

WASILLA CITY COUNCIL
REGULAR MEETING AGENDA
DATE: MONDAY, 09/22/97 TIME: 7:00 P.M.

CALL TO ORDER, PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA:

4. CONSENT AGENDA:

A. Regular Meeting Minutes 09/08/97; Recommend: Approval as Presented.

MOVED TO NEW BUSINESS
B. Ordinance Serial No. 97-62; Authorizing the conveyance of an easement for use by Wasilla Area Seniors, Inc. for the senior housing project; Recommend: Adoption of Ordinance Serial No. 97-62 as an emergency ordinance and introduction and schedule for public hearing and final action of Ordinance Serial No. 97-62 at the next regular meeting on 10/13/97.

C. CM. No. 97-74; Request for Sewer Connection Assistance Program; Lot 4A, Block 6, Lakeview Subdivision; Recommend: Approve the application of John and Linda Luberger for a residential assistance grant, to assist in connecting to the City Sewer System, with 50% of eligible costs reimbursed in a combination loan/grant by the City not to exceed \$8,000, and that the principal and interest collected from these loans be placed back into the sewer connection loan/grant program to perpetuate the fund.

D. CM. 97-75; Unleaded Gasoline Procurement; Recommend: Accept all Procurements and Award the ^{CONTRACT} Procurement to Wasilla Chevron for \$0.971 per gallon for the period of October 15, 1997 through June 30, 1997.

E. Ordinance Serial No. 97-60; Amending Section 16.43.402, Administration Approval and Use Permits, Section 16.43.502, Procedure for Elevations, Section 16.43.506, Procedure for Commission Approval with Regard to Mailout Requirements for Public Notice, and Section 16.43.804, Subdivision of the Wasilla Municipal Code; Recommend: Introduction and schedule for public hearing and final action at the next regular meeting, 10/13/97.

1. IM. No. 97-59; Recommend for Amendment of Wasilla Development Code Chapter 16.43 Relating to Mailout Distances and Subdivisions Procedures.

5. PUBLIC HEARING:

A. Ordinance Serial No. 97-27; Amending Chapter 14.12, Driveway Approach Construction, of the Wasilla Municipal Code.

B. Ordinance Serial No. 97-27 (substitute #1); Amending Chapter 14.12, Driveway Approach Construction, of the Wasilla Municipal Code.

1. CM. No. 97-73; Proposed changes to Ordinance Serial No. 97-27 (Substitute)

C. Ordinance Serial No. 97-57; Amending Chapter 13.08.050, Enforcement of City Parks and Recreations Facility Rules, of the Wasilla Municipal Code.

D. Ordinance Serial No. 97-58; Amending Chapter 9.04, Business License Fees, of the Wasilla Municipal Code.

E. Ordinance Serial No. 97-59; Amending Chapter 4.10, Candidates, of the Wasilla Municipal Code.

F. Ordinance Serial No. 97-59 (substitute); Amending Section 2.04.020, Qualifications of Councilmen, Section 2.16.025, Qualifications of Mayor, and Chapter 4.10, Candidates, of the Wasilla Municipal Code.

6. PERSONS TO BE HEARD: (3 MINUTE LIMIT)

A. Ray McCarthy; Jr. Iditarod

7. COMMISSION REPORTS:

8. UNFINISHED BUSINESS:

- A. Ordinance Serial No. 97-55; Amending the FY-98 Budget by Appropriating Additional Funds to the General Fund for the Volleyball Program. **(Adoption)**
- B. Ordinance Serial No. 97-56; Amending the FY-98 Budget by Appropriating Funds to the Sewer CIP Funds. **(Adoption)**

9. NEW BUSINESS:

- A. Ordinance Serial No. 97-62 (MOVED FROM Consent Agenda)

10. EXECUTIVE SESSION (None Scheduled)

11. COMMUNICATIONS:

- A. IM. No. 97-57; Proposal submitted by Artist Video Team Productions
- B. Wasilla Planning Commission; Meeting Minutes, 08/26/97
- C. IM. No. 97-60; Snowmachines
- D. IM. No. 97-61; Amendments to Planning Commission Resolution No. 97-35.
- E. IM. No. 97-58; Capital Improvements Project Recommendation Committee (CIPRC)

12. STAFF REPORTS:

13. AUDIENCE COMMENTS:

14. COUNCIL COMMENTS:

15. ADJOURNMENT:

**NOTE: The next regular meeting of the Wasilla City Council will be
MONDAY, OCTOBER 13, 1997 AT 7:00 P.M.**



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-9085

WASILLA CITY COUNCIL REGULAR MEETING MINUTES DATE: MONDAY, 09/22/97 TIME: 7:00 P.M.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE:

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

2. ROLL CALL:

<u>COUNCIL:</u>		<u>STAFF:</u>
Mr. Carney	Mayor Palin	Mr. Jacobus, City Attorney
Mr. Chappel	Mr. Cramer, Deputy Administrator	Mr. Krug, City Planner
Mr. Fuller	Mr. Baugh, Sr. Accountant	Mr. Nelson, Finance Director (Excused)
Mrs. Keller	Mrs. Emmons, Library Director	Mrs. Newman, Deputy Clerk
Mrs. Langill	Mr. Fannon, Chief of Police	Mrs. Roberts, Public Works Director
Mrs. Patrick	Mrs. Harris, City Clerk	

3. APPROVAL OF AGENDA:

The agenda was approved with the following changes;

Add under unfinished business, item C., Old Airport Site Fencing.

Move item B., from the consent agenda to new business, item A.

No objection to the adjustment of the agenda, so ordered.

4. CONSENT AGENDA:

- A. Regular Meeting Minutes 09/08/97; **Recommend:** Approval as Presented.
- B. **Moved to New Business, item A.**
- C. CM. No. 97-74; Request for Sewer Connection Assistance Program; Lot 4A, Block 6, Lakeview Subdivision; **Recommend:** Approve the application of John and Linda Luberger for a residential assistance grant, to assist in connecting to the City Sewer System, with 50% of eligible costs reimbursed in a combination loan/grant by the City not to exceed \$8,000, and that the principal and interest collected from these loans be placed back into the sewer connection loan/grant program to perpetuate the fund.
- D. CM. 97-75; Unleaded Gasoline Procurement; **Recommend:** Accept all procurements and award the contract to Wasilla Chevron for \$0.971 per gallon for the period of October 15, 1997 through June 30, 1998.

- E. Ordinance Serial No. 97-60; Amending Section 16.43.402, Administration approval and use permits, Section 16.43.502, Procedure for Elevations, Section 16.43.506, Procedure for Commission Approval with Regard to Mailout Requirements for Public Notice, and Section 16.43.804, Subdivision of the Wasilla Municipal Code; Recommend: Introduction and schedule for public hearing and final action at the next regular meeting, 10/13/97.
1. IM. No. 97-59; Recommend for Amendment of Wasilla Development Code Chapter 16.43 Relating to Mailout Distances and Subdivisions Procedures.

Motion/Second: Keller/Patrick

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 unanimously.

It was requested by Council that we delete the second "procurement" in CM. 97-75 as listed on the agenda. It would now read, Recommend: Accept all Procurements and Award the Contract to Wasilla Chevron for \$0.971 per gallon for the period of October 15, 1997 through June 30, 1998. No objection, so ordered.

PUBLIC HEARING:

- A. Ordinance Serial No. 97-27; Amending Chapter 14.12, Driveway Approach Construction, of the Wasilla Municipal Code.
- B. Ordinance Serial No. 97-27 (substitute #1); Amending Chapter 14.12, Driveway Approach Construction, of the Wasilla Municipal Code.
 1. CM. No. 97-73; Proposed changes to Ordinance Serial No. 97-27 (Substitute)

Mayor Palin opened the public hearing on Ordinance Serial No. 97-27 and Ordinance Serial No. 97-27 (substitute #1).

Anne Kilkenny; Mrs. Kilkenny thanked administration, council/clerk's office, finance, planning, and public works for their assistance in drafting Ordinance Serial No. 97-27 and Ordinance Serial No. 97-27 (substitute #1). She also acknowledged the following individuals for their contributions to the ordinance; Paul Kilkenny, Jack Felton, Dick Loman, Roy Carlson, Steve Miller, Dennis Widmere, George Strother, Jim Guyer. Mrs. Kilkenny recommended that Council adopt Ordinance Serial No. 97-27 (substitute #1), and amend it by incorporating the changes outlined in CM. No. 97-73, and inserting a date of 01/01/84 in the blank date in CM. No. 97-73, for grandfathering driveways.

No other comments were made. Mayor Palin closed the public hearing on Ordinance Serial No. 97-27 and Ordinance Serial No. 97-27 (substitute #1).

- C. Ordinance Serial No. 97-57; Amending Chapter 13.08.050, Enforcement of City Parks and Recreations Facility Rules, of the Wasilla Municipal Code.

Mayor Palin opened the public hearing on Ordinance Serial No. 97-57.

Ray McCarthy; Mr. McCarthy questioned why the fine was reduced in Ordinance Serial No. 97-57, and how the city planned on enforcing the ordinance? Mayor Palin explained this makes the ordinance enforceable as an infraction.

James McKown; Mr. McKown stated he supports Ordinance Serial No. 97-57.

No other comments were made. Mayor Palin closed the public hearing on Ordinance Serial No. 97-57.

- D. Ordinance Serial No. 97-58; Amending Chapter 9.04, Business License Fees, of the Wasilla Municipal Code.

Mayor Palin opened the public hearing on Ordinance Serial No. 97-58.

Linda Cowley; Mrs. Cowley supports the adoption of Ordinance Serial No. 97-58.

Anne Kilkenny; Mrs. Kilkenny stated she thought Ordinance Serial No. 97-58 was an interesting proposal. She questioned how much revenue the elimination of business license fee represents, and if it is eliminated, what expenditure is the City going to eliminate or how is the City going to make up for it.

Randi Hondl; Mrs. Hondl stated she is a small business owner in the City of Wasilla, and supports the adoption of Ordinance Serial No. 97-58.

Phil Lockwood; Mr. Lockwood stated he favors keeping the business license fee. It allows the public to know who is licensed and who is not. If the fees are eliminated, how is the City going to make up for the lost revenue?

No other comments were made. Mayor Palin closed the public hearing on Ordinance Serial No. 97-58.

- E. Ordinance Serial No. 97-59; Amending Chapter 4.10, Candidates, of the Wasilla Municipal Code.

Mayor Palin opened the public hearing on Ordinance Serial No. 97-59.

Anne Kilkenny; Mrs. Kilkenny thanked Councilman Chappel for proposing the change, and feels it is needed. She believes two things need to be changed in the code. The first is the need to strengthen the language that says that you must identify exactly what position and what seat you are running for at the outset of picking up a petition. Secondly, if you change the seat or the position for which you are filing, you must begin the process over. She believes Ordinance Serial No. 97-59 addresses the second problem, but it does not address the first issue. She stated the Clerk's proposal has a lot of good information, and makes a lot of sense, however, it does not address the issues very well either.

Linda Cowley; She does not believe the code needs to be changed. The problem is not with the code, it is with the fact that the code has not been followed. She does not support the elimination of the nominating petition as outlined in Ordinance Serial No. 97-59 (substitute).

No other comments were made. Mayor Palin closed the public hearing on Ordinance Serial No. 97-59.

- F. Ordinance Serial No. 97-59 (substitute); Amending Section 2.04.020, Qualifications of Councilmen, Section 2.16.025, Qualifications of Mayor, and Chapter 4.10, Candidates, of the Wasilla Municipal Code.

Mayor Palin opened the public hearing on Ordinance Serial No. 97-59 (substitute). No comments were made. Mayor Palin closed the public hearing Ordinance Serial No. 97-59 (substitute).

6. PERSONS TO BE HEARD: (3 MINUTE LIMIT)

- A. Ray McCarthy, Jr. Iditarod

Mr. McCarthy; Mr. McCarthy presented a plaque of the 1996 Jr. Iditarod winner from the Jr. Iditarod Committee, and thanked the City for it's support of the program. He reported that a fund raising spaghetti feed was held, and it was successful.

No other persons were heard.

7. COMMISSION REPORTS:

State of Alaska Representative Vic Khoring; Mr. Khoring reported that his office is doing preliminary budget work at this time. The session starts in January, and it is a 120 day session. He is assigned to three budgets as part of the House Finance Committee, and various public hearings are being held to address some of the operational budget needs. He is working on the legislative move concept, and it is being made into a two year process. He stated paving the Wasilla Airport is a high priority. The bike trail from downtown Wasilla up Knik - Goosebay Road is on schedule and the work will be done in FY-2000, however, Representative Khoring is going to try to speed up the process as much as possible. The Parks Highway upgrade is a major concern and he has been playing a role in getting money in the budget to see the project come through as quickly as possible. If all goes well the State will break ground in 2 years, and start widening the Highway which involves a divided four lane freeway. Church Road is on schedule to be paved.

No other reports were made.

8. UNFINISHED BUSINESS:

- A. Ordinance Serial No. 97-55; Amending the FY-98 Budget by Appropriating Additional Funds to the General Fund for the Volleyball Program. **(Adoption)**

Motion/Second: Carney/Keller

To adopt Ordinance Serial No. 97-55. Motion passed with Councilwoman Langill dissenting.

- B. Ordinance Serial No. 97-56; Amending the FY-98 Budget by Appropriating Funds to the Sewer CIP Funds. **(Adoption)**

Motion/Second: Carney/Keller

To adopt Ordinance Serial No. 97-56. Motion passed unanimously.

C. Old Airport Site Fencing;

Motion/Second: Keller/Patrick

To reconsider the bid from AAA Fencing in the amount of \$16,888.00. Motion passed with Councilman Carney and Councilman Fuller dissenting.

Motion/Second: Carney/Keller

To direct Administration out of available funds, to construct a 4 foot high chain link fence around the developed areas only, and that there be openings for pedestrian access and maintenance gates for maintenance equipment.

Motion/Second: Fuller/Langill

To amend by stipulating that the fence be a permanent structure. Amendment passed with Councilwoman Keller and Councilwoman Patrick dissenting.

ain motion passed unanimously.

Motion/Second: Carney/Langill

To direct Administration to employ a landscape architect to design the development of the Old Airport Site. Motion failed unanimously.

9. NEW BUSINESS:

- A. Ordinance Serial No. 97-62; Authorizing the conveyance of an easement for use by Wasilla Area Seniors, Inc. for the senior housing project; Recommend: Adoption of Ordinance Serial No. 97-62 as an emergency ordinance and introduction and schedule for public hearing and final action of Ordinance Serial No. 97-62 at the next regular meeting on 10/13/97.

Motion/Second: Carney/Patrick

To introduce Ordinance Serial No. 97-62, set for public hearing, and final action at the next regular Council Meeting, 10/13/97.

Motion/Second: Langill/Keller

To amend to adopt Ordinance Serial No. 97-62 as an emergency ordinance. Amendment failed with Councilman Chappel, Councilwoman Langill, Councilwoman Keller, and Councilwoman Patrick assenting. (Per WMC, it take 2/3 to adopt an emergency ordinance).

A request was made to take a recess, no objection, so ordered.

RECESS (8:25 p.m. to 8:35 p.m.)

Motion/Second: Fuller/Keller

To reconsider the amendment on Ordinance Serial No. 97-62. No objection, so ordered.

The amendment to adopt Ordinance Serial No. 97-62 as an emergency ordinance passed with Councilman Carney dissenting.

Motion to introduce Ordinance Serial No. 97-62, set for public hearing, and final action at the next regular Council Meeting, 10/13/97 passed with Councilman Carney dissenting.

10. EXECUTIVE SESSION (None Scheduled)

11. COMMUNICATIONS:

A. IM. No. 97-57; Proposal submitted by Artist Video Team Productions

Motion/Second: Langill/Patrick

To direct the Clerk's Office to begin supplemental advertising with AVT Productions with the source of funding to come out of the council contingency fund. Motion passed with Councilman Carney dissenting.

B. Wasilla Planning Commission; Meeting Minutes, 08/26/97

C. IM. No. 97-60; Snowmachines

D. IM. No. 97-61; Amendments to Planning Commission Resolution No. 97-35.

E. IM. No. 97-58; Capital Improvements Project Recommendation Committee (CIPRC)

Councilwoman Keller requested that the Planning Commission, Police Department, and Public Works work together and bring forth a report to Council on solutions for traffic speeding problems on Wasilla streets.

12. STAFF REPORTS:

Ken Jacobus, City Attorney; Mr. Jacobus thanked the City of Wasilla for selecting him as City Attorney. He gave an overview of his employment history in the State of Alaska. He stated that he does not ever want be placed in a position of a conflict of interest or a potential conflict of interest with the representation to the City, therefore he will not be soliciting private business within the City of Wasilla, and he does not intend to invest in a business or invest in any property. He stated he is here to only represent the City of Wasilla, and he will keep his "private business/private anything" totally outside the City of Wasilla. He stated he would be available to answer any questions from the public after the meeting. He thanked the City for it's confidence in hiring him. He also gave an overview of the law suite against the City which was received today.

Mary Ellen Emmons, Library Director; Mrs. Emmons stated she is working on obtaining a telecommunications discount through a Federally funded program and hopes to see some savings for the City soon.

Tim Krug, City Planner; Mr. Krug stated that in reviewing the sections on land in the Wasilla Municipal Code, he believes they are vague, what is the real description of land, is it by title or interest? The Planning Office is working on re-platting the Weber Property, Lot 13A. The Planning Commission has formed a Capitol Improvement Project Recommendation Committee. A representative from the State of Alaska, Department of Transportation will be at the next Planning Commission meeting to give an update on State projects. They will also address the issue of shore line set backs.

Cindy Roberts, Public Works Director; Mrs. Roberts reported that the Knik - Goosebay Water hook up is completed and waiting for APUC approval. She indicated all of the summer paving projects are on schedule and almost complete.

Dean Baugh, Finance; Mr. Baugh reported that the audit for FY-97 is just about complete. He is finishing up with the auditors via telephone/fax. He also requested that Council members cash their pay checks in a timely manner or sign up for direct deposit.

Marjorie Harris, City Clerk; Mrs. Harris reported that absentee voting has begun in the Clerk's Office from 00 a.m. to 6:00 p.m., Monday - Friday.

13. AUDIENCE COMMENTS:

No comments were made for the record.

14. COUNCIL COMMENTS:


Councilwoman Langill requested a report from the Administration on the sewer connection assistance program. She also requested a resolution be presented to the Borough indicating support for the 2nd sheet of ice at the ice arena.

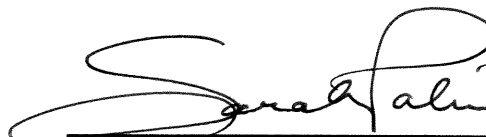
Councilwoman Keller requested a resolution be brought forth to address the need for the installation of a traffic light at the intersection of Church Road and Parks Highway.

No other comments were made for the record.

15. ADJOURNMENT: 9:20 p.m.

Submitted By:


Marjorie D. Harris, CMC
City Clerk


Sarah Palin, Mayor