



MAYOR

Dianne M. Keller

COUNCIL

Stephanie Massie, Seat A

Douglas W. Holler, Seat B

Steve 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.

SEPTEMBER 10, 2007

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

A. Presentation of Colors by Boy Scout Troop 300

IV. SWEARING IN CEREMONY

A. Council Member Stephanie Massie, Seat A

V. APPROVAL OF AGENDA

VI. SPECIAL ORDERS OF THE DAY

VII. COMMISSION AND AGENCY REPORTS

A. Friends of Wasilla Public Library

B. Matansuak-Susitna Borough

VIII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 07-50:** Amending The FY-08 Budget By Appropriating An Amount Not To Exceed \$95,000 From The General Fund's Fund Balance To The Multi-Use Sports Complex For The Purchase And Installation Of 165 New Powdered Coated Steel Panels To Repair The Safety Rails Around The Jogging Track And Spectator Area.
2. **Ordinance Serial No. 07-51:** Amending The FY-08 Budget By Appropriating \$5,000 From Mascot For The Mascot Transit Building Maintenance Bays.

B. Persons to be Heard

IX. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: August 27, 2007

B. Introduction of Ordinances: Recommended for Public Hearing on September 24, 2007:

C. Resolutions

1. **Resolution Serial No. 07-30:** Supporting Mat-Su Health Services Inc. In Its Efforts To Become A Federally Qualified Community Health Center In The Greater Wasilla Area. (Sponsored by Mayor Keller)

D. Action Memorandums

1. **AM No. 07-53:** Award Of Contract To Ferguson Enterprises, Inc., In An Amount Not To Exceed \$50,000 For High Head Dewatering Pumps.
2. **AM No. 07-54:** Authorization Of The Purchase Of Network Equipment From Hewlett Packard Utilizing The Western States Contracting Alliance (WSCA) Contract In The Amount Of \$72,461.

3. **AM No. 07-55:** Contract Renewal For Nana Training Systems In The Amount Of \$35,804 For Continued Development And Enhancement Of The City's Health And Safety Program.
4. **AM No. 07-56:** Contract Amendment for Wolverine Supply, Inc. in the Amount of \$106,644 for the Wasilla Airport Taxiway B Extension.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

Introduction of Ordinance: Recommended for Public Hearing on September 24, 2007:

- A. **Ordinance Serial No. 07-54:** Amending WMC 6.16.020, Review Of Liquor License Applications, WMC 6.16.030, Waiver Of Protest, And WMC 6.16.040, Consideration By Council, To Provide For City Action On Applications To Relocate A Liquor License Into The City That Are Subject To City Approval Under AS 04.11.400(n).

XII. COMMUNICATIONS

- A. Information Memorandums
- B. Commission Minutes
 1. Employee Relations Committee: August 30, 2007

XIII. AUDIENCE COMMENTS

XIV. MAYOR, CLERK AND ATTORNEY COMMENTS

XV. COUNCIL COMMENTS

XVI. EXECUTIVE SESSION

- A. Lundgren Eminent Domain Case.

XVII. ADJOURNMENT

I. CALL TO ORDER

The regular meeting of the Wasilla City Council was held on Monday, September 10, 2007, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Dianne M. Keller called the meeting to order at 7 p.m.

II. ROLL CALL

Council Members present and establishing a quorum were:

- Mr. Steve Menard, Seat C
- Mr. Marty Metiva, Seat D (participated telephonically)
- Mr. Ron Cox, Deputy Mayor, Seat E
- Mr. Mark Ewing, Seat F

Mayor Keller noted that Council Member Holler, Seat B was absent and excused unless there was objection. No objection was raised.

Mayor Keller noted that Council Member Metiva would only participate in the meeting telephonically until Stephanie Massie was sworn into office. No objection was raised.

Staff in attendance were:

- Ms. Kristie Smithers, City Clerk
- Ms. Jamie Newman, Deputy Clerk
- Mr. Tom Klinkner, City Attorney
- Ms. Susan Colligan, Finance Director
- 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. SWEARING IN CEREMONY

- A. Council Member Stephanie Massie, Seat A

The City Clerk administered an Oath of Office to Stephanie Massie. Council Member Massie then assumed her seat at the council table.

Council Member Metiva exited the meeting at 7:03 p.m. (Clerk note: Council Member Metiva was participating telephonically.)

V. APPROVAL OF AGENDA

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

Council Member Ewing requested to move Ordinance Serial No. 07-54 from the Consent Agenda to New Business.

Mayor Keller asked if there were further adjustments to the agenda, hearing none, the agenda was approved as amended without objection with Deputy Mayor Cox, Council Members Ewing, Massie, and Menard voting in favor. (Clerk note: Council Members Holler and Metiva were absent.)

VI. SPECIAL ORDERS OF THE DAY

There were no special orders.

VII. COMMISSION AND AGENCY REPORTS

A. Friends of Wasilla Public Library

Ms. Jeanne Troshynski President:

- reported that Valley Performing Arts has approached the Friends of Wasilla Public Library inquiring about the possibility of future joint facility space;
- commented on the preliminary design for the new library;
- thanked staff for their work in reviewing the library needs assessment; and
- reported on activities of the Friends of Wasilla Public Library.

Mr. Kevin Cochran, Valley Performing Arts:

- reported that Valley Performing Arts looks forward to expanding with the Wasilla Public Library.

B. Matanuska-Susitna Borough

Assembly Member Mary Kvalheim:

- commended Casey Reynolds, Economic Development Planner, for a presentation he made to the Borough Assembly regarding the Borough's space development plan; and
- commented on a letter sent to Assembly Members from Mayor Keller protesting the manner in which the Assembly amended and adopted Ordinance Serial No. 07-096(AM).

VIII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 07-50:** Amending The FY-08 Budget By Appropriating An Amount Not To Exceed \$95,000 From The General Fund's Fund Balance To The Multi-Use Sports Complex For The Purchase And Installation Of 165 New Powdered Coated Steel Panels To Repair The Safety Rails Around The Jogging Track And Spectator Area.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-50 and there being no one who wished to present testimony the public hearing closed.

MOTION: Deputy Mayor Cox moved to adopt Ordinance Serial No. 07-50.

Discussion followed and questions were asked of the Recreation and Cultural Services Manager.

Discussion continued.

VOTE: The motion to adopt Ordinance Serial No. 07-50 passed unanimously with Deputy Mayor Cox, Council Members Ewing, Menard, and Massie voting in favor. *(Clerk note: Council Members Holler and Metiva were absent and excused.)*

2. **Ordinance Serial No. 07-51:** Amending The FY-08 Budget By Appropriating \$5,000 From Mascot For The Mascot Transit Building Maintenance Bays.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-51 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Ewing moved to adopt Ordinance Serial No. 07-51.

VOTE: The motion to adopt Ordinance Serial No. 07-51 passed unanimously with Deputy Mayor Cox, Council Members Ewing, Menard, and Massie voting in favor. *(Clerk note: Council Members Holler and Metiva were absent and excused.)*

B. Persons to be Heard

1. Ms. Annette Andres, Andres Whymore Partnership:

Mrs. Andres expressed dismay with administration for the lack of communication with property owners regarding the realignment of E. Sun Mountain Avenue and its intersection with Herman Road, which would likely bisect a portion of property (Windbreak Café) owned by Andres Whymore Partnership.

2. Mr. Shawn Banahan, Manager, Six Robbles, Wasilla Branch:

Mr. Banahan expressed shock and dismay regarding a letter sent by Mayor Keller on August 24, 2007, stating the City of Wasilla was going forward with plans to redirect traffic flow on E. Sun Mountain Avenue after receiving a letter in May from Archie Giddings, Public Works Director, stating approval of all affected property owners would be required to proceed. Mr. Banahan expressed disappointment with the lack of public participation in the process.

3. Ms. Diana Straub

Ms. Straub expressed disappointment with administration for the lack of public participation regarding the realignment of E. Sun Mountain Avenue and encouraged administration to send a letter of apology to affected property owners.

4. Ms. Dianne Woodruff

Ms. Woodruff expressed disappointment with administration for the lack of public participation regarding the realignment of E. Sun Mountain Avenue and noted small business is the strength of communities.

5. Ms. Alice Massie

Ms. Massie talked about her negative experience with property development adjacent to her business. She noted she has been a community business owner for thirty years and expressed dismay with the lack of support for small businesses by the City of Wasilla.

6. Ms. Catherine Palmer

Ms. Palmer noted she is an employee of the Windbreak Café and spoke in opposition to the plan to realign E. Sun Mountain Avenue by bisecting a portion of property owned by Andres Whymore Partnership (Windbreak Café).

IX. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: August 27, 2007

B. Introduction of Ordinances: Recommended for Public Hearing on September 24, 2007:

C. Resolutions

1. **Resolution Serial No. 07-30:** Supporting Mat-Su Health Services Inc. In Its Efforts To Become A Federally Qualified Community Health Center In The Greater Wasilla Area. (Sponsored by Mayor Keller)

D. Action Memorandums

1. **AM No. 07-53:** Award Of Contract To Ferguson Enterprises, Inc., In An Amount Not To Exceed \$50,000 For High Head Dewatering Pumps.
2. **AM No. 07-54:** Authorization Of The Purchase Of Network Equipment From Hewlett Packard Utilizing The Western States Contracting Alliance (WSCA) Contract In The Amount Of \$72,461.
3. **AM No. 07-55:** Contract Renewal For Nana Training Systems In The Amount Of \$35,804 For Continued Development And Enhancement Of The City's Health And Safety Program.
4. **AM No. 07-56:** Contract Amendment for Wolverine Supply, Inc. in the Amount of \$106,644 for the Wasilla Airport Taxiway B Extension.

The City Clerk read the Consent Agenda into the record.

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

VOTE: The motion to adopt the Consent Agenda as read by the City Clerk passed unanimously with Deputy Mayor Cox, Council Members Ewing, Menard, and Massie voting in favor. *(Clerk note: Council Members Holler and Metiva were absent and excused.)*

X. UNFINISHED BUSINESS

There was no unfinished business.

XI. NEW BUSINESS

- A. **Ordinance Serial No. 07-54:** Amending WMC 6.16.020, Review Of Liquor License Applications, WMC 6.16.030, Waiver Of Protest, And WMC 6.16.040, Consideration By Council, To Provide For City Action On Applications To Relocate A Liquor License Into The City That Are Subject To City Approval Under AS 04.11.400(n).

MOTION: Council Member Ewing moved to introduce Ordinance Serial No. 07-54 and set for public hearing on September 24, 2007.

Discussion followed.

VOTE: The motion to introduce Ordinance Serial No. 07-54 and set for public hearing on September 24, 2007, passed unanimously with Deputy Mayor Cox, Council Members Ewing, Menard, and Massie voting in favor. *(Clerk note: Council Members Holler and Metiva were absent and excused.)*

XII. COMMUNICATIONS

- A. Information Memorandums
- B. Commission Minutes
 - 1. Employee Relations Committee: August 30, 2007

No action was taken on the communication items.

XIII. AUDIENCE COMMENTS

No comments were made.

XIV. MAYOR, CLERK AND ATTORNEY COMMENTS

Ms. Kristie Smithers, City Clerk:

- reported as directed by the Council she scheduled a joint meeting with the Chamber of Commerce on October 22, 2007, at 5:30 p.m.; and
- welcomed Council Member Massie.

Mayor Keller:

- noted she distributed a written report highlighting the activities of city departments; and
- welcomed Council Member Massie.

Mr. Tom Klinkner, City Attorney:

- reported that Judge Beverly Cutler ruled from the bench, denying Ms. Luper's administrative appeal on a land use kennel permit denied by the Planning Commission;
- spoke about the letter he drafted on behalf of Mayor Keller protesting the manner in which the Matanuska-Susitna Borough Assembly amended and adopted Ordinance Serial No. 07-096(AM); and
- updated the Council on the Lundgren eminent domain case and noted he is requesting an executive session on the matter.

Council Member Ewing asked questions about the Luper land use kennel case and the Lundgren eminent domain case.

XV. COUNCIL COMMENTS

Council Member Massie:

- shared her enthusiasm in serving on the Council.

Council Member Menard:

- expressed his support of local small business;
- reported he met with the owner of the Windbreak Café and the manager of Six Robbles and assured them the public process will continue in regard to the realignment of E. Sun Mountain Avenue;
- expressed his opposition to exercising eminent domain against one property owner to benefit another; and
- welcomed Council Member Massie.

Council Member Ewing:

- welcomed Council Member Massie;
- asked if the City would be reimbursed for grounding straps it purchased and installed for a vendor at the Wasilla Airport. (*Clerk note: The Public Works Director assured Council Member Ewing that he is seeking reimbursement.*); and
- spoke about the Official Streets and Highways Plan adopted by the Council (Resolution Serial No. 06-30) in relation to the realignment of Sun Mountain Avenue as addressed in the plan.

Mayor Keller spoke about her efforts to reach out to affected property owners regarding the realignment of E. Sun Mountain Avenue and noted the Official Streets and Highways Plan (Resolution Serial No. 07-30) is a conceptual document.

Council Member Ewing continued his comments regarding the realignment of E. Sun Mountain Avenue and the need to involve property owners affected by the realignment including properties outside city limits.

Mayor Keller spoke about the annexation process.

Deputy Mayor Cox:

- welcomed Council Member Massie;
- spoke in support of small local businesses;
- encouraged the city to continue to support small business;
- talked about the need for the Council to adopt a computer use policy prior to purchasing laptop computers for themselves; and
- requested an update of the tourism bureau at the next meeting with the Chamber of Commerce.

XVI. EXECUTIVE SESSION

A. Lundgren Eminent Domain Case.

MOTION: Council Member Menard moved to enter into executive session for the purpose of potential or pending litigation to which the City of Wasilla may become or is a party specifically the Lundgren Eminent Domain Case.

VOTE: The motion to enter into executive session, passed unanimously with Deputy Mayor Cox, Council Members Ewing, Menard, and Massie voting in favor. *(Clerk note: Council Members Holler and Metiva were absent and excused.)*

Mayor Keller requested a 10 minute recess prior to entering executive session. No objection was raised.

The Council recessed at 8:15 p.m. and reconvened at 8:22 p.m.

The following entered Executive Session in the Council Conference Room at 8:22 p.m.: Mayor Keller; the entire Council; the City Attorney; the Public Works Director, the Deputy Administrator, the Finance Director, and the Recreation and Cultural Services Manager. The Executive Session exited at 8:52 p.m.

MOTION: Council Member Menard moved to give the power to the attorney to go forward with what was discussed in executive session.

VOTE: The motion to give the power to the attorney to go forward with what was discussed in executive session, passed unanimously with Deputy Mayor Cox, Council Members Ewing, Menard, and Massie voting in favor. *(Clerk note: Council Members Holler and Metiva were absent and excused.)*

XVII. ADJOURNMENT

With no further business at hand, Mayor Keller adjourned the meeting at 8:53 p.m.



DIANNE M. KELLER
Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on September 24, 2007

... ..

... ..

... ..

... ..