



**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

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**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.**

**DECEMBER 8, 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. Presentation To Council Member Colleen Sullivan-Leonard.
  - B. Proclamation Presentation: Tubachristmas Day.
6. **COMMISSION/AGENCY REPORT (Five minutes per agency.)**
  - A. Planning Commission
  - B. Parks And Recreation Commission
  - C. Matanuska-Susitna Borough

- D. Mr. Ray McCarthy: Christmas Friendship Dinner.
- E. Annual Audit Report:
  - 1. Mr. John Bost, Mikunda Cottrell: Audit Report

**7. CONSENT AGENDA**

- A. Minutes of Preceding Meeting:
  - 1. Regular Meeting: November 24, 2003
- B. Introductions (Public Hearing To Be Scheduled For: December 29, 2003)
  - 1. **Ordinance Serial No. 03-73:** To Amend The FY-04 Sports Complex Budget By Appropriating \$132,687 From The General Fund And Projected Revenue From The Sports Complex In The Amount Of \$96,000.
  - 2. **Ordinance Serial No. 03-74:** To Amend The FY04 Cultural & Recreation Dept. Budget By Appropriating \$30,000 In Order To Accept The Economic Development Mini Grant For Market Analysis And The Cash Match Of \$10,000 From The General Fund.
- C. Introductions (Public Hearing To Be Scheduled For: January 12, 2004)
  - 1. **Ordinance Serial No. 04-01:** To Amend The FY04 Police Dept. Budget By Appropriating \$1,500 In Order To Accept The Wal-Mart Foundation Grant.
  - 2. **Ordinance Serial No. 04-02:** Amending The Official Zoning Map Of The City To Reflect A Change In Zoning Districts From RR—Rural Residential To C--Commercial For Tract 3-A Fred Nelson Resubdivision.
  - 4. **Ordinance Serial No. 04-03:** Adopting WMC Chapter 16.34, Appeals To The Planning Commission, Amending WMC Chapter 16.36, Appeals, And Repealing WMC 16.08.100, Appeals To The Commission.
  - 5. **Ordinance Serial No. 04-04:** To Amend The FY-04 Police Dept. Budget To The Actual Amount Awarded In The Byrne Grant.
  - 6. **Ordinance Serial No. 04-05:** To Amend The FY-04 Police Dept. Budget To The Actual Amount Awarded In The SAM Grant.

D. Resolutions

1. **Resolution Serial No. 03-40:** Establishing User Fees For Uses At The Multi-Use Sports Complex.

E. Council Memorandums

1. **CM No. 03-70:** Acceptance Of FY 2003 Financial Statements For The City Of Wasilla.
2. **CM. No. 03-72:** Appointment Of Planning Commissioner.

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

- A. **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) (Public Hearing Continued From November 24, 2003 Regular City Council Meeting)

**Ordinance Serial No. 03-61(SUB):** 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, And Submitting The Question Of The Repeal Of Such Term Limits To The Qualified Voters Of The City At The October 5, 2004 City Election.

- B. **Ordinance Serial No. 03-69:** Amending The FY-04 Budget By Appropriating \$9,372.80 In State Grant Funding For Iditapark Improvements.

- C. **Ordinance Serial No. 03-70:** To Amend The Police Department FY04 Budget By Appropriating \$39,620 From The Division Of Homeland Security For Purchasing Equipment.

- D. **Ordinance Serial No. 03-71(AM):** Amending The FY-03 Budget By Appropriating \$161,195 From The General Fund's Fund Balance For Attorneys Fees And Expenses Incurred In Relation To The Nature Conservancy Lawsuit.

- E. **Ordinance Serial No. 03-72:** Amending 13.20.010, Definitions, Amending WMC 13.20.270, Animals, And Amending WMC 1.20.030, Disposition Of Scheduled Offenses – Fine Schedule, In Regard To Animal Handling At The Wasilla Municipal Airport.

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

**10. UNFINISHED BUSINESS**

**11. NEW BUSINESS**

- A. **CM No. 03-69:** Approval Of Liquor License Renewals For 2004.
- B. **CM No. 03-71:** Council Policy for Non-Profit Grants. (Requested by Council Member Sullivan-Leonard)
- C. Resignation of Council Member Sullivan-Leonard

**12. COMMUNICATION**

- A. Draft Wasilla Planning Commission Meeting Minutes: November 25, 2003.
- B. Draft Wasilla Parks & Recreation Commission Meeting Minutes: November 12, 2003.

**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, December 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 (arrived at 7:17 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. Archie Giddings, Public Works Director  
Mr. Ted Leonard, Finance Director  
Mr. Don Savage, Police Chief  
Mr. Bruce Urban, Recreation and Cultural Services Manager

**3. PLEDGE OF ALLEGIANCE**

Boy Scout Troop 300 led the Pledge of Allegiance.

**4. APPROVAL OF AGENDA**

Mayor Keller requested the following adjustments to the agenda:

- to add a proclamation presentation recognizing "Tubachristmas" under special orders; and
- to add Ray McCarthy reporting on the annual Christmas friendship dinner under commission and agency reports.

**GENERAL CONSENT:** The agenda was approved as amended and no objection was raised.

**5. SPECIAL ORDERS**

- A. Presentation To Council Member Colleen Sullivan-Leonard.

Mayor Keller presented an appreciation plaque to Colleen Sullivan-Leonard in recognition of her tenure on the Wasilla City Council.

- B. Proclamation Presentation; Tubachristmas Day.

Mayor Keller presented a proclamation proclaiming December 13, 2003 as Tubachristmas day throughout the City of Wasilla.

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

- A. Planning Commission

Commissioner Verdie Bowen:

- reported that the commission is reviewing the Alaska Planning handbook; and
- stated that the commission is looking forward to their work session with the city council regarding site plans.

- B. Parks And Recreation Commission

No report was presented.

- C. Matanuska-Susitna Borough

No report was presented.

- D. Mr. Ray McCarthy; Christmas Friendship Dinner

Spoke about the annual Christmas Friendship dinner and encouraged participation for those less fortunate.

- E. Annual Audit Report:

1. Mr. John Bost, Mikunda Cottrell: Audit Report

Mr. Bost presented a summary of the FY-03 audit report and spoke about future reports that will be prepared in accordance with GASBY 34.

7. **CONSENT AGENDA**

A. Minutes of Preceding Meeting:

1. Regular Meeting: November 24, 2003

B. Introductions (Public Hearing To Be Scheduled For: December 29, 2003)

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2. **Ordinance Serial No. 03-74:** To Amend The FY04 Cultural & Recreation Dept. Budget By Appropriating \$30,000 In Order To Accept The Economic Development Mini Grant For Market Analysis And The Cash Match Of \$10,000 From The General Fund.

C. Introductions (Public Hearing To Be Scheduled For: January 12, 2004)

1. **Ordinance Serial No. 04-01:** To Amend The FY04 Police Dept. Budget By Appropriating \$1,500 In Order To Accept The Wal-Mart Foundation Grant.
2. **Ordinance Serial No. 04-02:** Amending The Official Zoning Map Of The City To Reflect A Change In Zoning Districts From RR—Rural Residential To C--Commercial For Tract 3-A Fred Nelson Resubdivision.
3. **Ordinance Serial No. 04-03:** Adopting WMC Chapter 16.34, Appeals To The Planning Commission, Amending WMC Chapter 16.36, Appeals, And Repealing WMC 16.08.100, Appeals To The Commission.
4. **Ordinance Serial No. 04-04:** To Amend The FY-04 Police Dept. Budget To The Actual Amount Awarded In The Byrne Grant.
5. **Ordinance Serial No. 04-05:** To Amend The FY-04 Police Dept. Budget To The Actual Amount Awarded In The SAM Grant.

D. Resolutions

1. **Resolution Serial No. 03-40:** Establishing User Fees For Uses At The Multi-Use Sports Complex.

E. Council Memorandums

1. **CM No. 03-70:** Acceptance Of FY 2003 Financial Statements For The City Of Wasilla.
2. **CM. No. 03-72:** Appointment Of Planning Commissioner.

MOTION: Council Member Sullivan-Leonard moved to adopt the consent agenda.

GENERAL CONSENT: The motion passed without objection.

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

- A. **Ordinance Serial No. 03-61:** 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) (Public Hearing Continued From November 24, 2003 Regular City Council Meeting)

The public hearing on Ordinance Serial No. 03-61 was continued from the November 24, 2003 regular city council meeting.

Mayor Keller invited public testimony on Ordinance Serial No. 03-61.

The following spoke in opposition to Ordinance Serial No. 03-61 and requested that the council place the question of term limits before the voters: Mr. Dan Kelly, Ms. Colleen Cottle, and Mr. Dave Chappel.

The following spoke in favor of Ordinance Serial No. 03-61: Mr. Verdie Bowen.

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

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 03-61.

Discussion and debate moved to the council.

VOTE: The motion failed in a tie vote with Council Members Lowe, O'Neil, and Straub in favor; and Council Members Cox, Sande, and Sullivan-Leonard opposed.

**Ordinance Serial No. 03-61(SUB):** 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, And Submitting The Question Of The Repeal Of Such Term Limits To The Qualified Voters Of The City At The October 5, 2004 City Election.



MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 03-61(SUB): 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, And Submitting The Question Of The Repeal Of Such Term Limits To The Qualified Voters Of The City At The October 5, 2004 City Election.

VOTE: The motion passed unanimously.

- B. **Ordinance Serial No. 03-69:** Amending The FY-04 Budget By Appropriating \$9,372.80 In State Grant Funding For Iditapark Improvements.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-69 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. 03-69.

GENERAL CONSENT: The motion passed without objection.

- C. **Ordinance Serial No. 03-70:** To Amend The Police Department FY04 Budget By Appropriating \$39,620 From The Division Of Homeland Security For Purchasing Equipment.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-70 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. 03-70.

VOTE: The motion passed unanimously.

- D. **Ordinance Serial No. 03-71(AM):** Amending The FY-03 Budget By Appropriating \$161,195 From The General Fund's Fund Balance For Attorneys Fees And Expenses Incurred In Relation To The Nature Conservancy Lawsuit.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-71(AM) and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 03-71(AM).

VOTE: The motion passed unanimously.

- E. **Ordinance Serial No. 03-72:** Amending 13.20.010, Definitions, Amending WMC 13.20.270, Animals, And Amending WMC 1.20.030, Disposition Of Scheduled Offenses – Fine Schedule, In Regard To Animal Handling At The Wasilla Municipal Airport.

Mayor Keller opened the public hearing on Ordinance Serial No. 03-72 and there being no one who wished to present testimony the public hearing closed.

Council Member Sullivan-Leonard requested additional information regarding animals at the airport.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 03-72.

GENERAL CONSENT: The motion passed without objection.

**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**

- A. **CM No. 03-69:** Approval Of Liquor License Renewals For 2004.

MOTION: Council Member O'Neil moved to adopt CM No. 03-69.

Council Member Sande requested clarification on the renewal process.

VOTE: The motion passed with Council Member Cox opposed.

- B. **CM No. 03-71:** Council Policy for Non-Profit Grants. (Requested by Council Member Sullivan-Leonard)

MOTION: Council Member Sullivan-Leonard moved to adopt CM No. 03-71.

Discussion and debate moved to the council.

VOTE: The motion failed with Council Member Sullivan-Leonard in favor.

Discussion by the council continued.

**MOTION:** Council Member Lowe moved to direct the clerk to bring back the following amendment to CM No. 98-37: The issuance of a grant does not in anyway guarantee subsequent grant approvals, but at a minimum subsequent grant applications must decrease a minimum of 25 percent in relation to the prior years grant request.

Discussion continued on how to administer the grant process.

The council directed the clerk to develop a grant application packet for the council to review at their next regular meeting.

**GENERAL CONSENT:** No objection was raised.

C. Resignation of Council Member Sullivan-Leonard

**MOTION:** Council Member O'Neil moved to accept the resignation of Council Member Sullivan-Leonard for Council Seat F, effective at the close of the meeting tonight, and direct the clerk to accept applications for Council Seat F until noon on January 6, 2004 and for the council to hold interviews at the January 12, 2004 regular council meeting.

**GENERAL CONSENT:** The motion passed without objection.

## **12. COMMUNICATION**

- A. Draft Wasilla Planning Commission Meeting Minutes: November 25, 2003.
- B. Draft Wasilla Parks & Recreation Commission Meeting Minutes: November 12, 2003.

No action was taken on the communication items.

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

City Clerk:

- wished Council Member Sullivan-Leonard well;
- requested to reschedule the February 2, 2004 meeting with employees;
- requested that the council schedule its first FY-05 budget work session with the clerk;
- reminded the council about the holiday luncheon on December 12.
- requested that the council set the time for the December 29 special meeting.

The council directed the clerk to reschedule their meeting with employees to February 12, 2004; and to schedule the council/clerk FY-05 budget work session on February 12, 2004; and to set the time of the December 29, 2003 special city council meeting at 6 p.m. No objection was raised.

Mayor Keller:

- spoke about the library renovations;
- spoke highly about the Tree Lighting Ceremony and recognized Tonya Cribb for her efforts in organizing the event;
- reported on the construction progress of the multi-use sports complex; and
- updated the council on the activities of various city departments.

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

Ms. Colleen Cottle thanked Mayor Keller for her position on the question of term limits.

Mr. Verdie Bowen thanked the council for placing the question of term limits on the ballot.

#### **15. EXECUTIVE SESSION**

No executive session was held.

#### **16. COUNCIL COMMENTS**

Council Member O'Neil:

- thanked Council Member Sullivan-Leonard for serving on the council;
- expressed his concern about a non conforming use in an R1 residential district; and
- spoke about the borough meeting he attended on behalf of the city.

Council Member Cox:

- expressed his regret regarding the resignation of Council Member Sullivan-Leonard and recognized her for her service to the community.

Council Member Lowe:

- expressed his pleasure in serving with Council Member Sullivan-Leonard.

Council Member Sande:

- thanked staff for the Tree Lighting Ceremony; and
- thanked Council Member Sullivan-Leonard for her dedication and service.

Council Member Straub:

- shared a compliment she received from a member of the public regarding the performance of the finance and public works directors;
- spoke favorably about the Tree Lighting Ceremony; and
- recognized Council Member Sullivan-Leonard for her professionalism while serving on the city council.

Council Member Sullivan-Leonard:

- reflected on her positive experience in public service; and
- spoke about her commitment to the city of Wasilla.

## 17. ADJOURNMENT

The meeting adjourned at 9: 23 p.m.

  
DIANNE M. KELLER, Mayor

ATTEST:

  
KRISTIE L. SMITHERS, CMC  
City Clerk

Adopted by the Wasilla City Council on January 12, 2004.