



**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

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**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 24, 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. Greater Wasilla Chamber Of Commerce

F. United Way Of Mat-Su

1. David Parks, Intern, Executive Director

## VII. PUBLIC PARTICIPATION

### A. Public Hearings

1. **Ordinance Serial No. 07-54(SUB1):** 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).

### B. Persons to be Heard

## VIII. CONSENT AGENDA

### A. Minutes of Preceding Meetings:

1. Regular Meeting: September 10, 2007

### B. Introduction of Ordinances: Recommended for Public Hearing on October 8, 2007:

1. **Ordinance Serial No. 07-53:** Amending WMC 5.16.150, Tax Return, Extension Of Time, Waiver Or Reduction Of Penalty In Regard To The Collection Of Sales Tax. (Sponsored by Council Member Metiva.)
2. **Ordinance Serial No. 07-55:** Amending The FY-08 Budget By Appropriating \$25,000 From The General Fund's Fund Balance To Wasilla Area Seniors, Inc. In Order To Continue To Provide Services And Programs To Residents Of The City Of Wasilla And The Matanuska-Susitna Borough. (Sponsored by Council Members Menard and Ewing.)

### C. Resolutions

### D. Action Memorandums

1. **AM No. 07-57:** Award Of Contract To Acumen Information Services, Inc., In An Amount Not To Exceed \$150,000 For A Five (5) Year Records Management Consulting Services Agreement For City Records.

2. **AM No. 07-58:** Expenditure Authorization In An Amount Not To Exceed \$268,209.07 For Procurement And Installation Of ALMR Radio System.
3. **AM No. 07-61:** Award Of Contract To Dukes Electric, Inc., In An Amount Not To Exceed \$30,871 Per Year To Perform Electrical Installation/Repair For City Owned Facilities.

**IX. UNFINISHED BUSINESS**

**X. NEW BUSINESS**

- A. **AM No. 07-60:** Appointment of Ron Wendt to the Wasilla Parks and Recreation Commission.

**XI. COMMUNICATIONS**

A. Information Memorandums

1. **IM No. 07-20:** Expenditure Report: June 2007.
2. **IM No. 07-22:** Expenses Greater Than \$5,000 For August 2007.

B. Commission Minutes

1. Planning Commission: August 28, 2007
2. Employee Relations Committee: August 30, 2007

**XII. AUDIENCE COMMENTS**

**XIII. MAYOR, CLERK AND ATTORNEY COMMENTS**

**XIV. COUNCIL COMMENTS**

**XV. EXECUTIVE SESSION**

- A. Property Acquisition

**XVI. ADJOURNMENT**

**I. CALL TO ORDER**

The regular meeting of the Wasilla City Council was held on Monday, September 24, 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:

- Ms. Stephanie Massie, Seat A
- Mr. Doug Holler, Seat B
- Mr. Steve Menard, Seat C
- Mr. Marty Metiva, Seat D
- Mr. Ron Cox, Deputy Mayor, Seat E (Exited the meeting at 10:10 p.m.)
- Mr. Mark Ewing, Seat F

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**

Mayor Keller invited City Attorney Tom Klinkner to lead the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

Mayor Keller asked if there were changes to the agenda as presented, hearing none, the agenda was approved as presented.

**V. SPECIAL ORDERS OF THE DAY**

There were no special orders.

## **VI. COMMISSION AND AGENCY REPORTS**

### **A. Planning Commission**

Ms. Sandra Garley, City Planner:

- reported on items on the September 25, 2007, Planning Commission Regular Meeting Agenda.

### **B. Parks and Recreation Commission**

Commissioner Joan Matthews:

- reported on the September 12, 2007, Regular Parks and Recreation Commission Meeting.

The Council asked questions of Commissioner Matthews regarding future land acquisition, parks security, and seasonal decorations.

### **C. Airport Advisory Commission**

Mr. Archie Giddings, Public Works Director:

- reported that the Commission received a construction update at their last meeting; and
- reported that airport improvements include a new apron, taxiway extension, and turf runway expansion.

### **D. Matanuska-Susitna Borough**

No report was presented.

### **E. Greater Wasilla Chamber Of Commerce**

Ms. Cheryl Metiva, Executive Director:

- updated the Council on the recent activities of the Greater Wasilla Chamber of Commerce.

### **F. United Way Of Mat-Su**

#### **1. David Parks, Intern, Executive Director**

Mr. Parks:

- noted the mission of the United Way of Mat-Su;
- talked about services provided by United Way of Mat-Su; and
- spoke in support of Ordinance Serial No. 07-55.

## VII. PUBLIC PARTICIPATION

### A. Public Hearings

1. **Ordinance Serial No. 07-54 (SUB 1):** 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).

Mayor Keller opened the public hearing on Ordinance Serial No. 07-54 (SUB 1).

The following spoke in opposition to Ordinance Serial No. 07-54 (SUB 1): Mr. John Klapperich; Mr. Philip Lundstrom, Tail Gaters Sports Bar & Grill; Ms. Annette Andres; Mr. Ted Anderson, Mug Shot Saloon and Tail Gaters Sports & Grill; and Mr. John Luburger.

The following encouraged the Council to postpone Ordinance Serial No. 07-54 (SUB 1) until more questions are answered: Mr. Evangelos Lambernakis, Evangelo's Restaurant; Ms. Dianne Woodruff; and Ms. Diana Straub.

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

**MOTION:** Council Member Metiva moved to adopt Ordinance Serial No. 07-54 (SUB 1).

Discussion followed.

Mayor Keller invited Mr. Casey Reynolds, Economic Developer Planner to speak about Ordinance Serial No. 07-54 (SUB 1).

Discussion followed and questions were asked of Mr. Reynolds.

Discussion continued.

**VOTE:** The motion to adopt Ordinance Serial No. 07-54 (SUB 1) failed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in opposition.

### B. Persons to be Heard

The following spoke in favor of Ordinance Serial No. 07-55: Ms. Robin Hall, Executive Director, Wasilla Area Seniors Inc.; Ms. Veronica Frost; Ms. Chermine McFarland; Mr. Kris Fitzgerald; Ms. Jeanne Gardner; Ms. Elverda Lincoln; Ms. Bessie Miller; Ms. Charlene Sanders; Mr. Robert Bickel; Ms. Heather Barker; Mr. Justice Brooks; and Mr. John Luburger.

The following expressed concern about the City's plan to realign E. Sun Mountain Avenue and its intersection with Herman Road: Ms. Colleen Cottle; Ms. Diana Straub; Ms. Dianne Woodruff; and Mr. George Ashee. *(Clerk note: The concerns stemmed from a letter dated August 24, 2007, from Mayor Dianne M. Keller to Andres Whymore Partnership regarding traffic flow and safety at and around the intersection of E. Sun Mountain Avenue and Herman Road.)*

Ms. Annette Andres requested that the City of Wasilla open all blocked accesses on E. Sun Mountain Avenue, noting the blockage is causing a safety hazard. She requested an independent audit by the State Attorney General regarding the City's plan to realign E. Sun Mountain Avenue and its intersection with Herman Road.

Ms. Marilyn Morris requested that the City remove the dogs from 700 E. Eden Court (Block 5, Lot 3, Bay View Gardens) to restore peace and quiet in the neighborhood. (Luper Land Use Kennel Case)

## VIII. CONSENT AGENDA

### A. Minutes of Preceding Meetings:

1. Regular Meeting: September 10, 2007

### B. Introduction of Ordinances: Recommended for Public Hearing on October 8, 2007:

1. **Ordinance Serial No. 07-53:** Amending WMC 5.16.150, Tax Return, Extension Of Time, Waiver Or Reduction Of Penalty In Regard To The Collection Of Sales Tax. (Sponsored by Council Member Metiva.)
2. **Ordinance Serial No. 07-55:** Amending The FY-08 Budget By Appropriating \$25,000 From The General Fund's Fund Balance To Wasilla Area Seniors, Inc. In Order To Continue To Provide Services And Programs To Residents Of The City Of Wasilla And The Matanuska-Susitna Borough. (Sponsored by Council Members Menard and Ewing.)

### C. Resolutions

### D. Action Memorandums

1. **AM No. 07-57:** Award Of Contract To Acumen Information Services, Inc., In An Amount Not To Exceed \$150,000 For A Five (5) Year Records Management Consulting Services Agreement For City Records.

2. **AM No. 07-58:** Expenditure Authorization In An Amount Not To Exceed \$268,209.07 For Procurement And Installation Of ALMR Radio System.
3. **AM No. 07-61:** Award Of Contract To Dukes Electric, Inc., In An Amount Not To Exceed \$30,871 Per Year To Perform Electrical Installation/Repair For City Owned Facilities.

The City Clerk read the Consent Agenda into the record.

**MOTION:** Deputy Mayor Cox moved to adopt 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 and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

Council Member Menard requested a 10 minute recess. No objection was raised.

The Council recessed at 8:39 pm and reconvened at 8:52 p.m.

## **IX. UNFINISHED BUSINESS**

There was no unfinished business.

## **X. NEW BUSINESS**

- A. **AM No. 07-60:** Appointment of Ron Wendt to the Wasilla Parks and Recreation Commission.

**MOTION:** Deputy Mayor Cox moved to adopt AM No. 07-60.

Mayor Keller noted that Mr. Wendt is unable to attend the meeting due to health reasons.

Discussion followed.

**MOTION:** Council Member Ewing moved to postpone AM No. 07-60 to the next regular meeting of October 8, 2007.

**VOTE:** The motion to postpone AM No. 07-60 to the next regular meeting of October 8, 2007, passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.



## **XI. COMMUNICATIONS**

### **A. Information Memorandums**

1. **IM No. 07-20:** Expenditure Report: June 2007.
2. **IM No. 07-22:** Expenses Greater Than \$5,000 For August 2007.

### **B. Commission Minutes**

1. Planning Commission: August 28, 2007
2. Employee Relations Committee: August 30, 2007

No action was taken on the Communication Items.

## **XII. AUDIENCE COMMENTS**

Ms. Dianne Woodruff:

- talked about the need to proactively manage growth and development.

Ms. Diana Straub:

- requested that Mayor Keller send a letter of apology to Andres Whymore Partnership and Six Robblees for the letter she sent on August 24, 2007, regarding the realignment of E. Sun Mountain Avenue and its intersection with Herman Road; and
- spoke in opposition to the City charging fees for public records requests.

Mr. George Ashee:

- requested that Mayor Keller send a letter of apology to Andres Whymore Partnership and Six Robblees for the letter she sent on August 24, 2007, regarding the realignment of E. Sun Mountain Avenue and its intersection with Herman Road.

## **XIII. MAYOR, CLERK AND ATTORNEY COMMENTS**

Ms. Kristie Smithers, City Clerk:

- asked the Council for direction in scheduling upcoming meetings to include council orientation and overview; budget meetings; the city report card and initiative planning, and liquor license review.

The Council directed the City Clerk to schedule the following meetings:

- October 29 at 5:30 p.m., Council Orientation and Overview of Duties
- November 14 at 6 p.m., Liquor License Review.

The Council directed that the City Clerk to send notice of the liquor license review meeting to all liquor license holders within City limits. No objection was raised.

*(Clerk note: the Council did not give specific direction regarding budget meetings, the city report card, or initiative planning meetings.)*

Mr. Tom Klinkner, City Attorney:

- stated there is no need to convene in executive session this evening as there are no new developments in the Lundgren Eminent Domain Case and the Luper Land Use Kennel Case;
- reported that a status conference with the Judge in the Lundgren Eminent Domain Case has been requested; and
- requested to play an excerpt from the court hearing on the Luper Land Use Kennel Case.

The excerpt from the September 7, 2007, hearing before Judge Cutler

Mayor Keller stated her intent is to begin the process of removing the dogs from Ms. Luper's property located at 700 E. Eden Court.

Mayor Keller:

- noted she presented a written report to the Council;
- reported on an upcoming retirement seminar sponsored by the Public Employees Retirement System (PERS); and
- expressed condolences to the family of Howard Holtan, Director of Project Management for the City of Anchorage, who recently perished in a plan crash near Prince William Sound.

#### **XIV. COUNCIL COMMENTS**

Council Member Holler:

- noted the 40-acre parcel recently sold to the Alaska Live Steamers by the City of Wasilla could have been used for park expansion;
- stated he plans to schedule a meeting with the Public Works Director to review plans for the realignment of E. Sun Mountain Avenue; and
- stated he would like to know how the funds will be spent should Ordinance Serial No. 07-55 be adopted.

Council Member Cox:

- encouraged the Council to establish a policy for granting funds;
- cautioned the Council about getting back into the grant giving business as there are limited funds and many worthy causes; and
- asked questioned about the realignment of E. Sun Mountain Avenue.

The Public Works Director talked about improvements to E. Sun Mountain Avenue.

Council Member Stephanie Massie:

- noted she has many questions and plans to follow up with staff to learn more about city issues.

Council Member Ewing:

- asked about the development permit for Chili's Bar & Grill; and
- noted he voted to fund the Wasilla Tourism Bureau.

**MOTION:** Council Member Ewing moved to direct the City Clerk to schedule a joint meeting with the Wasilla City Council; Wasilla Planning Commission; Mat-Su Borough Planning Commission; State of Alaska Department of Transportation; the developer; adjacent property owners, and the public regarding the realignment of E. Sun Mountain Avenue.

Discussion following and debate ensued.

**MOTION:** Council Member Menard moved a primary amendment to strike Mat-Su Borough Planning Commission and insert Mat-Su Borough Staff.

Discussion continued.

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

**GENERAL CONSENT:** The motion passed without objection with Deputy Mayor Cox, and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

Discussion continued.

**VOTE:** The primary amendment passed unanimously with Deputy Mayor Cox, and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

**MOTION:** Council Member Menard moved a primary amendment to strike the following language from the main motion: "to schedule a joint meeting with the Wasilla City Council" and to insert "to schedule a special Wasilla City Council meeting and invite".

Council Member Cox exited the meeting at 10:10 p.m. due to a work commitment. No objection was raised.

**VOTE:** The primary amendment passed unanimously with Deputy Mayor Cox, and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

**MOTION:** Council Member Metiva moved a primary amendment to direct the clerk to schedule the meeting on October 24, 2007, at 6 p.m.

**GENERAL CONSENT:** The primary amendment passed without objection with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Mativa voting in favor.

**VOTE:** The main motion as amended to schedule a special Wasilla City Council meeting and invite the Wasilla Planning Commission; Mat-Su Borough Staff; State of Alaska Department of Transportation; the developer; adjacent property owners, and the public regarding the realignment of E. Sun Mountain Avenue, , passed unanimously with Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor. (*Clerk note: Deputy Mayor Cox exited the meeting prior to the vote.*)

Council Member Ewing (comments continued):

- asked if security cameras have been installed in the Wasilla Lake Park pedestrian tube under crossing; and
- spoke in support of funding the Wasilla Senior Center.

Council Member Metiva:

- reported he is unable to attend the Alaska Municipal League Conference;
- spoke in favor of work sessions to discuss issues in depth before they are brought forward to the Council for action; and
- reported he is in the process of gathering information on the realignment of E. Sun Mountain Avenue.

Council Member Menard:

- suggested adding another portion for council comments on the council regular meeting agenda after persons to be heard;
- noted he plans to bring forward a substitute ordinance to address how Wasilla Area Seniors, Inc. may spend the grant funds allocated through the adoption of Ordinance Serial No. 07-55;
- reminded the Council that the Wasilla Planning Commission has worked with several large box store developers on aesthetic and landscaping standards; and
- asked about the feasibility of hauling snow into the Wasilla Lake Park pedestrian tube under crossing to encourage winter use of the tunnel.

Ms. Kristie Smithers (comments continued):

- spoke about Early Voting locations; and
- encouraged everyone to vote in the upcoming election.

## **XV. EXECUTIVE SESSION**

Mayor Keller requested an executive session on property acquisition. No objection was raised.

### **A. Property Acquisition**

**MOTION:** Council Member Menard moved to enter into executive session for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the City, specifically property acquisition.

**VOTE:** The motion to enter executive session passed unanimously with Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor. *(Clerk note: Deputy Mayor Cox exited the meeting prior to the vote.)*

The following entered the Executive Session in the Council Conference Room at 10:20 p.m.: the entire City Council, Mayor Keller, the Finance Director, the Recreation and Cultural Services Manager, and the City Attorney. The Executive Session exited at 10:41 p.m.

**MOTION:** Council Member Menard moved to authorize Mr. Bruce Urban, Recreation and Cultural Services Manager, to pursue the matter as directed in executive session.

**XVI. ADJOURNMENT**

With no further business at hand, Mayor Keller adjourned the meeting at 10:42 p.m.

  
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DIANNE M. KELLER  
Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC  
City Clerk

Adopted by the Wasilla City Council on October 8, 2007