

WASILLA CITY COUNCIL AGENDA
REGULAR MEETING MONDAY DATE: 03/10/97 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 02/24/97; **Recommend:** Approval as Presented.
- B. CM. No. 97-09; Liquor License Transfer; Kashim Inn; **Recommend:** Letter of Non Objection to the transfer from Alaska USA Federal Credit Union to Richard Tzou

5. PUBLIC HEARING:

- A. Ordinance Serial No. 97-16; Amending the FY-97; General Fund Legal Services;
- B. Resolution No. 97-08; Ballot Proposition for the October 6, 1998 Election; Manager Form of Government;

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

- A. Ann Kilkenny; Driveway Regulations
- B. *Laura Miller E. West Hubbard*
- C. *Kathy Rounds F. Dorothy Smith*
- D. *Phil Lockwood*

7. COMMISSION REPORTS:

EXECUTIVE SESSION (SCHEDULED)

- A. Stambaugh Law Suit; Report from Attorney Koziol

9. UNFINISHED BUSINESS:

- A. Proposed Century Park Paving Assessment Area;
 - 1. Resolution No. WR97-10;
- B. Ordinance Serial No. 97-10; Amending Section 13.08.020 (A), City -operated Public Parks, Sites and Recreation Facilities. **(Adoption)**
- C. Ordinance Serial No. 97-13; Amending Certain sections of the Wasilla Municipal Code to reduce the Penalties to \$250.00. **(Adoption)**
- D. Ordinance Serial No. 97-14; FY-97 Budget Amendment (Wasilla Area Community Survey). **(Adoption)**
- E. Ordinance Serial No 97-15; Rezone (Richmond Hills Subdivision). **(Adoption)**
- F. Ordinance Serial No. 97-17; Exempt Employees **(Introduction Delayed)**
- G. Wasilla City Council Meeting 02/10/97;
- H. *Ord 97-16 Legal Services (Adoption)*

10. NEW BUSINESS:

- A. Ordinance Serial No. 97-18; Personal Property Tax (Introduction)
- B. Budget Analysis Report 01/97
- C. CM. No. 97-10; Alaska Health Fair Sponsorship;
- D. Ordinance Serial No. 97-19; Wasilla Development Code District Use Chart (Introduction)
 - 1. CM. No. 97-11;
 - 2. Wasilla Planning Commission Resolution No. 97-09
- E. IM. No. 97-09; Museum Days/Hour of Operation (Requested by Councilwoman Keller)
- F. IM. No. 97-10; Health Insurance Costs (Requested by Councilwoman Keller)
- G. *Resolution No. WR97-11 Parks Highway Construction Hours*
- H. *Police Dispatch Costs Ord 97-20 + CM 97-2*

11. COMMUNICATIONS:

- A. Wasilla Planning Commission; Regular meeting minutes
- B. IM. No. 97-10; Parks Powers Delegation to the City
- C. Administrative Policy No. 97-01; Response to Snow and Ice Conditions on City Streets
- D. IM. No. 97-11; Travel Outside for National Playground Safety Institute

12. STAFF REPORTS:

13. AUDIENCE COMMENTS:

14. COUNCIL COMMENTS:

15. ADJOURNMENT:



CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

FAX: (907) 373-9085

WASILLA CITY COUNCIL MINUTES

REGULAR MEETING DATE: 03/10/97 TIME: 7:00 PM

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:

Mayor Palin called the meeting to order at 7:00 p.m. Girl Scout Troop 689 lead The Pledge of Allegiance.

2. ROLL CALL:

COUNCIL:

Mr. Carney Mrs. Keller
Mr. Chappel Mrs. Langill
Mr. Fuller Mrs. Patrick-excused

STAFF:

Mayor Palin
Mr. Cramer-Deputy Admin.
Mr. Felton-City Engineer
Mr. Deuser-Attorney

Mr. Nelson-Finance Dir.
Mrs. Emmons-Library Dir.
Mrs. Harris-Clerk
Mrs. Newman-Deputy Clerk

3. APPROVAL OF AGENDA:

The agenda was approved with the following changes: Persons To Be Heard Item B., Laura Miller, Item C., Cathy Rounds, Item D., Phil Lockwood, Item E., Wes Hubbard, Item F., Dorothy Smith. New Business Item G., Resolution No. WR97-11; Supporting Construction Hours for the Parks Highway upgrade and Item H., Ordinance Serial No. 97-20; Amending the FY97 Budget by Appropriating Additional Funds to the General Fund and Council Memorandum 97-12; Police Dispatch Costs. Also added to Unfinished Business Item H., Ordinance Serial No. 97-16; Amending the FY-97 Budget; General Funds Legal Services.

4. CONSENT AGENDA:

- A. Regular Meeting Minutes 02/24/97; **Recommend:** Approval as Presented.
B. CM. No. 97-09; Liquor License Transfer; Kashim Inn; **Recommend:** Letter of Non Objection to the transfer from Alaska USA Federal Credit Union to Richard Tzou

Motion/Second: Carney/Chappel

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. Ordinance Serial No. 97-16; Amending the FY-97; General Fund Legal Services;

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

- B. Resolution No. 97-08; Ballot Proposition for the October 6, 1998 Regular Election; Manager form of Government.

Mayor Palin opened the hearing to the public.

Cindy Stewart: Supports the idea of a Managerial Form of Government in the City of Wasilla.

Verdie Bowen: Does not support the idea of a Managerial Form of Government.

Pat Hjellen: Does not like the way Resolution No. WR97-08 is written, suggested adding another option of the question to allow establishment within 60 days of the election.

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

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

A. Anne Kilkenny: Presented proposed language to change the driveway construction regulations to the Wasilla Municipal Code (14.12.020). She feels commercial lots are currently given more rights and privileges than residential lots. Mrs. Kilkenny would also like to see more public input in the LID process. She suggested forming a task force to look into the issue. Councilwoman Langill has agreed to sponsor an ordinance to address possible changes to the driveway construction passages.

B. Laura Miller: (Not Present)

C. Cathy Rounds: Concerned Citizens of Wasilla.
Mrs. Rounds questioned the steps Mayor Palin has taken to protect people's rights on freedom of speech.

D. Phil Lockwood: For the record my name is Phil Lockwood. About a month and a half ago, I came before this Council and talked about the fact that I felt that the Council is spending, a, ah, tremendous amount of money, um and so I decided that I wanted to do what is called a Legislative Report and even though this isn't a Legislature but, this is done all over the United States and what it is, is you track what each person on, in this case, the Council votes on, and how they vote and what money they spent on what and so forth just to get an idea cause I, I'm still concerned with the amount of money that's spent. So I asked, um, Mrs. Harris for the, all the minutes that I didn't have and three of us sat down Saturday, some other people that are concerned also. We started going through these minutes and we found some interesting things in there that quit often it's listed as an ordinance Serial Number such-n-such and then it was a motion by so-n-so and seconded by so-n-so and the motion passed, but you haven't got a clue what the ordinance was cause it was never listed. It was just listed by number. So, it made it difficult and then you start thinking well gee this is the City record. How is somebody five (5) years from now gonna know what the heck this thing was about and just by coincidence I think it was in Sunday's paper it listed what is going on in Juneau and they'll list things such as House Bill No. 1, Tobacco Tax Increase, um, another one is House Bill 15, Legislative Reforms, it just gives ya, a two (2) word deal as to what it was about. Um, to be fair to Mrs. Harris, tonight's minutes that you approved just about everyone of em said what they were. I want to give you an example of something I found in there, this was on the minutes for the 27th of January under, um, Public Hearings, there was Ordinance Serial No. 97-03. Just turns out its building codes and that what's listed. It says Mayor Palin opened to hearing to public, no comments were made, Mayor Palin closed the hearing to the public. Then it lists the six (6) people that spoke

on it. Um, I was a little confused it said there no comments were made. Now, now, this is the record
t years from now, um, it just concerns me, and so here we are trying to come up with this, um,
port and we just ran into item, after item, after item, where you really don't know. Now I have to go
back to Mrs. Harris and get a list of all of the ordinances, all of the memos, and so on, and that to me,
is ah, is ah, it's going to cost the City some money, but it's the only way you go through and do it and
that, was just my comment that, that I think the minutes, and I believe Miss Cottle, um, Mrs. Cottle
mentioned this about the Planning Commission that was similar.

Mayor Palin: Right, Mrs. Cottle requested verbatim minutes for them, um, for the Planning
Commissioners.

Mr. Lockwood: I'm not asking for verbatim.

Mayor Palin: Right, right you would just like them adjusted.

Mr. Lockwood: I'm just saying if you list an Ordinance, list basically what it was about.

Councilwoman Langill: Madame Mayor.

Mayor Palin: Ya, yes.

Councilwoman Langill: As the Clerk's, one of the Clerk's supervisor's, we have been working with the
Clerk,

Mr. Lockwood: There, there a lot better and I did mention that.

Councilwoman Langill: to improve the minutes, uh and she is looking at different ways of doing it and
gonna bring it forward to the Council.

Mayor Palin: Right and

Councilwoman Langill: It is a concern of the Council's too.

Mayor Palin: an, an for the record also, Mr. Lockwood these minutes are taken the same way that
they were taken when you were on Council.

Mr. Lockwood: I know that

Mayor Palin: Ya, so I, I just wanted to make sure that, um,

Mr. Lockwood: Ya, I mentioned that, that,

Mayor Palin: That nothings changed.

Mr. Lockwood: Ya, I mentioned that to, to Marj today, that,

Mayor Palin: That nothings changed under a new Administration to make the minutes any worse
then they were.

Lockwood: No, I didn't even imply that it was just this Administration, I'm just saying that when you go through em, it's real difficult to tell just really what did happen.

Mayor Palin: And we can adjust those ya, right. Ya, we can, there's always ways to make them better. Mr. Chappel-

Councilman Chappel: Um, I have everything for the last four (4) years at my house and if you're in a situation on a Saturday, or a Sunday and you need some information, you just tell me the date of the meeting and I can pull it out. I have everything you know.

Mr. Lockwood: That's true, but you shouldn't have to. It should be there.

Councilman Chappel: But I don't mind. If you need some help I'd be more than willing to help you.

Mr. Lockwood: It should be there and if no one spoke then why are six (6) people listed.

Mayor Palin: Ok, and Mrs. Keller-

Councilwoman Keller: I, I have to support Mr. Lockwood on this, I think we do need to make our minutes more user friendly, um, I have the same problem you have you know like, oh my god now I gotta go, I found this answer, but it lead me to another two (2) questions, you know and it's like, ah, when will it end. Um, ya, I think we do need to work on that.

Mayor Palin: OK, ya, there is always way to make them better so thank you Mr. Lockwood.

E. Wes Hubbard; Skate Board Committee.

Linda Miller spoke for Mr. Hubbard and reported on the efforts of the skate board committee. The committee has raised \$10,500.00 for the park. The fund raising efforts to date have been very successful. The sign for the Park is being designed at this time and is being worked on at the Wasilla High School.

F. Dorothy Smith; Hi, I'm Dorothy Smith, uh, I mainly had some questions and concerns about the Parks and Rec. and the, the Museum. I've, I've heard this week that the Parks and Rec. were divided into two different departments and I was wondering, what, what are the goals for Parks and Rec. and the Museum and are we going to have some public hearings on, on combining maybe the Museum and Library, which we've heard.

Mayor Palin: Um, the goals for Parks and Rec. are to step up the services that we able to provide the public, at ah, ah, more um, efficient level at, ah more reasonable cost to the public and no there's, no there's, been no split of MARS, the Museum and Recreational Services, but the actual property maintenance that is called for in Parks and Rec., will be under the Parks, and un, or the building and ground maintenance under Public Works, so that we can share man power and equipment and budgets and be able to step up the the services and the maintenance.

D. Smith: Well, doesn't there have to be a change in ordinance because the Parks and Rec. and Museum were one division, I mean does, is this going-

Mayor Palin: MARS.

Mrs. Smith: MARS.

Mayor Palin: MARS.

Mrs. Smith: MARS recreation.

Mayor Palin: Ya, there would have to be a public hearing if that was to be split and the ordinance changed, but there is, there is no change. It's the, it's the duties, the actual the guys out there mowing the lawn and, and cutting the flowers, the guys and girls out there doing that. It could be done better under Jack Felton, and the Public Works Department, but not the actual programs of Parks and Rec. and the Museum. MARS it self stays the same, it's under Administration as it is today.

Mrs. Smith: Ok, so, but ok, but then I guess my question, I've had several people question and I don't know in, in that the, ah, so Parks and Rec. is still one department under and Museum, I mean are they still combined?

Mayor Palin: Right, Parks and Rec. and Museum were combined two years ago.

Mrs. Smith: Right.

Mayor Palin: Last year, two years ago, and we created MARS, Museum and Recreational Services. There's been no dismantling of the, of the department.

Mrs. Smith: Ok, so we can, we can, I, I guess people are wondering where, where are the, are you dividing the duties now, or they'll be a lot different?

Mayor Palin: Um-

Mrs. Smith: Whose in charge of what, I mean, uh, whose in charge of the Museum, whose in charge of the Parks and Rec., is there anybody in charge now or-

Mayor Palin: Ah, ya, Administration is in charge of MARS as they have been since, um, John Cooper resigned and ah, John Cramer is there at the table in charge of, in charge of MARS. There's been no change there. Jack Felton will be in charge of the maintenance of-

Mrs. Smith: Of the parks?

Mayor Palin: Of the parks. None, none of the programs side of Parks and Rec. is changed at all. That's Kay Sloan still and there, there's no change.

Mrs. Smith: Now she's in charge of recreation is that correct?

Mayor Palin: Right, ah ha.

Mrs. Smith: Not Parks and Rec., but recreation?

Mayor Palin: Parks and Rec. are still the same, so she is in charge of, but ya, her forte is, the creations side of Parks and Rec.

Mrs. Smith: Ok

Mayor Palin: If that makes sense.

Mrs. Smith: I guess, I don't understand, but I guess, I guess people are wondering, you know, I mean because the rumor is that, that they've been divided.

Mayor Palin: Well that's the rumor.

Mrs. Smith: Parks ok, well that's what I'm here ok, ok, so will there be ah, pub, ah, are we going to have a public process for changes, this, in the future I mean I've heard that stated.

Mayor Palin: If there was a dismantling of the department then, ya. Again if an ordinance were, were called to be changed, then there would be a public hearing, but there will be public hearings during the um, budget process and, and that's when the public gets up and says they want more dollars and more man power in Parks and Rec., and if that's what they desire, then the public will come forward and these people have questions, for you I guess. Mr. Chappel-

Councilman Chappel: We got into a situation here a couple months ago with Wasilla Wonderland, and where there was some, uh, maintenance problems there, and, what I believe Administration did was, they had the public works person, Tony go over there and make those repairs, and that's a very good example of how they can work together, because there's a twelve month employee in that department.

Mrs. Smith: But there was duplication there of, of, how was the funding done. I mean because the funding was in the Parks and Rec. for that. Which was still, no, under Public Works so there was some duplication, is my understanding that, that the funding, in other words the Parks and Rec. had made the plans for the fencing and the repair, but then it was handed over to Public Works

Mayor Palin: To do it because there was no one on board in, um, there's no one on board in public, recs., ah, Parks and Rec. twelve months out of the year, but there are twelve month employees under Jack Felton. So to allow Jack Felton's men to go out there and repair Wasilla Wonderland makes sense, instead of bringing some more Parks and Rec. people on twelve months out of the year.

Mrs. Smith: Ok, ok, I guess my concern was, just how is this all being funded, and is it really saving money? Is, is that the object?

Mayor Palin: Ya, Jack, Jack could you take two minutes to just-

Councilwoman Langill: No, Madame Mayor, first I'd like to keep this at the Council. I have a question.

Mayor Palin: Ok, you can ask your question, but then I would like Mr. Felton to, in 60 seconds give a

little bit of the cost savings scenario that were, that we see with this, but go ahead and ask your question.

Councilwoman Langill: I have a concern that this Council passed an emergency funding of 10,000 dollars that clearly stated how this work was going to be done, who it was going to be done by, uh, and it passed. Now are you telling me Administration did not follow the Council's instructions.

Mayor Palin: Ya.

Councilwoman Langill: For the funding.

Mayor Palin: Ok, first the 10,000 dollars that was passed was out of an economic development fund that put the economic development fund 3,000 dollars in the hole. We were able to go out there and repair Wasilla Wonderland-

Councilwoman Langill: Madame Mayor, the Council passed direction to the Administration, it did not give Administration the authority to change the action of this Council.

Mayor Palin: Ok, let me explain what happened, please with, with that action. We didn't need the 10,000 dollars that was given, that, that was passed by Council to go out there and fix Wasilla Wonderland, we were able to do it in house with the dollars already budgeted. We didn't have to dip into any other fund to come up with 10,000 dollars to fix Wasilla Wonderland. As of yet, we might have to hear in the next few weeks or in the next few months, but Jack Felton had dollars in his budget, and Parks and Rec. already had dollars in it's budget to go out there and fix Wasilla Wonderland without spending 10,000 more of the tax payers dollars. So would you like-

Councilwoman Langill: So you still went against the Council's direction?

Mayor Palin: No, no.

Mrs. Langill: Yes mam.

Mayor Palin: I don't, I don't believe that, that you can say that, that, I did that.

Councilwoman Langill: If it brought that particular budgeted line item budget over by 3,000 then I also have concerns about, again, our financial picture. Because the records, financial records as of the night we voted on that, there was ample funds in that fund to cover the 10,000.

Mayor Palin: Is that true Mr. Nelson? Were there ample funds in that fund the night that we voted on it?

Mr. Nelson: I don't know.

Mayor Palin: Ok.

Councilwoman Langill: There was according to the reports that we received from the Finance department.

Mayor Palin: Before I let this issue go, I'm sorry-

Councilwoman Langill: The second point being, after the meeting we were then told, o, gee, golly, not only we have the 10,000 now, but we forgot, we have 50,000 dollars sitting over here.

Mayor Palin: There's always been \$50,000 sitting over there.

Councilwoman Langill: Why wasn't that brought to the Council's attention when we were speaking to the \$10,000?

Mayor Palin: Because.

Councilwoman Langill: My point being, at that point, now you had \$60,000.

Mayor Palin: Um, hm, right and thank goodness we haven't had to spend the 60,000 to get Wasilla Wonderland, thank goodness we didn't have to spend the 10,000, by, ya, the 10,000 is sitting there for us to spend if need, be, but we haven't had to spend it yet to fix Wasilla Wonderland.

Councilwoman Langill: So now you're taking Public Works employees and using them in Parks and Rec?

Mayor Palin: Right.

Councilwoman Langill: I would have to question Administration having employees on board at full salary that have nothing to do.

Mayor Palin: Oh no, we were able to budget some time to go out there and fix Wasilla Wonderland again without spending an extra 10,000 dollars, but Mr. Felton, could you give your little 60 second spiel on the cost savings and how this scenario works.

Mr. Felton: Basically we were able to, there was one, nine month position, two, nine month positions, and one, six month position and that for, um, twenty-one months. We changed it to one, twelve, and, one, six month position, ah, working in the property maintenance under property maintenance for property maintenance. We now, our employee in property maintenance does property maintenance throughout the City, so the Wonderland doesn't, out of the question or out of the realms, he puts out the fires on a day to day basis.

Councilwoman Langill: Madame Mayor, question.

Mayor Palin: And do you have a dollar, a dollar figure on how much was saved right off the bat by doing this, without dipping into general fund to pay for another employee?

Mr. Felton: I would be right in the middle of figuring the budget out for you right now, so I'm in the middle of those numbers, I'm still working on that.

Mayor Palin: Ok.

Councilwoman Langill: Madame Mayor, question to Mr. Felton, the positions you spoke to at the

beginning, the two temporary and seasonal, were they Public Works positions?

Mr. Felton: No they were Parks and Rec., mam.

Councilwoman Langill: By what authority did you make those changes?

Mr. Felton: I didn't make the change, I suggested to the Mayor, any changes cannot occur until July 1st.

Councilwoman Langill: And yet those changes were made so that these people could do the work under Public Works.

Mr. Felton: No. no. all that we suggested, and, I was asked to review, was if there was a re-staffing would there be financial savings in preparation of this years budget. There is, there's been no change of funding that I'm aware of within this fiscal year on the approved budgets.

Councilwoman Langill: What employee from what department was used to fix Wonderland Park? How is he budgeted and what work did he not do while he was doing Wonderland Park?

Mr. Felton: The employee was the property maintenance individual from Public Works. He is budgeted under Public Works for property maintenance and special activities and he did not neglect any other duties.

Mayor Palin: Thank you, and Mr. Cramer did you have something else to add to that?

Mr. Cramer: No, the only thing I was going to add, Madame Mayor, Councilwoman, ah, that there is a little bit of mix up here. Jack was talking about FY98 proposed the plan in employees, that's what he was talking about, I think he clarified that in the end, so that's all I was going to bring this, to the attention FY97 vs. FY98.

Mayor Palin: Thank you. Do you want to move on Council. Mr. Carney-

Councilman Carney: No, no, I have something.

Mrs. Smith: May I say one more thing? Oh go ahead I'm sorry. I have one more thing though-

Councilman Carney: Well, I, I think we mislead Mrs., Mrs. Smith, ah, because this Council did take action that in effect did dismantle the department, and we did it when we approved the new staffing chart. Which put the department, ah, people that were still left in Public Works under the management of Mr. Cramer. So that change has been made, and I don't want the Mayor to mislead you that it had not been changed.

Mayor Palin: But there has been no split of MARS.

Councilman Carney: Excuse me please, MARS has been split.

Mayor Palin: No it hasn't.

Councilman Carney: Because, because we did that when we took the money out of MARS and used for Mr. Cramer's salary and, and now we have, we appropriated 10,000 more dollars and we've got new, a new man now, one of the people we employed for nine months is now on the payroll, Ken is, is he not?

Mayor Palin: Right, right.

Councilman Carney: And who's he working for?

Mayor Palin: He is working for Jack Felton.

Mrs. Smith: Where is Tony? What's his position?

Councilman Carney: So we did hire a new person?

Mayor Palin: Tony is one of the is a supervisor in Public Works.

Councilman Carney: So we have hired a new person? You just got done saying we hadn't, but we have. I don't understand how you can say we haven't hired a new person when we have a new person on. He's the same person we had a big fiasco about, whether we were going to extend him to nine months, and now we've got him on twelve months.

Mayor Palin: Right.

Councilman Carney: But I don't want Mrs. Smith to think that we haven't dismantled this department. In fact, we have taken the first steps there. However, it is the decision the Council, as, the, whether or not the em, the em, ah, I guess you'd say the maintenance part of the budget goes to Public Works or stays under Mr. Cramer in Administration and I, that decision, I can assure you has not been made by this Council.

Mayor Palin: That comes under the budget time, Mr. Carney.

Mrs. Smith: Well, I-

Councilman Carney: Could I please finish? Thank you.

Mrs. Smith: Well I do have a question though, I mean, I, I understand that there is now one person in recreation and everything else, in, moo-moved over to Public Works.

Mayor Palin: No mam.

Mrs. Smith: Kay Sloan is in charge of recreation, and Tony is in charge of, of Parks and Rec., ah, Parks-

Mayor Palin: The two seasonal.

Mrs. Smith: So I mean, I, I think there is a lot of confusion here as-

Mayor Palin: Ok, ok now, an, an, under MARS, no it's, it's under Kay Sloan and we don't want to personalize it, but I'll give them the names, it's Kay Sloan and it's the three museum people, so there four people in MARS underneath John Cramer.

Councilwoman Langill: Then it is not your intent, Madame Mayor, to put the Museum under the Librarian?

Mayor Palin: Well, Mary Ellen and I are still working on that one. Whether its going to work or not. All this comes up under budget time when the dollars are-

Councilman Carney: But I understand that. But I think you're misleading this person, when you say that we haven't dismantled this department because we have dismantled that department, and this Council took action to do so, and I'm not going to deny that we took action. I wasn't in favor of it, but I'm not going to deny that we did it. We did it as a body, and I think Mrs. Smith deserves to know that in fact that's what occurred. I don't think you can say it hasn't, because part of the budget went to Public Works, is going to Public Works, and part of it stayed in, in, in, ah, ah, from MARS, which basically no longer exists as a department and, and went to Administration, and I think that Mrs. Smith deserves to know that.

Mayor Palin: Ok, but during the budget time, we're talking about FY98 dollars, we haven't even come to the budget time.

Councilman Carney: But I think-

Mayor Palin: Bottom line is, Mr. Carney may I finish, bottom line is that Council asked, appropriated 10,000 dollars and said, Administration fix Wasilla Wonderland, do what you gotta do to fix Wasilla Wonderland. I did that with the budget that we already had so we didn't have to dip into 10,000 more dollars or the 50,000 dollars also earmarked. We got Wasilla Wonderland fixed. The structure is gonna work even better and more efficiently and that's the bottom line. And I think in fairness to the audience we really should move on to the next issue.

Councilman Carney: Well, well-

Mrs. Smith: Could I ask one more question, because, ah, this also concerns, in that, that the maintenance is moved over to Public Works and but as I understand it, there was some problem about, once that was moved over to the Public Works there, the fencing and all that, following what was the Comprehensive Plan for the fencing, which was already planned in, which, has been changed, now is that?

Mayor Palin: The fencing for Wasilla Wonderland.

Mrs. Smith: For, for Wonderland.

Mayor Palin: There was, there was-

Mrs. Smith: There was a plan for the, the-

Mayor Palin: Ya, and there still is a plan to fence Wasilla Wonderland, that hasn't changed at all.

Mrs. Smith: But ah, ah are the plans that are in the Comprehensive Plan for the fencing Wonderland the same.

Mayor Palin: They're as real today, as they were a month or two months ago, ya.

Mrs. Smith: But the fencing is the same plan?

Mayor Palin: The plan.

Mrs. Smith: That was in the Comprehensive Plan.

Mayor Palin: The plan to fence Wasilla Wonderland is still there, an, an if Council wants to budget for that this budget cycle, for FY98, then Council will pay for a new fence around Wasilla Wonderland

Councilman Carney: We already did, that's what the 50,000 dollars is for.

Mayor Palin: Mr. Carney-

Councilman Chappel: I disagree with Mr. Carney.

Mayor Palin: I disagree.

Councilman Chappel: That 50,000 was for improvements for the whole airport, and what we had done was we had allocated 50,000 dollars, and one thought, train of thought, was for bicycle paths, another train of thought, was for a parking lot for V-, um, for performing arts, another train of thought was a parking lot for Wasilla Wonderland. But it wasn't allocated for just a fence, it was allocated to the whole park.

Mayor Palin: That is true.

Councilman Carney: Didn't, but a fence was a part of it.

Councilman Chappel: The whole thing.

Councilman Carney: The fence was a part of it.

Mayor Palin: Mr. Carney it was, but there were ten or eleven other items . So moving on Council under-

Councilman Carney: Thank you. I didn't.

Councilwoman Keller: Madame Mayor-

Mayor Palin: Yes.

Councilwoman Keller: Can I ask you one question now? When you are asking about the fence, are you asking about a particular type of fence you have in your mind?

s. Smith: Well, my understanding is, in the Comprehensive Plan yes, there is a design for a fence Wonderland.

Councilwoman Keller: Ah ha, does it say a fence, I mean it could be?

Mrs. Smith: No, as I understand it, there was a design for it, you know the whole airport site had plans right and in this plan, I understand there was a plan for fencing of Wonderland.

Councilwoman Keller: Well, I have a bunch of information here on Wonderland Park that I have been looking through. One of the questions that I would like to get an answer from the people that did design it, is, was it designed, intended to be used as a full year Park? And that's somethin that we should consider when we talk about a fence, because if it is intended to be a full year use,

Mrs. Smith: You mean Wonderland?

Councilwoman Keller: Ya, all year, all user, all year long, then we may not need as heavy duty as a fence, as if we were to try to stop people from playing there in the winter time, due to hazardous or liabilities.

Mrs. Smith: Which, you're going to have, I think some problems is, of people not using Wonderland, because its going to be, the plans I last saw when I was on the Planning Commission were for ski trails and a lot of that so there were going to be people around there.

Councilwoman Keller: But the only people that can, can give us guidance on that particular part, of that park is the people that had in their mind, what the design was going to be, and what it was going to be for, and I would like the City to, um, ask the leatherman.

Mayor Palin: You know, tomorrow night we have a work-session with the Parks and Rec. Commission, if everyone can be there at 6:00 and we'll talk in more detail about the fence. Ok, moving on Council.

7. COMMISSION REPORTS:

No reports were given.

8. EXECUTIVE SESSION (SCHEDULED) (8:02 p.m. - 8:40 p.m.)

A. Stambaugh Law Suit; Report from Attorney Koziol

Motion/Second: Fuller/Carney

To go into Executive Session to receive a report on the Stambaugh lawsuit . Motion passed with Mrs. Keller dissenting.

Mayor Palin stated that no action will be taken at this time.

attendance at the Executive Session were the City Council Members, Mayor Palin, Attorney Koziol, and Mr. John Cramer. Attorney Deuser was also in attendance however, he only attended the Executive Session for a few minutes.

UNFINISHED BUSINESS:

A. Proposed Century Park Paving Assessment Area;

1. Resolution No. WR97-10;

Motion/Second: Carney/Chappel

To adopt Resolution No. WR97-10. There was no objection to adding an "s" to authorize in the title, so ordered. Motion passed.

B. Ordinance Serial No. 97-10; Amending Section 13.08.020 (A), City -operated Public Parks, Sites and Recreation Facilities. (Adoption)

Motion/Second: Langill/Chappel

To adopt Ordinance Serial No. 97-10.

Motion/Second: Carney/Langill

To amend Ordinance Serial No. 97-10 by deleting everything in Section 3 and inserting "The following General Rules are established for uses of City-Operated Recreation Facilities."

Motion/Second: Keller/Carney

To delay action until Administration brings forth an Ordinance to eliminate references of "Parks" and replace with "Recreation Facilities" within the next six (6) weeks.

Motion passed.

C. Ordinance Serial No. 97-13; Amending Certain sections of the Wasilla Municipal Code to reduce the Penalties to \$250.00. (Adoption)

Motion/Second: Chappel/Keller

To adopt Ordinance Serial No. 97-13.

Mr. Deuser indicated that the United States Supreme Court is reviewing their initial determination made on 12/27/96 that the enforcement of City Ordinances are quasi-criminal and are not subject to the Constitutional limitation that says you can not fine anyone for more than \$250.00 without full due process. The Supreme Court has since made a decision to review their initial decision and they will be providing a ruling within the next seven (7) months. Mr. Deuser stated he was just informed of this ruling today and recommended tabling Ordinance Serial No. 97-13 until the written opinion has been given.

Motion/Second: Chappel/Carney

To table Ordinance Serial No. 97-13. Motion passed.

- D. Ordinance Serial No. 97-14; FY-97 Budget Amendment (Wasilla Area Community Survey). **(Adoption)**

No action taken.

- E. Ordinance Serial No 97-15; Rezone (Richmond Hills Subdivision). **(Adoption)**

Motion/Second: Keller/Chappel

To adopt Ordinance Serial No. 97-15. Motion passed.

- F. Ordinance Serial No. 97-17; Exempt Employees **(Introduction Delayed)**

Mayor Palin: Moving on to Ordinance Number 97-17, the exempt employees, um, Mr. Carney this is your Ordinance.

Councilman Carney: I'd like to move for introduction and set for public hearing next meeting.

Councilwoman Langill: Second.

Mayor Palin: Moved and seconded to, um, move Ordinance 97-17, an, to introduce it and move it for public hearing at the next meeting.

Councilwoman Keller: Madame Mayor, I'd like to object to the consideration of the question.

Mayor Palin: Ya, why don't we stand at ease for, ah, just a couple of minutes until the parliamentarian figures this out.

Mayor Palin: Ok. We're already ready to reconvene. Lets get this going, lets go.

Councilwoman Keller: Um, the reason that I object to the consideration of this question is for, ah, a few reasons. And a few reasons that I'm tired of, and I hope that my fellow employee members, er, fellow Council Members would consider this. Um, I have a piece of paper here, right here in front of me from the Frontiersman, on November 7th, 1986, where Mr. Carney supported the, the then Mayor, Mr. Harold Newcomb, and it says that Councilman Nick Carney defended the new Mayor's action, he fired someone at a, a, an administrative level. That Council did set a resolution that he could not fire anyone for thirty days to work out the kinks, um, he did it anyway and Mr. Carney's response was the resolution was just advisory, he pointed out he has a legal right to ignore it. Um, so I feel that Mr. Carney's maken, this a personal issue, and I'm tired of personal issues being brought into this Council. Um, were supporting mud slinging. I'm getting muddy, everyone of our Council members are getting muddy and I'm tired of rolling around in the mud, I'm not a pig. Um, I'm here to do a duty and I don't think were, I think we're wasting to much time taking care of personal business when we need to be addressing LID issues, we need to be addressing sewer issues, we have water problems, we have problems, we have, we have the Wonderland Park that we need to do. We have too much city business that is City business, that is not personal business and, and by allowing these things to continue, I just feel like it's just a political slap in the face to Mayor Palin from Mr. Carney and we are sitting here allowing it to happen. We might not support it or we may support it to happen but by just sitting here allowing these things to come before us we're allowing this to happen and I'm tired of it. I

want to get on City business, so I would ask that my fellow Council Members consider this and vote accordingly.

Mayor Palin: Thank you. Any other comments Council?

Councilwoman Keller: There is no discussion on this.

Mayor Palin: Ok.

Councilwoman Langill: I know, that is what I was going to ask.

Mayor Palin: Ok

Councilwoman Keller: I have right, because I'm the one that objected to consideration, but no one else does.

Councilwoman Langill: But we can now discuss the motion.

Mrs. Keller: No, it says debatable no. It's not debatable. You have to vote on consideration of the question.

Mayor Palin: Ok, so I would ask Council to-

Councilwoman Keller: Can I inform the Council what, what it is that I just did. I'll read it out of this book right here, in what this is, is the kind of motion, is to object to consideration of a question. What the object of this motion is, is to prevent wasting time on unimportant business, that's the key words to this, and the effect will suppress the motion.

Councilman Carney: Can we vote please?

Mayor Palin: Ok, we have a three to two vote on this, it fails, that fails, so. Thank you Mrs. Keller, so ya, now discussion on the main motion, Mrs. Langill.

Councilwoman Langill: Ah, I'm sorry if Councilwoman Keller took this personal, but as soon as I was appointed to the Council, the first thing I started doing was reading the Codes and Ordinances and the Personnel Rules, ah, because that is my area of expertise. I saw a very lacking area within the City because of a lot of loop holes and some of it did concern me. And I have to tell you, before, as you said all the mud slinging, all the problems started, this was going to be one of my projects. Now it may have been introduced at an inopportune time by the wrong individual, but if I had introduced this, are you then saying that, would you have the same comments to me? If anybody introduced this right now it would be only done-

Councilwoman Keller: No, I wouldn't have the same comment to you. It just seems that things have come down to a personal level and there's no place for that here.

Mayor Palin: Mr. Carney-

Councilman Carney: I'm really sorry that Mrs. Keller feels that these, this is personal, I'm trying to do

the best job for the City and the way I look at this, these positions are not suppose to be or should not be political. These positions are professional positions, people should be hired on these positions based on there professional expertise. They should not be, ah, as professionals, ah, obligated to support politically any particular candidate in order to keep their jobs. That's the reason I'm introducing this, I, I just don't think the characterization of this is personel, is it all proper.

Mayor Palin: Um, Mrs. Keller and then Mr. Chappel.

Councilwoman Keller: When did you, um, opinion change 180 degrees, Mr. Carney?

Councilman Carney: If you look at the person that was fired by Mr. Newcomb, if you want to go back that far, it happened to be the deputy, his deputy, and I have left the deputy as properly should be, politically appointed because that person sets policy. These other positions are professional people. Of course you haven't been here long enough to know the history, I suspect, or maybe you just didn't investigate it.

Councilwoman Keller: No, I did.

Councilman Carney: There is, also, that says I can change my mind if I think things are gonna be better.

Councilwoman Keller: No this is true, this is true.

Councilman Carney: And I think this is an improvement.

Mayor Palin: Mr. Chappel.

Councilman Chappel: I got, I got a lotta problems. I can't see. Um, I think that all present exempt employees hired on knowing that they were exempt employees. Number 2, we're taking some sort of action right now that is kind of, ah, in alignment with some sorta charges that have brought against the City. And I don't know if this is an appropriate time to even be discussing it, because of a lawsuit an, I, I haven't read the lawsuit, but I, I think, ah, it's kinda in this general area. But you know your opening up a whole can of worms by taking these people from an exempt employee and putting them into a classified. Number 1, ahm, section 3.35.350(b,3,d) of our Code, ah, these people would no longer then receive their one day of grace days off at no charge. Ok, there pay scale would have to meet some sort of reduction because they are no longr an exempt employee. If you look at 3.35.030 (c) there leave, is negotiated by the Mayor or the hiring authority there, and if they are a classified employee then there leave then becomes subject to 3.30.020, which means, and their leave will be based on years of service. Ok now your getting into seniority then, you're taking an exempt employee classifying em as a classified employee, that is basically a new employee so then their seniority should fall back to the day we do this. Then if were going to eliminate a position, cause were gonna to have to eliminate these positions right here, then were gonna have to go a head and re-hire for the new position that's a classified. Ok then, you're placing supervisors as classified people and they are gonna be supervising other classified people. Then we're going to go ahead and allow these people to be in the employee group because they are a classified person now. So you're placen this group of people in with the employee association. Then the best one of all, it's gonna cost the City a lot more money in overtime, because you have now taken them from an exempt employee and you are callin em a classified employee and Mr. Carney if you look at 3.35.050

(b,c,b3c), classified employees receive overtime, exempt employee do not receive overtime. Look it then maybe you won't shake your head.

Mayor Palin: Mr. Carney.

Councilman Carney: Sounds better every time I hear it except for your last statement about overtime, which I think we can avoid with, with adjustment in not having people show up when they are not needed here. I think your arguments are exactly the kinds, ah, things that need to be done with these, these employees. But I really don't think this is the time or the place to be debating the merits of this. This took motion, this for introduction and put into public hearing, not for adoption and I think we need to hear what the public has to say about this particular approach, to how the City Government is organized. That's what I'm trying to do, find out what the public wants to say about it. I don't see any reason why we can't do that.

Mayor Palin: Other discussion Council?

Councilwoman Langill: Madame Mayor, I would support the Ordinance once again because it is an area that I have been studying within the City, it does need to be cleaned up. Ahm, I would make some amendments to this Ordinance, if it does pass to public hearing and back to the table, ahm, but it is needed as far as I'm concerned, it is not personal, it is not political, its good management practice.

Mayor Palin: That only the Deputy Administrator and the Mayor's Secretary would be exempt, at will for cause employees?

Councilwoman Langill: In the environment of the City of Wasilla, for the size of, lets call it the company. Ah it's absolutely ridicules that this size of the company requires this many exempt employees.

Mayor Palin: They have the same duties.

Councilman Carney: Please lets not debate.

Mayor Palin: Council please, if, if there is, if there is no more discussion. Mr. Fuller does.

Councilman Fuller: Um, Madame Mayor, thank you. Ah, I agree in principal with my two esteemed colleagues to the left, ah, but Mr. Carney is right, lets, ah, put it to public, ah, comment and, ah, kill it later on if, if we so desire.

Councilwoman Keller: Madame Mayor.

Mayor Palin: Yes.

Councilwoman Keller: Mr. Fuller, if your opposed to it don't you feel that we have more important business to discuss then to, don't you think it's kind of a slap in the public, in the face of the public to come forth and say bring us your time, bring us your worries, psht who cares. That's rude ok. If we don't support it, we don't support it today and we won't support it in two weeks and we won't support it in two years unless somebody comes forth with some extremely different type of information to

make you change your mind. Which may happen and which you should be open and I should be open to. But, if you don't support it then let's don't support it.

Councilman Carney: In other words your not going to listen to other people.

Mayor Palin: Mrs., Ah, Langill.

Councilwoman Keller: The people have my phone number, they're welcome to call me and lobby me. I'm home all day and if not my answering machine is on. Thank you very much.

Mayor Palin: Mrs. Langill.

Councilwoman Langill: Madame Mayor, that was going to be my question. Is that, then you don't feel it's necessary to have in public input other then by you, clarified, receiving phone calls?

Councilwoman Keller: Not for this particular issue, I do not.

Councilwoman Langill: Ah, I would like to amend the motion to table this, ah, until the meeting last meeting of April, um, to get further information from the public on this.

Mayor Palin: So you would like to table this to the last meeting in April?

Councilwoman Langill: Yes mam.

Mayor Palin: Ok.

Councilwoman Keller: So what motion are we voting on here?

Councilman Chappel: There's no motion yet.

Mrs. Keller: Ok, ok.

Councilman Chappel: There's no second.

Councilman Carney: Was that a motion that she made?

Councilwoman Langill: Yes, yes.

Councilman Carney: Did you mean to delay?

Councilwoman Langill: Delay and so delay.

Councilwoman Keller: Can I ask a question for her motion?

Councilman Carney: Not until we get a second and not on this motion.

Councilwoman Keller: Ok.

Mayor Palin: And it appears to die for lack of a second. Still before us is the main motion whether to produce and set for public hearing 97-17. Did you have another comment Diane?

Councilwoman Keller: Ya, I just was wondering why, where, what Mrs. Langill information she was going to gather, I mean maybe it's somem I wanna see, you know, that was my question.

Mayor Palin: Um-hm, Mrs. Langill.

Councilwoman Langill: Ah, I have decided because of again the political atmosphere within the City Halls and some comments made to me and against me for some of the actions I have taken as if I don't have people out there supporting me or interested in what comes before this Council. Ah, every time there is an ordinance of importance to me, I am going to get on the phone and do polling from the voter registration.

Mayor Palin: That's good.

Mrs. Langill: And that was going to be my intent to delay this and then I would show you a list, these are your voters and then you could decide if it warranted public input.

Councilwoman Keller: Would you be, would you be open to all of us receiving a list of all of those public voters so we may all make our polls and call just individuals?

Councilwoman Langill: Ya you can call the same place I did and get a list.

Councilwoman Keller: Well maybe, ya.

Councilwoman Langill: And pay for it hmhmhm.

Mayor Palin: Ok, um, Mr. Chappel did you have another comment?

Councilman Chappel: Call for the question.

Mayor Palin: Questions been called on introduction of 97-17. Please vote. And that fails with Chappel and Keller in opposition.

G. Wasilla City Council Meeting 02/10/97

Mayor Palin: Moving on Council to Item F., Ordinance Serial No., no we have the Wasilla City Council Meeting Minutes from February 10th of 97. Ah, once again the minutes are up for consideration it appears, although they have already been voted on and approved an um, Marj reminded me when we talked about the building code issue back on February 10th that after all of you had voted on the building code issue, that the Mayor does not have to vote to break a tie. I apologize if I mumble through my decision to not vote, uhm, Marj heard me, the Minutes of February 10th reflect the action taken. So let me repeat myself again tonight that I do not chose to vote on the issue, the outcome is the same whether I were to vote or not. Ah, Mr. Carney evidently you wanted these brought up again.

Councilman Carney: I, I want the record to be accurate and I would like to make a motion that these

Councilwoman Langill: Second.

Mayor Palin: Moved and seconded to incorporate the verbatim, just the section that we see here, verbatim into the meeting minutes way back in February, February 10th.

Councilman Carney: Simply a question of whether you want it to be accurate or not, that's the most accurate report we can get. Call for question.

Mayor Palin: Is their discussion Council? Mr. Chappel.

Councilman Chappel: I have a lot of discussion. But I think were looken now at are gonna go ahead and base our decisions on the mic or that board. And what you're saying is you want to base the decisions on that vote on what is said over these mics. If that is true then lets go ahead and remove that board, everything in there, but pass and fail and for now on everything is done over the mic.

Councilwoman Langill: Madame Mayor.

Mayor Palin: I'd like Marj Harris to speak on this issue.

Mrs. Harris: To make a clarification for the the voter board, once the Council has voted anyone can push anyone of these buttons as many times as they want and it's not gonna show on that board. It's locked once I display the motion on that board it's locked and nobody else's vote is going to change or anything else. So whether Mayor Palin had used the voting board or not, it wouldn't have shown. Um, the minutes are the the tapes and whether you use verbatim or you used action minutes, the actual action that count, that happened, that was recorded on the tape, I agree with Miss, Mayor Palin, I did hear her, I spoke with her off to the side. However, it was not clarified and she did state I vote no and that's what's recorded.

Mayor Palin: That I was going to vote no. That's what's on the recording, um, really this is such a non-issue and I, again it's a waist of time.

Councilman Fuller: Madame Mayor that's my point. How do you feel? If, if you have, it's your, I don't know whatever is being called for it. If you don't have any problems with it let's approve it and move on. How do you feel?

Mayor: Palin: Um, I feel that it was approved at the last meeting. Um, I wo, I am uncomfortable putting my name on somethin that didn't happen so I, I'm comfortable with the minutes that reflect that I chose not to vote on the issue.

Councilman Fuller: Which were the previous minutes.

Mayor Palin: Which were the minutes that Mr. Carney and everyone else approved at the last meeting.

Councilwoman Keller: Were those minutes voted on two times?

Mrs. Harris: May, may I make, may I make another correction?

Mayor Palin: Ya.

Mrs. Harris: The minutes that were voted on at the last meeting, I came in on Monday of the meeting and I made a correction to the Minutes. That was after the copying of the meeting that the Minutes that are shown in the meeting packet tonight were printed off on Thursday, off of the computer so they do not have the correction showing that I had made on Monday of February 24th, that is the corrected Minutes.

Mayor Palin: Ok, I have never seen these Marj.

Councilwoman Langill: Could you please read it?

Mrs. Harris: The Minutes, re, uh, the way the Minutes were originally written is the motion and second was Carney and Langill to refer Serial Ordinance No. 97-03 to the Planning Commission and request a revision by 7/1/97. The motion tied with Mr. Carney, Mr. Fuller and Mrs. Langill assenting. Mayor chose not to vote. Motion failed. That is, was, then on Monday after I listened to the tape, I crossed through and hand written by me was, voted no causing the motion to fail.

Mayor Palin: Um, to answer you question Mr. Fuller, I honestly, it's no heart burn to me one way or the other the action taken is the same, um, I wanna move on I don't, I don't really care what you decide.

Councilwoman Langill: Madame Mayor, just one comment, I think this shows the seriousness of you after each motion properly disclosing the vote to everybody on Council and to the public so that, it's very clear to us sitting here and to the public and to the record what the vote was.

Mayor Palin: I agree with you, I need to speak clearer into the microphone. Thank you. Moving on Council then.

Councilman Carney: There's a motion on the floor, we need to vote on.

Mayor Palin: Motion on the floor, Council please vote.

Councilwoman Keller: Can I just ask one more question?

Mayor Palin: Yes.

Councilwoman Keller: How many more time are gonna have to, er, is this some somethin were gonna say ok from now on if we disagree were gonna ask for verbatim minutes, is that?

Mayor Palin: I don't know, Mr. Carney.

Councilman Carney: What's that?

Councilwoman Langill: I can address that again Madame Mayor?

Mayor Palin: Um Mrs. Keller who did you want to ask

Councilwoman Keller: Who ever can answer it.

Mayor Palin: Ok.

Councilwoman Langill: I can.

Mayor Palin: Ok.

Councilwoman Langill: Again as I brought up earlier, as one of the supervisors of the City Clerk, we are working with the Clerk's Office to come up with a better formula for doin our Minutes. Ah, as you can see tonight, we are starting that exercise so hopefully with the Minutes being more clear and if the Mayor is more clear when she announces the votes and the final actions, it will be perfectly clear when get our packets. And there shouldn't be any future questions.

Councilwoman Keller: Can I ask one other question about about the minutes from this meeting?

Mayor Palin: Sure, sure.

Councilwoman Keller: And I don't know if everybody else has their Minutes from this meeting, but my question is about, ah, the lawsuit and it's pertain, the way the Minutes are taken. Because I have a lot of questions that arose from reading these Minutes. Um, it's, it's states in here, it's about the, ah, Executive Session and it talks-

Mayor Palin: Do you have a page number?

Councilwoman Keller: Um, it's page number 4

Mayor Palin: Ok.

Councilwoman Keller: From 2/10/97 in the middle of the page, it starts out with Mr. Due, Mr. Deuser. An the statement that I have a question, it's, it's taken about, he explained that Mr. Eggers is available in the audience as well as a representative for the AML/JIA, then it goes on the say, Mr. Gene Dahlgren from Northern Adjusters along with Attorney Mr. Frank Koyzel.

Mayor Palin: Koziol.

Councilwoman Keller: Koziol, retained by AML/JIO JIA, this is where I have my questions. Also in the audience is wister, Mister William Jermain and his clients and that is a plural. Mr. Deuser stated that Mr. Jermain had indicated that his clients plural had requested that the questions regarding their situation be discussed in an open meeting, which is their right. Who's their clients? Who's Mr. Jermain's clients. Is it my, isn't that Mr. Stambaugh's lawyer?

Mayor Palin: Right.

Councilwoman Keller: Does the City have another person suing us that I don't know about?

Mayor Palin: No. So is that what you're asking that these be more explicit in an, instead of saying
ents, it says Mr. Stambaugh?

Councilwoman Keller: Yes, yes. Well if it has his name or-

Mayor Palin: Ok.

Councilwoman Langill: There were two clients it was plural.

Mayor Palin: She's asken if their was another, if their was another lawsuit.

Councilwoman Langill: The attorney was here representing two clients that evening.

Councilman Carney: There were two clients here.

Mrs. Harris: Two at that point, Emmons and Stambaugh.

Councilwoman Keller: Could that be stated who they are just so that when Mr. Lockwood goes to
look, goes to look for it, he's not gonna have to go back another month an find that.

Mayor Palin: Can you do that Marj?

Councilman Carney: I disagree, I don't think it should be showing if they weren't identified by name
the time and they weren't, so it's not on the record.

Councilwoman Langill: Neither do I.

Councilman Carney: I don't think we should have things in the Minutes that are not on the record.

Mayor Palin: We'd have to go back and listen to the tapes and see if they were identified.

Councilman Carney: I know they weren't.

Councilwoman Keller: They are identified in the next, in the next-

Councilman Chappel: Ah, Madame Mayor.

Mayor Palin: Yes.

Councilman Chappel: I think that we need to back to the tapes and find out if they were identified.

Mayor Palin: True, the next paragraph they were, right?

Councilwoman Keller: It states in the, in the very next paragraph it states that Mr. Eggers indicated
at Mayor Palin then gave consideration to the intent and went through the, with the termination of
Chief Stambaugh.

Mayor Palin: Ok, so you would like-

Councilwoman Keller: But, it still makes me wonder, is Mrs. Emmons involved in a lawsuit? From what you read here, it makes you believe that he is representing two (2) clients in a lawsuit.

Councilman Carney: He is, no, no it doesn't say anything about a lawsuit for her.

Councilwoman Langill: We weren't on at lawsuit stage here.

Mayor Palin: No, but I know what you're asking, to be more explicit, to have the names in there instead of client or clients.

Councilwoman Keller: Ya.

Mayor Palin: Ya, ok, um, we can correct those Minutes if, if in fact the tape would allow us to do so. Correct Marj?

Mrs. Harris: Item A, of number eight (8), exposure due to Stambaugh firing and Emmons Personnel Action, they are listed.

Mayor Palin: Ya, they already said their names.

Mrs. Harris: They are listed, both at that point, and-

Mayor Palin: So that's a good point Mrs. Keller, that ya-

Mrs. Harris: And I could put Stambaugh and Emmons in parenthesis.

Mayor Palin: Ok.

Councilwoman Langill: Only if the tape shows the Attorney stated their names at that point.

Mayor Palin: Well, this doesn't show the Attorney's stated their names.

Mrs. Harris: This verbiage is not verbatim.

Councilman Carney: Can we move on?

Councilwoman Langill: Ya, lets move on.

Mayor Palin: Ok, I would agree with Mrs. Keller that it could be more explicit.

Councilman Carney: Whatever.

Mayor Palin: Instead of saying clients it could have their names.

Councilwoman: It just needs to be more user friendly for somebody that's trying to gather information in the future.

Mayor Palin: Right, ok.

Councilwoman Keller: That's all I'm trying to say.

Mayor Palin: Which is just what you guys were saying, so ya, ok.

Councilman Chappel: So ah, are we gonna be maken that change to the Minutes?

Councilman Carney: I don't care.

Mrs. Harris: I just did.

Mayor Palin: Ya.

Councilman Chappel: You did?

Mayor Palin: Do we need to vote on the, on these minute change?

Councilman Fuller: Ya.

Mayor Palin: Ok, ok moving on Council.

Councilman Carney: Did we vote?

Councilman Fuller: We need to vote on this.

Mayor Palin: On?

Councilman Carney: On my motion.

Mrs. Harris: On the, on the motion, no that vote been-

Councilman Carney: I think we need to do it.

Councilman Fuller: Can you repeat the motion also?

Councilman Carney: The motion was to, was to adopt the verbatim transcript for that particular section, to set the record absolutely straight.

Councilwoman Langill: From the 2/10/97 meeting Minutes.

Councilman Carney: Ya.

Mayor Palin: But it still doesn't change the, the minutes that they approved, Marj are the ones that aren't corrected by your hand written correction?

Councilwoman Langill: I already voted.

Councilman Carney: I did too.

Councilwoman Langill: I think when we probably started-

Councilman Carney: About twenty minutes ago, it's a simple matter.

Councilwoman Keller: But don't the record, doesn't the Minutes already approved, reflect what happened?

Councilman Carney: You want the record-

Councilwoman Langill: No they do not.

Councilman Carney: The one's I got do not.

Mrs. Harris: What was copied off did not reflect the correction that I made, to the Minutes.

Mayor Palin: Ok Council please vote on Mr. Carney's um motion to add the verbatim transcripts into that section of the February 10th Council Meeting Minutes, please vote. That passes with Mr. Chappel dissenting.

H. Ordinance Serial No. 97-16; Amending the FY-97; General Fund Legal Services

Mayor Palin: Moving on Council to Item H., under Unfinished Business, 97-16, is that correct?

Councilman Fuller: Eighteen.

Councilwoman Langill: Eighteen.

Councilman Carney: Sixteen.

Councilwoman Langill: Sixteen, what's sixteen?

Councilman Carney: The legal fund.

Mrs. Harris: 97-16.

Mayor Palin: 97-16 the legal fund, where is that?

Mrs. Harris: It's under, um, Public Hearing. Oh, ok and it's under Public Hearing in your packet, ok Mr. Chappel this is yours.

Councilman Carney: You got us here, get us out of it.

Councilman Chappel: No I didn't get us here.

Councilman Carney: You did to, you lowered that thing last year twenty thousand bucks, there it is.

Councilman Chappel: Thank you Mr. Carney, if you would, ah, look at the old record you would see that I tried to increase it fifty thousand .

Councilwoman Langill: Let's get a motion on the floor please.

Councilman Chappel: I'd like to, ah, make a motion to adopt 97-16.

Councilwoman Keller: I'll second that.

Mayor Palin: Moved and seconded to adopt 97-16, this is an ordinance amending the FY97 budget by appropriating funds to the General Fund. It appropriates additional funds to cover legal expenditures, which in past years Council as you know, we've always, we usually do over spend legal services and at the last minute before the new budgets passed we have to appropriate new funds, we're doin it early this year so that the public is not dooped into thinkin we're not spendin money on legal fees, Mr. Chappel.

Councilman Chappel: Ah, I have a little bit of case history if people want to hear it.

Mayor Palin: Umhm-

Councilman Chappel: Ah, does anybody on Council want to hear case history? Ok, ah fiscal year 94, the budget amount was twenty eight thousand for legal, we spent thirty, almost thirty-one thousand. Fiscal year 95, the budgeted amount was thirty-five thousand we spent almost forty-seven thousand. Ah, fiscal year 96 the budgeted amount was thirty-one thousand, ah, the audit amount was forty-nine thousand one hundred and eighteen, ok. Ah, then I figured exac, exactly what were consuming per month in the legal area. Were consuming roughly thirty-five hundred almost thirty-six hundred dollars a month in the legal area. Ah, so if you went times that by twelve, basically the budget needs, ah, be, forty-three thousand dollars if we consume money at the same rate.

Mayor Palin: Right.

Councilman Chappel: And what this would do, would it, would take us from the twenty-five thousand (\$25,000.00) up to forty-five thousand (\$45,000.00).

Councilman Fuller: Mr. Chap-

Mayor Palin: Mr. Fuller.

Councilman Fuller: I'm sorry Mr. Chappel, I, I don't want the public's perception to be that we are appropriating money for (clear throat) ah, the ah, law suit~~s~~ that we are presently involved with, with the ex-fire chief, ur, ex-police chief is that right?

Councilman Chappel: Well no, I, there is some money in here, um, for that issue. At the beginning I wa, I hate ta, dig it out but, ahm, there is, that's probably not, ah, very good, there's eight-teen hundred and fifty dollars (\$1,850.00) of this is for, I had it here, I found it. Eight-teen hundred and fifty dollars (\$1,850.00) is spent on Personnel Issues as of the end of November and that would include stuff from John Stein and Sarah and-

Mayor Palin: Ok.

Councilman Chappel: So yes there, there is some, ah, on that.

Mayor Palin: Other discussion Council on 97-16? Mrs. Langill.

Councilwoman Langill: Madame Mayor, I cannot in good conscious support this Ordinance if appropriating any additional funds that were not part of a budget. Where the Council at that time had how many years of past expenditure information and they know that the budget amount they were putting into the budget and voting on was not going to cover their cost. Uh again, it's unbudgeted, I think Administration should go back take the twenty thousand dollars (\$20,000.00) out of their other accounts to cover these expenses.

Mayor Palin: Anybody else have any comments? Council are you ready to vote on 97-16?

Councilwoman Keller: No Madame Mayor, I have a question.

Mayor Palin: Yes.

Councilwoman Keller: Um, this is something that is going to be covered for us under budget. Is that correct?

Mayor Palin: This is.

Councilwoman Keller: When we talk about budget coming up.

Mayor Palin: Oh ya, ya FY98 we'll talk about a new number, yes.

Councilwoman Keller: This is, this is something, and we'll, when we discuss it at that time we'll have Mr. Deuser's hourly rate, monthly rate, however it is all.

Mayor Palin: His contract, right.

Councilwoman Keller: All incorporated, yes we'll be allowed to look at his contract and and encompass all of this information.

Mayor Palin: Right , right.

Councilwoman Keller: When we look at this at the budget process.

Mayor Palin: Ya, we can provide all of that, yes.

Councilwoman Langill: This is not funding only Mr. Deuser.

Councilwoman Keller: Muhm.

Councilwoman Langill: Ok I just wanted to clarify that.

Mayor Palin: Right, all past legal services, the line item hasn't exclusively gone to Mr. Deuser they've always gone to whatever attorney has been necessary, needed. Council ready to vote on 97-
, please vote.

Councilman Chappel: Madame Mayor I'd like to change my vote.

Councilwoman Keller: I haven't voted yet.

Mayor Palin: Mrs. Keller hasn't voted but already Mr. Chappel wants to change his vote before I announced it, so he may do that.

Councilman Chappel: Madame Mayor, I'm requesting reconsideration at the next meeting.

Councilwoman Langill: It has to be in the affirmative vote.

Councilman Chappel: I did, I changed my vote to a yes, I mean to a no, excuse me.

Councilwoman Langill: It's not an affirmative vote.

Councilman Carney: It doesn't have to be, prevailing side , prevailing side.

Mayor Palin: It has to be on the prevailing side so, so that's, that's excepted, that, this can be brought up for reconsideration as Mr. Chappel changed his vote.

Councilwoman Langill: I would ask for a motion of reconsideration accordance with Robert's Rules of Order.

Mayor Palin: Mr. Carney has not voted in the past on issues and no one has made him stick to it, when he has refused to.

Someone from Audience: We can't hear you.

Mrs. Harris: What I was saying was, Mrs. Keller as a Councilmember is not allowed to refuse to vote as a Council Member.

Councilwoman Keller: I didn't refuse to vote. I was still trying to make mind up.

Mrs. Harris: Well she was moving on.

Councilwoman Keller: I didn't get my finger on the button fast enough.

Mrs. Harris: She's moving so I need-

Mrs. Palin: No I'm not.

Councilwoman Harris: So I need-

Mayor Palin: I'm not moving, I'm-

Mayor Palin: Ok, I'm sorry, I thought you were moving on and I need to be able to record what happened and I can't if I don't have all the answers.

Mayor Palin: I'm not going to announce the vote then until it's, they decide what to do.

Mrs. Harris: Yes.

Councilman Fuller: No pressure.

Councilwoman Keller: Well we need the funds, I mean, I'll vote to to fund it. But it's some, um, that should be scrutinized at budget time.

Mayor Palin: Right.

Councilwoman Keller: If were gonna say were gonna spend x amount of dollars on legal fees, then we should either try to stick to that or appropriate more.

Mayor Palin: Right and in the past we haven't practiced that so your right . Ok so it remains to be reconsidered with Mr. Chappel change of his vote.

Councilwoman Langill: Madame Mayor, point of order. I want the reconsideration to be a motion in accordance with Robert's Rules of Order and voted on right now.

Mayor Palin: Ok, It's been moved to reconsider is there a second?

Councilman Carney: Who made that motion?

Mayor Palin: Mr. Chappel.

Mrs. Harris: I'm sorry wasn't Mr. Chapple's request to reconsider at the next meeting?

Councilman Chappel: Yes, it was.

Councilman Fuller: Um hm, that's right.

Councilwoman Langill: To reconsider requires a motion.

Councilman Fuller: On whose part.

Councilman Carney: I think he can call for it at the next meeting.

Councilwoman Langill: No he cannot.

Councilman Carney: I think he can.

Councilwoman Langill: I asked a State Parliamentarian.

Mayor Palin: Oh he, he can ask even throughout, the, ah, tomorrow he can ask for it to be considered, without the vote of the Council. He can bring it up at the next meeting.

Mrs. Harris: He can bring it up.

Councilwoman Langill: He can bring it up at the next meeting, but it must be a motion to reconsider which has to be voted on.

Councilman Carney: But, he can do it at the next meeting.

Councilwoman Keller: It does need to be voted on and it needs to have a majority to pass.

Councilman Carney: Where are we?

Mayor Palin: The Parliamentarian is looking in the Parliamentary book.

Councilman Carney: May we ease for two (2) minutes?

Mrs. Harris: You, you can ask for reconsideration immediately.

Mayor Palin: No necessarily.

Mrs. Harris: And it needs to be voted on.

Mayor Palin: Ok.

Mrs. Harris: Or you can ask for reconsideration to a date specific and at that point it needs to be voted on.

Mayor Palin: Ok and he asked for a date specific.

Councilwoman. Langill: Needs to be voted on.

Councilman Chappel: Can we play back the tape to make sure that I stated the next meeting?

Councilwoman Langill: And it still need to be.

Mrs. Harris: You did.

Mayor Palin: You did.

Mrs. Newman: You did

Councilman Chappel: Well I don't know.

Councilwoman Langill: It still needs to be voted on.

Councilman Chappel: I don't know if I did, hey look.

Councilwoman Langill: It still needs to be voted on.

Councilman Chappel: No, at the next meeting.

Councilwoman Langill: No.

Councilman Chappel: It needs to be voted on at the next meeting because I made it a date, is that correct Marj?

Mrs. Harris: That is my understanding of it.

Councilman Chappel: Ok, she's our Parliament, uh-

Mrs. Harris: And I will clarify that with a registered Parliamentarian tomorrow, when I can get a hold of her.

Councilwoman Langill: But it will be a motion to reconsider at the next meeting.

Councilman Chappel: Yes.

Mayor Palin Ok, um, were not standing at recess but he left anyway, um, well we can move on I guess.

Councilwoman Keller: Mr. Carney left?

Councilwoman Langill: Well he asked he said at ease, were we gonna be at ease for a couple seconds.

Mayor Palin: And I said-

Councilwoman Langill: Mayor said yes.

Mayor Palin: No, I didn't.

Councilman Fuller: Mayor said no.

Councilwoman Langill: Mayor said no, I'm sorry.

Mayor Palin: Ok moving on then Council to, um, moving on to New Business Council, Ordinance Serial No. 97-18, the Personnel Property Tax.

10. NEW BUSINESS:

A. Ordinance Serial No. 97-18; Personal Property Tax (Introduction)

Motion/Second: Carney/Langill

To introduce Ordinance Serial No. 97-18 and schedule for public hearing at the next regular City

otion passed.

B. Budget Analysis Report 01/97

No action taken.

C. CM. No. 97-10; Alaska Health Fair Sponsorship;

No action taken.

D. Ordinance Serial No. 97-19; Wasilla Development Code District Use Chart (Introduction)

1. CM. No. 97-11;
2. Wasilla Planning Commission Resolution No. 97-09

Motion/Second: Carney/Langill

To introduce Ordinance Serial No. 97-19 and schedule for public hearing at the next regular City Council meeting, 3/24/97. Motion passed.

E. IM. No. 97-09; Museum Days/Hour of Operation (Requested by Councilwoman Keller)

Councilwoman Keller requested that Administration provide information on the cost for having the Museum open seven (7) days a week and the amount of revenue generated.

Councilman Chappel suggested Council and Administration look at the hours of operation for the Museum and perhaps adjust the hours by looking at hours of operation of other museums including days and months of the year.

F. IM. No. 97-12; Health Insurance Costs (Requested by Councilwoman Keller)

Councilwoman Keller stated she does not feel the City of Wasilla should cover any portion of the employees dependent health care premiums. Under the direction of Council, Mrs. Harris will bring forth additional premiums and cost estimates.

G. Resolution No. WR97-11; Supporting Construction Hours for the Parks Highway Upgrade.

Motion/Second: Keller/Chappel

To adopt Resolution No. WR97-11. Motion passed with Mrs. Langill dissenting.

H. Council Memorandum 97-12; Police Dispatch Costs

1. Ordinance Serial No. 97-20; Amending the FY-97 Budget by Appropriating Additional Funds to the General Fund.

Motion/Second: Carney/Chappel

To introduce Ordinance Serial No. 97-20 and schedule for public hearing at the next regular City Council meeting, 3/24/97.

Motion passed.

11. COMMUNICATIONS:

- A. Wasilla Planning Commission; Regular meeting minutes
- B. IM. No. 97-10; Parks Powers Delegation to the City

Mr. Cramer reported he is currently working with Borough Manager Don Moore and anticipates presenting information on IM. No. 97-10 to Council by April 28, 1997.

- C. Administrative Policy No. 97-01; Response to Snow and Ice Conditions on City Streets

There was no objection from Council to hold a public hearing on Administrative Policy No. 97-01 at the next regular City Council meeting, 3/24/97. So ordered.

- D. IM. No. 97-11; Travel Outside for National Playground Safety Institute/AML/JIA Playground Safety Information

Motion/Second: Langill/Carney

To move forward with the AML/JIA training. Motion passed.

12. STAFF REPORTS:

Mr. John Cramer; Reported that the City is moving ahead with the Bumpus Ballfield project under the direction of the Parks and Recreation Commission. Mr. Cramer asked Council to review a packet from Bert Lent and requested direction from Council as to how to proceed with the development of the Bumpus Ballfields at the next regular City Council meeting on 3/24/97.

Mr. Jack Felton; Reported on the press release received on 3/4/97, the Wasilla Area Seniors were granted funds for a housing project and spoke of concern over the water system expansion and the need to begin right away on engineering with a soil source with Gilfilian Engineers because of the work they have already done.

Councilwoman Langill requested Administration put together a plan for the cost and time frame with letters of intent from developers, homes and WASI for the expansion of water to go up Knik Road.

Motion/Second: Carney/Chappel

To proceed with the Construction Plans for engineering with an ordinance ready for introduction at the next regular City Council meeting on 3/24/97 with a clause that the City is not obligated to go forward with the Knik Road Extension. Motion Passed.

Mayor Palin; Ok moving on then Council, more staff reports from the Mayor's Office and then I'll ask

Marj., um, Wasilla Wonderland people want to meet with Parks and Rec. people tomorrow night an hour before the Parks and Rec. meeting it starts at 7:00 so at 6:00 if any Council Members can be there and Mr. Felton will be there.

Councilman Fuller: Where's this meeting at?

Mayor Palin: Here an hour before the regularly scheduled Parks and Rec. meeting. Mr. Cramer will be there and we'll try to answer some of the Wasilla Wonderland questions. Also, um, if Council's curious as to the, remember the CIRI, the development corporation that we lent our name to so that CIRI could get money to build their alcohol treatment center in Anchorage. Anchorage was at it's bonded in debtness so Wasilla was used and then a four thousand donation (\$4,000.00) was gonna go to the Playground Project. We've been waiting to hear back, where that four thousand dollars (\$4,000.00) is. Well the closing documents um are now null and void because on October 17th, 1996 they were signed with John Stein's signature as the Mayor. He wasn't the Mayor then I was so all of those documents now, the City had not authorized the dating or delivery the documents of that October closing so it, some of these, the paperwork has to be redone and, ah, there's going to be a huge delay.

Councilman Fuller: Are we going to get our four thousand (\$4,000.00) or not?

Mayor Palin: We don't know.

Councilman Fuller: Oh.

Mayor Palin: We don't know.

Councilman Chappel: Ah, Madame Mayor, four thousand (\$4,000.00) before you sign.

Mayor Palin: Ya, does Council wanna continue the meeting?

Councilman Fuller: No.

Mayor Palin: We don't have to.

Councilwoman Keller: I make a motion that we continue the meeting for no longer than one half-

Mayor Palin: Ok.

Councilman Fuller: Nobody second that motion.

Mayor Palin: Moved to continue the meeting for no longer that half an hour.

Councilman Chappel: Well were dead in one minute.

Councilwoman Keller: Come on you guys, you made me go to the Mat-Su Borough and your not even going to let me give my report.

Mayor Palin: Hearing no second the meeting is going to adjourn at 11:00. She needs to give her

report you guys.

Councilman Carney: (Laughter) I, I'll, I will, I will, I will make, did that die for lack of a second?

Councilman Fuller: Ya.

Councilman Carney: I'll move to continue the meeting long enough to hear Audience Comments.

Mayor Palin: Thank you, thank you. Ok Marj do you have a report?

Councilman Carney: We better have a second to that.

Mrs. Harris: It has to get a second.

Councilwoman Langill: Second.

Mayor Palin: Moved and seconded, no objection. Marj you can give your report.

Clerk's Office; Mrs. Harris reported that the Planning Commission would like to reschedule the work-session with the Planning Commission originally scheduled for 3/18/97 at 6:00 p.m. until the next regular City Council meeting on 3/24/97 at 6:00 p.m. Mrs. Harris requested Council bring their Code Books in for updating, the code updates will be available by the end of the week.

Finance; Dean Baugh reported on sales tax issues.

13. AUDIENCE COMMENTS:

A. Anne Kilkenny; Mrs. Kilkenny commented on the Knik road pathway planning. Administration indicated it would address suggestions of path locations.

B. Dean Baugh; Wasilla City Finance Department; Mr. Baugh attended the Council Meeting this evening on his own time, and reported that the lawsuit the City of Wasilla filed against Cummins Dry-cleaning on past sales tax has been settled. The City received a check in the amount of \$15,000.00.

14. COUNCIL COMMENTS:

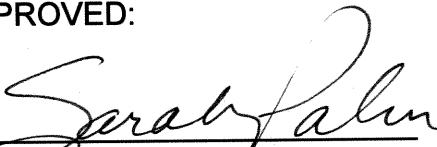
Councilman Carney stated he will not be at the next regular City Council Meeting on 3/24/97.

Councilwoman Keller reported that she attended the Matanuska-Susitna Borough meeting on 3/4/97 and feels the "Borough's nose was bent out of shape" in regards to the library survey sent out. She feels the Borough believes they did not receive the credit they deserve and have never been formally invited to any meetings.

ADJOURNMENT:


There being no further business the meeting adjourned at 11:15 p.m.

APPROVED:



SARAH H. PALIN, Mayor

RESPECTFULLY SUBMITTED:



MARJORIE D. HARRIS, CMC
City Clerk