

E. Alaska State Troopers

1. Sergeant Rob Langendorfer, Mat-Su Drug Unit Supervisor: Introduction and Mission Statement of Unit.

7. **CONSENT AGENDA**

A. Minutes of Preceding Meeting:

1. Regular Meetings: February 28, 2005 and March 7, 2005

B. Introductions (Public Hearing To Be Scheduled For: April 11, 2005)

1. **Ordinance Serial No. 05-25:** Amending The FY-05 Police Department Budget By Appropriating Funds From The State Of Alaska Forfeiture Fund To The Police Department Other Purchased Services Fund To Cover Vaccination Expenses For The Wasilla Police Department.
2. **Ordinance Serial No. 05-26:** Approving A Rezone Request From RR—Rural Residential To RM-Multi-Family Residential For Tract A, Center Point Phase II Subdivision And MSB Tax Parcel A5, Both Within Section 16, Township 17 North, Range 1 West, Seward Meridian, Alaska And Amending The Official Zoning Map.

C. Resolutions

1. **Resolution Serial No. 05-12(SUB):** Requesting Acceptance Of A 2005 Technology Grant In The Amount Of \$986,643 From The United States Congress With No Matching Funds.
2. **Resolution Serial No. 05-13(SUB):** Authorizing The Pursuit Of The Application With The United States Department Of Justice Assistance Grant For The City Of Wasilla Police Department Multi Jurisdictional Drug Task Force.

D. Action Memorandums

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

- A. **Ordinance Serial No. 05-14:** Amending WMC 1.20.030.C By Changing The Section Reference For Violation Of Park Rules In The Fine Schedule, And Amending WMC Chapter 12.24 Parks And Recreation Facilities By Adopting WMC 12.24.015 Definitions And WMC 12.24.025 General Rules, And Repealing WMC 12.24.020 General Rules In Its Entirety.

- B. **Ordinance Serial No. 05-23:** To Amend The FY-05 Planning Budget By Accepting An Increase Of \$10,000 For The Hazard Mitigation Grant From The Department Of Military And Veterans Affairs Division Of Homeland Security And Emergency Management.
- C. **Ordinance Serial No. 05-24:** To Amend The FY-05 Police Department Budget By Appropriating \$30,430 From The State Of Alaska Highway Safety Office And Appropriating \$13,041 From City Match.

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

10. **UNFINISHED BUSINESS**

- A. **AM No. 05-04:** Extension Of Legal Services Contract With Birch, Horton, Bittner And Cherot From July 1, 2005 Through June 30, 2006. (Postponed From The February 14, 2005 Regular City Council Meeting; Motion to Adopt Pending)

11. **NEW BUSINESS**

- A. **AM No. 05-11:** Request For Sales Tax Penalty Waiver.

12. **COMMUNICATION**

- A. **IM No. 05-06:** January 2005 Expenditure Report

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, March 21, 2005 at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Dianne M. Keller called the meeting to order at 7:05 p.m.

2. ROLL CALL

Council Members present and establishing a quorum were:

Ms. Diana Straub, Seat B
Mr. Noel Lowe, Seat C
Mr. Rob Sande, Seat D
Mr. Ron Cox, Seat E
Mr. Mark Ewing, Seat F

Council Member Howard O'Neil, Seat A, was absent and excused. No objection was raised.

Staff in attendance were:

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, Director of Recreation and Cultural Services

3. PLEDGE OF ALLEGIANCE

Boy Scout Troop 300 led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Keller noted the following adjustment to the agenda:

- to move Resolution Serial Nos. 05-12 and 05-13 under the consent agenda by substitution.

Council Member Lowe requested to postpone AM No. 05-10 until the April 11, 2005 Regular City Council Meeting and that the attorney attend the meeting.

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

Commissioner Ray McCarthy:

- spoke about a training session attended by commission members titled: Mastering Meeting Management;
- noted the commission received information regarding economic development in general and the process for developing incentives;
- reported on rezone requests under consideration by the commission; and
- spoke favorably about the Wasilla Code Compliance Officer.

B. Parks and Recreation Commission

Commissioner Dave Tuttle:

- reported on items address by the commission at their last commission meeting;
- noted community summer games are planned for June 2005;
- stated the commission is reviewing areas within the city to construct a playground with grant funds; and
- commented on the Amphitheater kick-off to be held in the summer of 2005.

C. Airport Advisory Commission

No report was presented.

D. Matanuska-Susitna Borough

No report was presented.

E. Alaska State Troopers

1. Sergeant Rob Langendorfer, Mat-Su Drug Unit Supervisor: Introduction and Mission Statement of Unit.

Mr. Langendorfer

- spoke about the Mat-Su Drug Unit; and
- requested continued support from the city.

7. CONSENT AGENDA

A. Minutes of Preceding Meeting:

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B. Introductions (Public Hearing To Be Scheduled For: April 11, 2005)

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C. Resolutions

1. **Resolution Serial No. 05-12(SUB):** Requesting Acceptance Of A 2005 Technology Grant In The Amount Of \$986,643 From The United States Congress With No Matching Funds.
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D. Action Memorandums

The deputy clerk read the consent agenda into the record.

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. 05-14:** Amending WMC 1.20.030.C By Changing The Section Reference For Violation Of Park Rules In The Fine Schedule, And Amending WMC Chapter 12.24 Parks And Recreation Facilities By Adopting WMC 12.24.015 Definitions And WMC 12.24.025 General Rules, And Repealing WMC 12.24.020 General Rules In Its Entirety.

Mayor Keller opened the public hearing on Ordinance Serial No. 05-14.

Mr. Steve Stoll made the following comments regarding the ordinance:

- spoke in opposition to the fine structure as proposed;
- questioned the definition of firearm;
- suggested the ordinance govern all public owned property within the city;
- spoke in support of a public process for the issuance of permits to sell liquor in parks; and
- encouraged the city to mark all designated swimming areas within the city.

Mr. Kyle Miller suggested that the council amend the ordinance to prohibit smoking in parks.

Mr. Steve Glos encouraged the council to ban the consumption and sale of alcoholic beverages within city parks.

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

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 05-14.

Discussion moved to the council and debate ensued.

Staff answered questions raised by the council.

Debate continued.

MOTION: Council Member Cox moved a primary amendment to WMC 12.24.025A.4, to read as follows: No person may sell or consume any alcoholic beverage in a park.

Debate continued.

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

MOTION: Council Member Lowe moved a primary amendment to add language to the ordinance to ban smoking inside buildings.

MOTION: Council Member Sande moved a secondary amendment to further state that smoking is prohibited in bathroom facilities, pavilions, and designated play areas.

Discussion and debate continued.

VOTE: The secondary amendment failed unanimously.

Discussion continued and staff answered questions from the council.

VOTE: The primary amendment passed with Council Members Ewing, Lowe, Sande, and Straub in favor and Council Member Cox opposed.

Debate continued.

VOTE: The main motion, as amended, failed with Council Members Lowe and Sande in favor and Council Members Cox, Ewing, and Straub opposed. (Clerk note: see page 8 for a motion to reconsider)

- B. **Ordinance Serial No. 05-23:** To Amend The FY-05 Planning Budget By Accepting An Increase Of \$10,000 For The Hazard Mitigation Grant From The Department Of Military And Veterans Affairs Division Of Homeland Security And Emergency Management.

Mayor Keller opened the public hearing on Ordinance Serial No. 05-23 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 05-23.

GENERAL CONSENT: The motion passed without objection. (Council Member Lowe did not participate in the vote as he exited the meeting at 8:10 p.m.)

- C. **Ordinance Serial No. 05-24:** To Amend The FY-05 Police Department Budget By Appropriating \$30,430 From The State Of Alaska Highway Safety Office And Appropriating \$13,041 From City Match.

Mayor Keller opened the public hearing on Ordinance Serial No. 05-24.

Council Member Lowe re-entered the meeting at 8:13 p.m.

The following spoke in opposition to the ordinance and encouraged public involvement in the activities of the local police department: Mr. Steve Stoll.

The following spoke in favor of the ordinance and stated her support of law enforcement: Ms. Connie Shuey.

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

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 05-24.

GENERAL CONSENT: The motion passed without objection.

The council recessed at 8:19 p.m. and reconvened at 8:27

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

There were no persons to be heard.

10. UNFINISHED BUSINESS

- A. **AM No. 05-04:** Extension Of Legal Services Contract With Birch, Horton, Bittner And Cherot From July 1, 2005 Through June 30, 2006. (Postponed From The February 14, 2005 Regular City Council Meeting; Motion to Adopt Pending)

PENDING MOTION: Council Member Ewing moved to adopt AM No. 05-04. (Motion on the floor from the February 14, 2005 Regular City Council Meeting)

Discussion by the council followed.

The city attorney stated he recently tendered his resignation as bond counsel for the Matanuska-Susitna Borough.

Council Member Lowe requested that the attorney submit a report to the council to identifying ways (if any) the city is able to reduce its cost of legal services without exposing the city to undo legal risk. No objection was raised to the request.

Discussion continued.

GENERAL CONSENT: The motion passed without objection.

11. NEW BUSINESS

- A. **AM No. 05-11:** Request For Sales Tax Penalty Waiver.

MOTION: Council Member Cox moved to discuss AM No. 05-11.

GENERAL CONSENT: The motion passed without objection.

The council discussed the request from Lowe's Home Improvement Warehouse to waive their sales tax penalty.

Discussion followed by the council.

VOTE: The council voted unanimously to deny the sales tax waiver request submitted by Lowe's Home Improvement Warehouse referred to in AM No. 05-11.

12. COMMUNICATION

A. **IM No. 05-06:** January 2005 Expenditure Report

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

Deputy Clerk:

- reminded the council of their upcoming meeting schedule; and
- spoke about volunteer opportunities at the Home Show.

City Attorney:

- presented a brief update on the eminent domain action.

Mayor Keller:

- reminded the council of the employee meeting on Thursday, March 31, 2005 beginning at 5 p.m.;
- discussed upcoming events planned at the sports complex; and
- spoke about the activities of various city departments.

The public works director commented on a letter recently printed in the *Frontiersman* regarding a vehicle accident that involved a fire hydrant in the Birches Subdivision.

14. AUDIENCE COMMENTS (Three minutes per person.)

Ms. Yvonne Sumner:

- spoke about a proposed railroad relocation study prepared by the Alaska Railroad that will include a by-pass of Wasilla; and
- inquired about the city's support of realigning the Parks Highway to include a by-pass of Wasilla.

Ms. Connie Shuey:

- inquired as to when the Computer Aided Dispatch (CAD) system will be online at the dispatch center.

Anne Kilkenny:

- thanked the council for denying the tax waiver request submitted by Lowe's;
- encouraged the city to lower utility rates; and
- expressed concern about the proposed Seward Meridian road improvement project as proposed by the State of Alaska, Department of Transportation.

Mr. Steve Stoll:

- spoke in support of establishing a public permitting process for dispensing alcohol in city parks; and
- spoke about road development to address traffic congestion issues in the Valley.

Ms. Colleen Cottle:

- spoke about development occurring near Seward Meridian Road; and
- expressed her disappointment in the Seward Meridian road improvement project prepared by the State of Alaska, Department of Transportation.

15. EXECUTIVE SESSION

No executive session was held.

MOTION TO RECONSIDER

- A. Ordinance Serial No. 05-14(AM): Amending WMC 1.20.030.C By Changing The Section Reference For Violation Of Park Rules In The Fine Schedule, And Amending WMC Chapter 12.24 Parks And Recreation Facilities By Adopting WMC 12.24.015 Definitions And WMC 12.24.025 General Rules, And Repealing WMC 12.24.020 General Rules In Its Entirety. (Clerk note: see page 4 of the meeting minutes for the motion to adopt as amended)

MOTION: Council Member Straub moved to reconsider and enter on the minutes Ordinance Serial No. 05-14(AM). (Clerk note: the ordinance will be presented again at the April 11, 2005 Regular City Council Meeting.)

VOTE: The motion passed unanimously.

16. COUNCIL COMMENTS

Council Member Straub:

- congratulated the deputy clerk on her acceptance into the Master Municipal Clerk Academy;
- encouraged commissioners to attend the April 11, 2005 council meeting to address Ordinance Serial No. 05-14(AM);
- spoke favorably about staff at the sports complex;
- commented on the need to address the lack of heat in city council chambers;
- stated that she recently resigned from her position as a legislative aide for Representative Mark Neuman in Juneau; and
- expressed excitement with bi-annual budgeting.

Council Member Sande:

- wished everyone a Happy Easter.

Council Member Cox:

- spoke about the success of the lobbying effort in Washington DC; and
- commended the public works director for his hard work and dedication to the city.

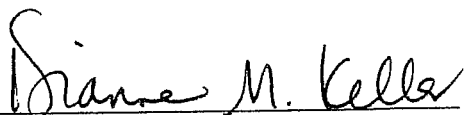
Mayor Keller expressed her gratitude to staff and Council Members Cox and O'Neil for their successful lobbying effort in Washington DC this year.

Council Member Ewing:

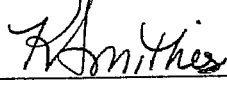
- requested to receive commission meeting minutes in the council packet;
- expressed concern about the extension of East Susitna Avenue;
- reported on the borough assembly meeting attended as a city representative; and
- spoke about the open house held at Teeland Elementary School regarding the proposed Seward Meridian Road improvement project.

17. ADJOURNMENT

The meeting adjourned at 9:30 p.m.


DIANNE M. KELLER, Mayor

ATTEST:


KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on April 11, 2005.