



MAYOR

Dianne M. Keller

COUNCIL

Stephanie Massie, Seat A

Douglas W. Holler, Seat B

Steve Menard, Seat C

Marty Metiva, Seat D

Dianne Woodruff, Seat E

Kristofer Larson, Deputy Mayor, 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.

NOVEMBER 26, 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. Matanuska-Susitna Borough

C. Greater Wasilla Chamber of Commerce

VII. PUBLIC PARTICIPATION

A. Public Hearings

B. Persons to be Heard

VIII. CONSENT AGENDA

- A. Minutes of Preceding Meetings:
 - 1. Regular Meeting: October 22, 2007
 - 2. Special Meetings: October 22, 24, and 29, 2007

- B. Introduction of Ordinances: Recommended for Public Hearing on December 10, 2007:
 - 1. **Ordinance Serial No. 07-58:** Amending WMC 16.16.040, Procedure For Commission Approvals, To Require The Applicant To Post Notice Of The Commission Hearing, And To Reduce The Time For Oral Argument Before The Commission; And Amending WMC 16.34.060, Appeals To The Planning Commission, To Reduce The Time For Oral Argument Before The Commission.

 - 2. **Ordinance Serial No. 07-60:** Approving A Zoning Of Recently Annexed Unzoned Property To I—Industrial For Approximately 65.98 Acres Located On Matanuska-Susitna Borough Tax Parcel A004, Within Section 13, Township 17 North, Range 1 West, Seward Meridian, Alaska.

 - 3. **Ordinance Serial No. 07-61:** Approving A Zoning Of Recently Annexed Unzoned Property To R1--Single Family Residential For Approximately 36.55 Acres Located On Matanuska-Susitna Borough Tax Parcels D007 And D008 And Meadow Ridge Subdivision, Phases I & II, All Within Section 6, Township 17 North, Range 1 West, Seward Meridian, Alaska.

 - 4. **Ordinance Serial No. 07-62:** Approving A Zoning Of Recently Annexed Unzoned Property To C - Commercial For Approximately 2.03 Acres Located On Property Known As Tract 6-1 Lakebrook Subdivision, Within Section 11, Township 17 North, Range 1 West, Seward Meridian, Alaska.

5. **Ordinance Serial No. 07-63:** Approving Zoning Of Recently Annexed Unzoned Property To C--Commercial For Approximately 29.94 Acres Located On Property Known As All Lots Within Blocks 1 And 2, And Lot 5, Block 3, Maney Acres No. 2 And Lot 1 Maney Acres No. 1, All Within Section 11, Township 17 North, Range 1 West, Seward Meridian, Alaska.
6. **Ordinance Serial No. 07-64:** Amending WMC 2.16.060 To Require Council Confirmation Of The Designation Of A Deputy Mayor. (Sponsored By Council Member Menard.)
7. **Ordinance Serial No. 07-65:** Amending The FY-08 Budget By Appropriating \$9,000 For Wasilla Airport Apron Phase 1C Engineering Design.
8. **Ordinance Serial No. 07-66:** Amending The FY 08 Budget By Appropriating \$362,817 From The General Fund's Fund Balance To The Multi-Use Sports Complex For The Payment Of Interest On The Master's Award In The Case Of City Of Wasilla Vs. Gary Lundgren.
9. **Ordinance Serial No. 07-67:** Amending WMC 8.04.040, Fireworks—Use Prohibited, To Permit The Use Of Class C Common Fireworks For An Eight-Hour Period Annually In Celebration Of The New Year. (Sponsored By Deputy Mayor Larson.)
10. **Ordinance Serial No. 07-68:** Amending The FY-08 Budget By Appropriating From E-911 Surcharge Fund As An Alternative Revenue Source For Dispatch Services.

C. Resolutions

D. Action Memorandums

1. **AM No. 07-63:** Authorization For Purchase Of Three Public Works Vehicles From Nye Ford In The Amount Of \$85,145.
2. **AM No. 07-67:** Authorization For Three Year Closed End Lease Of A New 2007 Motor Grader From Construction Machinery, Inc., In The Amount Of \$4,265.57 Per Month.

IX. UNFINISHED BUSINESS

- A. **AM No. 07-60:** Appointment Of Ron Wendt To The Wasilla Parks And Recreation Commission. *(Clerk's Note: This AM needs to be postponed indefinitely.)*

X. NEW BUSINESS

- A. **AM No. 07-66:** Directing An Independent Review Of The Meritage Development Plan. (Sponsored by Council Member Menard.)
- B. Sun Mountain Area Meetings. *(Clerk's Note: Need Council clarification to staff for future meetings to be scheduled on this topic.)*

XI. COMMUNICATIONS

- A. Information Memorandums
 - 1. **IM No. 07-27:** Revisor of Ordinance Serial No. 07-57
 - 2. **IM No. 07-28:** 2008 Holiday Schedule.
- B. Commission Minutes
 - 1. Planning Commission: October 9 and 23, 2007
 - 2. Parks and Recreation Commission: September 8, 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, November 26, 2007, at the Wasilla City Council Chambers, Wasilla, Alaska. Deputy Mayor Kristofer Larson called the meeting to order at 7 p.m.

II. ROLL CALL

Deputy Mayor Larson noted Mayor Dianne M. Keller was absent and excused from the meeting.

There was no objection noted.

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
- Ms. Dianne Woodruff, Seat E
- Mr. Kristofer Larson, Deputy Mayor, 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
- Mr. Craig Robinson, Acting Deputy Police Chief
- Mr. Bruce Urban, Recreation and Cultural Services Manager

III. PLEDGE OF ALLEGIANCE

- A. Presentation of Colors by Boy Scout Troop 300

The Pledge of Allegiance was led by Boy Scout Troop 300.

IV. APPROVAL OF AGENDA

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

GENERAL CONSENT: Hearing no objection, the agenda was approved as presented, by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

V. SPECIAL ORDERS OF THE DAY

A. Proclamation Presentation to Whole Hog or None Catering Services

Deputy Mayor Larson presented Glen and Mary Hamilton with a proclamation in support of Whole Hog Catering Service and wished them the best of luck representing Alaska at the upcoming national barbecue cook-off in Kansas City.

VI. COMMISSION AND AGENCY REPORTS

A. Planning Commission

Ms. Sandra Garley, Deputy Administrator:

- reported on the recent activities of the Wasilla Planning Commission.

B. Matanuska-Susitna Borough

No report was presented.

C. Greater Wasilla Chamber of Commerce

Ms. Cheryl Metiva, Executive Director:

- reported on the recent activities of the Greater Wasilla Chamber of Commerce.

VII. PUBLIC PARTICIPATION

A. Public Hearings

There were no public hearings scheduled.

B. Persons to be Heard

1. Mr. Art Kohanes

Mr. Kohanes:

- requested that the City maintain contact information for national franchises.

2. Ms. Robyn Hall, Executive Director, Wasilla Area Seniors Inc.

Ms. Hall:

- reported that Wasilla Area Seniors Inc. (WASI) is in financial trouble; and
- requested that the lobbyist for the City of Wasilla lobby the Governor and the Alaska State Legislature for funding for WASI in accordance with Resolution Serial No. 07-22.

3. Ms. Lois Wier, Board of Directors, Wasilla Area Seniors, Inc.

Ms. Wier:

- expressed her hope of a cooperative partnership between the City of Wasilla and Wasilla Area Seniors, Inc.

4. Bessie Miller, Board Member, Wasilla Area Seniors Inc.

Ms. Miller:

- thanked the City of Wasilla for the recent appropriation of \$50,000 to Wasilla Area Seniors Inc; and
- noted any financial assistance is greatly appreciated.

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: October 22, 2007
2. Special Meetings: October 22, 24, and 29, 2007

B. Introduction of Ordinances: Recommended for Public Hearing on December 10, 2007:

1. **Ordinance Serial No. 07-58:** Amending WMC 16.16.040, Procedure For Commission Approvals, To Require The Applicant To Post Notice Of The Commission Hearing, And To Reduce The Time For Oral Argument Before The Commission; And Amending WMC 16.34.060, Appeals To The Planning Commission, To Reduce The Time For Oral Argument Before The Commission.
2. **Ordinance Serial No. 07-60:** Approving A Zoning Of Recently Annexed Unzoned Property To I—Industrial For Approximately 65.98 Acres Located On Matanuska-Susitna Borough Tax Parcel A004, Within Section 13, Township 17 North, Range 1 West, Seward Meridian, Alaska.

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10. **Ordinance Serial No. 07-68:** Amending The FY-08 Budget By Appropriating From E-911 Surcharge Fund As An Alternative Revenue Source For Dispatch Services.

D. Resolutions

There were no resolutions scheduled for adoption on the Consent Agenda.

E. Action Memorandums

1. **AM No. 07-63:** Authorization For Purchase Of Three Public Works Vehicles From Nye Ford In The Amount Of \$85,145.
2. **AM No. 07-67:** Authorization For Three Year Closed End Lease Of A New 2007 Motor Grader From Construction Machinery, Inc., In The Amount Of \$4,265.57 Per Month.

The City Clerk read the Consent Agenda into the record.

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

VOTE: The motion to adopt the Consent Agenda passed unanimously with Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

IX. UNFINISHED BUSINESS

- A. **AM No. 07-60:** Appointment Of Ron Wendt To The Wasilla Parks And Recreation Commission. *(Clerk's Note: This AM needs to be postponed indefinitely.)*

PREVIOUS MOTION: Deputy Mayor Cox moved to adopt AM No. 07-60. *(Motion on the floor from the September 24, 2007, Regular City Council Meeting)*

MOTION: Council Member Menard moved to postpone AM No. 07-60 indefinitely.

VOTE: The motion to postpone AM No. 07-60 passed unanimously with Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

X. NEW BUSINESS

- A. **AM No. 07-66:** Directing An Independent Review Of The Meritage Development Plan. (Sponsored by Council Member Menard.)

MOTION: Council Member Menard moved to adopt AM No. 07-66.

Discussion ensued.

MOTION: Council Member Metiva moved a primary amendment as follows: to direct the firm of Birch, Horton, Bittner, & Cherot, to perform an independent review of the actions related to the business trips in Las Vegas this year, relating to City of Wasilla Personnel Policies and Procedures 06-28 and any related code.

Discussion continued and debate ensued.

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

VOTE: The motion to move the previous question passed with Council Members Holler, Massie, Menard, and Woodruff voting in favor and Deputy Mayor Larson and Council Member Metiva opposed.

VOTE: The primary amendment failed Council Member Metiva voting in favor and Deputy Mayor Larson and Council Members Holler, Massie, Menard, and Woodruff opposed.

MOTION: Council Member Menard moved to adopt AM No. 07-66 by adopting Option No. 1 as follows: To direct the firm of Birch, Horton, Bittner and Cherot, to perform an independent review to focus on the actions related to Meritage Development to include Creekside Town Square, Gateway Crossing, and other related business in relation to the City of Wasilla's involvement. The Council prefers the report to be completed no later than the February 11, 2008, Wasilla City Council meeting. The City Clerk shall assist with the review as needed by the attorney conducting the review.

Discussion followed and the City Attorney answered questions.

VOTE: The motion to adopt AM No. 07-66 by adopting Option No. 1 passed unanimously with Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

MOTION: Council Member Massie moved a primary amendment to the second sentence of AM No. 07-66 to read as follows: The questions [I] **we** wish to have answered through the review include the following, **but are not limited to:** *(Clerk note: language added is bold and underlined and language deleted in caps and brackets.)*

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

MOTION: Council Member Menard moved a primary amendment to direct Tom Klinkner, City Attorney to conduct the review.

Discussion followed.

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

Discussion followed and the Council directed the City Attorney to review the record and bring back a cost estimate for the independent review at the next regular meeting.

No objection was noted.

MOTION: Council Member Woodruff moved to postpone AM No. 07-66, as amended, to the December 10, 2007, Regular Meeting.

VOTE: The motion to postpone AM No. 07-66, as amended, passed unanimously with Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

- B. Sun Mountain Area Meetings. *(Clerk's Note: Need Council clarification to staff for future meetings to be scheduled on this topic.)*

Discussion ensued regarding the need for future meetings regarding the realignment of Sun Mountain Avenue.

The Deputy Administrator spoke about the process for executing a land exchange agreement which requires approval of the Council.

(Clerk note: No action was taken by the City Council on the subject of Sun Mountain Area Meetings.)

XI. COMMUNICATIONS

A. Information Memorandums

1. **IM No. 07-27:** Revisor of Ordinance Serial No. 07-57
2. **IM No. 07-28:** 2008 Holiday Schedule.

B. Commission Minutes

1. Planning Commission: October 9 and 23, 2007
2. Parks and Recreation Commission: September 8, 2007

No action was taken on the Communication items.

XII. AUDIENCE COMMENTS

Ms. Annette Andres, Owner, Windbreak Café:

- reported that a 10 acre parcel of land controlled by Meritage Development Group LLC along Cottonwood Creek, which was to be donated to the City of Wasilla for the purpose of creating a public greenbelt, has yet to be conveyed; and
- asked why the greenbelt has not been donated as stated in Resolution Serial No. 07-10.

Ms. Colleen Cottle:

- spoke about the need to prioritize budgeted funds to cover expenses related to the adoption of AM No. 07-66.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Deputy Mayor Larson read the following comments on behalf of Mayor Keller:

- Ms. Susan Colligan, Director of Finance has submitted her resignation;
- supports the adoption of AM No. 07-66; and
- encouraged establishing a finite budget for special projects prior to work commencing.

Ms. Kristie Smithers, City Clerk:

- reported the Joint Tri-Cities meeting scheduled for November 29 has been canceled because the city of Palmer will not have a quorum and staff is working to reschedule the meeting to January 2008;
- reviewed the upcoming council meeting schedule;
- noted that unless there is objection, a representative from the State of Alaska, Alcoholic Beverage Control Board, will attend the December 10, 2007, Special Meeting (no objection was noted);
- requested comments on proposed legislation regarding applications to relocate a liquor license into the city by November 30; and
- inquired about continuing the practice of the council reporting at borough assembly meetings.

Mr. Tom Klinkner, City Attorney:

- reported on the Master's award in the Lundgren eminent domain case;
- reported on labor organization issues;
- spoke about the suspension of Employee Relations Committee (ERC) meetings; and
- how ERC meetings may be reinstated in the future;

XIV. COUNCIL COMMENTS

Council Member Metiva:

- thanked the audience for attending;
- inquired about training for employees on the city's compensation system;
- inquired about the property sale to the Alaska Live Steamers;
- spoke in favor of the process for adopting AM No. 07-66; and
- thanked the Director of Finance for her service.

MOTION: Council Member Metiva moved to direct the Clerk to bring back samples of ethics policies and to schedule a work session in January to begin crafting an ethics policy.

VOTE: The motion passed without objection with Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

Council Member Woodruff:

- suggested recruitment through the Institute of Management Accounts for the positions of Deputy Director and Director of Finance;
- requested a status report on funds available in the finance department as the position of deputy director has been vacant for months;
- requested a status report from the Deputy Administrator on the 10-acre greenbelt donation of land along Cottonwood Creek from Meritage Development Group, LLC.

Council Member Menard:

- thanked the council for adopting AM No. 07-66;
- requested an ongoing report from the Community and Economic Development Department regarding permitted commercial developments;
- inquired about the land sale to Alaska Live Steamers;
- inquired about the transfer of ball fields from the Borough to the City; and
- commended the Deputy Mayor for successfully carrying out the duties of presiding officer.

Council Member Holler:

- encouraged employees to contact Council Members with concerns.

Council Member Massie:

- spoke in support of the adoption of AM No. 07-66.

Council Member Larson:

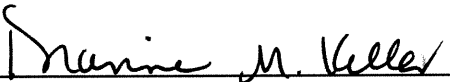
- thanked Ms. Cottle for her comments; and
- thanked the Director of Finance and Administrative Services for her service.

XV. EXECUTIVE SESSION

No executive session was held.

XVI. ADJOURNMENT

With no further business at hand, Deputy Mayor Larson adjourned the meeting at 9:05 p.m.


DIANNE M. KELLER
Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on December 10, 2007.