



## 7. CONSENT AGENDA

### A. Minutes of Preceding Meeting:

1. Regular Meeting: August 25, 2003.

### B. Introductions (Public Hearing To Be Scheduled For: September 22, 2003)

1. **Ordinance Serial No. 03-59:** Amending The Official Zoning Map Of The City Of Wasilla To Reflect A Change In Zoning Districts From RR—Rural Residential To RM—Multi-Family Residential For A Portion Of Tax Parcel A-7 Within Section 16, Township 17 North, Range 1 West, Seward Meridian, Alaska.
2. **Ordinance Serial No. 03-60:** Amending The FY-04 Budget By Appropriating \$50,000 For Consulting Services And Groundwater Monitoring Required To Renew The Wastewater Treatment Plant Permit.

### C. Resolutions

### D. Council Memorandums

1. **CM No. 03-45:** Contract Award To Rain Proof Roofing, In The Amount Of \$45,972 For Roof Repairs To The Wasilla Police Station As A Result Of The March 2003 Wind Storm Disaster.
2. **CM No. 03-46:** Confirmation Of Early Voting Election Officials: Regular City Election, October 7, 2003.
3. **CM No. 03-47:** Contract Amendment For Arctic Pipe & Materials In The Amount Of \$23,800 For Additional South Mack Drive Water And Sewer Main Extension Materials.
4. **CM No. 03-48:** Authorization For The Alaska Railroad To Upgrade The One-Lane Timber Railroad Crossing At South Mack Drive, In The Amount Of \$75,000.

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

- A. **Ordinance Serial No. 03-54:** Amending The FY-04 Budget By Appropriating \$52,000 For The Lucille Lake Boat Launch Project.
- B. **Ordinance Serial No. 03-56:** Amending WMC 16.24.040, Parking, To Provide For Technical Revisions Relating To Off-Street And On-Street Parking Requirements.

- C. **Ordinance Serial No. 03-57:** Amending 12.20.020, Limitation Of Motorized Uses On Lake Lucille And Wasilla Lake, To Decrease Hours Of Operation For Motorized Uses And To Amend 12.20.030, Prohibition Of Motorized Uses, To Only Allow Watercraft To Use The E. Susitna Avenue Right Of Way To Access Lake Lucille Between May 1 And November 1 Of Each Year.
- D. **Resolution Serial No. 03-29:** Prohibiting On-Street Parking In Designated Areas Of S. Lake Street And E. Susitna Avenue And Providing For The Installation Of Gates At The Public Access Area Located On E. Susitna Avenue And S. Lake Street.
- E. **Ordinance Serial No. 03-53:** Amending The FY-04 Budget By Appropriating \$45,000 For Replacement Of The Wasilla Police Department Roof.
- F. **Ordinance Serial No. 03-55:** Amending The FY-04 Budget By Appropriating \$95,000 For The Multi-Use Sports Complex Water Utilities.

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

**10. UNFINISHED BUSINESS**

**11. NEW BUSINESS**

**12. COMMUNICATION**

- A. **IM No. 03-08:** Revisor Of Ordinance; WMC 16.24.030, Setbacks And Height.

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

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

**15. EXECUTIVE SESSION**

- A. Disposal Of City Owned Property, Tax Parcel D-9, Riley Avenue

**16. COUNCIL COMMENTS**

**17. ADJOURNMENT**

**1. CALL TO ORDER**

The regular meeting of the Wasilla City Council was held on Monday, September 8, 2003, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Keller called the meeting to order at 7 p.m.

**2. ROLL CALL**

Council Members present and establishing a quorum were:

Mr. Howard O'Neil, Seat A, Deputy Mayor  
Ms. Diana L. Straub, Seat B  
Mr. Noel Lowe, Seat C  
Mr. Rob Sande, Seat D  
Mr. Ron Cox, Seat E  
Ms. Colleen Sullivan-Leonard, Seat F

Staff in attendance were:

Ms. Kristie L. Smithers, City Clerk  
Ms. Jamie Newman, Deputy City Clerk  
Mr. Tom Klinkner, City Attorney  
Mr. Tim Krug, City Planner  
Mr. Ted Leonard, Finance Director  
Mr. Craig Robinson, Police Lieutenant  
Mr. Don Shiesl, Public Works Director

**3. PLEDGE OF ALLEGIANCE**

Mrs. May Carter led the Pledge of Allegiance.

**4. APPROVAL OF AGENDA**

Mayor Keller requested the following adjustments to the agenda:

- to add Resolution Serial No. 03-31 under the consent agenda; and
- to add the Lundgren Case under executive session.

GENERAL CONSENT: No objection was raised to approve the agenda as amended.

## 5. SPECIAL ORDERS

- A. Proclamation Presentation: Honoring May Martin Carter.

Mayor Keller presented a Proclamation to Mrs. Carter commemorating her years of service as a great Pioneer of Alaska and as U.S. Commissioner and Postmaster of Wasilla.

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

- A Planning Commission

Commissioner Verdie Bowen:

- spoke about the Center Point Subdivision re-zone;
- reported that the commission continues to work on revising site plan requirements; and
- requested a joint council/planning commission work session on site plan criteria.

- B. Parks And Recreation Commission

No report was presented.

- C. Matanuska-Susitna Borough

Assembly Member Mary Kvalheim:

- announced that the borough has recently hired a veterinarian at the animal control shelter;
- reported on enrollment numbers in area schools;
- commented on bond propositions that are on the October 7, 2003 ballot;
- requested that the city support the Port McKenzie bond proposition; and
- presented dates for methane gas extraction public meetings scheduled throughout the borough.

- D. Kelly Marre Re: Light the Night Walk

Ms. Marre:

- reported that the "Light the Night Walk" is an event sponsored by the Leukemia and Lymphoma Society to raise funds to research blood related cancers; and
- encouraged everyone to participate in the event.

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  2. **Ordinance Serial No. 03-60:** Amending The FY-04 Budget By Appropriating \$50,000 For Consulting Services And Groundwater Monitoring Required To Renew The Wastewater Treatment Plant Permit.
- C. Resolutions
1. **Resolution Serial No. 03-31:** Requesting The Alaska Department Of Transportation And Public Facilities To Expedite State Transportation Improvement Projects In The Vicinity Of The City Of Wasilla And To Prevent These Projects From Continual Delay.
- D. Council Memorandums
1. **CM No. 03-45:** Contract Award To Rain Proof Roofing, In The Amount Of \$45,972 For Roof Repairs To The Wasilla Police Station As A Result Of The March 2003 Wind Storm Disaster.
  2. **CM No. 03-46:** Confirmation Of Early Voting Election Officials: Regular City Election, October 7, 2003.
  3. **CM No. 03-47:** Contract Amendment For Arctic Pipe & Materials In The Amount Of \$23,800 For Additional South Mack Drive Water And Sewer Main Extension Materials.
  4. **CM No. 03-48:** Authorization For The Alaska Railroad To Upgrade The One-Lane Timber Railroad Crossing At South Mack Drive, In The Amount Of \$75,000.

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

GENERAL CONSENT: The motion passed without objection.

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

- A. **Ordinance Serial No. 03-54:** Amending The FY-04 Budget By Appropriating \$52,000 For The Lucille Lake Boat Launch Project.

- B. **Ordinance Serial No. 03-56:** Amending WMC 16.24.040, Parking, To Provide For Technical Revisions Relating To Off-Street And On-Street Parking Requirements.
- C. **Ordinance Serial No. 03-57:** Amending 12.20.020, Limitation Of Motorized Uses On Lake Lucille And Wasilla Lake, To Decrease Hours Of Operation For Motorized Uses And To Amend 12.20.030, Prohibition Of Motorized Uses, To Only Allow Watercraft To Use The E. Susitna Avenue Right Of Way To Access Lake Lucille Between May 1 And November 1 Of Each Year.
- D. **Resolution Serial No. 03-29:** Prohibiting On-Street Parking In Designated Areas Of S. Lake Street And E. Susitna Avenue And Providing For The Installation Of Gates At The Public Access Area Located On E. Susitna Avenue And S. Lake Street.

Mayor Keller opened the public hearing on the following items:  
Ordinance Serial Nos. 03-54, 03-56, 03-57 and Resolution Serial No. 03-29.

Mr. Steve Lovelle encouraged the city to install double ramps at the E. Susitna Avenue public access area and supports an annual use fee of \$250 for local businesses.

Mr. John Dewar spoke in opposition to the city expending funds to upgrade the public access area on E. Susitna Avenue and he encouraged the city to develop boat launch access in other areas of the city in an effort to lessen the impact to the E. Susitna Avenue site.

Mr. Wes Hamerick spoke in support of the proposed improvements to the public access area on E. Susitna Avenue and encouraged the police department to vigorously patrol the area to ensure compliance. On behalf of Valley CC Skidoo, Mr. Hamerick pledged \$500 towards the proposed improvements.

Mr. Dan Berj spoke in support of the proposed improvements to the public access area on E. Susitna Avenue and supports a \$250 annual use fee for local businesses. On behalf of Wasilla Arctic Cat and Marine, Mr. Berj pledged \$500 towards the proposed improvements provided that they are completed in a timely manner.

Mr. Mark Ewing spoke in support of public access to Lake Lucille and encouraged the city to purchase an additional parcel of land for expansion.

Ms. Kim Robinson spoke in favor of the proposed improvements to the public access area on E. Susitna Avenue but cautioned the city from encouraging an even greater use of the site as it is currently over utilized. She stated that the boat launch creates a public nuisance for those living adjacent to the access area.

Mr. Marilyn McGuire spoke in support of the proposed improvements to the public access area on E. Susitna Avenue and questioned the collection process. She requested informative signage to help educate the public and expressed concern about the impact of prohibiting on-street parking to residents living on the street.

Mr. Merle Kidd encouraged aggressive enforcement of the area in an effort to lessen the impact to those residing adjacent to the public access area on E. Susitna Avenue.

There being no others who wished to present testimony, the public hearing closed.

Mayor Keller addressed various issues raised during public testimony.

MOTION: Council Member Sande moved to adopt Ordinance Serial No. 03-54.

MOTION: Council Member Straub moved to postpone Ordinance Serial No. 03-54 until further into the meeting and after the council has considered Ordinance Serial No. 03-57.

GENERAL CONSENT: No objection was raised to the postponement.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 03-56 and Resolution Serial No. 03-29.

Discussion by the council followed and the city planner and public works director answered questions from the council.

Discussion by the council continued and debate focused on the prohibition of on-street parking on S. Lake Street and E. Susitna Avenue.

The city attorney spoke about the concept of permitted resident parking and answered questions from the council relating to liability issues.

VOTE: The motion to adopt Ordinance Serial No. 03-56 and Resolution Serial No. 03-29 passed with Council Member Lowe opposed.

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 03-57.

VOTE: The motion passed unanimously.

PREVIOUS MOTION: Council Member Sande moved to adopt Ordinance Serial No. 03-54. (motion currently on the floor)

VOTE: The motion to adopt Ordinance Serial No. 03-54 passed unanimously.



- E. **Ordinance Serial No. 03-53:** Amending The FY-04 Budget By Appropriating \$45,000 For Replacement Of The Wasilla Police Department Roof.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-53 and there being no one who wished to present testimony the public hearing closed.

The city clerk read the following typographical correction to Ordinance Serial No. 03-53 into the record: Section 4, Source of Funds General Fund's Fund Balance [CAPITAL RESERVE FUND'S FUND BALANCE].

GENERAL CONSENT: No objection was raised to the correction.

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 03-53.

VOTE: The motion passed unanimously.

- F. **Ordinance Serial No. 03-55:** Amending The FY-04 Budget By Appropriating \$95,000 For The Multi-Use Sports Complex Water Utilities.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-55 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member O'Neil moved to adopt Ordinance Serial No. 03-55.

Council Member Lowe questioned the funding source and the finance director answered his question.

VOTE: The motion passed unanimously.

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

No comments were made under persons to be heard.

**10. UNFINISHED BUSINESS**

There was no unfinished business.

**11. NEW BUSINESS**

There was no new business.

**12. COMMUNICATION**

- A. **IM No. 03-08:** Revisor Of Ordinance; WMC 16.24.030, Setbacks And Height.

No objection was raised to the communication item.

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

City Clerk:

- confirmed that reservations have been made for those attending the Alaska Municipal League Conference in Nome, Alaska;
- reported that early voting will begin on September 22 and continue through October 6; and
- noted that sample ballots have been posted to the city's web page for the first time.

City Attorney:

- reported that he recently resolved a sales tax claim and the city was awarded a favorable settlement; and
- spoke about projects that are underway.

Mayor Keller:

- highlighted the activities of various city departments;
- announced that the public works director submitted his resignation effective October 3 and thanked him for his outstanding service to the city; and
- recognized the museum registrar for her efforts in program development at the museum.

Mayor requested that council comments are postponed until after the executive session.

GENERAL CONSENT: No objection was raised.

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

Mr. Verdie Bowen thanked the council for taking action on the public access area on S. Lake Street and E. Susitna Avenue.

Mr. John Dewar thanked the council their work to rectify issues raised by residents in relation to the public access area on S. Lake Street and E. Susitna Avenue and requested that the city establish a public boat launch on Wasilla Lake.

Ms. Katie Hurley shared her recent positive experiences with the city staff.

### **15. EXECUTIVE SESSION**

- A. Disposal Of City Owned Property, Tax Parcel D-9, Riley Avenue.
- B. Lundgren Case.

Mayor Keller requested a 5-minute recess prior to entering into executive session.

GENERAL CONSENT: No objection was raised.

The council recessed at 9:05 p.m. and reconvened at 9:10 p.m.

MOTION: Council Member Cox moved to enter into executive session for the purpose of discussing matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the city, specifically the disposal of Tax Parcel D-9, Riley Avenue; and for the purpose of potential or pending litigation to which the City of Wasilla may become or is a party, specifically the Lundgren case.

GENERAL CONSENT: No objection was raised to enter into executive session.

The following entered into executive session at 9:10 p.m. in the council conference room to discuss the Lundgren case: the mayor, entire council, city attorney, city planner, public works director and attorney Ken Jacobus. The executive session exited at 9:38 p.m.

The following entered into executive session at 9:39 p.m. in the council conference room to discuss the disposal of Tax Parcel D-9, Riley Avenue: the mayor, entire council, city attorney, and city planner. The executive session exited at 10 p.m.

## 16. COUNCIL COMMENTS

Council Member Straub:

- spoke about her tour of the dispatch center;
- commented on her positive experience serving as a council member; and
- stated that the museum registrar is an asset to the city.

Council Member Sande:

- reported on an assembly meeting he attended on behalf of the city.

Council Member Sullivan-Leonard:

- recognized the museum registrar for her efforts; and
- thanked the mayor for preparing the resolution relating to state road improvement projects.

MOTION: Council Member Sullivan-Leonard moved to direct administration to establish a \$10 general use fee and a \$250 annual fee for business to utilize the boat launch on S. Lake Street and E. Susitna Avenue.

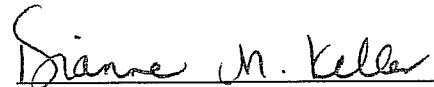
GENERAL CONSENT: No objection was raised.

MOTION: Council Member Sullivan-Leonard moved to direct administration to provide a technical memorandum with all ordinances.


GENERAL CONSENT: No objection was raised.

**17. ADJOURNMENT**

The meeting adjourned at 10:20 p.m.

  
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DIANNE M. KELLER, Mayor

ATTEST:

  
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KRISTIE L. SMITHERS, CMC  
City Clerk

Adopted by the Wasilla City Council on September 22, 2003.