

WASILLA CITY COUNCIL
AGENDA

REGULAR MEETING DATE: MONDAY, 08/10/92 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 07/27/92; Recommend: Approval as presented.
 - B. CM. No. 92-77; Election Judge/Canvass Board Appointment; October 6, 1992 Regular Election; Recommend: Approval
 - C. Ordinance Serial No. 92-28; Accepting funds from the State of Alaska and amending the FY-93 Budget by Appropriating funds to the Capital Improvement Fund; CM. No. 92-80; Acceptance of Legislative Grants; Recommend: Introduction of Ordinance Serial No. 92-28 and Schedule for Public Hearing at the next regular meeting, 08/24/92
5. PUBLIC HEARING:
6. PERSONS TO BE HEARD: (NON AGENDA ITEMS)
 - A. Nick Carney;
 - B. *Mike Chryst C. James Garhart D. Rick Sims E. Eric Stowe F. Steve St...*
7. EXECUTIVE SESSION: (NONE SCHEDULED) *G. Mike Chryston*
8. UNFINISHED BUSINESS:
 - A. CM. No. 92-85; Advisory Concerning Polarconsult E&O Insurance
 1. CM. No. 92-70; Design Engineer for Sewer Treatment System
 2. Letter from Gilfilian Engineering;
 - B. CM. No. 92-84; Sales Tax Regulations/Ordinance Serial No. 92-29
 1. Ordinance Serial No. 92-29; Sales Tax Regulations
 - C. CM. No. 92-86; Ballot Propositions;
 1. Resolution No. WR92-38; vote on Sales Tax
 2. Resolution No. WR92-38 Substitute;
 3. Resolution No. WR92-39; advisory vote on Police Department
 4. Resolution No. WR92-39 Substitute;
 5. Draft Ballot Layout Worksheet
 6. Draft Wasilla Police Department Conceptual Design
 - D. IM. No. 92-24; Purchase of City Shop
 - E. CM. No. 92-73; Proposed Shadowood Local Improvement District (Administration Requests Postponement)
 1. Resolution No. WR92-15; Directing that a survey be taken of the property owners
 - F. Ordinance Serial No. 92-24; Repealing Section 5.20.020, Use of Public Sewer Required (Adoption)

9. **NEW BUSINESS:**

- A. **CM. No. 92-76;** Agenda Publishing Costs
- B. **Ordinance Serial No. 92-26;** Amending Section 6.24.050 (A) (2), Purchasing (Introduction)
- C. **CM. No. 92-81;** Resolution No. WR92-40 Substitute and Parks Security Patrols
 - 1. **Parks Maintenance Contract;**
 - 2. **Resolution No. WR92-40;** Directing the Mayor to reinstate security service at all City Parks and City Facilities
 - 3. **Resolution No. WR92-40 Substitute;** Requesting the Borough to reinstate security service to all parks within the City
 - 4. **Resolution No. WR92-40 Substitute B;** Requesting Security Service at all City Parks
- D. **Ordinance Serial No. 92-30;** Amending the FY-93 Budget by Re-appropriating Funds in the General Fund (Introduction)
 - 1. **CM. No. 92-78;** FY-93 Landfill Fees
- E. **CM. No. 92-82;** Street Lights Phase III Part 1
- F. **CM. No. 92-79;** Vacation of Utility Easement; Southview Subdivision;
- G. **CM. No. 92-83;** Resolution No. WR92-36 Amended
 - 1. **Resolution No. WR92-36 Amended**
 - 2. **Resolution No. WR92-36**

10. **COMMUNICATIONS:**

- A. **ALPAR Progress Report**
- B. **Matanuska-Susitna Borough;** Delegation of Planning & Land Use Regulatory Authority
- C. **Mayor Stein's Letter to DOT/PF;** Church Road and Old Matanuska Road
- D. **Mrs. Lisa Stuart;** Wasilla Aurora Cemetery

11. **ADMINISTRATION REPORTS:**

12. **AUDIENCE COMMENTS:**

13. **COUNCIL COMMENTS:**

14. **ADJOURNMENT:**



CITY OF WASILLA

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WASILLA CITY COUNCIL MINUTES

REGULAR MEETING DATE: 08/10/92 TIME: 7:00 PM

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:

2. ROLL CALL:

COUNCILMEN:

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

STAFF:

Mayor Stein
Mr. Deuser-Attorney
Mr. Harris-Deputy Administrator
Mrs. Harris-Deputy Clerk
Mr. Nelson-City Clerk

3. APPROVAL OF AGENDA:

The agenda was approved with the following additions: Persons To Be Heard: Item B. Mike Chryst, Item C. James Garhart, Item D. Rick Sims, Item E. Eric Stowe, Item F. Steve Stowe and Item G. Mike Chryson.

4. CONSENT AGENDA:

- A. Regular Meeting Minutes 07/27/92; Recommend: Approval as presented.
- B. CM. No. 92-77; Election Judge/Canvass Board Appointment; October 6, 1992 Regular Election; Recommend: Approval
- C. Ordinance Serial No. 92-28; Accepting funds from the State of Alaska and amending the FY-93 Budget by Appropriating funds to the Capital Improvement Fund; CM. No. 92-80; Acceptance of Legislative Grants; Recommend: Introduction of Ordinance Serial No. 92-28 and Schedule for Public Hearing at the next regular meeting, 08/24/92
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 City 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:

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

A. Nick Carney; Not present

B. Mike Chryst;

Mr. Chryst spoke as a concerned citizen of his concerns and opposition to the police and tax issues.

C. James Garhart;

Mr. Garhart, Lazy Mt. resident, stated that the tax issue would directly affect him because he currently does all his shopping in Wasilla because Palmer has a sales tax. Mr. Garhart stated that the thought of

subsidizing the property tax is extremely offensive to him and spoke of Article 5 of the U.S. Constitution.

D. **Rick Sims;**

Mr. Sims stated he has voted in favor of the sales tax 3 time, but can not afford anymore taxes. Mr. Sims stated he does not receive any services for living here, the City does not maintain his street, Snowflake Court.

E. **Eric Stowe;**

Mr. Stowe stated he has lived in Wasilla all his life, but won't continue to live here if he is going to have to pay taxes. Mr. Stowe also stated that police don't stop crime, need good parenting. Mr. Stowe also stated that they do not get their road maintained, Turk Circle.

F. **Steve Stowe;**

Mr. Stowe stated they live in Wasilla Estates and the services are negligibile, implementing police is ridiculous, need to keep the City to a minimum and let the people live their lives without intervention.

G. **Mike Chryson;**

Mr. Chryson stated he lives outside the City and he has talked with businesses outside and they want the sales tax to pass so they can get more business. Mr. Chryson stated if the Council wants to see Houston and Big Lake grow into the economic base then pass the sales tax, Wasilla is currently the economic base only because Palmer has a sales tax. Mr. Chryson also stated that the troopers can not legally deny equal protection.

A. **Nick Carney;** Stated he would pass on his comments.

7. **EXECUTIVE SESSION:** (NONE SCHEDULED)

8. **UNFINISHED BUSINESS:**

- A. **CM. No. 92-85;** Advisory Concerning Polarconsult E&O Insurance
1. **CM. No. 92-70;** Design Engineer for Sewer Treatment System
 2. **Letter from Gilfilian Engineering;**

Council had no objection to delay this item until the Polarconsult representative arrives.

- B. **CM. No. 92-84;** Sales Tax Regulations/Ordinance Serial No. 92-29

1. **Ordinance Serial No. 92-29;** Sales Tax Regulations
Motion/Second: Smith/Carson

To introduce Ordinance Serial No. 92-29 and schedule for public hearings on 08/24/92 and 09/14/92. Motion passed with Ms. Hjellen dissenting.

- C. **CM. No. 92-86;** Ballot Propositions;

1. **Resolution No. WR92-38;** vote on Sales Tax
2. **Resolution No. WR92-38 Substitute;**
3. **Resolution No. WR92-39;** advisory vote on Police Department
4. **Resolution No. WR92-39 Substitute;**
5. **Draft Ballot Layout Worksheet**
6. **Draft Wasilla Police Department Conceptual Design**

Motion/Second: Smith/Cottle

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To adopt Resolution No. WR92-38 Substitute. Motion failed with Mrs. Cottle and Mrs. Smith assenting.

Motion/Second: Carson/McCarthy

To amend Resolution No. WR92-38 by adding the following language to the end of the question "and cap the Property Tax Mill Rate at 2 mills". Motion failed with Mr. Carson and Mrs. Cottle assenting.

Motion/Second: McCarthy/Smith

To amend proposition question in Resolution No. WR92-38 Substitute to read as follows: "City of Wasilla 2% Sales Tax and Property Tax Cap; Shall the City of Wasilla be authorized to levy a maximum 2% sales tax on retail sales, services and rentals within the City of Wasilla effective January 1, 1993 and cap the property tax mill rate at 2 mills; AND Use of Tax for Police Shall the sales tax first be appropriated to fund a police department if the advisory proposition is approved and the remaining tax be appropriated through the ordinary public budget process?". Motion passed with Ms. Hjellen dissenting.

Motion/Second: Smith/Carson

To adopt Resolution No. WR92-39.

Motion/Second: Hjellen/McCarthy

To amend Resolution No. WR92-39 by reversing the question to read as follows: "Do you desire the City Council to establish a City Police Department to be funded with a sales tax?" Amendment passed. The main motion passed.

Councilman Hjellen requested that both the Draft Wasilla Police Department Conceptual Design and the proposed budget on the police department be placed on the agenda for the next regular meeting, 08/24/92. Councilman Cottle requested that the print on the Draft Wasilla Police Department Conceptual Design be enlarged and placed in her Council Box for pickup.

INTERMISSION: 8:05--8:20 PM

Motion/Second: McCarthy/Smith

To approve CM. No. 92-87, appropriating \$4,000 from Council Contingency for informational flyers on the Sales Tax and Police Issues. Motion failed with Mrs. Cottle, Mr. McCarthy and Mrs. Smith assenting.

Motion/Second: Smith/McCarthy

To allocate \$3,000 from Council Contingency for advertising. Motion failed with Mrs. Cottle, Mr. McCarthy and Mrs. Smith assenting.

Motion/Second: Hjellen/McCarthy

To approve \$2,000 from Council Contingency for informational flyers on the sales tax and police issues. Motion passed with Mr. Carson

dissenting.

Council had no objection to go to Item A at this time.

- A. CM. No. 92-85; Advisory Concerning Polarconsult E&O Insurance
1. CM. No. 92-70; Design Engineer for Sewer Treatment System
 2. Letter from Gilfilian Engineering;

Motion/Second: Smith/Cottle

To re-advertise for re-bid on engineering services on the sewer treatment system design. Motion failed with Ms. Hjellen and Mrs. Smith assenting.

Motion/Second: McCarthy/Carson

To approve increasing the amount by \$9,216 for E & O insurance for Polarconsult and increase the total contract by \$24,216 for a total of \$105,694. Councilman McCarthy asked to change his vote to no and asked for reconsideration at the next regular meeting, 08/24/92. Motion failed with Mr. Carson and Mrs. Cottle assenting.

- D. IM. No. 92-24; Purchase of City Shop

Motion/Second: McCarthy/Hjellen

To postpone IM. No. 92-24 until the next regular meeting, 08/24/92. No objection from Council, so ordered.

- E. CM. No. 92-73; Proposed Shadowood Local Improvement District (Administration Requests Postponement)

1. Resolution No. WR92-15; Directing that a survey be taken of the property owners

There was no objection from Council to postpone this issue until the next regular meeting, 08/24/92.

- F. Ordinance Serial No. 92-24; Repealing Section 5.20.020, Use of Public Sewer Required (Adoption)

Ordinance Serial No. 92-24 died for lack of a second.

9. NEW BUSINESS:

- A. CM. No. 92-76; Agenda Publishing Costs

Motion/Second: Smith/Hjellen

To approve \$501 from Council Contingency to publish the next 3 agendas.

Motion/Second: Smith/Hjellen

To amend by approving \$251 from Council Contingency to publish a compressed agenda for the next 3 meetings. Motion failed with Ms. Hjellen and Mrs. Smith assenting.

- B. Ordinance Serial No. 92-26; Amending Section 6.24.050 (A) (2), Purchasing (Introduction)

Motion/Second: Carson/Cottle

To introduce Ordinance Serial No. 92-26 and schedule for public hearing at the next regular meeting, 08/24/92.

Motion/Second: McCarthy/Carson

To amend Ordinance Serial No. 92-26 by adding "total project cost" after contract services. Amendment passed with Mrs. Smith dissenting. The main motion failed with Mr. Carson, Mrs. Cottle and Mr. McCarthy assenting.

C. **CM. No. 92-81**; Resolution No. WR92-40 Substitute and Parks Security Patrols

1. **Parks Maintenance Contract;**
2. **Resolution No. WR92-40;** Directing the Mayor to reinstate security service at all City Parks and City Facilities
3. **Resolution No. WR92-40 Substitute;** Requesting the Borough to reinstate security service to all parks within the City
4. **Resolution No. WR92-40 Substitute B;** Requesting Security Service at all City Parks

Motion/Second: Hjellen/Smith

To adopt Resolution No. WR92-40 Substitute. Motion failed with Ms. Hjellen and Mrs. Smith assenting.

Motion/Second: Carson/Cottle

To approve security coverage of Carter Park and Nunley Park for a not to exceed amount of \$500 from Council Contingency until November 1. Motion passed with Mrs. Smith dissenting.

D. **Ordinance Serial No. 92-30**; Amending the FY-93 Budget by Re-appropriating Funds in the General Fund (Introduction)

1. **CM. No. 92-78;** FY-93 Landfill Fees

Motion/Second: Hjellen/McCarthy

To introduce Ordinance Serial No. 92-30 and schedule for public hearing at the next regular meeting, 08/24/92. Motion passed.

E. **CM. No. 92-82**; Street Lights Phase III Part 1

Motion/Second: Cottle/McCarthy

To approve CM. No. 92-82 and the attached list of street lights for installation. Motion passed.

F. **CM. No. 92-79**; Vacation of Utility Easement; Southview Subdivision;

Motion/Second: Cottle/McCarthy

To approve CM. No. 92-79, approving the vacation of utility easements in Southview Subdivision. Councilman Carson requested to abstain since he is the owner of Southview Subdivision. Motion passed with Mr. Carson abstaining.

G. **CM. No. 92-83**; Resolution No. WR92-36 Amended

1. **Resolution No. WR92-36 Amended**
2. **Resolution No. WR92-36**

Motion/Second: Carson/McCarthy

To adopt Resolution No. WR92-36 Corrected. Motion failed with Mr. Carson, Mrs. Cottle and Mr. McCarthy assenting.

Motion/Second: Smith/Hjellen

To hold a public hearing on Resolution No. WR92-36 Corrected at the next regular meeting, 08/24/92. After verbal opinions from the City Attorney and the City Clerk that the intent of Council was clear in Resolution No. WR92-36 as originally written no further action was taken.

10. **COMMUNICATIONS:**

A. **ALPAR Progress Report**

B. **Matanuska-Susitna Borough;** Delegation of Planning & Land Use Regulatory Authority

C. **Mayor Stein's Letter to DOT/PF;** Church Road and Old Matanuska Road

D. **Mrs. Lisa Stuart;** Wasilla Aurora Cemetery

11. **ADMINISTRATION REPORTS:**

Bob Harris: Reported on the Glenwood and Naomi Street Paving LID's and that the pre-bid conference will be this Thursday with the bid opening next Thursday. Administration wants to delay Shadowood Valley Paving LID until a list can be put together of other possible projects.

Dick Deuser: Updated Council on the Carpenter Case and O'Neill Case.

Mary Ellen Emmons: Reported on the success of the book sale last weekend, the possible proposition on the Borough level to vote on Library Services being areawide and that the Borough Community Services department is once again non-existent.

John Cooper: Reported on the Museum's new steps and Teelands.

Mayor Stein: Reported that he is working with the City's old auditing firm to get some calculations on what the sales tax may generate, and that youth volunteer clubs are looking for activities to do and he attended the Mat-Su Borough meeting and requested they delay their sales tax issue until November. Mayor Stein also stated that Friday is the last day to file for Council.

12. **AUDIENCE COMMENTS:**

Nick Carney: Wasilla Chamber of Commerce President, stated he was disappointed that only 2 members of the Council chose to attend their luncheon and feels that the Council needs to consider the businessman as well because they are here to stay. Suggested that a possible solution in cutting the cost of publishing the agenda is by combining it with the notice of public hearing and cutting the cost that way. Mr. Carney also suggested that the Council is shortchanging the voting public by suggesting that they won't understand information put out. Mr. Carney also stated that information needs to be put out on all the propositions to inform the public.

Faye Palin: Stated she is working with a political action committee called "WOW, Watching Over Wasilla". Stated she takes particular offense to being told that she is not smart enough to understand more than a couple of sentences in a resolution.

Cindy Bettine: Offended that Council will not publish the agenda and cited several occasions over the last year when requests have been made to publish the agenda. Ms. Bettine stated she feels the news paper is the place to inform people of the issues and hopes "WOW" can raise the money to publish the notice.

Jim Palin: Stated that he felt Mayor Stein's contact with the auditors on the sales tax is a good idea and hopes the Council looks at these numbers.

Mary Brasie: Stated she heard some very good comments tonight and hopes the Council heard them as well.

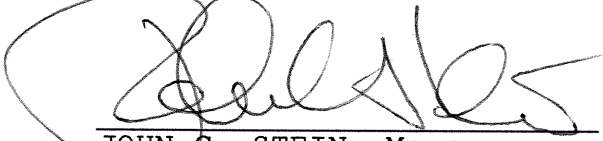
13. **COUNCIL COMMENTS:**

Councilman Cottle: Stated for the record that she has a concern about a member of the Planning Commission and his wife works for the Mayor, now the commission member is running for Council and feels this may be a conflict of interest. Councilman Cottle stated she is not trying to pick on anyone, would bring this up regardless of who it was in this situation.

14. **ADJOURNMENT:**

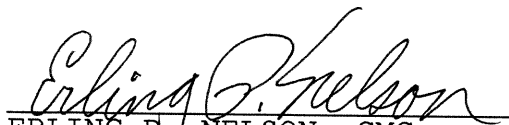
There being no further business the meeting adjourned at 10:22 p.m.

APPROVED:



JOHN C. STEIN, Mayor

RESPECTFULLY SUBMITTED:



ERLING P. NELSON, CMC
City Clerk