



MAYOR

Dianne M. Keller

COUNCIL

Greg Koskela, Seat A

Douglas W. Holler, Seat B

Steven Menard, Seat C

Marty Metiva, Seat D

Ron Cox, Deputy Mayor, Seat E

Mark A. Ewing, 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.

JANUARY 22, 2007

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

VI. COMMISSION AND AGENCY REPORTS

A. Planning Commission

B. Parks and Recreation Commission

C. Airport Advisory Commission

D. Matanuska-Susitna Borough

E. Mikunka Cottrell: Mr. John Bost, Annual Audit Report.

F. Greater Wasilla Chamber of Commerce

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 07-04:** Amending The FY07 Budget By Appropriating \$100,000 For Wasilla Police Station Air Conditioning Improvements.
 - a. **AM No. 07-01:** Award Of Contract To MacDonald Miller, Inc., In The Amount of \$189,670 For Design And Installation Of A New Wasilla Police Department Air Conditioning System.
2. **Ordinance Serial No. 07-05:** Amending WMC 13.20.140 Taxiing, By Adding A New Subsection D Prohibiting Certain Simultaneous Takeoffs And Landings Of Aircraft.
3. **Ordinance Serial No. 07-06:** Amending WMC 5.08.100, Competitive Sealed Bidding Required; Exceptions. (Sponsored by Council Member Menard)
4. **Ordinance Serial No. 07-02:** Creating An Employee Relations Committee And Prescribing Its Duties.

B. Persons to be Heard

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: January 8, 2007

B. Introduction of Ordinances: Recommended Public Hearing on February 12, 2007.

1. **Ordinance Serial No. 07-07:** To Amend The FY-07 Mat-Su Youth Court Budget By Accepting And Appropriating Grant Funds From Bishop's Attic II In The Amount Of \$1,900.
2. **Ordinance Serial No. 07-08:** To Amend The FY-07 Mat-Su Youth Court Budget By Accepting And Appropriating Grant Funds From Matanuska - Susitna Borough School District In The Amount Of \$5,020.

C. Resolutions

D. Action Memorandums

1. **AM No. 07-03:** Vacation Of Public Use Easement For New Alignment Of West Aviation Avenue.
2. **AM No. 07-04:** Award Of Contract To Sungard HTE, Inc., In The Amount of \$141,455 For A Three (3) Year Software Maintenance And Upgrade Agreement For The Naviline Financial Data System.
3. **AM No. 07-05:** Award Of Contract To Yukon Construction, Inc., In The Amount Of \$86,499 For A Prefabricated Metal Building Kit.
4. **AM No. 07-06:** Vacation Of A Portion Of E. Railroad Avenue And A Portion Of South Roberts Street For The Alaska Railroad.
5. **AM No. 07-08:** Acceptance Of The City Of Wasilla's Fiscal Year 2006 Financial Statements For Public Record.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

1. **AM No. 07-07:** Selection Of Council Members To Travel To Washington D.C. For The Purpose Of Lobbying.

XI. COMMUNICATIONS

- A. Information Memorandums
- B. Commission Minutes

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, January 22, 2007 at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Dianne M. Keller called the meeting to order at 7:09 p.m.

II. ROLL CALL

Council Members present and establishing a quorum were:

Mr. Greg Koskela, Seat A
Mr. Doug Holler, Seat B
Mr. Steve Menard, Seat C
Mr. Marty Metiva, Seat D
Mr. Ron Cox, Deputy Mayor, Seat E
Mr. Mark Ewing, Seat F

Staff in attendance were:

Ms. Kristie Smithers, City Clerk
Ms. Jamie Newman, Deputy Clerk
Mr. Tom Klinkner, City Attorney
Mr. Archie Giddings, Public Works Director
Mr. John Glass, Police Chief
Mr. Ted Leonard, Director of Finance and Administrative Services

III. PLEDGE OF ALLEGIANCE

A. Presentation of Colors by Boy Scout Troop 300

Boy Scout Troop 300 led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Keller inquired if there were changes to the agenda as presented.

Mayor Keller requested to add under Commission and Agency Reports, a report from the Greater Wasilla Chamber of Commerce.

Council Member Ewing noted a spelling error on page 5 of 6 of the January 8, 2007 Regular City Council Meeting Minutes first bulleted item under Council Comments to read: Council Member Ewing expressed concern about fluids leaking from wrecked [WREAKED] vehicles at the Matanuska Towing Auto Storage facility located at 750 S. Centime and the impact to local ground water. (Clerk note: bold and underline is language added and bold and brackets is language deleted.)

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

V. SPECIAL ORDERS OF THE DAY

There were no special orders of the day.

VI. COMMISSION AND AGENCY REPORTS

A. Planning Commission

Commissioner Colleen Sullivan-Leonard:

- Reported that the Planning Commission denied an elevated Land Use Permit No. AA-06-122 to develop a Concrete Production Facility on Lots 1 – 7, Block 2 of Executive Properties.

B. Parks and Recreation Commission

Commissioner Dave Tuttle:

- reported on items on the January 10, 2007 Parks and Recreation Commission Meeting Agenda; and
- reported on new activities held at the Wasilla Multi-Use Sports Complex to include Olympic Development Soccer and a celebration honoring Dr. Martin Luther-King.

C. Airport Advisory Commission

Mr. Archie Giddings, Public Works Director:

- reported that newly appointed Commissioner Bryan Carricaburu participated in the January 16, 2007 Airport Advisory Commission Meeting; and
- noted that during the January 16, 2007 Airport Advisory Commission Meeting, a member of the public expressed concern about Ordinance Serial No. 07-05.

D. Matanuska-Susitna Borough

Mayor Keller noted that although Assembly Member Mary Kvalheim was not present at the meeting, she did forward a written report to the Council.

- E. Mikunka Cottrell: Mr. John Bost, Annual Audit Report.

Mr. Bost introduced himself to the Council and highlighted the Comprehensive Annual Financial Report for FY-06. Mr. Bost reported no problems in the performance of the audit.

- F. Greater Wasilla Chamber of Commerce

- 1. Ms. Cheryl Metiva, Executive Director

Ms. Metiva reported on the recent activities of the Chamber of Commerce to include work on Governor Sarah Palin's Mat-Su Inaugural Ball, the Iditarod Days Festival and the Musher's Ball.

VII. PUBLIC PARTICIPATION

- A. Public Hearings

- 1. **Ordinance Serial No. 07-04:** Amending The FY07 Budget By Appropriating \$100,000 For Wasilla Police Station Air Conditioning Improvements.
 - a. **AM No. 07-01:** Award Of Contract To MacDonald Miller, Inc., In The Amount of \$189,670 For Design And Installation Of A New Wasilla Police Department Air Conditioning System.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-04 and AM No. 07-01 and there being no one who wished to present testimony the public hearing closed.

MOTION: Deputy Mayor Cox moved to adopt Ordinance Serial No. 07-04 and AM No. 07-01.

Discussion moved to the Council and questions were asked of the Public Works Director regarding the appropriation of funds and the award of contract.

VOTE: The motion to adopt Ordinance Serial No. 07-04 and AM No. 07-01 passed unanimously.

- 2. **Ordinance Serial No. 07-05:** Amending WMC 13.20.140 Taxiing, By Adding A New Subsection D Prohibiting Certain Simultaneous Takeoffs And Landings Of Aircraft.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-05 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Koskela moved to adopt Ordinance Serial No. 07-05.

Discussion moved to the Council.

VOTE: The motion to adopt Ordinance Serial No. 07-05 passed unanimously.

3. **Ordinance Serial No. 07-06:** Amending WMC 5.08.100, Competitive Sealed Bidding Required; Exceptions. (Sponsored by Council Member Menard)

Mayor Keller opened the public hearing on Ordinance Serial No. 07-06 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Menard moved to adopt Ordinance Serial No. 07-06.

Discussion moved to the Council and questions were asked of staff.

MOTION: Council Member Menard moved the previous question on Ordinance Serial No. 07-06.

GENERAL CONSENT: The motion to move the previous question passed without objection.

VOTE: The motion to adopt Ordinance Serial No. 07-06 passed unanimously.

4. **Ordinance Serial No. 07-02:** Creating An Employee Relations Committee And Prescribing Its Duties. (*Clerk note: Ordinance Serial No. 07-02 was introduced on December 11, 2006*)

Mayor Keller opened the public hearing on Ordinance Serial No. 07-02 and there being no one who wished to present testimony the public hearing closed.

MOTION: Deputy Mayor Cox moved to adopt Ordinance Serial No. 07-02.

Discussion moved to the Council.

MOTION: Council Member Metiva moved a primary amendment to amend Section 2 and to strike Section 2.C and Section 3 in their entirety, as follows:

Section 2. Creation of committee. ... The committee shall consist of [13] **3** members selected as follows ... (*Clerk note: bold and underline is language added and bold and brackets is language deleted.*)

Section 2.C: [TEN PERMANENT CITY EMPLOYEES, TWO OF WHOM SHALL BE SELECTED FROM AMONG EMPLOYEES IN EACH OF THE FOLLOWING DEPARTMENTS: PUBLIC SAFETY, PUBLIC WORKS, RECREATION AND CULTURAL SERVICES DEPARTMENT, COMMUNITY AND ECONOMIC DEVELOPMENT AND FINANCE DEPARTMENTS. NO EMPLOYEE WHO IS DESIGNATED AS A CONFIDENTIAL/MANAGERIAL EMPLOYEE UNDER WMC CHAPTER 3.85 SHALL PARTICIPATE IN THE SELECTION OF EMPLOYEE REPRESENTATIVES TO THE COMMITTEE OR SERVE AS SUCH A REPRESENTATIVE.] *(Clerk note: bold and underline is language added and bold and brackets is language deleted.)*

Section 3. [SECTION 3. SELECTION OF EMPLOYEE REPRESENTATIVES. THE CITY CLERK SHALL SOLICIT APPLICATIONS FROM EMPLOYEES TO SERVE AS EMPLOYEE REPRESENTATIVES ON THE COMMITTEE. IF NO MORE THAN TWO EMPLOYEES FROM THE SAME DEPARTMENT, THE APPLICANTS SHALL BECOME THE DEPARTMENT'S EMPLOYEE REPRESENTATIVES, AND ANY POSITION FOR WHICH THERE IS NO APPLICANT SHALL REMAIN VACANT WITH THE TOTAL COMMITTEE MEMBERSHIP BEING ADJUSTED ACCORDINGLY. IF MORE THAN TWO EMPLOYEES FROM THE SAME DEPARTMENT APPLY, THE CITY CLERK SHALL ADMINISTER AN ELECTION AMONG THE ELIGIBLE PERMANENT EMPLOYEES IN THAT DEPARTMENT TO CHOOSE THE DEPARTMENT'S EMPLOYEE REPRESENTATIVES FROM AMONG THE APPLICANTS. ONCE THE SELECTION OF THE EMPLOYEE REPRESENTATIVES IS COMPLETE, THE CITY CLERK SHALL SUBMIT AN ACTION MEMORANDUM TO THE COUNCIL FOR APPROVAL OF THE EMPLOYEE REPRESENTATIVES.] *(Clerk note: bold and underline is language added and bold and brackets is language deleted.)*

Discussion continued and debate ensued regarding the composition of the Employee Relations Committee as defined in Ordinance Serial No. 07-02.

MOTION: Council Member Menard moved the previous question.

VOTE: The motion to move the previous question failed with Council Member Menard in favor and Deputy Mayor Cox and Council Members Ewing, Holler, Koskela, and Metiva opposed.

VOTE: The primary amendment failed in a tie vote with Council Members Ewing, Holler, and Menard opposed and Deputy Mayor Cox and Council Members Koskela and Metiva in favor. **Mayor Keller chose to invoke her voting privilege in the affirmative thus causing the primary amendment to pass.** *(Clerk note: Four affirmative votes shall be required to carry any measure before the council. WMC 2.04.130.A)*

Discussion and debate continued.

MOTION: Council Member Koskela moved the previous question on the main motion as amended.

VOTE: The motion to move the previous question failed with Deputy Mayor Cox in favor and Council Members Ewing, Holler, Koskela, Menard, and Metiva opposed.

Discussion continued.

The council recessed at 8:32 p.m. and reconvened at 8:45 p.m.

MOTION: Council Member Menard moved a primary amendment to Section 6. Compensation, as follows: ... but a City employee [MEMBER] shall receive regular hourly pay for time spent attending meetings of the committee during the employee's regular work hours. *(Clerk note: bold and underline is language added and bold and brackets is language deleted.)*

MOTION: Council Member Koskela moved the previous question.

GENERAL CONSENT: The motion to move the previous question passed without objection.

VOTE: The primary amendment passed unanimously.

VOTE: The motion to adopt Ordinance Serial No. 07-02, as amended, failed with Council Members Koskela, Menard, and Metiva in favor and Deputy Mayor Cox and Council Members Ewing and Holler opposed. **Mayor Keller chose to invoke her voting privilege in the affirmative thus causing the main motion as amended to pass.** *(Clerk note: Four affirmative votes shall be required to carry any measure before the council. WMC 2.04.130.A)*

B. Persons to be Heard

No comments were made.

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: January 8, 2007

B. Introduction of Ordinances: Recommended Public Hearing on February 12, 2007.

1. **Ordinance Serial No. 07-07:** To Amend The FY-07 Mat-Su Youth Court Budget By Accepting And Appropriating Grant Funds From Bishop's Attic II In The Amount Of \$1,900.
2. **Ordinance Serial No. 07-08:** To Amend The FY-07 Mat-Su Youth Court Budget By Accepting And Appropriating Grant Funds From Matanuska - Susitna Borough School District In The Amount Of \$5,020.

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4. **AM No. 07-06:** Vacation Of A Portion Of E. Railroad Avenue And A Portion Of South Roberts Street For The Alaska Railroad.
5. **AM No. 07-08:** Acceptance Of The City Of Wasilla's Fiscal Year 2006 Financial Statements For Public Record.

The City Clerk read items from the Consent Agenda into the record and noted the correction made to the meeting minutes as stated under Approval of Agenda by Council Member Ewing.

MOTION: Council Member Koskela moved to approve the Consent Agenda as read by the City Clerk.

VOTE: The motion passed unanimously.

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. NEW BUSINESS

1. **AM No. 07-07:** Selection Of Council Members To Travel To Washington D.C. For The Purpose Of Lobbying.

MOTION: Council Member Ewing moved to adopt AM No. 07-07 by providing Council Members Koskela and Metiva the opportunity to travel to Washington D.C. for the purpose of lobbying.

Discussion followed.

MOTION: Council Member Ewing moved the previous question.

VOTE: The motion failed with Council Members Ewing and Koskela in favor and Deputy Mayor Cox and Council Members Holler, Menard, and Metiva opposed.

Debate continued.

MOTION: Council Member Menard moved a primary amendment by selecting Deputy Mayor Cox as an alternate.

GENERAL CONSENT: The primary amendment passed without objection.

MOTION: Council Member Menard moved the previous question.

GENERAL CONSENT: The motion to move the previous question passed without objection.

VOTE: The main motion to adopt AM No. 07-07, as amended, passed unanimously.

Mayor Keller emphasized that FY08 Federal funding requests must be filed by February 15, 2007 and will be presented to the Council for adoption on February 12, 2007.

XI. COMMUNICATIONS

- A. Information Memorandums

B. Commission Minutes

XII. AUDIENCE COMMENTS

Ms. Colleen Cottle:

- stated that the Council should have scheduled a public hearing on the amended version of Ordinance Serial No. 07-02;
- expressed concern about ground contamination at Matanuska Towing located at 750 S. Centime Way, Lot 1, Block 3, Century Park 2 Subdivision; and
- stated that the permit granted to Matanuska Towing should have been elevated to the Planning Commission to provide neighboring residents an opportunity to comment on the permit.

Mr. Steve Stoll:

- stated he believes City employees want a collective bargaining agreement not an Employee Relations Committee as defined in Ordinance Serial No. 07-02.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Mr. Tom Klinkner, City Attorney:

- reported on developments in the Eminent Domain Case and the Luper Animal Control Case.

Questions were asked of the City Attorney regarding the Luper Animal Control Case.

MOTION: Council Member Ewing requested a written report on calendar year 2006 litigation, both pending and settled cases on claims handled by the City Attorney and by the City's insurance company.

GENERAL CONSENT: The motion passed without objection.

MOTION: Council Member Ewing moved to direct the attorney to draft an ordinance to ensure hazardous material containment with regard to EPA or DEC standards for businesses or residents having three or more wrecked vehicles within the City.

Discussion continued.

GENERAL CONSENT: The motion passed without objection.

City Clerk:

- noted that the Council budgeted approximately \$2,700 for travel to Juneau for lobbying efforts in FY-07; and
- noted she will prepare and AM for the appointment of two Council Members to serve on the Employee Relations Committee; and
- reported that Ted Leonard, Director of Finance and Administrative Services has requested a work session with the Council to discuss sales tax (no objection was raised to hold a work session on February 12, 2007 at 5:30 p.m.);
- asked the Council if they want to schedule a work session to discuss the Police Staffing Study (no council member indicated they wanted a work session); and
- asked the Council about agenda items for the Joint-Tri Cities and Assembly Meeting on February 8, 2007.

Council Member Menard requested that the topic of supporting changes to the state liquor license law be scheduled on the Joint Tri-Cities Meeting Agenda.

Mayor Keller:

- noted a resolution establishing FY-08 Federal funding requests will be brought forward on February 12, 2007;
- thanked the Bishop's Attic II for their donation to Mat-Su Youth Court; and
- noted two Mat-Comm dispatchers were recognized for their excellence in dispatching.

XIV. COUNCIL COMMENTS

Council Member Holler:

- expressed concern about the permitting of Matanuska Towing; and
- stated the City needs to be vigilant in the type of activities it permits.

Council Member Koskela:

- expressed interest in serving on the Employee Relations Committee.

Council Member Ewing:

- thanked the public for attending the Council Meeting;
- thanked the City Attorney for preparing the document on conflict of interest;
- thanked the Council for supporting his motions this evening; and
- expressed interest in serving on the Employee Relations Committee.

Council Member Metiva;

- thanked the public for attending the Council Meeting; and
- inquired about snow hauling efforts for the restart of the Iditarod Sled Dog Race in Wasilla.

Council Member Menard:

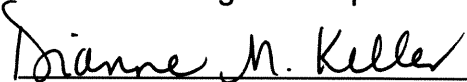
- shared his vision for conducting the Iditarod restart on Wasilla Lake and having the canine athletes utilize the Pedestrian Tube; and
- noted he is optimistic about the success of the Employee Relations Committee.

XV. EXECUTIVE SESSION

No executive session was held.

XVI. ADJOURNMENT

With no further business at hand, Mayor Keller adjourned the meeting at 9:46 p.m.



DIANNE M. KELLER
Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on February 12, 2007