



**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  
Mark A. Ewing, 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 13, 2004**

- 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**
- 6. COMMISSION/AGENCY REPORT (Five minutes per agency.)**
  - A. Planning Commission
  - B. Parks and Recreation Commission
  - C. Airport Advisory Commission
  - D. Matanuska-Susitna Borough
  - E. McDowell Group: Multi Use Sports Complex Fee Schedule Report  
(10 Minute Presentation)
  - F. Alaska Railroad: Ms. Wendy Lindskoog and Mr. Bruce Carr

## 7. CONSENT AGENDA

### A. Minutes of Preceding Meeting:

1. Regular Meeting: November 22, 2004
2. Special Meeting: November 15 and 18, 2004

### B. Introductions (Public Hearing To Be Scheduled For: January 10, 2005)

1. **Ordinance Serial No. 05-01:** To Amend The FY-05 Police Department Budget By Reducing The Balance Of The FY-04 Impaired Driving Grant To The Actual Cost.
2. **Ordinance Serial No. 05-02:** Amending The FY-05 Budget By Reducing The State Stormwater Pumping And Treatment System Grant In The Amount Of \$15,943.
3. **Ordinance Serial No. 05-03:** Amending The FY-05 Budget By Appropriating Mat-Su Borough Paving Match Funding In The Amount Of \$138,616.66.
4. **Ordinance Serial No. 05-04:** Denying A Rezone Request From RR-Rural Residential To R2-Residential For Valley View Estates Addition 2, Lots 2, 3, 4, 5, 6, 7, 8, And 9 Of Block 1; Lots 2, 3, 4 And 5 Of Block 2; Lots 1A And 1B Of Valley View Estates Addition 2 Resubdivision Of Block 2, Lot 1 All Within Section 14, T17N, R1W, Seward Meridian, Alaska.
5. **Ordinance Serial No. 05-05:** Denying A Rezone Request From RR-Rural Residential To C-Commercial, For Lot 1, Block 3, Indian Hills I Subdivision And Tract A-1, Indian Hills I Resubdivision, Both Within Section 3, T17N, R1W, Seward Meridian, Alaska.
6. **Ordinance Serial No. 05-06:** Adopting Wasilla Municipal Code Chapter 6.16, Liquor Licenses.
7. **Ordinance Serial No. 05-08:** Amending The FY-05 Budget By Appropriating \$90,000 For The Airport Apron Phase 1C.
8. **Ordinance Serial No. 05-09:** To Amend The FY-05 Youth Court Budget By Accepting The Increase Of \$6,000 For The Department Of Juvenile Justice Grant From The United Youth Courts Of Alaska.

C. Resolutions

1. **Resolution Serial No. 04-48:** Prioritizing Capital Projects In The Community For Submission To The State Of Alaska For FY 2005 Funding Under The Capital Project Matching Grant Program (AS 37.06).
2. **Resolution Serial No. 04-49:** Urging The Alaska State Legislature To Adopt A Long-Range Fiscal Plan. (Sponsored By Council Member Cox)
3. **Resolution Serial No. 04-50:** Transferring Funds Within An Accounting Fund In The Amount Of \$14,600 For Funding The Development Of A Five-Year Fiscal Forecast Model.
  - a. **AM No 04-76:** Award Of Contract To Northern Economics Inc. In The Amount Of \$39,914 For Development Of A Fiscal Forecast Model With A Five-Year Horizon.
4. **Resolution Serial No. 04-51:** Endorsing The Continuation Of The Mat-Su Juvenile Assessment Center. (Sponsored By Mayor Keller)
5. **Resolution Serial No. 04-52:** Transferring Funds Within An Accounting Fund In The Amount Of \$44,669.31 For Iditapark Improvements.

D. Action Memorandums

1. **AM No. 04-75:** Approval of 2005 City Council Meeting Schedule.
2. **AM No. 04-77:** Contract Amendment For USKH In The Amount Of \$42,000 For The Tommy Moe Storm Drain System Engineering Services.
3. **AM No. 04-78:** Confirmation Of Ray McCarthy And Bill McCain To The Wasilla Planning Commission And Confirmation Of Mary Shampine To The Wasilla Parks And Recreation Commission.

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

- A. **Ordinance Serial No. 04-79:** Providing For A New Classification For City Positions In Title 3, Personnel, Of The Wasilla Municipal Code, And Making Other Conforming Amendments To Title 3 For The New Classification.

- B. **Ordinance Serial No. 04-81(SUB):** Amending WMC Section 5.16.045.B Sales Tax On Building Construction By Property Owner To Provide For A Certificate Of Exemption Costing \$12.50 For One Year For New Residential Construction By A Property Owner, And To Change The Cost Of A Certificate Of Exemption For Other Property Owner Construction To The Amount Of Tax Payable On \$500 Per Month Of Duration Of The Construction Project.

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

- A. Wasilla Little League, Ms. Cindy Wisdom, President and Mr. Devan Branum: Smith Fields.
- B. Mr. Daniel Aldrick: Seward Meridian Road Improvement Project.
- C. Hermon Road Traffic Light. (Interested Persons Are Invited To Speak.)

**10. UNFINISHED BUSINESS**

- A. **Resolution Serial No. 04-45:** Authorizing The Execution Of An Intersection Cost Agreement With Lowe's HIW, Inc.
  - 1. **IM No. 04-17:** Herman Road Traffic Signal.

**11. NEW BUSINESS**

- A. **Ordinance Serial No. 05-07:** Amending The FY-05 Budget By Appropriating \$90,000 For The Garden Terrace Water Main Extension.

**12. COMMUNICATION**

- A. **IM No. 04-19:** Fee Structure Report As Prepared And Submitted By The McDowell Group.
- B. Draft Commission Meeting Minutes:
  - 1. Planning Commission: November 9, 2004.
  - 2. Parks And Recreation Commission: November 10, 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, December 13, 2004 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 Straub, Seat B  
Mr. Noel Lowe, Seat C  
Mr. Ron Cox, Seat E  
Mr. Mark Ewing, Seat F

Council Member Rob Sande, Seat D, was absent and excused.

Staff in attendance were:

Ms. Kristie Smithers, City Clerk  
Ms. Jamie Newman, Deputy Clerk  
Mr. Tom Klinkner, City Attorney  
Ms. Sandra Garley, City Planner  
Mr. Archie Giddings, Public Works Director  
Mr. Ted Leonard, Director of Finance and Administrative Services  
Mr. Don Savage, Police Chief  
Mr. Ron Singel, Economic Development Director  
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 adjustment to the agenda:

- to add representatives from the Alaska Railroad under Commission/Agency reports.

MOTION: Council Member Ewing made a motion to move Ordinance Serial No. 05-07 from the consent agenda to new business.

GENERAL CONSENT: The motion passed without objection.

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

## 5. SPECIAL ORDERS

There were no special orders.

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

### A. Planning Commission

City Planner:

- commented on recent rezone requests before the commission.

### B. Parks and Recreation Commission

Commissioner Dave Tuttle:

- thanked staff for organizing recent holiday festivities; and
- briefly commented on items under consideration by the commission.

### C. Airport Advisory Commission

The public works director stated that the commission had not met since his last report.

### D. Matanuska-Susitna Borough

Assembly Member Mary Kvalheim:

- noted upcoming meetings of the borough assembly; and
- wished everyone Happy Holidays.

### E. McDowell Group: Multi Use Sports Complex Fee Schedule Report (10 Minute Presentation)

Representatives of the McDowell Group verbally presented the fee schedule report and answered questions from the council.

### F. Alaska Railroad: Ms. Wendy Lindskoog and Mr. Bruce Carr

Ms. Lindskoog:

- stated that the Alaska Railroad supports a transportation corridor around the City of Wasilla although no preferred route has been identified to date.

Mr. Carr invited questions from the council and discussion followed.

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5. **Ordinance Serial No. 05-05:** Denying A Rezone Request From RR-Rural Residential To C-Commercial, For Lot 1, Block 3, Indian Hills I Subdivision And Tract A-1, Indian Hills I Resubdivision, Both Within Section 3, T17N, R1W, Seward Meridian, Alaska.
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7. **Ordinance Serial No. 05-08:** Amending The FY-05 Budget By Appropriating \$90,000 For The Airport Apron Phase 1C.
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3. **AM No. 04-78:** Confirmation Of Ray McCarthy And Bill McCain To The Wasilla Planning Commission And Confirmation Of Mary Shampine To The Wasilla Parks And Recreation Commission.

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

GENERAL CONSENT The motion passed without objection.



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

- A. **Ordinance Serial No. 04-79:** Providing For A New Classification For City Positions In Title 3, Personnel, Of The Wasilla Municipal Code, And Making Other Conforming Amendments To Title 3 For The New Classification.

Mayor Keller opened the public hearing on Ordinance Serial No. 04-79 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 04-79.

VOTE: The motion passed unanimously.

- B. **Ordinance Serial No. 04-81(SUB):** Amending WMC Section 5.16.045.B Sales Tax On Building Construction By Property Owner To Provide For A Certificate Of Exemption Costing \$12.50 For One Year For New Residential Construction By A Property Owner, And To Change The Cost Of A Certificate Of Exemption For Other Property Owner Construction To The Amount Of Tax Payable On \$500 Per Month Of Duration Of The Construction Project.

Mayor Keller opened the public hearing on Ordinance Serial No. 04-81(SUB).

The following spoke in opposition to Ordinance Serial No. 04-81(SUB): Mr. Patrick Johnson; Ms. Colleen Cottle; Mr. Steve Glos; and Mr. Verdie Bowen.

MOTION: Council Member O'Neil moved to adopt Ordinance Serial No. 04-81(SUB).

The finance director discussed the rationale behind Ordinance Serial No. 04-81(SUB) and answered questions from the council.

Discussion continued by the council.

MOTION: Council Member Straub moved to schedule a work session at 6 p.m. on January 24, 2005 to discuss taxation related to building material and related sales tax issues.

GENERAL CONSENT: The motion passed without objection.

VOTE: The motion to adopt Ordinance Serial No. 04-81(SUB) failed unanimously.

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

- A. Wasilla Little League, Ms. Cindy Wisdom, President and Mr. Devan Branum: Smith Fields.

Representatives of Wasilla Little League requested assistance in designing and constructing a baseball complex at Smith Ballfields.

- B. Mr. Daniel Aldrick: Seward Meridian Road Improvement Project.

Requested assistance for city residents in the Seward Meridian road upgrade project.

The council requested a recess. No objection was raised.

The council recessed at 8:35 p.m. and reconvened at 8:45 p.m.

- C. Hermon Road Traffic Light. (Interested Persons Are Invited To Speak.)

The following spoke in favor of the city sharing in the cost of a traffic signal at Hermon Road and the Parks Highway: Mr. Verdie Bowen; Ms. Kaycee Haynes; Ms. Tracy Driskill; Mr. Charlie Willis; Mr. Ben Schaafsma; Ms. Terry Phillips; and Mr. Steve Stoll.

The following spoke in opposition to the city sharing in the cost of a traffic signal at Hermon Road and the Parks Highway: Ms. Katie Hurley; Mr. Patrick Johnson; Ms. Anne Kilkenny; Ms. Barbara McDaniel; Ms. Sarah Welton (Ms. Welton's comments were presented in a letter read by Barbara McDaniel); Mr. Gerald Rexrode; Ms. Kim Robinson; Ms. Eileen Johnson; and Mr. Garvin Bucaria.

Ms. Colleen Cottle:

- stated that city spending is out of control; and
- noted that the city sharing in the cost of a traffic signal is a moot point because Lowe's has agreed to install the traffic light.

Mr. Steve Glos:

- encouraged the city to issue all business license holders funding in the amount of \$250,000.

## 10. UNFINISHED BUSINESS

- A. **Resolution Serial No. 04-45:** Authorizing The Execution Of An Intersection Cost Agreement With Lowe's HIW, Inc. (Postponed From The November 22, 2004 Regular City Council Meeting)

1. **IM No. 04-17:** Herman Road Traffic Signal.

MOTION: Council Member Straub moved to adopt Resolution Serial No. 04-45. (Motion on the floor from the November 22, 2004 Regular City Council Meeting)

Mayor Keller and the public works director discussed administration's position in relation to the intersection cost agreement with Lowe's and answered questions from the council.

Mr. Roger Bernstein, Lowe's Site Development Manager:

- stated that Lowe's is open for business;
- noted that Lowe's is appealing to a sense of fairness in their request of the city to share in the cost of a traffic signal at Hermon Road and the Parks Highway; and
- reiterated Lowe's belief that the State of Alaska Department of Transportation would share in the cost of a traffic signal with Lowe's during project development.

Discussion moved to the council and Mr. Bernstein answered questions.

MOTION: Council Member Lowe moved the following primary amendment to the "Now Therefore, Be It Resolved" clause of the Resolution Serial No. 04-45: ...that the form and content of the Agreement hereby are in all respects authorized, approved and confirmed, **provided that the City's contribution shall not exceed \$150,000...**

VOTE: The primary amendment failed with Council Members Lowe and O'Neil in favor and Council Members Cox, Ewing, and Straub opposed.

The council requested a five minute recess. No objection was raised.

The council recessed at 10:40 p.m. and reconvened at 10:45 p.m.

MOTION: Council Member Lowe moved to postpone Resolution Serial No. 04-45 until January 24, 2005, when a full council is present and a representative from the Alaska Department of Transportation is present at the meeting.

GENERAL CONSENT: The motion to postpone passed unanimously.

## 11. NEW BUSINESS

- A. **Ordinance Serial No. 05-07:** Amending The FY-05 Budget By Appropriating \$90,000 For The Garden Terrace Water Main Extension.

MOTION: Council Member Ewing moved to introduce Ordinance Serial No. 05-07 and set for public hearing at the January 10, 2005 regular city council meeting.

Council Member Ewing requested clarification on the location of Garden Terrace Subdivision.

Mayor Keller noted Garden Terrace Subdivision is located outside Wasilla city limits, however, per code the city may extend utility service outside city limits.

Council Member Ewing requested that council meeting packets are made available to the council on Wednesday prior to the scheduled meeting in an effort to provide council member ample opportunity to thoroughly review matters under consideration.

GENERAL CONSENT: The motion passed without objection.

## 12. COMMUNICATION

- A. **IM No. 04-19:** Fee Structure Report As Prepared And Submitted By The McDowell Group.
- B. Draft Commission Meeting Minutes:
  - 1. Planning Commission: November 9, 2004.
  - 2. Parks And Recreation Commission: November 10, 2004.

No action was taken on the communication items.

## 13. MAYOR, CLERK, AND ATTORNEY COMMENTS

City Clerk:

- requested that the council participate in a work session on January 31, 2005 beginning at 6 p.m. to discuss budgetary goals for FY-06 in the clerk/council budget. *(No objection to the work session was raised.)*

City Attorney:

- reported on routine matters; and
- cautioned the council in general about making comments in relation to items that may result in a claim filed against the city.

## EXTENSION OF MEETING

MOTION: Council Member Cox moved to extend the meeting until 11:15 p.m.

GENERAL CONSENT: No objection was raised.

Mayor Keller:

- reported on library statistics;
- spoke about Arbor Day festivities;
- commented on the lack of responses to the naming rights of the sports complex;
- noted that administration is considering contracting with the borough for operation of the library;
- reported that staff continues to work towards improving water pressure to Home Depot;
- noted federal funds were awarded to the city for infrastructure improvements; and

- briefly commented on the activities of various city departments.

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

Ms. Colleen Cottle:

- thanked the council for their patience;
- voiced concern about funding \$90,000 for the Garden Terrace Water extension; and
- raised concern about safety issues at the sports complex.

Mr. Patrick Johnson:

- spoke about borough platting board action in regard to Lowe's water improvements.

Ms. Anne Kilkenny:

- voice her concern about the structure of council meetings; and
- stated that she is appalled that the city isn't addressing other water pressure problems at private residences and local schools.

Mr. Garvin Bucaria:

- expressed concern about the 2004-2005 Main Street Study commissioned by the State of Alaska Department of Transportation.

Mr. Steve Stoll:

- expressed his disappointment with the council in failing to make a dynamic decision this evening.

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

No executive session was held.

#### **EXTENSION OF MEETING**

MOTION: Council Member O'Neil moved to extend the meeting to 11:30 p.m.

GENERAL CONSENT: The motion passed without objection.

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

Council Member Straub:

- stated she accepted a position with Representative Mark Neuman in Juneau;
- noted she will attend the second council meeting during each month of her absence and will participate in other meetings telephonically; and
- requested that council meeting packets be made available sooner.

Council Member Cox:

- wished everyone a Merry Christmas and Happy New Year.

Council Member Ewing:

- thanked everyone for participating in the meeting; and
- spoke about the rich history of the city;
- expressed his desire in funding the documentation of city history;
- expressed his support of teaching history in local schools; and
- supports naming a facility after Gerritt "Heinie" Snider.

Council Member Lowe:

- appreciates public participation.

Council Member O'Neil:

- thanked the audience for their participation; and
- supports a monument dedicated in memory of Garritt "Heinie" Snider.

## 17. ADJOURNMENT

The meeting adjourned at 11 p.m.

  
DIANNE M. KELLER, Mayor

ATTEST:

  
KRISTIE L. SMITHERS, MMC  
City Clerk

Adopted by the Wasilla City Council on January 10, 2005.