

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on June 21, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Beck.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

- Mr. Matthew Beck, Assembly District No. 2 (*Deputy Mayor*)
- Mr. George McKee, Assembly District No. 3 (*entered at 6:14 p.m.*)
- Mr. Steve Colligan, Assembly District No. 4 (*attended telephonically until 8:53 p.m. at which time he entered the meeting physically*)
- Mr. Dan Mayfield, Assembly District No. 5 (*attended telephonically*)
- Ms. Barbara Doty, Assembly District No. 6
- Mr. Randall Kowalke, Assembly District No. 7

Assembly members absent and excused were:

- Mr. Jim Sykes, Assembly District No. 1

Staff in attendance were:

- Ms. Lonnie R. McKechnie, Borough Clerk
- Mr. Nicholas Spiropoulos, Borough Attorney
- Ms. Brenda J. Henry, Assistant Clerk
- Mr. John Moosey, Borough 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. Lisa Behrens, Deputy Director – EMS
- Ms. Patty Sullivan, Public Affairs Director
- Mr. Eric Phillips, Community Development Director
- Mr. Eric Wyatt, Information Technology Director
- Ms. Debra Wetherhorn, Division Administrative Specialist

**III. APPROVAL OF AGENDA**

Deputy Mayor Beck inquired if there were any changes to the agenda.

**MOTION:** Assemblymember Kowalke moved to take up Ordinance Serial No. 16-085 as the first public hearing.

VOTE: The motion passed without objection.

MOTION: Assemblymember Kowalke moved to take up Ordinance Serial No. 16-086 as the second public hearing.

VOTE: The motion failed with Assemblymembers Doty, Beck, and Kowalke in support.

MOTION: Assemblymember Kowalke moved to postpone the public hearing on Ordinance Serial No. 16-079 to a time certain of August 2, 2016.

VOTE: The motion passed without objection.

MOTION: Assemblymember Colligan moved to postpone the public hearing on Ordinance Serial No. 16-087 to a time certain of August 2, 2016.

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. John Moosey, Manager.

#### **V. MINUTES OF PRECEDING MEETINGS**

- A. Special Assembly Meeting: 06/07/16
- B. Regular Assembly Meeting: 06/07/16

Deputy Mayor Beck inquired if there were any changes/corrections to the special or regular meeting minutes of June 7, 2016.

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

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS**

- 1. Reports from cities

##### Wasilla City

Mayor Bert Cottle reported on the upcoming events for the city of Wasilla.

##### Houston City

Deputy Mayor Lance Wilson advised of the City's concerns with Ordinance Serial No. 16-086.

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.)*

3. Assembly Public Relations

Assemblymember Mayfield reported on his attendance at the sea trails for the M/V Susitna.

C. MANAGER COMMENTS

1. State/Federal Legislation

2. Strategic Planning Issues

3. Geographic Information Services Online Mapping Applications Presentation – Mr. Eric Wyatt, Office of Information Technology Director

Mr. Wyatt provided a presentation regarding Geographic Information Services Online Mapping Applications.

D. ATTORNEY COMMENTS

*(There was no report provided.)*

E. CLERK COMMENTS

*(There was no report provided.)*

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

a. Agriculture Advisory Board: 03/16/16, Resolution 16-04

b. Aviation Advisory Board: 01/19/16, 03/02/16

c. Big Lake RSA Board of Supervisors: 03/10/16, 03/15/16

d. Caswell FSA Board of Supervisors: 01/13/16, 02/10/16

e. Caswell Lakes RSA Board of Supervisors: 01/06/16

f. Central Mat-Su FSA Board of Supervisors: 03/14/16

g. Joint West Lakes and Central Mat-Su Fire FSA Board of Supervisors: 04/11/16

h. Emergency Medical Services Board: 02/03/16

i. Enhanced 911 Advisory Board: 02/09/16

j. Fairview RSA Board of Supervisors: 02/16/16

- k. Greater Butte RSA Board of Supervisors: 04/14/16
  - l. Greater Palmer Consolidated FSA Board of Supervisors: 05/10/16
  - m. Greater Talkeetna RSA Board of Supervisors: 04/14/16
  - n. Knik RSA Board of Supervisors: 01/13/16, Resolution No. 16-02
  - o. MSB Fish and Wildlife Commission: 04/21/16
  - p. Planning Commission: 05/16/16, Resolution Nos. 16-20, 16-21, 16-23
  - q. Platting Board: 04/21/16, 05/05/16
  - r. Transportation Advisory Board: 02/24/16
  - s. Wastewater and Septage Advisory Board: 04/06/16
2. Community Council Minutes:
- a. Big Lake Community Council: 02/09/16, 03/08/16, 04/12/16
  - b. Butte Community Council: 01/13/16
  - c. Chase Community Council: 01/21/16
  - d. Gateway Community Council: 03/24/16, 04/28/16
  - e. Glacier View Community Council: 04/28/16
  - f. Knik-Fairview Community Council: 01/20/16
  - g. Trapper Creek Community Council: 04/21/16

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

#### G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 16-132:** Reporting Of Conclusion Of Contract For Bid No. 15-135B To Electric International, LLC. For Fire Alarm System Replacements At Multiple Schools, Project Nos. 40176 And 40184, For The Final Contract Amount Of \$698,871.99.

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.)

- 14. **Ordinance Serial No. 16-085:** An Ordinance Relating To The Construction, Acquisition, Improvement, And Equipping Of Parks And Recreational Capital Facilities And Related Capital Improvements In The Matanuska-Susitna Borough, Authorizing The Issuance Of Areawide General Obligation Bonds Of The Borough, In One Or More Series, In The Aggregate Principal Amount Of Not To Exceed \$22,160,000, To Finance The Cost, In Whole Or In Part, Of Such Parks And Recreational Capital Facilities And Related Capital Improvements, And Providing For The Submission To The Voters Of The Borough Of A

Proposition Ratifying The Authorization Of Such Bonds At The October 4, 2016, Borough Regular Election.

a. IM No. 16-125

Deputy Mayor Beck opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 16-085: Mr. Steve Charles, Mr. Stuart Leidner, Ms. Dot Helm, Ms. Susan Bassity, Mr. Mark Mastellar, Ms. Heather Snelder, and Mr. John Strasenburg.

The following persons spoke to concerns with the public hearing process: Mr. Eugene Carl Haberman and Mr. Tim Hale.

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

MOTION: Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-085.

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

VOTE: The motion passed with Assemblymember McKee opposed.

VOTE: The main motion passed with Assemblymember McKee opposed.

1. **Ordinance Serial No. 16-072:** An Ordinance Appropriating \$150,000 From The Sale Proceeds Of Tract B In Fund 203, Fund Balance To Fund 480, Project No. 20283, For Future Engineering And Possible Relocation Of The Veterans Memorial Wall Of Honor.
  - a. IM No. 16-104

Deputy Mayor Beck opened the public hearing.

The following person spoke to concerns with the relocation of the Veteran's Memorial Wall: Mr. Dallas Massie.

The following person spoke to concerns with language contained in Ordinance Serial No. 16-072 without the suggested amendments: Mr. Don Dyer.

The following person spoke in support of Ordinance Serial No. 16-072: Mr. Douglas Clegg, Spring Creek Enterprises Chief Executive Officer.

The following person spoke to concerns with the public hearing 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 Colligan moved to adopt Ordinance Serial No. 16-072.

MOTION: Assemblymember Colligan moved a primary amendment to Ordinance Serial No. 16-072, as follows:

- page one of the ordinance, second “whereas” clause by replacing the language to read: “WHEREAS, the deed conveying the property contained a restriction that the land be used for such a purpose, which included additional use for a Veterans Wall of Honor site;”
- page one of the ordinance, third “whereas” clause by replacing the language to read: “WHEREAS, the Veterans Wall of Honor and associated memorial improvements now located on Tract B are planned to stay in place at this time and the former management agreement between the Borough and the Areawide Community Service Council, who oversaw management of the memorial site, was assigned as a condition of the sale of the property;
- page one of the ordinance, by inserting the following after the third “whereas” clause: “WHEREAS, the Veterans Memorial Wall of Honor and associated memorial improvements now located on Tract B are planned to stay in place at this time and a current Lease exists between the Spring Creek Enterprise and the Mat-Su Veterans Wall Of Honor Foundation;” and
- page two of the ordinance, by replacing the existing Section 2 with the following: “Section 2. Appropriation Source. There is hereby appropriated by the Matanuska-Susitna Borough Assembly \$150,000 from fund 203, fund balance to fund 480, project no. 20283 for future engineering and possible relocation of the Veteran’s Memorial Wall of Honor to a site outside of Tract B or another position on Tract B. The appropriation may be expended by the Borough Manager for either purpose of a plan to relocate on or off site, and actual Wall of Honor facilities move. An agreement amongst the Mat-Su Veterans Wall Of Honor Foundation may be submitted to the Borough Manager requesting a move must occur before any and all expenditures.”

MOTION: Assemblymember Doty moved a secondary amendment, “appropriation source” in the second sentence, after the word “move” by inserting the words “and said appropriation shall be utilized within 10 years or less, whereupon the appropriation shall expire” to read: “The appropriation may be expended by the Borough Manager for either purpose of a plan to relocate on or off site, and actual Wall of Honor facilities move and said appropriation shall be utilized within ten years or less, whereupon the appropriation shall expire.”

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed as amended without objection.

VOTE: The main motion passed as amended without objection.

*(The meeting recessed at 7:44 p.m. and reconvened at 7:54 p.m.)*

2. **Ordinance Serial No. 16-073:** An Ordinance Accepting And Appropriating \$30,000 From The Alaska State Department Of Environmental Conservation, Division Of Water, And Reappropriating \$20,000 From The Fiscal Year 2015 Areawide Grant Match Appropriation To Fund 480, Project No. 47514, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.
  - a. **Resolution Serial No. 16-053:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into A Grant Agreement With The Alaska State Department Of Environmental Conservation, Division Of Water, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.
    - (1) IM No. 16-106

Deputy Mayor Beck opened the public hearing.

The following person spoke to concerns with the public hearing 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 McKee moved to adopt Ordinance Serial No. 16-073 and Resolution Serial No. 16-053.

**VOTE:** The motion passed without objection.

3. **Ordinance Serial No. 16-074:** An Ordinance Approving The Removal Of Specific Dollar Amounts For Rates And Fees From Code And Replacing Them With Reference To The Assembly's Power To Set Rates And Fees By Resolution.
  - a. IM No. 16-112

Deputy Mayor Beck opened the public hearing.

The following person spoke to concerns with the public hearing 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 Kowalke moved to adopt Ordinance Serial No. 16-074.

**VOTE:** The motion passed without objection.

4. **Ordinance Serial No. 16-075:** An Ordinance Providing For The Sale Of Certain Boroughwide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2006 And Prior, 2008 And Prior, 2009 And Prior, 2010 And Prior, And Delinquent Special Assessment For The Year 2011 And Prior, And Not Needed For Public Purpose.
  - a. IM No. 16-113

Deputy Mayor Beck opened the public hearing.

The following person thanked the Assembly for the opportunity to be provided extra time to pay his property taxes and requested additional time to continue paying his taxes: Mr. Michael Giffeli.

The following person spoke to the reasons his taxes have not been paid: Mr. Ralph Kermit Winterrowd.

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

**MOTION:** Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-075.

**MOTION:** Assemblymember Kowalke moved a primary amendment to Ordinance Serial No. 16-075, by striking the following properties from the legislation:

- Tax Account No. 52049B03L003;
- Tax Account No. 56184B05L001;
- Tax Account No. 217N03W19C024; and
- Tax Account No. 56516B06L007.

**VOTE:** The primary amendment passed without objection.

**MOTION:** Assemblymember Kowalke moved a primary amendment to Ordinance Serial No. 16-075, by striking Tax Account Nos. 56070000L0036, 56070000L0037, 56070000L0038, and 56070000L0067.

**VOTE:** The primary amendment passed without objection.

**VOTE:** The main motion passed as amended without objection.

5. **Ordinance Serial No. 16-076:** An Ordinance Reappropriating \$55,000 From Land And Resource Management Division, Fiscal Year 2016 Operating Budget, Fund 203, Land Management Fund, To Fund 480, Non-Lapsing/Non-Capital Projects, Project No. 15013, Parks And Recreation Comprehensive Plan, Reappropriating \$16,000 From The Community Development Department Fiscal Year 2016 Operating Budget, Fund 100, Areawide Fund To Fund 440, Cultural And Recreational Capital Projects For Project No. 15015, Trail Development, Authorizing The Borough Manager To Enter Into A Grant Agreement With The Talkeetna Community Council For The Ridge Trail Plan And A Grant To The Mat-Su Trails And Parks Foundation.

- a. **Resolution Serial No. 16-054:** A Resolution Approving The Scopes Of Work And Budgets For The Government Peak Recreation Area Master Plan, The Ridge Trail Management Plan, Project No. 15013, And For Trail Development, Project No. 15015.
- (1) IM No. 16-114

Deputy Mayor Beck opened the public hearing.

The following person spoke in support of Ordinance Serial No. 16-076 and Resolution Serial No. 16-054: Mr. Stuart Leidner, Interim Director of Mat-Su Parks and Trails Foundation; Mr. Steve Charles; Ms. Dot Helm; Ms. Kathy Swartz; and Mr. John Strassenburg.

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

**MOTION:** Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-076 and Resolution Serial No. 16-054.

**VOTE:** The motion passed with Assemblymember McKee opposed.

6. **Ordinance Serial No. 16-077:** An Ordinance Amending MSB 5.25.028 And Placing On The Ballot Of The October 4, 2016, Regular Borough Election, The Annexation Of A Parcel Into The Lazy Mountain Road Service Area.
- a. **Resolution Serial No. 16-055:** A Resolution Finding The Annexation Of A Parcel Located At The End Of East T & T Lane On Lee Circle Into The Lazy Mountain Road Service Area No. 19 Serves The Public Interest And Placing It Before The Voters In The October 4, 2016, Regular Borough Election. (*Sponsored by Assemblymember Beck*)
- (1) IM No. 16-116

Deputy Mayor Beck opened the public hearing.

The following person spoke to concerns with the public hearing 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 Kowalke moved to adopt Ordinance Serial No. 16-077 and Resolution Serial No. 16-055.

**VOTE:** The motion passed without objection.

7. **Ordinance Serial No. 16-078:** An Ordinance To Classify Borough Land As General Purpose Lands And Enter Into A Lease Of Borough-Owned Real Property To Construct, Install, Maintain, Repair, Operate, And Manage A Communication Site (MSB007139).
- a. IM No. 16-117

Deputy Mayor Beck opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 16-078: Ms. Julie Rowse and Mr. Eric Anderson.

The following person spoke in opposition to Ordinance Serial No. 16-078: Mr. John Strasenburg.

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

**MOTION:** Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-078.

*(Assemblymember Colligan attended telephonically until 8:53 p.m. at which time he entered the meeting physically.)*

**MOTION:** Assemblymember Doty moved to postpone Ordinance Serial No. 16-078 to a time certain of August 2, 2016.

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

8. **Ordinance Serial No. 16-079:** An Ordinance Authorizing The Matanuska-Susitna Borough To Cause To Be Executed And Delivered And To Sell Not To Exceed \$5,000,000 Fire Station Lease Certificates Of Participation, 2016B; Authorizing The Execution And Delivery Of A Lease, A Lease Purchase Agreement And Trust Indenture, And A Deed Of Trust, Assignment Of Leases And Rents, And Security Agreement To Secure The Certificates; Authorizing The Execution Of A Certificate Purchase Agreement; And Providing For Related Matters.
  - a. IM No. 16-118

*(The public hearing for Ordinance Serial No. 16-079 was postponed to August 2, 2016, at the setting of the agenda.)*

9. **Ordinance Serial No. 16-080:** An Ordinance Authorizing The Matanuska-Susitna Borough To Cause To Be Executed And Delivered And To Sell Not To Exceed \$5,700,000 Fire Station Lease Certificates Of Participation, 2016A; Authorizing The Execution And Delivery Of A Lease, A Lease Purchase Agreement And Trust Indenture, And A Deed Of Trust, Assignment Of Leases And Rents, And Security Agreement To Secure The Certificates; Authorizing The Execution Of A Certificate Purchase Agreement; And Providing For Related Matters.
  - a. IM No. 16-119

Deputy Mayor Beck opened the public hearing.

The following person spoke concerns with how the project would be funded as outlined in Ordinance Serial No. 16-080: Mr. Brian Endle.

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

MOTION: Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-080.

VOTE: The motion passed with Assemblymember McKee opposed.

10. **Ordinance Serial No. 16-081:** An Ordinance Amending MSB 15.24.030 And Adopting The Louise Susitna Tyone Lakes Comprehensive Plan Updating The Lake Louise Comprehensive Plan.
  - a. IM No. 16-120

Deputy Mayor Beck opened the public hearing.

The following person spoke in support of Ordinance Serial No. 16-081: Mr. Ted Kinney.

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

MOTION: Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-081.

VOTE: The motion passed without objection.

11. **Ordinance Serial No. 16-082:** An Ordinance Approving A Reappropriation Of \$214,000 From The Talkeetna Sewer And Water Fiscal Year Operating Fund, Fund 293, To Fund 415, Project No. 25053, For Talkeetna Sewer And Water.
  - a. IM No. 16-121

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.

MOTION: Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-082.

VOTE: The motion passed without objection.

12. **Ordinance Serial No. 16-083:** An Ordinance Amending MSB 5.25.142, To Annex Property Located In And Around Creekside Perch Subdivision Area Into The Greater Palmer Consolidated Fire Service Area No. 132.
  - a. **Resolution Serial No. 16-056:** A Resolution Finding The Annexation Of Properties Located In And Around Creekside Perch Subdivision Area Into The Greater Palmer

Consolidated Fire Service Area No. 132 Serves The Public Interest Without The Placement Of The Question On The Ballot. *(Sponsored by Assemblymember Doty)*

(1) IM No. 16-123

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.

MOTION: Assemblymember Doty moved to adopt Ordinance Serial No. 16-083 and Resolution Serial No. 16-056.

VOTE: The motion passed without objection.

13. **Ordinance Serial No. 16-084:** An Ordinance Approving The Deputy Borough Manager Position And Establishing The Powers Granted.

a. IM No. 16-124

Deputy Mayor Beck opened the public hearing.

The following person spoke to concerns with the public hearing 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 Kowalke moved to adopt Ordinance Serial No. 16-084.

VOTE: The motion passed without objection.

15. **Ordinance Serial No. 16-086:** An Ordinance Enacting An Areawide Retail Sales Tax On Marijuana And Marijuana Products And Placing The Question Before The Voters At The October 4, 2016 Regular Borough Election. *(Sponsored By Assemblymember Mayfield)*

a. IM No. 16-130

Deputy Mayor Beck opened the public hearing.

The following person spoke in support of legally regulated marijuana: Mr. Tim Clark.

The following persons suggested the tax question should be nonareawide tax and in support of a tax: Ms. Sara Williams, Mr. Tim Hale, and Ms. Peggy France.

The following person spoke in opposition to Ordinance Serial No. 16-086, as it reads without amendments: Lance Wilson.

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

The following persons spoke to concerns with the initiative petition and in support of a marijuana tax: Ms. Amy Tuma and Mr. Clint Tuma.

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

MOTION: Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-086.

MOTION: Assemblymember Kowalke moved a primary amendment to Ordinance Serial No. 16-086, as follows:

- on page 5 of the ordinance to make the existing language of 3.60.030 section (A) and to add a new section 3.60.030(B) to read “(B) Sales within the Cities of Palmer, Wasilla, and Houston are partially exempt from the Borough sales tax by the amount of sales tax the city separately levies on the same item up to 5 percent of the sales price;” and
- on page 21 of the ordinance, Section 3, to change the wording of the ballot question to be placed before the voters to read as follows: “Shall the Matanuska-Susitna Borough (1) enact an areawide five percent (5%) tax on the retail sale of marijuana and marijuana products, and (2) establish a limited exemption up to five percent (5%) for marijuana and marijuana products sales taxed by the cities?”

MOTION: Assemblymember Mayfield moved a secondary amendment by striking “five percent” and inserting “one percent” in its place.

VOTE: The secondary amendment failed with Assemblymember Mayfield in support.

MOTION: Assemblymember McKee moved to postpone Ordinance Serial No. 16-086, to a time certain of October 18, 2016.

VOTE: The motion to postpone failed with Assemblymembers McKee and Mayfield in support.

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

MOTION: Assemblymember Kowalke moved a primary amendment to Ordinance Serial No. 16-086, by inserting a title for the ballot language to read: “Areawide retail sales tax of five percent (5%) on marijuana and marijuana products with a limited exemption for sale tax paid to a city.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended with Assemblymember McKee opposed.

MOTION: Assemblymember Doty moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 10:15 p.m.

VOTE: The motion passed without objection.

16. **Ordinance Serial No. 16-087:** An Ordinance Authorizing The Matanuska-Susitna Borough To Cause To Be Executed And Delivered And To Sell Not To Exceed \$3,000,000 Animal Care Facility Lease Refunding Certificates Of Participation, 2016C; Authorizing The Execution And Delivery Of A First Supplement To Lease Purchase Agreement And Trust Indenture, And A Refunding Trust Agreement To Secure The Certificates; Authorizing The Execution Of A Certificate Purchase Agreement; And Providing For Related Matters.
  - a. IM No. 16-131

*(The public hearing on Ordinance Serial No. 16-087 was postponed to August 2, 2016, at the setting of the agenda.)*

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with zoning for marijuana facilities: Ms. Peggy France.

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

The following person spoke to the need for the Butte air quality monitoring station to be relocated: Tim Hale.

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

D. CONSENT AGENDA

1. RESOLUTIONS

*(There were no resolutions presented.)*

2. ACTION MEMORANDUMS

- a. **AM No. 16-047:** Approval Of Change Order To Contract No. 15-104B With TBI Construction Company In The Amount Of \$665,842 For The Dorothy Swanda Jones Rooftop Unit Connection And Fireproofing Project.
- b. **AM No. 16-048:** Approval Of Amendment To Purchase Order No. 2015-3671 To Meridian Systems, Inc. In The Amount Of \$49,370 For The Dorothy Swanda Jones Building Roof Top Unit Connection Project.
- c. **AM No. 16-049:** Approval Of Amendment To Contract No. 07-102 With Lounsbury And Associates, Inc. In The Amount Of \$65,000 For Continued Construction Administrative

Services Of Trunk Road Extension South, Project No. 35402; And Approve Additional Change Order Authority.

- d. **AM No. 16-050:** Approval Of Amendment To Agreement No. 14-082P With HDR Alaska, Inc. In The Amount Of \$9,689.42 For Additional Construction Assistance Services For The Big Lake Road Intersections Project, Project No. 35404; And Approve Additional Change Order Authority.
- e. **AM No. 16-051:** Award Of Bid No. 16-124B To Diversified Construction, Inc. In The Contract Amount Of \$525,660 For Design And Construction Of The Four Mile Warm Storage Building For The Willow Fire Department.
- f. **AM No. 16-052:** Award Of Bid No. 16-123B To Norse Alaska, LLC. In The Annual Contract Amount Of \$93,733 For Annual Road Maintenance Of The Lazy Mountain Road Service Area No. 19.
- h. **AM No. 16-054:** Assembly Approval For The Manager To Enter Into A Memorandum Of Agreement With The Owner Of Lot 1, Stepan Lake, MSB Tax Parcel 6291000L001, To Purchase The Parcel For The Ryan's Creek Drive Upgrade Project (14-21-004171), Not To Exceed \$112,000, To Use The Gravel For The Project.
- i. **AM No. 16-055:** Approval Of Amendment To Contract No. 15-153B With Jolt Construction In The Amount Of \$58,270 To Upgrade The Lighting System To Light Emitting Diodes; And Add The Removal Of A Curb, A 2-Person Survey Party, And Temporary Lighting To The Big Lake Road Intersection Improvements Project, Project No. 35404; And Approve Additional Change Order Authority.
- j. **AM No. 16-056:** Award Of Bid No. 16-127B To Western Construction And Equipment, LLC. In The Contract Amount Of \$916,657.50 For 2017 Roads Paving.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- g. **AM No. 16-053:** Authorize The Extension Of The Agreement With The City Of Palmer For The Contract Amount Of \$450,000 For Emergency 911 Dispatch Services For The Period Of July 1, 2016, Through December 31, 2016.

MOTION: Assemblymember Kowalke moved to adopt AM No. 16-053.

MOTION: Assemblymember Doty moved to suspend the rules and extend the meeting past 10:15 p.m. and not to exceed 10:30 p.m.

VOTE: The motion passed without objection.

MOTION: Assemblymember Doty moved to suspend the rules and extend the meeting past 10:30 p.m. and not to exceed 10:50 p.m.

VOTE: The motion passed without objection.

VOTE: The main motion passed without objection.

## VIII. UNFINISHED BUSINESS

*(There was no unfinished business.)*

## IX. VETO

*(There were no vetoes presented.)*

## X. NEW BUSINESS

### A. INTRODUCTIONS (For public hearing – 08/02/16 Assembly Chambers)

1. **Ordinance Serial No. 16-088:** An Ordinance Approving A Reappropriation Of \$96,527 From The School District Fiscal Year 2016 Education Operating Fund 204, To School Capital Projects, Fund 400, Project No. 40202, Fronteras Charter School, To Complete Construction Finishes And Americans With Disabilities Access Requirements To Four Portable Classrooms At The New Fronteras Charter School.
  - a. **Resolution Serial No. 16-057:** A Resolution Approving The Scope Of Work And Budget And Authorize An Increase In The Contract Amendment Authority To Complete Construction Finishes And Americans With Disabilities Access Requirements Of Four Portable Classrooms At The New Fronteras Charter School, Project No. 40202, School Capital Projects, Fund 400.
    - (1) IM No. 16-115
2. **Ordinance Serial No. 16-089:** An Ordinance Accepting And Appropriating \$45,506 From The United States Department Of Agriculture To Fund 415, Sewage And Water Facilities, Project No. 25053, For The Preparation Of A Preliminary Report And Environmental Report For The United States Department Of Agriculture In Support Of Proposed Improvements For The Talkeetna Wastewater Lagoon.
  - a. **Resolution Serial No. 16-058:** A Resolution Approving The Scope Of Work And Budget For Preparation Of A Preliminary Report And An Environmental Report For The United States Department Of Agriculture In Support Of Proposed Improvements For The Talkeetna Wastewater Lagoon.
    - (1) IM No. 16-122
3. **Ordinance Serial No. 16-090:** An Ordinance Amending MSB 17.28.090(A), Adding An Interim Materials District Known As Central Landfill, Located Within Township 17 North, Range 1 East, Section 1, Parcel D5, Tax ID No. 17N01E01D005, Seward Meridian.

- a. IM No. 16-128
- 4. **Ordinance Serial No. 16-091:** An Ordinance Amending MSB 3.32.020(A), Payment And Collection Of Tax, To Increase The Transient Accommodations Tax To Eight Percent, And Providing For The Submission To The Voters Of The Borough Of A Proposition Ratifying The Increase In Such Tax At The October 4, 2016, Borough Regular Election.
- a. IM No. 16-133

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Kowalke moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 2, 2016.

VOTE: The motion passed without objection.

#### MAYORAL NOMINATIONS AND APPOINTMENTS

##### 1. VACANCY REPORT

Mayor Halter requested the following resignation for confirmation:

Emergency Medical Services Board  
Stephanie Curlee, resignation

MOTION: Assemblymember Kowalke moved to confirm the 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)

*(There were no referrals presented.)*

#### XI. RECONSIDERATION

*(There was no reconsideration presented.)*

#### XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS 10:36

Mr. Spiropoulos:

- stated that the voter initiative regarding marijuana was certified by the Clerk and now goes on the ballot for October; and

- advised that the Assembly has no control over it, unless they enact an ordinance of a similar nature.

Assemblymember Doty:

- spoke to her appreciation of the testimony provided this evening;
- requested that Community Development conduct a survey of state recreational lands that may be closed; and
- noted the intent of the survey is for the Borough to look at possibly taking over management of such recreational areas.

Assemblymember Colligan spoke in support of the legislation for the Veteran's Memorial Wall.

Assemblymember Mayfield:

- noted that although Assembly seats are districted, it is incumbent upon members to represent the needs of all residents of the Borough;
- spoke to the need to increase revenue;
- opined that the body tends to turn their backs on legislation that seeks to do that, such as the marijuana tax;
- noted needed infrastructure with funding needs; and
- opined that five percent is not a huge tax and should not have been reduced within the cities.

Deputy Mayor Beck:

- thanked the public for their participation;
- spoke in support of the direction the Borough is moving;
- noted that Mr. Gordon Boeve had recently passed away; and
- expressed his condolences to the Boeve family.

### **XIII. EXECUTIVE SESSION**

*(There was no executive session held.)*

**XIV. ADJOURNMENT**

The regular meeting adjourned at 10:43 p.m.



VERN HALTER, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 08/02/16