

WASILLA CITY COUNCIL

Regular Meeting

Agenda

DATE: 01/13/92 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 12/09/91; Recommend: Approval as presented
 - B. Taxicab Permit Renewal; Glacier Cab Co.; Recommend: Approval
 - C. Resolution No. WR92-03; Expressing support for the Matanuska-Susitna Borough's Application to the State of Alaska for designation as the "ARDOR" (Alaska Regional Development Organization) and appropriate grant funding; Recommend: Adoption
 - D. CM. No. 92-06; Planning Commission Appointment; Julius Moor; Recommend: concurrence with Mayor's appointment
5. PUBLIC HEARING:
 - A. Ordinance Serial No. 91-48; FY92 Budget Appropriation; Sewer Construction Funds; Engineering Consultant Fees for Design, Contract Administration, Construction Inspection and Start-up Procedures
 - B. Ordinance Serial No. 92-01; Establishing a Museum Department
 1. CM. No. 92-03
 2. Ordinance Serial No. 92-01 Substitute
6. PERSONS TO BE HEARD: (NON AGENDA ITEMS)
 - ~~B~~ Jim Palin; Sewer Project
 - A. Mike Carson
7. EXECUTIVE SESSION: (SCHEDULED)
 - A. Litigation; O'Neill/Boyer Suit
 - B. Possible Litigation; Railroad O & M
8. UNFINISHED BUSINESS:
 - A. Ordinance Serial No. 91-47; FY92 Budget Amendment; Sewer Construction Fund; EPA Drainfield Testing & Quality Assurance/Quality Control for Recirculating Granular Media Filter Project (Adoption)
 1. CM. No. 91-91
 2. ADEC Permit #8422-DB003
 - B. CM. No. 92-05; Lake Lucille Study Project
 - C. CM. No. 92-07; Special Council Meeting 12/16/91
 1. CM. No. 91-100; Sewer System Engineering Services
 - D. Computer System
 1. Bushnell & McMahon Report
 2. Upgrade
 3. Ordinance Serial No. 91-43; Computer Retraining (Postponed)

9. NEW BUSINESS:

- A. CM. No. 92-02; Snow Removal Grant
- B. Ordinance Serial No. 92-02; FY92 Budget Amendment; General Fund; Railroad Crossing O & M
 - 1. CM. No. 92-04
- C. CM. No. 92-09; Engineering Contract Award; New Wasilla Airport Access Road
- D. CM. No. 92-10; Veto of Wasilla Land-Use Fee Ordinance
- E. CM. No. 92-11; O'Neill/Boyer vs. City of Wasilla; Request for Authority to submit an offer of judgement
- F. Resolution No. WR92-02; Accepting a Museum Grant from Wasilla-Knik-Willow Creek Historical Society and authorizing a contract museum executive director
- G. Ordinance Serial No. 92-03; FY92 Budget Amendment; General Fund; Museum Executive Director (Introduction)
- H. Ordinance Serial No. 92-04; Amending Chapter 2.12, Council Procedures (Introduction)
- I. Ordinance Serial No. 92-05; Amending Chapter 3.80, Executive Personnel (Introduction)
- J. Resolution No. WR92-01; Requesting the Borough Assembly to delegate planning powers to the City;

10. COMMUNICATIONS:

- A. American Legion; Appreciation of Support
- B. Neighborhood Paving Projects; Local Improvement Districts;
- C. State of Alaska; DOT/PF; traffic signal and intersection improvements request
- D. Matanuska-Susitna Borough; CIP list
- E. State of Alaska; DOT/PF; Parks Hwy, Church Street near Trunk Road Interchange to Lucus Road
- F. Central Mat-Su Fire Department; Board of Supervisors Meeting Wasilla/Lakes Fire Service Area
- G. IM. No. 92-01; Junkyard/Salvage Yard

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: 01/13/92 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
Mr. Harris-Deputy Admin.
Mrs. Harris-Deputy Clerk
Mr. Nelson-City Clerk

3. APPROVAL OF AGENDA:

Motion/Second: Carson/Cottle

To place a letter from Mr. Carson on the agenda. Motion passed with Ms. Hjellen and Mrs. Smith dissenting.

The agenda was approved with one addition to Persons To Be Heard Item A Letter from Mike Carson and change Jim Palin to Item B.

4. CONSENT AGENDA:

- A. Regular Meeting Minutes 12/09/91; Recommend: Approval as presented
- B. Taxicab Permit Renewal; Glacier Cab Co.; Recommend: Approval
- C. Resolution No. WR92-03; Expressing support for the Matanuska-Susitna Borough's Application to the State of Alaska for designation as the "ARDOR" (Alaska Regional Development Organization) and appropriate grant funding; Recommend: Adoption
- D. CM. No. 92-06; Planning Commission Appointment; Julius Moor; Recommend: concurrence with Mayor's appointment
- Motion/Second: McCarthy/Carson

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. 91-48; FY92 Budget Appropriation; Sewer Construction Funds; Engineering Consultant Fees for Design,

Contract Administration, Construction Inspection and Start-up
Procedures

Mayor Stein opened the hearing to the public.

Jim Palin; Support the proposed ordinance and encouraged Council to move forward with the needed repairs to the Sewer System. Mr. Palin stated that the City has an experienced, knowledgeable engineer which was supported by the opinion of a second engineer review. Mr. Palin again encouraged Council to move forward tonight to approve Ordinance Serial No. 91-48 and allow Administration to negotiate with Gilfilian Engineering and get on with the project. Mr. Palin also urged Council to reject CM. No. 91-100.

Nick Carney; Agreed with Mr. Palin's comments and stated it is long past time to solve the problem with the Sewer System.

Steve Glos; Supported the Ordinance for all of the above stated reasons.

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

B. Ordinance Serial No. 92-01; Establishing a Museum Department

1. CM. No. 92-03

2. Ordinance Serial No. 92-01 Substitute

Mayor Stein opened the hearing to the public.

John Cooper; Director of the Wasilla Historical Society; Stated through negotiations with Administration and Mayor Stein, the Historical Society has reviewed and accepted the Substitute Ordinance Serial No. 92-1

Nick Carney; Supports the formation of a department for the Museum. Mr. Carney stated that the substitute brings the ordinance into compliance with State Statutes and urged Council to act on the substitute.

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

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

A. Mike Carson;

Mr. Carson read a letter proposal to Council offering to build 4 Sewage Treatment Beds on Mortgage Park Property and sell it to the City for \$900,000.00. Mr. Carson stated that he will abstain on any further voting on the Sewer System, but will continue speaking on the issue.

Mr. Deuser stated that the ordinary procedure is for a Council member to step away, when a conflict exists that person's roll as councilman stops and both voting and persuading are a conflict.

Mayor Stein directed Mr. Carson to speak from the audience when speaking on the Sewer System.

B. Jim Palin; Sewer Project

Mr. Palin stated that he became interested in this issue through the articles in the newspaper and was not asked to speak to the Council on this. Mr. Palin stated he hoped that the Council members who did not attend the 12/16/91 special meeting read the transcript because there is some very good information there and hoped that a roof will be considered in the design for winter operations. Mr. Palin stated he felt that the Council is sending bad signals to potential funding agencies and potential growth to the City with the letters in the newspaper. Mr. Palin stated that it appears there has been a potential conflict of interest for some time and doesn't feel he needs to remind Council of the liability if the conflict is allowed and bad decisions are made. Mr. Palin stated that he feels some statements made in Mr. Carson's letter may be in error and as one citizen would like to see Council get on with the project.

Mr. Gilfilian stated that looking at the 1/10/92 letter from Mr. Carson made him look back and 3 years ago Mr. Carson wrote a letter to the City regarding his property, stating that his property is no good because of the sewer system and spoke of a monetary remuneration then. Mr. Gilfilian stated that they had reviewed putting 11 beds on 20 acres for \$2 million, the groundwater on that side of the site is different form the current site. Mr. Gilfilian stated that this has been the issue since day 1, when the plant is operated in accordance with the manual is when problems arise, need to get away from beds because of the ground water problems. Bed 9 has the same kind of ground water as Mr. Carson's property.

INTERMISSION: 8:10--8:23 PM

7. EXECUTIVE SESSION: (SCHEDULED)

- A. Litigation; O'Neill/Boyer Suit
- B. Possible Litigation; Railroad O & M
Motion/Second: Hjellen/McCarthy

To go into executive session to discuss the O'Neill/Boyer Litigation and the Railroad Operations & Maintenance potential litigation. No objection from Council, so ordered.

EXECUTIVE SESSION: 8:25--8:50 PM

8. UNFINISHED BUSINESS:

- A. Ordinance Serial No. 91-47; FY92 Budget Amendment; Sewer Construction Fund; EPA Drainfield Testing & Quality Assurance/Quality Control for Recirculating Granular Media Filter Project (Adoption)

- 1. CM. No. 91-91
- 2. ADEC Permit #8422-DB003

Motion/Second: Smith/Hjellen

To adopt Ordinance Serial No. 91-47. Motion passed with Mrs. Cottle dissenting and Mr. Carson abstaining.

B. CM. No. 92-05; Lake Lucille Study Project
Motion/Second: McCarthy/Hjellen

To proceed with the Lake Lucille Paleolimnology Study in the amount of \$3,600.00 contingent on EPA Funding. Motion passed.

C. CM. No. 92-07; Special Council Meeting 12/16/91

1. CM. No. 91-100; Sewer System Engineering Services
Councilman Erickson asked for the record if 2 Council people and the Mayor over ride action taken at the 12/9/91 Council meeting?

Mayor Stein stated that Councilmembers did not delay moving forward with the advertisement, he did as Mayor because of new information received that he felt the Council should be made aware of. Mayor Stein stated that Administration is asking that Council reconsider and let Administration negotiate with Gilfilian Engineering.

Motion/Second: Hjellen/Smith

To proceed with Gilfilian Engineering's offer of a not to exceed \$100,000.00 at time and expense plus errors and omissions insurance.

Council agreed to come back to this item after copies of the proposed contract with Gilfilian are supplied.

D. Computer System

1. Bushnell & McMahon Report

2. Upgrade

3. Ordinance Serial No. 91-43; Computer Retraining (Postponed)

Mr. Bushnell gave an overview of the report submitted.

It was directed that the report would be brought back to the next regular meeting.

Motion/Second: McCarthy/Smith

To adopt Ordinance Serial No. 91-43. Motion passed.

Item C was continued at this time.

C. CM. No. 92-07; Special Council Meeting 12/16/91

1. CM. No. 91-100; Sewer System Engineering Services

Mayor Stein ruled the motion to approve Gilfilian Engineering out of order.

Motion/Second: Smith/Hjellen

To negotiate with Gilfilian Engineering on a final contract with options on a tail on E & O Insurance to be brought back to Council. Motion passed with Mrs. Cottle dissenting and Mr. Carson abstaining.

There was no objection from Council to move Items E, F & G up before Item A.

9. NEW BUSINESS:

E. CM. No. 92-11; O'Neill/Boyer vs. City of Wasilla; Request for Authority to submit an offer of judgement
Motion/Second: McCarthy/Hjellen

To authorize the attorney to proceed with the recommendation contained in a confidential memorandum on the O'Neill/Boyer Litigation. Motion passed.

F. Resolution No. WR92-02; Accepting a Museum Grant from Wasilla-Knik-Willow Creek Historical Society and authorizing a contract museum executive director
Motion/Second: McCarthy/Hjellen

To adopt Resolution No. WR92-02. Motion passed.

G. Ordinance Serial No. 92-03; FY92 Budget Amendment; General Fund; Museum Executive Director (Introduction)
Motion/Second: McCarthy/Carson

To introduce Ordinance Serial No. 92-03 and schedule for public hearing and action at the next regular meeting, 01/27/92. Motion passed.

A. CM. No. 92-02; Snow Removal Grant
Motion/Second: McCarthy/Hjellen

To postpone CM. No. 92-02 until the next regular meeting, 01/27/92. Motion passed.

B. Ordinance Serial No. 92-02; FY92 Budget Amendment; General Fund; Railroad Crossing O & M
1. CM. No. 92-04
Motion/Second: Hjellen/Carson

To introduce Ordinance Serial No. 92-02 and schedule for public hearing and action at the next regular meeting, 01/27/92. Motion passed.

Motion/Second: Hjellen/McCarthy

To approve CM. No. 92-04, approving introduction of Ordinance Serial No. 92-02 and authorizing Administration to place the entire amount into an interest bearing special or "trust" account. Motion passed.

C. CM. No. 92-09; Engineering Contract Award; New Wasilla Airport Access Road

Motion/Second: Carson/Erickson

To approve CM. No. 92-09, authorizing the Mayor to enter into a professional services agreement with Alaska Rim Engineering for the airport access road project. Motion passed.

D. CM. No. 92-10; Veto of Wasilla Land-Use Fee Ordinance
No action taken.

H. Ordinance Serial No. 92-04; Amending Chapter 2.12, Council Procedures (Introduction)

Motion/Second: Carson/Erickson

To introduce Ordinance Serial No. 92-04 and schedule for public hearing at the next regular meeting, 01/27/92. Motion failed, Mr. Erickson not present for voting.

I. Ordinance Serial No. 92-05; Amending Chapter 3.80, Executive Personnel (Introduction)

Motion/Second: Carson/Cottle

To introduce Ordinance Serial No. 92-05 and schedule for public hearing at the next regular meeting, 01/27/92.

Motion/Second: Erickson/Carson

To postpone Ordinance Serial No. 92-05 until the next regular meeting, 01/27/92 for a legal opinion from the attorney. Motion passed with Ms. Hjellen and Mrs. Smith dissenting.

J. Resolution No. WR92-01; Requesting the Borough Assembly to delegate planning powers to the City;

Motion/Second: Hjellen/Smith

To adopt Resolution No. WR92-01. Motion passed with Mrs. Cottle and Mrs. Smith dissenting.

10. COMMUNICATIONS:

A. American Legion; Appreciation of Support

B. Neighborhood Paving Projects; Local Improvement Districts;

C. State of Alaska; DOT/PF; traffic signal and intersection improvements request

D. Matanuska-Susitna Borough; CIP list

E. State of Alaska; DOT/PF; Parks Hwy, Church Street near Trunk Road Interchange to Lucus Road

F. Central Mat-Su Fire Department; Board of Supervisors Meeting
Wasilla/Lakes Fire Service Area

G. IM. No. 92-01; Junkyard/Salvage Yard

11. ADMINISTRATION REPORTS:

12. AUDIENCE COMMENTS:

13. COUNCIL COMMENTS:

14. ADJOURNMENT:

There being no further business the meeting adjourned at 11:45 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:



ERLING P. NELSON, CMC
City Clerk



JOHN C. STEIN, Mayor