

**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

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**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.**

**OCTOBER 8, 2001**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF AGENDA**
5. **SPECIAL ORDERS**
6. **COMMISSION/AGENCY REPORT (Five minutes per agency.)**
  - A. Planning Commission
  - B. Parks And Recreation Commission
  - C. Matanuska-Susitna Borough
7. **CONSENT AGENDA**
  - A. Minutes of Preceding Meeting:
    1. Regular Meeting: September 24, 2001

- B. Introductions (Public Hearing To Be Scheduled For: October 22, 2001)
  - 1. **Ordinance Serial No. 01-51:** Amending The FY-02 Budget By Revising The Revenue And Expenditure Budget Accounts In The Youth Court Special Revenue Fund To Match Actual Grant Awards. (IM No. 01-72)

C. Resolutions

D. Council Memorandums

- 1. **CM No. 01-73:** Hankal Construction Contract Amendment In The Amount Of \$25,671 For Septage Facility Improvements.

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

- A. **Ordinance Serial No. 01-50:** Amending The FY-02 Budget By Appropriating Funds From The General Fund's Fund Balance In Order To Fund The Purchase Of Security Gates For The Airport. (IM No. 01-67)

**9. PERSONS TO BE HEARD** (Three minutes per person.)

- A. Norm Fuller: Water Line Extension.
- B. Wayne Whaley: Lots 3 and 4, Block 8, Kennedy Addition Subdivision.
- C. Ida McMahon: Lots 3 and 4, Block 8, Kennedy Addition Subdivision.
- D. Merle Frank: Lots 3 and 4, Block 8, Kennedy Addition Subdivision.

**10. UNFINISHED BUSINESS**

- A. **Ordinance Serial No. 01-48(SUB):** Amending Wasilla Municipal Code Section 16.24.030 Setbacks And Height To Reduce Minimum Side And Rear Yard Setbacks. (IM No. 01-68) (Postponed from the September 24, 2001 Regular City Council Meeting)

**11. NEW BUSINESS**

- A. **CM No. 01-74:** Appeal of Planning Commission Denial of a Variance for Lots 3 and 4, Block 8 Kennedy Addition.
- B. Certification of Election: Regular City Election of October 2, 2001.

- C. **CM No. 01-72:** Raven Engineering Contract Amendment In The Amount Of \$24,000 For The West Parks Water Main Extension.

**12. COMMUNICATION**

- A. **IM No. 01-71:** Asphalt Preventative Maintenance Program.
- B. **IM No. 01-73:** July - August 2001 Expenditure Report.
- C. Wasilla Planning Commission Meeting Minutes: September 25, 2001.

**13. MAYOR, CLERK, AND ATTORNEY COMMENTS**

**14. AUDIENCE COMMENTS** (Three minutes per person.)

**15. EXECUTIVE SESSION**

**16. COUNCIL COMMENTS**

**17. ADJOURNMENT**

**1. CALL TO ORDER**

The regular meeting of the Wasilla City Council was held on Monday, October 8, 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  
Ms. Kathleen Schaechterle, City Attorney  
Mr. John Cramer, Deputy Administrator  
Mr. Charlie Fannon, Police Chief  
Mr. Archie Giddings, City Engineer  
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 Lowe:

- Requested to move CM No. 01-72 from the consent agenda to new business.

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

## 5. SPECIAL ORDERS

Mayor Palin presented Jamie Newman, Deputy Clerk, with a plaque from the International Institute of Municipal Clerks (IIMC). Ms. Newman recently received the designation of Certified Municipal Clerk from IIMC.

## 6. COMMISSION/AGENCY REPORT

### A. Planning Commission

Commissioner Bill McCain:

- Encouraged the council to adopt Ordinance Serial No. 01-48(SUB) without any type of sun set clause.

Commissioner Ray McCarthy:

- Reported that the commission elevated the side and rear yard set back ordinance to assist property owners.
- Commented on the variance appeal on Lots 3 and 4, Block 8, Kennedy Addition and stated that he was hopeful a compromise could be reached, which would appease all parties involved.
- Spoke about the proposed development on Crusey Street.

### B. Parks And Recreation Commission

No report was given.

### C. Matanuska-Susitna Borough

No report was given.

## 7. CONSENT AGENDA

### A. Minutes of Preceding Meeting:

1. Regular Meeting: September 24, 2001

### B. Introductions (Public Hearing To Be Scheduled For: October 22, 2001)

1. **Ordinance Serial No. 01-51:** Amending The FY-02 Budget By Revising The Revenue And Expenditure Budget Accounts In The Youth Court Special Revenue Fund To Match Actual Grant Awards. (IM No. 01-72)

### C. Resolutions

D. Council Memorandums

1. **CM No. 01-73:** Hankal Construction Contract Amendment In The Amount Of \$25,671 For Septage Facility Improvements.

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

Discussion moved to the council.

GENERAL CONSENT: There was no objection.

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

- A. **Ordinance Serial No. 01-50:** Amending The FY-02 Budget By Appropriating Funds From The General Fund's Fund Balance In Order To Fund The Purchase Of Security Gates For The Airport. (IM No. 01-67)

Mayor Palin opened the public hearing and there being no persons wishing to be heard, the public hearing was closed.

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 01-50.

MOTION: Council Member Keller moved a primary amendment to amend the dollar amount requested for airport security gates from [\$21,650] to \$31,650.

VOTE: The primary amendment passed unanimously.

Discussion moved to the council.

VOTE: The main motion as amended passed unanimously.

**9. PERSONS TO BE HEARD**

- A. Norm Fuller: Water Line Extension.

Mr. Fuller thanked the council for expanding the water line along Commercial Drive to Burshell High School. He also thanked Council Members Bennett and Cottle for their service to the city.

B. Wayne Whaley.

Mr. Waley:

- Stated that he is assisting Rudy Mallonee with the appeal of the decision to deny a variance request on Lots 3 and 4, Block 8, Kennedy Addition Subdivision.
- Encouraged the city to grant the variance to Mr. Mallonee, because the property was platted before set back requirements were enacted.

C. Ida McMahon

Ms. McMahon:

- Stated that she opposes the city granting a variance on Lots 3 and 4, Block 8, Kennedy Addition.
- Raised concern about additional damage that may be caused to Lake Lucille if the variance is granted.

D. Merle Frank

Mr. Frank:

- Spoke about his concern regarding the variance request on Lots 3 and 4, Block 8, Kennedy Addition.
- Suggested that if the structure was located closer to the roadway, the variance request may be more amenable to those in opposition.

## 10. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 01-48(SUB):** Amending Wasilla Municipal Code Section 16.24.030 Setbacks And Height To Reduce Minimum Side And Rear Yard Setbacks. (IM No. 01-68) (Postponed from the September 24, 2001 Regular City Council Meeting)

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 01-48(SUB). (Motion on the floor from the September 24, 2001 regular city council meeting).

MOTION: Council Member Patrick moved a primary amendment to 16.24.030 (E) (1) (A) to read: Construction of the building to which the reduction will apply must have been completed no later than [SEPTEMBER 1, 2001] **October 1, 2001** and also to amend 16.24.030 (E) (2) (d) to read: A statement under oath from the record owner of the lot in which the minimum setback will be reduced, that construction of the building to which the reduction will apply was completed no later than [SEPTEMBER 1, 2001] **October 1, 2001**. (Primary amendment on the floor from the September 24, 2001 regular city council meeting).

Discussion moved to the council.

VOTE: The primary amendment failed with Council Member Cottle in favor.

MOTION: Council Member Lowe moved a primary amendment to strike the sunset clause from the ordinance.

Discussion followed.

VOTE: The primary amendment passed with Council Member Keller opposed.

The city attorney advised that the city enact a sun set clause in the ordinance.

Discussion continued.

VOTE: The main motion as amended failed with Council Members Cottle, Lowe, and O'Neill in favor and Council Members Keller and Patrick opposed.

## 11. NEW BUSINESS

- A. **CM No. 01-74:** Appeal of Planning Commission Denial of a Variance for Lots 3 and 4, Block 8 Kennedy Addition.

MOTION: Council Member Lowe moved to consider CM No. 01-74.

GENERAL CONSENT: There was no objection.

Discussion moved to the council.

The city planner and city attorney answered questions from the council.

The city attorney recommended that the city accept the appeal.

MOTION: Council Member Keller moved to approve Option No. 1 as stated in CM No. 01-74, which reads: The council accepts the appeal and directs the clerk to bring back a roster of possible hearing officers as stated in WMC 16.08.120 at the next regular meeting. Once the hearing officer is selected, the hearing officer is authorized to work with legal council to assist in the appeal in the amount not to exceed \$1,500 (account 01.51.411.332.00). The hearing office will hear the appeal no later than December 31, 2001.

VOTE: The motion passed with Council Member Cottle opposed.



B. Certification of Election: Regular City Election of October 2, 2001.

MOTION: Council Member Keller moved to certify the October 2, 2001 Regular City Election.

The city clerk read the election results into the record and reported on two irregularities identified by the canvass board, which would not effect the out come of the election.

VOTE: The motion passed unanimously.

C. **CM No. 01-72:** Raven Engineering Contract Amendment In The Amount \$24,000 For West Parks Water Main Extension.

MOTION: Council Member Lowe moved to approve CM No. 01-72.

Discussion moved to the council.

VOTE: The motion passed unanimously. (Council Member Cottle did not participate in the vote because she was away from the table).

## 12. COMMUNICATION

A. **IM No. 01-71:** Asphalt Preventative Maintenance Program.

B. **IM No. 01-73:** July - August 2001 Expenditure Report.

C. Wasilla Planning Commission Meeting Minutes: September 25, 2001.

No action was taken on any communication item.

## 13. MAYOR, CLERK, AND ATTORNEY COMMENTS

City Clerk:

- Reported that Council Member Bennett called to say that he would not be present at the meeting on October 22, 2001.
- Suggested that the council appoint a committee to review the possibility of an all mail ballot election.

The council requested additional information on the issue before appointing a committee.

Mayor Palin:

- Reported on various projects underway by the city.

## **14. AUDIENCE COMMENTS**

Bill McCain:

- Spoke about set back problems with his property.
- Urged the city to conduct building inspections.
- Spoke about the need to educate the public about land use codes within the city.

Karen Bretts, Alaskan's for Efficient Government:

- Requested funding from the city to continue their petition drive to move the legislative session to the Mat-Su Valley.

Deb Remus:

- Thanked Council Member Cottle for her service to the city.
- Inquired about street lighting within in the city.

## **15. EXECUTIVE SESSION**

No executive session was held.

## **16. COUNCIL COMMENTS**

Council Member Patrick:

- Thanked Council Members Bennett and Cottle for their service to the city.

Council Member Lowe:

- Thanked Council Members Bennett and Cottle for their service to the city.

Council Member Keller:

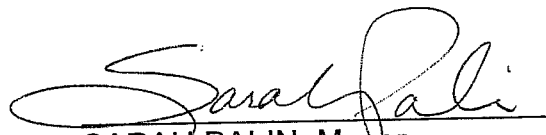
- Inquire about the noise mitigation plan from Department of Transportation and Public Facilities.
- Handed out a brochure published by the Mat-Su Local Emergency Planning Committee.
- Requested that the clerk and city planner work towards amending the appeal process in the code.

Council Member O'Neil:

- Thanked Council Members Bennett and Cottle for their service to the city.

**17. ADJOURNMENT**

The meeting adjourned at 9:25 p.m.



SARAH PALIN, Mayor

ATTEST:



KRISTIE L. VANGORDER, CMC  
City Clerk

Adopted October 22, 2001

**CITY OF WASILLA  
COUNCIL CERTIFICATE OF ELECTION**

**REGULAR ELECTION  
OCTOBER 2, 2001**

The results of the City of Wasilla Regular Election of October 2, 2001 are as follows:

**CITY COUNCIL - SEAT E - Three-year term ending October 2004.**  
(Vote for not more than one.)

	POLL	EARLY	ABSENTEE BY MAIL	QUESTIONED	TOTAL
COX, Ron	482	39	11	21	553
Write-in-Votes	35	1	2	-0-	38


**CITY COUNCIL - SEAT F - Three-year term ending October 2004.**  
(Vote for not more than one.)

	POLL	EARLY	ABSENTEE BY MAIL	QUESTIONED	TOTAL
STOLL, Steve	202	20	8	14	244
SULLIVAN-LEONARD, Colleen	354	26	5	10	395
Write-in Votes	10	1	-0-	-0-	11

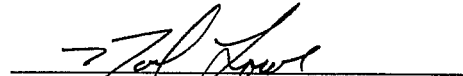
	CAST	COUNTED
<b>TOTAL POLL BALLOTS VOTED:</b>	621	621
<b>TOTAL EARLY BALLOTS VOTED:</b>	54	54
<b>TOTAL ABSENTEE BY MAIL BALLOTS ISSUED:</b>	24	13
<b>TOTAL EARLY QUESTIONED BALLOTS ISSUED:</b>	5	5
<b>TOTAL POLL QUESTIONED BALLOTS ISSUED:</b>	19	18
<b>TOTAL PERSONAL REPRESENTATIVE BALLOTS ISSUED:</b>	1	1
<b>TOTAL:</b>	724	712

We, the Wasilla City Council, jointly certify that the information listed herein is a true and accurate statement of the votes cast in the regular city election of October 2, 2001 and hereby declare said election to be held valid to the best of our knowledge and belief.


Dated this 8<sup>th</sup> day of October 2001.

  
SARAH PALIN, Mayor

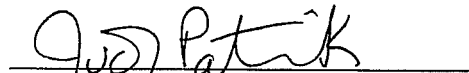
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DON BENNETT, Council Member

  
NOEL LOWE, Council Member

  
COLLEEN G. COTTLE, Council Member

  
HOWARD O'NEIL, Council Member

  
DIANNE M. KELLER, Council Member

  
JUDY PATRICK, Deputy Mayor

ATTEST:

  
KRISTIE L. VANGORDER, CMC  
City Clerk

[SEAL]