

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:

ROLL CALL:

3. APPROVAL OF AGENDA:

4. CONSENT AGENDA:

- A. Regular Meeting Minutes 07/22/96; Recommend: Approval as Presented.
- B. General Fund and Water Construction Fund Budget Amendments (Property Maintenance Postage and Hallea Lane Water Extension); Ordinance Serial No. 96-37; Recommend: Introduction and schedule for public hearing at the next regular meeting, 08/26/96
- C. Capital Improvement Fund Budget Amendment (Church Road); Ordinance Serial No. 96-38; Recommend: Introduction and schedule for public hearing at the next regular meeting, 08/26/96
- D. General Fund Budget Amendment (Alpar Program); Ordinance Serial No. 96-39; Recommend: Introduction and schedule for public hearing at the next regular meeting, 08/26/96
- E. Liquor License Application; The Brewery and Matanuska Valley Brewing Co., Ltd.; Recommend: Approval of the Brewery license application and Non-objection to the Matanuska Valley Brewing Co., Ltd. License application *RESTAURANT DESIGNATION PERMIT*
- F. Library Fees; Ordinance Serial No. 96-36; CM. No. 96-76; Recommend: Introduction and schedule for public hearing and action at the next regular meeting, 08/26/96
- G. Personnel Code Change (Overtime); Ordinance Serial No. 96-40; CM. No. 96-77; Recommend: Introduction and schedule for public hearing at the next regular meeting, 08/26/96
- H. Planning Commission Appointment; CM. No. 96-75; Recommend: Concurrence with the Mayor's appointment of Pandora Willingham to the Planning Commission.
- oved -1.*
3 A. LID Request; CM. No. 96-78; Recommend: Authorize Administration to *hire* ~~hire~~ an engineer to refresh existing cost estimates.

5. PUBLIC HEARING:

- A. Liquor License Establishments Closing Hours;
 - 1. Ordinance Serial No. 96-30;
- B. Water Utility; Establishing rates for water service calls;
 - 1. Ordinance Serial No. 96-32;
- C. Water Utility; Metered Service Tests and Account Payment-Delinquent Accounts;
 - 1. Ordinance Serial No. 96-33;
- D. Sewer Utility & Sewer System Pretreatment;
 - 1. Ordinance Serial No. 96-34 - Amending Chapter 5.20 Sewer Control of Wastewater and adding Chapter 5.25 Pretreatment Requirements for Contributions to City Sewer.
- E. Water Construction; Water Distribution Line Repairs
 - 1. Ordinance Serial No. 96-35;

6. COMMISSION REPORTS:

7. PERSONS TO BE HEARD: (NON AGENDA ITEMS 5 MINUTE LIMIT)

- A. John O. Elgee; Personal Property Tax; aircraft
- B. Colleen Scott;
- C. Bill Byers;
- D. *Carol Meyer*
- E. *Kevin Becker*

EXECUTIVE SESSION (SCHEDULED)

- A. Financial Matters; Combs Insurance

UNFINISHED BUSINESS:

- A. Borough CIP List:
 - 1. Wasilla Planning Commission Resolution No. 96-17;
- B. Animal Control:
 - 1. Ordinance Serial No. 96-28;
 - 2. Ordinance Serial No. 96-28 (Substitute);
 - 3. Ordinance Serial No. 96-28 (Substitute Draft 2); (Adoption)
- C. Wasilla Development Code:
 - 1. Catherine Bowen; Mission Hills Petition; Re-zone;
 - 2. Richmond Hills II Petition; Group Homes;
 - 3. Richmond Hills II Petition; Re-zone;
 - 2. CM. No. 96-74; Parking Space Ratios - Malls
 - 3. Ordinance Serial No. 96-29; (Adoption)
 - 4. CM. No. 96-72;
 - 5. CM. No. 96-79;
 - 6. IM. No. 96-20; Parking Requirements Proposed

10. NEW BUSINESS:

A. LID CM 96-78

11. COMMUNICATIONS:

- A. Wasilla Planning Commission; Regular Meeting Minutes 07/16/96
- B. Department of Museum and Recreation Services; Public Service Announcement

12. CITY REPORTS:

13. AUDIENCE COMMENTS:

14. COUNCIL COMMENTS:

15. ADJOURNMENT:



CITY OF WASILLA

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**WASILLA CITY COUNCIL
MINUTES**

REGULAR MEETING DATE: 08/12/96 TIME: 7:00 PM

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:

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

2. ROLL CALL:

COUNCIL:

Mr. Carney Ms. Hjellen
Mr. Chappel Mr. Lockwood
Mr. Hartrick Mrs. Palin

STAFF:

Mayor Stein-Exc. Mr. Cooper-Museum Dir.
Mr. Felton-City Engineer Mrs. Harris-Clerk
Mr. Deuser-Attorney Mr. Baugh-Sr. Accountant
Mr. Stambaugh-Chief Mr. Dvorak-Planner
Mr. Nelson-Finance Dir. Mrs. Brower-Deputy Clerk
Mrs. Emmons-Library Dir.

3. APPROVAL OF AGENDA:

The agenda was approved with the following changes: added a Restaurant Designation Permit to Item of the Consent Agenda; added Carol Meyer as Item D. and Kevin Baker as Item E. of Persons To Be Heard and added Cm. No. 96-78, LID Request for Boundary Street to New Business (Moved from Consent Agenda Item I).

4. CONSENT AGENDA:

- A. Regular Meeting Minutes 07/22/96; Recommend: Approval as Presented.
- B. General Fund and Water Construction Fund Budget Amendments (Property Maintenance Postage and Hallea Lane Water Extension); Ordinance Serial No. 96-37; Recommend: Introduction and schedule for public hearing at the next regular meeting, 08/26/96
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- E. Liquor License Application and Restaurant Designation Permit; The Brewery and Matanuska Valley Brewing Co., Ltd.; Recommend: Approval of the Brewery license application and Non-objection to the Matanuska Valley Brewing Co., Ltd. License application
- F. Library Fees; Ordinance Serial No. 96-36; CM. No. 96-76; Recommend: Introduction and schedule for public hearing and action at the next regular meeting, 08/26/96
- G. Personnel Code Change (Overtime); Ordinance Serial No. 96-40; CM. No. 96-77; Recommend: Introduction and schedule for public hearing at the next regular meeting, 08/26/96
- H. Planning Commission Appointment; CM. No. 96-75; Recommend: Concurrence with the Mayor's appointment of Pandora Willingham to the Planning Commission.

I. Moved to New Business Item A.

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:

A. Liquor License Establishments Closing Hours;

1. Ordinance Serial No. 96-30;

Deputy Mayor Hjellen opened the hearing to the public.

Mike Lohman: Stated he spoke with 3 APD officers and an ABC Board investigator regarding statistical information in Anchorage since they changed the closing hours of bars there. Mr. Lohman stated that shifting the hours will not change the statistics.

Dan Coffee: Spoke of the expansion of after hours clubs with the gambling, drugs etc. Authorized liquor establishments are a controlled environment. Mr. Coffee indicated that he thought Anchorage's efforts were noble, but didn't work.

Ted Anderson: Has gathered over 300 signatures over a 4 day period opposing early closing hours.

Greg Fletcher: Urged Council not to pass this ordinance, there is enough punitive laws infringing on peoples rights. Mr. Fletcher also presented a letter from Jim Flatly opposing the early closing hours.

Dan Kelly: Urged Council to consider passing this ordinance, its an effort to help in the safety of people traveling the roads, but suggested putting a sunset clause in to evaluate the effects of the ordinance.

Gene Stratmeyer: Supported the legislation, does take the shotgun approach involved with alcoholism, this is one way to exercise some control by closing bars earlier.

Scott Lowery: Asked Council to prove that earlier closure of bars will alleviate drunk driving. Indicated that the statistics do not hold up, the hard-core drinkers will just pound the drinks down that much quicker. Closing the bars earlier will not help, only hinder.

Tim Schuragi: Council has identified the problem with alcohol, may not have come up with the right solution, but you have the industry's attention. Would like to be a part of the task force on this issue.

Chief Stambaugh reported that within a 5 mile radius of Wasilla 433 drunk drivers were arrested, indicated this is too high for a town this size and mentioned the different agencies these drunk drivers impact. Chief Stambaugh stated that Juneau, Seward and Ketchikan also have early closing hours without after hours clubs coming in to those towns. An undercover officer was sent to one of the bars to observe. He witnessed one drunk falling off a bar stool and another picking fights with other customers. Both patrons were still being served liquor.

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

Water Utility; Establishing rates for water service calls;

1. Ordinance Serial No. 96-32;

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

C. Water Utility; Metered Service Tests and Account Payment-Delinquent Accounts;

1. Ordinance Serial No. 96-33;

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

D. Sewer Utility & Sewer System Pretreatment;

1. Ordinance Serial No. 96-34 - Amending Chapter 5.20 Sewer Control of Wastewater and adding Chapter 5.25 Pretreatment Requirements for Contributions to City Sewer.

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

E. Water Construction; Water Distribution Line Repairs

1. Ordinance Serial No. 96-35;

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

COMMISSION REPORTS:

Dan Kelly; Wasilla Planning Commission; Reported on the activities of the Planning Commission and some differences between the old development code and the new development code.

Ron Rucker; Wasilla Parks & Recreation Commission; Presented a memorandum on the proposed skateboard park site, indicated they currently have a possible location selected. The architect working on the site plan is looking at lessening the noise density and will meet with him on August 20 in the high school. Mr. Rucker indicated they are looking at approximately 2/3 of an acre.

Scott Sterling; Mat-Su Borough Assembly; Spoke of the animal control being in a state of crisis currently 791 incidents in 1996, Wasilla needs to work together with the Borough Assembly to work out the funding. The Miller's Reach Fire and the amount of money injected into the system because of the disaster. The Life Quest application to build a new building in Ancient Tree Subdivision, a truancy ordinance for local enforcement, a noise ordinance and the Borough CIP Lists. Mr. Sterling also reported about the announcement Governor Knowles made last Friday while at the Cottonwood Creek Mall regarding the widening of the Parks Highway.

7. PERSONS TO BE HEARD: (NON AGENDA ITEMS 5 MINUTE LIMIT)

- A. John O. Elgee; Personal Property Tax; aircraft

Mr. Elgee spoke of the personal property tax on aircraft registered within Wasilla, indicated that the Borough and Anchorage has dropped their personal property tax on aircraft and instituted a flat fee. Requested Wasilla to rescind the 1996 personal property tax bill on aircraft and amend the ordinance to delete the personal property taxes on aircraft within Wasilla.

Colleen Scott;

not present.

C. Bill Byers;

Mr. Byers indicated he sent a letter on July 10, 1996 to form an LID on Boundary Street North to Susitna and Susitna to Knik Goose Bay Road. He believes that the City didn't need to spend money on an engineer, just pave the street. His company can not use Susitna Avenue for truck traffic any longer, the pot holes are to big.

D. Carol Meyer;

President of Lakeside Terrace Association, indicated that they originally came in and requested funding to hook up one of their septic system which is failing, now feel they need to hook up all 5 and the total is \$107,000. Ms. Meyers stated that the one septic that is failing must be fixed by this fall and asked Council for the maximum amount of a grant for the entire project.

E. Kevin Baker;

Mr. Baker spoke of the parking space requirements for storage unit businesses and indicated that 1 parking space per 10 units is very restrictive. Requested that staff review the parking perimeters.

F. Mike Lohman;

Spoke about Chief Stambaugh's comments regarding the early closure for bars.

EXECUTIVE SESSION (SCHEDULED)

A. Financial Matters; Combs Insurance

Motion/Second: Palin/Chappel

To go into executive session regarding financial matters with the insurance issue. Motion passed with Mr. Carney dissenting.

Mr. Carney declined to participate in the executive session.

EXECUTIVE SESSION: 8:28—8:46 PM

Mr. Deuser gave a brief overview of the situation the City is now in with Combs Insurance Agency, Inc., and stated that the proposal submitted to Council in executive session has the support of Mayor Stein. In his absence it is important to note, that this is occurring with his awareness and knowledge and he supports it and its also important to note that this proposal is also supported by Mr. Combs.

Motion/Second: Chappel/Hartrick

That the FY-97 insurance contract to be completed with the compensation called for under the FY-97 contract to be paid to Mr. Combs and he would finish the services in FY-97 but it would be clear that there is no on-going obligation for services beyond FY-97.

Councilman Palin indicated for the record that she is not comfortable passing this motion because of the non-participation of Councilman Carney and because the Mayor is not here to speak on the issue.

Councilman Chappel stated for the record that Mr. Carney and he has been voting the same on this issue but he firmly believes that when a person performs a service they need to be compensated for it.

Motion passed with Mrs. Palin dissenting.

9. UNFINISHED BUSINESS:

A. Borough CIP List;

1. Wasilla Planning Commission Resolution No. 96-17;

Motion/Second: Carney/Hartrick

To approve the Borough CIP List as presented in Wasilla Planning Resolution No. 96-17.

Motion/Second: Chappel/Palin

To amend the CIP list by switching Parks Highway Phase I and Parks Highway Phase II to make Phase I the number one priority and Phase II the second. Motion failed with Mr. Chappel and Mr. Hartrick assenting.

Motion/Second: Chappel/Palin

To amend the CIP list by moving Spruce Avenue from Level 13 and placing it at level 8. Motion failed with Mr. Chappel and Mrs. Palin assenting.

Motion/Second: Palin/Chappel

To amend the CIP list by adding a pedestrian overpass from Crusey Street to the High School to #4. Motion failed with Mr. Chappel and Mrs. Palin assenting. The main motion passed.

B. Animal Control;

1. Ordinance Serial No. 96-28;
2. Ordinance Serial No. 96-28 (Substitute);
3. Ordinance Serial No. 96-28 (Substitute Draft 2); (Adoption)

Motion/Second: Carney/Lockwood

To adopt Ordinance Serial No. 96-28 Substitute Draft 2 including the amendments submitted by the Borough Attorney's Office. Motion passed.

C. Wasilla Development Code;

1. Catherine Bowen; Mission Hills Petition; Re-zone;
2. Richmond Hills II Petition; Group Homes;
3. Richmond Hills II Petition; Re-zone;
2. CM. No. 96-74; Parking Space Ratios - Malls
3. Ordinance Serial No. 96-29; (Adoption)
4. CM. No. 96-72;
5. CM. No. 96-79;
6. IM. No. 96-20; Parking Requirements Proposed

Motion/Second: Carney/Palin

to adopt Ordinance Serial No. 96-29.

Motion/Second: Palin/Chappel

To suspend the rules to hear persons from the audience. Motion passed with Mr. Carney dissenting.

Motion/Second: Carney/Hartrick

To amend 16.43.204(9) by limiting the amount of guest rooms for a bed & breakfast business to 4. Motion passed with Mrs. Palin dissenting.

INTERMISSION: 9:48—10:02 PM

Motion/Second: Carney/Palin

To amend 16.43.706 by deleting #4. Motion passed with Ms. Hjellen dissenting.

Motion/Second: Carney/Lockwood

To amend the table of parking requirements for offices to 1 per 300 sq. ft GFA and self storage mini-warehouses 1 for each 25 storage units. Motion passed.

Motion/Second: Carney/Hartrick

To amend by eliminating all references to group homes. Motion failed with Mr. Carney and Mr. Hartrick assenting.

Motion/Second: Chappel/Palin

To amend by eliminating reference to P.U.D.'s in the R-1 zones. Motion failed with Mr. Chappel and Mrs. Palin assenting.

The motion to adopt Ordinance Serial No. 96-29 passed with Mr. Chappel and Mrs. Palin dissenting.

10. NEW BUSINESS:

A. LID Request; CM. No. 96-78;

Motion/Second: Carney/Hartrick

To approve CM. No. 96-78, authorizing administration to hire an engineer to refresh existing cost estimates on Boundary Street and Susitna Avenue.

Motion/Second: Hartrick/Palin

to continue the meeting for an additional 10 minutes. Motion passed.

The motion approving CM. No. 96-78 passed.

Motion/Second: Chappel/Hartrick

To direct Public Works to contact the State of Alaska about paving the apron on Susitna Avenue.
Motion passed.

11. COMMUNICATIONS:

- A. Wasilla Planning Commission; Regular Meeting Minutes 07/16/96
- B. Department of Museum and Recreation Services; Public Service Announcement

12. CITY REPORTS:

13. AUDIENCE COMMENTS:

14. COUNCIL COMMENTS:

15. ADJOURNMENT:

There being no further business the meeting adjourned at 11:05 p.m.

APPROVED:



JOHN C. STEIN, Mayor

RESPECTFULLY SUBMITTED:


MARJORIE D. HARRIS, CMC
City Clerk