

Requested by: Clerk  
Adopted: March 22, 2004  
Vote: Unanimous; Lowe absent

**CITY OF WASILLA  
RESOLUTION SERIAL NO. 04-14**

**A RESOLUTION OF THE WASILLA CITY COUNCIL FIXING THE RATE OF  
COMPENSATION FOR THE POSITION OF HEARING OFFICER FOR APPEALS AND  
REPEALING RESOLUTION SERIAL NO. 01-40.**

---

WHEREAS, Wasilla Municipal Code 16.36.020.A states that appeals to the council from decisions of the planning commission are heard by a city-appointed hearing officer; and

WHEREAS, Wasilla Municipal Code 16.36.020.D states that compensation of the hearing officer will be determined by council resolution; and

WHEREAS, the time required for a hearing officer to research and prepare for a hearing, hear an appeal, and write a decision of the appeal will vary significantly depending on the issues presented by the appeal; and

WHEREAS, Wasilla Municipal Code 16.36.020.A requires that a hearing officer be qualified by having a knowledge of Wasilla Municipal Code, general land use regulation, principles of due process, and some familiarity with the development of the city; and

WHEREAS, the council finds that an hourly rate of \$90 will provide reasonable compensation to persons who are qualified to serve as a hearing officer under Wasilla Municipal Code 16.36.020.

NOW THEREFORE, BE IT RESOLVED that the Wasilla City Council approves the rate of compensation for a hearing officer under Wasilla Municipal Code 16.36.020.D at \$90 per hour; and

BE IT FURTHER RESOLVED, that the compensation rate shall apply to the time devoted by the hearing officer to research, preliminary meetings with staff or counsel, hearing the appeal, and writing a decision of the appeal; and

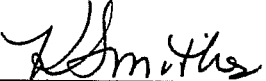
BE IT FURTHER RESOLVED, that to the extent feasible the city shall provide office, clerical and legal services for a hearing officer in the performance of duties as a hearing officer, and to the extent that the city cannot provide such support, the city will reimburse the hearing officer for reasonable out-of-pocket expenses, such as photocopying and long distance telephone charges, incurred in the performance of duties as a hearing officer; and

BE IT FURTHER RESOLVED, that Council Resolution Serial No. 01-40 is hereby repealed in its entirety.

ADOPTED by the Wasilla City Council on March 22, 2004.

  
\_\_\_\_\_  
DIANNE M. KELLER, Mayor

ATTEST:

  
\_\_\_\_\_  
KRISTIE SMITHERS, CMC  
City Clerk

[SEAL]

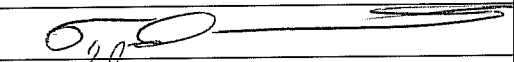
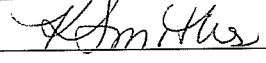


**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE: RESOLUTION SERIAL NO. 04-14 COMPENSATION OF APPEALS HEARING OFFICER**

Agenda of: March 22, 2004  
Originator: Kristie Smithers, City Clerk

Date: March 5, 2004

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
	Public Works Planning	
X	Finance *signature required	
X	Clerk	

**REVIEWED BY MAYOR DIANNE M. KELLER:** 

**FISCAL IMPACT:**  yes \$ or  no      Funds Available  yes  no  
Account name/number:  
Attachments:

**SUMMARY STATEMENT:**

Pursuant to WMC 16.36.020.D, compensation of the hearing officer for appeals is determined by the council. The last time council adopted a resolution in regard to hearing officer compensation was in 2001 under a different code section.

In 2002, the council adopted Ordinance Serial No. 02-46(SUB) (AM) revising the code on appeals to a hearing officer. With the changes in code, we are presenting Resolution Serial No. 04-14 to you so that the code sections will be correct. The hourly rate of the appeals officer remains at \$90 per hour.