

MAYOR Sarah Palin

COUNCIL

Norman Fuller, Seat A
Dianne M. Keller, Seat B
Noel H. Lowe, Seat C
Judy Patrick, Seat D
Colleen G. Cottle, Seat E
Don Bennett, Seat F

WASILLA CITY COUNCIL MEETING AGENDA

WASILLA CITY COUNCIL CHAMBERS
Wasilla City Hall, 290 East Herning Avenue, Wasilla, AK 99654 (907) 373-9090

REGULAR MEETING

7 P.M.

MONDAY, APRIL 10, 2000

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF AGENDA
- SPECIAL ORDERS
- 6. COMMISSION/AGENCY REPORT
 - A. Planning Commission
 - B. Parks And Recreation Commission
 - C. Matanuska-Susitna Borough
- 7. CONSENT AGENDA
 - A. Minutes of Preceding Meeting:
 - 1. Regular Meeting: March 13, 2000
 - 2. Special Meeting: March 6, & March 23, 2000

- B. Introductions (Public Hearing To Be Scheduled For: April 24, 2000)
 - 1. **Ordinance Serial No. 00-32**: Amending The FY-00 Budget By Appropriating Additional Funds To The Recreation Services Budget. (IM No. 00-48)
 - 2. **Ordinance Serial No. 00-34**: Amending The FY-00 Budget By Appropriating \$100,000 From The General Fund, Fund Balance To The Capital Fund To Purchase Lots 2 And 4, Block 3 Of Century Park II For A Maintenance Shop And Storm Drain System. (IM No. 00-49)
 - a. Resolution Serial No. 00-14: Approving The Purchase Of Block 3, Lots 2 And 4, Century Park II For Use As A Public Works Facility To Include A Water Well Site, Storm Drainage, And Maintenance Yard.
 - 3. **Ordinance Serial No. 00-37**: Repealing WMC Chapter 14.20, Regulatory Signs. (IM No. 00-57)
 - 4. **Ordinance Serial No. 00-38**: Accepting The Delegation Of Parks And Recreation Powers Within The City Of Wasilla From The Matanuska-Susitna Borough. (IM No. 00-59)

C. Resolutions

- 1. **Resolution Serial No. 00-17**: Supporting The Independence Mine Land Exchange Between The State Of Alaska And Alaska Hard Rock, Inc.
- D. Council Memorandums
 - 1. **CM No. 00-15**: Purchase of Water Meter Reader.
- 8. PERSONS TO BE HEARD (Three minutes per person.)
 - A. Mr. Wade Roberts: Walmart/Southview Noise and Lighting Issue.
- 9. PUBLIC HEARING (Three minutes per person.)
 - A. Ordinance Serial No. 00-16: Amending WMC 2.08, Council Meetings; And Adopting Sections 2.08.015 2.15.050, Relating To Meetings Of The Council, And Repealing WMC 2.08.020, Special Meetings And WMC 2.12, Council Procedures. (IM No. 00-23)
 - B. Ordinance Serial No. 00-24: Amending The FY-00 Budget By Appropriating Funds From The Vehicle Fund's Fund Balance In Order To Purchase Two Vehicles For The Parks And Recreation Department. (IM No. 00-41)

- C. Ordinance Serial No. 00-25: Amending The FY-00 Budget By Appropriating Additional Funds To The Capital Fund For A Matanuska-Susitna Borough Grant For Reimbursement Of Paving Project Expenses Incurred. (IM No. 00-40)
- D. **Ordinance Serial No. 00-26**: Amending The FY-00 Budget By Appropriating \$85,500 Additional Funds From The Department Of Natural Resource Grants And \$9,000 From The General Operating Fund To The Capital Fund For Winter Trail Development Projects. (IM No. 00-42)
- E. Ordinance Serial No. 00-27: Amending WMC 2.04.030 .050 And 2.04.070, Adopting WMC 2.04.080, Council Appointees, And Repealing WMC 2.04.040(A) And 2.04.060 All In Reference To The City Council Duties. (IM No. 00-43)
- F. Ordinance Serial No. 00-28: Amending The FY-00 Budget By Appropriating Funds To The Sewer Fund To Establish A Full Time Regular Utility Laborer Position. (IM No. 00-45)
 - a. Resolution Serial No. 00-11: Amending The Salary Grades And Ranges Structure To Include The Position Of Utility Laborer At A Grade 3.
- G. Ordinance Serial No. 00-29: Amending The FY-00 Budget By Appropriating Funds To The CIP Fund To Establish A Temporary Public Works Inspector. (IM No. 00-46)
 - a. Resolution Serial No. 00-12: Amending The Salary Grades And Ranges Structure To Include The Position Of Temporary Public Works Inspector At A Grade 13.
- H. Ordinance Serial No. 00-30: Amending WMC 11.12.010 .030, Litter Sanitation Measures, Repealing WMC 11.12.040, Penalty, 11.12.050, Civil Cause Of Action, 11.12.060, Injunction, 11.12.070, Damages, And 11.12.080, Sanitation Officer, Amending WMC 11.16.010, Litter Unlawful, WMC 11.20.010, Sewage Disposal And Repealing WMC Chapter 11.24, Air Pollution. (IM No. 00-47)
- I. Ordinance Serial No. 00-31: Amending WMC 1.20.010, Acts Required To Be By Ordinance, WMC 1.20.025(A)(4), WMC 1.20.035, Form Of Ordinance, WMC 1.20.080 Codes Of Technical Regulations And WMC 1.20.090 Formal Acts By Resolution And Repealing 1.20.100 Resolution Passage Procedure And Adopting 1.20.110 Codification And 1.20.120 Revisor Of Ordinance. (IM No. 00-27)

10. UNFINISHED BUSINESS

A. Resolution Serial No. 00-16: Proposing Formation Of A Local Improvement District And Directing That A Survey Be Taken Of The Benefited Property Owners For The Purpose Of Road Paving Within GGL I Subdivision, GVC Subdivision, GVC II – Division I Subdivision, GVC II – Division II Subdivision, GVC II – Division IV Subdivision. (IM No. 00-53) (Postponed From The Special Meeting Of March 23, 2000; recommended to postpone indefinitely.)

11. NEW BUSINESS

- A. Ordinance Serial No. 00-35: Directing The City Clerk To Submit An Advisory Question To The Qualified Voters Of The City At The October 3, 2000, Regular City Election Asking Whether The City Of Wasilla Should Add A Fluoride To The Water Distributed By The Wasilla Water Utility. (IM No. 00-58) (Requested by Council Member Fuller)
- B. **Resolution Serial No. 00-20**: Requesting The State Of Alaska, Department Of Transportation And Public Facilities Construct A Grade Separated Crossing Within The Bogard Road Right-Of-Way Between Wasilla Middle And Wasilla High School.

12. COMMUNICATION

- A. IM No. 00-55: February 2000 Expenditure Report.
- B. IM No. 00-58: Renewal of City Attorney Contract Correspondence.
- C. IM No. 00-60: Lobbyist Report.
- C. Approved Planning Commission Meeting Minutes: March 14, 2000.
- D. Draft Planning Commission Meeting Minutes: March 28, 2000.
- 13. MAYOR, CLERK, AND ATTORNEY COMMENTS
- 14. AUDIENCE COMMENTS (Three minutes per person.)
- 15. EXECUTIVE SESSION
- 16. COUNCIL COMMENTS
- 17. ADJOURNMENT

CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, April 10, 2000, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Palin called the meeting to order at 7:05 p.m.

2. ROLL CALL

Council Members present and establishing a quorum were:

Mr. Don Bennett, Council Seat A

Ms. Dianne Keller, Council Seat B

Mr. Noel Lowe, Council Seat C

Ms. Judy Patrick, Council Seat D

Ms. Colleen Cottle, Council Seat E

Mr. Don Bennett, Council Seat F

Staff in attendance were:

Ms. Kristie VanGorder, City Clerk

Ms. Jamie Newman, Deputy Clerk

Mr. John Cramer, Deputy Administrator

Mr. Ken Jacobus, City Attorney

Mr. Charlie Fannon, Police Chief

Mr. Tim Krug, City Planner

Mr. Ted Leonard, Acting Finance Director

Mr. Don Shiesl, Public Works Director

3. PLEDGE OF ALLEGIANCE

Mayor Palin led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Member Lowe:

• Requested to move Ordinance Serial No. 00-35 to new business.

Council Member Fuller objected.

VOTE:

The motion tied with Council Members Bennett, Cottle, and Fuller opposed and Council Members Lowe, Keller and Patrick in favor. Mayor Palin invoked her voting privilege in the affirmative and the motion passed.

Council Member Patrick:

• Requested to move Resolution Serial No. 00-20 to new business.

GENERAL CONSENT:

There was no objection.

GENERAL CONSENT:

The agenda was approved, as amended.

SPECIAL ORDERS

There were no special orders.

- COMMISSION/AGENCY REPORT
 - A. Planning Commission

Commissioner Verdie Bowen:

- Commented on lighting issues with Wal-Mart.
 - B. Parks And Recreation Commission

No report was given.

C. Matanuska-Susitna Borough

Assembly Member Dan Kelly:

- Spoke on the initiative tax cap.
- Reported on school funding formula issues.
- Discussed traffic problems facing Wasilla.
- Congratulated the city on obtaining Parks Powers from the borough.

CONSENT AGENDA

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 - a. Resolution Serial No. 00-14: Approving The Purchase Of Block 3, Lots 2 And 4, Century Park II For Use As A Public Works Facility To Include A Water Well Site, Storm Drainage, And Maintenance Yard.
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- 4. **Ordinance Serial No. 00-38**: Accepting The Delegation Of Parks And Recreation Powers Within The City Of Wasilla From The Matanuska-Susitna Borough. (IM No. 00-59)

C. Resolutions

- 1. **Resolution Serial No. 00-17**: Supporting The Independence Mine Land Exchange Between The State Of Alaska And Alaska Hard Rock, Inc.
- D. Council Memorandums
 - 1. **CM No. 00-15**: Purchase of Water Meter Reader.

MOTION: Council Member Patrick moved to adopt the consent agenda.

GENERAL CONSENT: There was no objection.

8. PUBLIC HEARING

A. Ordinance Serial No. 00-16: Amending WMC 2.08, Council Meetings; And Adopting Sections 2.08.015 – 2.15.050, Relating To Meetings Of The Council, And Repealing WMC 2.08.020, Special Meetings And WMC 2.12, Council Procedures. (IM No. 00-23)

Mayor Palin opened the public hearing.

Mr. Dan Kelley spoke about 2.08.015(B) to be sure it complies with the Open Meetings Act.

There being no others wishing to be heard, the public hearing was closed.

Mayor Palin requested that the council hear Persons To Be Heard at this time and continue with the scheduled public hearings after Mr. Roberts is allowed to speak.

MOTION:

Council Member Patrick moved to suspend the rules to hear Persons To

Be Heard at this time.

GENERAL CONSENT:

There was no objection.

8. PERSONS TO BE HEARD

A. Mr. Wade Roberts: Wal-Mart/Southview Extension - Noise and Lighting Issue.

Mr. Roberts, President of the Southview Homeowners Association spoke about the off site impact of noise and lighting created by Wal-Mart which he described as having an adverse effect on the peaceful quality of life in Southview Extension Subdivision.

Mr. Wade Roberts, Mr. Bud John, Ms. Beverly Nash, Ms. Sylvia Hull, Mr. Jim Moore, Ms. Rita Davila, Ms. Johnna Smith, and Mr. Bob Orin requested that the city work with Wal-Mart to solve the lighting and noise impacts on Southview Exetnsion Subdivision and that Wal-Mart document their concessions in writing.

Mr. and Mrs. Thomas Lannan sent a letter to the council for the record in which they conveyed their concerns with the impact of lighting and noise, and the decreased valuation of their property created by Wal-Mart.

Ms. Laurie Deever requested that the city place greater demands on large corporate developments within the city and was shocked that Wal-Mart was not required to provide an environmental impact study to the Alaska Department of Environmental Conservation.

Mayor Palin stated that Mr. Cramer is currently working with the Wal-Mart district manager in Hawaii to solve the concerns raised by the Southview Extension residents.

The council recessed at 8:30 p.m. and reconvened at 8:42 p.m.

- 9. PUBLIC HEARING (Continued from page 3)
 - A. Ordinance Serial No. 00-16: Amending WMC 2.08, Council Meetings; And Adopting Sections 2.08.015 2.15.050, Relating To Meetings Of The Council, And Repealing WMC 2.08.020, Special Meetings And WMC 2.12, Council Procedures. (IM No. 00-23)

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 00-16.

Discussion followed on the necessity of placing the agenda format in the code.

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Council Member Patrick moved a primary amendment to strike MOTION: 2.08.040(B).

Discussion continued.

MOTION: Council Member Bennett moved a secondary amendment to 2.08.040(B)

to read: Agenda is adopted to read as follows, unless a change is

approved by a majority of the council.

Discussion continued.

VOTE: The secondary amendment failed with Council Members Bennett, Cottle,

and Fuller in favor and Council Members Lowe, Keller, and Patrick

opposed. Mayor Palin chose not to invoke her voting privilege.

The primary amendment tied with Council Members Lowe, Keller and VOTE:

Patrick in favor and Council Members Bennett, Cottle, and Fuller opposed. Mayor Palin invoked her voting privilege in the affirmative and the primary

motion passed.

VOTE: The main motion passed unanimously.

> B. Ordinance Serial No. 00-24: Amending The FY-00 Budget By Appropriating Funds From The Vehicle Fund's Fund Balance In Order To Purchase Two Vehicles For The Parks And Recreation Department. (IM No. 00-41)

Mayor Palin opened the public hearing. There being no one wishing to be heard, the public hearing was closed.

Council Member Patrick moved to adopt Ordinance Serial No. 00-24. MOTION:

Discussion followed on the type of vehicles being purchased.

VOTE: The motion passed unanimously.

> C. Ordinance Serial No. 00-25: Amending The FY-00 Budget By Appropriating Additional Funds To The Capital Fund For A Matanuska-Susitna Borough Grant For Reimbursement Of Paving Project Expenses Incurred. (IM No. 00-40)

Mayor Palin opened the public hearing. There being no one wishing to be heard, the public hearing was closed.

Council Member Lowe moved to adopt Ordinance Serial No. 00-25. MOTION:

VOTE: The motion passed unanimously.

D. **Ordinance Serial No. 00-26**: Amending The FY-00 Budget By Appropriating \$85,500 Additional Funds From The Department Of Natural Resource Grants And \$9,000 From The General Operating Fund To The Capital Fund For Winter Trail Development Projects. (IM No. 00-42)

Mayor Palin opened the public hearing.

The following spoke in favor of the ordinance: Ms. Laurie Deever.

There being no others wishing to be heard, the public hearing was closed.

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 00-26.

The council thanked Mr. Krug for securing the grant.

VOTE: The motion passed unanimously.

E. Ordinance Serial No. 00-27: Amending WMC 2.04.030 - .050 And 2.04.070, Adopting WMC 2.04.080, Council Appointees, And Repealing WMC 2.04.040(A) And 2.04.060 All In Reference To The City Council Duties. (IM No. 00-43)

Mayor Palin opened the public hearing. There being no one wishing to be heard, the public hearing was closed.

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 00-27.

MOTION: Council Member Bennett moved a primary amendment to 2.04.040(B) to read: Council Members shall be **compensated for service at a rate** of \$50 for each regular **or special** meeting **or work session** attended and each Matanuska-Susitna Borough Assembly meeting attended as a city representative.

Discussion followed.

VOTE: The primary amendment passed with Council Members Fuller and Keller opposed.

VOTE: The main motion, as amended, passed unanimously.

The council directed the city attorney to draft an amendment to 2.04.050(C), to address the appointment process, to constitute a quorum, should vacancies occur on the council.

- F. **Ordinance Serial No. 00-28**: Amending The FY-00 Budget By Appropriating Funds To The Sewer Fund To Establish A Full Time Regular Utility Laborer Position. (IM No. 00-45)
 - a. Resolution Serial No. 00-11: Amending The Salary Grades And Ranges Structure To Include The Position Of Utility Laborer At A Grade 3.

Mayor Palin opened the public hearing. There being no one wishing to be heard, the public hearing was closed.

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 00-28 and Resolution Serial No. 00-11.

Discussion followed.

VOTE: The motion passed with Council Member Patrick opposed.

- G. Ordinance Serial No. 00-29: Amending The FY-00 Budget By Appropriating Funds To The CIP Fund To Establish A Temporary Public Works Inspector. (IM No. 00-46)
 - a. Resolution Serial No. 00-12: Amending The Salary Grades And Ranges Structure To Include The Position Of Temporary Public Works Inspector At A Grade 13.

Mayor Palin opened the public hearing. There being no one wishing to be heard, the public hearing was closed.

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 00-29 and Resolution Serial No. 00-12.

Discussion followed.

VOTE: The motion passed unanimously.

H. Ordinance Serial No. 00-30: Amending WMC 11.12.010 - .030, Litter Sanitation Measures, Repealing WMC 11.12.040, Penalty, 11.12.050, Civil Cause Of Action, 11.12.060, Injunction, 11.12.070, Damages, And 11.12.080, Sanitation Officer, Amending WMC 11.16.010, Litter Unlawful, WMC 11.20.010, Sewage Disposal And Repealing WMC Chapter 11.24, Air Pollution. (IM No. 00-47)

Mayor Palin opened the public hearing. There being no one wishing to be heard, the public hearing was closed.

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 00-30.

VOTE: The motion passed unanimously. (Council Member Lowe was absent from voting.)

I. Ordinance Serial No. 00-31: Amending WMC 1.20.010, Acts Required To Be By Ordinance, WMC 1.20.025(A)(4), WMC 1.20.035, Form Of Ordinance, WMC 1.20.080 Codes Of Technical Regulations And WMC 1.20.090 Formal Acts By Resolution And Repealing 1.20.100 Resolution Passage Procedure And Adopting 1.20.110 Codification And 1.20.120 Revisor Of Ordinance. (IM No. 00-27)

Mayor Palin opened the public hearing. There being no one wishing to be heard, the public hearing was closed.

MOTION: Council Member Patrick moved to adopt Ordinance Serial No. 00-31.

Discussion followed.

VOTE: The motion passed unanimously.

10. UNFINISHED BUSINESS

A. Resolution Serial No. 00-16: Proposing Formation Of A Local Improvement District And Directing That A Survey Be Taken Of The Benefited Property Owners For The Purpose Of Road Paving Within GGL I Subdivision, GVC Subdivision, GVC II – Division I Subdivision, GVC II – Division II Subdivision, GVC II – Division IV Subdivision. (IM No. 00-53) (Postponed From The Special Meeting Of March 23, 2000; recommended to postpone indefinitely.)

MOTION: Council Member Fuller moved to postpone Resolution Serial No. 00-16 indefinitely.

GENERAL CONSENT: There was no objection.

11. NEW BUSINESS

A. Ordinance Serial No. 00-35: Directing The City Clerk To Submit An Advisory Question To The Qualified Voters Of The City At The October 3, 2000, Regular City Election Asking Whether The City Of Wasilla Should Add A Fluoride To The Water Distributed By The Wasilla Water Utility. (IM No. 00-58) (Requested by Council Member Fuller)

MOTION: Council Member Fuller moved to introduce Ordinance Serial No. 00-35 and set for public hearing at the next regular meeting of April 24, 2000.

Discussion followed on the effect of fluoride on human health and whether or not the issues should be placed before the voters at the next regular city election.

VOTE: The motion failed with Council Members Bennett and Fuller in favor.

B. **Resolution Serial No. 00-20**: Requesting The State Of Alaska, Department Of Transportation And Public Facilities Construct A Grade Separated Crossing Within The Bogard Road Right-Of-Way Between Wasilla Middle And Wasilla High School.

MOTION: Council Member Keller moved to adopt Resolution Serial No. 00-20.

Discussion followed on the necessity of the crossing, as well as, the fiscal impact.

VOTE: The motion passed with Council Member Patrick opposed.

12. COMMUNICATION

- A. IM No. 00-55: February 2000 Expenditure Report.
- B. **IM No. 00-58**: Renewal of City Attorney Contract Correspondence.
- C. IM No. 00-60: Lobbyist Report.
- C. Approved Planning Commission Meeting Minutes: March 14, 2000.
- D. Draft Planning Commission Meeting Minutes: March 28, 2000.

No action was taken on any of the communication items.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

Mr. Jacobus, City Attorney:

• Requested an executive session to discus the Nature Conservancy land issue.

Ms. VanGorder, City Clerk:

- Requested the council schedule a special meeting to conduct interviews for legal services.
- Announced Midge Clouse would like to meet with the council at 6 p.m. prior to the April 24th council meeting to discuss home rule status. There was no objection from the council.
- Inquired as to which council members would be traveling to Washington D.C. to meet with the lobbyist.

MOTION: Council Member Keller moved to extend the meting until 11:15 p.m.

GENERAL CONSENT: There was no objection.

After discussion, the clerk scheduled the interviews for the city attorney on May 24, 2000 with the time to be announced at a later date. Council Member Bennett requested that the selection committee bring forward no more then five firms for interview with the council. There was no objection.

MOTION: Council Member Bennett moved to select two council members to travel to Washington D.C. to meet with the lobbyist.

Council Members Bennett and Fuller stated they did not wish to travel to Washington D.C.

Council Members Cottle, Keller, Lowe, and Patrick expressed interest in traveling.

A random drawing was held to determine who will travel to Washington D.C., May 10 – May 14, 2000.

Council Members Keller was drawn. She stated she was unable to travel May 10 – May 14, 2000 due to a scheduling conflict.

Council Member Patrick was drawn.

Council Member Lowe was drawn as the alternate.

Council Member Patrick stated that she had a scheduling conflict May 10 – May 14, 2000; however, she may be able to attend on different dates.

Council Member Keller stated that she would also like to be reconsidered if the date was changed.

The clerk announced that at this time Council Members Cottle and Lowe would be traveling.

GENERAL CONSENT: There was no objection.

Comments continued.

Mayor Palin:

 Announced she attended a conference sponsored by the school district and found it to be inspirational and informative.

Mr. Cramer:

 Report he is working with an attorney on Title 3, Personnel of the Wasilla Municipal Code to ensure that the city is in compliance with all Federal and State regulations.

14. AUDIENCE COMMENTS

No comments were made.

15. EXECUTIVE SESSION

MOTION:

Council Member Keller moved to enter an executive session to discuss

possible potential or pending litigation to which the city of Wasilla may

become or is a party to.

MOTION:

Council Member Keller moved to extend the meting to 11:30 p.m.

GENERAL CONSENT:

There was no objection to extend the meeting.

GENERAL CONSENT:

There was no objection to enter into executive session. The council entered the executive session at 11:05 p.m. in the council conference room. Those present were the entire council, mayor, deputy administrator, city planner, and city

attorney. The executive session exited at 11:30 p.m.

16. COUNCIL COMMENTS

No comments were made.

17. ADJOURNMENT

The meeting adjourned at 11:30 p.m.

SARAH PALIN, Mayor

KRISTIE L. VANGORDER, CMC/AAE

City Clerk

Minutes Approved: April 24, 2000