

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 5, 2015, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Ms. Shannon Bodolay, Assistant Borough Attorney
Ms. Jamie Newman, Deputy Borough Clerk
Mr. Mike Brown, Capital Projects Director
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Bill Gamble, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Michael Brown, Capital Projects Director
Mr. Eric Wyatt, Information Technology Director
Ms. Glenda Smith, Real Property Analyst

III. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Daniel Hamm, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

(There were no meeting minutes.)

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

Palmer City

Mr. Joe Hannan, City Manager:

- spoke to Palmer Clean-Up Day on May 9;
- invited the Assembly to attend the grand opening of the Valley Annex on May 8, beginning at 3 p.m.;
- added that the Valley Annex is a shared work space facility for new business development and entrepreneurs;
- reported that the Palmer Golf Course is now open for business;
- added that the use of the facility is expected to increase as golf courses have closed in Anchorage; and
- spoke to development in Palmer.

Wasilla City

Mayor Bert Cottle:

- spoke to the groundbreaking ceremony that took place today for Iditarod Elementary school;
- spoke in support of the Borough funding two items in the budget; Sexual Response Team (SART) and Mat-Su Youth Court; and
- spoke to Wasilla Clean-Up Days.

1. Matanuska-Susitna Borough School District

Mr. Luke Fulp, Assistant Superintendent:

- spoke to high school graduation ceremonies that are scheduled to take place next week; and
- reported on local school events as the school year comes to an end.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck:

- noted that the School District continues to await final budget numbers from the State Legislature;
- reported that because of the school bond package approved by the voters over 111 projects have been completed to date with bond money; and
- spoke to the economic benefits of the bond package.

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

Mr. Moosey invited the Borough's State Lobbyist Mr. John Harris to provide a report on the Legislative Session.

Mr. Harris provided a report regarding the State Legislative Session.

Mr. Moosey:

- reported that the Borough in conjunction with the Alaska Department of Labor and Workforce Development and the United States Census Bureau will host a Mat-Su Population Economic Data Workshop on May 28, at 9 a.m. at Station 61 in Wasilla; and
- added that the workshop will provide an opportunity to prepare and plan for the future.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule; and
- stated that agendas for next week's budget meetings will be provided to the Assembly at the special meeting on May 7.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 09/08/14
- b. Alpine RSA Board of Supervisors: 04/08/14, 07/08/14, 10/13/14
- c. Aviation Advisory Board: 12/11/14, Resolution Serial No. 15-01
- d. Big Lake RSA Board of Supervisors: 11/13/14, Resolution 15-01
- e. Circle View & Stampede Estates Flood & Water Control SSA Board of Supervisors: 10/08/14
- f. Enhanced 911 Advisory Board: 01/13/15

- g. Fairview RSA Board of Supervisors: 11/18/14
- h. Greater Palmer Consolidated FSA Board of Supervisors: 09/09/14, 12/17/14
- i. Knik RSA Board of Supervisors: Resolution 15-01
- j. Local Emergency Planning Committee: 12/17/14
- k. Local Road Service Area Advisory Board: 02/19/15, Resolution 15-02
- l. Planning Commission: Resolution No. 15-15
- m. Platting Board: 02/05/15
- n. Port Commission: Resolution Serial No. 15-001
- o. Transportation Advisory Board: 02/17/15, 02/25/15, Resolution Serial No. 15-05

2. Community Council Minutes:

- a. Big Lake Community Council: 02/10/15
- b. Chase Community Council: 10/16/14
- c. Lazy Mountain Community Council: 01/19/14, 08/14/14
- d. Meadow Lakes Community Council: 02/12/15
- e. South Knik River Community Council: 04/17/14, 05/10/14, 10/16/14, 11/20/14
- f. Talkeetna Community Council: 11/03/14, 12/01/14, 01/05/15, 02/02/15, 03/02/15
- g. Trapper Creek Community Council: 02/19/15

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 15-052:** Reporting Of Conclusion Of Contract For Proposal No. 14-091P To Howdie, Inc. For The Final Contract Amount Of \$8,000,000 For Station 5-1, Design-Build, Project No. 10181.

The informational memorandum was presented and no comments were noted.

VII. SPECIAL ORDERS

A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

- 1. **Ordinance Serial No. 15-051:** An Ordinance To Enter Into A Management Agreement Greater Than Five Years In Length With The Mountain View Estates Homeowners Association For 81,913 Square Feet Of Borough-Owned Property Dedicated To Public Purpose As Open Space, To Serve As A Buffer To Reduce Natural And Manmade Erosion Hazards, And To Protect The Public's Health, Safety, And Welfare (MSB006950).
 - a. IM No. 15-039

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 15-051: Ms. VickieLee, Vice President of Mountain View Estates Homeowners Association; Mr. David Brown; Mr. Patrick Shiflea; Ms. Judy Stahancyk; Ms. Alison Woodings; Ms. Douglas Carpenter; Mr. Noel Kopperud; Mr. Emmett Leffel, President of Mountain View Estates Homeowners Association; Mr. Jay Mock; Mr. Guy McConnell; Mr. Gary Chace; and Ms. Cathy Hummel.

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

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 15-051.

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 15-051, by inserting a new section 3, to read:

- Section 3. Direction to the Manager. The Manager is directed to move forward with the process to sell this property in the amount of \$400 to the Mountain View Estates Homeowners Associations; and
- To renumber the remaining section accordingly.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter called for the question (to stop debate).

VOTE: The motion to stop debate passed without objection.

VOTE: The main motion passed as amended without objection.

(The meeting recessed at 7:13 p.m. and reconvened at 7:20 p.m.)

2. **Ordinance Serial No. 15-052:** An Ordinance Accepting And Appropriating \$26,060 From The Alaska State Department Of Natural Resources, Office Of History And Archaeology To Fund 480, Project No. 47011, For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.
 - a. **Resolution Serial No. 15-042:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into An Agreement For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.
 - (1) IM No. 15-091

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Mayfield moved to adopt Ordinance Serial No. 15-052 and Resolution Serial No. 15-042.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 15-053:** An Ordinance Extending The Time Limit For Completion Of Borough Capital Projects.
 - a. IM No. 15-092

Mayor DeVilbiss opened the public hearing.

The following person recommended that in the interest of public process the Assembly hold two public hearings on Ordinance Serial No. 15-053: Mr. Eugene Carl Haberman.

The following person spoke to concerns with Ordinance Serial No. 15-053: Ms. Patricia Rosnel.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 15-053.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 15-054:** An Ordinance Approving The Land Classification Of Borough Parcel Tax ID No. 2167B11L020, Within Township 27 North, Range 7 West, Section 31, Seward Meridian, Alaska, As Reserve Use Lands For The Purpose Of A Temporary Public Access Corridor To The Kenny Creek Subdivision (MSB007026).
 - a. IM No. 15-094

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 15-054.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 15-055:** An Ordinance Accepting And Appropriating \$100,000 From The Willow Area Community Organization To Fund 435, Project No. 10060, For The Ground Source Heat Pump For The Willow Community Center Project.
 - a. **Resolution Serial No. 15-043:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Sign The Memorandum Of Agreement For The Design And Construction Of The Ground Source Heat Pump For The Willow Community Center Building Project, Project No. 10060.
 - (1) IM No. 15-095

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 15-055 and Resolution Serial No. 15-043.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 15-056:** An Ordinance Reappropriating \$10,000 From The Planning Division Fiscal Year 2015 Operating Budget; \$10,000 From The Information Technology Department Fiscal Year 2015 Operating Budget; \$10,000 From The Capital Projects Department Fiscal Year 2015 Operating Budget; And \$10,000 From The Public Works Department Fiscal Year 2015 Operating Budget, Fund 100, To Fund 480, Project No. 47518, For The GIS/Cartegraph Integration Project.
 - a. **Resolution Serial No. 15-044:** A Resolution Approving The Scope Of Work And Budget For The GIS/Cartegraph Integration Project.
 - (1) IM No. 15-096

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 15-056 and Resolution Serial No. 15-044.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 15-057:** An Ordinance Amending MSB 23.10.060, Considerations; MSB 23.10.180, Leases; And MSB 26.05.040(A)(6), Incentives; Relating To Less Than Fair Market Value Disposals.
 - a. **Resolution Serial No. 15-045:** A Resolution Amending Title 23, Land And Resource Management Policies And Procedures Manual, Real Property Disposals: Less Than Fair Market Value, Part 60. (*Sponsored By Assemblymember Mayfield*)
 - (1) IM No. 15-097

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Mayfield moved to adopt Ordinance Serial No. 15-057 and Resolution Serial No. 15-045.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial No. 15-057 and Resolution Serial No. 15-045 to a time certain of May 26, 2015.

VOTE: The motion to postpone failed with Assemblymembers Sykes and Beck in support.

MOTION: Assemblymember Colligan called for the question (to stop debate).

VOTE: The motion to stop debate passed with Assemblymembers Mayfield and Halter opposed.

VOTE: The main motion failed with Assemblymember Mayfield in support.

8. **Ordinance Serial No. 15-058:** An Ordinance Approving The Manager To Enter Into An Agreement With The University Of Alaska To Purchase The Fireweed Building, Located At 533 Fireweed Avenue, Palmer, Alaska, For The Purpose Of A Permanent Location For The Borough's Capital Projects Department (MSB006903).
 - a. IM No. 15-099

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 15-058: Mr. Joe Hannan, Palmer City Manager.

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

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 15-058.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 15-059:** An Ordinance Approving A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson, Located In The Area Of Trunk Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project; And Authorizing The Manager To Execute The Documents Necessary To Complete The Land Exchange MSB007034/DPW000085).
 - a. **Resolution Serial No. 15-046:** A Resolution Approving The Best Interest Finding In Support Of A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson Located In The Area Of Trunk Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project (MSB007034/DPW000085).
 - (1) IM No. 15-100

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 15-059 and Resolution Serial No. 15-046.

VOTE: The motion passed without objection.

10. **Ordinance Serial No. 15-060:** An Ordinance Appropriating \$707,594 To Fund 495 For Issuance Costs From The Proceeds Of The Matanuska-Susitna Borough, State Of Alaska Lease Revenue Refunding Bonds, Series 2015 (Goose Creek Correctional Center Project).

a. IM No. 15-101

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Mayfield moved to adopt Ordinance Serial No. 15-060.

VOTE: The motion passed without objection.

11. **Ordinance Serial No. 15-061:** An Ordinance Repealing Permanent Registration Of Motor Vehicles Over Eight Years Old And Permanent Registration Of Non-Commercial Trailers And Repealing Changes To The Motor Vehicle Tax Distribution To Restore The Distribution To The Original Amounts. *(Sponsored By Assemblymember Sykes)*

a. IM No. 15-103

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 15-061: Ms. Verda Lewis; Ms. Patricia Rosnel; and Mr. Jim Norcross.

The following persons spoke in opposition to Ordinance Serial No. 15-061: Mr. Mike Coons; Ms. Carol Carman; Mr. William Saxon; Mr. Rodney Shultz; Mr. Daniel Hamm; Ms. Jesse Dietz; Mr. Tom Idleman; Mr. Steve St. Clair; Mr. Joel Fuller; Ms. Beth Freed; Ms. Valarie Arrington; and Ms. Claire Mothershead.

The following person spoke to concerns with property foreclosure: Mr. Ralph Kermit Winterrowd II.

The following person spoke to a conflicting provision of Borough code should Ordinance Serial No. 15-061 be adopted: Ms. Cathy Hummel.

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

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

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 15-061.

MOTION: Assemblymember Mayfield moved to postpone Ordinance Serial No. 15-061 to a time certain of May 26, 2015.

VOTE: The motion to postpone failed unanimously.

MOTION: Assemblymember Arvin moved to postpone Ordinance Serial No. 15-061 indefinitely.

VOTE: The motion failed with Assemblymembers Colligan, Doty, and Arvin in support.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial No. 15-061 to a time certain of May 26, 2015.

VOTE: The motion to postpone passed with Assemblymember Colligan opposed.

(The meeting recessed at 9:32 p.m. and reconvened at 9:40 p.m.)

12. **Ordinance Serial No. 15-062:** An Ordinance Amending MSB 3.04.075, Tax Levy Limitation, To Provide That The Tax Cap Does Not Apply To Taxes To Fund Service Areas. *(Sponsored By Assemblymember Halter)*

a. IM No. 15-105

Mayor DeVilbiss opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 15-062: Mr. Mike Coons; Mr. William Saxon; Ms. Carol Carman; Mr. Rodney Shultz; Mr. Daniel Hamm; Ms. Claire Mothershead; and Ms. Shannon Connolly.

MOTION: Assemblymember Arvin moved to suspend the rules to extend the meeting to 10:45 p.m.

VOTE: The motion passed without objection.

The following persons spoke in opposition to Ordinance Serial No. 15-062: Ms. Jessie Dietz; Mr. Jim Norcross; Mr. Jim Huston; Mr. Steve St. Claire; Mr. Doyle Holmes; Mr. Joel Fuller; Ms. Beth Freed; and Mr. Tom Idleman.

The following person spoke to concerns with property foreclosure: Mr. Ralph Kermit Winterrode II.

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

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 15-062.

MOTION: Assemblymember Halter moved to postpone Ordinance Serial No. 15-062 indefinitely.

VOTE: The motion to postpone passed without objection.

MOTION: Assemblymember Arvin moved to suspend the rules to extend the meeting to 11 p.m.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding the need for a septage treatment facility in the Borough: Ms. Helen Munoz.

The following person spoke in opposition to the Borough enacting a sales tax and the motion passed by the Assembly in support of Governor Walkers' effort to expand Medicaid in Alaska: Mr. Mike Coons.

The following person spoke in opposition to Medicaid expansion in Alaska: Mr. Daniel Hamm and Mr. Tom Idleman.

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

The following person spoke to the Alaska State Court System and the Alaska State Office of Children's Services: Mr. Ralph Kermit Winterrode II.

MOTION: Assemblymember Arvin moved to suspend the rules to extend the meeting to 11:20 p.m.

VOTE: The motion passed without objection.

The following person spoke to the Willow Fire Service Area budget and mill rate for fiscal year 2016 and opined that the proposed mill rate increase conflicts with the revenue cap: Mr. Doyle Holmes.

The following person spoke to concerns with items not being vetted by Borough Boards before they reach the Assembly: Ms. Beth Fread.

The following person thanked Assemblymember Halter for the position he took on Ordinance Serial No. 15-062: Mr. Jim Norcross.

Assemblymember Sykes requested to remove Resolution Serial No. 15-048 from the consent agenda for further discussion.

Assemblymember Arvin requested to remove AM Nos. 15-055 and 15-056 from the consent agenda for further discussion.

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 15-047:** A Resolution Approving The Amended Scope Of Work And Budgets For Project No. 25035, Transfer Site Electrical Upgrades; Project No. 25048, Heavy Equipment Fueling System; And Project No. 25020, Shop Lights Upgrade, To Allow For The Installation Of Security Systems At The Central Landfill And Transfer Sites.

(1) IM No. 15-081

c. **Resolution Serial No. 15-049:** A Resolution Supporting The Re-Write Of Title 17, Zoning, To Improve Its Functionality, Ease Of Understanding, Interpretation, And Enforcement; To Add Necessary Sections And Definitions Which Are Not Currently Present, And To Eliminate Redundant And Conflicting Processes.

(1) IM No. 15-108

d. **Resolution Serial No. 15-050:** A Resolution Amending The Scopes Of Work And Budgets For The Fiscal Year 2010 - 2012 Capital Project, Locker Room Improvements And Refrigeration System Repairs, Project No. 10157; And Fiscal Year 2015 Capital Project, Vented Skate Sharpener, Project No. 10157, For The Brett Memorial Ice Arena; And Amend The Scope Of Work For The Fiscal Year 2015 Capital Project Trapper Creek Community Center Parking Lot And Double Vaulted Public Restrooms, Project No. 47032.

(1) IM No. 15-109

e. **Resolution Serial No. 15-051:** A Resolution Amending The Scope Of Work For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 45158, Fund 425, For Emergency Operations Center Software And Incident Command System Training For Staffing An Emergency Operations Center.

(1) IM No. 15-113

2. ACTION MEMORANDUMS

a. **AM No. 15-051:** Approval To Enter Into A Utility Agreement With General Communication Inc. In The Amount Of \$148,926 For Utility Relocation Within The Bogard Road Extension East Project, Phase II, Project No. 35299.

b. **AM No. 15-053:** Approval Of Contract Amendment For Purchase Order 2015-2786 To Matanuska Electric Association In The Amount Of \$190,347 For The Big Lake Intersection Improvement, Project No. 35404.

- c. **AM No. 15-054:** Award Of Bid No. 15-121B To Western Construction & Equipment, LLC In The Contract Amount Of \$2,308,970 For Clay Chapman/Knik Knack Mud Shack Road Construction.
- f. **AM No. 15-057:** Award Of Bid No. 15-132B To Valley General Construction, LLC In The Contract Amount Of \$145,625 To Reconstruct Portions Of Wildwood Drive And Highwood Drive.
- g. **AM No. 15-058:** Award Of Bid No. 15-115B To Western Construction & Equipment, LLC In The Contract Amount Of \$229,270 For Buddy Creek at Sawyer's Shady Street Fish Passage Improvement Project.
- h. **AM No. 15-059:** Award Of Bid No. 15-130B To Valley General Construction, LLC In The Contract Amount Of \$434,344 For Twilight Drive, New Moon Road, And Ogard Street Improvements.
- i. **AM No. 15-060:** Award Of Bid No. 15-122B To Western Construction & Equipment, LLC In The Contract Amount Of \$429,530.70 For Meadow Creek At Big Beaver Lake Road Fish Passage Improvement Project.
- j. **AM No. 15-061:** Vacate Any Public Interest In The Triangular Shaped Public Use Easement Over The Northwest Corner Of Tax Parcel C4 (Tract C MSB Waiver 2000-94-PWM). Easement Was Recorded As 2015-001282-0 And Is Located Within Section 2, Township 16 North, Range 2 West, Seward Meridian, Alaska.

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to approve the consent agenda as read into the record by the Clerk.

VOTE: The motion passed without objection.

b. **Resolution Serial No. 15-048:** A Resolution To Request The Removal Of State And Federal Legislation From The Manager Comments In The Agenda At Regular Meetings.

(Sponsored by Mayor DeVilbiss)

(1) IM No. 15-106

MOTION: Assemblymember Arvin moved to adopt Resolution Serial No. 15-048.

MOTION: Assemblymember Beck moved to postpone Resolution Serial No. 15-048 to a time certain of November 3, 2015.

VOTE: The motion to postpone passed with Assemblymembers Halter and Colligan opposed.

- d. **AM No. 15-055:** Award Of Bid No. 15-128B To Ahtna Construction Inc. In The Contract Amount Of \$7,571,950.20 For Bogard Road Extension East Phase II Construction
- e. **AM No. 15-056:** Award Of Bid No. 15-123B To Ahtna Construction & Primary Products Corporation In The Contract Amount Of \$553,951.60 For Crystal Lake Road And Willow Creek Parkway Fish Passage Improvement Project.

CONFLICT OF INTEREST: Assemblymember Arvin declared a conflict of interest as Ahtna Incorporated is a client of his.

RULING: Mayor DeVilbiss ruled that Assemblymember Arvin had a conflict of interest and would be recused from voting.

(Assemblymember Arvin exited the meeting.)

MOTION: Assemblymember Halter moved to adopt AM Nos. 15-055 and 15-056.

VOTE: The motion passed without objection.

(Assemblymember Arvin re-entered the meeting.)

VIII. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 15-039:** An Ordinance Placing A Moratorium On The Acceptance And Processing Of Applications To Dispose Of Fee Simple Interests Of Previously Disposed Borough Agricultural Property. *(Sponsored by Assemblymember Sykes)*
 - 1. IM No. 15-073
- B. **Ordinance Serial No. 15-040:** An Ordinance Confirming The Assessment Roll For The Field Of View Park Subdivision Community Water Local Improvement District No. 476 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - 1. **Ordinance Serial No. 15-041:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$332,000 Principal Amount Of Special Assessment Bonds For The Field Of View Park Subdivision Community Water Local Improvement District No. 476, And Fixing Details Of Said Bonds.
 - a. IM No. 15-077
- C. **Ordinance Serial No. 15-042:** An Ordinance Confirming The Assessment Roll For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - 1. **Ordinance Serial No. 15-043:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$867,000 Principal Amount Of Special Assessment Bonds For The South

Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508, And Fixing Details Of Said Bonds.

a. IM No. 15-078

MOTION: Assemblymember Halter moved to postpone Ordinance Serial Nos. 15-039, 15-040, 15-041, 15-042, and 15-043 to a time certain of May 26, 2015.

VOTE: The motion passed without objection.

IX. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 05/26/15 Assembly Chambers)

1. **Ordinance Serial No. 15-066:** An Ordinance Approving An Appropriation Of \$82,000 From Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.

a. IM No. 15-098

2. **Ordinance Serial No. 15-067:** An Ordinance Approving An Appropriation Of \$40,000 From Alpine Road Service Area No. 31 Fund Balance, Fund 285, To Fund 410, Project No. 30051, For Alpine Road Service Area No. 31 Capital Projects.

a. IM No. 15-110

3. **Ordinance Serial No. 15-068:** An Ordinance Approving An Appropriation Of \$50,000 From Greater Butte Road Service Area No. 26 Fund Balance, Fund 280, To Fund 410, Project No. 30046, For Greater Butte Road Service Area No. 26 Capital Projects.

a. IM No. 15-111

4. **Ordinance Serial No. 15-069:** An Ordinance Amending Title 25, Elections, By Repealing Provisions For A Runoff Election For The Office Of Mayor To Mirror The Way Assembly Members Are Elected. *(Sponsored by Assemblymember Mayfield)*

a. IM No. 15-116

5. **Ordinance Serial No. 15-070:** An Ordinance Adopting MSB 3.04.083 Whereby A Mayoral Veto Of Expenditures Results In A Corresponding Reduction In The Real Property Tax Mill Rate.

a. IM No. 15-118

6. **Ordinance Serial No. 15-071:** An Ordinance Amending MSB 3.15.035(C), Optional Exemptions, Changing Business Inventory Tax. *(Sponsored by Assemblymember Sykes)*

a. IM No. 15-119

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for May 26, 2015.

VOTE: The motion passed without objection.

MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following resignations and appointments for confirmation:

Enhanced 911 Advisory Board
Carl Hereford, resignation
Health and Social Services Board
Stacey Hoffman
Joint Assembly/School Board Committee on School Issues
Kelsey Trimmer
Local Emergency Planning Committee
Norman Straub
Marijuana Advisory Committee
Gina Jorgensen
Knik RSA No. 17
Mike Hales, resignation

MOTION: Assemblymember Arvin moved to confirm the Mayor's resignations and appointments up for confirmation.

VOTE: The motion passed without objection.

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)

1. **Ordinance Serial No. 15-072:** An Ordinance Amending MSB 1.45.100, Schedule Of Fines For Infractions; Standardizing Fines And Adding Fines For Code Infractions Where None Are Listed.

a. IM No. 15-080

MOTION: Assemblymember Arvin moved to refer Ordinance Serial No. 15-072 to the Planning Commission for 90 days.

VOTE: The motion passed without objection.

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey noted his intention to rehire recent retiree Mr. Carl Hereford as on call employee in the Informational Technology Department until the position vacated by Mr. Hereford is filled.

There was no objection noted.

Ms. McKechnie reminded the Assembly of the special Assembly meeting on May 7 in Willow.

Assemblymember Halter:

- encouraged the body to arrive early for the Willow meeting; and
- added that food is planned to be served.

Assemblymember Beck thanked the public for attending tonight's meeting.

Assemblymember Mayfield:

- spoke to the ground breaking ceremony he attended for the new Dena'ina Elementary School earlier today;
- spoke to Ordinance Serial No. 15-057; and
- added that he hopes the legislation will be reconsidered by the body.

MOTION: Assemblymember Sykes moved to suspend the rules to extend the meeting to 11:22 p.m.

VOTE: The motion passed without objection.

Assemblymember Sykes:

- thanked everyone for coming out to voice their opinions to the Assembly; and
- noted he appreciates the engaging discussion that took place this evening.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 11:20 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 05/27/15