



**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

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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.**

**DECEMBER 10, 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. Airport Advisory Commission

C. Matanuska-Susitna Borough

D. Friends of Wasilla Public Library

E. John Bost, Mikunda Cottrell Re: Annual Audit Report

## VII. PUBLIC PARTICIPATION

### A. Public Hearings

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.

B. Persons to be Heard

**VIII. CONSENT AGENDA**

A. Minutes of Preceding Meetings:

1. Regular Meeting: November 26, 2007
2. Special Meeting: November 14, 2007

B. Introduction of Ordinances: Recommended for Public Hearing on January 14, 2008:

1. **Ordinance Serial No. 08-01:** Amending The FY-08 Police Department Budget By Accepting And Appropriating Funds From The Edward Byrne Memorial Justice Assistance Grant (JAG) In The Amount Of \$32,178 To Cover Equipment And Overtime For The Cities Of Wasilla And Palmer Investigators Assigned To The Alaska Bureau Of Alcohol And Drug Enforcement (ABADE) Mat-Su Unit.

- C. Resolutions
- D. Action Memorandums
  - 1. **AM No. 07-69:** Approval Of 2008 Regular City Council Meeting And Agenda Deadline Schedule.
  - 2. **AM No. 07-70:** Acceptance Of The City Of Wasilla's Fiscal Year 2007 Financial Statements For Public Record.

**IX. UNFINISHED BUSINESS**

- A. **AM No. 07-66:** Directing An Independent Review Of The Meritage Development Plan. (Sponsored by Council Member Menard.) *(Postponed from the November 26, 2007, Regular City Council Meeting.) (Amended motion on the floor to adopt.)*

**X. NEW BUSINESS**

- A. **AM No. 07-68:** Confirmation Of Clark Buswell And Robert Webb To The Planning Commission; Mary Shampine And Sarah Sanderlin To The Parks And Recreation Commission; Littleton Billingsley Jr. And Brian Carricaburu To The Airport Advisory Commission.

**XI. COMMUNICATIONS**

- A. Information Memorandums
- B. Commission Minutes
  - 1. Parks and Recreation Commission: October 10, 2007
  - 2. Airport Advisory Commission: October 16, 1007

**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, December 10, 2007, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Dianne M. Keller called the meeting to order at 7:08 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
- 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
- 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

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

**IV. APPROVAL OF AGENDA**

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

Council Member Menard requested to move AM No. 07-68 from the Consent Agenda to New Business.

No objection was noted.

**GENERAL CONSENT:** The agenda was approved, as amended, without objection by Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff.

## **V. SPECIAL ORDERS OF THE DAY**

There were no Special Orders.

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

### **A. Planning Commission**

Commissioner Stan Tucker:

- reported that Commissioner Gary Hall recently resigned from the Planning Commission;
- thanked Commissioner Hall for his service;
- talked about the recent activities of the Planning Commission to include the approval of a Conditional Use Permit for an institutional home and the approval of a Planned Unit Development on Elk Horn Drive; and
- reported that the Subdivision Re-write Committee continues to meet and will report their findings to the Planning Commission soon.

### **B. Airport Advisory Commission**

Commissioner Littleton Billingsley:

- reported on the success of a Wasilla Airport User Meeting held on November 28, 2007; and
- talked about the activities of the Airport Advisory Commission.

### **C. Matanuska-Susitna Borough**

No report was presented.

### **D. Friends of Wasilla Public Library**

Ms. Jeanne Troshynski, President:

- thanked the Council for not imposing library fees for non-city residents at the Wasilla Public Library;
- passed out articles on the economic benefits of libraries; and
- talked about upcoming events at the library.

E. John Bost, Mikunda Cottrell Re: Annual Audit Report

Mr. John Bost presented an overview of the Comprehensive Financial Report for FY-07 and answered questions from the Council. *(Clerk note: See page 13 for the adoption of AM No. 07-70, Acceptance of the City of Wasilla's Fiscal Year 2007 Financial Statements for public record.)*

## VII. PUBLIC PARTICIPATION

A. Public Hearings

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.

Mayor Keller opened the public hearing.

The following spoke in opposition to Ordinance Serial No. 07-58: Ms. Diana Straub and Ms. Annette Andres.

The following spoke in favor of Ordinance Serial No. 07-58: Mr. Stan Tucker.

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

MOTION: Council Member Menard moved to adopt Ordinance Serial No. 07-58.

Discussion moved to the Council.

MOTION: Council Member Woodruff moved a primary amendment to Section 3, Subsection 5.c: to strike three minutes and retain the current language of five minutes in regard to oral arguments before the commission for a private person supporting or opposing a proposal.

Discussion followed.

GENERAL CONSENT: The primary amendment passed without objection with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff in favor.

**MOTION:** Council Member Woodruff moved a primary amendment to amend Section 4, Subsection B.3: to strike three minutes and retain the current language of five minutes in regard to oral arguments before the commission for a private person supporting or opposing a proposal.

Discussion followed.

**GENERAL CONSENT:** The primary amendment passed without objection with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff in favor.

**VOTE:** The motion to adopt Ordinance Serial No. 07-58, as amended, passed unanimously with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

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.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-60 and there being no one who wished to present testimony the public hearing closed.

**MOTION:** Council Member Metiva moved to adopt Ordinance Serial No. 07-60.

Discussion followed.

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

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.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-61 and there being no one who wished to present testimony the public hearing closed.

Discussion followed.

**MOTION:** Council Member Menard moved to adopt Ordinance Serial No. 07-61.



VOTE: The motion to adopt Ordinance Serial No. 07-61 passed unanimously with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

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.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-62 and there being no one who wished to present testimony the public hearing closed.

MOTION: Council Member Metiva moved to adopt Ordinance Serial No. 07-62.

Discussion moved to the Council and questions were asked of the Deputy Administrator.

VOTE: The motion to adopt Ordinance Serial No. 07-62 passed unanimously with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

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.

Mayor Keller opened the public hearing.

The following spoke in opposition to Ordinance Serial No. 07-63: Ms. Annette Andres; Ms. Diana Straub; and Ms. Colleen Cottle.

The following spoke in favor of Ordinance Serial No. 07-63: Mr. Jim Sawhill, Engineer, Lounsbury & Associates, on behalf of the Meritage Development Group, LLC.

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

MOTION: Council Member Metiva moved to adopt Ordinance Serial No. 07-63.

Council Member Woodruff announced that she made a request of the Planning Commission to postpone action on WPC Resolution Serial No. 07-18. Council Member Woodruff reported she spoke with Mr. and Mrs. Andres (owners of Windbreak Café) on issues related to the development of Creekside Town Square by the Meritage Development Group.

The City Attorney reported that because Council Member Woodruff did not disclose a financial conflict of interest in regard to Ordinance Serial No. 07-63, Council Member Woodruff may participate in discussion and action of the ordinance.

Discussion followed.

**MOTION:** Council Member Menard moved to postpone Ordinance Serial No. 07-63 to the January 14, 2008, Regular City Council Meeting.

Discussion followed and debate ensued.

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

**VOTE:** The motion to move the previous question failed with Council Members Massie and Menard in favor and Deputy Mayor Larson and Council Members Holler, Metiva, and Woodruff opposed. *(Clerk note: four affirmative votes are required to carry any measure.)*

Discussion continued.

**VOTE:** The motion to postpone Ordinance Serial No. 07-63 to the January 14, 2008, Regular City Council Meeting failed with Council Members Holler, Massie, and Menard voting in favor and Deputy Mayor Larson, Council Members Metiva and Woodruff opposed. *(Clerk note: four affirmative votes are required to carry any measure.)*

Discussion continued.

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

**GENERAL CONSENT:** The motion to move the previous question passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

**VOTE:** The motion to adopt Ordinance Serial No. 07-63 passed with Deputy Mayor Larson, Council Members Holler, Metiva, and Woodruff voting in favor and Council Members Massie and Menard opposed.

Mayor Keller requested a recess.

No objection was noted.

The Council recessed beginning at 8:44 p.m. and reconvened at 9:02 p.m.

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.)

Mayor Keller opened the public hearing.

The following spoke in favor of Ordinance Serial No. 07-64: Ms. Diana Straub.

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

**MOTION:** Council Member Menard moved to adopt Ordinance Serial No. 07-64.

Discussion followed and debate ensued.

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

**GENERAL CONSENT:** The motion to move the previous question passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

**VOTE:** The motion to adopt Ordinance Serial No. 07-64 failed with Council Members Holler, Menard, and Woodruff voting in favor and Deputy Mayor Larson, Council Members Massie, and Metiva opposed. *(Clerk note: four affirmative votes are required to carry any measure.)*

7. **Ordinance Serial No. 07-65:** Amending The FY-08 Budget By Appropriating \$9,000 For Wasilla Airport Apron Phase 1C Engineering Design.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-65 and there being no one who wished to present testimony the public hearing closed.

**MOTION:** Council Member Woodruff moved to adopt Ordinance Serial No. 07-65.

**VOTE:** The motion to adopt Ordinance Serial No. 07-65 passed unanimously with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

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.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-66 and there being no one who wished to present testimony the public hearing closed.

**MOTION:** Council Member Woodruff moved to adopt Ordinance Serial No. 07-66.

**VOTE:** The motion to adopt Ordinance Serial No. 07-66 passed unanimously with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

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.)

Mayor Keller opened the public hearing.

The following spoke in favor of Ordinance Serial No. 07-67: Mr. Norman Fuller

The following spoke in opposition to Ordinance Serial No. 07-67: Ms. Anne Kilkenny; Ms. Colleen Cottle; and Ms. Diana Straub;

**MOTION:** Deputy Mayor Larson moved to adopt Ordinance Serial No. 07-67.

Discussion followed.

**MOTION:** Council Member Holler moved a primary amendment to Section 2, Subsection B, as follows: to strike 5:30 p.m. and insert 6 p.m. and to strike 1:30 a.m. and insert 1 a.m. and to strike 8-hour and insert 7-hour. Subsection B will read as follows: ... during the 7 [8]-hour period beginning 6 [5:30] p.m. Alaska Standard Time on December 31 and ending at 1: 0 [3] 0 a.m. ... (*Clerk note: bold and underline is language added, CAPS and brackets is language deleted.*)

Discussion followed.

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

Discussion continued.

MOTION: Council Member Holler moved a primary amendment to Section 2, to add another Subsection as B.5 to read as follows: **On lakes within City limits.** (Clerk note: bold and underline is language added.)

Discussion continued.

GENERAL CONSENT: The primary amendment passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

MOTION: Council Member Menard moved a primary amendment to Section 2, Subsection B.5 to read as follows: On lakes **and waterways** within City limits. (Clerk note: bold and underline is language added.)

GENERAL CONSENT: The primary amendment passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

Discussion continued.

MOTION: Council Member Metiva moved a primary amendment to Section 2, Subsection B.5 to read as follows: On **or within 50 feet of** lakes and waterways within City limits. (Clerk note: bold and underline is language added.)

GENERAL CONSENT: The primary amendment passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

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

GENERAL CONSENT: The motion to move the previous question passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

MOTION: Deputy Mayor Larson moved a primary amendment to Section 2, Subsection B, to add Subsection 6 to read as follows: **Or within any public roads or right of ways.**

Discussion followed.

GENERAL CONSENT: The primary amendment passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

MOTION: Council Member Massie moved to postpone to Ordinance Serial No. 07-67 to the January 14, 2008, Regular Council Meeting.

Discussion followed.

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

VOTE: The motion to move the previous question failed Council Members Menard and Woodruff voting in favor and Deputy Mayor Larson, Council Members Holler, Massie, and Metiva opposed. *(Clerk note four affirmative votes are required to carry any measure.)*

Discussion continued.

VOTE: The motion to postpone Ordinance Serial No. 07-67 failed with Council Members Massie, Menard, and Woodruff voting in favor and Deputy Mayor Larson, Council Members Holler, and Metiva opposed.

Discussion continued.

MOTION: Deputy Mayor Larson moved a primary amendment to Section 2, Subsection B, to insert language after the word permit to read as follows: ... without permit **on private property the permission of the property owner** during the 7-hour period ... and to strike all language after January 1, as follows: [EXCEPT IN THESE RESTRICTED AREAS: 1. CITY PARKS; 2. WITHIN 500 FEET OF ANY HEALTH CARE FACILITY OR ASSISTED LIVING FACILITY, LIBRARY, SCHOOL OR PLACE OF WORSHIP; 3. WITHIN 500 FEET OF ANY AUTOMOTIVE SERVICE STATION OR OTHER PREMISES WHERE FLAMMABLE LIQUIDS OR GASES ARE STORED; OR 4. WITHIN OR FROM ANY STRUCTURE OR VEHICLE; 5. ON OR WITHIN 50 FEET OF LAKES AND WATERWAYS WITHIN CITY LIMITS; 6. OR WITHIN ANY PUBIC ROADS OR RIGHT OF WAYS.] *(Clerk note: bold and underline is language added, CAPS and brackets is language deleted.)*

Discussion followed.

GENERAL CONSENT: The primary amendment passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

MOTION: Deputy Mayor Larson moved a primary amendment Section 2, Subsection B, to insert after the word January 1 the words **except in these restricted areas**; and to amend subsections 1 through 6 as follows: [1. CITY PARKS;] **1** [2]. Within [500] **250** feet of any health care facility or assisted living facility, library, school or place of worship; **2** [3]. Within 500 feet of any automotive service station or other premises where flammable liquids or gases are stored; or **3** [4]. Within or from any structure or vehicle; **4** [5]. On or within 50 feet of lakes and waterways within City limits [;6. OR WITHIN ANY PUBIC ROADS OR RIGHT OF WAYS]. (Clerk note: bold and underline is language added, CAPS and brackets is language deleted.)

Discussion followed.

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

GENERAL CONSENT: The motion to move the previous question passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

VOTE: The primary amendment passed without objection by Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff.

Discussion followed.

MOTION: Deputy Mayor Larson moved a primary amendment to Section 2, to add Subsection C, as follows: **Permission to discharge fireworks in subsection B will not apply during any period when the State Division of Forestry has a ban on open burning in effect.** (Clerk note: bold and underline is language added.)

VOTE: The primary amendment passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

VOTE: The main motion to adopt Ordinance Serial No. 07-67, as amended, passed with Deputy Mayor Larson, Council Members Holler, Massie, Metiva, and Woodruff voting in favor and Council Menard opposed.

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.

Mayor Keller opened the public hearing on Ordinance Serial No. 07-68 and there being no one who wished to present testimony the public hearing closed.

**MOTION:** Council Member Metiva moved to adopt Ordinance Serial No. 07-68.

**VOTE:** The motion to adopt Ordinance Serial No. 07-68 passed unanimously with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

**B. Persons to be Heard**

Ms. Cheryl Metiva, Director, Greater Wasilla Chamber of Commerce (GWCC):

- thanked the Council for their dialog this evening;
- thanked the Recreation and Cultural Services Manager for securing funds from MTA to sponsor a fireworks show for the GWCC on New Year's Eve; and
- thanked Susan Colligan, Director of Finance, for her service to the City.

Ms. Annette Andres, Owner, Windbreak Café:

- congratulated the Director of Finance on the audit report;
- reported the light pole in front of the Windbreak Café has been out of service for quite some time; and
- commented on statements made by Mayor Keller to the media in regards to the development process.

Ms. Julie Cander:

- expressed concern about accusations made questioning the integrity of Mayor Keller in regards to the development of Creekside Town Square by Meritage Development Group; and
- expressed support for Mayor Keller.

**VIII. CONSENT AGENDA**

**A. Minutes of Preceding Meetings:**

1. Regular Meeting: November 26, 2007
2. Special Meeting: November 14, 2007



B. Introduction of Ordinances: Recommended for Public Hearing on January 14, 2008:

1. **Ordinance Serial No. 08-01:** Amending The FY-08 Police Department Budget By Accepting And Appropriating Funds From The Edward Byrne Memorial Justice Assistance Grant (JAG) In The Amount Of \$32,178 To Cover Equipment And Overtime For The Cities Of Wasilla And Palmer Investigators Assigned To The Alaska Bureau Of Alcohol And Drug Enforcement (ABADE) Mat-Su Unit.

C. Resolutions

D. Action Memorandums

1. **AM No. 07-69:** Approval Of 2008 Regular City Council Meeting And Agenda Deadline Schedule.
2. **AM No. 07-70:** Acceptance Of The City Of Wasilla's Fiscal Year 2007 Financial Statements For Public Record.

The City Clerk read the Consent Agenda into the record.

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

GENERAL CONSENT: The motion passed without objection.

## IX. UNFINISHED BUSINESS

- A. **AM No. 07-66:** Directing An Independent Review Of The Meritage Development Plan. (Sponsored by Council Member Menard.) (*Postponed from the November 26, 2007, Regular City Council Meeting.*) (*Amended motion on the floor to adopt.*)

Mayor Keller relinquished the gavel to Deputy Mayor Larson noting she was doing so in an effort to dispel public perception of undue influence over the adoption of AM No. 07-66.

MOTION: Direct Thomas Klinkner with 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. *(Clerk note: Motion on the floor from the November 26, 2007, Regular City Council Meeting.*

Discussion followed.

MOTION: Council Member Menard moved to extend the meeting past 11 p.m. in accordance with WMC 2.04.060.D

GENERAL CONSENT: The motion passed without objection.

Discussion continued.

MOTION: Council Member Menard moved a primary amendment to strike Option Number 1, and insert the following language: **Direct the purchasing and contracting officer to solicit RFPs with a law firm, 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. RFPs to be due by February 11, 2008 and to be reviewed by the City Council. The City Clerk shall assist with the review as needed by the attorney conducting the review.**

VOTE: The main motion to adopt AM No. 07-65, as amended, passed unanimously with Deputy Mayor Larson, Council Members Holler, Massie, Menard, Metiva, and Woodruff voting in favor.

Deputy Mayor Larson relinquished the gavel back to Mayor Keller.

## X. NEW BUSINESS

- A. **AM No. 07-68:** Confirmation Of Clark Buswell And Robert Webb To The Planning Commission; Mary Shampine And Sarah Sanderlin To The Parks And Recreation Commission; Littleton Billingsley Jr. And Brian Carricaburu To The Airport Advisory Commission.

MOTION: Council Member Menard moved to adopt AM No. 07-68.

The Council invited the prospective appointees to come forward.

Mr. Littleton Billingsley Jr.:

- introduced himself and talked about his experience in the aviation industry and serving on the Airport Advisory Commission.

Ms. Mary Shampine:

- introduced herself and talked about her experience in serving on the Parks and Recreation Commission.

Ms. Sarah Sanderlin:

- introduced herself and spoke about her work experience and her interest in parks and recreational opportunities.

MOTION: Council Member Menard moved to divide the question into three parts as follows: 1) to consider all reappointments; 2) to consider the appointment of Ms. Sanderline; 3) to consider the appointment of Mr. Buswell and Web.

GENERAL CONSENT: The motion to divide the question passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

MOTION: Council Member Menard moved to confirm the appointment of Littleton Billingsley Jr. And Brian Carricaburu To The Airport Advisory Commission.

GENERAL CONSENT: The motion passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

MOTION: Deputy Mayor Larson moved to confirm the appointment of Sarah Sanderlin to the Parks and Recreation Commission.

GENERAL CONSENT: The motion passed without objection by Deputy Mayor Larson and Council Members Holler, Massie, Menard, Metiva, and Woodruff.

MOTION: Council Member Menard moved to confirm the appointment of Clark Buswell and Robert Webb to the Planning Commission.

TIE VOTE: The motion failed in a tie vote with Deputy Mayor Larson and Council Members Holler and Metiva voting in favor and Council Members Massie, Menard and Woodruff opposed. Mayor Keller chose to invoke her voting privilege in the affirmative causing the **motion to pass**.

## **XI. COMMUNICATIONS**

A. Information Memorandums

B. Commission Minutes

1. Parks and Recreation Commission: October 10, 2007
2. Airport Advisory Commission: October 16, 1007

## **XII. AUDIENCE COMMENTS**

No comments were made.

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

Mr. Tom Klinkner, City Attorney:

- thanked the Council for adopting Ordinance Serial No. 07-66; and
- spoke about the remaining elements of the Lundgren Eminent Domain Case.

Ms. Kristie Smithers, City Clerk:

- noted the 2008 Mat-Su Assembly Meeting sign up sheet was circulated this evening;
- highlighted the upcoming council meeting schedule; and
- asked if there was objection to moving the January 7, 2008, Special Meeting to January 9, 2008, as requested by Council Member Menard (no objection was raised).

Mayor Keller:

- noted she distributed a written report to the Council;
- reported the recent passing of former Wasilla Mayor Ken DeCamp; and
- wished everyone a happy holiday season.

Mayor Keller requested the Deputy Administrator give an update on collective bargaining efforts.

Ms. Sandra Garley reported on applications for collective bargaining representation pending before the Alaska Relations Agency.

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

Council Member Woodruff:

- asked about the inoperative street light in front of the Windbreak Café;
- expressed concern with the appointment of Mr. Buswell and Mr. Webb to the Planning Commission;
- mentioned online litigation records that may involve the Meritage Development Group;
- spoke about the need for the creation of neighborhood plans; and
- asked the Public Works Director to clarify utility agreements between the City of Wasilla and Meritage Development for Creekside Town Square.

Council Member Larson:

- thanked the audience for attending the meeting.

Council Member Massie:

- thanked the audience for attending the meeting.

Council Member Holler:

- thanked the audience for attending the meeting.

Council Member Menard:

- spoke about the process for appointments to city commissions;
- inquired about lighting at the Iditapark skating rink; and
- announced the passing of longtime Mat-Su Valley resident Fraizer Smtih.

Council Member Metiva:

- thanked everyone for attending the employee holiday party;
- thanked the audience for attending the meeting; and
- talked about the legislative function of the council and challenges faced with the upcoming budget.

#### **XV. EXECUTIVE SESSION**

No executive session was held.

**XVI. ADJOURNMENT**

With no further business at hand, Mayor Keller, adjourned the meeting at 11:58 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 January 14, 2008