

presented by Ord 98-32
6-22-98
7-13-98
H.

WASILLA CITY COUNCIL INFORMATION MEMORANDUM

IM No. 98-62

**SUBJECT: PLACING THE QUESTION OF MANAGER PLAN OF GOVERNMENT
ON THE OCTOBER 6, 1998, REGULAR CITY ELECTION BALLOT**

PREPARED BY: Kristie VanGorder, City Clerk DATE: June 16, 1998

FOR AGENDA OF: June 22, 1998

SUMMARY:

Resolution Serial No. 97-08 was adopted on March 24, 1997. Our attorney Ken Jacobus has requested you to repeal Resolution Serial No. 97-08 with the adoption of Resolution Serial No. 98-22 on the agenda of June 22, 1998.

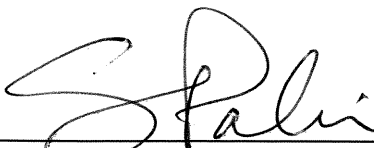
Ordinance Serial No. 98-32 is before you for your consideration to correct the wording originally adopted in Resolution Serial No. 97-08. Adoption of Ordinance Serial No. 98-32 will place the question of a manager plan of government before the voters at the upcoming fall election.

The attached legal opinion from Mr. Jacobus states that a new resolution should be prepared placing the question before the voters. After discussions with Mr. Jacobus it was concluded that an ordinance would be more appropriate to place the question before the voters and give the public an opportunity to speak to the issue.

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

RECOMMENDED ACTION: Consideration of Ordinance Serial No. 98-32.

MAYOR REVIEW/COMMENT:



Reviewed by: SARAH PALIN, Mayor

Attachments: Legal Opinion from Ken Jacobus dated May 18, 1998

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

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VIA FAX 1-907-373-9096
ORIGINAL DELIVERED

May 18, 1998

RECEIVED

MAY 18 1998

CITY OF WASILLA, ALASKA

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

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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