



MAYOR

Dianne M. Keller

COUNCIL

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

**WASILLA CITY COUNCIL
TENTATIVE MEETING AGENDA
WASILLA CITY COUNCIL CHAMBERS**

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

REGULAR MEETING

7 P.M.

AUGUST 22, 2005

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
 - A. Presentation Of Colors By Boy Scout Troop 300.
- 4. APPROVAL OF AGENDA**
- 5. SPECIAL ORDERS**
- 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: August 8, 2005

B. Introductions (Public Hearing To Be Scheduled For: September 12, 2005)

1. **Ordinance Serial No. 05-63:** Amending The FY-06 Youth Court Budget By Accepting And Appropriating Grant Funds In The Amount Of \$14,543 From The State Of Alaska Department Of Health And Social Services, Division Of Juvenile Justice Youth Court/Community Panel Grant.
2. **Ordinance Serial No. 05-64:** Amending WMC 2.04.110, Agenda, By Providing An Order Of Business For Regular City Council Meetings. (Sponsored by Council Member Straub)

C. Resolutions

1. **Resolution Serial No. 05-33:** To Designate Alaska Department Of Environmental Conservation Municipal Grant Funds To The E. Susitna Reservoir Project Schedules C And D As The Number One Local State Funding Priority For Fiscal Year 2007.

D. Action Memorandums

1. **AM No. 05-50:** Contract Amendment For CH2MHill In The Amount Of \$107,000 For The E. Susitna Reservoir Final Phase Engineering Services.

8. PUBLIC HEARING (Three minutes per person.)

- A. **Ordinance Serial No. 05-61:** Accepting And Appropriating A Training Grant In The Amount Of \$6,000 From The State Of Alaska, Department Of Public Safety's Alaska Police Standards Council For Tactical Dispatch Training.
- B. **Ordinance Serial No. 05-62:** Adopting WMC 2.04.045, Appointment Of A Council Member. (Sponsored by Council Member Straub)

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

- A. Steve Stoll: Agenda Item Persons to be Heard.

10. UNFINISHED BUSINESS

- A. **AM No. 05-45:** Renewal Of Contract With Robertson, Monagle, Eastaugh In An Amount Not To Exceed \$42,500 To Provide Federal Lobbyist Services Through June 30, 2006. (Postponed from the August 8, 2005 Regular City Council Meeting)

11. NEW BUSINESS

- A. **Resolution Serial No. 05-31:** 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 Parks Highway Project From Crusey Street To Lucas Road.
- B. **Resolution Serial No. 05-34:** 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 Highway Safety Improvement Program (HSIP) Project At Lucille Street And East Nelson Avenue.
- C. **AM No. 05-49:** Contact Amendment For Big Dipper Construction In The Amount Of \$85,000 For Gravel Road Improvements Prior To Paving.
- D. **Resolution Serial No. 05-32:** Supporting The Natural Gas Pipeline To Include A Spur Line To Southcentral Alaska. (Sponsored By Mayor Keller)

12. COMMUNICATION

- A. **IM No. 05-12:** Expenses Greater Than \$5,000 For April Through June 2005.
- B. **IM No. 05-13:** May And June Expenditure Reports.
- C. Commission Meeting Minutes
 - 1. Planning Commission: July 26, 2005.
 - 2. Parks and Recreation Commission: August 10, 2005.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

14. AUDIENCE COMMENTS (Three minutes per person.)

15. EXECUTIVE SESSION

- A. Potential or Pending Litigation, Specifically the Friends of Old Knik Chief's Foundation v. the City of Wasilla.

16. COUNCIL COMMENTS

17. ADJOURNMENT

1. CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, August 22, 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:

Mr. Howard O'Neil, Seat A, Deputy Mayor
Ms. Diana Straub, Seat B
Mr. Verdie Bowen, Seat C
Mr. Rob Sande, Seat D
Mr. Ron Cox, Seat E
Mr. Mark Ewing, Seat F

Staff in attendance were:

Ms. Kristie Smithers, City Clerk
Ms. Jamie Newman, Deputy Clerk
Mr. Tom Klinkner, Attorney, Birch, Bittner, and Cherot
Ms. Sandra Garley, City Planner
Mr. Archie Giddings, Public Works Director
Mr. Don Savage, Police Chief
Mr. Ron Singel, Economic Development Director
Mr. Bruce Urban, Manager of Recreation and Cultural Services

3. PLEDGE OF ALLEGIANCE

A. Presentation Of Colors By Boy Scout Troop 300.

Boy Scout Troop 300 led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Keller noted that Ordinance Serial No. 05-62(SUB) was distributed for council consideration.

Mayor Keller noted that Mr. Steve Stoll has requested to be added to the agenda under Persons to be Heard.

Mayor Keller noted that the attorney has requested an Executive Session to discuss potential or pending litigation to which the city may become or is a party, specifically the Friends of Old Knik and Knik Chief's Foundation v. the City of Wasilla.

Council Member Sande requested to move Resolution Serial Nos. 05-31, 05-34 and AM No. 05-49 from the Consent Agenda to New Business.

Council Member Straub requested to move Resolution Serial No. 05-32 from the Consent Agenda to New Business.

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 Greg Koskela:

- noted that the commission will review landscaping standards; and
- reported that the commission is reviewing resolutions on eminent domain and land use codes as they relate to subdivision development.

B. Parks and Recreation Commission

Commissioner Mary Shampine:

- reported that the commission continues to review park rules;
- noted that the commission has moved their meeting location from City Hall to the Sports Complex; and
- spoke about aesthetic improvements to Mystery Avenue.

C. Airport Advisory Commission

Public Works Director:

- reported that the commission is reviewing a resolution supporting for airport lease lot development.

D. Matanuska-Susitna Borough

Assembly Member Mary Kvalheim:

- reported that a Transportation Summit is taking place on September 21, 2005 and encouraged city officials to attend; and
- noted that if city officials are unable to attend the scheduled Transportation Summit, borough officials have offered to make a presentation during a city council meeting.

7. **CONSENT AGENDA**

A. Minutes of Preceding Meeting:

1. Regular Meeting: August 8, 2005

B. Introductions (Public Hearing To Be Scheduled For: September 12, 2005)

1. **Ordinance Serial No. 05-63:** Amending The FY-06 Youth Court Budget By Accepting And Appropriating Grant Funds In The Amount Of \$14,543 From The State Of Alaska Department Of Health And Social Services, Division Of Juvenile Justice Youth Court/Community Panel Grant.
2. **Ordinance Serial No. 05-64:** Amending WMC 2.04.110, Agenda, By Providing An Order Of Business For Regular City Council Meetings. (Sponsored by Council Member Straub)

C. Resolutions

1. **Resolution Serial No. 05-33:** To Designate Alaska Department Of Environmental Conservation Municipal Grant Funds To The E. Susitna Reservoir Project Schedules C And D As The Number One Local State Funding Priority For Fiscal Year 2007.

D. Action Memorandums

1. **AM No. 05-50:** Contract Amendment For CH2MHill In The Amount Of \$107,000 For The E. Susitna Reservoir Final Phase Engineering Services.

The city clerk read items from the consent agenda into the record.

MOTION: Council Member O'Neil moved to adopt the consent agenda.

GENERAL CONSENT: The motion passed without objection.

8. PUBLIC HEARING (Three minutes per person.)

- A. **Ordinance Serial No. 05-61:** Accepting And Appropriating A Training Grant In The Amount Of \$6,000 From The State Of Alaska, Department Of Public Safety's Alaska Police Standards Council For Tactical Dispatch Training.

Mayor Keller opened the public hearing on Ordinance Serial No. 05-61 and there being no one who wished to present testimony, the public hearing closed.

MOTION: Council Member Bowen moved to adopt Ordinance Serial No. 05-61.

GENERAL CONSENT: The motion passed without objection.

- B. **Ordinance Serial No. 05-62:** Adopting WMC 2.04.045, Appointment Of A Council Member. (Sponsored by Council Member Straub)

Mayor Keller opened the public hearing on Ordinance Serial No. 05-62.

The following spoke in opposition to using the Borda Count Method to fill a vacancy on the council: Mr. Steve Stoll and Ms. Anne Kilkenny.

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

The council requested an at-ease at 7:25 p.m. to review Ordinance Serial No. 05-62(SUB). No objection was raised.

The council reconvened at 7:31 p.m.

The city attorney noted he authored Ordinance Serial No. 05-62(SUB) and explained the difference between the substitute and the original ordinance.

Discussion moved to the council and questions were asked of the city attorney.

MOTION: Council Member Straub moved to adopt Ordinance Serial No. 05-62(SUB).

Discussion moved to the council and debate ensued.

MOTION: Council Member Sande moved the previous question.

GENERAL CONSENT: The motion passed without objection.

VOTE: The main motion to adopt Ordinance Serial No. 05- 62(SUB) failed with Council Members Ewing and Straub in favor and Council Members Bowen, Cox, O'Neil and Sande opposed.

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

A. Steve Stoll: Agenda Item Persons to be Heard.

Mr. Steve Stoll:

- spoke about the lack of respect shown to members of the public by members of the council when comments are made by the public;
- reported on items to be considered at the next scheduled planning commission meeting;
- spoke about the importance of enforcing codes;
- inquired about whether a development permit had been submitted for the Shadowood Valley Estates Master Plan; and
- spoke about his proposed development of a motorcycling touring park.

10. UNFINISHED BUSINESS

A. **AM No. 05-45:** Renewal Of Contract With Robertson, Monagle, Eastaugh In An Amount Not To Exceed \$42,500 To Provide Federal Lobbyist Services Through June 30, 2006. (Postponed from the August 8, 2005 Regular City Council Meeting.)

PENDING MOTION: Council Member Straub moved to adopt AM No. 05-45. (Motion on the floor from the August 8, 2005 Regular City Council Meeting.)

Discussion followed.

MOTION: Council Member Straub moved to postpone AM No. 05-45 to the September 12, 2005 Regular City Council Meeting and to direct administration to amend the contract to correct the effective date, the scope of services, and the fee schedule.

Discussion followed by the council.

GENERAL CONSENT: The motion to postpone passed without objection.

11. NEW BUSINESS

- A. **Resolution Serial No. 05-31:** 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 Parks Highway Project From Crusey Street To Lucas Road.

MOTION: Council Member Cox moved to adopt Resolution Serial No. 05-31.

Discussion moved to the council and staff answered questions.

MOTION: Council Member Sande moved to postpone Resolution Serial No. 05-31 to the September 12, 2005 Regular City Council Meeting and to direct administration to include Attachment "A" and to provide the estimated cost of maintenance.

GENERAL CONSENT: The motion passed without objection.

- B. **Resolution Serial No. 05-34:** 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 Highway Safety Improvement Program (HSIP) Project At Lucille Street And East Nelson Avenue.

MOTION: Council Member Sande moved to adopt Resolution Serial No. 05-34.

MOTION: Council Member Sande moved to postpone Resolution Serial No. 05-34 to the September 12, 2005 Regular City Council Meeting and to direct administration to include Attachment "A" and to provide the estimated cost of maintenance.

GENERAL CONSENT: The motion passed without objection.

- C. **AM No. 05-49:** Contact Amendment For Big Dipper Construction In The Amount Of \$85,000 For Gravel Road Improvements Prior To Paving.

MOTION: Council Member Sande moved to adopt AM No. 05-49.

Discussion moved to the council and staff answered questions.

MOTION: Council Member Sande moved the previous question.

GENERAL CONSENT: The motion passed without objection.

VOTE: The main motion passed unanimously.

- D. Resolution Serial No. 05-32:** Supporting The Natural Gas Pipeline To Include A Spur Line To Southcentral Alaska. (Sponsored By Mayor Keller)

MOTION: Council Member Ewing moved to adopt Resolution Serial No. 05-32.

Discussion moved to the council.

The council requested a 10-minute recess to review additional information. No objection was raised.

The council reconvened at 8:26 p.m.

Discussion continued.

MOTION: Council Member Bowen moved to adopt and amend Resolution Serial No. 05-32 by substitution and to postpone it to the September 12, 2005 Regular City Council Meeting. (Clerk note: Resolution Serial No. 05-32 (SUB. 1) is a resolution supporting Gasline Development as adopted by the Alaska Conference of Mayors on August 20, 2005)

GENERAL CONSENT: The motion to postpone passed without objection.

12. COMMUNICATION

- A. **IM No. 05-12:** Expenses Greater Than \$5,000 For April Through June 2005.
- B. **IM No. 05-13:** May And June Expenditure Reports.
- C. Commission Meeting Minutes
1. Planning Commission: July 26, 2005.
 2. Parks and Recreation Commission: August 10, 2005.

No action was taken on the communication items.

13. MAYOR, CLERK, AND ATTORNEY COMMENTS

City Clerk:

- verbalized items from the clerk's written report to the council.

Mayor Keller:

- presented a written report to the council;
- presented an area-wide property tax comparison; and
- spoke about an event she attended sponsored by the Assembly of God Church.

Mayor Keller spoke about an e-mail in which Council Member Ewing suggested that the city encourage residents to place house numbers on their property to assist emergency responders.

The mayor suggested that the city, with the assistance of volunteer groups, work with the public to ensure house numbers are posted and clearly visible on properties throughout the city.

Council Member Ewing reiterated that he does not support an aggressive approach in enforcing the city code on posting of assigned street numbers in accordance with Wasilla Municipal Code 12.08.090.A.

Council Members Bowen, Cox, O'Neil and Sande voiced their support of administration working with civic organizations and volunteers on a house numbering campaign.

Council Member Straub requested that the subject of house numbering be placed on the next Tri-Cities Meeting Agenda.

The public works director gave additional information on Resolution Serial Nos. 05-31 and 05-34.

City Attorney:

- expressed his regret for not getting Ordinance Serial No. 05-62(SUB) to the council sooner; and
- noted he recently returned from a three week vacation.

14. AUDIENCE COMMENTS (Three minutes per person.)

Mr. Steve Stoll:

- reported that he serves on the Landscape Focus Group and reported on the activities of the group;
- shared his view on landscaping standards;
- commented on paragraph 3 of Resolution Serial No. 05-31;
- requested a client list from the federal lobbyist; and
- suggested that the natural gas pipeline may not be a profitable venture.

Ms. Anne Kilkenny:

- thanked the public works director and the city planner for cooperating with her son on an Eagle Scout Project at Iditapark;
- supports the house numbering campaign;
- questioned staff attendance at council meetings;
- inquired about meeting space for a boy scout troop; and
- requested that the city enforce its codes related to the unlicensed kennel at Block 5, Lot 3, Bayview Gardens Subdivision (700 E. Eden Court).

Ms. Dianne Woodruff:

- spoke about the need for traffic lights on Lucille Street;
- expressed concern about a non-public meeting held on August 19, 2005 at the borough building, between city and borough officials and the developer of Shadowood Valley Estates;
- requested that property owners be included in future meetings related to Shadowood Valley Estates; and
- questioned the city's position on enforcing density standards.

The city planner noted she attended the meeting referred to by Ms. Woodruff. She noted that the meeting was organized by the borough platting director and the city was an invitee, not an organizer. She reported on the discussion of the meeting.

Mr. James Brass:

- expressed concern about the city not abiding by existing codes as they relate to development, particularly Shadowood Valley Estates.

Mr. Carl Lund:

- requested that the city halt all development related to Shadowood Valley Estates until the developer has obtained all the required permits including adhering to the requirements of the storm water prevention plan established by the Environmental Protection Agency.

Ms. Joyce Lund:

- reiterated her support of responsible development; and
- requested that the city stand firm and make developers adhere to development codes.

Mr. Ben Schaafsmn:

- expressed his support of responsible development; and
- spoke in opposition to the development of 195 lots on 55 acres.

Ms. Debbie Harrison:

- expressed her concern about the city allowing undesirable development such as site condos.

15. EXECUTIVE SESSION

MOTION: Council Member Bowen moved to enter executive session to discuss potential or pending litigation to which the City of Wasilla may become or is a party specifically the Friends of Old Knik and Knik Chief's Foundation v. the City of Wasilla.

GENERAL CONSENT: The motion passed without objection.

The entire council, mayor, attorney, and city clerk entered into executive session at 9:30 p.m. in the council conference room and exited at 9:54 p.m.

MOTION: Council Member Cox moved that the mayor is authorized to agree to pay the plaintiffs in the case of Friends of Old Knik and Knik Chief's Foundation v. the City of Wasilla, Superior Court Case No. 3AN-05-9485 CI, the sum of \$10,300 in satisfaction of plaintiffs' claim for attorney fees in the action.

VOTE: The motion passed unanimously.

16. COUNCIL COMMENTS

Council Member Sande:

- directed the clerk to schedule a presentation by the borough regarding the Transportation Summit;
- thanked the manager of recreation and cultural services for his timely response to an information request by Council Member Sande;
- noted his support of responsible development; and
- noted his support of enforcing city code.

Council Member Straub:

- asked detailed questions of the city planner regarding the status of the Shadowood Valley development.

The city planner and public works director answered questions from the council regarding the development process related to the Shadowood Valley Estates Master Plan.

MOTION: Council Member Straub moved to direct the planning staff to send out all correspondence between the city, borough, and developer to properties within 1200 ft. of the proposed Shadowood Valley development.

GENERAL CONSENT: The motion passed without objection.

Staff continued to clarify questions raised by Council Member Straub regarding the development process.

Council Member Straub requested a status report on the non-compliant dog kennel located at Block 5, Lot 3, Bayview Gardens Subdivision (700 E. Eden Court).

The city planner, mayor, and attorney reported on the matter and discussed the enforcement process.

Council Member Straub reported that she requested, through the city clerk, copies of all planning commission meeting minutes from 2000 to date. She was told that due to the time involved in fulfilling her request, she would be charged a reproduction fee.

Council Member Straub objected to paying the reproduction fee and requested feedback from fellow council members.

Discussion followed by the council regarding the request of Council Member Straub.

Discussion continued and Council Member Straub spoke about why she requested the information.

MOTION: Council Member Straub moved to direct the planning staff to provide her with copies of planning commission meeting minutes from January 2000 to date within the next two weeks.

Discussion continued.

MOTION: Council Member Sande moved the previous question.

GENERAL CONSENT: The motion passed without objection.

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

Council Member Straub continued her comments by reporting on the memorial service she attended for Governor Hammond.

Council Member Ewing:

- thanked Steve Stoll for sharing his thoughts on the council appointment process;
- inquired about a voice mail message he left with the public works director; and
- thanked the audience for their participation in the meeting.

Council Member Bowen:

- stated he believes the city must be diligent in enforcing its codes;
- expressed his support of the residents of Shadowood Valley; and
- requested the developer of the Shadowood Valley Estates Master Plan submit a comprehensive plan to the city related to the development.

MOTION: Council Member Bowen moved to direct the clerk to send a letter to the Matanuska-Susitna Platting Board to be signed by the mayor and deputy mayor, requesting that the Platting Board return the Shadowood Valley Estates Master Plan to the City of Wasilla Planning Department.

GENERAL CONSENT: The motion passed without objection.

Council Member Bowen continued his comments by stating that he wishes to donate the cost of his meal at the employee holiday party to the Community Christmas dinner.

Council Member Bowen stated he is unable to attend the September 12, 2005 Regular City Council Meeting and requested that the council excuse his absence. (No objection was raised by the council.)

Council Member O'Neil:

- thanked the audience for their participation.

Council Member Cox:

- thanked the audience for their participation; and
- thanked the residents of Shadowood Valley for their diligent efforts.

17. ADJOURNMENT

The meeting adjourned at 10:48 p.m.


DIANNE M. KELLER, Mayor

ATTEST:


KRISTIE L. SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on September 26, 2005.