



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

SPECIAL MEETING

7 P.M.

JUNE 30, 2008

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

V. PUBLIC PARTICIPATION

A. Persons to be Heard

VI. UNFINISHED BUSINESS

A. **IM No. 08-16:** Report Of Findings Prepared By Denali Law Group For Review Of The Development Process Involving Two Properties Located Within The Wasilla City Limits That Are Adjacent To The Parks Highway.

1. Richard Payne and Jon-Marc Petersen, Denali Law Group

VII. NEW BUSINESS

A. **Resolution Serial No. 08-27:** Requesting The Immediate Resignation Of Mayor Dianne M. Keller From Elected Office. (Sponsored by Council Member Woodruff)

- B. **Resolution Serial No. 08-28: Expressing A Vote Of No Confidence In Mayor Dianne M. Keller. (Sponsored by Council Member Menard)**

VIII. AUDIENCE COMMENTS

IX. EXECUTIVE SESSION

- A. **Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May Request A Public Discussion.**

X. MAYOR, COUNCIL AND CLERK COMMENTS

XI. ADJOURNMENT

I. CALL TO ORDER

The Special Meeting of the Wasilla City Council was held on Monday, June 30, 2008, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Dianne M. Keller called the meeting to order at 7 p.m. The purpose of the meeting was to continue discussion on IM No. 08-16.

II. ROLL CALL

Council Members present and establishing a quorum were:

Mr. Stephanie Massie, Seat A
Mr. Steve Menard, Seat C
Mr. Marty Metiva, Seat D
Ms. Dianne Woodruff, Seat E
Mr. Kristofer Larson, Deputy Mayor, Seat F

Mayor Keller noted that Council Member Doug Holler, Seat B was absent and excused.

No objection was noted.

Staff in attendance were:

Ms. Kristie Smithers, City Clerk
Ms. Jamie Newman, Deputy Clerk
Mr. Archie Giddings, Public Works Director
Mr. Casey Reynolds, Economic Development Planner
Ms. Angella Long, Chief Long
Mr. Tom Klinkner, City Attorney

III. PLEDGE OF ALLEGIANCE

Mayor Keller led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Keller requested to allow the following persons under Unfinished Business. No objection was noted.

2. Mayor Dianne M. Keller
3. Casey Reynolds, Economic Development Planner
4. Archie Giddings, Public Works Director

GENERAL CONSENT: The agenda was approved, as amended, without objection by Deputy Mayor Larson and Council Members Massie, Menard, Metiva, and Woodruff. *(Clerk note: Council Member Holler was absent and excused.)*

V. PUBLIC PARTICIPATION

A. Persons to be Heard

1. Ms. Katie Wieliczkiwicz

Ms. Wieliczkiwicz:

- shared her thoughts on the role of government;
- noted she is a recent high school graduate; and
- shared her aspiration of seeking elected office.

2. Mr. Stan Tucker

Mr. Stan Tucker:

- questioned the motives of mayoral candidate Steve Menard in calling for the investigation into the development process involving two properties located adjacent to the Parks Highway in Wasilla (IM No. 08-16);
- expressed concern about the safety issues at the intersection of E. Sun Mountain Avenue and Herman Road;
- talked about the process for eminent domain; and
- spoke in support of Mayor Keller and her administration.

3. Mr. Mark Ewing

Mr. Ewing:

- talked about the need for checks and balances within the branches of government;
- encouraged the adoption of Resolution Serial No. 08-27;
- stated the role Mayor Keller played in the development process involving two properties located adjacent to the Parks Highway in Wasilla (IM No. 08-16) is a clear violation of her Oath of Office; and
- noted there is a need to restore faith in local government.

4. Ms. Joyce Lund

Mr. Lund:

- shared her negative experience with the City in regard to the proposed Shaddowood Subdivision which was to be built near her home;
- stated her belief that large scale developers are favored by administration;
- encouraged the council to hold city employees accountable for their role in the development process (IM No. 08-16); and
- noted it is clear from the report of findings prepared by the Denali Law Group that illegal activities occurred in the development process as discussed in IM No. 08-16.

5. Mr. Dave Glenn, Grass Air Aviation

Mr. Glenn:

- summarized his negative experiences in working with city administration; and
- stated the city lacks leadership.

6. Mr. Howard O'Neil

Mr. O'Neil:

- spoke in opposition to Resolution Serial Nos. 08-27 and 08-28; and
- questioned the credibility of the report of findings prepared by the Denali Law Group (IM No. 08-16).

7. Ms. Annette Andres

Ms. Andres:

- thanked the council for trying to restore creditilby in local government;
- demanded honesty from elected officials and public servants; and
- commended the Denali Law Group for their investigation (IM No. 08-16).

8. Ms. Katie Daniels

Ms. Daniels:

- shared her thoughts on how development stimulates the economy by providing jobs and opportunity.

9. Mr. Dallas Massie

Mr. Massie:

- thanked Bob and Annette Andres for bringing their issue to light (IM No. 08-16);
- thanked the council for calling the investigation into the actions by Mayor Keller and staff in regard to the development of two properties along the Parks Highway in Wasilla (IM No. 08-16); and
- commended the Denali Law Group for preparing a telling report (IM No. 08-16).

10. Mr. Ken Ray

Mr. Ray:

- talked about the hazards of frontage roads;
- commented on when eminent domain may be justified; and
- spoke in support of Mayor Keller in her effort to solve safety issues at the intersection of E. Sun Mountain Avenue and Herman Road.

11. Mr. Chris Plack

Mr. Plack:

- expressed concern with traffic issues in Wasilla; and
- spoke in support of growth.

12. Nancy Hall

Ms. Hall:

- talked about community growth; and
- spoke in support of Mayor Keller.

13. Kim Robinson

Ms. Robinson:

- expressed concern about the way the city has treated property owners;
- expressed her belief that concessions are sometimes made to large business at the expense of small business; and
- noted the city needs to send a message to citizens that private property rights will be respected.

14. Verne Rupright

Mr. Rupright:

- spoke in support of spirited debate; and
- talked about how government is armed with tremendous power and with that power comes great responsibility.

VI. UNFINISHED BUSINESS

A. **IM No. 08-16:** Report Of Findings Prepared By Denali Law Group For Review Of The Development Process Involving Two Properties Located Within The Wasilla City Limits That Are Adjacent To The Parks Highway.

1. Richard Payne and Jon-Marc Petersen, Denali Law Group

Mayor Keller relinquished the gavel to Deputy Mayor Larson noting she will resume the duty of presiding officer prior to Audience Comments. No objection was noted.

Deputy Mayor Larson invited Mr. Payne and Mr. Petersen to come forward.

Mr. Payne answered questions from the Council.

Discussion moved to the Council.

With no further questions the Denali Law Group was excused.

2. Mayor Dianne M. Keller

Mayor Keller thanked the Council for allowing her the opportunity to ask questions of the Denali Law Group in regard to the report of findings they prepared.

Mayor Keller asked questions of Mr. Payne regarding the report of findings.

Mayor Keller reiterated that the intent of her Administration was to get the attention of area property owners in an effort to get them to the table with the goal of establishing a safer road system through the area. Mayor Keller stressed that the intent of her letter to Andres Whymore Partnership, dated August 24, 2007, was never to harass or intimidate property owners. *(Clerk note: the letter referred to by Mayor Keller is exhibit JJ in the Report of Findings prepared by the Denali Law Group.)*

Mayor Keller directed comments to Ms. Annette Andres noting how she supported the Windbreak Café throughout the years. Mayor Keller noted all she ever wanted to do was to work toward solving unsafe traffic issues in the area of Herman Road and the Parks Highway. Mayor Keller noted her support for all business whether large or small.

The Council requested a recess.

The Council recessed at 9 p.m. and reconvened at 9:08 p.m.

Mayor Keller continued her comments and asked questions of Tom Klinkner, City Attorney.

Mayor Keller concluded her comments.

The Council requested an opportunity to ask questions of Mayor Keller and staff.

Objection was noted.

VOTE: Council Members Massie, Menard, Metiva, and Woodruff voted in favor of the opportunity to ask questions of Mayor Keller and staff with Deputy Mayor Larson opposed.

Discussion followed between Mayor Keller and the Council.

With no further questions the Council excused Mayor Keller.

3. Mr. Casey Reynolds, Economic Development Planner

Mr. Reynolds answered questions regarding his role in the development.

With no further questions the Council excused Mr. Reynolds.

4. Mr. Archie Giddings, Public Works Director

Mr. Giddings answered questions regarding his role in the development.

With no further questions the Council excused Mayor Keller.

MOTION: Council Member Menard moved to extend the meeting to midnight.

GENERAL CONSENT: The motion to extend the meeting to midnight passed without objection by Deputy Mayor Larson and Council Members Massie, Menard, Metiva, and Woodruff voting in favor. *(Clerk note: Council Member Holler was absent and excused.)*

VII. NEW BUSINESS

- A. **Resolution Serial No. 08-27:** Requesting The Immediate Resignation Of Mayor Dianne M. Keller From Elected Office. (Sponsored by Council Member Woodruff)

MOTION: Council Member Woodruff moved to adopt Resolution Serial No. 08-27.

Discussion followed and debate ensued.

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 Massie, Menard, Metiva, and Woodruff voting in favor. *(Clerk note: Council Member Holler was absent and excused.)*

VOTE: The motion to adopt Resolution Serial No. 08-27, passed with Council Members Massie, Menard, Metiva, and Woodruff voting in favor and Deputy Mayor Larson opposed. *(Clerk note: Council Member Holler was absent and excused.)*

- B. **Resolution Serial No. 08-28:** Expressing A Vote Of No Confidence In Mayor Dianne M. Keller. (Sponsored by Council Member Menard)

(Clerk note: No motion was made to adopt Resolution Serial No. 08-28.)

Deputy Mayor Larson returned the gavel to Mayor Keller.

VIII. AUDIENCE COMMENTS

Ms. Julie Cander:

- commented on the Denali Law Report;
- talked about public office; and
- spoke in support of Mayor Keller.

Mr. Dallas Massie:

- noted he learned a lot from the testimony presented this evening;
- expressed disappointment that city employees would act as agents for a developer;
- commented on the role of the economic development office; and
- questioned whether safety was the real issue when the city implied the taking of property through eminent domain in the area of Herman Road and E. Sun Mountain Avenue.

Ms. Joyce Lund:

- noted the professionalism of the Denali Law Group.

Ms. Sarah Welton:

- talked about personal responsibility; and
- quoted author Dr. Stephen R. Covey.

Mr. Lee Wyatt:

- stated Resolution Serial No. 08-27 should have been adopted and Resolution Serial No. 08-28 defeated.

Ms. Annette Andres:

- stated there was no joy in this evening's meeting;
- noted unfortunate statements were made this evening; and
- encouraged healing and leadership.

Ms. Katie Wieliczkiwicz:

- commented on the role of government.

Mr. Howard O'Neil:

- spoke in favor of Mayor Keller.

Ms. Peaches Hamilton:

- talked about the rapid growth of Wasilla; and
- noted mistakes are sometimes made and it is important to learn from mistakes.

Mr. Ron Cox:

- spoke in opposition to the adoption of Resolution Serial No. 08-27;
- noted subjectivity in the report of findings prepared by the Denali Law Group; and
- thanked elected officials for their work.

Mr. Phil Lockwood:

- talked about the consequences of Resolution Serial No. 08-27.

IX. EXECUTIVE SESSION

- A. Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May Request A Public Discussion.

There was no need for executive session.

X. MAYOR, COUNCIL AND CLERK COMMENTS

Ms. Kristie Smithers, City Clerk:

- reported on the upcoming tour of the City for appointed and elected officials.

Mayor Keller:

- talked about information left out of the report of findings prepared by the Denali Law Group;
- noted economic development is generally a contentious subject;
- stated the Council needs to enact economic development policy; and
- stated she has no intention of resigning from office.

Council Member Metiva:

- spoke about the need to move forward;
- spoke in support of all business development; and
- noted the need to look to the future.

Council Member Woodruff:

- noted it is a sad night for everyone;
- shared her feelings on the Denali Law Report;
- talked about development;
- talked about the need for a code of ethics; and
- requested that the City Attorney forward the Denali Law Report to the Wasilla Police Department or appropriate law enforcement agency. *(Clerk note. No objection was noted.)*

Council Member Menard:

- shared his feelings on the Denali Law Report; and
- requested that the City Attorney forward the Denali Law Report to the State Real Estate Licensing Agency. *(Clerk note: No objection was noted.)*

Council Member Massie:

- commented on the Denali Law Report.

Deputy Mayor Larson:

- noted clear codes and policies must be drafted by the Council; and
- commented on the Denali Law Report.

XI. ADJOURNMENT

With no further business at hand, Mayor Keller adjourned the meeting at 11:56 p.m.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

Adopted by the Wasilla City Council on July 28, 2008.