



MAYOR
Verne E. Rupright

COUNCIL
Ron Cox, Seat A
Douglas W. Holler, Seat B
Leone Harris, Seat C
Nancy R. Hall, Seat D
Dianne Woodruff, Seat E
Kristofer Larson, Deputy Mayor, Seat F

**WASILLA CITY COUNCIL
MEETING AGENDA**

WASILLA CITY COUNCIL CHAMBERS

Wasilla City Hall, 290 E. Herring Avenue, Wasilla, AK 99654 (907) 373-9090

REGULAR MEETING

7 P.M.

NOVEMBER 24, 2008

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

A. Presentation of Colors by Boy Scout Troop 300

IV. APPROVAL OF AGENDA

V. SPECIAL ORDERS OF THE DAY

A. Presentation To City Of Wasilla From Tobacco Prevention And Control Recognizing The City For Banning Smoking In City Vehicles.

VI. COMMISSION AND AGENCY REPORTS

A. Parks and Recreation Commission

B. Airport Advisory Commission

C. Matanuska-Susitna Borough

D. Greater Wasilla Chamber of Commerce

- E. John Bost, Mikunda Cottrell Re: Comprehensive Annual Financial Report (AM No. 08-64)

VII. PUBLIC PARTICIPATION

A. Public Hearings

- pp. 1 1. **Ordinance Serial No. 08-56:** Amending The Zoning Map To Change The Zoning District From RR-Rural Residential To C-Commercial, For An Approximately 12 Acre Portion Of An Un-subdivided Parcel Of 29 Acres, Consisting Of Lot A007, Section 13, Township 17 North, Range 1 West, Seward Meridian, Generally Located West Of Seward Meridian Parkway And North Of Old Matanuska Road.

B. Persons to be Heard

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

- pp. 29 1. Regular Meeting: October 27, 2008
- pp. 37 2. Special Meeting: October 31, 2008

B. Introduction of Ordinances: Recommended for Public Hearing on December 8, 2008:

- pp. 40 1. **Ordinance Serial No. 08-57:** Amending The FY-09 Police Department Budget By Accepting And Appropriating Funds From The State Of Alaska, Department Of Public Safety, Division Of Alaska State Troopers, Alaska Bureau Of Alcohol And Drug Enforcement In The Amount Of \$1,230 From Federal Forfeiture.
- pp. 42 2. **Ordinance Serial No. 08-58:** To Amend The FY-09 Mat-Su Youth Court Budget By Accepting And Appropriating Funds From The Lions Club 50-50 Raffle In The Amount Of \$1,240.
- pp. 44 3. **Ordinance Serial No. 08-59:** To Amend The FY-09 Library Budget By Accepting And Appropriating \$555 From The Alaska Library Association And \$100 From The Pacific Northwest Library Association.

- pp. 46 4. **Ordinance Serial No. 08-60:** To Amend The FY-09 Multi-Use Sports Complex Budget By Accepting And Appropriating Grant Funds In The Amount Of \$3,000.
- pp. 48 5. **Ordinance Serial No. 08-61:** Amending The FY-09 Budget By Transferring \$30,000 From The Vehicle Fund Balance To The Vehicle Fund For The Purchase Of Vehicle Equipment For New Vehicles For The Police Department.
- pp. 50 6. **Ordinance Serial No. 08-62:** To Amend The FY-09 Police Department Budget By Accepting And Appropriating Funds From The State Of Alaska Department Of Transportation And Public Facilities (AK DOT-PF) For Commercial Vehicle Enforcement In The Amount Of \$4,440.
- pp. 52 7. **Ordinance Serial No. 08-63:** Amending The FY-09 Police Department Budget By Accepting And Appropriating Funds From The Department Of Public Safety (DPS) Byrne Memorial Justice Assistance Grant (JAG) Program In The Amount Of \$75,000 To Support The Investigator Position Assigned To The Alaska Bureau Of Alcohol And Drug Enforcement (ABADE) Mat-Su Unit.

C. Resolutions

D. Action Memorandums

- pp. 55 1. **AM No. 08-64:** Acceptance Of The City Of Wasilla's Fiscal Year 2008 Comprehensive Annual Financial Report (CAFR) For Public Record.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. COMMUNICATIONS

A. Informational Memorandums

- pp. 56 1. **IM No. 08-24:** Monthly Financial Reports For The Period Ending October 2008 To Include The Month To Date Expenditure Report And Expenditures Greater Than \$5,000.
- pp. 64 2. **IM No. 08-25:** 2009 Holiday Schedule.

pp. 66 3. **IM No. 08-26:** Cost and Benefit Analysis Re: Annexation.
(Clerk's Note: The administration will provide a presentation
on this item.)

pp. 67 4. **IM No. 08-27:** Letter From Susitna Investments, LLC, In
Regard to Appeal Case No. 08-02.

B. Commission Minutes

pp. 70 1. Parks and Recreation Commission: October 8, 2008

pp. 73 2. Planning Commission: October 14, 2008

XII. AUDIENCE COMMENTS

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

XIV. COUNCIL COMMENTS

XV. EXECUTIVE SESSION

A. Threat Of Litigation By Bob And Annette Andres, And Proposed
Settlement Of Same

XVI. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Wasilla City Council was held on Monday, November 24, 2008, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Verne E. Rupright called the meeting to order at 7 p.m.

II. ROLL CALL

Council Members present and establishing a quorum were:

- Mr. Ron Cox, Seat A
- Ms. Leone Harris, Seat C
- Ms. Nancy R. Hall, Seat D
- Ms. Dianne Woodruff, Seat E
- Mr. Kristofer Larson, Seat F

Mayor Rupright noted that Deputy Mayor Doug Holler, Seat B, was absent and excused, unless objection was noted. No objection was noted.

Staff in attendance were:

- Ms. Kristie Smithers, City Clerk
- Ms. Amanda E. Charles, Deputy Clerk
- Mr. Tom Klinkner, City Attorney
- Ms. Cheryl Deariso, Chief Financial Officer
- Mr. Archie Giddings, Director of Public Works
- Ms. Angella Long, Police Chief
- Mr. Bruce Urban, Recreation and Cultural Services Manager
- Mr. Marvin Yoder, Deputy Administrator
- Mr. Jim Holycross, City Planner

III. PLEDGE OF ALLEGIANCE

- A. Presentation of Colors Boy Scout Troop 300

Mayor Rupright led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Rupright asked if there were changes to the agenda as presented.

No amendments were noted.

GENERAL CONSENT: The agenda was approved as presented by Council Members Cox, Harris, Hall, Woodruff and Larson.

V. SPECIAL ORDERS OF THE DAY

- A. Presentation To City of Wasilla From Tobacco Prevention And Control Recognizing The City for Banning Smoking In City Vehicles.

Ms. Becky Stoppa, Alaska Family Services, Tobacco Prevention and Control Program:

- informed the Council that she was representing Breathe Free Mat-Su, an anti-tobacco coalition;
- commended the City for making the City owned vehicles smoke free; and
- presented a certificate to Mayor Rupright in recognition of the accomplishment.

Mayor Rupright thanked Ms. Stoppa and spoke to the importance of establishing the smoke-free policy.

VI. COMMISSION AND AGENCY REPORTS

- A. Parks and Recreation Commission

Commissioner Brandon Wall:

- provided a report from the November 12, 2008, meeting;
- stated that they had received kitchen equipment for the new kitchen extension at the Sports Complex
- explained that the tree lighting ceremony will be held on December 6, 2008, at the museum;
- provided details on the Statehood Celebration being held on January 3, 2009; and
- reported that the next meeting will be on December 10, 2008, at 6 p.m.

- B. Airport Advisory Commission

Mr. Giddings:

- stated that the last meeting was a combination of the Airport Users and the Airport Advisory Commission; and
- noted that they would be informing all helicopter operators of their normal flight paths.

- C. Matanuska-Susitna Borough

Assemblymember Ewing:

- stated that the bonding process begins in January for the Goose Creek Correctional Center;
- reported on economic stimulus packages;

- stated that a new Assistant Borough Manager, Ms. Elizabeth Gray, was hired;
- spoke to the need for additional staff and work space for the Borough;
- noted that he had suggested having a Borough Annex within the City's limits;
- commented that he had toured the facility where the ferry is being constructed in Ketchikan; and
- presented the Mayor with a personalized gavel.

C. Greater Wasilla Chamber of Commerce

No report was presented.

D. John Bost, Mikunda Cottrell Re: Comprehensive Annual Financial Report (AM No. 08-64)

Mr. Bost:

- provided a brief history of the company; and
- spoke to the individual reports provided within the Comprehensive Annual Finance Report.

Council Member Woodruff thanked Mr. Bost for his work on the project.

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 08-56:** Amending The Zoning Map To Change The Zoning District From RR-Rural Residential To C-Commercial, For An Approximately 12 Acre Portion Of An Un-subdivided Parcel Of 29 Acres. Consisting Of Lot A007, Section 13, Township 17 North, Range 1 West, Seward Meridian, Generally Located West of Seward Meridian Parkway And North Of Old Matanuska Road.

Mr. Yoder provided a staff report.

Mayor Rupright opened the public hearing on Ordinance Serial No. 08-56.

The following persons spoke in favor of Ordinance Serial No. 08-56: Mr. Tim Potter, DOWL Engineers, and Mr. John Swagger, Chairman and Chief Executive Officer of Coming Attraction Theatres.

The following person spoke regarding concerns with partial zoning of the entire parcel: Mr. Steve Menard.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 08-56.

Council Member Woodruff informed the Council that she had previously met Ms. Amy Karn, Dowl Engineers, at the Borough Planning Commission meetings and stated that she did not see a conflict.

Discussion followed.

Mr. Jim Holycross spoke regarding the conditional use permit process which would include a traffic impact analysis and commented on the Borough's plans for the updates to the road and surrounding area.

VOTE: The motion passed unanimously with Council Members Cox, Harris, Hall, Woodruff, and Larson in favor.

B. Persons to be Heard

Ms. Kathy Wells, Director of Friends of Mat-Su:

- spoke regarding the Appeal No. 08-01 in regards to Fred Meyers;
- requested a refund of the appeal fee due to the fact that the decision of the Planning Commission was overturned; and
- asked for a policy to be instated which allowed for the refund of the monies if the decision is overturned.

Mr. Preston Rudderow:

- spoke regarding Appeal No. 08-02 in regards to Fred Meyers;
- requested a refund of the appeal fee due to the fact that the decision of the Planning Commission was overturned; and
- noted that there is no provision within the current code for reimbursement.

Mr. Steve Menard:

- spoke regarding Assemblymember Ewing's comments on finding new space for the Borough;
- commented on the December 6, 2008, Christmas tree lighting;
- spoke to problems with appropriate viewing of the tree during the holiday season; and
- commented on "hot mopping" a skate rink at Iditapark.

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: October 27, 2008
2. Special Meeting: October 31, 2008

B. Introduction of Ordinances: Recommended for Public Hearing on December 8, 2008:

1. **Ordinance Serial No. 08-57:** Amending The FY-09 Police Department Budget By Accepting And Appropriating Funds From the State Of Alaska, Department of Public Safety, Division of Alaska State Troopers, Alaska Bureau Of Alcohol And Drug Enforcement In The Amount Of \$1,230 From Federal Forfeiture.
2. **Ordinance Serial No. 08-058:** To Amend The FY-09 Mat-Su Youth Court Budget By Accepting And Appropriating Funds From The Lions Club 50-50 Raffle In The Amount Of \$1,240.
3. **Ordinance Serial No. 08-059:** To Amend The FY-09 Library Budget By Accepting And Appropriating Funds \$555 From The Alaska Library Association And \$100 From The Pacific Northwest Library Association.
4. **Ordinance Serial No. 08-60:** To Amend The FY-09 Multi-Use Sports Complex Budget By Accepting And Appropriating Grant Funds In The Amount Of \$3,000.
5. **Ordinance Serial No. 08-61:** Amending the FY-09 Budget By Transferring \$30,000 From The Vehicle Fund Balance To The Vehicle Fund For The Purchase Of Vehicle Equipment For New Vehicles For The Police Department.
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7. **Ordinance Serial No. 08-63:** Amending The FY-09 Police Department Budget By Accepting And Appropriating Funds From The Department Of Public Safety (DPS) Byrne Memorial Justice Assistance Grant (JAG) Program In The Amount Of \$75,00 To Support The Investigator Position Assigned To The Alaska Bureau Of Alcohol And Drug Enforcement (ABADE) Mat-Su Unit.

C. Resolutions

There were no resolutions.

D. Action Memorandums

1. **AM No. 08-64:** Acceptance Of The City Of Wasilla's Fiscal Year 2008 Comprehensive Annual Financial Report (CAFR) For Public Record.

The City Clerk read the Consent Agenda into the record.

MOTION: Council Member Larson moved to adopt the Consent Agenda as read by the City Clerk.

GENERAL CONSENT: The motion to adopt the Consent Agenda, passed unanimously, with Council Members Cox, Harris, Hall, Woodruff, and Larson voting in favor.

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. NEW BUSINESS

There was no new business.

XI. COMMUNICATIONS

A. Informational Memorandums

1. **IM No. 08-24:** Monthly Financial Reports For The Period Ending October 2008 To Include The Month To Date Expenditure Report And Expenditures Greater Than \$5,000.
2. **IM No. 08-25:** 2009 Holiday Schedule.
3. **IM No. 08-26:** Cost and Benefit Analysis Re: Annexation *(Clerk's Note: The administration will provide a presentation on this item.)*
4. **IM No. 08-27:** Letter From Susitna Investments, LLC, In Regard to Appeal Case No. 08-02.

B. Commission Minutes

1. Parks and Recreation Commission: October 8, 2008
2. Planning Commission: October 14, 2008

Police Chief Long provided a staff report on IM No. 08-26.

No action was taken on the communication items.

XII. AUDIENCE COMMENTS

Mr. Steve Stoll:

- commented on the sunset clause for the half-cent clause from a previous administration;
- asked that food, outside of prepared foods, be exempt from the sales tax; and
- spoke to the lack of property taxes charged by the City of Wasilla.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Mr. Rupright:

- stated that he was pleased that winter had arrived; and
- noted his pleasure of serving as Mayor for the next three years.

Ms. Smithers:

- spoke to the Council's meeting schedule;
- noted that the legislation regarding the ethics code is pending; and
- welcomed the new Deputy Clerk, Council Members, and Mayor.

Mr. Klinkner:

- welcomed the new Council Members and the Mayor;
- spoke regarding the status of current litigation;
- commented on his work with the Planning Department regarding subdivisions, development density and planned unit developments;
- spoke regarding the sales tax as it relates to the Multi-Use Sports Complex; and
- commented on the payment schedule for related bonds.

XIV. COUNCIL COMMENTS

Council Member Hall thanked the youth for attending the meeting.

Council Member Woodruff:

- noted that the credit for the new non-smoking policy in City vehicles belongs previous Council Member Steve Menard;
- thanked Ms. Deariso and Mr. Tankersley for their work on the financial report;
- thanked Wal-Mart for their \$25,000 grant to Valley Community for Recycling Solutions;
- thanked Target for the \$3,000 grant to the Multi-Use Sports Complex;
- thanked Mr. Urban for addressing Ms. Rainey's concerns regarding the events which took place at the Multi-Use Sports Complex on election night;
- spoke to the appeal costs and timing and issues therein;
- requested that revisions to the code be made as it pertains to the appeal process;

- noted that there is an error in the code as it relates to due-deference for neighborhood plans or the lack there of;
- requested the item be placed on the Planning Commission's upcoming agenda;
- referred to Mr. Stoll's comments; and
- spoke to the Nunley Park improvements on the capital improvements list.

Ms. Smithers stated that she would work with staff to draft an ordinance which would address the concerns with the current appeals code. Mayor Rupright asked if there was any objection. There was no objection noted.

Council Member Harris:

- thanked the youth for attending the meeting;
- spoke to the recent appeal; and
- asked for the last three years worth of Planning Commission meeting minutes.

Council Member Larson:

- spoke to the current tax basis for the City;
- advised on services which are provided to the City residents via the revenue generated by the sales tax; and
- commented on the growth within the City of Wasilla.

Council Member Cox queried the purpose of the retreat on January 19, 2008.

Mr. Yoder spoke to a handout provided at the November 17, 2008, meeting which depicted the items up for discussion.

Mayor Rupright asked if there was any objection to having the Clerk gather and distribute the last three years worth of minutes for the Planning Commission to council members who wanted them. There was no objection noted.

XV. EXECUTIVE SESSION

- A. Threat Of Litigation By Bob And Annette Andres, And Proposed Settlement of Same

MOTION: Council Member Harris moved to enter into executive session to discuss potential or pending litigation to which the City may become or is a party. Specifically, the threat of litigation by Bob and Annette Andres, and proposed settlement of the same.

GENERAL CONSENT: The motion to enter into executive session passed without objection with Council Members Cox, Harris, Hall, Woodruff, and Larson voting in favor.

The following entered executive session in the Council Conference room at 8:39 p.m.:
The Council, Mayor Rupright, Deputy Administrator, City Attorney, and City Clerk.

The executive session exited at 8:51 p.m.

XVI. ADJOURNMENT

With no further business at hand, Mayor Rupright, adjourned the meeting at 8:52 p.m.


VERNE E. RUPRIGHT
Mayor

ATTEST:


KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on December 8, 2008

