



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

REGULAR MEETING

7 P.M.

OCTOBER 8, 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. COMMISSION AND AGENCY REPORTS

A. Matanuska-Susitna Borough

B. Friends of Wasilla Library

VI. SPECIAL ORDERS OF THE DAY

A. Character Award Presentation To Mr. Lyle Davenport

VII. PUBLIC PARTICIPATION

A. Public Hearings

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(SUB):** 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.)

B. Persons to be Heard

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: September 24, 2007

B. Introduction of Ordinances: Recommended for Public Hearing on October 22, 2007:

1. **Ordinance Serial No. 07-57:** Adopting WMC 2.12.040, Use Of City Electronic Communication And Information Processing Facilities, To Establish Policies And Procedures For Elected City Officials' Use Of City Electronic Communication And Information Processing Facilities. (Sponsored By Deputy Mayor Cox.)
2. **Ordinance Serial No. 07-59:** Amending The FY-08 Budget By Appropriating An Amount Not To Exceed \$661,028 From The General Fund's Fund Balance To The Multi-Use Sports Complex For The Payment Of The Master's Award In The Case Of The City Of Wasilla Vs. Gary Lundgren.

C. Resolutions

1. **Resolution Serial No. 07-33:** Authorizing The Mayor To Purchase Lot 37, Buena Vista Addition #1.

D. Action Memorandums

IX. UNFINISHED BUSINESS

- A. **AM No. 07-60:** Appointment Of Ron Wendt To The Wasilla Parks And Recreation Commission. (Postponed From September 24, 2007)

X. NEW BUSINESS

- A. **Resolution Serial No. 07-32:** Accepting The Certificate Of Canvass Board Results And Certifying The October 2, 2007, Regular City Of Wasilla Election.
- B. **AM No. 07-62:** Renewal Of Contract With Bickford Pacific Group In An Amount Not To Exceed \$26,000 To Provide State Lobbyist Services Effective October 1, 2007 Through September 30, 2008.

XI. COMMUNICATIONS

A. Information Memorandums

B. Commission Minutes

1. Airport Advisory Commission: August 21, 2007
2. Parks and Recreation Commission: September 8, 2007
3. Planning Commission: September 25, 2007

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, October 8, 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
- 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

- A. Presentation of Colors by Boy Scout Troop 300

Boy Scout Troop 300 led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

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

Mayor Keller requested to remove Resolution Serial No. 07-31 from the Agenda and to add Ordinance Serial No. 07-59 under the Consent Agenda, Introductions.

Council Member Ewing objected to the Introduction of Ordinance Serial No. 07-59 as the item was not advertised on the agenda.

The City Attorney spoke to the urgency of adopting Ordinance Serial No. 07-59 and recommended introduction at this time. He stated that adding the ordinance to the agenda under introductions does not violate the Open Meetings Act in any way.

MOTION: Council Member Menard moved to add Ordinance Serial No. 07-59 to the Consent Agenda for Introduction and set for Public Hearing on October 22, 2007.

Discussion followed.

VOTE: The motion to add Ordinance Serial No. 07-59 passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

Council Member Ewing requested to move AM No. 06-62 from the Consent Agenda to New Business.

GENERAL CONSENT: Hearing no further amendments to the agenda, the agenda was approved as amended with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

Mayor Keller requested to move Commission and Agency Reports before Special Orders. No objection was raised.

V. COMMISSION AND AGENCY REPORTS

A. Matanuska-Susitna Borough

Assembly Member Mary Kvalheim:

- reported on the newly elected school board members and assembly members.

B. Friends of Wasilla Library

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

- reported on the success of a retreat held with the Friends of Wasilla Library and Library staff;
- reported on the upcoming annual meeting scheduled to take place October 17, 2007, at 7 pm.; and
- commended the library staff for the service they provide to the community.

VI. SPECIAL ORDERS OF THE DAY

A. Character Award Presentation To Mr. Lyle Davenport

Mayor Keller presented a Character Award to Mr. Lyle Davenport for his good character in turning in cash found in the Fred Meyer parking lot to the Wasilla Police Department. Mayor Keller noted that the cash was returned to the owner and commended Mr. Davenport for his character.

VII. PUBLIC PARTICIPATION

A. Public Hearings

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.)

Mayor Keller opened the public hearing on Ordinance Serial No. 07-53 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Metiva moved to adopt Ordinance Serial No. 07-53.

Discussion followed.

VOTE: The motion to adopt Ordinance Serial No. 07-53 passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

2. **Ordinance Serial No. 07-55(SUB):** 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.)

Mayor Keller opened the public hearing on Ordinance Serial No. 07-55(SUB).

The following spoke in favor of Ordinance Serial No. 07-55(SUB): Ms. Robin Hall, Executive Director, Wasilla Area Senior Inc. (WASI); Mr. Ralph Nelson; Ms. Jeanne Gardner, WASI employee; Ms. Wanda Murphy, WASI Board of Directors; Ms. Bessie Miller; Mr. Chris Fitzgerald, WASI employee; Mr. Bob Brickel, WASI Board President; Mr. John Luburger; and Mr. Bill Woodfield, WASI Board Member;

The following spoke in opposition to Ordinance Serial No. 07-55(SUB): Ms. Nancy Hall.

MOTION: Council Member Menard moved to adopt Ordinance Serial No. 07-55(SUB).

Discussion followed.

MOTION: Council Member Metiva moved a primary amendment to strike the General Fund's Fund Balance from the Source of funds in Section 4 and insert the following:
001.4115.411.30.30 Accounting/Auditing Services
001.4115.411.30.32 Legal
001.4115.411.30.34 Other Professional Fees
001.4115.411.50.81 Travel

Discussion followed and debate ensued.

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

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

Debate continued.

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

VOTE: The motion to move the previous question passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Metiva, Massie, and Menard voting in favor.

VOTE: The primary amendment to strike the General Fund's Fund Balance from the Source of funds in Section 4 and insert the following:
001.4115.411.30.30 Accounting/Auditing Services
001.4115.411.30.32 Legal
001.4115.411.30.34 Other Professional Fees
001.4115.411.50.81 Travel
passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

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

VOTE: The motion to move the previous question passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Metiva, Massie, and Menard voting in favor.

VOTE: The main motion to adopt Ordinance Serial No. 07-55(SUB), as amended, passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor

B. Persons to be Heard

1. Ms. Robin Hall, Executive Director, Wasilla Area Seniors, Inc.

Ms. Hall thanked the Council for adopting Ordinance Serial No. 07-55(SUB).

2. Mr. Bob Brickel, President, Wasilla Area Seniors, Inc.

Mr. Brickel thanked the Council for adopting Ordinance Serial No. 07-55(SUB).

3. Ms. Annette Andres, Representative of Tom Ogren of Six Robblees, Bob Andres and Dallas Wheymore

Ms. Andres:

- expressed objection to the Federal grant application filed in the amount of \$450,000 by the Economic Development Planner to benefit Meritage Development LLC;
- requested the City Council consider an independent review of tactics by Mayor Keller, the Economic Development Planner and others in the City to the blatant favoritism of Meritage Development, LLC;
- asked if the city attorney rendered opinions on various correspondence and suggested that the attorney review opinions in preparation of the October 24, 2007, Special City Council Meeting; and
- objected to the road closure of Sun Mountain Avenue west of the Windbreak Café.

Ms. Dianne Woodruff:

- spoke about the need for administration to keep the Wasilla City Council and the Wasilla Planning Commission well informed.

Ms. Cheryl Metiva, Executive Director, Chamber of Commerce:

- thanked Deputy Mayor Cox and Council Member Ewing for their service to the community.

Mr. Ted Leonard:

- thanked Deputy Mayor Cox and Council Member Ewing for their service to the community; and
- spoke about the budget process and how changing priorities can affect the budget.

Mr. Steve Alexander:

- thanked Deputy Mayor Cox for his service to the community.

Ms. Rebecca Lopez, Wasilla Dispatch Employee:

- thanked Council Member Ewing for his service and dedication to employees.

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: September 24, 2007

B. Introduction of Ordinances: Recommended for Public Hearing on October 22, 2007:

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2. **Ordinance Serial No. 07-59:** Amending The FY-08 Budget By Appropriating An Amount Not To Exceed \$661,028 From The General Fund's Fund Balance To The Multi-Use Sports Complex For The Payment Of The Master's Award In The Case Of City Of Wasilla Vs. Gary Lundgren.

C. Resolutions

1. **Resolution Serial No. 07-33:** Authorizing The Mayor To Purchase Lot 37, Buena Vista Addition #1.

D. Action Memorandums

The City Clerk read the Consent Agenda into the record.

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

Deputy Mayor Cox requested a ten minute recess. No objection was raised.

The Council recessed at 8:18 p.m. and reconvened 8:31 p.m.

IX. UNFINISHED BUSINESS

- A. **AM No. 07-60:** Appointment Of Ron Wendt To The Wasilla Parks And Recreation Commission. (Postponed From September 24, 2007)

Mayor Keller noted that Mr. Wendt was ill and unable to attend the meeting.

MOTION: Council Member Ewing moved to postpone AM No. 07-60 to the November 26, 2007, Regular City Council Meeting.

VOTE: The motion to postpone AM No. 07-60 to the November 26, 2007, Regular City Council Meeting, passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

X. NEW BUSINESS

- A. **Resolution Serial No. 07-32:** Accepting The Certificate Of Canvass Board Results And Certifying The October 2, 2007, Regular City Of Wasilla Election.

MOTION: Council Member Ewing moved to adopt Resolution Serial No. 07-32.

The City Clerk read the October 2, 2007, Regular City of Wasilla election results into the record.

Discussion followed.

VOTE: The motion to adopt Resolution Serial No. 07-32 passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

- B. **AM No. 07-62:** Renewal Of Contract With Bickford Pacific Group In An Amount Not To Exceed \$26,000 To Provide State Lobbyist Services Effective October 1, 2007 Through September 30, 2008.

MOTION: Council Member Ewing moved to adopt AM No. 07-62.

Discussion followed.

Mayor Keller invited Mr. Frank Bickford to come forward to address the Council. Mr. Bickford introduced himself and addressed the Council.

VOTE: The motion to adopt AM No. 07-62 passed unanimously with Deputy Mayor Cox and Council Members Ewing, Holler, Massie, Menard, and Metiva voting in favor.

XI. COMMUNICATIONS

A. Information Memorandums

B. Commission Minutes

1. Airport Advisory Commission: August 21, 2007
2. Parks and Recreation Commission: September 8, 2007
3. Planning Commission: September 25, 2007

No action was taken on the Communication items.

XII. AUDIENCE COMMENTS

No comments were made.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Mayor Keller noted she provided the Council with a written report and asked Chief Long to give an update on awards and the enforcement of the Luper Kennel Land Use Case.

Chief Long:

- Reported that Wasilla Police Officer Scott Fitchett and Dispatcher Debi Langendorfer received services awards from the Palmer Elks Club; and
- Reported on enforcement action in the Luper Kennel Land Use Case based on the Superior Court decision.

Mayor Keller:

- presented Deputy Mayor Cox with a key to the City of Wasilla and thanked him for his outstanding service;
- thanked Council Member Ewing for his service and wished him well.

City Attorney:

- reported on further developments in the Luper Land Use Kennel Case;
- spoke about the process for paying what is owed in the Lundgren Eminent Domain Case; and
- noted he will begin work on issues associated with the adoption of Proposition No. 1 at the October 2, 2007, Regular City Election.

Mayor Keller announced that October is disaster preparedness month.

City Clerk:

- reported she will send notice regarding the upcoming Special City Council Meeting on the realignment of E. Sun Mountain Avenue; and
- thanked Deputy Mayor Cox and Council Member Ewing for their support.

XIV. COUNCIL COMMENTS

Council Member Ewing:

- asked questions about the enforcement of the Luper Kennel Land Use Case;
- thanked the citizens of Wasilla for allowing him to serve on the City Council;
- spoke favorably about his experience in serving on the City Council;
- congratulated newly elected Council Members Larson and Woodruff; and
- thanked the citizens of Wasilla for supporting Proposition Number 1.

Council Member Metiva:

- thanked the audience for attending the meeting;
- asked questions about the future Community Survey;
- requested that the Finance Director present a segment on finance at the upcoming Council orientation;
- thanked Deputy Mayor Cox and Council Member Ewing for their service.

Council Member Menard:

- thanked Deputy Mayor Cox and Council Member Ewing for their service; and
- commended the City Attorney on his work in the Lundgren Eminent Domain Case.

Council Member Holler:

- thanked the audience for attending the meeting;
- thanked Deputy Mayor Cox and Council Member Ewing for their service;
- talked about the need for transparency at the City of Wasilla; and
- spoke in support of funding the Senior Center.

Council Member Massie:

- asked questions about the Luper Land Use Kennel Case;
- congratulated newly elected council members; and
- thanked Deputy Mayor Cox and Council Member Ewing for their service.

Deputy Mayor Cox:

- thanked the citizens of Wasilla for providing him with the opportunity to serve on the City Council;
- thanked Council Member Ewing for his service;
- congratulated newly elected Council Members Larson and Woodruff;
- thanked city staff for their assistance throughout the years;
- thanked the city clerk and deputy clerk for their guidance throughout the years; and
- thanked Mayor Keller for her leadership and friendship.

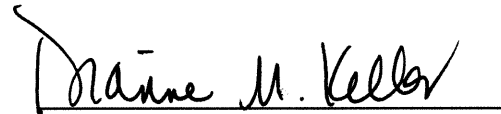
Council Member Ewing:

- thanked the city clerk and deputy clerk for their assistance during his tenure on the Council.

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

With no further business at hand, Mayor Keller adjourned the meeting at 9:24 p.m.


DIANNE M. KELLER
Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on October 22, 2007