

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.

JULY 14, 2008

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

A. Presentation To Arbor Day Contest Winner Miss Emily McManus

VI. COMMISSION AND AGENCY REPORTS

A. Matanuska-Susitna Borough

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 08-31:** To Amend The FY-08 Library Budget By Accepting And Appropriating \$1,500 From The Alaska State Library First Time Public Library Association Conference Attendee Grant Funded By Federal Monies From The Institute For Museum And Library Services.

2. **Ordinance Serial No. 08-32:** To Amend The FY-09 Police Department Budget By Appropriating From The State Of Alaska Department Of Transportation Funds In An Amount Up To \$50,000 For Construction Zone Enforcement.

B. Persons to be Heard

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: June 23, 2008
2. Special Meetings: June 23, 2008

B. Introduction of Ordinances: Recommended for Public Hearing on July 28, 2008:

1. **Ordinance Serial No. 08-29:** Amending WMC 1.04.010 To Delete Unused Or Obsolete Definitions And To Revise And Consolidate Other Definitions Of Terms Used In The Wasilla Municipal Code; Amending WMC 3.45.010, 4.04.010, 5.08.010, 5.12.010, 5.16.020, 6.16.010, 7.04.010, 9.04.010, 10.12.010, 12.16.010, 12.20.010, 12.24.015, 13.04.010, 13.08.010, 13.12.010, 13.16.010, 13.20.010, 13.24.010, 16.04.070 And 16.36.010 To Add Or Revise Definitions Pertinent To WMC Titles 3, 4, 5, 6, 7, 9, 10, 12, 13 And 16 Respectively, And Amending WMC 7.04.020 To Provide That The Term "City" In WMC Title 7 Includes The City's Animal Control Contractor.
2. **Ordinance Serial No. 08-30:** Adopting WMC 6.08.050, Short Term Vendor Permit, To Permit Vendor Operations Limited To Seven Consecutive Days; Amending WMC 6.08.060.A, Application For Permit, To Establish A Twenty Five Dollar (\$25.00) Permit Fee For A Short Term Vendor Permit; Amending WMC 6.08.080, Operating Requirements, To Refer To The General Park Rules In WMC 12.24.025; And Amending WMC 12.24.025, General Rules, And WMC 12.25.030, Park Use Permits, To Make Vendors In City Parks Subject To The Vendor Permit Requirements In WMC Chapter 6.08.

3. **Ordinance Serial No. 08-33:** Amending The FY-08 Budget By Transferring Funds In The Amount Of \$78,000 For Costs Associated With The Water Fund.
4. **Ordinance Serial No. 08-34** Amending WMC 2.12.005 Definitions, Adopting WMC 2.12.015 Employment Of City Officers, And Repealing WMC 2.04.050 Prohibition. (Sponsored by Council Member Woodruff)
5. **Ordinance Serial No. 08-35:** Amending The FY-09 Police Department Budget By Accepting And Appropriating Funds From The Division Of Juvenile Justice Youth Courts/Community Panels In The Amount Of \$45,000 To Cover Personnel Services In The Mat-Su Youth Court Program.

C. Resolutions

1. **Resolution Serial No. 08-23:** Approving The Distribution Of A Discretionary Bonus To Eligible Employees.
2. **Resolution Serial No. 08-25:** Authorizing The Mayor To Execute A Grant Agreement In The Amount Of \$724,500 With The State Of Alaska Department Of Environmental Conservation For The Mission Hills Water Main Extension.

D. Action Memorandums

1. **AM No. 08-43:** Award Of A Five (5) Year Contract To Big Dipper Construction Of Wasilla For Equipment Rental With Operator Services In The Amount Of \$266,000 Per Year.
2. **AM No. 08-46:** Award Of A One (1) Year Contract To Alaska Public Entity Insurance, Swett And Crawford And Ace Property And Casualty Insurance Company Through Combs Insurance Agency, Inc., For Insurance Coverage In The Amount Of \$568,645 For 2009 Fiscal Year.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

- A. **AM No. 08-44:** Directing Staff To Prepare Resolutions Censuring Two City Employees And One Former City Employee In Response To The Report Of Findings By The Denali Law Group Regarding The Development Process And The Parties Involved In The Development Of Two Parcels Located Adjacent To The Parks Highway In Wasilla. (Sponsored by Council Member Woodruff)
- B. **AM No. 08-45:** Vacation Of South Maney Drive Between Tracts C And E Of Creekside Town Square.

XI. COMMUNICATIONS

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, July 14, 2008, at the Wasilla City Council Chambers, Wasilla, Alaska. In the absence of Mayor Dianne M. Keller and Deputy Mayor Kristofer Larson, Ms. Kristie Smithers, City Clerk, called the meeting to order at 7 p.m. *(Clerk note: In accordance with parliamentary procedure the secretary (city clerk) calls the meeting to order in the absence of the Presiding Officer and Deputy Presiding Officer (mayor and deputy mayor)).*

The City Clerk stated that in accordance with parliamentary procedure the first item of business will be the appointment of a presiding officer.

MOTION: Council Member Metiva moved to appoint Council Member Menard as the Presiding Officer.

GENERAL CONSENT: The motion passed without objection by Council Members Massie, Menard, Metiva, and Woodruff. *(Clerk note: Deputy Mayor Larson and Council Member Holler were absent and excused.)*

II. ROLL CALL

Council Members present and establishing a quorum were:

- Ms. Stephanie Massie, Seat A
- Mr. Steve Menard, Seat C
- Mr. Marty Metiva, Seat D
- Ms. Dianne Woodruff, Seat E

Council Member Menard noted that Mayor Dianne M. Keller, Deputy Mayor Kristofer Larson, Seat F, and Council Member Doug Holler, Seat B were absent excused, unless objection was noted. No objection was noted.

Staff in attendance were:

- Ms. Kristie Smithers, City Clerk
- Ms. Jamie Newman, Deputy Clerk
- Mr. Tom Klinkner, City Attorney
- Mr. Archie Giddings, Director of Public Works
- Ms. Angella Long, Police Chief
- Ms. Cheryl Deariso, Chief Financial Officer
- Mr. Bruce Urban, Recreation and Cultural Services Manager
- Mr. Marvin Yoder, Interim Deputy Administrator

III. PLEDGE OF ALLEGIANCE

A. Presentation of Colors By Boy Scout Troop 300

Boy Scout Troop 300 led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Council Member Menard asked if there were changes to the agenda as presented. No adjustments were noted.

GENERAL CONSENT: The agenda was approved as presented by Council Members Massie, Menard, Metiva, and Woodruff. *(Clerk note: Deputy Mayor Larson and Council Member Holler were absent and excused.)*

V. SPECIAL ORDERS OF THE DAY

A. Presentation To Arbor Day Contest Winner Miss Emily McManus

Council Member Menard presented Miss Emily McManus with a \$1,000 savings bond for drawing the first place poster in the Arbor Day contest.

VI. COMMISSION AND AGENCY REPORTS

A. Matanuska-Susitna Borough

No report was presented.

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 08-31:** To Amend The FY-08 Library Budget By Accepting And Appropriating \$1,500 From The Alaska State Library First Time Public Library Association Conference Attendee Grant Funded By Federal Monies From The Institute For Museum And Library Services.

Council Member Menard opened the public hearing on Ordinance Serial No. 08-31 and there being no one who came forward to present testimony the public hearing closed.

MOTION: Council Member Woodruff moved to adopt Ordinance Serial No. 08-31.

VOTE: The motion to adopt Ordinance Serial No. 08-31, passed unanimously, with Council Members Massie, Menard, Metiva, and Woodruff voting in favor. *(Clerk note Deputy Mayor Larson and Council Member Holler was absent and excused.)*

2. **Ordinance Serial No. 08-32:** To Amend The FY-09 Police Department Budget By Appropriating From The State Of Alaska Department Of Transportation Funds In An Amount Up To \$50,000 For Construction Zone Enforcement.

Council Member Menard opened the public hearing on Ordinance Serial No. 08-32 and there being no one who came forward to present testimony the public hearing closed.

MOTION: Council Member Metiva moved to adopt Ordinance Serial No. 08-32.

VOTE: The motion to adopt Ordinance Serial No. 08-32, passed unanimously, with Council Members Massie, Menard, Metiva, and Woodruff voting in favor. *(Clerk note Deputy Mayor Larson and Council Member Holler was absent and excused.)*

B. Persons to be Heard

1. Mike Combs, President, Combs Insurance Agency

Mr. Combs:

- noted he serves as the Risk Manager for the City of Wasilla;
- advised the Council to defeat AM No. 08-44 as it will not cure any wrongdoing that may have taken place in regard to the development of two parcels adjacent to the Parks Highway (IM No. 08-16); and
- stated that the adoption of AM No. 08-44 may expose the City of Wasilla to litigation.

2. Steve Stoll

Mr. Stoll:

- spoke about a discrepancy in the valuation of the Multi-Use Sports Complex property;
- presented a spreadsheet to the city attorney detailing the discrepancy;
- requested that the city attorney look into the matter; and
- encouraged the city to properly care for the trees in local parks and along the Parks Highway.

3. Rob Webb, Wasilla Planning Commissioner

Commissioner Webb:

- reported work continues on the subdivision re-write committee; and
- talked about recent permit applications reviewed by the planning commission.

4. Cheryl Metiva, Executive Director, Wasilla Chamber of Commerce

Ms. Metiva:

- spoke about the 2008 Mat-Su Governor's Picnic scheduled to take place July 18, 2008, at Iditapark; and
- requested continued funding of the Greater Wasilla Convention and Visitors Bureau.

5. Ms. Dixie Banner

Ms. Banner:

- spoke about the need for the establishment of professional jobs in the City of Wasilla; and
- expressed concern about the high cost of gas and the effect on commuters.

6. Diana Straub

Ms. Straub:

- requested the resignation of Mayor Dianne M. Keller;
- shared a personal experience with Mayor Keller; and
- noting Mayor Keller is well aware of the definition of coercion.

7. Colleen Cottle

Ms. Cottle:

- questioned if testimony by Mr. Combs of Combs Insurance Agency was requested by Mayor Keller;
- expressed concern that AM No. 08-45 was not reviewed by the Planning Commission; and
- stated she hopes Mayor Keller is not using the city vehicle for personal use.

8. Karl Lund

Mr. Lund:

- spoke in support of AM No. 08-44; and
- noted Mayor Keller has not always acted impartially and ethically in accordance with the Oath of Office she took.

9. Verne Rupright

Mr. Rupright:

- encouraged the Council to work with local jurisdictions to petition Governor Sarah Palin supporting the construction of a light rail transit system between the Mat-Su Valley and Anchorage; and
- talked about the economic benefits of a light rail transit system.

VIII. CONSENT AGENDA

- A. Minutes of Preceding Meetings:
1. Regular Meeting: June 23, 2008
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- B. Introduction of Ordinances: Recommended for Public Hearing on July 28, 2008:
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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 by Council Members Massie, Menard, Metiva, and Woodruff. *(Clerk note: Deputy Mayor Larson and Council Member Holler were absent and excused.)*

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. NEW BUSINESS

- A. **AM No. 08-44:** Directing Staff To Prepare Resolutions Censuring Two City Employees And One Former City Employee In Response To The Report Of Findings By The Denali Law Group Regarding The Development Process And The Parties Involved In The Development Of Two Parcels Located Adjacent To The Parks Highway In Wasilla. (Sponsored by Council Member Woodruff)

MOTION: Council Member Woodruff moved to adopt AM No. 08-44.

Discussion followed and debate ensued.

VOTE: The motion to adopt AM No. 08-44 failed with Council Member Woodruff voting in favor and Council Members Massie, Menard, and Metiva opposed. *(Clerk note: Deputy Mayor Larson and Council Member Holler were absent and excused.)*

- B. **AM No. 08-45:** Vacation Of South Maney Drive Between Tracts C And E Of Creekside Town Square.

MOTION: Council Member Metiva moved to adopt AM No. 08-45.

Discussion followed.

MOTION: Council Member Metiva moved to postpone AM No. 08-45 to the next regular meeting of July 28, 2008, and to remand to the Planning Commission.

GENERAL CONSENT: The motion to postpone AM No. 08-45 to the next regular meeting of July 28, 2008, passed without objection by Council Members Massie, Menard, Metiva, and Woodruff. *(Clerk note: Deputy Mayor Larson and Council Member Holler were absent and excused.)*

XI. COMMUNICATIONS

No items were scheduled under communications.

XII. AUDIENCE COMMENTS

Ms. Diana Straub:

- encouraged the council to sponsor another action item to express that unethical behavior from city employees or elected officials will not be tolerated.

Ms. Dixie Banner:

- stated the council needs to make sure all city officials implicated in the Denali Law Report (IM No. 08-16) be held accountable for their actions.

Ms. Connie Shuey:

- commended Council Member Woodruff for her hard work and effort; and
- stated the council needs to hold all city officials implicated in the Denali Law Report accountable for their actions; and
- stated public servants should be held to the highest ethical standards.

Mr. Karl Lund:

- expressed disappointment with the defeat of AM No. 08-44; and
- shared his frustration with city officials.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Ms. Kristie Smithers, City Clerk:

- noted the candidate filing period opens Monday, July 21, 2008, at 8 a.m.

Mr. Tom Klinkner, City Attorney:

- noted he will refer the Denali Law Report, as directed by the Council on June 30, 2008, to law enforcement officials and the state real estate licensing board; and
- spoke about platting powers; and
- commented on the Lundgren Eminent Domain Case.

XIV. COUNCIL COMMENTS

Council Member Massie:

- talked about the need to be make well thought out decisions.

Council Member Woodruff:

- talked about the flow of information from the borough to the city for platting actions;
- thanked the public works director for working toward securing a sign for the Houston Animal Shelter; and
- talked about candidates running for office and who they may be affiliated with.

Council Member Metiva:

- thanked members of the public for attending the meeting;
- asked the public works director to look into the timing of traffic lights within city limits; and
- asked the finance director how excess funds from the FY-09 budget will be allocated.

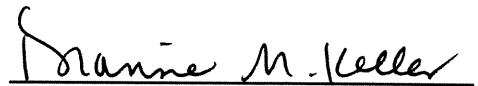
Council Member Menard:

- commented on AM No. 08-45;
- thanked members of the public for attending the meeting;
- encouraged residents to consider running for elective office;
- noted he plans to bring back a resolution prohibiting smoking in city vehicles; and a resolution expressing a vote of no confidence in Mayor Dianne M. Keller.

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

With no further business at hand, Council Member Menard adjourned the meeting at 8:23 p.m.



DIANNE M. KELLER
Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on July 28, 2008