

MAYOR
Sarah Palin

COUNCIL
Howard O'Neil, 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 Herring Avenue, Wasilla, AK 99654 (907) 373-9090

REGULAR MEETING

7 P.M.

SEPTEMBER 10, 2001

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. SPECIAL ORDERS
6. COMMISSION/AGENCY REPORT
 - A. Planning Commission
 - B. Parks And Recreation Commission
 - C. Matanuska-Susitna Borough
 - D. Alaska Department of Transportation and Public Facilities: Parks Highway Corridor Management Plan.
7. CONSENT AGENDA
 - A. Minutes of Preceding Meeting:
 1. Regular Meeting: August 27, 2001

- B. Introductions (Public Hearing To Be Scheduled For: September 24, 2001)
1. **Ordinance Serial No. 01-48:** Amending Wasilla Municipal Code Section 16.24.030 Setbacks And Height To Reduce Minimum Side And Rear Yard Setbacks. (IM No. 01-65)
- C. Resolutions
2. **Resolution Serial No. 01-32:** To Designate Alaska Department Of Environmental Conservation Matching Municipal Grant Funds To The Bumpus Well And Reservoir Facility As The Number One Local State Funding Priority For Fiscal Year 2003. (IM No. 01-64)
- D. Council Memorandums
1. **CM No. 01-64:** Contract Amendment For Hankal Construction, Inc., In The Amount Of \$10,929 For Phase B Septage Facility Improvements.
 2. **CM No. 01-65:** Contract Amendment For USKH, Inc., In The Amount Of \$54,050 For Engineering To Expand The Design Of The Tommy Moe Storm Water System.
 3. **CM No. 01-66:** City Clerk Advisors.
 4. **CM No. 01-67:** Authorization For MTA To Relocate Telephone Cables In The Amount Of \$ 19,776 For Prospector Hills Local Improvement District.

8. **PUBLIC HEARING** (Three minutes per person.)

- A. **Ordinance Serial No. 01-44:** Amending WMC 12.04.070 Streets Acceptance For Maintenance. (IM No. 01-56)
- B. **Ordinance Serial No. 01-47:** Enacting Wasilla Municipal Code Section 1.20.030 Establishing A Procedure For Payment Of A Fine In Lieu Of Court Appearance For Scheduled Violations Of The Wasilla Municipal Code, And A Schedule Of Fines For Violations Of Certain Provisions Of Titles 6, 8, 10, 12, 13 And 16 Of The Wasilla Municipal Code; And Amending Certain Provisions Of Titles 6, 8, 10, 12, 13 And 16 Of The Wasilla Municipal Code To Reflect The Provision Of A Schedule Of Fines In Wasilla Municipal Code Section 1.20.030. (IM No. 01-62)

9. PERSONS TO BE HEARD

- A. Dan Kelly
- B. Steve Stoll

10. UNFINISHED BUSINESS

11. NEW BUSINESS

- A. **Resolution Serial No. 01-33:** Opposing The Matanuska-Susitna Borough Levying A Sales Tax Of Two Percent Of Sales, Services And Rentals Within The Borough.
- B. **Ordinance Serial No. 01-49:** Amending WMC 16.20.020 District Use Chart To Exclude Bed And Breakfasts From R1-Single Family. (IM No. 01-66)

12. COMMUNICATION

- A. Wasilla Planning Commission Meeting Minutes: August 28, 2001.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

14. AUDIENCE COMMENTS

15. EXECUTIVE SESSION

- A. Attorney Evaluation.

16. COUNCIL COMMENTS

17. ADJOURNMENT

1. CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, September 10, 2001, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Sarah Palin called the meeting to order at 7 p.m.

2. ROLL CALL

Council Members present and establishing a quorum were:

Mr. Howard O'Neil, 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

Council Member Bennett was absent and excused.

Staff in attendance were:

Ms. Kristie VanGorder, City Clerk
Ms. Jamie Newman, Deputy Clerk
Mr. John Cramer, Deputy Administrator
Mr. Charlie Fannon, Police Chief
Mr. Tom Klinkner, City Attorney
Mr. Tim Krug, City Planner
Mr. Ted Leonard, Finance Director
Mr. Don Shiesl, Public Works Director

3. PLEDGE OF ALLEGIANCE

Mayor Palin led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Council Member Cottle:

- Requested to move Resolution Serial No. 01-33 from the consent agenda to new business.

Council Member Patrick:

- Requested to move Ordinance Serial No. 01-49 from the consent agenda to new business.

GENERAL CONSENT: There was no objection to approve the agenda, as amended.

5. SPECIAL ORDERS

There were no special orders.

6. COMMISSION/AGENCY REPORT

A. Planning Commission

Commissioner Sharla Terrill:

- Reported that Ordinance Serial No. 01-49 passed the commission by a four to three vote.
- Stated that the commission supported excluding bed and breakfast establishments from R1-Single Family because motels and hotels are excluded from R-1.

B. Parks And Recreation Commission

No report was given.

C. Matanuska-Susitna Borough

Assembly Member Dan Kelly:

- Reported on various issues under consideration by the borough assembly.
- Spoke about the advantages of a borough wide sales tax.
- Argued against several of the whereas clauses in Resolution Serial No. 01-33.

MOTION: Council Member Keller moved to request that Mr. Kelly speak under persons to be heard, because his comments regarding the proposed borough sales tax are personal and do not represent the borough assembly as a whole.

GENERAL CONSENT: There was no objection.

D. Alaska Department of Transportation and Public Facilities: Parks Highway Corridor Management Plan.

No report was given.

7. CONSENT AGENDA

A. Minutes of Preceding Meeting:

1. Regular Meeting: August 27, 2001

- B. Introductions (Public Hearing To Be Scheduled For: September 24, 2001)
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- D. Council Memorandums
1. **CM No. 01-64:** Contract Amendment For Hankal Construction, Inc., In The Amount Of \$10,929 For Phase B Septage Facility Improvements.
 2. **CM No. 01-65:** Contract Amendment For USKH, Inc., In The Amount Of \$54,050 For Engineering To Expand The Design Of The Tommy Moe Storm Water System.
 3. **CM No. 01-66:** City Clerk Advisors.
 4. **CM No. 01-67:** Authorization For MTA To Relocate Telephone Cables In The Amount Of \$ \$19,776 For Prospector Hills Local Improvement District.

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

VOTE: The motion passed unanimously.

8. PUBLIC HEARING

- A. **Ordinance Serial No. 01-44:** Amending WMC 12.04.070 Streets Acceptance For Maintenance. (IM No. 01-56)

Mayor Palin opened the public hearing on Ordinance Serial No. 01-44 and there being no persons wishing to be heard, the public hearing was closed.

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 01-44.

Discussion moved to the council.

MOTION: Council Member Keller moved a primary amendment to read: The public works director [SHALL] may accept for routine maintenance, streets, inside or bordering the city limits, that are constructed according to the standards specified in this chapter and are within dedicated right-of-way or easements dedicated for public use.

GENERAL CONSENT: There was no objection to the primary amendment.

Discussion moved to the council.

Council Member Cottle stated for the record that she is opposed to the ordinance because of its ambiguity.

VOTE: The main motion as amended passed with Council Member Cottle opposed.

- B. **Ordinance Serial No. 01-47:** Enacting Wasilla Municipal Code Section 1.20.030 Establishing A Procedure For Payment Of A Fine In Lieu Of Court Appearance For Scheduled Violations Of The Wasilla Municipal Code, And A Schedule Of Fines For Violations Of Certain Provisions Of Titles 6, 8, 10, 12, 13 And 16 Of The Wasilla Municipal Code; And Amending Certain Provisions Of Titles 6, 8, 10, 12, 13 And 16 Of The Wasilla Municipal Code To Reflect The Provision Of A Schedule Of Fines In Wasilla Municipal Code Section 1.20.030. (IM No. 01-62)

Mayor Palin opened the public hearing on Ordinance Serial No. 01-47 and there being no persons wishing to be heard, the public hearing was closed.

MOTION: Council Member Patrick moved to adopt Ordinance Serial No. 01-47.

VOTE: The motion passed unanimously.

9. PERSONS TO BE HEARD

A. Dan Kelly

- Mr. Kelly spoke about his opposition to Resolution Serial No. 01-33.

B. Steve Stoll

- Mr. Stoll commented on his opposition to Resolution Serial No. 01-33.

10. UNFINISHED BUSINESS

There was no unfinished business.

11. NEW BUSINESS

- A. **Resolution Serial No. 01-33:** Opposing The Matanuska-Susitna Borough Levying A Sales Tax Of Two Percent Of Sales, Services And Rentals Within The Borough.

MOTION: Council Member Patrick moved to adopt Resolution Serial No. 01-33.

Council Member Cottle stated for the record that she opposes Resolution Serial No. 01-33.

Discussion moved to the council.

VOTE: The motion passed with Council Member Cottle opposed.

- B. **Ordinance Serial No. 01-49:** Amending WMC 16.20.020 District Use Chart To Exclude Bed And Breakfasts From R1-Single Family. (IM No. 01-66)

MOTION: Council Member Keller moved to introduce Ordinance Serial No. 01-49 and schedule it for public hearing on September 24, 2001.

Discussion moved to the council.

VOTE: The motion passed with Council Member Patrick opposed.

12. COMMUNICATION

- A. Wasilla Planning Commission Meeting Minutes: August 28, 2001.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

Mr. Klinkner, City Attorney:

- Presented a report on the redistricting litigation.
- Commented on the utility gross receipt tax litigation.

Council Member Keller:

- Requested to review costs with the redistricting litigation on a monthly basis.
- Requested a concisely written report on the redistricting litigation, as new information is available.

GENERAL CONSENT: No objection was raised.

Ms. VanGorder, City Clerk:

- Updated the council on efforts to increase voter turn out.
- Requested the council set a date to meet with employees.

The council directed the clerk to schedule a meeting with employees on November 5, 2001 at 5 p.m. No objection was raised.

Mayor Palin:

- Reported on various road construction projects underway.
- Reported that the city will have title to the Nature Conservancy Property – D2 soon.

14. AUDIENCE COMMENTS

No comments were made.

15. EXECUTIVE SESSION

- A. City Attorney Evaluation.

MOTION: Council Member Keller moved to enter into executive session for subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion, in particular the annual evaluation of the City Attorney, Tim Klinkner.


The entire council, mayor, and city attorney entered executive session in the council conference room at 8:50 p.m. and exited at 9:23 p.m.

16. COUNCIL COMMENTS

17. ADJOURNMENT

The meeting adjourned at 9:38 p.m.

Adopted by the Wasilla City Council on September 24, 2001.


SARAH PALIN, Mayor


KRISTIE L. VANGORDER, CMC
City Clerk