

7. CONSENT AGENDA

A. Minutes of Preceding Meeting:

1. Regular Meeting: February 9, 2004
2. Special Meeting: February 12, 2004

B. Introductions (Public Hearing To Be Scheduled For: March 8, 2004)

1. **Ordinance Serial No. 04-16:** To Amend The FY-04 Police Department Budget By Appropriating \$30,000 From The Vehicle Fund Balance To The Vehicle Replacement Fund.
2. **Ordinance Serial No. 04-17:** Amending Condition 2 Section 3 Of Ordinance 03-59, An Ordinance 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.
3. **Ordinance Serial No. 04-18:** To Amend The FY-04 Police Department Budget By Appropriating Funds From The CIP Fund To The General Fund To Purchase Security Cameras.

C. Resolutions

1. **Resolution Serial No. 04-07:** Authorizing The Mayor To Apply For And Accept Grants In The Amount Of \$2.28 Million From The Federal Transit Administration For The City Of Wasilla Intermodal Facility And Bus Facility.
2. **Resolution Serial No. 04-08:** Approving The Concept Of An East Sun Mountain Avenue Extension To Seward Meridian Parkway To Promote Local Business Development By Providing Alternate Access To The Parks Highway And Palmer-Wasilla Highway.

D. Action Memorandums

8. PUBLIC HEARING (Three minutes per person.)

- A. **Ordinance Serial No. 04-13:** Amending WMC 2.16.060, Deputy Mayor In Relation To Delegation Of Authority During The Mayor's Temporary Absence Or Disability.

- B. **Ordinance Serial No. 04-14** Amending The FY-04 Budget By Appropriating State Of Alaska Grant Funds Of Seven Thousand Dollars (\$7,000) To Purchase Materials And Travel To Juneau For Museum Exhibit Training.
- C. **Ordinance Serial No. 04-15:** Authorizing The Sale To The Wasilla Assembly Of God Church Of A Portion Of Tax Parcel D9, Section 9, Township 17 North, Range 1 West Seward Meridian, Alaska, Under WMC 5.32, Sale Or Lease Of Public Lands; Authorizing The Mayor To Execute And Deliver A Contract For The Sale; And Providing For Related Matters.

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

10. UNFINISHED BUSINESS

11. NEW BUSINESS

- A. **AM No. 04-15:** Approval Of City Council Travel Policy.

12. COMMUNICATION

- A. **IM No. 04-02:** Expenditures Greater Than \$5,000 For The Period Of October 1, 2003 Through December 31, 2003.
- B. **IM No. 04-03:** Employee Meeting Correspondence
- C. Draft Meeting Minutes:
 - 1. Wasilla Planning Commission: February 10, 2004
 - 2. Wasilla Parks And Recreation Commission: February 11, 2004

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, February 23, 2004 at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Keller called the meeting to order at 7 p.m.

2. ROLL CALL

Mayor Dianne M. Keller was present.

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 7:15 p.m.)
Mr. Rob Sande, Seat D
Mr. Ron Cox, Seat E
Mr. Verdie Bowen, Seat F

Staff in attendance were:

Ms. Kristie Smithers, City Clerk
Ms. Jamie Newman, Deputy Clerk
Mr. Tom Klinkner, City Attorney
Mr. Ted Leonard, Director of Finance
Mr. Archie Giddings, Public Works Director
Mr. Bruce Urban, Cultural and Recreation Services Manager
Ms. Sandra Garley, City Planner
Mr. Don Savage, Police Chief

3. PLEDGE OF ALLEGIANCE

A. Presentation Of Colors By Boy Scout Troop No. 395.

Boy Scout Troop 395 led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Keller noted that she did not believe a representative from MEA was present at the meeting, however should a representative arrive during the meeting the council may suspend the rules to hear the presentation. No objection was raised.

GENERAL CONSENT: The agenda was approved as presented.

5. SPECIAL ORDERS

A. MEA Presentation.

No presentation was held.

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

A. Planning Commission

Commissioner John Vinette:

- spoke about lease lot expansion at the Wasilla Airport;
- mentioned the development of a new hotel on the Parks Highway;
- noted that the Commission continues to review site plan requirements;
- spoke about the possibility of meeting with the Palmer Planning Commission to exchange ideas; and
- noted at few items to be considered at the next regular Planning Commission meeting.

B. Parks And Recreation Commission

Commissioner Dave Tuttle:

- encourage participation at the Home Show;
- reviewed the Urban Forestry program;
- spoke about Arbor Day festivities currently under development;
- noted that the commission continues to review Park rules;
- mentioned that information on a possible dog park is being gathered;
- noted a youth community volunteer program is in development; and
- stated the Bumpus Equestrian Trail will open June 6, 2004.

C. Matanuska-Susitna Borough

(No report was presented.)

D. Ted Leonard, Finance Director: Fiscal Year 2005 Budget Initiatives

Mr. Leonard reviewed the FY-05 long range goals and budget initiatives and encouraged the council to consider any additional initiatives for inclusion in the budget.

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D. Action Memorandums

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

Council Member Sande questioned Resolution Serial No. 04-08; inquiring about the involvement of adjacent property owners.

Mayor Keller stated that the city continues to involve property owners in discussions and that the response has been favorable.

GENERAL CONSENT: The motion to adopt the consent agenda passed without objection.

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

- A. **Ordinance Serial No. 04-13:** Amending WMC 2.16.060, Deputy Mayor In Relation To Delegation Of Authority During The Mayor's Temporary Absence Or Disability.

Mayor Keller opened the public hearing on Ordinance Serial No. 04-13 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 04-13.

GENERAL CONSENT: The motion passed without objection.

- B. **Ordinance Serial No. 04-14** Amending The FY-04 Budget By Appropriating State Of Alaska Grant Funds Of Seven Thousand Dollars (\$7,000) To Purchase Materials And Travel To Juneau For Museum Exhibit Training.

Mayor Keller opened the public hearing on Ordinance Serial No. 04-14 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 04-14.

VOTE: The motion passed unanimously.

- C. **Ordinance Serial No. 04-15:** Authorizing The Sale To The Wasilla Assembly Of God Church Of A Portion Of Tax Parcel D9, Section 9, Township 17 North, Range 1 West Seward Meridian, Alaska, Under WMC 5.32, Sale Or Lease Of Public Lands; Authorizing The Mayor To Execute And Deliver A Contract For The Sale; And Providing For Related Matters.

Mayor Keller opened the public hearing on Ordinance Serial No. 04-15.

Mr. Gary Pinckert, Board of Elders, Wasilla Assembly of God, spoke in support of the Ordinance and stated that the terms and conditions stated in the real estate purchase agreement are agreeable as proposed.

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

Council Member Bowen stated that he may have a conflict of interest as he is a voting member of the Wasilla Assembly of God congregation and on occasion acts as parliamentarian to the Executive Board.

Mayor Keller asked if there was any objection to Council Member Bowen abstaining from the vote.

Council Member Lowe stated his objection.

Attorney Tom Klinkner advised Council Member Bowen to abstain from voting on Ordinance Serial No. 04-15 due to his membership status with the Assembly of God Church. Mr. Klinkner stated that although Council Member Bowen has no direct financial interest in the property purchase he recommends abstention based on common law.

Discussion followed.

VOTE: The Council voted to accept Council Member Bowen's conflict of interest and directed that he abstain from voting on Ordinance Serial No. 04-15. Council Members Cox, O'Neil, and Sande voted in favor of the abstention with Council Members Lowe and Straub opposed. (*Council Member Bowen did not participate.*)

MOTION: Council Member Lowe moved to adopt Ordinance Serial No. 04-15.

VOTE: The motion passed unanimously with Council Member Bowen abstaining.

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. **AM No. 04-15:** Approval Of City Council Travel Policy.

MOTION: Council Member Straub moved to adopt AM No. 04-15.

MOTION: Council Member Lowe moved the following primary amendment to the first paragraph, Transportation and Lodging; first sentence of the proposed policy: Airfare and lodging **may** [Will] be arranged for and paid by the city for the traveler only.

GENERAL CONSENT: The primary amendment passed without objection.

MOTION: Council Member Lowe moved the following primary amendment to the first paragraph, Transportation and Lodging; third sentence: Travel schedules shall be arranged to the city's best advantage and any deviations from the shortest or least expensive route or ticket will be the responsibility of the traveler.

GENERAL CONSENT: The primary amendment passed unanimously.

MOTION: Council Member Straub moved a primary amendment to delete the first sentence of the fourth paragraph, Rental Cars: [A VEHICLE MAY BE RENTED UPON ADVANCE APPROVAL OF THE CITY COUNCIL.] Advance reservations must be made and a compact or economy model requested in the interest of economy.

Discussion followed.

MOTION: Council Member Straub moved the following secondary amendment to the fourth paragraph, Rental Cars; first sentence: Advance reservations should [MUST] be made and a compact or economy model requested in the interest of economy.

GENERAL CONSENT: The secondary amendment passed without objection.

GENERAL CONSENT: The primary amendment passed without objection.

VOTE: The main motion as amended passed unanimously

12. COMMUNICATION

- A. **IM No. 04-02:** Expenditures Greater Than \$5,000 For The Period Of October 1, 2003 Through December 31, 2003.
- B. **IM No. 04-03:** Employee Meeting Correspondence
- C. Draft Meeting Minutes:
 - 1. Wasilla Planning Commission: February 10, 2004
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No action was taken on the communication items.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

City Clerk:

- reported that Council Member Cox is the Borough Assembly meeting representative for the month of March;
- reminded that Financial Disclosure Statements are due March 15, 2004;
- noted that the records management program is progressing; and
- requested a work-session with the council on March 22 beginning at 6 p.m. to discuss taxi cab and chauffeur permit issues. *No objection was raised by the City Council to schedule the work session as requested by the Clerk.*

City Attorney:

- spoke about the progress in the Eminent Domain action; and
- mentioned the utility extension case before the Regulatory Commission of Alaska.

Mayor Keller:

- recognized the Finance Department for receiving the Distinguished Financial Achievement Award for the third consecutive year;
- noted that staff is drafting a code revision relating to the waiver of sales tax penalties;
- noted that the City must adopt its Hazard Mitigation Plan by November 2004;
- spoke about the draft Airport Development district;
- briefly commented on development by Valley Residential Services;
- reported the Police Department is experiencing staff injuries;
- stated the dispatch radio programming is complete;
- reported that the Bumpus Reservoir will soon be operational;
- briefly spoke about infrastructure projects currently under construction;
- reported on the Library renovations;
- presented an update on the construction of the Multi-Use Sports Complex;
- noted the Grand Opening of the Sports Complex is scheduled for March 6, 2004; and
- announced she will be out of town on March 8 and Deputy Mayor O'Neil will preside at March 8 City Council Meeting.

14. AUDIENCE COMMENTS (Three minutes per person.)

Mr. Steve Stoll:

- encouraged the Council to exempt groceries from sales tax;
- requested that city travel reports give detailed information about the travel; and
- encouraged the City to resolve its sewer system issues.

Mr. John Dewar:

- complimented the Council on their professional attire this evening.

15. EXECUTIVE SESSION

No executive session was held.

16. COUNCIL COMMENTS

Council Member Straub:

- thanked the Boy Scouts for presenting the Colors; and
- encouraged participation in the activities of the Alaska State Legislature.

Council Member Sande:

- spoke favorability about the development of community youth programs;
- spoke in opposition to waiving sales tax penalties; and
- requested a code revision relating to conflict of interest.

MOTION: Council Member Sande moved to direct the Clerk and Attorney to revise the existing conflict of interest code to include the full scope of conflict of interest.

GENERAL CONSENT: The motion passed without objection.

Council Member Lowe:

- commented on conflict of interest; and
- noted that small businesses may have a difficult time adhering to the sales tax code due to lack of sophistication in their accounting practices.

Council Member Cox:

- commented on changes to Financial Disclosure reporting requirements; and
- stated he will not attend the March 8, 2004 City Council Meeting due to a prior commitment.

Council Member Bowen:

- noted he toured the dispatch center; and
- commented on his declared conflict of interest relating to Ordinance Serial No. 04-14.

17. ADJOURNMENT

The meeting adjourned at 8:35 p.m.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE L. SMITHERS, CMC
City Clerk

Adopted by the Wasilla City Council on March 8, 2004.