

Requested by: Clerk  
Amended: July 10, 2006  
Adopted: July 10, 2006

Vote: Cox, Ewing, Menard, Metiva, O'Neil & Straub in favor

**CITY OF WASILLA  
RESOLUTION SERIAL NO. 06-38(AM)**

**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. 04-14.**

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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 \$125 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 \$125 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 the hearing officer is required to comply with the requirements of WMC 6.04, Business Licenses Generally; and

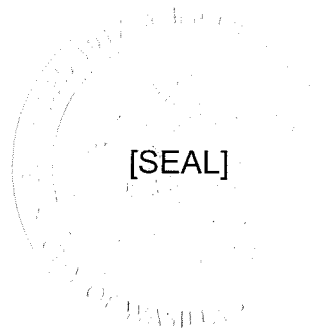
BE IT FURTHER RESOLVED, that Council Resolution Serial No. 04-14 is hereby repealed in its entirety.

ADOPTED by the Wasilla City Council on July 10, 2006.

  
SANDRA GARLEY  
Deputy Administrator

ATTEST:

  
KRISTIE SMITHERS, MMC  
City Clerk



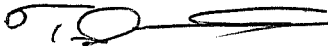
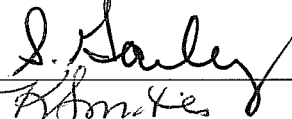
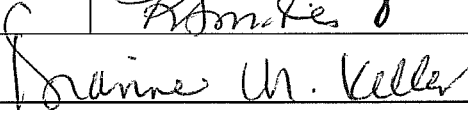


**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

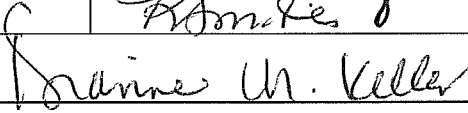
**RE: Resolution Serial NO. 06-38: Fixing The Rate Of Compensation For The Position Of Hearing Officer.**

Agenda of: July 10, 2006  
Originator: City Clerk

Date: June 27, 2006

Route to:	Department	Signature/Date
X	Finance, Risk Management & MIS Director Purchasing	
X	Deputy Administrator Planning, Economic Development, Human Resources	
X	City Clerk	

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



**FISCAL IMPACT:**  yes \$ or  no      Funds Available  yes  no  
Account name/number: Other Professional Fees / 001.4110.411.30.34  
Attachments: Resolution Serial No. 06-38

**SUMMARY STATEMENT:** We recommend that the Council raise the rate of compensation for Hearing Officer from \$90 per hour to \$125 per hour.

The rate of compensation has not been increased since its establishment in 2001.