



MAYOR
Sarah Palin

COUNCIL
Howard O'Neil, Seat A
Dianne M. Keller, Seat B
Noel H. Lowe, Seat C
Judy Patrick, Seat D
Ron Cox, Seat E
Colleen Sullivan-Leonard, 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.

JULY 22, 2002

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF AGENDA**
5. **SPECIAL ORDERS**
 - A. Mickey Boyer, Chaplin, Wasilla Police Department.
 - B. Cory Hughes, Intern, Wasilla Police Department.
6. **COMMISSION/AGENCY REPORT (Five minutes per agency.)**
 - A. Planning Commission
 - B. Parks And Recreation Commission
 - C. Matanuska-Susitna Borough
 - D. Consolidated Communication Center Report.
 - E. Library Expansion Report.

7. CONSENT AGENDA

A. Minutes of Preceding Meeting:

1. Regular Meeting: June 24, 2002

B. Introductions (Public Hearing To Be Scheduled For: August 12, 2002)

1. **Ordinance Serial No. 02-47:** Amending WMC 5.16.120 (D), Tax Returns – Contents - Penalty For Delinquency, Concerning The Application Of Payments Received From Persons Owing Delinquent Sales Tax.
2. **Ordinance Serial No. 02-48:** Amending The Official Zoning Map Of The City Of Wasilla To Reflect A Change In Zone For Center Point Subdivision From RR—Rural Residential District To R2 – Residential District Pursuant To WMC 16.16.070, Rezoning.
3. **Ordinance Serial No. 02-49:** Amending Wasilla Municipal Code (WMC) 5.16.100 (3), Collection Of Sales Tax – Addition And Separate Statement.

C. Resolutions

1. **Resolution Serial No. 02-16:** Supporting The Recital Of The Pledge Of Allegiance At City Council Meetings.
2. **Resolution Serial No. 02-19:** Transferring Funds Within An Accounting Fund For Nelson Avenue Street Improvements.

D. Council Memorandums

1. **CM No. 02-39:** Council Approval Of The Award Of City Of Wasilla's Insurance (Property, Liability, Automobile, And Worker's Compensation) To The Alaska Pubic Entity Insurance.
2. **CM No. 02-40:** Confirmation of Election Officials: Regular City Election, October 1, 2002.

8. PUBLIC HEARING (Three minutes per person.)

- A. **Ordinance Serial No. 02-44:** Amending The FY-03 Budget By Appropriating Funds For Road Upgrading.

- B. **Ordinance Serial No. 02-45:** Amending The FY-03 Budget By Appropriating Funds For Federal Transit Authority Grant Preliminary Engineering.
- C. **Ordinance Serial No. 02-46:** Enacting WMC 2.68, Board Of Adjustment And Appeals, Enacting WMC 16.36, Board Of Adjustment And Appeals, Repealing WMC 16.08.010(C), Stays Pending Appeal, Amending WMC 16.08.070 Through 16.08.090, Compliance, Enforcement Orders And Penalties, Enacting WMC 16.08.095, Interpretations, Repealing WMC 16.08.110, Appeals To The Council, And Repealing WMC 16.08.120, Hearing Officer.

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

10. **UNFINISHED BUSINESS**

11. **NEW BUSINESS**

- A. **Resolution Serial No. 02-20:** Authorizing The Mayor To Execute An Agreement With Matanuska Telephone Association, Inc. Settling Claims Related To The Payment Of Telephone Cooperative Gross Receipts Tax To The City.
- B. **CM No. 02-41:** Contract Amendment To Kumin Associates, Inc. For Design Services In The Amount Of \$456,026 For The Multi-Use Sports Complex.

12. **COMMUNICATION**

- A. **IM No. 02-08:** Street Name Designation Changes.
- B. Approved Wasilla Planning Commission Meeting Minutes: June 11 and June 25, 2002.
- C. Draft Wasilla Planning Commission Meeting Minutes: July 9, 2002.

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

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

15. **EXECUTIVE SESSION**

- A. Proposed Settlement Of Claims Related To The Payment Of Telephone Cooperative Gross Receipts Tax To The City.

- B. Pending Litigation – Nature Conservancy.

NEW BUSINESS CONTINUED

- A. **Resolution Serial No. 02-20:** Authorizing The Mayor To Execute An Agreement With Matanuska Telephone Association, Inc. Settling Claims Related To The Payment Of Telephone Cooperative Gross Receipts Tax To The City.
- B. **Resolution Serial No. 02-17:** Authorizing The City To Apply For A Loan From The Alaska Drinking Water Fund For South Mack Drive Water Main Extension Design Services.
- C. **Resolution Serial No. 02-18:** Authorizing The City To Apply For A Loan From The Alaska Clean Water Fund For South Mack Drive Sewer Main Extension Design Services.

16. COUNCIL COMMENTS

17. ADJOURNMENT

1. CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, July 22, 2002, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Palin called the meeting to order at 7 p.m.

2. ROLL CALL

Council Members present and establishing a quorum were:

- Ms. Dianne Keller, Seat B
- Mr. Noel Lowe, Seat C
- Ms. Judy Patrick, Seat D
- Mr. Ron Cox, Seat E

Council Members O'Neil and Sullivan-Leonard were absent and excused.

Staff in attendance were:

- Ms. Kristie Smithers, City Clerk
- Ms. Jamie Newman, Deputy Clerk
- Mr. Tom Klinkner, City Attorney
- Mr. Ken Jacobus, Nature Conservancy Lawsuit Attorney
- Mr. John Cramer, Deputy Administrator
- Mr. Ted Leonard, Finance Director
- Mr. Don Moore, Sports Complex Project Coordinator
- Mr. Don Savage, Police Chief
- Mr. Chester Simpton, Library 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 the following change to the agenda:

- To move Resolution Serial Nos. 02-17 and 02-18 to after the executive session. No objection was raised.

VOTE: The agenda as amended passed unanimously.

5. SPECIAL ORDERS

A. Mickey Boyer, Chaplin, Wasilla Police Department.

Chaplin Boyer:

- Spoke about his involvement with the Wasilla Police Department.

B. Cory Hughes, Intern, Wasilla Police Department

Mr. Hughes:

- Spoke about the Business Watch Program he is implementing in the city.

6. COMMISSION/AGENCY REPORT (Five minutes per agency.)

A. Planning Commission

Ray McCarthy, Planning Commissioner:

- Spoke about the Sports Complex presentation received by the commission; and
- Praised the Wasilla Airport Master Plan presentation received by the commission.

B. Parks And Recreation Commission

No report was given.

C. Matanuska-Susitna Borough

Dan Kelly, Borough Assembly Member:

- Spoke about core a zoning;
- Reported that the borough received one million dollars from the Municipality of Anchorage for the Work Force Investment Act program; and
- Reported that the Borough Assembly passed a resolution in support of constructing a boat launch and dock at Lake Lucille Park.

D. Consolidated Communication Center Report.

Chief Don Savage:

- Reported on the progress of the proposed Consolidated Dispatch Center.

E. Library Expansion Report.

Chester Simpton, Library Director and Don Shiesl, Public Works Director:

- Reported on options for expanding the Wasilla Library.

7. CONSENT AGENDA

A. Minutes of Preceding Meeting:

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2. **Ordinance Serial No. 02-48:** Amending The Official Zoning Map Of The City Of Wasilla To Reflect A Change In Zone For Center Point Subdivision From RR—Rural Residential District To R2 – Residential District Pursuant To WMC 16.16.070, Rezoning.
3. **Ordinance Serial No. 02-49:** Amending Wasilla Municipal Code (WMC) 5.16.100 (3), Collection Of Sales Tax – Addition And Separate Statement.

C. Resolutions

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2. **Resolution Serial No. 02-19:** Transferring Funds Within An Accounting Fund For Nelson Avenue Street Improvements.

D. Council Memorandums

1. **CM No. 02-39:** Council Approval Of The Award Of City Of Wasilla's Insurance (Property, Liability, Automobile, And Worker's Compensation) To The Alaska Pubic Entity Insurance.
2. **CM No. 02-40:** Confirmation of Election Officials: Regular City Election, October 1, 2002.

Council Member Lowe requested to move CM No. 02-41 to New Business. No objection was raised.

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

VOTE: The motion passed unanimously.

8. PUBLIC HEARING

- A. **Ordinance Serial No. 02-44:** Amending The FY-03 Budget By Appropriating Funds For Road Upgrading.

Mayor Palin opened the public hearing and there being no one who wished to be heard, the public hearing was closed.

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 02-44.

VOTE: The motion passed unanimously.

- B. **Ordinance Serial No. 02-45:** Amending The FY-03 Budget By Appropriating Funds For Federal Transit Authority Grant Preliminary Engineering.

Mayor Palin opened the public hearing and there being no one who wished to be heard, the public hearing was closed.

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 02-45.

VOTE: The motion passed unanimously.

- C. **Ordinance Serial No. 02-46:** Enacting WMC 2.68, Board Of Adjustment And Appeals, Enacting WMC 16.36, Board Of Adjustment And Appeals, Repealing WMC 16.08.010(C), Stays Pending Appeal, Amending WMC 16.08.070 Through 16.08.090, Compliance, Enforcement Orders And Penalties, Enacting WMC 16.08.095, Interpretations, Repealing WMC 16.08.110, Appeals To The Council, And Repealing WMC 16.08.120, Hearing Officer.

Mayor Palin opened the public hearing.

Dave Chappel commented on the ordinance and requested clarification on several issues.

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

MOTION: Council Member Keller moved to adopt Ordinance Serial No. 02-46.

Discussion moved to the council.

MOTION: Council Member Patrick moved to postpone Ordinance Serial No. 02-46 to the August 12, 2002 Regular City Council Meeting and to eliminate an appeal board and retain a single appointed hearing officer.

Council directed the clerk to bring forward a resolution setting the compensation for hearing officer at \$75 per hour, and directed that the ordinance be amended to allow the mayor to appointment hearing officers with the council confirming the appointments. No objection was raised.

VOTE: The motion to postpone passed unanimously.

9. PERSONS TO BE HEARD

There were no persons to be heard.

10. UNFINISHED BUSINESS

There was no unfinished business.

11. NEW BUSINESS (continued on page 7)

- A. **Resolution Serial No. 02-20:** Authorizing The Mayor To Execute An Agreement With Matanuska Telephone Association, Inc. Settling Claims Related To The Payment Of Telephone Cooperative Gross Receipts Tax To The City.

Council Member Lowe requested to postpone Resolution Serial No. 02-20 until after the executive session. No objection was raised. (see page 7)

- B. **CM No. 02-41:** Contract Amendment To Kumin Associates, Inc. For Design Services In The Amount Of \$456,026 For The Multi-Use Sports Complex.

MOTION: Council Member Lowe moved to adopt CM No. 02-41.

Discussion moved to the council. The sports complex project coordinator, public works director and city attorney answered questions from the council.

MOTION: Council Member Patrick moved to postpone CM No. 02-41 to the August 12, 2002 Regular City Council Meeting.

VOTE: The motion to postpone passed unanimously.

12. COMMUNICATION

- A. **IM No. 02-08:** Street Name Designation Changes.
- B. Approved Wasilla Planning Commission Meeting Minutes: June 11 and June 25, 2002.
- C. Draft Wasilla Planning Commission Meeting Minutes: July 9, 2002.

No action was taken on the communication items.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

City Clerk:

- Reported that the filing period for city elected office closes on Friday, July 26, 2002.

Mayor Palin:

- Spoke about additional grant funds that may be received for the proposed regional dispatch center.
- Invited the council to attend a Consolidated Dispatch Center briefing on Thursday, July 25 at 10 a.m. in city hall.

Finance Director:

- Reported that the city was awarded the 2001 Distinguished Financial Reporting award.

City Attorney:

- Reported on attorney fees awarded to the city in the redistricting case.

Public Works Director:

- Reported that Nelson Avenue improvements are underway.

14. AUDIENCE COMMENTS

Dave Chappel:

- Advised the council to use caution when considering Resolution Serial Nos. 02-17 and 02-18.

15. EXECUTIVE SESSION

- A. Proposed Settlement Of Claims Related To The Payment Of Telephone Cooperative Gross Receipts Tax To The City.
- B. Pending Litigation – Nature Conservancy.

MOTION: Council Member Cox moved to enter into executive session for the purpose of potential or pending litigation to which the city of Wasilla may become or is a party.

VOTE: The motion passed unanimously.

The entire council, mayor, deputy administrator, public works director, sports complex project manager, and city attorneys Klinkner and Jacobus, entered executive session at 8:55 p.m. in the council conference room and exited at 9:30 p.m.

NEW BUSINESS CONTINUED (see page 5)

- A. **Resolution Serial No. 02-20:** Authorizing The Mayor To Execute An Agreement With Matanuska Telephone Association, Inc. Settling Claims Related To The Payment Of Telephone Cooperative Gross Receipts Tax To The City.

MOTION: Council Member Keller moved to adopt Resolution Serial No. 02-20.

VOTE: The motion passed unanimously.

- B. **Resolution Serial No. 02-17:** Authorizing The City To Apply For A Loan From The Alaska Drinking Water Fund For South Mack Drive Water Main Extension Design Services.

MOTION: Council Member Lowe moved to adopt Resolution Serial No. 02-17.

Ken Jacobus, city attorney, reported on the status of the Nature Conservancy lawsuit and encouraged the city to move forward with the construction of the sports complex on parcel D2.

VOTE: The motion passed unanimously.

- C. **Resolution Serial No. 02-18:** Authorizing The City To Apply For A Loan From The Alaska Clean Water Fund For South Mack Drive Sewer Main Extension Design Services.

MOTION: Council Member Keller moved to adopt Resolution Serial No. 02-18.

VOTE: The motion passed unanimously.

16. COUNCIL COMMENTS

Council Member Cox:

- Reported on the Yard Beautiful committee.

Council Member Patrick:

- Thanked Council Member Cox for initiating the Yard Beautiful recognition award.

17. ADJOURNMENT

The meeting adjourned at 9:55 p.m.



SARAH PALIN, Mayor

ATTEST:



KRISTIE L. SMITHERS, CMC
City Clerk

Adopted by the Wasilla City Council on August 12, 2002.