

MAYOR
Verne E. Rupright

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

APRIL 27, 2009

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

V. SPECIAL ORDERS OF THE DAY

VI. COMMISSION AND AGENCY REPORTS

- A. Planning Commission
- B. Matanuska-Susitna Borough
- C. Greater Wasilla Chamber of Commerce
- D. Wasilla Senior Center

VII. PUBLIC PARTICIPATION

A. Public Hearings

- 1. **Ordinance Serial No. 09-34:** Providing for the adoption of the annual budget for the fiscal year 2010 and appropriating funds to carry out said budget.

2. **Ordinance Serial No. 09-31:** Amending WMC 13.04, Water Services, specifically by amending WMC 13.04.010, Definitions, and by adopting WMC 13.04.150-180, regarding Cross Connection Control.
3. **Ordinance Serial No. 09-33:** Amending the fiscal year 2009 Police Department budget by accepting and appropriating funds from the Alaska Department of Transportation and Public Facilities Highway safety office in the amount of \$20,260 to cover expansion of the Wasilla Police Department's Motorcycle Enforcement Program.
4. **Ordinance Serial No. 09-35:** Amending WMC 5.08.100.B.6, Competitive Sealed Bidding Required; Exceptions.
5. **Ordinance Serial No. 09-36:** Amending the fiscal year 2009 Mat-Su Youth Court budget by accepting and appropriating funds from the Alaska Bar Association Law Related Education Committee in the amount of \$800.
6. **Ordinance Serial No. 09-37:** Amending the fiscal year 2009 budget by accepting and appropriating E-911 surcharge funds as an alternate revenue source for dispatch services.
7. **Ordinance Serial No. 09-38:** Amending the zoning map to change the zoning district from RR-Rural Residential to C-Commercial for approximately 10.7 acres, consisting of Lot 8D, Block 1, Wasilla Woods RSB; and Lots 9 and 10, Block 1, Wasilla Woods Subdivision, within Section 3, Township 17 North, Range 1 West, Seward Meridian, Alaska; generally located near the corner of Lucille Street and Aspen Lane.

B. Persons to be Heard

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: April 13, 2009
2. Special Meeting: April 13, 2009

B. Introduction of Ordinances: Recommended for Public Hearing on May 11, 2009:

1. **Ordinance Serial No. 09-12:** Amending WMC 16.24.010 regarding density and dimensional requirements; amending WMC 16.24.020 regarding maximum residential density and minimum lot area; and enacting WMC 16.24.025 to permit deviations from the residential density and dimensional requirements where additional open space is created under an approved conservation subdivision design, and establishing the procedure for approval of a conservation subdivision.
2. **Ordinance Serial No. 09-32:** Amending for traffic impact analysis as follows: WMC 16.04.070, Definitions; WMC 16.16.050, General Approval Criteria to amend (A)7, Traffic; and add a new provision "B" table of average trip generation factors.
3. **Ordinance Serial No. 09-39:** Amending the fiscal year 2009 budget by appropriating \$2,000,000 in State of Alaska grant funding for South Mack Drive Extension.
4. **Ordinance Serial No. 09-40:** Amending the fiscal year 2009 budget by accepting and appropriating \$1,000 in donations from Wal-Mart for the annual Clean-Up Days program.
5. **Ordinance Serial No. 09-42:** Amending the fiscal year 2009 library budget accepting and appropriating \$500 from the BP Fabric of America Fund.
6. **Ordinance Serial No. 09-43:** Amending WMC 3.85.010, Scope, to provide a current designation of confidential/managerial positions.

C. Resolutions

D. Action Memorandums

1. **AM No. 09-19:** Approval of the City of Wasilla Records Retention Schedule Version 2.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. COMMUNICATIONS

A. Informational Memorandums

B. Commission Minutes

1. Library Steering Committee: March 3, 2009
2. Parks and Recreation Commission: March 19, 2009, Resolution Serial No. 09-01
3. Planning Commission: March 24, 2009

XII. AUDIENCE COMMENTS

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

XIV. COUNCIL COMMENTS

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Wasilla City Council was held on Monday, April 27, 2009, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Verne E. Rupright called the meeting to order at 7:04 p.m.

II. ROLL CALL/APPROVAL OF AGENDA

Council Members present and establishing a quorum were:

Mr. Ron Cox, Seat A
Deputy Mayor Doug Holler, Seat B
Ms. Leone Harris, Seat C
Ms. Nancy R. Hall, Seat D
Ms. Dianne Woodruff, Seat E
Mr. Kristofer Larson, Seat F

Staff in attendance were:

Ms. Kristie Smithers, MMC, City Clerk
Ms. Amanda E. Charles, Deputy Clerk
Ms. Tahirih Klein, Planning Clerk
Ms. Holly Suozzo, City Attorney
Mr. Troy Tankersley, Director of Finance
Mr. Archie Giddings, Director of Public Works
Mr. Craig Robinson, Acting Police Chief
Mr. Bruce Urban, Recreation and Cultural Services Manager
Mr. Marvin Yoder, Deputy Administrator

III. PLEDGE OF ALLEGIANCE

Mayor Rupright led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Rupright:

- requested that the Wasilla Senior Center be added to Agency Reports; and
- asked if there were any further changes to the agenda.

There was no objection noted.

GENERAL CONSENT: The agenda was approved as amended without objection.

V. SPECIAL ORDERS OF THE DAY

VI. COMMISSION AND AGENCY REPORTS

A. Planning Commission

There was no report provided.

B. Matanuska-Susitna Borough

Assemblymember Ewing, District 4:

- stated that there would be a meeting regarding the Borough's fiscal year 2010 budget on Thursday, April 30, 2009, at 6 p.m. at the Central Mat-Su Public Safety Building; and
- spoke to the lack of State and Federal funding and the Borough's budgetary constraints.

C. Greater Wasilla Chamber of Commerce

Cheryl Metiva, President:

- spoke to raffles going on at the Chamber of Commerce;
- commented on the Saturday, May 16, 2009, Texas Hold 'Em game; and
- noted their support of the Silver Derby this year.

D. Wasilla Senior Center

Sandra Kaplan:

- spoke to the services the Wasilla Senior Center provides;
- reported on the short falls of their FY09 and FY10 budgets; and
- requested monetary support in the FY10 budget for the Wasilla Senior Center.

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 09-34:** Providing for the adoption of the annual budget for the fiscal year 2010 and appropriating funds to carry out said budget.

Mayor Rupright opened the public hearing.

The following person spoke regarding amendment no. 6, supporting the periodicals for the library: Ms. Jeanne Troshynski.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 09-34.

MOTION: Deputy Mayor Holler moved a primary amendment, to strike \$127,000 from the General Fund, Child Abuse Investigations, (Amendment No. 1), as follows:

Account #	Account Name	Beginning Budget Amount	Increase FY-10	Decrease FY-10	Balance FY-10
001-4200-334-10-16	Public Safety-Child Abuse Inv.	80,000		80,000	0
001-4221-420-10-10	Regular	57,237		57,237	0
001-4221-420-10-30	Overtime	4,241		4,241	0
001-4221-420-20-10	Group Insurance	18,751		18,751	0
001-4221-420-20-15	Med. Reimb Health Expense	1,500		1,500	0
001-4221-420-20-20	FICA	891		891	0
001-4221-420-20-30	PERS	13,525		13,525	0
001-4221-420-20-40	SBS	3,769		3,769	0
001-4221-420-20-50	Unemployment	334		334	0
001-4221-420-20-60	Workers' Compensation	2,085		2,085	0
001-4221-420-40-30	Repair & Maintenance	1,000		1,000	0
001-4221-420-50-20	Insurance	960		960	0
001-4221-420-50-30	Communications	350		350	0
001-4221-420-50-91	Contractual Services	1,920		1,920	0
001-4221-420-60-10	General Supplies	100		100	0
001-4221-420-60-15	Small Tools & Equipment	350		350	0
001-4221-420-60-25	Gasoline	3,000		3,000	0
001-4221-420-99-12	Vehicle Fund	3,500		3,500	0
001-4230-420-99-12	Vehicle Fund	123,500	3,500		127,000
TOTAL		237,013	3,500	100,000	127,000

Discussion followed.

VOTE: The primary amendment to decrease the General Fund, Child Abuse Investigations, by \$127,000 passed without objection.

MOTION: Council Member Woodruff moved a primary amendment, to add \$570,000 to the Capital Improvements Projects fund, Public Works – Parks Maintenance, (Amendment No. 2), as follows:

Account #	Account Name	Beginning Budget Amount	Increase FY-10	Decrease FY-10	Balance FY-10
110-4320-432-45-New	Vactor Truck – DEC	0	270,000		270,000
110-4320-432-45-New	Vactor Truck - City	0	30,000		30,000
110-4300-334-30-New	DEC – Vactor Truck	0	270,000		270,000
TOTAL		0	570,000		570,000

Discussion ensued.

VOTE: The primary amendment to increase the Capital Improvement Projects, Public Works - Parks Maintenance, fund by \$570,000 passed without objection.

MOTION: Council Member Hall moved a primary amendment, to transfer \$65,000 in funds within the Capital Improvement Projects fund, Public Works – Parks Maintenance, (Amendment No. 3), as follows:

Account #	Account Name	Beginning Budget Amount	Increase FY-10	Decrease FY-10	Balance FY-10
110-4520-452-45-40	Parks Master Plan – City	50,000		50,000	
110-4520-452-45-48	Lake Lucille Water Quality	0	50,000		50,000
110-4520-452-45-45	Nunley Park Improvements	0	15,000		15,000
110-4520-452-45-New	Outdoor Shooting Range	65,000		15,000	50,000
TOTAL		0	65,000		65,000

VOTE: The primary amendment to transfer \$65,000 of funds within the Capital Improvement Projects fund, Public Works – Parks Maintenance, passed without objection.

The City Clerk stated that amendment no. 4 is no longer needed.

There was no action taken on amendment no. 4.

MOTION: Council Member Woodruff moved a primary amendment to increase the General Fund, Public Safety – Administration, by \$106,561 (Amendment No. 5) as follows:

Account #	Account Name	Beginning Budget Amount	Increase FY-10	Decrease FY-10	Balance FY-10
001-4210-420-10-10	Regular	176,609	82,558		259,167
001-4210-420-20-10	Group Insurance	31,524	13,611		45,135
001-4210-420-20-15	Med. Reimb Health Expense	2,500	1,000		3,500
001-4210-420-20-20	FICA	2,670	1,197		3,867
001-4210-420-20-40	SBS	11,290	5,061		16,351
001-4210-420-20-50	Unemployment	1,336	334		1,670
001-4210-420-20-60	Workers' Compensation	3,782	2,800		6,582
TOTAL		229,711	106,561		336,272

Discussion followed.

VOTE: The primary amendment to increase the General Fund, Public Safety – Administration, by \$336,272 passed without objection.

MOTION: Council Member Hall moved a primary amendment to increase the Library Fund, Library – Operations, by \$5,492 (Amendment No. 6) as follows:

Account #	Account Name	Beginning Budget Amount	Increase FY-10	Decrease FY-10	Balance FY-10
210-4550-455-60-40	Books & Periodicals	71, 508	5,492		77,000
TOTAL		71, 508	5,492		77,000

Discussion ensued.

VOTE: The primary amendment to increase the Library Fund, Library – Operations passed without objection.

MOTION: Council Member Woodruff moved a primary amendment to decrease the General Fund, Community & Economic Development by \$81,419 (Amendment No. 7) as follows:

Account #	Account Name	Beginning Budget Amount	Increase FY-10	Decrease FY-10	Balance FY-10
001-4610-461-10-10	Regular	165,340		45,677	119,663
001-4610-461-10-30	Overtime	4,700		988	3,712
001-4210-420-20-10	Group Insurance	57,946		1,751	39,195

001-4210-420-20-15	Med Reimb Health Expense	4,625		1,500	3,125
001-4210-420-20-20	FICA	3,436		677,	2,759
001-4210-420-20-30	PERS	51,823		10,266	41,557
001-4210-420-20-40	SBS	14,520		2,861	11,659
001-4210-420-20-50	Unemployment	1,587		334	1,253
001-4210-420-20-60	Workers' Compensation	1,853		365	1,488
TOTAL		305,830		81,419	224,411

Discussion ensued.

VOTE: The motion to decrease the General Fund, Community & Economic Development passed with Council Members Cox and Harris in opposition.

MOTION: Council Member Cox moved a primary amendment to amend the FY10 budget to appropriate \$25,000 within the Non-Departmental Budget to the Wasilla Senior Center (001-4990-499-97-01).

Discussion ensued.

Mayor Rupright moved to suspend the rules to allow free discussion between the Council Members. There was no objection noted.

Discussion resumed.

The following person spoke regarding funding for Wasilla Senior Center: Ms. Pamela Ockerlander, Mr. Steve Menard, and Ms. Sandra Kaplan.

MOTION: Council Member Harris moved a secondary amendment to require a reporting requirement.

VOTE: The motion passed without objection.

Discussion ensued.

MOTION: Council Member Cox moved a secondary amendment to strike the amount of \$25,000 and to replace it with a monthly expenditure of \$3,000 with a monthly financial reporting requirement, with a maximum expenditure of \$36,000 in the fiscal year.

VOTE: The motion on the secondary amendment passed with Council Member Larson in opposition. The secondary amendment was deemed final on the primary amendment and allowed to stand. No objection was raised.

MOTION: Council Member Hall moved a primary amendment to strike the amount of \$3,000 and to replace it with \$2,000 per month.

VOTE: The primary amendment failed with a tie vote with Deputy Mayor Holler and Council Members Woodruff and Cox in opposition and Council Members Larson, Harris and Hall in support. Mayor Rupright chose to invoke his voting privilege in the negative thus causing the motion to fail. *[Clerk note: Four affirmative votes shall be required to carry any measure before the Council. WMC 2.04.130.A]*

(The meeting recessed at 8:11 p.m. and reconvened at 8:21 p.m.)

Mr. Tankersley clarified the budget departmental totals for the FY10 budget.

Mayor Rupright suggested that the Wasilla Senior Center provide a written and oral report to the Council.

MOTION: Council Member Woodruff moved a primary amendment to require that the Wasilla Senior Center provide a written and oral report to the Council at each second regular monthly City Council meeting.

VOTE: The primary amendment passed without objection.

VOTE: The main motion to adopt Ordinance Serial No. 09-34, as amended, passed without objection.

2. **Ordinance Serial No. 09-31:** Amending WMC 13.04, Water Services, specifically by amending WMC 13.04.010, Definitions, and by adopting WMC 13.04.150-180, regarding Cross Connection Control.

Mayor Rupright opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Council.

MOTION: Council Member Larson moved to adopt Ordinance Serial No. 09-31.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 09-33:** Amending the fiscal year 2009 Police Department budget by accepting and appropriating funds from the Alaska Department of Transportation and Public Facilities Highway Safety Office in the amount of \$20,260 to cover expansion of the Wasilla Police Department's Motorcycle Enforcement Program.

Mayor Rupright opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Council.

MOTION: Council Member Woodruff moved to adopt Ordinance Serial No. 09-33.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 09-35:** Amending WMC 5.08.100.B.6, Competitive Sealed Bidding Required; Exceptions.

Mayor Rupright opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Council.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 09-35.

MOTION: Council Member Woodruff moved a primary amendment to Section 2, WMC 5.08.100.B.6, to strike "\$50,000" and insert "\$20,000" in its place to read as follows: For professional services without competition in an amount not to exceed twenty thousand dollars (\$20,000).

Discussion ensued.

VOTE: The motion failed unanimously.

VOTE: The main motion passed without objection.

5. **Ordinance Serial No. 09-36:** Amending the fiscal year 2009 Mat-Su Youth Court budget by accepting and appropriating funds from the Alaska Bar Association Law Related Education Committee in the amount of \$800.

Mayor Rupright opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Council.

MOTION: Council Member Hall moved to adopt Ordinance Serial No. 09-36.

VOTE: The main motion passed without objection.

6. **Ordinance Serial No. 09-37:** Amending the fiscal year 2009 budget by accepting and appropriating E-911 surcharge funds as an alternate revenue source for dispatch services.

Mayor Rupright opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Council.

MOTION: Council Member Hall moved to adopt Ordinance Serial No. 09-37.

VOTE: The main motion passed without objection.

7. **Ordinance Serial No. 09-38:** Amending the zoning map to change the zoning district from RR-Rural Residential to C-Commercial for approximately 10.7 acres, consisting of Lot 8D, Block 1, Wasilla Woods RSB; and Lots 9 and 10, Block 1, Wasilla Woods Subdivision, within Section 3, Township 17 North, Range 1 West, Seward Meridian, Alaska; generally located near the corner of Lucille Street and Aspen Lane.

Mayor Rupright opened the public hearing.

Council Member Woodruff declared a conflict of interest and asked to be recused from discussion and vote on Ordinance Serial No. 09-38.

Mayor Rupright ruled in favor of the conflict of interest as declared by Council Member Woodruff. There was no objection noted.

The following persons spoke in favor of Ordinance Serial No. 09-38: Mr. Nicolay Fonov and Mr. Steve Stoll.

The following person spoke regarding concerns with rezoning an area from RR – Rural to C – Commercial: Mr. Steve Menard.

MOTION: Council Member Larson moved to adopt Ordinance Serial No. 09-38.

Discussion ensued.

VOTE: The motion passed with Council Member Hall in opposition. *[CLERK'S NOTE: Council Member Woodruff left the room and abstained from discussion and vote on this issue.]*

B. Persons to be Heard

The following person spoke regarding his opposition to conservation subdivisions in regards to Ordinance Serial No. 09-12 and requested that the City develop building standards: Mr. Steve Stoll.

The following person spoke regarding concerns with rezoning and the Planning Commission's involvement with the public during the process and spoke regarding his support for in-house legal counsel: Mr. Steve Menard.

The following person spoke regarding her disappointment in cutting the Iditarod and the Junior Iditarod from the FY10 budget: Ms. Jeanne Troshynski.

The following person spoke regarding his disappointment in the budget hearing process and forewarned against violations of the Open Meetings Act: Mr. Mark Ewing.

The following person spoke regarding her support of the Council with passing the funding for the Wasilla Senior Center with conditions: Ms. Pam Ockerlander.

The following person invited the Council to visit the Mat-Su Borough Animal Shelter and spoke regarding the services the Mat-Su Borough can offer the City: Mr. Bob Haskel, Matanuska-Susitna Borough Chief Animal Care and Regulation Officer.

The following person spoke regarding against allowing commercial development in a RR – Rural Residential area: Mr. Marvin Yoder.

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: April 13, 2009
2. Special Meeting: April 13, 2009

B. Introduction of Ordinances: Recommended for Public Hearing on May 11, 2009:

1. **Ordinance Serial No. 09-12:** Amending WMC 16.24.010 regarding density and dimensional requirements; amending WMC 16.24.020 regarding maximum residential density and minimum lot area; and enacting WMC 16.24.025 to permit deviations from the residential density and dimensional requirements where additional open space is created under an approved conservation subdivision design, and establishing the procedure for approval of a conservation subdivision.
2. **Ordinance Serial No. 09-32:** Amending for traffic impact analysis as follows: WMC 16.04.070, Definitions; WMC 16.16.050, General Approval Criteria to amend (A)7, Traffic; and add a new provision "B" table of average trip generation factors.

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6. **Ordinance Serial No. 09-43:** Amending WMC 3.85.010, Scope, to provide a current designation of confidential/managerial positions.

C. Resolutions

D. Action Memorandums

1. **AM No. 09-19:** Approval of the City of Wasilla Records Retention Schedule Version 2.

Ms. Smithers:

- read the Consent Agenda into the record; and
- noted that the references to the Chief Financial Officer within the Records Retention Schedule Version 2 have been changed to the Director of Finance.

MOTION: Deputy Mayor Holler moved to adopt the Consent Agenda as read into the record by the City Clerk.

GENERAL CONSENT: The motion passed without objection.

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. NEW BUSINESS

There was no new business.

XI. COMMUNICATIONS

A. Informational Memorandums

There were no informational memorandums.

B. Commission Minutes

1. Library Steering Committee: March 3, 2009
2. Parks and Recreation Commission: March 19, 2009, Resolution Serial No. 09-01
3. Planning Commission: March 24, 2009

No action was taken on the communication items.

XII. AUDIENCE COMMENTS

The following person extended his thanks for the support to the Menard Family during these difficult times, spoke regarding the change in dates for the Annual Menard Walk, and spoke regarding exempting the Deputy Chief of Police position from PERS: Mr. Steve Menard.

The following person spoke regarding the accomplishment of his son running in the Boston Marathon and his qualifications for the New York Marathon: Mr. Steve Stoll.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Ms. Smithers spoke to the ICS 402 training scheduled for the Council on May 4, 2009, at 6 p.m. at the Central Mat-Su Public Safety Building.

XIV. COUNCIL COMMENTS

Council Member Larson:

- requested that the firing range be added to the City's Goals and Initiatives;
- asked that the Council support a resolution thanking the Former Chief of Police; and
- spoke to events which take place at the Curtis D. Menard Memorial Sports Center.

Deputy Mayor Holler:

- spoke regarding funding for the Wasilla Senior Center; and
- requested that the public's comments be included in the staff report for any ordinance regarding rezoning.


Council Member Hall extended her apologies to Mr. Steve Menard, stating that she will not be able to attend the dedication.

XV. EXECUTIVE SESSION

There was no executive session held.

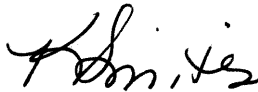
XVI. ADJOURNMENT

With no further business at hand, Mayor Rupright adjourned the meeting at 9:28 p.m.



VERNE E. RUPRIGHT, Mayor

ATTEST:



KRISTIE SMITHERS, MMC, City Clerk

Minutes approved: May 11, 2009