX. VETO

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 08/01/23, Assembly Chambers)

[OR 23-061](#) An Ordinance Reappropriating \$839,075 From The Government Peak Recreation Area Parking Lot Project To The Gateway Visitor Center Project; And The State And Federal Grant Match Account.
RS 23-066: A Resolution Rescoping \$250,000 From The Government Peak Recreation Area Parking Lot Project For Use On The Jay Nolfi Park Project And Approving The Scopes Of Work And Budgets For The Gateway Visitor Center Project; And The State And Federal Grant Match Account.

Attachments: [OR 23-061](#)
[RS 23-066](#)
[IM 23-130](#)

[OR 23-067](#) An Ordinance Amending MSB 2.08.040 To Clarify And Update The Mayor's Appointment Powers.

Attachments: [OR 23-067](#)
[IM 23-144](#)

[OR 23-070](#) An Ordinance Accepting And Appropriating \$311,052 From The Alaska State Department Of Health And Social Services For The Provision Of Critically Needed Essential Health And Social Services.
RS 23-077: A Resolution Approving The Scope Of Work And Budget For The Human Services Community Matching Grant Program And Allocating Funding To Non-Profit Sub-Grantees For The Provision Of Critically Needed Essential Health And Social Services.

Attachments: [OR 23-070](#)
[RS 23-077](#)
[IM 23-153](#)

[OR 23-072](#) An Ordinance Amending Portions Of Title 25, Elections.

Sponsors: DeVries

Attachments: [OR 23-072](#)
[IM 23-155](#)

[OR 23-073](#) An Ordinance Accepting And Appropriating 2018 November Cook Inlet Earthquake Disaster Monies From The Federal Emergency Management Agency And The Alaska State Division Of Homeland Security And Emergency Management.
RS 23-079: A Resolution Approving The Scope Of Work And Budget For 2018 November Cook Inlet Earthquake Disaster Relief Monies.

Attachments: [OR 23-073](#)
[RS 23-079](#)
[IM 23-156](#)

[OR 23-075](#) An Ordinance Accepting And Appropriating 2022 January Mat-Su Windstorm Disaster Relief Funds In The Amount Of \$14,025 From The Federal Emergency Management Agency And \$4,675 From The Alaska State Division Of Homeland Security And Emergency Management.
RS 23-080: A Resolution Approving The Scope Of Work And Budget For Brett Memorial Ice Area Locker Room Building Roof Repairs Caused By The 2022 January Mat-Su Windstorms Disaster.

Attachments: [OR 23-075](#)
[RS 23-080](#)
[IM 23-157](#)

[OR 23-076](#) An Ordinance Accepting And Appropriating \$188,866.80 From A Judgment In The Boroughs Favor For Community Cleanup And Abatement Of Junk And Trash Issues.
RS 23-084: A Resolution Approving The Scope Of Work And Budget For Community Cleanup And Abatement Of Junk And Trash Issues.

Attachments: [OR 23-076](#)
[RS 23-084](#)
[IM 23-162](#)

[OR 23-077](#) An Ordinance Relating To The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or Acquisition Of Public Roads And Pathways And Facilities Related Thereto In The Matanuska-Susitna Borough, Together With All Necessary Equipment And Transportation Facilities Including Improving School Access, 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 \$65,085,710 To Finance The Cost, In Whole Or In Part, Of Such Public Roads, Facilities, And Lands, And Submitting The Proposition To The Voters At The November 7, 2023, Regular Borough Election.

Attachments: [OR 23-077](#)
[IM 23-163](#)

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[23-090](#) Mayoral Requests for Confirmation

Attachments: [07/18/23 - Vacancy Report](#)

C. OTHER NEW BUSINESS

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

XI. RECONSIDERATION

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT

**Disabled Persons Needing Reasonable Accommodation In Order To Participate At An Assembly Meeting Should Contact The
Borough ADA Coordinator At 861-8432 At Least One Week In Advance Of The Meeting.**