

WASILLA CITY COUNCIL
AGENDA

REGULAR MEETING DATE: MONDAY, 04/26/93 TIME: 7:00 P.M.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:

2. ROLL CALL:

3. APPROVAL OF AGENDA:

4. CONSENT AGENDA:

A. Regular Meeting Minutes 04/12/93; Recommend: Approval as presented.

B. Ordinance Serial No. 93-20; Amending the FY-93 Budget by appropriating additional funds to the Sewer Construction Fund (Drainfield Replacement); Recommend: Introduction and schedule for public hearing at the next regular meeting, 05/10/93

C. Ordinance Serial No. 93-14; Adding Chapter 14.01, Uniform Traffic Laws and Bail Schedule, to the Wasilla Municipal Code; CM. No. 93-22; Recommendation: Introduction and schedule for public hearing at the next regular meeting, 05/10/93

D. Ordinance Serial No. 93-19; Amending Chapter 1.24.010(B), General Penalty, to the Wasilla Municipal Code; Recommend: Introduction and schedule for public hearing at the next regular meeting, 05/10/93

E. *Pos WR 93-17 Fisheries Board*

5. AGENCY REPORTS:

A. Sewer Treatment Plant Report;

B. Wasilla Growth Alliance Report; Ideas for "Iditarod Park"

C. MATI Progress Report; (Short Video)

5. PUBLIC HEARING:

A. Proposed Southside Paving LID;

B. Ordinance Serial No. 93-16; Amending Chapter 14.10 of the Wasilla Municipal Code (Street Classifications)

C. Ordinance Serial No. 93-17; Amending the FY-93 Budget by appropriating funds for Capital Projects (Water System Enhancements, Road Improvements, Shop Fencing, Museum of Alaska Transportation Building Materials)

1. IM. No. 93-18; MATI - City Relationship

D. Ordinance Serial No. 93-18; Amending Chapter 6.50 of the Wasilla Municipal Code (Sales Tax)

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

A. Mike Chryst; U.S. Constitution, 2nd Amendment

*Steve Stoll Wasilla Door
Buz Oldeman*

7. EXECUTIVE SESSION: (NONE SCHEDULED)

8. UNFINISHED BUSINESS:

A. Ordinance Serial No. 93-18; Amending Chapter 6.50 of the Wasilla Municipal Code (Sales Tax) (Adoption)

B. Ordinance Serial No. 93-16; Amending Chapter 14.10 of the Wasilla Municipal Code (Street Classifications) (Adoption)

C. Sewer Treatment Plant;

1. CM. No. 93-35; Construction Inspection for Sewage Treatment Lagoon

2. CM. No. 93-36; Aerobic Digester Upgrade

D. *CM 93-37 Senior Center Water Well Bid*

NEW BUSINESS:

- A. Ordinance Serial No. 93-22; Exception to Chapter 14.10, Mack Road
- B. CM. No. 93-31; Police Equipment Bid Award
- C. CM. No. 93-32; Police Radio Bid Award
- D. Parks & Recreation Commission Confirmation;
- E. CM. No. 93-30; Peck Street Upgrade
- F. CM. No. 93-34; Railroad Avenue Road Development
- G. Ordinance Serial No. 93-21; Providing for the adoption of the budget for the Fiscal Year 1994, and appropriating funds to carry out said budget
 - 1. Revised Budget Schedule;
 - 2. Classification Study;

H. *CM 93-38 Storm Drainage Projects*

10. COMMUNICATIONS:

- A. Wasilla Planning & Utilities Commission Resolution No. 93-08; Supporting Down Hill Ski Development at Hatcher Pass
- B. Wasilla Planning & Utilities Commission Resolution No. 93-09; Approving Amendments to Major Development Permit D9303 for the resubdivision of Newcomb Subdivision into two tracts and the construction of a 104,989 square foot Wal-Mart Retail Store
- C. Wasilla Planning & Utilities Commission Resolution No. 93-10; Recommending an amendment to the City of Wasilla comprehensive plan adding low density road standards and opposing the individual exemption from standards in the Mack Road Upgrade request of March 12, 1993
- D. Taxicab Permit; Lynette Silk dba Glacier Cab Co.;
- E. Southview Subdivision Residents; Sewer System Odors

11. CITY REPORTS:

12. AUDIENCE COMMENTS:

13. COUNCIL COMMENTS:

14. ADJOURNMENT:



CITY OF WASILLA

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WASILLA CITY COUNCIL
MINUTES
REGULAR MEETING DATE: 04/26/93 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. Carney-Exc. Mr. Carson
Mr. Erickson Ms. Hjellen
Mr. McCarthy Mrs. Palin

STAFF:

Mayor Stein Mrs. Emmons-Library Dir.
Mr. Harris-Deputy Admin. Mr. Cooper-Museum Dir.
Mr. Deuser-Attorney Mrs. Harris-Deputy Clerk
Mr. Nelson-City Clerk Mr. Baugh-Sen. Accountant
Mr. Stambaugh-Police Chief

3. APPROVAL OF AGENDA:

The agenda was approved with the following additions: consent Agenda; Item E. Resolution No. WR93-17; Opposing the reconfirmation of Deborah Lyons to the Alaska Board of Fisheries; Moving Agency Reports Items B & C to follow Person's To Be Heard; Removing Mike Chryst from Persons To Be Heard and adding Steve Stoll; Wasilla Nooz, and Buzz Aldeman; adding to Unfinished Business Item D. CM. No. 93-37; Senior Center Water Well Bid; and adding to New Business Item H. CM. No. 93-38; Storm Drainage Projects.

4. CONSENT AGENDA:

- A. Regular Meeting Minutes 04/12/93; Recommend: Approval as presented.
- B. Ordinance Serial No. 93-20; Amending the FY-93 Budget by appropriating additional funds to the Sewer Construction Fund (Drainfield Replacement); Recommend: Introduction and schedule for public hearing at the next regular meeting, 05/10/93
- C. Ordinance Serial No. 93-14; Adding Chapter 14.01, Uniform Traffic Laws and Bail Schedule, to the Wasilla Municipal Code; CM. No. 93-22; Recommendation: Introduction and schedule for public hearing at the next regular meeting, 05/10/93
- D. Ordinance Serial No. 93-19; Amending Chapter 1.24.010(B), General Penalty, to the Wasilla Municipal Code; Recommend: Introduction and schedule for public hearing at the next regular meeting, 05/10/93
- E. Resolution No. WR93-17; Opposing the reconfirmation of Deborah Lyons to the Alaska Board of Fisheries; Recommend: Adoption

Motion/Second: McCarthy/Palin

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.

AGENCY REPORTS:

A. Sewer Treatment Plant Report;

Earl Ausman; Polarconsult; Reported on work on the Sewer Treatment Plant. Mr. Ausman stated they are receiving comments from DEC and City Staff on the proposed plans. Mr. Ausman also spoke of

the needed upgrade to the digester and the are on schedule and getting ready to create final construction plans..

6. PUBLIC HEARING:

A. Proposed Southside Paving LID:

Mayor Stein opened the hearing to the public.

Eileen Johnson: Stated she was unclear as to how the assessment was done. We don't know what the State will be doing with Knik Road. Was any consideration given to whether a property was business or private. Mrs. Johnson stated she feels there are a lot of questions and that the process was hurried without addressing the questions.

Gary Hessmer: Suggested that the Mayor and Council solicit people in the area to meet collectively to see if there is any interest. People on the Southside feel they are getting nothing and the people on the North already have paving.

Caleb Aldeman: Questioned manner in which people will be contributing in the cost.

Steve Stoll: Opposed to the Shadowood District because it is residential, feels funds should be spent on collector roads.

Jim Tapscott: Lives on the North side and have been paying assessments for the past 8 years and will continue for approximately the next 32 years.

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

B. Ordinance Serial No. 93-16: Amending Chapter 14.10 of the Wasilla Municipal Code (Street Classifications)

Mayor Stein opened the joint hearing of the Wasilla City Council and Wasilla Planning & Utilities Commission to the public.

Clifford Aldeman: Spoke of Clap Road and its problems. Mr. Aldeman also commented on how all the neighbors on Mack Road worked on it and put gravel in as they could afford to. Mr. Aldeman stated that the Pioneer Road standards impacts the whole City.

Steve Stoll: Stated he believes in the low density road standards. Mr. Stoll also stated he respects the Aldeman's position and also the Graber's position. Mr. Stoll stated he felt the City should get the right-of-way so the City can do something in the future, but this should be planned for now. Mr. Stoll also stated he felt the City could save money by not paving cul-de-sacs and put the money into roads.

Larry Volke: Questioned who wants lower standards, and who authorized substandard residential roads. Mr. Volke commented on Mack Road going through to the airport and increased traffic because of this. Mr. Volke expressed his concerns about building a road without shoulders, if you crown the road it will not drain.

Rick Brown: Mat-Su Borough Platting; Stated that this proposal is not substandard. Mr. Brown stated that the design criteria is considered safe by the school district and the Mat-Su Borough Public Works. Mr. Brown encouraged passage of this ordinance to make low density development possible and affordable by the residents of the City.

Hugh Johnson: Commented on the Soils Conservation going through in the 40's and 50's for soils

testing and people following the bulldozed trails in to build cabins and started demanding services. Mr. Johnson also commented on the Senior Center and the services they provide with their vans and how they don't last long because of the poor road conditions.

Wayne Whaley; Stated he suggested the City adopt this plan, has worked as a planner for the past 20 years. Mr. Whaley stated that these standards have been in since 1986 and no development has occurred such as what the Grabers have been asked to do. Mr. Whaley stated that he does not feel Mack Road was built right in the first place and does not feel it is fair to make Graber's fix what others have done. Mr. Whaley stated that the proposed standards will help larger parcel development.

Brenda Graber; Publically apologized to Mr. Aldeman, did not intend to offend him and his work. Mrs. Graber stated she favors this change not only for herself, but anyone wishing to break 5 acres off to give to their children will be required to comply with the current standards without this change.

Don Graber; Commented on Mack Road and appreciate what Council is trying to do. Mr. Graber also commented that their next door neighbors plan a 2 1/2 acre parcel subdivision when Mack Road is complete.

Barbara Aldeman; Stated they are not planning a subdivision. Mrs. Aldeman also commented on Mr. Aldeman paying for 1 mile of Mack Road. Mrs. Aldeman spoke of this ordinance providing for minimum standards which is not first class. Requested Council look at the City's Title 14.

Charlot Aldeman Volke; Stated she lived on the road and have 3 children raised in this City and is very proud of some of the things done. Mrs. Volke stated she is aggravated by the slow process, they received no preferential treatment, they had to build properly. They put their shoulders to the grindstone and didn't cry and whine. Mrs. Volke stated she does not understand the problem.

Caleb Aldeman; Stated that the difference is the road width, with a 20' road and no ditches, the grader operator is going to pull ditches and there will only be an 18' road with ditches. Contrary to Mr. Brown, the Mat-Su Borough is trying to eliminate pioneer standards. Mr. Aldeman stated he felt if the Council changes the road standards, the roads will become narrower.

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

C. Ordinance Serial No. 93-17; Amending the FY-93 Budget by appropriating funds for Capital Projects (Water System Enhancements, Road Improvements, Shop Fencing, Museum of Alaska Transportation Building Materials)

1. IM. No. 93-18; MATI - City Relationship

Mayor Stein opened the hearing to the public.

Barbara Aldeman; Spoke in favor of funding the Transportation Museum, feels the City should promote Museum tourism.

Pat Durand; Spoke in favor of the ordinance, stated since November 1992, 18 individuals have contributed over 1,000 volunteer hours in helping the Transportation Museum. Mr. Durand gave an overview of plans for July opening.

Dick Morris; Stated he has been on the Museum Board for the past 4 or 5 years, thanked Council for their support and past support.

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

D. Ordinance Serial No. 93-18; Amending Chapter 6.50 of the Wasilla Municipal Code (Sales Tax) Mayor Stein opened the hearing to the public.

Mike Slezak; Executive Director Senior Center, stated he has spoken with Mr. Hanson, Director of Gaming State of Alaska, and the Alaska State Legislature never intended for charitable games to fund governments. Mr. Slezak stated he does not feel operators should be taxed, they are operating permits for charitable organizations. Mr. Slezak also commented that charitable games should be exempt from taxation.

Mike Combs; Treasurer, Mat-Su Baseball Inc., stated that in 1992 before opening, they looked both at Palmer and Wasilla. When the Mat-Su Baseball Inc. contacted the City they were told that the City would probably not tax nonprofits. Mr. Combs stated that he has been informed by the taxing person that as of April the Mat-Su Baseball Inc. will be required to collect tax. Mr. Combs also indicated that the City of Wasilla has the ability to get a bingo permit and recommended that the City do that rather than making the Miners collect tax.

Dean Baugh; Stated that when the Miners approached Mr. Harris, he was under the impression that the Miners were a 501(c)3 or 4 organization, they are not. Mr. Baugh then went over some permit reports he received from the State and stated that the State indicated that sales tax expense could be written off and did not have to come out of the charities share.

Betty Cason; Suggested that the young man (Mr. Baugh) go back and learn how to do sales tax. The Seniors are happy with their pulltab operator.

Michael A. Nelson; Spoke of people expecting inflation to improve, and indicated that it is not. Mr. Nelson indicated that costs have jumped 30% in the past 2 years. Mr. Nelson then spoke regarding purposes for taxes.

Mikie; Benevolent and Protective Order of Elks, Palmer Bookkeeper, Stated they were trying to get tax exempt status, but feels they are being discriminated against because they are a 501(c)8. She indicated that the money raised by the Elks is used to give food baskets at Christmas and Thanksgiving and for scholarships around the Valley.

Laura Chase; Stated she feels the issue has been well discussed and has the utmost respect for the Seniors, but does not think the City should mess with the sales tax, its too important. Ms. Chase stated she feels the operator and not the charitable organization should pay the tax.

Minnie Fisher, Humane Society; Stated that they get nothing from the State or the City, they rely on donations. Ms. Fisher stated that her organization pays deposit fees at the senior housing for pets, they have an education program in schools. Ms. Fisher stated that 43% of their income is from charitable gaming.

John Perry; Indicated he is one of the Mat-Su Miners who runs the bingo operations. Mr. Perry stated that the Miners are raising money here and keeping people in the Valley, this causes a pyramid effect, people buy gas here possibly buy dinner here. Mr. Perry stated that the operators are not going to pay the tax, the charity will.

Mike Combs; Stated they are a permittee operated organization, they chose Wasilla because Wasilla indicated that they would not be taxed. Mr. Combs also stated that the organizations are based on community benefits, and the sales tax on charities has met with total resistance.

Mike Slezak, WASI: Stated that the quarterly reports do not reflect sale out of games. Mr. Slezak also stated that the charities enter agreements with their eyes open and that taxing gross gaming action will not work.

Karen Popalus: Feels taxing charities is appalling, and indicated that the Mat-Su Miners and the Seniors have brought people into Wasilla. Does not think the City needs more money.

Connie Whitney: Stated that before the Miners opened she went to Anchorage 3 or 4 times a week to play bingo.

Sandra Loveland: Stated she is from Oregon and bingo is exempt there. Supports exempting the Miners.

John Chryst: Stated that the community asked the Miners to open bingo here.

Hugh Johnson: Stated that the decision was made very clearly between the nonprofits and operators. The nonprofits serve the community and there is no other way of raising money except through fund raisers.

INTERMISSION: 9:42-9:54 PM

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

A. Steve Stoll; Wasilla Nooz (Present, did not speak)

B. Buzz Aldeman; Not present

5. AGENCY REPORTS:

B. Wasilla Growth Alliance Report; Ideas for "Iditarod Park"

Laura Chase; invited everyone to the Planning Commission meeting tomorrow night where the Wasilla Growth Alliance will present their ideas for the Iditarod Park.

C. MATI Progress Report; (Short Video)

Pat Durand; played a short video on the progress of the Transportation Museum Building.

8. EXECUTIVE SESSION: (NONE SCHEDULED)

9. UNFINISHED BUSINESS:

A. Ordinance Serial No. 93-18; Amending Chapter 6.50 of the Wasilla Municipal Code (Sales Tax) (Adoption)

Motion/Second: Palin/McCarthy

To adopt Ordinance Serial No. 93-18. Motion failed with Mr. Erickson, Ms. Hjellen and Mr. McCarthy assenting.

Councilman Palin requested reconsideration at the next regular meeting, 05/10/93.

B. Ordinance Serial No. 93-16; Amending Chapter 14.10 of the Wasilla Municipal Code (Street Classifications) (Adoption)

There was no objection from Council to postpone this item until the next regular meeting, 05/10/93.

C. Sewer Treatment Plant;

1. CM. No. 93-35; Construction Inspection for Sewage Treatment Lagoon
2. CM. No. 93-36; Aerobic Digester Upgrade

Motion/Second: McCarthy/Erickson

To approve CM. No. 93-35, authorizing an increase not to exceed \$31,008 for the contract for inspection for Polarconsult Alaska Motion passed.

Motion/Second: McCarthy/Erickson

To approve CM. No. 93-36, authorizing the amendment to the Polarconsult contract in the amount of \$11,800 to incorporate a design for increasing the capacity of the digester into the treatment plant project. Motion passed.

- D. CM. No. 93-37; Senior Center Water Well Bid

Motion/Second: McCarthy/Palin

To approve CM. No. 93-37, authorizing the award of the well construction project to Wheaton Water Wells, Inc. in the amount of \$14,720. Motion passed.

10. NEW BUSINESS:

- A. Ordinance Serial No. 93-22; Exception to Chapter 14.10, Mack Road

Motion/Second: Erickson/McCarthy

To introduce Ordinance Serial No. 93-22 and schedule for public hearing and adoption at the next regular meeting, 05/10/93. Motion failed with Mr. Carson, Mr. Erickson and Mr. McCarthy assenting.

- B. CM. No. 93-31; Police Equipment Bid Award

Motion/Second: Hjellen/McCarthy

To approve CM. No. 93-31, awarding the bids to Chimo Guns in the amount of \$6,476.62, Northern Security in the amount of \$2,647.80 and Great Guns in the amount of \$2,790.00 for police equipment as outlined in CM. No. 93-31. Motion passed.

- C. CM. No. 93-32; Police Radio Bid Award

Motion/Second: McCarthy/Palin

To approve CM. No. 93-32, awarding the bid to Motorola Corporation in the amount of \$7,736.50 for Police radios and accessory packages. Motion passed.

- D. Parks & Recreation Commission Confirmation:

Mayor Stein postponed the Parks & Recreation Commission confirmations until the next regular meeting, 05/10/93.

- E. CM. No. 93-30; Peck Street Upgrade

Motion/Second: Palin/McCarthy

To approve CM. No. 93-30, approving the acquisition of right-of-way for the Peck Street Upgrade to Fishhook Road. Motion failed with Ms. Hjellen, Mr. McCarthy and Mrs. Palin assenting.

- F. CM. No. 93-34; Railroad Avenue Road Development

Motion/Second: Palin/Hjellen

To approve CM. No. 93-34, authorizing administration to obtain preliminary construction cost estimates and to place the Railroad Avenue Extension project on the City's Capital Improvement Program list as a one-way street as an exception to street standards. Motion failed with Mr. Erickson, Ms. Hjellen and Mrs. Palin assenting.

Council had no objection to continue past the 11:00 adjournment time.

G. Ordinance Serial No. 93-21; Providing for the adoption of the budget for the Fiscal Year 1994, and appropriating funds to carry out said budget

1. Revised Budget Schedule;

2. Classification Study;

Motion/Second: Carson/McCarthy

To introduce the proposed FY-94 Budget at the FY-93 spending levels plus the Police Department. Motion failed with Mr. Carson, Mr. Erickson and Mr. McCarthy assenting.

Motion/Second: Hjellen/Palin

To introduce Ordinance Serial No. 93-21 for Council revision on May 10, 1993 and schedule a public hearing on May 24, 1993. Motion failed with Ms. Hjellen and Mrs. Palin assenting.

H. CM. No. 93-38; Storm Drainage Projects

Motion/Second: Carson/McCarthy

To approve CM. No. 93-38, authorizing the reallocation of the remaining funds in MG #86-314 to storm drain projects in City streets. Motion passed.

11. COMMUNICATIONS:

A. Wasilla Planning & Utilities Commission Resolution No. 93-08; Supporting Down Hill Ski Development at Hatcher Pass

B. Wasilla Planning & Utilities Commission Resolution No. 93-09; Approving Amendments to Major Development Permit D9303 for the resubdivision of Newcomb Subdivision into two tracts and the construction of a 104,989 square foot Wal-Mart Retail Store

C. Wasilla Planning & Utilities Commission Resolution No. 93-10; Recommending an amendment to the City of Wasilla comprehensive plan adding low density road standards and opposing the individual exemption from standards in the Mack Road Upgrade request of March 12, 1993

D. Taxicab Permit; Lynette Silk dba Glacier Cab Co.;

E. Southview Subdivision Residents; Sewer System Odors

12. CITY REPORTS:

Bob Harris: Reported on Naomi and Glenwood Paving LID's, the Senior Housing Project, Shadowood Project bid opening 05/02/93, a proposed Crestwood Paving LID, street sweeping, the park opening and summer workers.

Chief Stambaugh: Reported they had sent several letters out offering jobs for the police positions, and the construction on the police offices is nearing completion.

Mayor Stein: Reported that Saturday, May 1st is clean up day. Mayor Stein also mentioned that the budget worksession had been rescheduled from Monday, May 3rd to Wednesday, May 5th at 7:00 p.m.

13. AUDIENCE COMMENTS:

14. COUNCIL COMMENTS:

15. ADJOURNMENT:

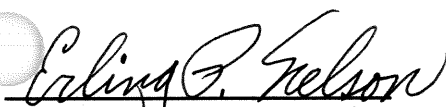
There being no further business the meeting adjourned at 11:35 p.m.

APPROVED:



JOHN C. STEIN, Mayor

RESPECTFULLY SUBMITTED:



ERLING P. NELSON, CMC
City Clerk