



**MAYOR**  
Verne E. Rupright

**COUNCIL**  
Ron Cox, Seat A  
Douglas W. Holler, Deputy Mayor, Seat B  
Leone Harris, Seat C  
Nancy R. Hall, Seat D  
Dianne Woodruff, Seat E  
Kristofer Larson, Seat F

**WASILLA CITY COUNCIL  
AMENDED MEETING AGENDA  
WASILLA CITY COUNCIL CHAMBERS**

Wasilla City Hall, 290 E. Herning Avenue, Wasilla, AK 99654 (907) 373-9090

**REGULAR MEETING**

**7 P.M.**

**SEPTEMBER 28, 2009**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. APPROVAL OF AGENDA<sup>1</sup>**
- V. SPECIAL ORDERS OF THE DAY**
- VI. COMMISSION AND AGENCY REPORTS**
  - A. Planning Commission
  - B. Wasilla Chamber of Commerce
  - C. Matanuska-Susitna Borough
  - D. Wasilla Area Seniors, Inc.
- VII. PUBLIC PARTICIPATION**
  - A. Public Hearings

<sup>1</sup> Wasilla Area Seniors, Inc. was added to the agenda under agency reports and an executive session was added.

1. **Ordinance Serial No. 09-58:** Amending the fiscal year 2010 budget by appropriating \$23,808 to fund the MTA/Avaya financial services contract.
2. **Ordinance Serial No. 09-63:** Authorizing debt relief for the airport fueling facility to support the transfer of ownership for a new fueling operator and amending the fiscal year 2010 budget by appropriating \$41,546 to fund the debt relief.
3. **Ordinance Serial No. 09-64:** Amending the fiscal year 2010 budget by appropriating \$138,571 to redirect the various capital project funds.
  - a. **Resolution Serial No. 09-29:** Transferring funds within an accounting fund in the amount of \$12,264 for paving the Townsite parking lot.
    - i. **AM No. 09-47:** Contract amendment to QAP in the amount of \$53,800 for paving the Townsite parking lot.
4. **Ordinance Serial No. 09-65:** Amending the fiscal year 2010 State of Alaska Asset Forfeiture Budget by appropriating \$18,000 to cover expenditures for TraCS printers, scanners and mounting equipment for Wasilla Police Department Patrol Vehicles.
5. **Ordinance Serial No. 09-66:** Amending WMC 5.02.050.D, Revenue Policies, allowing user fees to be set by the Mayor.

B. Persons to be Heard

**VIII. CONSENT AGENDA**

A. Minutes of Preceding Meetings:

1. Regular Meeting: September 14, 2009

B. Introduction of Ordinances: Recommended for Public Hearing on October 12, 2009:

1. **Ordinance Serial No. 09-67:** Adopting WMC 2.76, Administrative Hearing Officers.

C. Resolutions

1. **Resolution Serial No. 09-28:** Extending the duration of the Library Steering Committee 150 days.

2. **Resolution Serial No. 09-31:** Supporting the City of Palmer in their funding request for a regional wastewater treatment facility.

D. Action Memorandums

**IX. UNFINISHED BUSINESS**

**X. NEW BUSINESS**

- A. **AM No. 09-46:** Directing administration to proceed with annexation of properties to include possible areas north, south, east, and west of the current City boundary.

**XI. COMMUNICATIONS**

A. Informational Memorandums

1. **IM No. 09-17:** Monthly funding progress report for August 2009, submitted by the Wasilla Area Seniors, Inc.
2. **IM No. 09-18:** Monthly financial reports for the period ending July 2009 to include the month-to-date expenditure report and expenditures greater than \$5,000.

B. Commission Minutes

1. Library Steering Committee: August 4, 2009
2. Parks and Recreation Commission: August 12, 2009

**XII. AUDIENCE COMMENTS**

**XIII. MAYOR, CLERK AND ATTORNEY COMMENTS**

**XIV. COUNCIL COMMENTS**

**XV. EXECUTIVE SESSION**

- A. Potential or pending litigation to which the City of Wasilla may become or is a party. *(Specifically to discuss the Greater Wasilla Chamber of Commerce)*

**XVI. ADJOURNMENT**

**I. CALL TO ORDER**

The Regular Meeting of the Wasilla City Council was held on Monday, September 28, 2009, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Verne E. Rupright called the meeting to order at 7 p.m.

**II. ROLL CALL**

Council Members present and establishing a quorum were:

- Mr. Ron Cox, Seat A
- Deputy Mayor Doug Holler, Seat B
- Ms. Leone Harris, Seat C
- Ms. Nancy R. Hall, Seat D
- Ms. Dianne Woodruff, Seat E
- Mr. Kristofer Larson, Seat F

Staff in attendance were:

- Ms. Kristie Smithers, City Clerk
- Ms. Amanda E. Charles, Deputy Clerk
- Mr. Richard K. Payne, City Attorney
- Mr. Troy Tankersley, Finance Director
- Mr. Archie Giddings, Public Works Director
- Mr. Craig Robinson, Acting Police Chief
- Mr. James Hastings, Recreation and Cultural Services Manager
- Mr. Marvin Yoder, Interim Deputy Administrator

**III. PLEDGE OF ALLEGIANCE**

Mayor Rupright led the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

Mayor Rupright:

- added Wasilla Area Seniors, Inc. to agency reports;
- added an executive session to discuss potential or pending litigation to which the City may become or is a party, specifically discussion about the Greater Wasilla Chamber of Commerce; and
- asked if there were any additional changes to the agenda.

**GENERAL CONSENT:** The agenda was approved as amended without objection.

## **V. SPECIAL ORDERS OF THE DAY**

There were no special orders of the day.

## **VI. COMMISSION AND AGENCY REPORTS**

### **A. Planning Commission**

Mr. Gary Hall, Commissioner, reported on the meetings during the week of September 21, 2009, with USKH and the public regarding the development of downtown Wasilla.

### **B. Wasilla Chamber of Commerce**

Ms. Lyn Carden, Executive Director:

- introduced her fellow board members, Mr. David Baker and Mr. Markus Reum; and
- spoke regarding the upcoming fundraiser, Murder on the Train 2009.

Mr. David Baker, Director:

- spoke regarding the stability of the Wasilla Chamber of Commerce;
- requested room for negotiations;
- stated that it was determined that relatively \$30,000 of the funds they received from the City was outside the scope of the contract; and
- requested that the City consider the Chamber's position.

Mr. Markus Reum, Treasurer:

- spoke regarding the precarious position of the Chamber; and
- commented on the current composition of the Board, pointing out that it is different from when the circumstances involving the contract took place.

### **C. Matanuska-Susitna Borough**

Assemblymember Mark Ewing, District 4:

- spoke to the work the current board members of the Wasilla Chamber of Commerce are doing;
- commented on the current City election;
- spoke to Cannon Hill and the graves which were discovered there; and
- opined that additional higher paying jobs are needed within the City.

### **D. Wasilla Area Seniors, Incorporated**

Ms. Sandra Kaplan:

- spoke to cost savings and upcoming expenditures as it pertains to the purchase of food;
- noted that their annual meeting is forthcoming; and
- reported on the accountability of meals and services.

## VII. PUBLIC PARTICIPATION

### A. Public Hearings

1. **Ordinance Serial No. 09-58:** Amending the fiscal year 2010 budget by appropriating \$23,808 to fund the MTA/Avaya financial services contract.

Mayor Rupright opened the public hearing.

There being no one present who wished to speak the public hearing closed and discussion moved to the Council.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 09-58.

VOTE: The motion to adopt Ordinance Serial No. 09-58 passed unanimously.

2. **Ordinance Serial No. 09-63:** Authorizing debt relief for the airport fueling facility to support the transfer of ownership for a new fueling operator and amending the fiscal year 2010 budget by appropriating \$41,546 to fund the debt relief.

Mr. Giddings provided a staff report.

Mayor Rupright opened the public hearing.

Mr. Dick Armstrong:

- stated that he owns Ace Fuels and spoke to the other establishments he owns; and
- noted that he was interested in expanding to the Wasilla Airport and provided details.

There being no others present who wished to speak the public hearing closed and discussion moved to the Council.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 09-63.

Discussion ensued.

VOTE: The motion to adopt Ordinance Serial No. 09-63 passed unanimously.

3. **Ordinance Serial No. 09-64:** Amending the fiscal year 2010 budget by appropriating \$138,571 to redirect the various capital project funds.
  - a. **Resolution Serial No. 09-29:** Transferring funds within an accounting fund in the amount of \$12,264 for paving the Townsite parking lot.
  - i. **AM No. 09-47:** Contract amendment to QAP in the amount of \$53,800 for paving the Townsite parking lot.

Mayor Rupright opened the public hearing.

There being no one present who wished to speak the public hearing closed and discussion moved to the Council.

MOTION: Council Member Larson moved to adopt Ordinance Serial No. 09-64, Resolution Serial No. 09-29, and AM No. 09-47.

VOTE: The motion to adopt Ordinance Serial No. 09-64, Resolution Serial No. 09-29, and AM No. 09-47 passed unanimously.

4. **Ordinance Serial No. 09-65:** Amending the fiscal year 2010 State of Alaska Asset Forfeiture Budget by appropriating \$18,000 to cover expenditures for TraCS printers, scanners and mounting equipment for Wasilla Police Department Patrol Vehicles.

Mayor Rupright opened the public hearing.

There being no one present who wished to speak the public hearing closed and discussion moved to the Council.

MOTION: Council Member Hall moved to adopt Ordinance Serial No. 09-69.

VOTE: The motion to adopt Ordinance Serial No. 09-69 passed unanimously.

5. **Ordinance Serial No. 09-66:** Amending WMC 5.02.050.D, Revenue Policies, allowing user fees to be set by the Mayor. *(Requested by Council Member Woodruff)*

Mayor Rupright opened the public hearing.

There being no one present who wished to speak the public hearing closed and discussion moved to the Council.

MOTION: Council Member Cox moved to adopt Ordinance Serial No. 09-66.

VOTE: The motion to adopt Ordinance Serial No. 09-66 passed unanimously.

## B. Persons to be Heard

Mr. Richard Payne:

- noted that he is addressing the Council as a citizen and business owner within City boundaries;
- stated that he attended the meetings with USKH regarding the downtown development;
- proposed forming a non-profit group which would be geared around developing the downtown core area;

- opined that the businesses be provided incentives to improve their buildings, such as matching funds from the City; and
- offered to form the non-profit organization.

Mr. Mark Ewing:

- spoke regarding his opposition to the formation of a non-profit organization which is given funds with taxpayers' money through grants from the City of Wasilla; and
- commented on the missing funds from the Chamber of Commerce.

Ms. Anne Killkenny:

- spoke regarding the annexation proposed within AM No. 09-46;
- commented on the meetings with USKH during the week of September 21, 2009;
- noted her objection to using taxpayers' money for non-profit organization to improve downtown Wasilla;
- spoke to the gravesite on Cannon Hill; and
- spoke regarding the increased rates for utilities and water.

Mr. Rob Meinhardt:

- followed up on the comments provided by Mr. Payne and supported his ideas as it pertains to economic sense;
- spoke to the formation of the Historical Preservation Commission and noted that the Commission may be able to obtain federal funding to help with the downtown revitalization;
- requested that the seats of the Historical Preservation Commission be filled; and
- encouraged the City to support the Borough's reception of a \$24,000 grant from the State of Alaska for the historical site survey.

## VIII. CONSENT AGENDA

### A. Minutes of Preceding Meetings:

1. Regular Meeting: September 14, 2009

### B. Introduction of Ordinances: Recommended for Public Hearing on October 12, 2009:

1. **Ordinance Serial No. 09-67:** Adopting WMC 2.76, Administrative Hearing Officers.

### C. Resolutions

1. **Resolution Serial No. 09-28:** Extending the duration of the Library Steering Committee 150 days.



2. **Resolution Serial No. 09-31:** Supporting the City of Palmer in their funding request for a regional wastewater treatment facility.

D. Action Memorandums

Council Member Cox moved to approve the Consent Agenda as read into the record by the Clerk.

There was no objection noted.

**IX. UNFINISHED BUSINESS**

**X. NEW BUSINESS**

- A. **AM No. 09-46:** Directing administration to proceed with annexation of properties to include possible areas north, south, east, and west of the current City boundary.

MOTION: Council Member Cox moved to adopt AM No. 09-46.

Discussion ensued.

MOTION: Council Member Larson moved a primary amendment to AM No. 09-46 to adopt Option 4, to include an area E which goes further east, and requesting a comparison of methods, and a cost/benefit analysis for the areas.

VOTE: The primary amendment passed unanimously.

VOTE: The motion to adopt AM No. 09-46 as amended passed unanimously.

**XI. COMMUNICATIONS**

A. Informational Memorandums

1. **IM No. 09-17:** Monthly funding progress report for August 2009, submitted by the Wasilla Area Seniors, Inc.
2. **IM No. 09-18:** Monthly financial reports for the period ending July 2009 to include the month-to-date expenditure report and expenditures greater than \$5,000.

**XII. COMMUNICATIONS**

A. Informational Memorandums

1. **IM No. 09-16:** Providing the Final Order and Notice of Right to Appeal on Case No. 09-02, and providing information on the associated costs.

A. Commission Minutes

1. Parks and Recreation Commission: July 8, 2009

There was no action taken on the communication items.

## **XII. AUDIENCE COMMENTS**

Ms. Anne Killkenny spoke to the meetings with USKH regarding the downtown planning.

## **XIII. MAYOR, CLERK AND ATTORNEY COMMENTS**

Mr. Mayor:

- stated that the Council would move into executive session after a short recess; and
- thanked the Council for a timely meeting.

Ms. Smithers:

- spoke to absentee voting for the Regular Election of October 6, 2009; and
- stated that she would be bringing a proposal for the City Council 2010 meeting schedule.

Mr. Payne:

- noted that he had received a final determination regarding the bridge;
- spoke to the determination which was sent to Mayor Rupright and Mayor Purcell; and
- stated that Duke Investments, also known as Chilis, filed for bankruptcy.

## **XIV. COUNCIL COMMENTS**

Council Member Larson:

- spoke regarding funding that the City has provided to other non-profit organizations in the past;
- commented on the return the City could potentially get from the improvement of the downtown area;
- noted that the City needs to do proper planning as it grows;
- stated that he had discussions with citizens regarding four-wheelers; and
- opined that it may be time to ban four-wheelers in the City.

Council Member Woodruff:

- spoke to encouraging businesses for self-improvement;
- commented on the historical site survey and opined that the City should receive the monies to conduct the survey;

- encouraged the seats for the Historical Preservation Commission to be filled; and
- requested a tally of the survey results on ATVs.

Deputy Mayor Holler:

- spoke regarding planning within the City and the need for further follow-up by City staff;
- commented on four-wheelers within City boundaries;
- spoke to the safety concerns therein; and
- requested, through the Mayor, to have the police reserves out during the UAA hockey game at the Curtis D. Menard Memorial Sports Center.

Council Member Harris:

- noted her excitement for the proposed annexations;
- opined that the annexation needed to be done responsibly;
- spoke to timing the annexation and banning ATVs within City limits carefully; and
- spoke to the idea presented by Mr. Payne regarding a non-profit foundation.

Council Member Cox:

- spoke to the deterioration of downtown areas on the East Coast;
- noted that the deterioration in downtown areas is because people live outside of the downtown area;
- spoke to the problem with stopping Borough residents from bringing their four-wheelers into City boundaries;
- supported the Mayor's current solution by increasing enforcement; and
- noted his support for further annexation.

Council Member Hall:

- stated that she had attended two of the meetings with USKH during the week of September 21, 2009;
- noted that the speaker had opined that the City is ripe for development; and
- commented on the grandfather rights of current businesses.

*(The council recessed at 8:27 p.m. and reconvened at 8:35 p.m.)*

## **XV. EXECUTIVE SESSION**

- A. Potential or pending litigation to which the City of Wasilla may become or is a party. *(Specifically to discuss the Greater Wasilla Chamber of Commerce)*


**MOTION:** Deputy Mayor Holler moved to enter into executive session at 8:35 p.m. to discuss potential or pending litigation to which the city may become or is a party, specifically discussion about the Greater Wasilla Chamber of Commerce.

VOTE: The motion to enter into executive session passed unanimously. Those in attendance were the entire Council, the Mayor, the Clerk, the Finance Director, the Attorney, and the Interim Deputy Administrator.

The executive session exited at 9:04 p.m.

## XVI. ADJOURNMENT

With no further business at hand, Mayor Rupright, adjourned the meeting at 9:05 p.m.



VERNE E. RUPRIGHT, Mayor

ATTEST:



KRISTIE SMITHERS, MMC, City Clerk

Minutes approved: October 12, 2009