

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 J. Doty, District 6

Randall Kowalke, District 7

MEETING MINUTES

ASSEMBLY CHAMBERS

350 EAST DAHLIA AVENUE, PALMER

ASSEMBLY REGULAR MEETING

6:00 PM

TUESDAY, NOVEMBER 21, 2017

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, November 21, 2017, 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 Matthew Beck, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Barbara J. Doty, and Assemblymember Randall Kowalke

Telephonic: 1 - Assemblymember Jim Sykes

III. APPROVAL OF AGENDA

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

Assemblymember Mayfield moved to pull Ordinance Serial No. 17-147, from the agenda. The motion failed by the following vote:

YES: 3 - Assemblymember McKee, Assemblymember Leonard, and Assemblymember Mayfield

NO: 4 - Assemblymember Sykes, Assemblymember Beck, Assemblymember Doty, and Assemblymember Kowalke

Mayor Halter queried if there was any objection to taking up Ordinance Serial Nos. 17-134, 17-135, 17-136, 17-137, 17-138, and 17-139.

There was no objection noted.

The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Alex Strawn, Development Services Manager.

Mayor Halter presented a 20-year longevity award to Ms. Joell Church, Records Management Officer in the Clerk's Office.

V. MINUTES OF PRECEDING MEETINGS

[17-069](#)

A. Regular Meeting Minutes: 10/17/17

B. Joint Assembly/Planning Commission Meeting Minutes: 10/24/17

Mayor Halter queried if there were any changes to the meeting minutes as presented.

The minutes were approved as presented by the following vote:

Yes: 8 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, Assemblymember Kowalke, and Mayor Halter

VI. REPORTS/CORRESPONDENCE

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

1. Reports From Cities

Mayor Bert Cottle, City of Wasilla, spoke to the activities of the city. He noted the City ordinance regarding taxation of plastic bags was up for introduction on November 27, and the public hearing would be held on December 11, 2017.

2. Matanuska-Susitna Borough School District

There was no report from the School District.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues

There was no report provided.

2. Assembly Public Relations

There was no report provided.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. Moosey reported that Borough employees provided 58 thanksgiving baskets for the community. He spoke to a water emergency at the pool where a swimmer was successfully revived by the pool employees on October 26, 2017.

Ms. Eileen Probasco, Planning Director, announced that the Planning Department was the recipient of the 2017 Transportation Planning award at the recent American Planning Association Conference, for the department's efforts on the Long Range Transportation Plan. She also spoke to the Alaska State Department of Transportation Community Transportation Program nomination period for potential Borough projects for the State Transportation Improvement Program.

Mr. Moosey noted a special meeting of the MSB Fish and Wildlife Commission on November 27, at 5:30 p.m. He spoke to the items on the January 12, 2018, special Assembly meeting agenda. He queried if the Assembly wished to schedule the meeting at 11 a.m. at the Talkeetna Library. There were no objections noted.

Mr. Moosey provided information regarding the potential of the redirecting of FEMA money from the village of Newtok to the Borough.

D. ATTORNEY COMMENTS

Mr. Aschenbrenner had no comments.

E. CLERK COMMENTS

Ms. McKechnie spoke to the upcoming meeting schedule. She inquired if the Assembly wished to reschedule the joint meeting with the State Delegation to December 15 or at the Mayor's meeting on December 14.

Mayor Halter suggested meeting with the State Delegation in early January or to schedule the meeting for December 15, 2017. Ms. McKechnie would inquire about the possibility of rescheduling the meeting in early January and provide an update at the December 5, 2017, regular Assembly meeting.

Ms. McKechnie requested that Action Memorandum No. 17-107, be pulled from the consent agenda for possible amendments to the 2018 Assembly meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

There were no citizen and other correspondence.

G. INFORMATIONAL MEMORANDUMS

[IM 17-195](#) Notification Of Platting Action Adjusting The Common Lot Line Between Matanuska-Susitna Borough Parcel 17N04W27C020 And Private Parcel 17N04W27C016 Resulting In A 10,000 Square Foot Disposal Of Borough Land (MSB007280).

Sponsors: Borough Manager

The informational memorandum was presented and no comments were noted.

VII. SPECIAL ORDERS

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

There were no persons to be heard.

B. PUBLIC HEARINGS (Three Minutes Per Person.)

[OR 17-103](#) An Ordinance Amending MSB 1.45.100, Schedule Of Fines For Infractions; Changing Reference From Misdemeanors To Minor Infractions Within MSB 1.45, 3.15, 8.55, 17.23 And 17.62; And Amending Language Within MSB 1.45 To Match Alaska Statute And Court Rules.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

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 Beck moved to adopt Ordinance Serial No. 17-103.

Assemblymember Doty moved a primary amendment to Ordinance Serial No. 17-103 by amending the schedule of fees table as follows:

8.25.030, Improper Sewage Disposal, to read "\$500", for all offenses; and

8.25.050, Pollution of Waterbody, to read "\$500", for all offenses.

The primary amendment passed without objection by the following vote:

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

Assemblymember McKee moved to call the questions (stop debate). 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 as amended passed by the following vote:

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

[OR 17-128](#)

An Ordinance Creating West Northshore Drive No. 3 Noncontiguous Natural Gas Local Improvement District No. 600, 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.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

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 Mayfield moved to adopt. The motion passed without objection by the following vote:

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

[OR 17-134](#) An Ordinance Confirming The Assessment Roll For The Portion Of Doc McKinley Avenue Noncontiguous Natural Gas Local Improvement District No. 592 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

OR 17-135: An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$32,600 Principal Amount Of Special Assessment Bonds For The Portion Of Doc McKinley Avenue Noncontiguous Natural Gas Local Improvement District No. 592, And Fixing Details Of Said Bonds.

Sponsors: Borough Manager

Clerk's Note: Ordinance Serial Nos. 17-134, 17-135, 17-136, 17-137, 17-138, and 17-139, were taken up together.

[OR 17-136](#) An Ordinance Confirming The Assessment Roll For The West Ord Lane Noncontiguous Natural Gas Local Improvement District No. 594 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

OR 17-137: An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$8,200 Principal Amount Of Special Assessment Bonds For The West Ord Lane Noncontiguous Natural Gas Local Improvement District No. 594, And Fixing Details Of Said Bonds.

Sponsors: Borough Manager

Clerk's Note: Ordinance Serial Nos. 17-134, 17-135, 17-136, 17-137, 17-138, and 17-139, were taken up together.

[OR 17-138](#) An Ordinance Confirming The Assessment Roll For The West Backus Drive Natural Gas Local Improvement District No. 596 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

OR 17-139: An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$29,000 Principal Amount Of Special Assessment Bonds For The West Backus Drive Natural Gas Local Improvement District No. 596, And Fixing Details Of Said Bonds.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

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.

Clerk's Note: Ordinance Serial Nos. 17-134, 17-135, 17-136, 17-137, 17-138, and 17-139, were taken up together.

Assemblymember Beck moved to adopt Ordinance Serial Nos. 17-134, 17-135, 17-136, 17-137, 17-138, and 17-139. The motion passed by the following vote:

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

[OR 17-140](#) An Ordinance Amending MSB 15.24.030(B)(7), Adopting The Chase Comprehensive Plan.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

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 Beck moved to adopt. The motion passed without objection by the following vote:

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

[OR 17-143](#) An Ordinance Approving The Disposal Of Borough-Owned Easement Lots And Publicly Dedicated Lots In Windsong Subdivision To Adjacent Owners (MSB007346).

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

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 Beck moved to adopt. The motion passed without objection by the following vote:

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

[OR 17-144](#) An Ordinance Amending MSB 4.75, To Change The Makeup Of The Fish And Wildlife Commission By Designating The Assemblymember Positions As Non-Voting And Adding New Voting Member.

Sponsors: Sykes

Ms. McKechnie read the legislation into the record.

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 Beck moved to adopt. The motion failed by the following vote:

Yes: 1 - Assemblymember Sykes

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

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

The following person spoke in support of a Borough septic facility: Ms. Helen Munoz

The following person spoke to the schedule for the joint meeting with the State Delegation: Mayor Bert Cottle, City of Wasilla

D. CONSENT AGENDA

1. RESOLUTIONS

[RS 17-079](#) A Resolution Authorizing Participation In And Submission Of An Application Under The Federal Fiscal Year 2017 Community Development Block Grant Program For Grant Funds In An Amount Not To Exceed \$850,000 For Talkeetna Water And Sewer System Repairs And Upgrades.

Sponsors: Borough Manager

[RS 17-081](#) A Resolution Authorizing A Loan Application To The Alaska State Department Of Environmental Conservation, Alaska Clean Water Fund, In The Amount Of \$7,700,000, For The Design And Construction Of A Capital Project Upgrade To The Talkeetna Wastewater Treatment Facility, Project No. 25053.

Sponsors: Borough Manager

2. ACTION MEMORANDUMS

[AM 17-105](#) Award Of Bid No. 18-035B To Jolt Construction And Traffic Maintenance Inc., In The Contract Amount Of \$437,492 For West Susitna Parkway Drainage Improvements And Slope Repair.

Sponsors: Borough Manager

[AM 17-106](#) Award Of Bid No. 18-045B To Dirtworks, Inc. In The Contract Amount Of \$217,467 For Plumley-Maud Trail Improvements.

Sponsors: Borough Manager

[AM 17-108](#) Approval Of A Contract Extension For State Lobbyist Services To Harris Consulting In An Amount Not To Exceed \$80,400 Per Year.

Sponsors: Borough Manager

Ms. McKechnie read the consent agenda into the record.

Assemblymember Beck moved to approve the Consent Agenda as read into the record by the Clerk. The motion carried without objection by the following vote:

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

[AM 17-107](#) Matanuska-Susitna Borough Assembly Regular Meeting Schedule Dates For 2018.

Sponsors: Borough Manager

Ms. McKechnie read the legislation into the record.

Assemblymember Beck moved to adopt.

Assemblymember Beck moved a primary amendment by striking the regular meeting dates of July 17 and November 6, 2018, from the meeting schedule. 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 as amended passed by the following vote:

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

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. VETO

There were no vetos.

X. NEW BUSINESS

A. INTRODUCTIONS (For Public Hearing December 5, 2017, Assembly Chambers)

[OR 17-147](#) An Ordinance Approving The Less Than Fair Market Value Sale Of Borough-Owned Real Property Identified As The Little Su Camp Ground And Day Use Area To The City Of Houston (MSB007293).

Sponsors: Borough Manager

[OR 17-148](#) An Ordinance Adopting The Corridor Access Management Plan For Seldon Road Extension Church Road To Pittman Road And Amending MSB 15.24.030, Comprehensive Plan And Purposes.

Sponsors: Borough Manager

Sponsors: Borough Manager

Ms. McKechnie read the above legislation into the record.

Assemblymember Beck moved to introduce the legislation as read into the record by the clerk and set the public hearings for December 5, 2017. The motion passed by the following vote:

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

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

[17-070](#)

11/21/17 - Vacancy Report

Sponsors: Halter

Board of Adjustment and Appeals
Resignation of Scott Sterling
Marijuana Advisory Committee
Resignation of Peggy Mulligan

Assemblymember Beck moved to confirm the Mayor's resignations. The motion passed by the following vote:

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

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 presented.

XI. RECONSIDERATION

There were no reconsiderations.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Ms. McKechnie wished everyone a Happy Thanksgiving.

Mr. Moosey wished everyone a Happy Thanksgiving. He noted he had received the Joint Development Agreement for Alaska LNG and would be reviewing the document.

Mr. McKee commented briefly on Action Memorandum No. 17-108, contract with the Lobbyist.

Assemblymember Kowalke wished the Assembly and Borough staff a Happy Thanksgiving.

Assemblymember Mayfield wished everyone a Happy Thanksgiving.

Assemblymember Sykes thanked everyone for the discussion and wished everyone a Happy Thanksgiving.

Assemblymember Doty congratulated the Planning Department on its award. She requested an update on the Government Peak Recreational Area management contract.

Assemblymember Leonard wished everyone a Happy Thanksgiving. He congratulated the Planning Department on its award and thanked the Manager for the update on the lifesaving situation at the pool.

Assemblymember Beck requested the specifics on the Government Peak Recreational Area management contract. He thanked Borough staff for its hard work and wished everyone a Happy Thanksgiving.

Mr. Moosey spoke to the agreement and useage fees for the Government Peak Recreational Area.

Mayor Halter wished Borough residents and staff a Happy Thanksgiving. He spoke to a resolution regarding the Veteran's Memorial Wall relocation. Assemblymembers Beck and Sykes volunteered to sponsor the resolution.

XIII. EXECUTIVE SESSION (For Matters, Which The Immediate Public Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Borough; And Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Kept Confidential; And Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure; And Discussion Of Matters Covered By Attorney Client Privilege.)

A. Possible Settlement With Insurance Regarding Port MacKenzie Repairs

Assemblymember Beck moved to enter into executive session for matters, which immediate public knowledge of which would clearly have an adverse effect upon the finances of the Borough; and matters which by law, municipal charter, or ordinance are required to be kept confidential; and matters involving consideration of government records that by law are not subject to public disclosure; and discussion of matters covered by attorney client privilege. In particular, to discuss possible settlement with insurance regarding Port MacKenzie repairs. Those present in executive session were the Mayor, the Assembly, the Manager, the Deputy Attorney, the Clerk, Capital Projects Acting Director Brad Sworts, Port Operations Manager Thereasa Dolen, and Risk Manager Darren Starr. The motion passed by the following vote:

YES: 7 - Assemblymember Sykes (telephonic), Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

The Assembly entered into executive session at 7:09 p.m.

Assemblymember Beck moved to exit the executive session. The motion passed by the following vote:

YES: 7 - Assemblymember Sykes (telephonic), Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

The Assembly exited the executive session at 7:31 p.m.

Assemblymember Beck directed the Manager to finalize the insurance settlement and bring it back to the Assembly. The motion passed by the following vote:

YES: 7 - Assemblymember Sykes (telephonic), Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Doty, and Assemblymember Kowalke

Meeting went into Recess

Meeting Reconvened

XIV. ADJOURNMENT