

**CITY OF WASILLA  
RESOLUTION SERIAL NO. 08-27**

**A RESOLUTION OF THE WASILLA CITY COUNCIL REQUESTING THE IMMEDIATE  
RESIGNATION OF MAYOR DIANNE M. KELLER FROM ELECTED OFFICE.**

WHEREAS, the Wasilla City Council commissioned the Denali Law Group to conduct an independent review of the development process and the activities of the parties involved in the development of two parcels located adjacent to the Parks Highway in Wasilla; and

WHEREAS, in the opinion of the Denali Law Group there was inappropriate behavior by City employees in their assistance with the development of the properties; and

WHEREAS, in the opinion of the Denali Law Group it appears the conduct violated criminal statues such that a charge of attempted coercion may apply; and

WHEREAS, there were communications with members of the development team that were not made part of the public discourse; and

WHEREAS, in the opinion of the Denali Law Group there was wrongdoing; and

WHEREAS, in the opinion of the Denali Law Group there was unfair favoritism given to the developer over other businesses in the area; and

WHEREAS, the Denali Law Group believes the Mayor's behavior was inappropriate regarding her letter of August 24, 2007; and

WHEREAS, the intent of the August 24, 2007 letter was to compel or coerce property owners affected by the Hermon Road traffic circulation plan to enter into private negotiations with the developer to sell their property; and

WHEREAS, prior to August 24, 2007 affected property owners were assured in a letter dated May 11, 2007 from the City's Public Works Director that the city would only support the Hermon Road traffic circulation plan if 100 percent of the property owners on any one segment were in agreement with the plan; and

WHEREAS, in June 2007 affected property owners were reassured that the Hermon Road traffic circulation plan had been abandoned; and

WHEREAS, neither the Mayor, her staff, the Alaska Department of Transportation, nor the Matanuska-Susitna Borough attempted to demonstrate either a current or future safety hazard to the property owners and the public at large that was sufficient to warrant the taking of private property and did not work with the property owners to consider all the possible alternatives prior to threatening the use of eminent domain; and

WHEREAS, the power of eminent domain should be used only as a last resort when all other alternatives have been exhausted and the public good clearly outweighs the rights of the private property owners and should not be used to advance the interests of one private property owner over those of another private property owner; and

WHEREAS, even if the City did not intend to act on its threat of eminent domain, these property owners were placed at a tremendous psychological disadvantage in their efforts to either bargain for the best price for their property with the developer or to maintain possession of their private property at a great economic loss.

NOW THEREFORE BE IT RESOLVED, that the citizens of the City of Wasilla expect fair, honest and open government;

BE IT FURTHER RESOLVED, that the Wasilla City Council finds the actions of Mayor Dianne M. Keller reprehensible in regard to the development of two properties located adjacent to the Parks Highway; and

BE IT FURTHER RESOLVED, that the Wasilla City Council requests the immediate resignation of Mayor Dianne M. Keller from elected office.

ADOPTED by the Wasilla City Council on June 30, 2008.

  
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DIANNE M. KELLER, Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC  
City Clerk

[SEAL]