

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 17, 2016, 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

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2 (*Deputy Mayor*)
Mr. George McKee, Assembly District No. 3
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Mr. Randall Kowalke, Assembly District No. 7

Assembly members absent and excused were:

Ms. Barbara Doty, Assembly District No. 6

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Mr. Alex Strawn, Development Services Manager
Mr. Jude Bilafer, 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. Eric Wyatt, Information Technology Director
Ms. Benji Wood, Administrative Assistant

III. APPROVAL OF AGENDA

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

MOTION: Assemblymember Beck moved to take up the reconsideration and Mayoral veto of Ordinance Serial No. 16-046, prior to the public hearings.

VOTE: The motion passed without objection.

MOTION: Assemblymember Beck moved to remove Resolution Serial No. 16-047 from the consent agenda and move to referrals.

VOTE: The motion passed without objection.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Larry DeVilbiss, former Borough Mayor.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 04/12/16
- B. Special Assembly Meeting: 04/19/16
- C. Regular Assembly Meeting: 04/19/16
- D. Special Assembly Meeting: 04/28/16
- E. Special Assembly Meeting: 05/02/16
- F. Special Assembly Meeting: 05/03/16
- G. Regular Assembly Meeting: 05/03/16

Mayor Halter inquired if there were any changes/corrections to the special meeting minutes of April 12, 2016, April, 19, 2016, the regular meeting minutes of April 19, 2016, the special meeting minutes of April 28, 2016, May 2, 2016, or May 3, 2016, or the regular meeting minutes of May 3, 2016.

GENERAL CONSENT: The minutes were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

(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

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Manager Evaluation Process
4. Animal Care – GIS Mapping

Deputy Darla Erskine, Animal Care and Regulation Officer, reported on the number of licensed kennels and catteries within the Borough.

5. Old Iditarod Elementary School Building Discussion

Mr. Moosey:

- related several options that are available to the Assembly for disposition of the Old Iditarod Elementary School building; and
- queried how the Assembly would like to move forward.

Mayor Halter queried if there was any objection to a cost proposal for razing the building and the option of the city of Wasilla assuming ownership, being brought back for consideration.

There was no objection noted.

Mr. Douglas Clegg of Spring Creek Enterprise, reported on the design for the new skilled nursing facility to be constructed on the parcel of land where the Mat-Su Convention and Visitors Bureau is currently located; and reported on the location transition and transfer of ownership of the Veteran's Wall of Honor.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- noted that meetings for 4 p.m. on June 7 were double booked;
- advised that occurred due to the Manager's evaluation being continued to June 7 at 4 p.m., which was the same date and time that the Planning Session update was scheduled for; and
- queried if the Assembly would like an update on the Planning Session on June 21, at 3 p.m.

Mr. Mayor queried if there was any objection to the Clerk bringing back a date in August for the Planning Session update.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Alpine RSA Board of Supervisors: Resolution 16-01
- b. Agriculture Advisory Board: 01/20/16
- c. Board of Adjustment and Appeals: 01/11/16, Final Decision for BOAA 16-01
- d. Central Mat-Su FSA Board of Supervisors: 01/25/16
- e. Greater Butte RSA Board of Supervisors: Resolution 16-01
- f. Greater Talkeetna RSA Board of Supervisors: 01/14/16
- g. Knik RSA Board of Supervisors: 10/14/16, Resolution 16-01
- h. Local Emergency Planning Committee: 10/21/15
- i. Local Road Service Area Advisory Board: 02/18/16
- j. Planning Commission: 08/03/15, 03/21/16, 04/04/16
- k. Platting Board: 02/04/16, 03/03/16, 03/17/16
- l. West Lakes FSA Board of Supervisors: 02/08/16
- m. Willow FSA Board of Supervisors: 02/11/16

2. Community Council Minutes:

- 3.
- a. Gateway Community Council: 01/28/16, 03/03/16

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 16-097:** Reporting Of The Conclusion Of Contract For Bid No. 14-118B To Scarsella Bros, Inc. For Parks Highway Connection Machen Road Extension, In The Final Contract Amount Of \$3,045,043.12.
- 2. **IM No. 16-100:** Reporting Of Conclusion Of Contract For Bid No. 15-121B To Western Construction And Equipment, LLC. For Clay Chapman/Knik Knack Mud Shack Road Construction, In The Final Contract Amount Of \$2,529,935.20.

The informational memorandums were presented.

VII. SPECIAL ORDERS

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

(There were no persons to be heard.)

XI. RECONSIDERATION

A. Ordinance Serial No. 16-046: An Ordinance Establishing A Temporary Moratorium On Marijuana Establishments To Expire On October 19, 2016. *(Sponsored By Assemblymember Kowalke)(Reconsideration Filed By Assemblymember Beck on May 4, 2016)*

1. IM No. 16-078

MOTION: Assemblymember Beck moved to reconsider Ordinance Serial No. 16-046 and the following amendment: Section 5. Sunset Clause, by inserting “except as provided below” to the end of the sentence and adding a new Section 6 to read “Early sunset for cultivation facilities. As it applies to marijuana cultivation facilities, this moratorium shall expire on August 17, 2016”.

VOTE: The motion to reconsider passed without objection.

RECONSIDERED PRIMARY AMENDMENT: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 16-046, Section 5. Sunset Clause, by inserting “except as provided below” to the end of the sentence and adding a new Section 6 to read “Early sunset for cultivation facilities. As it applies to marijuana cultivation facilities, this moratorium shall expire on August 17, 2016”.

VOTE: The primary amendment failed with Assemblymembers Sykes and Colligan in support.

VOTE: The main motion passed without objection.

MOTION: Assemblymember Beck moved to override the mayoral veto of Ordinance Serial No. 16-046.

VOTE: The motion to override the mayoral veto passed without objection.

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 16-053:** An Ordinance Accepting And Appropriating September 2012 Southcentral Flood Disaster Relief Monies In The Amount Of \$580,609 From The Alaska State Division Of Homeland Security And Emergency Management And The Federal Emergency Management Agency To Fund 445, Project No. 55017.

a. **Resolution Serial No. 16-043:** A Resolution Amending The Budget For The September 2012 Southcentral Flood Disaster Relief Monies, Project No. 55017.

(1) IM No. 16-079

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.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-053 and Resolution Serial No. 16-043.

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 16-05, by striking "\$580,609" and "\$336,640" throughout the legislation.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Beck moved to postpone Ordinance Serial No. 16-053 and Resolution Serial No. 16-043 to a time certain of June 7, 2016.

VOTE: The motion to postpone passed without objection.

2. **Ordinance Serial No. 16-054:** An Ordinance Approving A Supplemental Appropriation Of \$23,690.34 Of Revenues From Public Donations To The Fiscal Year 2016 Animal Care And Regulation Division Operating Budget, To Procure Equipment And Supplies For Animal Care.
 - a. IM No. 16-080

Mayor Halter opened the public hearing.

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. 16-054.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 16-055:** An Ordinance Extending The Time Limit For Completion Of Borough Capital Projects.
 - a. IM No. 16-082

Mayor Halter opened the public hearing.

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

The following person spoke to concerns with rescoped projects within the legislation: Mr. Timothy Hale.

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. 16-055.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 16-056:** An Ordinance Reappropriating \$80,000 From The Capital Projects Department Fiscal Year 2016 Operating Budget, Fund 100, To Fund 435, For The Fireweed Building Improvements, Project No. 10178.
 - a. **Resolution Serial No. 16-044:** A Resolution Approving The Scope Of Work And Budget For The Fireweed Building Improvements, Project No. 10178.
 - (1) IM No. 16-083

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.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-056 and Resolution Serial No. 16-044.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 16-057:** An Ordinance Approving A Supplemental Appropriation Of \$42,000 From The Talkeetna Fire Service Area Fund Balance, Fund 254, To The Fiscal Year 2016 Talkeetna Fire Service Area Operating Budget To Cover Wages And Benefits For The Remainder Of Fiscal Year 2016.
 - a. IM No. 16-086

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.

MOTION: Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-057.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 16-058:** An Ordinance Approving A Supplemental Appropriation Of \$50,000 From The Butte Fire Service Area Fund Balance, Fund 251, To The Fiscal Year 2016 Butte Fire Service Area Operating Budget To Cover Wages And Benefits For The Remainder Of Fiscal Year 2016.
 - a. IM No. 16-087

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.

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-058.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 16-059:** An Ordinance Accepting And Appropriating Additional Funds For Revision No. 1 In The Amount Of \$495,000 From The United States Fish And Wildlife Service To Fund 410, Project No. 30114, For Up To 24 Culvert Replacements As Part Of The Fish Passage Improvements Project, Project No. 30114.
 - a. **Resolution Serial No. 16-045:** A Resolution Amending The Budget For Revision No. 1 In The Amount Of \$495,000 For Replacement Of Up To 24 Culverts For Fish Passage Improvements, Project No. 30114.
- (1) IM No. 16-089

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

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-059 and Resolution Serial No. 16-045.

VOTE: The motion passed without objection.

8. **Ordinance Serial No. 16-060:** An Ordinance Approving An Appropriation Of \$90,000 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. 16-090

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.

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-060.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 16-061:** An Ordinance Approving An Appropriation Of \$110,000 From Knik Road Service Area No. 17 Fund Balance, Fund 274, To Fund 410, Project No. 30040, For Knik Road Service Area No. 17 Capital Projects.
 - a. IM No. 16-091

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.

MOTION: Assemblymember Mayfield moved to adopt Ordinance Serial No. 16-061.

VOTE: The motion passed without objection.

10. **Ordinance Serial No. 16-062:** An Ordinance Approving An Appropriation Of \$46,000 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. 16-092

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.

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-062

VOTE: The motion passed without objection.

11. **Ordinance Serial No. 16-063:** An Ordinance Appropriating Up To \$1,000,000 From The Land Management Permanent Fund, Fund 203, To Parks And Recreation Shop Upgrades, Fund 440, Project No. 15039.
- a. **Resolution Serial No. 16-046:** A Resolution Approving The Amended Budget For Parks And Recreation Shop Upgrades, Fund 440, Project No. 15039.
- (1) IM No. 16-093

Mayor Halter opened the public hearing.

The following person spoke in concerns that the legislation did not state the size of the building to be built: Ms. Beth Fread.

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. 16-063 and Resolution Serial No. 16-046.

MOTION: Assemblymember Kowalke moved a primary amendment to Ordinance Serial No. 16-063, Resolution Serial No. 16-046, and IM No. 16-093, as follows:

- IM No. 16-093:
 - insert into the title after project no. 15039 “and appropriate \$200,000 for Willow Log Cabin Rehabilitation Project, fund 435, project no. 10182;
 - insert into the last paragraph before recommendation of administration: “We are also requesting an additional \$200,000 be appropriated from the Land Management Fund, fund 203, to the Willow Log Cabin Rehabilitation Project, fund 435, project no. 10182. Because of prior claims of ownership by others, the availability of these funds will be contingent upon delivery of clear and insurable title; and
 - in recommendation of administration, after project no. 15039, insert the words “and appropriate \$200,000 for Willow Log Cabin Rehabilitation Project, fund 435, project no. 10182; and

- Ordinance Serial No. 16-063:
 - insert into the title after project no. 15039 “and appropriate \$200,000 for Willow Log Cabin Rehabilitation Project, fund 435, project no. 10182; and
 - insert two new whereas clauses before be it enacted to read: “Whereas, an additional \$200,000 be appropriated from the Land Management fund 203, to the Willow Log Cabin Rehabilitation Project fund 435, project No. 10182; and Whereas, these funds will be contingent upon delivery of clear and insurable title free of any and all Deeds of Trust, outstanding liens, and any other unauthorized obligations or interest relating to the property; and
 - in Section 2, appropriation source, insert after project no. 15039 the following: “and \$200,000 from the Land Management Permanent Fund, fund 203, to the Willow Log Cabin Rehabilitation Project, fund 435, project no. 10182;”
- Resolution Serial No. 16-046:
 - insert into the title after project no. 15039 “approving the scope of budget and work for Willow Log Cabin Rehabilitation Project, fund 435, project no. 10182; and
 - insert two new whereas clauses before the Now Therefore Be It Resolved clause, that read: “Whereas, we are also requesting that \$200,000 be appropriated from the Land Management Fund, fund 203, for the Willow Log Cabin Rehabilitation Project, fund 435, project no. 10182; and Whereas, the \$200,000 will be used for design, rehabilitation, and reconstruction of the Willow Log Cabin;” and
 - insert at the end of the Now Therefore Be It Resolved clause the following: “and approve the following scope of work and budget for project no. 10182; and
 - insert a scope of work that reads: “Design, rehabilitate and reconstruction of the Willow Log Cabin; and
 - insert a budget that reads: “Fiscal Year 2016 Land Management Permanent Fund Appropriation \$200,000, Total budget for project no. 10182 \$200,000.

MOTION: Assemblymember Kowalke moved a secondary amendment as follows:

- IM No. 16-093:
 - by striking the words “clear and insurable title free of any and all Deeds of Trust, outstanding liens, and any other unauthorized obligations or interest relating to the property” and inserting the following in its place: “Because of the prior claims of ownership by others, the availability delivery of these funds will be contingent upon quitclaim deeds in favor of the Borough from both WACO and WHWF.”
- Ordinance Serial No. 16-063:
 - by striking the words “Whereas, these funds will be contingent upon delivery of clear and insurable title free of any and all Deeds of Trust, outstanding liens, and any other unauthorized obligations or interest

relating to the property” and inserting the following in its place: “Whereas, because of prior claims of ownership by others, the availability of these funds will be contingent upon delivery of quitclaim deeds in favor of the Borough from both WACO and WHWF.”

- Resolution Serial No. 16-046:
 - by inserting at the end of the last whereas clause the following words “contingent upon delivery of quitclaim deeds in favor of the Borough from both WACO and WHWF; and
 - at the end of the scope of work insert the following words: “contingent upon delivery of quitclaim deeds in favor of the Borough from both WACO and WHWF.”

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed as amended without objection.

VOTE: The main motion passed as amended with Assemblymembers McKee and Sykes opposed.

12. **Ordinance Serial No. 16-064:** An Ordinance Amending MSB Title 25, Elections.
 - a. IM No. 16-095

Mayor Halter opened the public hearing.

The following person spoke in support of Ordinance Serial No. 16-064: Mr. Timothy Hale.

The following persons spoke in opposition to Ordinance Serial No. 16-064: Mr. Eugene Carl Haberman,

The following persons spoke in opposition to removing mayoral runoff elections: Mr. Larry DeVilbiss, Mr. David Straub, and Ms. Beth Fread.

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. 16-064

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 16-064, by striking all language throughout the legislation that refers to runoff elections.

VOTE: The primary amendment passed with Assemblymember Mayfield opposed.

VOTE: The main motion passed as amended without objection.

(The meeting recessed at 7:50 p.m. and reconvened at 8 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of commercial marijuana within the Borough: Ms. Tam Boeve, Mr. Gordy Origer, Ms. Peggy France, Ms. Amy Henry, and Mr. Tom Idelman.

The following persons spoke in support of the Mayoral veto of Ordinance Serial No. 16-046: Ms. Krystal Dietrich, Mr. David Straub, and Mr. Tyler Altman.

The following person spoke to the need for a regional wastewater septage facility: Ms. Helen Munoz.

The following person spoke to concerns regarding his recent conversation with Assemblymember Kowalke: Mr. Robert Davis.

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

The following person spoke in opposition of the Mayoral veto of Ordinance Serial No. 16-046: Mr. Larry DeVilbiss.

The following persons spoke to concerns with the Brett Memorial Ice Rink fee increases: Ms. Kim Carney, Ms. Kendra Johnson, Mr. Fred Wagner, Mr. Eric Bushnell, Ms. Misty Holler, and Mr. Gabe Cappel.

The following person spoke to concerns with placement of items on the agenda: Ms. Beth Fread.

The following person spoke to the need for interim materials districts within the Borough, in support of the Mayoral veto of Ordinance Serial No. 16-046, and noted that industrial hemp is not yet legal in Alaska: Ms. Glenda Smith.

The following person requested reconsideration of Ordinance Serial No. 16-063 and Resolution Serial No. 16-046: Ms. Shannon Connolly.

D. CONSENT AGENDA

1. RESOLUTIONS

2. ACTION MEMORANDUMS

- a. **AM No. 16-033:** Approval Of Change Order No. Two To Contract No. 14-136P With Hattenburg, Dilley, And Linnell In The Amount Of \$100,000 For Geotechnical Services.
- b. **AM No. 16-034:** Award Of Bid No. 16-115B To Alaskan Industries, Inc. In The Contract Amount Of \$227,800 For Multipurpose Room Flooring Replacement At Big Lake And Willow Elementary Schools.

- c. **AM No. 16-035:** Approval Of Contract Amendment To Contract No. 13-093P With Boutet Company In The Amount Of \$626,508.75 And Extending The Contract To June 30, 2017, For Construction Management Services.
- d. **AM No. 16-036:** Award Of Proposal No. 16-081P To The Firms Of CRW Engineering Group, LLC., Hattensburg Dilley And Linnell, LLC., And The Boutet Company, Inc. In The Contract Amount Not To Exceed \$500,000 Per Year, Per Firm For Up To Three Years, For Civil Engineering And Environmental Services For Public Infrastructure Projects.
- e. **AM No. 16-037:** Authorizing The Manager To Enter Into An Agreement With The City Of Palmer In The Amount Of \$334,388 For Fire Protection Services For The Contract Period Of July 1, 2016, To June 30, 2017.
- g. **AM No. 16-040:** Approval Of Contract Amendment To Contract No. 15-157B With Bristol Prime Contractors, LLC. In The Amount Of \$213,762 For The Lu Young Lane Upgrade Project.
- h. **AM No. 16-041:** Vacate Any Public Interest In A 410-Square Foot Of Right-Of-Way Of West Trevett Avenue, In Freeman Anthony Subdivision, Block 1, Lot 1, Plat No. 85-102, Located Within Section 10, Township 17 North, Range 2 West, Seward Meridian.
- i. **AM No. 16-042:** Approval Of Contract Amendment No. 3 To Contract No. 13-117B With Shamrock Septic, Increasing The Annual Contract Value An Additional \$35,000, Not To Exceed An Annual Contract Value Of \$175,000 For Leachate Hauling And Disposal.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- f. **AM No. 16-038:** Authorization To Purchase From Microdata In The Amount Of \$122,985.67 A One-Year Extended Software Maintenance Silver Support Agreement For The E-911 System.

MOTION: Assemblymember Sykes moved to adopt AM No. 16-038.

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 16-037:** An Ordinance Amending MSB 17.28.090(A), Adding An Interim Materials District Known As Alsop East Pit, Located On A Portion Of Tract

A, Point Mack Phase 1 Subdivision, Within Township 15 North, Range 4 West, Section 27, Seward Meridian.

1. **Ordinance Serial No. 16-037(SUB):** An Ordinance Adopting Reasons For Denial Of A Proposed Interim Materials District Known As Alsop East Pit, Located On A Portion Of Tract A, Point Mack Phase I Subdivision, Within Township 15 North, Range 4 West, Section 27, Seward Meridian.
 - a. IM No. 16-056

MOTION PENDING: Assemblymember Mayfield moved to adopt Ordinance Serial No. 16-037.

MOTION: Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 16-037, as follows:

- by inserting after the last whereas clause, the following three whereas clauses to read:
 - “Whereas, it is the desire of the Assembly to establish a Point MacKenzie Road Improvement Reserve Fund to supplement needed capital improvements and maintenance costs associated with increased haul truck traffic along Point MacKenzie Road; and
 - Whereas, it is recommended that \$0.75 per cubic yard of all materials removed from within this IMD shall be appropriated into the Point MacKenzie Road Improvement Reserve Fund; and
 - Whereas, if a severance tax is enacted on gravel, deposits into the Point MacKenzie Road Improvement Reserve Fund shall cease. All deposits remaining in the Point Mackenzie Road Improvement Fund shall remain in the fund until needed by the project;” and
- by inserting a new Section 4. to read: “Establishment of Fees. A fee of \$0.75 per cubic yard of all materials removed from within this IMD shall be appropriated into the Point MacKenzie Road Improvement Reserve Fund, unless a severance tax is enacted.” and
- by renumbering the remaining sections accordingly.

VOTE: The primary amendment passed with Assemblymember Colligan opposed.

VOTE: The main motion passed as amended without objection.

- B. **Resolution Serial No. 16-023:** A Resolution To Adopt The Fiscal Year 2017 Schedule Of Rates And Fees Effective July 1, 2016, In Order To Have A Single Document For All Rates And Fees In The Matanuska-Susitna Borough.

1. IM No. 16-046

PENDING MOTION: Assemblymember Mayfield moved a primary amendment to IM No. 16-046, Matanuska-Susitna Borough Fiscal Year 2017 Schedule of Rates and Fees, as follows:

- Effective July 1, 2016:
 - line 565, by striking “\$13” and inserting “\$14” in its place;

- line 566, by striking “\$26” and inserting “\$28” in its place;
- line 567, by striking “\$32” and inserting “\$34” in its place;
- line 568, by striking “\$45” and inserting “\$48” in its place;
- line 569, by striking “\$60” and inserting “\$64” in its place.
- Effective July 1, 2017:
 - line 565, by striking “\$14” and inserting “\$15” in its place;
 - line 566, by striking “\$28” and inserting “\$30” in its place;
 - line 567, by striking “\$34” and inserting “\$36” in its place;
 - line 568, by striking “\$48” and inserting “\$51” in its place;
and
 - line 569, by striking “\$64” and inserting “\$68” in its place.

VOTE: The primary amendment passed with Assemblymembers McKee and Colligan opposed.

MOTION: Assemblymember Beck moved a primary amendment to IM No. 16-046, Matanuska-Susitna Borough Fiscal Year 2017 Schedule of Rates and Fees, as follows:

- line 77, by striking “\$275” and inserting “\$225” in its place;
- line 78, by striking “\$200” and inserting “\$180” in its place;
- line 79, by striking “\$300” and inserting “\$250” in its place;
- line 80, by striking “\$225” and inserting “\$200” in its place; and
- line 81, by striking “\$60” and inserting “\$50 in its place.”

MOTION: Assemblymember Beck moved to suspend the rules and extend the meeting past 10 p.m. and not to exceed 10:30 p.m.

VOTE: The motion passed without objection.

VOTE: The primary amendment passed with Assemblymember McKee opposed.

MOTION: Assemblymember Sykes moved a primary amendment to Resolution Serial No. 16-023, in the Now Therefore Be It Resolved clause, by inserting at the end of 1) the words “except for changes in landfill fees which will take effect January 1, 2017” to read: “Now Therefore Be It Resolved, that the Assembly: 1) adopts the fiscal year 2017 schedule of rates and fees to take effect July 1, 2016, except for changes in landfill fees, which will take effect January 1, 2017.”

VOTE: The primary amendment failed (tie vote) with Assemblymembers Sykes, Beck, and Mayfield in support and Assemblymembers McKee, Kowalke, and Colligan opposed. The motion failed with Mayor Halter invoking his voting privilege in opposition.

MOTION: Assemblymember Colligan moved a primary amendment to IM No. 16-046, Matanuska-Susitna Borough Fiscal Year 2017 Schedule of Rates and Fees. line 530, by striking “\$125” and inserting “\$115” in its place.

VOTE: The primary amendment failed (tie vote) with Assemblymembers McKee, Colligan, and Beck in support and Assemblymembers Sykes, Kowalke, and Mayfield opposed. The motion failed with Mayor Halter invoking his voting privilege in opposition.

MOTION: Assemblymember Colligan moved to postpone Resolution Serial No. 16-023, to a time certain of June 7, 2016, and to direct the Manager and staff to calculate the appropriate rate for the Central Landfill that is equivalent to the transfer stations.

VOTE: The motion failed (tie vote) with Assemblymembers McKee, Colligan, and Beck in support and Assemblymembers Sykes, Kowalke, and Mayfield opposed. The motion passed with Mayor Halter invoking his voting privilege in the affirmative.

IX. VETO

- A. Motion To Override Any Possible Mayoral Veto On Fiscal Year 2017 Budget Items (Ordinance Serial No. 16-016).
 - 1. **Ordinance Serial No. 16-016:** An Ordinance Appropriating Monies From The Central Treasury For The Borough Operating Funds, Enterprise Funds, Education Operating Fund, And Capital Funds; Establishing The Rate Of Levy For All Borough Functions For The Fiscal Year Beginning July 1, 2016, And Ending June 30, 2017, And Setting The Surcharge Rate For The Wireline And Wireless Enhanced 911 Systems For The Period Of July 1, 2016, Through June 30, 2017.

(There were no budget vetoes presented.)

X. NEW BUSINESS

- A. INTRODUCTIONS (For public hearing – 06/07/16 Assembly Chambers)
 - 1. **Ordinance Serial No. 16-065:** An Ordinance Authorizing The Issuance Of State Of Alaska Lease Revenue Refunding Bonds, Series 2016 (Goose Creek Correctional Center Project) In An Amount Not To Exceed \$65,000,000; Approving The Form And Substance Of A Second Supplement To Trust Indenture, A Third Amendment To Lease Purchase Agreement, A Refunding Trust Agreement, And A Bond Purchase Agreement; Authorizing An Offering Document; Making Certain Findings And Determinations; Authorizing The Execution Of Documents And Instruments Necessary Or Convenient To Accomplish The Foregoing; And Containing Other Provisions Relating To The Subject.
 - a. IM No. 16-101
 - 2. **Ordinance Serial No. 16-021:** An Ordinance Adopting MSB 8.41, Marijuana Related Facilities License Referrals. *(Sponsored By Assemblymember Sykes)*
 - a. IM No. 16-027

3. **Ordinance Serial No. 16-022:** An Ordinance Amending MSB 15.24.030, Adopting The Matanuska-Susitna Borough Metropolitan Planning Organization Self-Assessment.
 - a. IM No. 16-034

4. **Ordinance Serial No. 16-066:** An Ordinance Reappropriating \$25,000 To A Security Card Upgrade Project Fund.
 - a. **Resolution Serial No. 16-048:** A Resolution Approving The Scope Of Work And Budget For A Security Card Upgrade Project.
 - (1) IM No. 16-099

5. **Ordinance Serial No. 16-067:** An Ordinance Accepting And Appropriating \$16,988.40 In Project Income For The Rail Extension From Port Mackenzie To The Mainline, Project No. 75001.
 - a. **Resolution Serial No. 16-049:** A Resolution Approving The Scope Of Work And Budget For Project Income On The Rail Extension From Port Mackenzie To The Mainline Project.
 - (1) IM No. 16-102

6. **Ordinance Serial No. 16-068:** An Ordinance Reappropriating \$230,000 To An Information Technology Strategic Plan Support Project Fund.
 - a. **Resolution Serial No. 16-050:** A Resolution Approving The Scope Of Work And Budget For An Information Technology Strategic Plan Support Project Fund.
 - (1) IM No. 16-103

7. **Ordinance Serial No. 16-069:** An Ordinance Amending MSB 2.47, Boroughwide Records Management Program.
 - a. IM No. 16-105

8. **Ordinance Serial No. 16-070:** An Ordinance Reappropriating \$95,000 From The Capital Projects Department Fiscal Year 2016 Operating Budget, Fund 100, To Project No. 47048, Fund 490, For Engineering, Environmental, And Survey Work For Fiscal Year 2017 Capital Projects Throughout The Borough.
 - a. IM No. 16-107

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Beck moved to introduce the legislation as read into the record by the Clerk and set the public hearing for June 7, 2016.

VOTE: The motion passed without objection.

MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Halter requested the following confirmations:

Emergency Medical Services Board
Sandy Hoeft, resignation
Local Emergency Planning Committee
Alyssa Farrar

Talkeetna Flood Control Service Area No. 7
Israel Mahay

MOTION: Assemblymember Beck moved confirm the Mayor's appointments and resignation.

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. **Resolution Serial No. 16-047:** A Resolution Supporting Planning Efforts To Develop A Regional Transportation Planning Partnership Process To Ensure Better Communication And Collaboration Between The Alaska State Department Of Transportation And Public Facilities, The Borough, And The Cities Of Palmer, Wasilla, And Houston.

a. IM No. 16-109

MOTION: Assemblymember Beck moved to refer Resolution Serial No. 16-047 to the Planning Commission and the Transportation Advisory Board for a period of 90 days.

VOTE: The motion passed without objection.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Spiropoulos advised that he would not be present for the June 7, 2016, Assembly meeting.

Mr. Moosey:

- reported on the pounds of expired medication received during the Drug Take Back Day event; and
- advised that he would be bringing the recreation bond resolution back for the next meeting, unless there was any objection.

Assemblymember Beck advised that he will be gone June 7, and requested that it be a different date.

Ms. McKechnie spoke to the date by which bond propositions would need to be adopted to make the October ballot.

Assemblymember Colligan:

- stated that he is looking forward to taking up the fees and rates at the next meeting; and
- noted that there is a cost to providing services.

Assemblymember McKee:

- spoke to concerns with the fees and rates schedule;
- stated that there is no mechanism in place to collect fees; and
- spoke to concerns with subsidizing fees.

Assemblymember Sykes:

- stated that he appreciated the discussion this evening;
- spoke to his appreciation of public participation;
- noted that public opinion on marijuana could change in October;
- spoke in support of the referral process for legislation;
- stated that he agrees with Mr. Haberman on that he does not like the idea of a closed canvas
- spoke to the canvassing process of absentee and questioned ballots;
- opined that there needs to be a balance between protecting private information and an open public process; and
- spoke in support of legislation containing the name of funds as well as the fund number.

MOTION: Assemblymember Sykes moved to direct the Manager that legislation that appropriates funds contain the name of the fund as well as the fund number.

VOTE: The motion passed without objection.

Assemblymember Sykes stated that he is looking forward to working on the recreation bond.

Assemblymember Mayfield:

- thanked the body for their support of the Alsop IMD;
- opined that it could be an innovative way to provide funding for future road projects;
- opined that the fees and rates have been discussed ad nauseam; and
- opined that the body has reached a compromise that all residents may not be happy with.

Assemblymember Beck thanked the body for the meeting.

Mayor Halter:

- spoke in support of the discussion regarding the Alsop IMD;
- stated that he knew he would be overridden on his veto of the marijuana moratorium;
- reiterated that he believes the State should regulate marijuana;

- noted that prohibition does not work and that jails are over populated with low level offenders;
- opined that it will be costly for the Borough to regulate marijuana by way of additional Code Compliance Officers and Planning staff;

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 10:25 p.m.


for VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 06/07/16