



MAYOR

Dianne M. Keller

COUNCIL

Howard O'Neil, Seat A

Diana L. Straub, Seat B

Noel H. Lowe, Seat C

Robert Sande, Seat D

Ron Cox, Seat E

Colleen Sullivan-Leonard, Seat F

**WASILLA CITY COUNCIL
MEETING AGENDA**

WASILLA CITY COUNCIL CHAMBERS

Wasilla City Hall, 290 E. Herning Avenue, Wasilla, AK 99654 (907) 373-9090

REGULAR MEETING

7 P.M

OCTOBER 27, 2003

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
 - A. Presentation Of Colors By Boy Scout Troop No. 300.
4. **APPROVAL OF AGENDA**
5. **SPECIAL ORDERS**
 - A. A Proclamation In Recognition of Patricia Ann Newcomb.
 - B. A Proclamation In Recognition of Harold Newcomb.
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: October 13, 2003

B. Introductions (Public Hearing To Be Scheduled For: November 24, 2003)

1. **Ordinance Serial No. 03-65:** Amending The FY-04 Budget By Appropriating \$30,000 For The Recreation And Cultural Services Manager Staff Vehicle.
2. **Ordinance Serial No. 03-66:** Reducing The FY-04 Budget By \$20,000 For The Septage Facility Emergency Generator.
3. **Ordinance Serial No. 03-67:** To Amend The FY-04 Budget By Approving And Accepting A Fred Meyer Grant And An Alaska Airlines Grant And To Revise The Revenue And Expenditure Budget Accounts In The Youth Court Special Revenue Fund To Match Actual Revenue Being Realized From Various Grant And Contribution Sources.
4. **Ordinance Serial No. 03-68:** To Amend The FY-04 Budget By Accepting And Appropriating \$10,000 In Grant Funds From The State Of Alaska Department Of Transportation Highway Safety Office.

C. Resolutions

1. **Resolution Serial No. 03-38:** Transferring Funds Within An Accounting Fund In The Amount Of \$20,000 For The Septage Facility.

D. Council Memorandums

1. **CM No. 03-56:** Contract Award To Raven Engineering In The Amount Of \$40,000 For The Palmer-Wasilla Highway Water Main Extension Phase II Design Services.
2. **CM No. 03-57:** Contract Amendment For Kumin & Associates In The Amount Of \$135,606 For The Multi-Use Sports Complex Consulting Services.
3. **CM No. 03-59:** Approval Of 2004 City Council Meeting Schedule.

8. PUBLIC HEARING (Three minutes per person.)

- A. **Ordinance Serial No. 03-58:** Amending WMC 2.52, Library, In Regard To Duties and Borrowed Materials and Repealing WMC 2.52.010 and .020 In Regard to Department and Appointment.
- B. **Ordinance Serial No. 03-46:** Amending WMC 1.20.030.C, Fine Schedule, To Establish Fines For Offenses Related To Stopping, Standing And Parking Of Vehicles, And Adopting WMC Chapter 10.20, Regulating The Stopping, Standing And Parking Of Vehicles And Repealing WMC 10.08.030 Unauthorized Use of Handicapped Parking.
- C. **Ordinance Serial No. 03-62:** Amending WMC 1.04.010, 12.16.010, 16.04.070 In Regard To The Definitions Of Street, Roadway, And Public Right Of Way And Repealing WMC 12.08.130, Street Defined.
- D. **Ordinance Serial No. 03-63:** Amending The FY-04 Budget By Appropriating \$6,667 In State Of Alaska Grant Funding For the Airport Apron Expansion Project Phase I.
- E. **Ordinance Serial No. 03-64:** Amending WMC 13.20.010, Definitions and 13.20.070, Access To Airport To Prohibit Through-The-Fence Agreements.

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

10. UNFINISHED BUSINESS

11. NEW BUSINESS

- A. Introduction (Public Hearing To Be Scheduled For: November 24, 2003)
 - 1. **Ordinance Serial No. 03-61:** Amending WMC 2.04.030, Terms And WMC 2.16.040, Election And Term Of Office Of Mayor, To Repeal Term Limits For Elected Officials Of The City Of Wasilla. (Requested by Council Member O'Neil) (Postponed From The October 13, 2003 Regular City Council Meeting).
- B. **CM No. 03-58:** Liquor License Transfer Of Ownership For La Fiesta Dos.

12. COMMUNICATION

- A. **IM No. 03-09:** July Through September 2003 Expenditure Report.
- B. **IM No. 03-10:** Expenses Greater Than \$5,000 For July Through September 2003.

C. **IM No. 03-11: 2004 Holiday Schedule.**

D. **Wasilla Planning Commission Draft Meeting Minutes: October 14, 2003.**

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

14. AUDIENCE COMMENTS (Three minutes per person.)

15. EXECUTIVE SESSION

A. **Lundgren Case.**

B. **Valley Hospital.**

16. COUNCIL COMMENTS

17. ADJOURNMENT

1. CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, October 27, 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 (arrived at 7:10 p.m.)
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. Archie Giddings, Public Works Director
Mr. Ted Leonard, Finance Director
Mr. Don Savage, Police Chief
Mr. Chester Simton, Library Director

3. PLEDGE OF ALLEGIANCE

Council Member Sande led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Council Member Cox requested to move CM No. 03-59 from the consent agenda to new business.

Mayor Keller requested to add under special orders; two proclamation presentations and to add under executive session; Valley Hospital.

GENERAL CONSENT: The agenda was approved as amended. No objection was raised.

5. SPECIAL ORDERS

- A. A Proclamation In Recognition of Patricia Ann Newcomb.

Mayor Keller presented Mrs. Newcomb with a proclamation in recognition of her dedication, inspiration, and years of service to the community.

- B. A Proclamation In Recognition of Harold Newcomb.

Mayor Keller presented Mr. Newcomb with a proclamation in recognition of his years of service to the city, borough, and state.

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

- A. Planning Commission

Commissioner John Vinette reported on the activities of the planning commission and the planning office.

- B. Parks And Recreation Commission

No report was presented.

- C. Matanuska-Susitna Borough

No report was presented.

7. CONSENT AGENDA

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- B. Introductions (Public Hearing To Be Scheduled For: November 24, 2003)

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C. Resolutions

1. **Resolution Serial No. 03-38:** Transferring Funds Within An Accounting Fund In The Amount Of \$20,000 For The Septage Facility.

D. Council Memorandums

1. **CM No. 03-56:** Contract Award To Raven Engineering In The Amount Of \$40,000 For The Palmer-Wasilla Highway Water Main Extension Phase II Design Services.
2. **CM No. 03-57:** Contract Amendment For Kumin & Associates In The Amount Of \$135,606 For The Multi-Use Sports Complex Consulting Services.
3. **CM No. 03-59:** Approval Of 2004 City Council Meeting Schedule.

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

GENERAL CONSENT: The motion passed without objection.

8. PUBLIC HEARING

- A. **Ordinance Serial No. 03-58:** Amending WMC 2.52, Library, In Regard To Duties and Borrowed Materials and Repealing WMC 2.52.010 and .020 In Regard to Department and Appointment.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-58 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 03-58.

GENERAL CONSENT: The motion passed without objection.

- B. **Ordinance Serial No. 03-46:** Amending WMC 1.20.030.C, Fine Schedule, To Establish Fines For Offenses Related To Stopping, Standing And Parking Of Vehicles, And Adopting WMC Chapter 10.20, Regulating The Stopping, Standing And Parking Of Vehicles And Repealing WMC 10.08.030 Unauthorized Use of Handicapped Parking.
- C. **Ordinance Serial No. 03-62:** Amending WMC 1.04.010, 12.16.010, 16.04.070 In Regard To The Definitions Of Street, Roadway, And Public Right Of Way And Repealing WMC 12.08.130, Street Defined.

Mayor Keller opened the public hearing on Ordinance Serial Nos. 03-46 and 03-62.

Mr. Mike Verbos spoke in opposition to the time frame noted in Ordinance Serial No. 03-46, section 10.20.020.

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

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 03-46.

The public works director, city planner, and city attorney answered questions from the council.

Discussion continued by the council.

GENERAL CONSENT: The motion passed without objection.

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 03-62.

GENERAL CONSENT: The motion passed without objection.

- D. **Ordinance Serial No. 03-63:** Amending The FY-04 Budget By Appropriating \$6,667 In State Of Alaska Grant Funding For the Airport Apron Expansion Project Phase I.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-63 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Sullivan-Leonard moved to adopt Ordinance Serial No. 03-63.

GENERAL CONSENT: The motion passed without objection.

- E. **Ordinance Serial No. 03-64:** Amending WMC 13.20.010, Definitions and 13.20.070, Access To Airport To Prohibit Through-The-Fence Agreements.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-64 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 03-64.

GENERAL CONSENT: The motion passed without objection.

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

No one spoke under persons to be heard.

10. UNFINISHED BUSINESS

There was no unfinished business.

11. NEW BUSINESS

- A. Introduction (Public Hearing To Be Scheduled For: November 24, 2003)

- 1. **Ordinance Serial No. 03-61:** Amending WMC 2.04.030, Terms And WMC 2.16.040, Election And Term Of Office Of Mayor, To Repeal Term Limits For Elected Officials Of The City Of Wasilla. (Requested by Council Member O'Neil) (Postponed From The October 13, 2003 Regular City Council Meeting.

The council discussed the issue of placing the question of term limits before the voters.

MOTION: Council Member Lowe moved to introduce Ordinance Serial No. 03-61 and set the public hearing on November 24, 2003.

GENERAL CONSENT: The motion passed without objection.

- B. **CM No. 03-58:** Liquor License Transfer Of Ownership For La Fiesta Dos.

MOTION: Council Member Straub moved to adopt CM No. 03-58.

VOTE: The motion passed with Council Member Cox opposed.

12. COMMUNICATION

- A. **IM No. 03-09:** July Through September 2003 Expenditure Report.

- B. **IM No. 03-10:** Expenses Greater Than \$5,000 For July Through September 2003.
- C. **IM No. 03-11:** 2004 Holiday Schedule.
- D. Wasilla Planning Commission Draft Meeting Minutes: October 14, 2003.

No action was taken on the communication items.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

City Clerk:

- announced the State Ways and Means Committee has requested a meeting with the council on November 6 from 2 p.m. to 4 p.m.;
- requested that the council schedule a 2003 employee meeting pursuant to WMC 3.90.080; and
- updated the council on the certification of the borough election.

The council directed the clerk to schedule an employee meeting on November 17, 2003 beginning at 5 p.m. in council chambers.

City Attorney:

- stated he is continuing to track the proceedings of the Regulatory Commission regarding extending the city's utility service area to the new Valley Hospital site.

Mayor Keller:

- updated the council on the activities of city staff; and
- spoke about projects currently under construction.

14. AUDIENCE COMMENTS

Mr. Bob Fassio:

- encouraged the council to place the question of term limits before the voters.

Mr. John Dewar:

- supports the issue of term limits going before the voters; and
- commented on the rapid growth of the city and encouraged the council to aggressively enforce land use codes.

15. EXECUTIVE SESSION

- A. Lundgren Case.
- B. Valley Hospital.

MOTION: Council Member O'Neil moved to enter into executive session for potential or pending litigation to which the city may become or is a party, specifically the Lundgren case and to discuss matters the immediate public knowledge of which would clearly have an adverse effect upon the finances of the city, consisting of negotiation strategy related to the provision of utility services to the Valley Hospital/Triad joint venture.

GENERAL CONSENT: No objection was raised to the motion.

The mayor, the entire city council, city attorney, city planner, public works director and attorney Ken Jacobus entered executive session to discuss the Lundgren Case at 8:15 p.m. in the council conference room. The executive session exited at 8:50 p.m.

The mayor, the entire city council, city attorney, public works director, and finance director entered executive session to discuss utility services to the Valley Hospital/Triad joint venture at 8:51 p.m. in the council conference room. The executive session exited at 9:15 p.m.

16. COUNCIL COMMENTS

Council Member Sullivan-Leonard:

- inquired about state revenue sharing; and
- stated she plans to submit a letter of resignation effective December 8, 2003.

Council Member Straub:

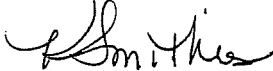
- thanked everyone for a lovely evening.

17. ADJOURNMENT

The meeting adjourned at 9:20 p.m.


DIANNE M. KELLER, Mayor

ATTEST:


KRISTIE L. SMITHERS, CMC
City Clerk

Adopted by the Wasilla City Council on November 24, 2003