

# 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

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 19, 2019

## I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, February 19, 2019, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Matthew Beck.

## II. ROLL CALL

**Present:** 7 - Assemblymember Jim Sykes, Assemblymember Matthew Beck, Assemblymember George McKee, Assemblymember Ted Leonard, Assemblymember Dan Mayfield, Assemblymember Jesse Sumner, and Assemblymember Tam Boeve

## III. APPROVAL OF AGENDA

The agenda was approved as presented without objection.

## IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Deputy Mayor Matthew Beck.

## V. MINUTES OF PRECEDING MEETINGS

[19-013](#)

1. Regular Meeting Minutes: 02/05/19

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. MSB Library Board**

[19-016](#)

Library Board Presentation

Ms. Ann Yadon, Library Board Chair, reported on the activities of the Library Board.

### **4. Mat-Su Convention and Visitors Bureau**

Ms. Bonnie Quill, Mat-Su Convention and Visitors Bureau Executive Director, reported on visitor recruitment activities.

## **B. COMMITTEE REPORTS**

### **1. Joint Assembly/School Board Committee On School Issues**

There was no report provided.

### **2. Assembly Public Relations**

Assemblymember Sykes reported on speaking with a reporter regarding the earthquake insurance reimbursement.

## **C. MANAGER COMMENTS**

### **1. State/Federal Legislation**

### **2. Strategic Planning Issues**

### **3. Comprehensive Annual Financial Report**

Ms. Joy Merriner, Assurance Partner with BDO, provided the Comprehensive Annual Financial Report.

### **4. Cyber-Attack Update**

Mr. Eric Wyatt, IT Director, provided an update on the recovery from the July 2018 cyber-attack.

### **5. Air Quality Update**

[19-017](#)

#### Air Quality Presentation

Mr. Ted Eischeid, Acting Planning Chief, provided an update regarding air quality.

### **D. ATTORNEY COMMENTS**

There was no report provided.

### **E. CLERK COMMENTS**

Ms. McKechnie spoke to the upcoming meeting schedule. Proposed dates for the budget public hearings and budget deliberations. Queried if these dates would work for the Assembly.

Deputy Mayor Beck queried if there was any objection.

There was no objection noted.

### **F. CITIZEN AND OTHER CORRESPONDENCE**

[19-015](#)

1. Central Mat-Su FSA Board of Supervisors: 11/05/18, 12/10/18
2. Historical Preservation Commission: 12/13/18
3. Library Board: 11/17/18
4. Planning Commission: 01/21/19, Resolution No. 18-29
5. Port Commission: 05/21/18, 06/18/18, 07/16/18, 09/17/18, 10/15/18, 12/17/18
6. Wastewater and Septage Advisory Board: 10/24/18

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

### **G. INFORMATIONAL MEMORANDUMS**

[IM 19-034](#)

Reporting Of Conclusion Of Contract For Bid No. 18-140B To Tutka, LLC, For West Susitna Parkway Turn Lanes At Jade Lane And South Burma Road For The Final Contract Amount Of \$862,933.50.

The informational memorandum was presented and no comments were noted.

The meeting recessed at 7:35 p.m. and reconvened at 7:41 p.m.

## **VII. SPECIAL ORDERS**

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

### **B. PUBLIC HEARINGS (Three Minutes Per Person.)**

[OR 19-013](#) An Ordinance Approving A Less Than Fair Market Value Sale Of Borough Land In The Amount Of Ten Dollars To Families For The Improvement Of Safety And Health For Purpose Of Constructing, Managing, And Maintaining A Small Community Park And Playground In The Williwaw Subdivision, Said Parcel Identified As Lot 11, Block 14, Williwaw Subdivision No. 2 (MSB007454).

**Sponsors:** Leonard

Ms. McKechnie read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

The following person spoke in support of Ordinance Serial No. 19-013: Mr. Michael Fernandez; Ms. Rachael Sayen-Lambert, F.I.S.H. Founder; Mr. Doug Kelsch; Ms. Janet Kennedy, Sunrise Rotary Club President; Mr. Dan Kennedy, Sunrise Rotary Club Member; Ms. Lisa Verbillo.

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

**Assemblymember Sykes moved to adopt Ordinance Serial No. 19-013.**

**Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 19-013, by striking "\$0" and inserting "\$10" in its place throughout the legislation. The primary amendment passed by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

**The main motion passed as amended by the following vote:**

**Yes:** 7 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Leonard, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

Assemblymember Leonard exited the meeting.

[OR 19-023](#)

An Ordinance Approving An Appropriation Of \$500,000 From The Enhanced 911 Fund Balance, Fund 202, To Fund 480, Project No. 47519, To Allow The Aerial Imagery Acquisition Program To Collect Data To Support 911 Call Taking And Addressing.

RS 19-018: A Resolution Approving The Scope Of Work And Budget For Project No. 47519, To Allow The Aerial Imagery Acquisition Program To Collect Data To Support 911 Call Taking And Addressing.

Ms. McKechnie read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

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

**Assemblymember Sykes moved to adopt Ordinance Serial No. 19-023. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-024](#)

An Ordinance Approving A Supplemental Appropriation Of \$30,000 From South Colony Road Service Area Fund Balance, Fund 273, To The South Colony Road Service Area Fiscal Year 2019 Operating Budget, Fund 273.

Ms. McKechnie read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

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

**Assemblymember Sykes moved to adopt Ordinance Serial No. 19-024. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-025](#)

An Ordinance Approving A Supplemental Appropriation Of \$25,000 From Knik Road Service Area Fund Balance, Fund 274, To The Knik Road Service Area Fiscal Year 2019 Operating Budget, Fund 274.  
Ms. McKechnie read the legislation into the record.

Deputy Mayor Beck 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 Ordinance Serial No. 19-025. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-026](#)

An Ordinance Approving A Reappropriation Of \$50,000 From The Fiscal Year 2019 Community Development Department, Administration Operating Budget 203.170.145, To Fund 480, Project No. 47519, For Aerial Mapping And Elevation Data Program.  
RS 19-019: A Resolution Approving The Scope Of Work And Budget For The Aerial Imagery And Elevation Data Program, Fund 480, Project No. 47519.  
Ms. McKechnie read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

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

**Assemblymember Sykes moved to adopt Ordinance Serial No. 19-026 and Resolution Serial No. 19-019. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-027](#)

An Ordinance Accepting And Appropriating \$5,000,000 In Insurance Proceeds To Fund 445, Project No. 55027, To Partially Reimburse Expenditures Related To The 2018 Earthquake.  
Ms. McKechnie read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

The following person spoke to concerns with where the funds were spent: Mr. Eugene Carl Haberman.

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

**Assemblymember Sykes moved to adopt Ordinance Serial No. 19-027. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[OR 19-028](#)

An Ordinance Amending MSB 4.70.040(A), To Change The Wastewater And Septage Advisory Board Meetings To Occur Monthly.

**Sponsors:** McKee

Ms. McKechnie read the legislation into the record.

Deputy Mayor Beck opened the public hearing.

The following person spoke in support of Ordinance Serial No. 19-028: Mr. Eugene Carl Haberman.

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

**Assemblymember McKee moved to adopt Ordinance Serial No. 19-028.**

**Assemblymember Sumner called for the question (to stop debate). The motion failed by the following vote:**

**Yes:** 1 - Assemblymember Sumner

**No:** 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, and Assemblymember Boeve

**Assemblymember Sykes moved to postpone Ordinance Serial No. 19-028 to a time certain of March 5, 2019. The motion passed by the following vote:**

**Yes:** 5 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Sumner, and Assemblymember Boeve

**No:** 1 - Assemblymember Mayfield

**C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)**

The following person spoke to the need to terminate the Memorandum of Understanding regarding air quality: Mr. Brian Endle.

The following person advised that she is the director of Governor Dunleavy's Mat-Su Office: Ms. Lynn Gattis.

The following person spoke in support of air quality regulation as recommended by the Planning Commission: Ms. Helen Woodings, Ms. Mitzi Van Asdlan, Mr. Gregory Nielsen, Mr. Mark Mastellar, Mr. Adrian Bear, Ms. Patty Hurt,

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

The following person thanked the Assembly for their support of the legislation for the park in the Williwaw Neighborhood: Mr. Michael Fernandez.

The meeting recessed at 9 p.m. and reconvened at 9:10 p.m.

**D. CONSENT AGENDA**

**1. RESOLUTIONS**

**2. ACTION MEMORANDUMS**

[AM 19-008](#) Award Of Proposal No. 19-039P To Shannon & Wilson, Inc. In The Contract Amount Of \$49,884 For Material Resource Investigation Report Of Wolverine Quarry .



[AM 19-007](#)

Award Of Bid No. 19-042B To Anchorage Roof And Contracting, Inc. In The Contract Amount Of \$139,562 For The Fireweed Building Roof Replacement.

Ms. McKechnie read the consent agenda into the record.

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

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

[RS 19-020](#)

A Resolution Temporarily Waiving Fees For Encroachment Permits For Driveways Installed In The Right-Of-Way Prior To September 10, 2012.

**Assemblymember Sumner moved a primary amendment to Resolution Serial No. 19-020, to the Now, Therefore, Be It Resolved Clause, to insert as the first sentence, "Now, Therefore, Be It Resolved, the Matanuska-Susitna Borough ASsembly hereby waives the refundable \$150 portion of the \$200 driveway fee for driveways installed prior to September 10, 2012, and to charge a \$50 nonfundable fee." The primary amendment failed (tie vote) by the following vote:**

**Yes:** 3 - Assemblymember Sykes, Assemblymember McKee, and Assemblymember Sumner

**No:** 3 - Assemblymember Beck, Assemblymember Mayfield, and Assemblymember Boeve

**Assemblymember Sykes moved a primary amendment to Resolution Serial No. 19-020, a new Whereas clause to read: Whereas, during the period of not requiring a driveway permit fee, the Borough shall conduct outreach so that the driveway permit status can be disclosed to potential buyers."**

**Assemblymember Mayfield moved to postpone Resolution Serial No. 19-020 to a time certain of March 5, 2019. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

## VIII. UNFINISHED BUSINESS

[RS 19-011](#) A Resolution Approving The Changes Needed To Update The Fiscal Year 2020 Schedule Of Rates And Fees Effective July 1, 2019.

**PENDING PRIMARY AMENDMENT:** Assemblymember Sumner moved a primary amendment to the schedule of rates and fees by increasing the proposed fees at Palmer Pool, Wasilla Pool, and Brett Memorial Ice Arena by five percent.

**PENDING SECONDARY AMENDMENT:** Assemblymember Sumner moved a secondary amendment by inserting at the end of the primary amendment the words "and round up to the next dollar."

Assemblymember Mayfield moved to postpone Resolution Serial No. 19-011 to a time certain of March 19, 2019. The motion passed by the following vote:

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

## IX. VETO

There were no vetoes presented.

## X. NEW BUSINESS

### A. INTRODUCTIONS (For Public Hearing 03/05/19 Assembly Chambers)

[OR 19-021](#) An Ordinance Approving The Conversion Of The Paid On-Call Emergency Medical Services System To A More Predictable Model Of Full Time Medical Providers.

[OR 19-022](#) An Ordinance Approving An Appropriation Of \$2,702,500 From The Reserve For Match For Paving And Calcium Chloride To Fund 430, Project No. 35467, For Public Works Road Improvement Projects And City Allocation.

[OR 19-030](#) An Ordinance Establishing A Borough Task Force To Investigate And Consider Steps To Develop A Proposal To Voters That Adds Specific Police Powers To Its Responsibilities.

**Sponsors:** Sykes

[OR 19-031](#) An Ordinance To Repeal MSB 8.30, Environmental Protection.

**Sponsors:** Sumner

[OR 19-032](#) An Ordinance Repealing MSB 8.30, Environmental Protection; Repealing MSB 8.33, Air Quality Alerts And Emergencies; Adopting MSB 8.75, Air Quality; Amending MSB 1.45.100, Schedule Of Fines For Infractions; And Amending MSB 15.24.030, Adopting The Matanuska-Susitna Borough Air Quality Management Plan.  
RS 19-022: A Resolution Authorizing The Manager To Enter Into An Updated Memorandum Of Understanding With The Alaska Department Of Environmental Conservation For Air Quality Coordination.

[OR 19-034](#) An Ordinance Amending MSB 3.24, Distribution Of Motor Vehicle Registration Tax Revenues.

**Sponsors:** Leonard

Ms. McKechnie read the legislation into the record.

**Assemblymember Sykes moved to introduce the legislation as read into the record by the Clerk and set the public hearings for March 5, 2019. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, Assemblymember Sumner, and Assemblymember Boeve

## **B. MAYORAL NOMINATIONS AND APPOINTMENTS**

### **1. VACANCY REPORT**

[19-014](#)

Vacancy Report

**Sponsors:** Halter

Board of Ethics

Daniel Bowen

Historical Preservation Commission

Angela Wade

Parks, Recreation, and Trails Advisory Board

Nicklette "Nickel" LaFluer

Transportation Advisory Board

Jennifer Tew

West Last FSA No. 136

Larry Fetchenhier

Alpine RSA No. 31

Jay Levan

Greater Talkeetna RSA No. 29

Robert Gerlach

Greater Willow RSA No. 20

Todd Smoldon

Chase Trail Service Area No. 134

Donnie Billington

**Assemblymember Sykes moved to confirm the Mayor's appointments. The motion passed by the following vote:**

**Yes:** 6 - Assemblymember Sykes, Assemblymember Beck, Assemblymember McKee, Assemblymember Mayfield, 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 was no reconsideration.

## **XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Mr. Spiropoulos noted that the Open Meetings Act applies to the rates and fees legislation. Advised that they exercise caution and to be sure to provide any changes to the rates and fees directly to the Clerk.

Ms. McKechnie thanked the body for the at-ease and for Mr. Spiropoulos for briefly covering the clerk duties.

Assemblymember McKee noted at the last meeting he had requested a staff report relating to septage. Noted that nothing has been received. Summarized the history of his request. Spoke to concerns that nothing is being done regarding septage.

Assemblymember Sykes thanked everyone for attending the meeting. Spoke in support of the park land for the Williwaw community. Spoke to his appreciation of fact based testimony. Noted that the Assembly has received a lot of information regarding septage. Spoke to a letter of interest that has been received to mix septage with organic waste. Noted that although the Borough is not required to address the issue of septage, that it is an important issue that requires attention.

Assemblymember Mayfield spoke to concerns regarding a memorandum from the Manager regarding the impacts of Governor Dunleavy's proposed budget to the Borough. Spoke to concerns that the budget puts the burden on local governments.

Assemblymember Sumner noted that the Governor's budget is a cost shift to local residents. Opined that residents need to pay for services.

Deputy Mayor Beck thanked Assemblymember Sumner for attending telephonically. Stated that he understands the difficulty involved in doing so. Thanked the body for the opportunity to do the public's business. Stated that he enjoys being a part of the Assembly.

## **XIII. EXECUTIVE SESSION**

There was no executive session.

## **XIV. ADJOURNMENT**

The meeting adjourned at 9:51 p.m.