



MAYOR

Dianne M. Keller

COUNCIL

Howard O'Neil, Seat A
Diana L. Straub, Seat B
Vacant, Seat C
Robert Sande, Seat D
Ron Cox, Seat E
Mark A. Ewing, 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.

JULY 11, 2005

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF AGENDA**
5. **SPECIAL ORDERS**
 - A. Proclamation in Support of Stepfamily Day 2005.
 - B. Presentation to Josh Bowman – Arbor Day 2005 Poster Contest Winner.
6. **COMMISSION/AGENCY REPORT (Five minutes per agency.)**
 - A. Planning Commission
 - B. Parks and Recreation Commission
 - C. Airport Advisory Commission
 - D. Matanuska-Susitna Borough

7. CONSENT AGENDA

A. Minutes of Preceding Meeting:

1. Regular Meeting: June 27, 2005
2. Special Meeting: June 20, 2005

B. Introductions (Public Hearing To Be Scheduled For: July 25, 2005)

1. **Ordinance Serial No. 05-55:** To Amend The FY-06 Police Department Budget By Appropriating From The State Of Alaska, Alaska Highway Safety Office Funds In The Amount Of \$1,840 For Overtime For The 2005 DUI Campaign.
2. **Ordinance Serial No. 05-56:** To Amend The FY-06 Police Department Budget By Appropriating Funds From The State Of Alaska Department Of Transportation And Public Facilities Division Of Measurement Standards And Commercial Vehicle Enforcement In The Amount Of \$3,315.

C. Resolutions

1. **Resolution Serial No. 05-30:** Authorizing The Mayor To Execute A Maintenance Agreement With The State Of Alaska Department Of Transportation And Public Facilities Regarding Improvements In Conjunction With The Wasilla-Fishhook Road Project From Bogard Road To Seldon Road.

D. Action Memorandums

1. **AM No. 05-33:** Council Approval Of The Award Of City Of Wasilla's Insurance (Property, Liability, Automobile, And Worker's Compensation) To The Alaska Public Entity Insurance And Difference In Conditions Insurance To Mt. Hawley Insurance Company Through Marsh USA, Inc.

8. PUBLIC HEARING (Three minutes per person.)

- A. **Ordinance Serial No. 05-40:** Amending WMC 3.65.020.F, Coverage, Use, Accrual, And Other Aspects Of Paid Time Off ("PTO") To Provide For The Accrual Of PTO During Any Authorized, Unpaid Leave.
- B. **Ordinance Serial No. 05-53:** To Amend The FY-06 Library Budget By Accepting And Appropriating \$500 From The Wal-Mart Foundation Grant.

- C. **Ordinance Serial No. 05-57:** Authorizing The Lease To Spirit Hockey, LLC Of Space Within The Multi-Use Sports Complex To Operate A Junior Hockey Team; Authorizing The Mayor To Execute And Deliver The Lease; And Providing For Related Matters.

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

10. **UNFINISHED BUSINESS**

11. **NEW BUSINESS**

- A. **AM No. 05-32:** Request For Sales Tax Penalty Waiver.

12. **COMMUNICATION**

- A. Commission Meeting Minutes

- 1. Planning Commission: June 28, 2005
- 2. Parks and Recreation Commission: June 15, 2005
- 3. Airport Advisory Commission: May 17, 2005

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

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

15. **EXECUTIVE SESSION**

16. **COUNCIL COMMENTS**

17. **RECONSIDERATION**

18. **ADJOURNMENT**

1. CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, July 11, 2005 at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Dianne M. 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
Mr. Rob Sande, Seat D
Mr. Ron Cox, Seat E
Mr. Mark Ewing, Seat F

Council Member Diana Straub, Seat B, was absent and excused.

Seat C was vacated due to the resignation of Noel Lowe.

Staff in attendance were:

Ms. Kristie Smithers, City Clerk
Ms. Jamie Newman, Deputy Clerk
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, Manager of Recreation and Cultural Services

3. PLEDGE OF ALLEGIANCE

The city clerk led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

The agenda was approved as presented with no objection raised.

5. SPECIAL ORDERS

A. Proclamation in Support of Stepfamily Day 2005.

Mayor Keller read the Proclamation in Support of Stepfamily Day 2005 into the record.

B. Presentation to Josh Bowman – Arbor Day 2005 Poster Contest Winner.

Mayor Keller presented Mr. Bowman with a \$1,000 savings bond and a framed poster on behalf of the Arbor Day Society for designing the 2005 Arbor Day Poster.

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

A. Planning Commission

City Planner:

- reported on a joint meeting with the planning commission and the landscape focus group scheduled for July 26, 2005.

B. Parks and Recreation Commission

Manager of Recreation and Cultural Services:

- noted that the commission had not met since its last report to the council.

C. Airport Advisory Commission

Public Works Director:

- noted that the commission had not met since its last report to the council.

D. Matanuska-Susitna Borough

Assembly Member Mary Kvalheim:

- spoke favorably about the Wasilla Spirit Hockey Team; and
- reported on the recent activities of the borough assembly.

7. CONSENT AGENDA

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2. Special Meeting: June 20, 2005

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1. **Resolution Serial No. 05-30:** Authorizing The Mayor To Execute A Maintenance Agreement With The State Of Alaska Department Of Transportation And Public Facilities Regarding Improvements In Conjunction With The Wasilla-Fishhook Road Project From Bogard Road To Seldon Road.

D. Action Memorandums

1. **AM No. 05-33:** Council Approval Of The Award Of City Of Wasilla's Insurance (Property, Liability, Automobile, And Worker's Compensation) To The Alaska Public Entity Insurance And Difference In Conditions Insurance To Mt. Hawley Insurance Company Through Marsh USA, Inc.

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

Council Member Ewing noted a grammatical correction to AM No. 05-33 as follows: to correct "two-year" to "two-years" within the body of the paragraph. No objection was raised.

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

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

- A. **Ordinance Serial No. 05-40:** Amending WMC 3.65.020.F, Coverage, Use, Accrual, And Other Aspects Of Paid Time Off ("PTO") To Provide For The Accrual Of PTO During Any Authorized, Unpaid Leave.

Mayor Keller opened the public hearing and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 05-40.

Council Member Ewing requested clarification on the ordinance.

Discussion moved to the council and staff answered questions.

Debate ensued.

MOTION: Council Member Sande moved to postpone Ordinance Serial No. 05-40 indefinitely.

Discussion and debate continued.

MOTION: Council Member Ewing moved to call the previous question.

GENERAL CONSENT: The motion to call the previous question passed without objection.

VOTE: The motion to postpone Ordinance Serial No. 05-40 indefinitely passed unanimously. (Clerk Note: See page 7 of the meeting minutes for reconsideration.)

- B. **Ordinance Serial No. 05-53:** To Amend The FY-06 Library Budget By Accepting And Appropriating \$500 From The Wal-Mart Foundation Grant.

Mayor Keller opened the public hearing and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Ewing moved to adopt Ordinance Serial No. 05-53.

VOTE: The motion passed unanimously.

- C. **Ordinance Serial No. 05-57:** Authorizing The Lease To Spirit Hockey, LLC Of Space Within The Multi-Use Sports Complex To Operate A Junior Hockey Team; Authorizing The Mayor To Execute And Deliver The Lease; And Providing For Related Matters.

Mayor Keller opened the public hearing.

Mr. Dean Larson, Assistant Lead Coach, Wasilla Spirit Jr. Hockey Team, spoke in favor of the ordinance.

Mr. Steve Stoll spoke in favor of the ordinance, however, suggested that the team be named the Mat-Su Spirit in order to gain a borough wide fan base and he encouraged the city to address all liability issues before authorizing the sale of alcohol during hockey games.

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

MOTION: Council Member Ewing moved to adopt Ordinance Serial No. 05-57.

The manager of recreation and cultural services spoke on the sale of alcohol at sporting events.

Discussion moved to the council and debate ensued regarding the proposed cost of leasing the premises in relation to the cost of market retail space within the city.

Staff spoke on the terms of the proposed lease agreement.

Discussion continued by the council.

MOTION: Council Member Sande moved a primary amendment to Exhibit D, number 16, as follows: Taping of posters, banners, decorations, etc. to the glass surrounding the ice rink **is prohibited**. (Clerk note: bold and underline is language added.) (This language was inadvertently left out of the exhibit.)

GENERAL CONSENT: The primary amendment passed without objection.

Discussion and debate continued regarding the merits of the proposed lease agreement.

MOTION: Council Member Ewing moved to call the previous question.

VOTE: The motion to call the previous question failed with Council Members Sande and Cox in favor and Council Members Ewing and O'Neil opposed.

Discussion continued on the terms of the lease agreement.

MOTION: Council Member Sande moved to call the previous question.

GENERAL CONSENT: The motion failed with Council Members Cox, O'Neil, Sande in favor and Council Member Ewing opposed.

Debate continued.

VOTE: The motion to adopt Ordinance Serial No. 05-57, as amended, passed unanimously.

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

There were no persons to be heard.

10. UNFINISHED BUSINESS

There was no unfinished business.

11. NEW BUSINESS

- A. **AM No. 05-32:** Request For Sales Tax Penalty Waiver.

MOTION: Council Member Cox moved to grant the sales tax penalty waiver as requested by Deloitte Tax LLP for The Home Depot.

Discussion followed and debate ensued.

VOTE: The motion failed with Council Members Cox, O'Neil, and Sande in favor and Council Member Ewing opposed.

12. COMMUNICATION

- A. Commission Meeting Minutes
1. Planning Commission: June 28, 2005
 2. Parks and Recreation Commission: June 15, 2005
 3. Airport Advisory Commission: May 17, 2005

Council Member Ewing questioned whether a quorum was established at the June 15, 2005, Parks and Recreation Commission Meeting. (Clerk note: Per WMC 2.44.080.B, 3 members establish a quorum for the parks and recreation commission as they are a five member board. A quorum was established at the June 15, 2005 Parks and Recreation Commission Meeting.)

No action was taken on the communication items.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

City Clerk:

- noted the upcoming meeting schedule;
- spoke about the appointment process for Council Seat C;
- reported on the Century Park appeal recently filed in Superior Court; and
- noted the candidate filing period for the October 4, 2005 regular city election.

Mayor Keller:

- provided a written report to the council; and
- thanked the council for supporting Ordinance Serial No. 05-57, Spirit Hockey, LLC lease agreement.

14. AUDIENCE COMMENTS (Three minutes per person.)

Mr. Steve Stoll:

- commented on the development of Shadowood Valley Subdivision;
- questioned whether city infrastructure will accommodate the rapid growth in the city; and
- spoke in support of the Wasilla Spirit Jr. Hockey Tram and encouraged responsible alcohol sales during sporting events.

Ms. Anne Kilkenny:

- thanked Council Member Sande for scrutinizing the proposed lease agreement with Spirit Hockey LLC;
- stated she is not confident the sports complex will ever break even; and
- thanked the public works director for providing a local Eagle Scout with the opportunity to construct a foot bridge at Wasilla Wonderland Park.

Ms. Colleen Cottle:

- spoke in appreciation of the open discussion regarding the Spirit Hockey LLC lease agreement;
- requested a copy of the contract between the city and Marty Metiva; and
- requested information on the cost of the Wasilla Relocation Guide.

15. EXECUTIVE SESSION

No executive session was held.

16. COUNCIL COMMENTS (see page 8 for continued comments)

Council Member Ewing:

- appreciates the stop sign at the intersection of Lucille Street and Bogard Road;
- requested that the city work to get stop signs installed at the intersection of Peck Street and Bogard Road, and Spruce Avenue and Lucille Street; and
- thanked the council for approving the lease agreement with the Spirit Hockey LLC.

17. RECONSIDERATION

- A. **Ordinance Serial No. 05-40:** Amending WMC 3.65.020.F, Coverage, Use, Accrual, And Other Aspects Of Paid Time Off ("PTO") To Provide For The Accrual Of PTO During Any Authorized, Unpaid Leave.

MOTION: Council Member Sande moved to reconsider the vote on postponing Ordinance Serial No. 05-40. (Clerk note: see page 3 of the meeting minutes.)

GENERAL CONSENT: The motion to reconsider passed without objection.

MOTION: Council Member Sande moved to adopt Ordinance Serial No. 05-40.

MOTION: Council Member Sande moved a primary amendment to the last sentence of Section 2 of the ordinance to read as follows:...in non-paid status **for not more than seven calendar days or forty work hours.** (Clerk note: bold and underline is language added.)

MOTION: Council Member Cox moved a secondary amendment to read as follows: for not more than seven calendar days or forty work hours **within a calendar year.** (Clerk note: bold and underline is language added.)

GENERAL CONSENT: The secondary amendment passed without objection.

GENERAL CONSENT: The primary amendment, as amended, passed without objection

VOTE: The main motion, as amended, passed unanimously.

COUNCIL COMMENTS CONTINUED (continued from page 7)

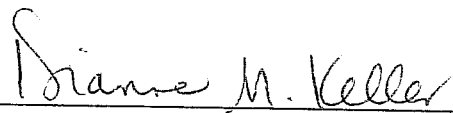
Council Member Sande requested that in the future administration provide the council with advanced notice of critical lease agreements that require council approval.

Council Member O'Neil:

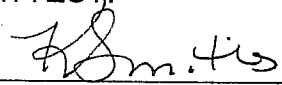
- spoke in support of the Wasilla Spirit Jr. Hockey Team.

18. ADJOURNMENT

The meeting adjourned at 8:49 p.m.


DIANNE M. KELLER, Mayor

ATTEST:


KRISTIE L. SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on July 25, 2005.