

*presented w/ Reso 98-22
6/22/98*

WASILLA CITY COUNCIL INFORMATION MEMORANDUM

IM No 98-61

SUBJECT: REPEAL OF RESOLUTION SERIAL NO. 97-08, MANAGER PLAN OF GOVERNMENT

REQUESTED BY: Council Member Chappel

PREPARED BY: K. VanGorder, City Clerk

DATE: June 16, 1998

FOR AGENDA OF: June 22, 1998

SUMMARY:

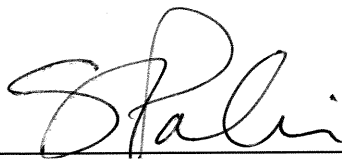
Mr. Ken Jacobus has prepared the attached memorandum regarding the city manager plan of government. Based on his recommendation, Resolution Serial No. 98-22 is before you for your consideration, which repeals Resolution Serial No. 97-08, adopted on March 24, 1997.

Ordinance Serial No. 98-32 is presented to you under separate cover for your consideration which places the city manager plan of government on the fall election ballot.

FISCAL IMPACT: No Yes, amount requested: \$ Fund:

RECOMMENDED ACTION: Consideration of Resolution Serial No. 98-22.

MAYOR REVIEW/COMMENT:



Reviewed by: SARAH PALIN, Mayor

Attachments: Opinion from Ken Jacobus dated May 18, 1998, and Resolution Serial No. 97-08

LAW OFFICES OF
KENNETH P. JACOBUS, P.C.

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ANCHORAGE, ALASKA 99501-2140
TELEPHONE (907) 277-3333
FAX (907) 278-4848

VIA FAX 1-907-373-9096
ORIGINAL DELIVERED

May 18, 1998

Office of the Mayor
Attn: John Cramer
290 East Herning Avenue
Wasilla AK 99654-7091

Re: Resolution No. WR97-08
City Manager Form of Government

Dear Mr. Cramer,

I have reviewed Resolution Number WR97-08, which is ambiguous in that it does not set a definite date for the implementation of the plan, and probably violates AS 29.20.480 which requires the adoption of the plan within 60 days of voter approval.

I recommend that the City Council enact a resolution repealing Resolution Number WR97-08. This resolution could be drafted by the City Clerk.

I also recommend that a second resolution be prepared in accord with AS 29.20.460-.480. This resolution should state:

WHEREAS, the Wasilla City Council desires to place the adoption of a city manager plan before the voters of Wasilla in accord with AS 29.20.470;

NOW THEREFORE BE IT RESOLVED that the City Clerk shall place the manager plan of government before the voters of the City of Wasilla at the regular election of Tuesday, October 6, 1998, for acceptance or rejection, in the form of the following question:

"Shall a Manager Plan of Government be adopted for the City of Wasilla, with the Manager Plan to be adopted by ordinance within 60 days of the certification of the results of this election?"

Blocks should then be inserted for yes and no votes.

This letter is not intended to make any recommendation on what form of government is most appropriate for the City of Wasilla. This is a policy decision to be made by the Council and the

RECEIVED

MAY 18 1998

CITY OF WASILLA, ALASKA

LAW OFFICES OF
KENNETH P. JACOBUS, P.C.

John Cramer
May 18, 1998
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voters. If the question is going to be submitted to the voters, however, it should be submitted in a form that will comply with the Alaska Statutes and cause the least legal difficulty.

If you have any particular questions, please let me know.

Very truly yours,

KENNETH P. JACOBUS, P.C.

By 

Kenneth P. Jacobus

KPJ:me

cc Kristie VanGorder, Via Fax 907-373-9065



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-9085

Requested by: Councilman Carney
Prepared by: Clerk's Office

RESOLUTION NO. WR97-08

A RESOLUTION OF THE COUNCIL OF THE CITY OF WASILLA, ALASKA DIRECTING THE CITY CLERK TO PLACE A MANAGER PLAN OF GOVERNMENT ON THE BALLOT AS PROPOSITION NO. 1 AT THE OCTOBER 6, 1998 REGULAR ELECTION.

WHEREAS; the Wasilla City Council desires to ascertain the wishes of the voters on adopting a Manager Plan of Government;

NOW THEREFORE BE IT RESOLVED, that the Wasilla City Council directs the City Clerk to place the Manager Plan of Government question before the voters at the regular election of Tuesday, October 6, 1998 to decide the following question:

"Shall a Manager Plan of Government be adopted to be implemented upon the conclusion of the current Mayor's term of office"?

Yes

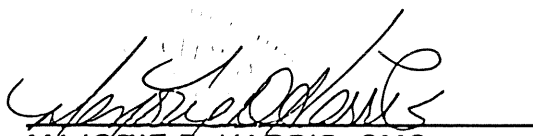
No

I certify that a resolution in substantially the above form was passed by a majority of those voting at a duly called and conducted meeting of the governing body of the City of Wasilla this 24th day of March, 1997.

APPROVED:


SARAH H. PALIN, MAYOR

ATTEST:


MAJORIE D. HARRIS, CMC
City Clerk

(SEAL)