

WASILLA CITY COUNCIL

Regular Meeting

Agenda

DATE: 11/13/91 TIME: 7:00 PM

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:
2. ROLL CALL:
3. APPROVAL OF AGENDA:
4. CONSENT AGENDA:
 - A. Regular Meeting Minutes 10/28/91; Recommend: Approval as presented
5. PUBLIC HEARING:
 - A. Ordinance Serial No. 91-44; FY92 Budget Amendment reauthorizing a General Fund transfer to the CIP Fund (Lake Lucille)
 - B. Ordinance Serial No. 91-45; Amending Ordinance Serial No. 91-37 relating to funding of Planning and Land-use Powers
6. PERSONS TO BE HEARD: (NON AGENDA ITEMS)
 - A. Roger Maggard, DOT/PF Area Planner; Review of State Highway Projects
 - B. Jack Felton, Alaska Rim Engineering; Presentation RGMF Evaluation Separate Packet *c. Mike Carson*
 - D. Jim Tapscott*
7. EXECUTIVE SESSION: (NONE SCHEDULED)
8. UNFINISHED BUSINESS:
 - A. Ordinance Serial No. 91-44; FY92 Budget Amendment reauthorizing a General Fund transfer to the CIP Fund (Lake Lucille) (Adoption)
 - B. Ordinance Serial No. 91-38; FY92 Budget Amendment Right-of-way Fund (Bailey Lane Project) (Adoption)
 1. CM. No. 91-59 Amended
 - C. Ordinance Serial No. 91-39; FY92 Budget Amendment Water Utility Fund (Water Storage Reservoir Feasibility Study) (Adoption)
 1. CM. No. 91-64
 - D. Ordinance Serial No. 91-40; Pertaining to the Disposition of Property Foreclosed upon and deeded to the City of Wasilla (Adoption)
 - E. Ordinance Serial No. 91-41; FY92 Budget Amendment Special Assessment Districts and the General Fund (Adoption)
 1. CM. No. 91-65
 - F. Ordinance Serial No. 91-42; FY92 Budget Amendment Sewer Construction Fund (RGMF Evaluation) (Adoption) *EPA News Release*
 - G. Ordinance Serial No. 91-43; FY92 Budget Amendment Water Utility Fund (Computer Retraining) (Adoption)
 1. CM. No. 91-76
9. NEW BUSINESS:
 - A. CM. No. 91-78; Vehicle Replacement Program
 - B. Ordinance Serial No. 91-46; FY92 Budget Amendment General Fund (Abandoned Vehicles) (Introduction)
 1. CM. No. 91-89
 - C. CM. No. 91-88; Agreement between City and Borough on Airport Access Road
 - D. CM. No. 91-87; Junkyards
10. COMMUNICATIONS:
 - A. IM. No. 91-17; Law Enforcement; HB 350
11. ADMINISTRATION REPORTS:
12. AUDIENCE COMMENTS:
13. COUNCIL COMMENTS:
14. ADJOURNMENT:



CITY OF WASILLA

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WASILLA CITY COUNCIL

Regular Meeting

Minutes DATE: 11/13/91 TIME: 7:00 PM

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:

Mayor Stein called the meeting to order at 7:00 p.m.

2. ROLL CALL:
COUNCILMEN:

Mr. Carson
Mrs. Cottle
Mr. Erickson
Ms. Hjellen
Mr. McCarthy
Mrs. Smith

STAFF:

Mayor Stein
~~Mr. Deuser-Attorney~~ *J*
Mr. Harris-Deputy Admin.
Mrs. Harris-Deputy Clerk
Mr. Nelson-City Clerk

3. APPROVAL OF AGENDA:

The agenda was approved with the following changes and additions: Persons to be Heard Switch Item A and B; Item C. Mike Carson; Item D. Jim Tapscott and Unfinished Business Item F. add EPA News Release.

4. CONSENT AGENDA:

A. Regular Meeting Minutes 10/28/91; Recommend: Approval as presented
Motion/Second: Hjellen/Cottle

That the Consent Agenda comprising the foregoing items be and the same are hereby approved as written and that the various Officials of the Corporation are hereby authorized and directed to take such action as may be necessary to give effect to the recommendations as therein contained. Motion passed.

5. PUBLIC HEARING:

A. Ordinance Serial No. 91-44; FY92 Budget Amendment reauthorizing a General Fund transfer to the CIP Fund (Lake Lucille)

Mayor Stein opened the hearing to the public. No comments were made. Mayor Stein closed the hearing.

B. Ordinance Serial No. 91-45; Amending Ordinance Serial No. 91-37 relating to funding of Planning and Land-use Powers

Mayor Stein opened the hearing to the public.

Vic Kohring; Supports the transfer of planning and land-use powers to the City, feels this will give Wasilla more control and less bureaucracy.

No other comments were made. Mayor Stein closed the hearing to the public.

6. PERSONS TO BE HEARD: (NON AGENDA ITEMS)

A. Jack Felton, Alaska Rim Engineering; Presentation RGMF
Evaluation Separate Packet

Mr. Felton passed out a packet of information of his findings and briefly gave an overview of the packet and stated that the packet was given to Council now so they would have time to review the packet prior to the next Council meeting. Mr. Felton stated that his research included a tour of the plant and review of all files in Mr. Gilfilian's Office.

B. Roger Maggard, DOT/PF Area Planner; Review of State Highway
Projects

Mr. Maggard reviewed projects in the Wasilla area:

Federal Highway Program; Glen Highway three stages plan to have functional 4-lane by fall 93; Stage 1(A) Embankment; 1(B) 2 bridges, Knik and Matanuska; 1(C) Paving and remaining bridges.

Glen Highway Interchange award fall 92.

Trunk/Parks and Glen Highway Interchanges; right-of-way early 92 and property acquisition 92.

Mat-Su Illumination and Safety; Nye Ford to Crusey and Knik/Goose Bay/Vine Edland Roads next construction season.

Mat-Su Signalization; Parks Highway/Seward Meridian Road, Palmer-Wasilla Highway/Seward Meridian Road and Palmer-Wasilla Highway/Trunk Road as well as reconstruction of Knik-Goose Bay and Fairview Loop Road Intersection and the Parks Highway/Crusey Street Intersection; award 92 and construction 93.

Parks Highway preliminary widening from Glenn Highway to Wasilla part of Wasilla Urban Extension from Crusey Street to Cottonwood Creek; design 94, right-of-way 96 and construction 97. The second part would be Parks Highway from the Cottonwood Mall to the Glenn Highway scheduled for design 95 but construction not programmed at this time.

Mile 44-Little Su (Houston) currently negotiating design work, right-of-way/utility relocation 95 and construction 97.

Wasilla Fishhook Reconstruction which includes a portion of Knik-Goose Bay Road from Glenwood along Main Street up to Schrock Road. Currently involved in doing the preliminary engineering and the environmental analysis on that, anticipate having public hearing spring to present the environmental document, would like location approval by fall 92. The reconstruction of Main Street/Bogard Road Intersection as first phase in about 96 and construct remainder of the project in 98.

Mr. Maggard stated that presently they don't know how much funding will be available with the Federal Highway Program. Mr. Maggard stated that under the Federal Aviation Program the Wasilla Airport

is basically complete and that snow removal equipment and a shed is program for FY92 and paving is scheduled for FY95. They are currently closing the leases on the Old Airport and negotiating new leases should have this complete in the spring.

Mr. Maggard stated that the General Fund snowblowers are scheduled for the Mat-Su Valley in FY93. They are currently waiting for policy directions on the Old Matanuska Road and Church Road upgrades and the Matanuska-Susitna Borough has passed a resolution to put the By-pass in the 6 year plan.

C. Mike Carson

Councilman Carson read portions of a letter dated January 9, 1991 from EPA Regional Administrator Dana A. Rasmussen (copy attached) into the record.

D. Jim Tapscott

Jim Tapscott, Wasilla Planning Commissioner, stated there seems to be some confusion regarding Planning Commission Resolution No. 91-05, Junkyards, and the Planning Commission would like to request a worksession with the Council.

INTERMISSION: 8:10--8:24 PM

7. EXECUTIVE SESSION: (NONE SCHEDULED)

8. UNFINISHED BUSINESS:

A. Ordinance Serial No. 91-44; FY92 Budget Amendment reauthorizing a General Fund transfer to the CIP Fund (Lake Lucille) (Adoption)

Motion/Second: Smith/McCarthy

To adopt Ordinance Serial No. 91-44. Motion passed.

B. Ordinance Serial No. 91-38; FY92 Budget Amendment Right-of-way Fund (Bailey Lane Project) (Adoption)

1. CM. No. 91-59 Amended

No action taken.

C. Ordinance Serial No. 91-39; FY92 Budget Amendment Water Utility Fund (Water Storage Reservoir Feasibility Study) (Adoption)

1. CM. No. 91-64

Motion/Second: Hjellen/McCarthy

To adopt Ordinance Serial No. 91-39. Motion passed with Mr. Erickson dissenting.

D. Ordinance Serial No. 91-40; Pertaining to the Disposition of Property Foreclosed upon and deeded to the City of Wasilla (Adoption)

Motion/Second: McCarthy/Hjellen

To adopt Ordinance Serial No. 91-40.

There was no objection to deleting Lot 5, Block 2, Snider Subdivision #3 from Ordinance Serial No. 91-40. So ordered.

Motion to adopt Ordinance Serial No. 91-40 as amended passed.

E. Ordinance Serial No. 91-41; FY92 Budget Amendment Special Assessment Districts and the General Fund (Adoption)

1. CM. No. 91-65

Motion/Second: Hjellen/Smith

To adopt Ordinance Serial No. 91-41. Motion passed.

Motion/Second: Hjellen/McCarthy

To contract with Wesley Allen to list the properties outlined for sale in Ordinance Serial No. 91-40. Motion passed.

F. Ordinance Serial No. 91-42; FY92 Budget Amendment Sewer Construction Fund (RGMF Evaluation) (Adoption)

1. EPA News Release

Motion/Second: Carson/McCarthy

To adopt Ordinance Serial No. 91-42 and amend the amount to \$2,000.00. Motion passed with Mrs. Smith dissenting.

G. Ordinance Serial No. 91-43; FY92 Budget Amendment Water Utility Fund (Computer Retraining) (Adoption)

1. CM. No. 91-76

Motion/Second: Hjellen/Smith

To adopt Ordinance Serial No. 91-43.

Motion/Second: Hjellen/Smith

To postpone Ordinance Serial No. 91-43 until after the Computer Committee makes its report. There was no objection, so ordered.

9. NEW BUSINESS:

A. CM. No. 91-78; Vehicle Replacement Program

Motion/Second: McCarthy/Carson

To proceed with the vehicle replacement program as outlined in the bid proposal in CM. No. 91-78 and prepare a local preference ordinance for consideration. Motion passed.

B. Ordinance Serial No. 91-46; FY92 Budget Amendment General Fund (Abandoned Vehicles) (Introduction)

1. CM. No. 91-89

Motion/Second: Carson/McCarthy

To introduce Ordinance Serial No. 91-46 and schedule for public hearing at the next regular meeting, 11/25/91. Motion passed.

C. CM. No. 91-88; Agreement between City and Borough on Airport Access Road
Motion/Second: Hjellen/Smith

To approve CM. No. 91-88, approving the Mayor to enter into a construction and maintenance agreement with the Matanuska-Susitna Borough on Rocky Ridge Road and Neuser Drive. Motion passed.

D. CM. No. 91-87; Junkyards
Council agreed to schedule a worksession with the Wasilla Planning and Utilities Commission regarding junkyards on November 26, 1991.

10. COMMUNICATIONS:

A. IM. No. 91-17; Law Enforcement; HB 350

11. ADMINISTRATION REPORTS:

12. AUDIENCE COMMENTS:

13. COUNCIL COMMENTS:

Councilman Cottle; Stated for the record that she feels it was inappropriate for Mr. Felton to discuss his report on the sewer with the newspaper prior to discussing it with the Council and wanted to know how the other council members felt.

14. ADJOURNMENT:


There being no further business the meeting adjourned at 9:40 p.m.

APPROVED:



JOHN C. STEIN, Mayor

RESPECTFULLY SUBMITTED:



ERLING P. NELSON, CMC
City Clerk



JAN 09 1991

Reply To
Attn Of: WD-085

Honorable John C. Stein
Mayor, City of Wasilla
290 East Herning Avenue
Wasilla, Alaska 99687

Dear Mayor Stein:

This is in response to your May 15, 1990 letter requesting Regional Administrator review of an April 19, 1990 determination reached by Acting Water Division Director, Ronald A. Kreizenbeck. Mr. Kreizenbeck had determined that EPA's May 12, 1989 denial of the city's request for a 100% modification and replacement (M&R) grant with costs estimated at \$2,937,000 was appropriate.

In your current request, you claim that observation well measurements gathered since January, 1989 indicate that the effluent disposal facility does not have capacity to handle the revised design hydraulic loads. You also claim that operation of the effluent disposal facility has caused an increase in ground water nitrate levels requiring the shutdown of the nearest drainfield bed and resulting in a further reduction of capacity.

I have reviewed the information submitted in support of your request, considered the city's arguments and have been briefed by a three-member review panel designated in accordance with EPA Region 10 Order No. R-1210.40. My review included information considered in reaching the earlier decisions; information presented at the September 13, 1990 informal conference; and the "Staff Findings" prepared by the EPA review panel composed of Norman Sievertson, Municipal Facilities Branch; Jeanne Pascal, Office of Regional Counsel; and Arv Aurdal, Grants Administration Section.

My review revealed that the Wasilla system is not performing as the city originally expected. Its capacity is less than the city believed it would be, there is an element of concern over its service life, and it may be causing degradation of the ground water. With continued monitoring, a more convincing showing of failure might be developed. However, at this time, and based on the information presented for review, I find no basis upon which to alter Mr. Kreizenbeck's earlier decision in denying the city's request for a 100% M&R grant. The basis of my decision is summarized as follows:

(1) Hydraulic failure (i.e., reduced capacity and shorter service life): In support of its claim of hydraulic failure, the city presented new information at the September conference. The information included observation well measurements for beds 1 through 3, and 7 through 9. These beds have been in continual operation since January 1989 at hydraulic loading rates lower than the recognized theoretical capacity of the facility.

The city claimed that the measurements, showing the depth to the effluent water surface within the gravel absorption beds, indicate effluent ponding and that this condition indicates hydraulic failure. Information submitted in support of this claim is inconclusive. The variation in measured depths was generally small and did not indicate a trend. Also, measured depths could be expected to vary with the timing of a dosing event, yet no correlation of the time of measurement to dosing was provided. In my judgement, this data is not sufficient to establish failure of the facility.

In addition, five of the six beds discussed (all except bed 9) have been in service continually since January, 1989. This is in conflict with the mode of operation indicated in both the Wasilla facility plan and the operation and maintenance manual. Those references indicate that the drainfield beds would be rotated on a 6-month to one-year basis, but would not be rotated during the winter months.

Continual operation of the beds is also in conflict with recognized operating criteria and with guidance provided in EPA's 1980 Design Manual. The Design Manual states that "Alternate use of the individual fields over extended periods of time can extend the life of the absorption system" and that "Alternating operation of the fields permits part of the system to rest periodically so that the infiltrative surface can be rejuvenated naturally through biodegradation of the clogging mat."

Operation in conformance with the criteria cited above could have been accomplished but was not. Had the city done so, natural rejuvenation of the infiltrative surfaces may have occurred and the data gathered would have been more meaningful. Consequently, although indications of possible failure have been detected, and there may exist some limited support for the city's claim, I find its claim of a hydraulic failure is neither conclusive nor convincing.

(2) Impact on ground water: New information was also presented in support of the city's claim that violation of the ground water quality standard for nitrate has occurred, is due to the Wasilla effluent disposal facility, and indicates failure of the facility. I cannot agree with conclusions reached by the city on this issue because it appears that the conclusions were based on the results of a single sample. Although the Wasilla facility may be causing an increase in the level of nitrates above the standard for drinking water, the evidence provided is not convincing and does not establish a causal relationship between the drainfield and the increase in nitrate levels.

After fully considering the reasons described in both EPA's May 12, 1989 denial of the city's request for a 100% M&R grant, and in Mr. Kreizenbeck's April 19, 1990 final decision in support of the earlier denial, and after considering the new information presented during the recent informal conference, I find that there is no basis upon which to revise EPA's original denial of the city's request for M&R funding.

Although your documentation does not support a finding of failure at this time, it is possible that failure is occurring. If the city pursues additional monitoring in an attempt to document failure of the Wasilla facility, and submits such information for consideration by EPA, the region would be willing to evaluate the information and respond accordingly. The city must understand, however, it is unlikely that additional EPA funding would be available.

If you choose not to pursue additional monitoring, this letter constitutes the Regional Administrator's final decision under 40 CFR Part 30, Subpart L. If you wish to request discretionary review of this decision by the EPA Assistant Administrator of Water, you must submit your request within 30 calendar days from the date of this letter. Any such request must be sent to the following address:

Ms. LaJuana S. Wilcher
Assistant Administrator for Water
Office of Water, WH-556
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20406

Any such request must include:

- (a) a copy of the EPA final decision (this letter);
- (b) a statement of the amount in dispute;
- (c) a description of the issues involved; and
- (d) a concise statement of your objections to the final decision.

Sincerely,



Dana A. Rasmussen
Regional Administrator

cc: Dick Marcum, ADEC-J
Greg Magee, ADEC-A
Deb Verrelli, AOO-J
Arv Aurdal, MD/100
Jack Healy, MD/100
File: Dis 5.1 Wasilla, Ak