



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. Herning Avenue, Wasilla, AK 99654 (907) 373-9090

REGULAR MEETING

7 P.M.

JUNE 11, 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. Friends of Wasilla Public Library

- F. Matanuska-Susitna Borough Cultural Resources Division
 - 1. Ms. Pat McClenahan and Ms. Vickie Cole, Re: Knik Preservation Plan.

VII. PUBLIC PARTICIPATION

A. Public Hearings

- 1. **Ordinance Serial No. 07-31:** Amending The FY07 Budget By Carrying Forward And Appropriating \$1,750 In Institute Of Museum And Library Services Grant Funds For The Museum Assessment Program.
- 2. **Ordinance Serial No. 07-32:** Adoption Of The Annual Budget For The Fiscal Year 2008 And Appropriating Funds To Carry Out Said Budget.
- 3. **Ordinance Serial No. 07-33:** Amending The FY-07 Budget By Accepting And Appropriating Grant And Match Funding From The Federal Aviation Administration And State Of Alaska In The Amount Of \$1,657,894 For The Wasilla Airport Taxiway B Construction Project.
 - a. **AM No. 07-24:** Contract Award To Wolverine Supply, Inc. In The Amount Of \$872,693 For Wasilla Airport Taxiway B Extension.
 - b. **AM No. 07-26:** Contract Award To Hattenberg, Dilley And Linnell In The Amount Of \$155,599 For Wasilla Airport Taxiway B Extension Construction Phase Engineering Services.
- 4. **Ordinance Serial No. 07-34(Sub. 1):** Authorizing The Annexation Of Portions Of Meadow Ridge Subdivision, Maney Acres, Lakebrook Subdivision And An Area Near The Wasilla Airport To The City of Wasilla.

B. Persons to be Heard

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

- 1. Regular Meeting: May 14, 2007
- 2. Special Meetings: May 14 and 21, 2007

B. Introduction of Ordinances: Recommended Public Hearing on June 25, 2007:

1. **Ordinance Serial No. 07-36:** Amending The FY07 Budget By Adjusting Capital Improvement Program Expenditure And Revenue Accounts To Closeout Fiscal Year End And Correct Accounts For The Crusey And Lucus Street Projects And For Garden Terrace.

C. Resolutions

1. **Resolution Serial No. 07-19:** Transferring Funds Within An Accounting Fund In The Amount Of \$20,262 For Utility Security Cameras.
2. **Resolution Serial No. 07-21:** Approving The Distribution Of A Discretionary Bonus To Eligible Employees.
3. **Resolution Serial No. 07-22:** Directing The State Lobbyist For The City Of Wasilla To Lobby The Governor And The Alaska State Legislature For Funding For Wasilla Area Seniors, Inc.

D. Action Memorandums

1. **AM No. 07-22:** Renewal Of Contract With The City Of Houston In The Amount Of \$60,000 To Provide Animal Control Services For FY-2008.
2. **AM No. 07-25:** Award Of A 5-Year Contract To Alaska Permanent Capital Management For Investment Management Services In The Amount Of \$16,750 Per Year.
3. **AM No. 07-27:** Award Of A 3-Year Contract To Mat-Su Test Lab. LLC For Water And Wastewater Laboratory Testing Services In The Amount Of \$30,000 Per Year.
4. **AM No. 07-28:** Vacation Of Utility Easement For Silver Tree Addition No. 1.
5. **AM No. 07-29:** Award Of Annual Contract To Crowley Petroleum Distribution, Inc. (Formerly Service Oil & Gas, Inc.) For Supply Of Diesel In The Amount Of \$35,000 Per Year.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

- A. Introduction of Ordinances: (Recommend Public Hearing on June 25, 2007)
1. **Ordinance Serial No. 07-37:** Amending The FY 2007 Budget By Appropriating An Amount Not To Exceed \$60,000 From The General Fund's Fund Balance To The Multi-Use Sports Complex To Cover Operations For FY07 Due To Increases In Earthquake Insurance And Utility Costs.
 2. **Ordinance Serial No. 07-38:** Amending The FY 2007 Budget By Appropriating \$136,513 From The Multi-Use Sports Complex Fund's Fund Balance And \$120,000 From The General Fund's Fund Balance To The Land Acquisition Account For Attorney, Appraisal, and Special Master Fees On The Eminent Domain Case.
 3. **Ordinance Serial No. 07-39:** Directing The City Clerk To Submit The Question To The Qualified Voters Of The City At The October 2, 2007 Regular City Election Asking Whether A Charter Commission Should Be Elected To Prepare A Proposed Home Rule Charter For The City. (Sponsored by Council Member Menard)
 4. **Ordinance Serial No. 07-40:** Authorizing The Lease To Spirit Hockey Club, L.L.C. dba Alaska Avalanche Hockey Of Space Within The Multi-Use Sports Complex To Operate A Junior Hockey Team; Authorizing The Mayor To Execute And Deliver The Lease; And Providing For Related Matters.
- B. **AM No. 07-30:** Council Is Requested To Award A Contract To The Wasilla Chamber Of Commerce In The Amount Of \$50,000 For FY2007 And \$50,000 For FY2008 For The Development Of A Wasilla Visitor And Tourism Bureau.
- C. **Ordinance Serial No. 07-35:** Amending WMC 2.16.070, Salary Of Mayor, To Provide That The Annual Salary Of The Mayor When Initially Elected Or Appointed Shall Be \$75,000, Subject To A 1.5% Annual Increase While The Same Mayor Remains Continuously In Office, And Repealing The Council's Discretionary Authority To Increase The Salary Of The Mayor During A Term Of Office.

- D. **Resolution Serial No. 07-20:** Increasing The Salary For The Position Of Mayor To \$75,000 In Accordance With WMC 2.16.070 And Repealing Resolution Serial No. 03-16.

XI. COMMUNICATIONS

- A. Information Memorandums
 - 1. **IM No. 07-12:** Expenditure Reports April 2007
 - 2. **IM No. 07-13:** Expenses Greater Than \$5,000 for April 2007
- B. Commission Minutes
 - 1. Planning Commission: April 24, 2007

XII. AUDIENCE COMMENTS

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

XIV. COUNCIL COMMENTS

XV. EXECUTIVE SESSION

- A. Lundgren Eminent Domain Case

XVI. ADJOURNMENT

I. CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, June 11, 2007, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Dianne M. Keller called the meeting to order at 7:04 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. Wendy Golter, Clerk's Office Secretary
Mr. Tom Klinkner, City Attorney
Ms. Susan Colligan, Director of Finance
Ms. Sandra Garley, Deputy Administrator
Mr. Archie Giddings, Director of Public Works
Ms. Angella Long, Police Chief
Mr. Bruce Urban, Recreation and Cultural Services Manager

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 noted a typographical correction to Ordinance Serial No. 07-31, stating the figure of \$1,750 will be changed to \$1,170. No objection was raised.

Council Member Ewing requested to move Ordinance Serial No. 07-35 and Resolution Serial No. 07-20 from the Consent Agenda to New Business.

GENERAL CONSENT: There being no further adjustments to the agenda, the agenda was approved, as amended, with no objection raised.

V. SPECIAL ORDERS OF THE DAY

There were no Special Orders of the Day.

VI. COMMISSION AND AGENCY REPORTS

A. Planning Commission

Ms Sandra Garley, Deputy Administrator:

- reported on items from the May 22, 2007, Planning Commission Meeting.

The council asked questions of the deputy administrator.

B. Parks and Recreation Commission

Mr. Bruce Urban, Recreation and Cultural Services Manager:

- reported that the Parks and Recreation Commission has not met since its last report.

The council asked questions of the recreation and cultural services manager.

C. Airport Advisory Commission

Mr. Archie Giddings, Public Works Director:

- reported that the Airport Advisory Commission took no action at their last meeting.

D. Matanuska-Susitna Borough

No report was presented.

E. Friends of Wasilla Public Library: Ms. Jeanne Troshynski, President

Ms. Troshynski:

- spoke about the Summer Reading Program that will highlight adult involvement;
- noted that funds raised from the Race for Technology will benefit library technology services;
- talked about a new program to be held at the library, titled Business After Hours, that will highlight business resources in Wasilla; and
- expressed concern with the Borough's 20 percent cut in library funding and the City's plan to charge non-city residents for a library card.

Questions were asked of Ms. Troshynski and discussion ensued concerning library powers. Mayor Keller commented that the discussion with the borough about library funding has been going on for far too long with no resolution.

F. Matanuska-Susitna Borough Cultural Resources Division

1. Ms. Pat McClenahan, Consultant and Ms. Vickie Cole, Cultural Resources Assistant; Re: Knik Preservation Plan.

Ms. McClenahan and Ms. Cole:

- spoke about the identification of cultural resources for preservation in light of plans to build the Knik Arm bridge; and
- presented a power point presentation on the preservation process and shared historic photographs of the Matanuska-Susitna Valley.

Council Member Ewing requested a recess. No objection was raised.

The Council recessed at 7:32 p.m. and reconvened at 7:35 p.m.

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 07-31:** Amending The FY07 Budget By Carrying Forward And Appropriating correction \$1,170 In Institute Of Museum And Library Services Grant Funds For The Museum Assessment Program.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-31 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Koskela moved to adopt Ordinance Serial No. 07-31.

GENERAL CONSENT: The motion passed without objection.

2. **Ordinance Serial No. 07-32:** Adoption Of The Annual Budget For The Fiscal Year 2008 And Appropriating Funds To Carry Out Said Budget.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-32.

Mr. Steve Glos requested that the council fund the enforcement of off-road vehicle laws to include enforcement on bike paths and a public awareness campaign.

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

MOTION: Deputy Mayor Cox moved to adopt Ordinance Serial No. 07-32.

Discussion followed.

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

3. **Ordinance Serial No. 07-33:** Amending The FY-07 Budget By Accepting And Appropriating Grant And Match Funding From The Federal Aviation Administration And State Of Alaska In The Amount Of \$1,657,894 For The Wasilla Airport Taxiway B Construction Project.
 - a. **AM No. 07-24:** Contract Award To Wolverine Supply, Inc. In The Amount Of \$872,693 For Wasilla Airport Taxiway B Extension.
 - b. **AM No. 07-26:** Contract Award To Hattenberg, Dilley And Linnell In The Amount Of \$155,599 For Wasilla Airport Taxiway B Extension Construction Phase Engineering Services.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-33 and AM Nos. 07-24 and 07-26 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Koskela moved to adopt Ordinance Serial No. 07-33 and AM Nos. 07-24 and 07-26.

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

4. **Ordinance Serial No. 07-34 (Sub. 1):** Authorizing The Annexation Of Portions Of Meadow Ridge Subdivision, Maney Acres, Lakebrook Subdivision And An Area Near The Wasilla Airport To The City of Wasilla.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-34(Sub.1).

Ms. Colleen Cottle expressed her opinion that this annexation might be moving too fast for adequate public input and participation.

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

MOTION: Council Member Ewing moved to adopt Ordinance Serial No. 07-34(Sub. 1)

The deputy administrator gave a short summary of the ordinance.

Discussion ensued and questions were asked of the Public Works Director.

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

B. Persons to be Heard

1. Mr. Josh Fryfogle

Mr. Fryfogle:

- asked to be compensated for time spent working on the Music in the Park project; and
- talked about meeting with city officials to discuss his work on the Music in the Park project prior to the City formally soliciting bids for the project.

2. Mr. Phil Lockwood - Museum of Alaska Transportation & Industry

Mr. Lockwood:

- informed the council of the museum's acquisition of the Breeden Colony Barn; and
- described plans to move the barn to the transportation museum this summer.

3. Ms. Barbara Shew

Ms. Shew:

- expressed concern about the proposal to charge non-city residents a fee for library cards at the Wasilla Public Library; and
- spoke about the importance of people being able to use library services free of charge.

4. Ms. Diane Firmani, Librarian, Tanaina Elementary School

Ms. Firmani:

- spoke about the heritage of free lending libraries; and
- expressed concern with charging for library cards.

5. Mr. R.K. Butts

Mr. Butts:

- expressed his frustration with local elected officials who are unable to find a way to adequately fund the library.

6. Ms. Julia Ede

Ms Ede:

- spoke about the inadequacy of the Wasilla Public Library and the harmful effects of cutting the library budget on the community; and
- encouraged creativity in solving library problems.

7. Ms. Cheryl Metiva

Ms. Metiva:

- conveyed her concern with off-road vehicle incidents within city limits; and
- informed council members about a fund raising barn dance that is being planned at the Breeden Colony Barn on July 7.

8. Ms. Debra Wiesenen, Library Volunteer

Ms. Wiesenen:

- asked the city to find a way to work with the borough so that the city will not have to charge for library cards.

9. Mr. John Luburger

Mr. Luburger:

- stated that it would be a shame to charge for library cards because so many people outside the city cannot afford to pay for a card.

Mayor Keller asked library supporters to lobby the borough for library funding.

Council Member Ewing stated that he does not support imposing a fee for library cards.

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

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B. Introduction of Ordinances: Recommended Public Hearing on June 25, 2007:

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2. **Resolution Serial No. 07-21:** Approving The Distribution Of A Discretionary Bonus To Eligible Employees.
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3. **AM No. 07-27:** Award Of A 3-Year Contract To Mat-Su Test Lab. LLC For Water And Wastewater Laboratory Testing Services In The Amount Of \$30,000 Per Year.
4. **AM No. 07-28:** Vacation Of Utility Easement For Silver Tree Addition No. 1.
5. **AM No. 07-29:** Award Of Annual Contract To Crowley Petroleum Distribution, Inc. (Formerly Service Oil & Gas, Inc.) For Supply Of Diesel In The Amount Of \$35,000 Per Year.

The City Clerk read items from the Consent Agenda into the record.

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

GENERAL CONSENT: The motion passed without objection.

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. NEW BUSINESS

A. Introduction of Ordinances

1. **Ordinance Serial No. 07-37:** Amending The FY 2007 Budget By Appropriating An Amount Not To Exceed \$60,000 From The General Fund's Fund Balance To The Multi-Use Sports Complex To Cover Operations For FY07 Due To Increases In Earthquake Insurance And Utility Costs.

The Finance Director explained why the ordinance is being brought forward at this time.

MOTION: Council Member Menard moved to introduce Ordinance Serial No. 07-37 and set for public hearing on June 25, 2007.

VOTE: The motion to introduce Ordinance Serial No. 07-37 and set for public hearing on June 25, 2007, passed with Deputy Mayor Cox and Council Members Ewing, Holler, Koskela, Menard, and Metiva in favor.

2. **Ordinance Serial No. 07-38:** Amending The FY 2007 Budget By Appropriating \$136,513 From The Multi-Use Sports Complex Fund's Fund Balance And \$120,000 From The General Fund's Fund Balance To The Land Acquisition Account For Attorney, Appraisal, and Special Master Fees On The Eminent Domain Case.

MOTION: Council Member Menard moved to introduce Ordinance Serial No. 07-38 and set for public hearing on June 25, 2007.

Discussion followed.

VOTE: The motion to introduce Ordinance Serial No. 07-38 and set for public hearing on June 25, 2007, passed with Council Members Koskela, Holler, Menard, Metiva, and Deputy Mayor Cox in favor and Council Member Ewing opposed.

3. **Ordinance Serial No. 07-39:** Directing The City Clerk To Submit The Question To The Qualified Voters Of The City At The October 2, 2007 Regular City Election Asking Whether A Charter Commission Should Be Elected To Prepare A Proposed Home Rule Charter For The City. (Sponsored by Council Member Menard)

MOTION: Council Member Menard moved to introduce Ordinance Serial No. 07-39 and set for public hearing on June 25, 2007.

GENERAL CONSENT: The motion passed without objection.

4. **Ordinance Serial No. 07-40:** Authorizing The Lease To Spirit Hockey Club, L.L.C. dba Alaska Avalanche Hockey Of Space Within The Multi-Use Sports Complex To Operate A Junior Hockey Team; Authorizing The Mayor To Execute And Deliver The Lease; And Providing For Related Matters.

MOTION: Council Member Metiva moved to introduce Ordinance Serial No. 07-40 and set for public hearing on June 25, 2007.

Discussion ensued.

MOTION: Council Member Menard moved the previous question. *(Clerk note: The effect of this motion is to immediately stop debate.)*

GENERAL CONSENT: The motion passed without objection.

Deputy Mayor Cox declared a conflict of interest and requested to be excused from voting on Ordinance Serial No. 07-40. He stated that although he has no direct financial interest in the contract, he is employed by a company that provides security at Avalanche games.

The city attorney advised that Deputy Mayor Cox should be excused from the vote. The Mayor ruled to excuse Deputy Mayor Cox from voting. Council Members Menard and Ewing objected.

MOTION: Council Member Menard moved to appeal the decision of the Chair.

Discussion followed

VOTE: The motion to appeal the decision of the Chair, passed with Council Members Ewing, Holler, Koskela, Menard, and Metiva voting in favor and Deputy Mayor Cox abstaining.

MOTION: Council Member Ewing moved the previous question on the main motion to introduce Ordinance Serial No. 07-40 and set for public hearing on June 25, 2007. *(Clerk note: The effect of this motion is to immediately stop debate.)*

GENERAL CONSENT: The motion passed without objection.

VOTE: The motion to introduce Ordinance Serial No. 07-40 and set for public hearing on June 25, 2007, passed with Deputy Mayor Cox and Council Members Ewing, Holler, Koskela, Menard, and Metiva in favor.

- B. **AM No. 07-30:** Council Is Requested To Award A Contract To The Wasilla Chamber Of Commerce In The Amount Of \$50,000 For FY2007 And \$50,000 For FY2008 For The Development Of A Wasilla Visitor And Tourism Bureau.

MOTION: Council Member Ewing moved to adopt AM No. 07-30.

Council Member Metiva declared a conflict of interest and requested to be excused from voting on AM No. 07-30. He stated that although he has no direct financial interest in the establishment of a Visitor and Tourism Bureau, a perceived conflict may exist as his wife is the Executive Director of the Greater Wasilla Chamber of Commerce.

The City Attorney was asked whether Council Member Metiva's recusal from this matter at the May 14, 2007, Council Meeting, should be applied to this discussion. The attorney advised a council member must declare a conflict of interest each time the subject is voted upon. He stated that Council Member Metiva should be recused from the discussion and vote on AM No. 07-30.

The Mayor ruled in favor of the Conflict of Interest as declared by Council Member Metiva.

MOTION: Council Member Menard moved to appeal the decision of the Chair.

Discussion ensued.

VOTE: The motion to appeal the decision of the chair failed with Council Members Ewing and Menard in favor and Council Members Koskela and Holler and Deputy Mayor Cox opposed. Council Member Metiva abstained from the vote. (Clerk's Note: Council Member Metiva took a seat in the audience and abstained from the discussion and vote on this issue.)

Discussion followed on the motion to adopt AM No. 07-30.

Bill Miller, Purchasing Officer, addressed the council and spoke about the development of the contract.

Discussion ensued and questions were asked of Mr. Miller.

MOTION: Council Member Menard moved the previous question (*Clerk note: The effect of this motion is to immediately stop debate.*)

GENERAL CONSENT: The motion passed without objection.

VOTE: The motion to adopt AM No. 07-30, passed with Council Members Ewing, Holler, Koskela, and Menard in favor and Deputy Mayor Cox opposed. Council Member Metiva abstained from the vote.

- C. **Ordinance Serial No. 07-35:** Amending WMC 2.16.070, Salary Of Mayor, To Provide That The Annual Salary Of The Mayor When Initially Elected Or Appointed Shall Be \$75,000, Subject To A 1.5% Annual Increase While The Same Mayor Remains Continuously In Office, And Repealing The Council's Discretionary Authority To Increase The Salary Of The Mayor During A Term Of Office.

MOTION: Council Member Ewing moved to introduce Ordinance Serial No. 07-35 and set for public hearing on June 25, 2007.

Discussion followed

MOTION: Council Member Menard moved the previous question (*Clerk note: The effect of this motion is to immediately stop debate.*)

GENERAL CONSENT: The motion passed without objection.

VOTE: The motion to introduce Ordinance Serial No. 07-35 and set for public hearing on June 25, 2007 passed with Deputy Mayor Cox and Council Members Ewing, Holler, Koskela, Menard, and Metiva in favor.

- D. **Resolution Serial No. 07-20:** Increasing The Salary For The Position Of Mayor To \$75,000 In Accordance With WMC 2.16.070 And Repealing Resolution Serial No. 03-16.

MOTION: Deputy Mayor Cox moved to adopt Resolution Serial No. 07-20.

Discussion followed

MOTION: Council Member Ewing moved the previous question. (*Clerk note: The effect of this motion is to immediately stop debate.*)

GENERAL CONSENT: The motion passed without objection.

VOTE: The motion to adopt Resolution Serial No. 07-20 failed due in a tie vote with Deputy Mayor Cox and Council Members Koskela and Metiva in favor and Council Members Ewing, Holler, and Menard opposed (*Clerk note: Per WMC 2.04.130, four affirmative votes shall be required to carry any measure before the Council.*)

Mayor Keller asked the city attorney if she was able to break the tie on this matter.

The city attorney requested a recess. No objection was raised.

The council recessed at 8:58 p.m. and reconvened at 9:20 p.m.

The city attorney reported that WMC 2.16.070.B, Salary of mayor, provides that the salary of the mayor may only be raised by two-thirds concurring vote of the council, therefore it is not advisable for the mayor to invoke voting privileges in this matter.

RECONSIDERATION

MOTION: Council Member Menard moved to reconsider Resolution Serial No. 07-20.

VOTE: The motion to reconsider initially failed with Deputy Mayor Cox and Council Members Menard and Koskela in favor and Council Members Ewing, Holler, and Metiva opposed. *(Clerk note: Per WMC 2.04.130, four affirmative votes shall be required to carry any measure before the Council.)* Mayor Keller chose to invoke her voting privilege in the **affirmative** thus causing the motion to **pass**.

Council Member Ewing called a point of order questioning whether the Mayor was allowed to break a tie. The city attorney advised that in this procedural matter the mayor may vote to break the tie because the matter before the council dealt with reconsideration, not a proposed salary increase. No objection was raised.

Discussion followed.

MOTION: Council Member Koskela moved the previous question. *(Clerk note: The effect of this motion is to immediately stop debate.)*

GENERAL CONSENT: The motion passed with no objection.

VOTE: The motion to adopt Resolution Serial No. 07-20, passed with Deputy Mayor Cox and Council Members Koskela, Metiva, and Menard in favor and Council Members Ewing and Holler opposed.

XI. COMMUNICATIONS

A. Information Memorandums

1. **IM No. 07-12:** Expenditure Reports April 2007
2. **IM No. 07-13:** Expenses Greater Than \$5,000 for April 2007

Council Member Ewing requested clarification on IM No. 07-13.

XII. AUDIENCE COMMENTS

Ms Robin Hall, Executive Director, Wasilla Area Seniors:

- thanked the council for their help in approaching state government about assisting Wasilla Area Seniors Inc. with funding.

Ms Colleen Cottle:

- expressed concerns about general maintenance at the Sports Complex.

Mr. Ted Leonard:

- congratulated the mayor and council for the satisfactory completion of a two-year budget;
- advised the council to prepare for the FY-09 process; and
- suggested that the council establish a mechanism to receive public feedback other than public participation at council meetings.

Mayor Keller commended Mr. Ted Leonard for on his part in the budget process. (Clerk note: Mr. Leonard was the former Finance Director for the City of Wasilla.)

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Mr. Tom Klinkner, City Attorney:

- spoke about the upcoming executive session on the Lundgren case;
- updated the council on the Luper lawsuit, explaining that the city's insurance covers the defense of all counts in the lawsuit; and
- reported that the city's insurance carrier has asked his firm to represent the city in this case due to their familiarity with the matter.

Questions were asked of Mr. Klinkner.

Ms. Kristie Smithers, City Clerk:

- requested that the council schedule a special meeting regarding the Economic Development Tool Box.

The council directed the clerk to schedule a special meeting on July 23, 2007, at 5:30 p.m. regarding the economic development toolbox.

Council Member Ewing requested to be excused from the July 9, 2007, regular council meeting, as he is unable to attend because of his upcoming honeymoon. No objection was raised.

Mayor Keller:

- expressed condolences to Deputy Clerk, Jamie Newman, for her family's recent loss;
- congratulated Chas St. George and the Iditarod Trail Committee for the *regional Emmy* they recently won for a documentary about the Iditarod;
- passed out the most recent tax chart comparing taxes inside and outside city limits;
- thanked the council for helping in adopting a balanced budget; and
- reported that attendance at last Thursday's Music in the Park was good and the concert was enjoyable; and
- noted that investments made to enhance Iditapark have been worthwhile.

XIV. COUNCIL COMMENTS

Council Member Ewing:

- spoke about reckless driving by off-road vehicles in the city;
- remarked that moral at the Police Department has improved under the leadership of Chief Long;
- noted he expects that the city will do what is right for Mr. Fryfogle; and
- stated his opposition to charging for library cards.

Council Member Koskela:

- spoke about the problem of reckless off-road vehicle driving;
- expressed his dissatisfaction with charging people for library cards; and
- questioned whether the borough would fully fund the Wasilla Library even if they had borough-wide library powers.

Council Member Holler:

- thanked the audience for attending the meeting; and
- expressed his hope for a good relationship with the Wasilla Chamber of Commerce.

Council Member Menard:

- expressed opinions on the Luper lawsuit, stating that the city could have done even more to enforce the ordinance;
- wondered if money from unspent travel funds could be used for other things such as helping to fund the Wasilla High School hockey tournament and noted he plans to bring forward an AM to fund the event;
- spoke about the success of Curtis Menard Memorial Run;
- stated that the council does not want to charge anyone for library cards and that he would not vote for a fee;
- expressed the opinion that when the Mayor feels it is necessary to comment on proceedings and presentations during the meeting, the council should have the same opportunity; and
- thanked the audience for attending the meeting.

Deputy Mayor Cox:

- recalled paying for library cards, fines, and book fees as a school child and stated that he is not opposed to paying for a library card and overdue fees;
- stated that the city should wean themselves from expecting library funding from the borough and state;
- noted that the unpermitted camping, littering, and burning situation at Bumpus Ballpark is continuing to be an eyesore and an embarrassment to the city; and
- spoke about unsafe off-road vehicle usage.

Council Member Metiva:

- agreed that the trash at the Bumpus Ballfields is an embarrassment to the city;
- stated that he would like to provide free library services, but sees the need for a minimum charge if the borough doesn't fund the services expected by the community;
- suggested that it is time to look at purchasing land for more parking downtown;
- agreed with comments made about the off-road vehicle problem in the city;
- shared his excitement about the Breeden Colony barn moving to the Museum of Alaska Transportation and Industry;
- noted that he volunteered for the Menard Run and knows how good it was for the community;
- expressed condolences to Deputy Clerk, Jamie Newman for her loss;
- stated that this year's Iditarod documentary "As Tough As It Gets" is even better than last year's;
- suggested that the city begin their budget process earlier than January;
- asked if the dumpster in front of the police station can be moved to present a better appearance; and
- thanked the audience for attending the meeting.

XV. EXECUTIVE SESSION

MOTION: Council Member Koskela moved to enter Executive Session for potential or pending litigation to which the City of Wasilla may become or is a party, specifically the Lundgren case.

GENERAL CONSENT: The motion passed without objection.

The following entered executive session in the council conference room at 10:09 p.m.: the entire Council, Mayor Keller, the City Attorney, the Finance Director, the Public Works Director, the Recreation and Cultural Services Manager, and the Deputy Administrator. The executive session exited at 10:55 p.m.

MOTION: Council Member Koskela moved that the city make an offer of judgment in the Lundgren case as discussed in the Executive Session.

VOTE: The motion passed without objection.

XVI. ADJOURNMENT

With no further business at hand, Mayor Keller adjourned the meeting at 10:56 p.m.



DIANNE M. KELLER
Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on June 25, 2007