Matanuska-Susitna Borough Assembly Regular Meeting

BOROUGH MAYOR Edna DeVries

BOROUGH CLERK Lonnie R. McKechnie, CMC

BOROUGH MANAGER Michael Brown

BOROUGH ATTORNEY Nicholas Spiropoulos

MEETING MINUTES

ASSEMBLY CHAMBERS 350 EAST DAHLIA AVENUE, PALMER

6:00 PM

ASSEMBLY REGULAR MEETING

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, October 1, 2024, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Edna DeVries.

II. ROLL CALL

Present: 6 - Assemblymember Tim Hale, Assemblymember Stephanie Nowers, Assemblymember Dee McKee, Assemblymember Bill Gamble, Assemblymember Dmitri Fonov, and Assemblymember Ron Bernier

III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lonnie McKechine, Borough Clerk.

V. MINUTES OF PRECEDING MEETINGS



BOROUGH ASSEMBLY Tim Hale, District 1 Stephanie Nowers, District 2 Dee McKee, District 3 Maxwell Sumner, District 4 Bill Gamble, District 5 Dmitri Fonov, District 6 Ron Bernier, District 7

TUESDAY, OCTOBER 1, 2024

MATANUSKA-SUSITNA BOROUGH

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

A. Assembly Special Meeting: 08/10/24
B. Assembly Regular Meeting: 08/20/24
C. Assembly Regular Meeting: 09/03/24
D. Joint Assembly/School Board Meeting: 09/10/24
E. Assembly Regular Meeting: 09/10/24
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

There were no reports provided.

2. Matanuska-Susitna Borough School District

There was no report provided.

3. State of Alaska

There was no report provided.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

There was no report provided.

2. Assembly Public Relations

Mayor DeVries spoke to Borough staff presentations that were made at the Wasilla Chamber of Commerce meeting, which presented information on all the things that are going on at the Borough. Noted that there will be an abbreviated version of that presentation made next week at the Palmer Chamber of Commerce meeting. Noted that the Borough is a sponsor of the coming Economic Summit that will be held on October 15.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. Brown referred to a new flyer regarding the coming ballot propositions. Noted that it allows a reader to see what roads are on the road bond proposition and what schools are on the school bond propositions. Introduced a video that showed construction activity in the Borough that occurred over the summer.

D. ATTORNEY COMMENTS

There was no report provided.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule. Queried if the body wanted to schedule a Joint Assembly/Legislative Delegation meeting for December 19, at 10 a.m. at the Legislative Information Office.

Mayor DeVries queried if there was any objection.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

24-129	1. Abbreviated Plat: 08/28/24, 09/04/24, 09/11/24
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2. Agriculture Advisory Board: 04/17/24

- 3. Big Lake RSA Board of Supervisors: 06/10/24, 08/12/24, 09/03/24
- 4. Butte Community Council: 05/08/24, 06/10/24
- 5. Library Board: 08/13/24
- 6. Library Citizen's Advisory Committee: 08/12/24
- 7. Local Road Service Area Advisory Board: 06/20/24
- 8. Meadow Lakes Community Council: 03/13/24, 04/10/24, 05/08/24,
- 06/12/24

9. MSB Fish and Wildlife Commission: 07/02/24

- 10. North Lakes Community Council: 05/30/24, 06/27/24
- 11. Parks, Recreation, and Trails Advisory Board: 08/26/24
- 12. Platting Board: 08/15/24
- 13. Waterbody Setback Advisory Board: 08/13/24, 08/27/24
- 14. West Lakes FSA Board of Supervisors: 08/12/24

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

G. INFORMATIONAL MEMORANDUMS

IM 24-183Reporting Conclusion Of Contract No. 24-029B with K&H Civil
Constructors, LLC. In a Total Contract Amount Of \$473,876.70 For
The Papoose Twins Road Improvement Project.
The informational memorandum was presented, and no comments were

noted.

VII. SPECIAL ORDERS

A. AUDIENCE PARTICIPATION (You can speak under one of the audience participations on the agenda, but not both; Three Minutes Per Person.)

The following person spoke to concerns with the lack of road maintenance that he is receiving: Franklin Wall.

The following persons spoke in support of Resolution Serial No. 24-105: Julie Pollard, Carol Carmen, Tom Smith, C.J. Koan, and Chad Scott.

The following persons spoke in support of Resolution Serial No. 24-078 and in support of retaining all three development options: Loren Karro, Millie Tormey, Joe Irvine, Anthony Nicolls, Lisa Nash, Craig Price, Rex Sayer, Julie Nystrom, Joseph Palmer, Jennifer Nesbitt, and Bridget Kelly,

The following person spoke to a recent court ruling about pornographic books in libraries. Spoke to recent books she challenged and the results of those challenges: Jackie Goforth.

The following person spoke in support of the Library Citizen's Advisory Committee and in support of Resolution Serial No. 24-105: Linda Sloan.

The following person spoke in support of Resolution Serial No. 24-105 and to the need to protect children from pornographic books: Karen Lewis.

The following person spoke in support of Resolution Serial No. 24-107: Andy Couch, MSB Fish and Wildlife Commission Chairperson.

The following person spoke in support of retaining local control of Borough-Owned lands that could potentially be used for the Alaska long Trail: Louis Calandry, Big Lake Trails President.

The following person spoke in opposition to utilizing taxpayer funds for the display proposed in Resolution Serial No. 24-105 and in opposition to the confirmation of Mark Spohn to the Library Board: Mary Robinson.

The following persons spoke in support of the continued partnership of the Borough and Adult and Teen Challenge: John Tremayne and Janell Murrill.

The following persons spoke in opposition to Resolution Serial No.

24-105: Gretchen Keim and Austin Hamasuk.

The following person spoke in support of Resolution Serial No. 24-106: Randall Wilber.

The following person opined as to the way Adam Jenkins resigned from the Library Board and in opposition to the confirmation of Mark Spohn to the Library Board: Kathy Kysar.

The following person spoke in opposition to those who are concerned with removing books from libraries and in opposition to Resolution Serial No. 24-105: Jeff Smith.

The following person spoke in support of Resolution Serial No. 24-105 and in support of the Library Citizen's Advisory Committee: Mark Spohn.

The following person noted the wide variety of books he read as a minor that some might consider pornographic and opined that people should not be overly concerned with what others are reading: Ryan Newman

The following persons spoke in support of Resolution Serial No. 24-078 and retaining all three development options. Spoke to issues they have experienced on their property caused by a commercial neighbor: Mike Baker, Isaac Baker, and Shelby Baker.

The following person opined that Resolution Serial No. 24-078 should be presented to all community councils for comment, spoke in opposition to Resolution Serial No. 24-105: Mark Masteller.

The following person spoke in opposition to Resolution Serial No. 24-105 and opined that libraries are under attack: Mary McCrum.

The following person spoke in opposition to the Alaska Long Trail: Susie Siefert

The following person spoke in support of Resolution Serial No. 24-078 and retaining option no. two: Maria Plumber.

The following persons spoke in support of Resolution Serial No. 24-099 and in support of the Borough retaining jurisdiction over Borough-Owned land impacted by the possible Alaska Long Trail: Michelle Stevens, Alaska Snow Machine Alliance; and Randy Crosby.

B. PUBLIC HEARINGS (Three Minutes Per Person.)

(The meeting recessed at 7:52 p.m. and reconvened at 8:05 p.m.)

OR 24-079 An Ordinance Creating Homestead Drive Natural Gas Local Improvement District No. 667, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.

Ms. McKechnie read the legislation into the record.

Cheyenne Heindel, Finance Director, provided a staff report.

Mayor DeVries opened the public hearing.

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

Assemblymember Gamble moved to adopt Ordinance Serial No. 24-079.

The motion passed by the following vote:

 OR 24-093 An Ordinance Accepting And Appropriating Additional January 2022 Mat-Su Windstorms Disaster Relief Funds In The Amount Of \$658.49 From The Federal Emergency Management Agency; And \$219.50 From The Alaska State Division Of Homeland Security And Emergency Management.
 RS 24-092: A Resolution Approving The Amended Budget For The January 2022 Mat-Su Windstorms Disaster.
 Ms. McKechnie read the legislation into the record.

Cheyenne Heindel, Finance Director, provided a staff report.

Mayor DeVries opened the public hearing.

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

Assemblymember Bernier moved to adopt Ordinance Serial No. 24-093 and Resolution Serial No. 24-092.

The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier

OR 24-094An Ordinance Accepting And Appropriating \$11,000 From The Mat-Su
Trails And Parks Foundation.RS 24-094: A Resolution Approving The Scope Of Work And Budget
And Authorizing The Manager To Enter Into The Grant Agreement
Amendment For A Sutter 500 Trail Dozer
Ms. McKechnie read the legislation into the record.

Jillian Morrisey, Community Development Director, provided a staff report.

Mayor DeVries opened the public hearing.

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

Assemblymember Bernier moved to adopt Ordinance Serial No. 24-094 and Resolution Serial No. 24-094.

The motion passed by the following vote:

- Yes: 6 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier
- OR 24-095An Ordinance Accepting And Appropriating \$1,440,340 From The
Environmental Protection Agency's Solid Waste Infrastructure For
Recycling Grants For Communities.
RS 24-095: A Resolution Approving The Scope Of Work And Budget
For The Solid Waste Division's Sustainable Organic Materials Compost
Program And Infrastructure Development.
Ms. McKechnie read the legislation into the record.

Tom Adams, Public Works Director, provided a staff report.

Mayor DeVries opened the public hearing.

There being no one present who wished to testify, the public hearing closed, and discussion moved to the Assembly. Assemblymember Bernier moved to adopt Ordinance Serial

No. 24-095 and Resolution Serial No. 24-095.

The motion passed by the following vote:

C. AUDIENCE PARTICIPATION (You can speak under one of the audience participations on the agenda, but not both; Three Minutes Per Person.)

The following persons spoke in support of Resolution Serial No. 24-078: Anne Houseal, John Nystrom, Amy Read, Janet Read, Susan Edge

The following persons spoke to concerns with giving community councils too much decision-making power when it comes to the creation of special land use districts: Paul Hauser, Ginger Hoffman, and McKenzie Hutchings.

The following persons spoke in support of Resolution Serial No. 24-105 and in support of Resolution Serial No. 24-078 retaining all three options: Katerie Hauser, John Tyznicki, and Cheyenne Guard.

The following person spoke to the responsible business practices of the owner of the Alaska Helicopter Tours and Alaska Glacier Lodge: Marshall Alexander, Elijah High, and Trudy Lorenzen.

The following persons spoke to concerns with federal overreach as it relates to Resolution Serial No. 24-099 and the Alaska Long Trail: Samuel Schilling and Lisa Agnew.

The following persons spoke in support of Resolution Serial No. 24-105: Ronald Bernier, Caleb Buist, and Robert Nair.

The following person spoke in support of Resolution Serial No. 24-106, concerns with Resolution Serial No. 24-078 and retaining all three development options: Chad Eswinger, Alaska Glacier Lodge owner.

D. CONSENT AGENDA

1. RESOLUTIONS

<u>RS 24-107</u>	A Resolution Urging The Alaska Board Of Fisheries To Approve
	Agenda Change Requests ACR 2 And ACR 3, Which Were
	Previously Submitted And To Designate The Susitna River Drainage
	Chinook Salmon And The Little Susitna River Coho Salmon Both As
	A Stock Of Yield Concern And Adopt Regulatory Action Plans To
	Rebuild The Yield For Both Stocks.

Sponsors: Gamble

RS 24-108A Resolution Ratifying The 2025-2027 Proposed Labor AgreementWith The Matanuska-Susitna Borough Employees Association And
Authorizing The Manager To Sign And Execute Said Agreement.

2. ACTION MEMORANDUMS

- AM 24-107Approval Of Change Order No. One For Contract No. 22-090P(B)With Lounsbury & Associates, Inc. To Add \$53,725 For The Design
Of Hemmer Road Extension Project; And Extend The Final
Completion Date To October 31, 2026.
- AM 24-109Informing The Assembly Of The Manager's Signature On The Fiscal
Year 2025 Enhanced 911 Spending Priorities Agreement And
Approving The Fiscal Year 2025 Payments Of \$144,000 Each To
The Cities Of Palmer And Wasilla For Call Taker Wages And
Benefits.
- <u>AM 24-110</u> Award Of Quote No. 25-049Q To The Boutet Company In The Contract Amount Of \$114,365.29 To Design Fish Passage Improvements For Sushana Drive At Coal Creek.
- AM 24-111Award Of Bid No. 24-160B To Raven Electric In The Contract
Amount Of \$225,336 To Install Security Cameras At Various
Emergency Services Buildings.
Ms. McKechnie read the legislation into the record.Amount DescriptionAmount of \$225,336 To Install Security Cameras At Various
Emergency Services Buildings.

Assemblymember Bernier moved to approve the consent agenda as read into the record by the Clerk.

The motion passed by the following vote:

<u>RS 24-078</u> A Resolution Adopting Processes For Community Councils To Develop A Community Comprehensive Plan Or Special Land Use District.

Ms. McKechnie read the legislation into the record.

Assemblymember Bernier moved to adopt Resolution Serial No. 24-078.

Assemblymember McKee moved to postpone Resolution Serial No. 24-078, indefinitely.

Assemblymember McKee moved to withdraw her motion to postpone.

The motion passed by the following vote:

- Yes: 4 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, and Assemblymember Gamble
- No: 2 Assemblymember Fonov, and Assemblymember Bernier Assemblymember Hale moved to postpone Resolution Serial No. 24-078 to December 3, 2024.

The motion failed by the following vote:

- Yes: 2 Assemblymember Hale, and Assemblymember Nowers
- No: 4 Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier Assemblymember Bernier called for the question (to stop debate).

The motion passed by the following vote:

- Yes: 6 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier The main motion failed by the following vote:
- Yes: 2 Assemblymember Hale, and Assemblymember Nowers
- **No:** 4 Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier

RS 24-105A Resolution Directing The Manager To Place A Display In The
Lobby Of The Dorothy Swanda Jones Building To Include The Ten
Commandments, Magna Carta, The Mayflower Compact,
Declaration Of Independence, And The Preambles To The United
States Constitution And Alaska Constitution.

Sponsors: Bernier

Ms. McKechnie read the legislation into the record.

Assemblymember Bernier moved to adopt Resolution Serial No. 24-105.

Assemblymember Hale moved a primary amendment to Resolution Serial No. 24-105, in the list of documents to display, by adding "Synopsis of the Code of Hammurabi."

The primary amendment passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier Assemblymember Bernier moved to suspend the rules to extend the meeting past 10 p.m. not to exceed 10:30 p.m.

The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier Assemblymember Fonov moved a primary amendment to Resolution Serial No. 24-105, by inserting a clause to read: "Be it further resolved, that the Borough shall not expend any Borough funds on this display but accept donations instead."

The primary amendment passed by the following vote:

Assemblymember Bernier moved a primary amendment to Resolution Serial No. 24-105, by inserting a clause to read: "Be it further resolved, the Borough Manager is directed to evaluate placing the same display at all Borough libraries and report to the Assembly the results of the evaluation."

The primary amendment passed by the following vote:

- Yes: 6 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier The main motion passed as amended by the following vote:
- Yes: 6 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier
- **<u>RS 24-106</u>** A Resolution Recognizing The Partnership And Contributions Of Adult & Teen Challenge Pacific Northwest To The Efforts Of Community Cleanup.

Sponsors: Fonov

Ms. McKechnie read the legislation into the record.

Assemblymember Fonov moved to adopt Resolution Serial No. 24-106.

The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier

VIII. UNFINISHED BUSINESS

- <u>RS 24-099</u> A Resolution Opposing The Release Of Land Authority Along The Proposed Alaska Long Trail As It Pertains To The National Scenic Trail Feasibility Study.
 - **Sponsors:** Gamble and Yundt

Ms. McKechnie read the legislation into the record.

MOTION PENDING: Assemblymember Gamble moved to adopt Resolution Serial No. 24-099.

Assemblymember Gamble moved a primary amendment to Resolution Serial No. 24-099, to strike the first and second to last clauses and insert the following in there place, to read: * " Now, Therefore, Be It Resolved, that the ASsembly is opposed to relinquishing authority over Borough-Owned and/or operated trails and lands within the boundaries of the Borough.

* Be It Further Resolved, that the Assembly reaffirms its commitment to the Alaska Long Trail as a National Scenic Trail on Borough-Owned land because of the use restrictions and loss of local control over the trail."

The Primary Amendment passed by the following vote:

- Yes: 6 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier The main motion passed as amended by the following vote:
- Yes: 6 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier

IX. VETO

There were no vetoes presented.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing 10/15/24, Assembly Chambers)

- <u>RS 24-097</u> A Resolution Approving 2025 State Legislative Priorities.
- <u>RS 24-098</u> A Resolution Approving 2025 Federal Legislative Priorities.

- OR 24-097An Ordinance Approving An Appropriation Of \$65,000 From The
Central Mat-Su Fire Service Area Fund Balance To A Project To Repair
Pumper-Tender 62.RS 24-102: A Resolution Approving The Scope Of Work And Budget
For A Project To Facilitate Repairs For Pumper-Tender 62 For Central
Mat-Su Fire Service Area.
- OR 24-098An Ordinance Accepting And Appropriating \$30,079 From The United
States Fish And Wildlife Service, National Fish Habitat Partnership For
Neklason Lake Fish Passage.
RS 24-103: A Resolution Approving The Scope Of Work And Budget
and Authorizing The Manager To Enter Into An Agreement With The
United States Fish And Wildlife Service For Neklason Lake Fish
Passage, And Approving The Time Extension Of The Fiscal Year 2023
Areawide Budget Appropriation For Fish Passage Improvements Match
Funds.
- OR 24-100An Ordinance Approving An Appropriation Of \$2,250,000 From The
Greater Palmer Consolidated Fire Service Area Fund Balance To A
Project To Construct The New Public Safety Building Station 3-9.
RS 24-104: A Resolution Approving The Scope Of Work And Budget
For A Project To Construct Public Safety Building Station 3-9; And
Repayment Of A Loan By Areawide To The Greater Palmer
Consolidated Fire Service Area.MarkMark

Ms. McKechnie read the legislation into the record.

Assemblymember Bernier moved to introduce the legislation as read into the record by the Clerk and to set the public hearings for October 15, 2024.

The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

24-130 Mayoral Request for Confirmation
 Enhanced 911 Advisory Board
 Jared Eison
 Library Board
 Mark Spohn
 Adam Jenkins, resignation
 Local Emergency Planning Committee
 Jared Eison
 Assemblymember Bernier moved to confirm the
 appointments and resignations requested by the Mayor.

The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier

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)

OR 24-101 An Ordinance Amending MSB 17.73, To Change Notification Requirements And Process For Multifamily Developments.

Sponsors: Hale

Ms. McKechnie read the legislation into the record.

Assemblymember Hale moved to refer Ordinance Serial No. 24-101 to the Planning Commission for a period of 90 days.

The motion passed by the following vote:

Yes: 6 - Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, Assemblymember Fonov, and Assemblymember Bernier

XI. RECONSIDERATION

There were no reconsiderations.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember McKee opined it was an exciting meeting.

Assemblymember Bernier thanked the public for attending the meeting. Spoke to his support of Resolution Serial No. 24-105 and thanked the body for supporting the legislation. Said a prayer. Assemblymember Hale moved to direct the Manager to have staff assist the South Knik River Community Council in the development of a special land use district for their area, as approved with Resolution Serial No. 24-052.

The motion passed by the following vote:

- Yes: 5 Assemblymember Hale, Assemblymember Nowers, Assemblymember McKee, Assemblymember Gamble, and Assemblymember Bernier
- **No:** 1 Assemblymember Fonov

Assemblymember Nowers spoke in support of fish passage improvements. Spoke to her dismay at how low the fish returns are this year compared to years past.

Mr. Brown stated that staff will move forward with assisting the South Knik River Community Council with the development of a special land use district. Noted that there is plenty of time for legislation regarding the special land use district to come forward at a later date. Advised that he did not provide a Port MacKenzie update as there is currently a ship in port. Stated that if any members of the Assembly would like to visit the Port to let him know.

Assemblymember Gamble reminisced that in 60's there were so many fish that you could almost walk across them. Spoke to his concerns with low returns. Stated that he appreciates serving on the MSB Fish and Wildlife Commission, as he did not know how bad fish returns were until he was appointed

XIII. EXECUTIVE SESSION

There was no executive session.

XIV. ADJOURNMENT

The meeting adjourned at 10:25 p.m.