



MAYOR
Verne E. Rupright

COUNCIL
Taffina Katkus, Seat A
Douglas W. Holler, Deputy Mayor, Seat B
Leone Harris, Seat C
Colleen Sullivan-Leonard, Seat D
Dianne Woodruff, Seat E
Steve Menard, Seat F

**WASILLA CITY COUNCIL
MEETING AGENDA**
WASILLA CITY COUNCIL CHAMBERS
Wasilla City Hall, 290 E. Herning Avenue, Wasilla, AK 99654
907.373.9090 www.cityofwasilla.com

REGULAR MEETING

6 P.M.

AUGUST 8, 2011

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. APPROVAL OF AGENDA**
- V. SPECIAL ORDERS OF THE DAY**
- VI. COMMISSION AND AGENCY REPORTS**
 - A. Matanuska-Susitna Borough
 - B. Planning Commission
 - C. Parks and Recreation Commission
 - D. Friends of Wasilla Meta-Rose Public Library
 - E. Valley Performing Arts Re: Long Term Lease of Land

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 11-25:** Amending the FY12 Police Department budget by accepting and appropriating the grant award from the Department of Transportation, Alaska Highway Safety Office in the amount of \$3,726.08 for the purchase of a Toughbook Ultra Computer.

B. Persons to be Heard

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: July 11, 2011

B. Introduction of Ordinances: Recommended for Public Hearing on August 22, 2011:

1. **Ordinance Serial No. 11-27:** Amending WMC 5.16, Sales Tax, to allow for a senior sales tax exemption for the sales of goods, services and rentals that are solely for personal use, or consumption, by a senior citizen. (*Sponsored by Council Member Katkus*)
2. **Ordinance Serial No. 11-28:** Amending WMC 5.16.035 and WMC 5.16.100.B.2, to change the cap per transaction that is subject to sales tax from \$500 to \$1,000. (*Sponsored by Council Member Katkus*)
3. **Ordinance Serial No. 11-29:** Amending WMC 3.60.060, Holidays with pay, to allow for both eight and ten hours of compensatory time.

C. Resolutions

1. **Resolution Serial No. 11-28:** Transferring funds within an accounting fund in the amount of \$7,895 for police station storage units.
2. **Resolution Serial No. 11-29:** Accepting a state legislative grant in the amount of \$567,464 for street and road improvements and transferring those funds within an accounting fund.

3. **Resolution Serial No. 11-30:** Authorizing the Mayor to execute an agreement with the Jonesers for leased space in the Meta Rose Square in the amount of \$2,100 for twelve (12) months.
4. **Resolution Serial No. 11-31:** Authorizing a 30 year lease at the Wasilla Airport, Lease Lot 7, for Airforms Aircraft Parts Manufacturer.

D. Action Memorandums

1. **AM No. 11-20:** Contract award to Southcentral Construction in the amount of \$757,151 for Swanson Avenue rehabilitation.
2. **AM No. 11-21:** Contract award to GMG General in the amount of \$95,862 for South Mack Drive strip paving.
3. **AM No. 11-22:** Contract award to Alaska Professional Construction, Inc., in the amount of \$37,200 for the City Shop concrete slab.
4. **AM No. 11-23:** Confirmation of Election Officials for the October 5, 2011, Regular City Election.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. COMMUNICATIONS

A. Informational Memorandums

1. **IM No. 11-11:** Administration's response to Ordinance Serial No. 11-27. "An ordinance of the Wasilla City Council amending WMC 5.16, Sales Tax, to allow for a senior sales tax exemption for the sales of goods, services and rentals that are solely for personal use, or consumption, by a senior citizen" and Ordinance Serial No. 11-28 "An ordinance of the Wasilla City Council amending WMC 5.16.035 and 5.16.100.B.2, to change the cap per transaction that is subject to sales tax from \$500 to \$1,000".

B. Commission Minutes

1. Parks and Recreation Commission: June 8, 2011; June 29, 2011 Special Meeting
2. Planning Commission: July 12, 2011; July 26, 2011

XII. AUDIENCE COMMENTS

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

XIV. COUNCIL COMMENTS

XV. EXECUTIVE SESSION

- A. Land Acquisition
- B. Annual Evaluation of City Clerk *(Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.)*

XVI. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Wasilla City Council was held on Monday, August 8, 2011, at the Wasilla City Council Chambers, Wasilla, Alaska. Mayor Verne E. Rupright called the meeting to order at 6 p.m.

II. ROLL CALL

Council Members present and establishing a quorum were:

Ms. Taffina Katkus, Seat A
Deputy Mayor Doug Holler, Seat B
Ms. Leone Harris, Seat C
Ms. Colleen Sullivan-Leonard, Seat D
Ms. Dianne Woodruff, Seat E
Mr. Steve Menard, Seat F (*arrived at 6:07 p.m.*)

Staff in attendance were:

Ms. Kristie Smithers, MMC, City Clerk
Ms. Amanda E. Charles, CMC, Deputy City Clerk
Mr. Troy Tankersley, Finance Director
Mr. Archie Giddings, Public Works Director
Mr. Gene Belden, Interim Police Chief
Mr. James Hastings, Recreation and Cultural Services Manager
Mr. Bert Cottle, Interim Deputy Administrator
Mr. Richard Payne, City Attorney

III. PLEDGE OF ALLEGIANCE

Mayor Rupright asked Deputy Mayor Holler to lead the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Rupright asked if there were any changes to the agenda.

Council Member Sullivan-Leonard asked that Ordinance Serial Nos. 11-27 and 11-28 be removed from the Consent Agenda and addressed separately under New Business.

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. Matanuska-Susitna Borough

Mr. Mark Ewing, Assembly Member, District 4:

- reported on the Matanuska-Susitna Borough Assembly meeting of August 2, 2011; and
- commented on the issues before the Assembly at their upcoming meetings of August 9 and 10, 2011.

B. Planning Commission

There was no report provided.

C. Parks and Recreation Commission

Mr. James Hastings:

- briefed the City Council on the June 29, 2011, special meeting and the July 13, 2011, regular meeting; and
- stated that there was a joint meeting with the Planning Commission scheduled for August 9, 2011.

D. Friends of Wasilla Meta-Rose Public Library

Ms. Jeanne Troshynski, Executive Director:

- informed the Council that they had been accepted for the PFD Pick Click Give Program;
- commented on the summer reading program attendance;
- spoke briefly on the results of the 3rd Annual Spelling Bee and most recent book sale; and
- asked what the most recent discussions had been regarding finding land for the new library.

E. Valley Performing Arts Re: Long Term Lease of Land

Ms. Sarah Wilson Doyle:

- stated she was here to speak regarding the possibility of an additional a long term lease of land for the Valley Performing Arts (VPA); and
- introduced Mr. Garry Forrester, Executive Director, and Ms. Pam Lund, Predevelopment Program.

Mr. Forrester:

- provided a brief history on the growth of VPA;
- commented on the impact to and involvement of the local community;
- estimated that \$250,000 of VPA's money goes towards the local economy and roughly \$13,000 in sales tax dollars are given to the City of Wasilla based on ticket sales and performance expenses;
- spoke to their partnerships with non-profits within the community;
- last season they had a 20 percent growth to 13,000 attendees; and
- commented on the work they have done to address their future needs.

Ms. Wilson Doyle:

- spoke regarding the existing location;
- addressed their needs for a new location;
- stressed their preference to stay at their current location; and
- advised that a new long term lease would be needed in order for them to justify expending the funds to expand.

Mr. Forrester:

- spoke to their preference for staying in the current location;
- advised that they are looking at another location; and
- thanked the City Council for their time and consideration.

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 11-25:** Amending the FY12 Police Department budget by accepting and appropriating the grant award from the Department of Transportation, Alaska Highway Safety Office in the amount of \$3,726.08 for the purchase of a Toughbook Ultra Computer.

MOTION: Council Member Menard moved to adopt Ordinance Serial No. 11-25.

VOTE: The motion to adopt Ordinance Serial No. 11-25 passed unanimously.

B. Persons to be Heard

Mr. John Klingbeil:

- stated that he and his wife founded Alaska Live Steamers in 1970; and
- provided a history on the expansion of the Alaska Live Steamers and their involvement with the communities, specifically to Wasilla.

Mr. Jack Pappas:

- spoke to his involvement with the Alaska Live Steamers since the age of 4;
- noted that he is 17 and still involved with the Alaska Live Steamers; and
- spoke to how it has been a positive asset in his life and to the community.

Mr. James (Jim) Pappas:

- provided a brief personal history;
- noted that he had been involved with Alaska Live Steamers since 1998;
- spoke to the diversity of backgrounds in the people involved with Alaska Live Steamers; and
- added that he is from Eagle River but gladly drives to Wasilla and opined that Wasilla should notice the gem they have in Alaska Live Steamers.

Mr. John Whitney:

- informed the City Council that he had been involved with Alaska Live Steamers for 10 years;
- commented on his background with similar clubs across the country;
- noted that this facility was one of the best he has seen;
- spoke to the positive interactions with people when they visit Alaska Live Steamers; and
- stressed that Alaska Live Steamers is a positive asset to the community.

Mr. Steve Carrington:

- stated that he had been a member with Alaska Live Steamers for four years; and
- spoke to the unique experiences children and adults have when visiting this family fun attraction.

Mr. David Nyberg:

- noted his objection to Resolution Serial No. 11-30;
- advised the City Council that All I Saw Cookware carries many similar retail products as the Jonesers; and
- spoke in opposition to Ordinance Serial No. 11-27 due to the burdens put upon the small business owners.

Ms. Victoria Gresens:

- stated that she is in charge of safety, education and acts as the librarian for the Alaska Live Steamers;
- provided examples of how they educate the community;
- commented on the international notoriety of Alaska Live Steamers; and
- added that they are a positive representative of Wasilla.

Ms. Eileen Johnson:

- noted her confusion with the water utility rate increase;
- stressed her displeasure with the rate increase; and
- noted her displeasure with the increased traffic at the intersection of Susitna Avenue and Knik Goose Bay Road.

Ms. Cherish Kleingbeil:

- noted that she has been involved with Alaska Live Steamers for 30 years;
- spoke to their repeat customers and the importance and joy it provides to people's lives; and
- stated that they preserve as much of the natural vegetation as possible.

Ms. Kelly Dau:

- spoke to her concerns with the City leasing 20 acres to Alaska Live Steamers and the fencing off of preexisting trails;
- reported on the events leading to Officer Ben Dudley visiting her house to discuss her presence on Trail 4, near Lake Lucille, and reports about a damaged fence along the trail which borders the property leased to Alaska Live Steamers;
- expressed her concern regarding the accusations that she may have vandalized the fence;
- spoke to slanderous remarks which had been made against her in an online forum by a member of Alaska Live Steamers in response to an article written by the Frontiersman on July 10, 2011;
- noted her displeasure at the slanderous remarks; and
- asked Mayor Rupright and the City Council if the Alaska Live Steamers are demonstrating a compatible land use with the park; and
- spoke to the conditions of a negotiated land lease and asked if the Alaska Live Steamers met those conditions.

Mr. Kristofer Larson:

- spoke to Ordinance Serial No. 11-27 and noted his concerns with it;
- noted the opportunities for abuse of this tax exemption;
- commented on the burden the ramifications of this ordinance would put upon small business owners; and
- advised against adopting Ordinance Serial No. 11-27.

VIII. CONSENT AGENDA

MOTION: Council Member Menard requested that Resolution Serial No. 11-30 be removed from the Consent Agenda and addressed separately under New Business.

GENERAL CONSENT: There was no objection noted.

A. Minutes of Preceding Meetings:

1. Regular Meeting: July 11, 2011

B. Introduction of Ordinances: Recommended for Public Hearing on August 22, 2011:

1. **Ordinance Serial No. 11-29:** Amending WMC 3.60.060, Holidays with pay, to allow for both eight and ten hours of compensatory time.

C. Resolutions

1. **Resolution Serial No. 11-28:** Transferring funds within an accounting fund in the amount of \$7,895 for police station storage units.
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D. Action Memorandums

1. **AM No. 11-20:** Contract award to Southcentral Construction in the amount of \$757,151 for Swanson Avenue rehabilitation.
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3. **AM No. 11-22:** Contract award to Alaska Professional Construction, Inc., in the amount of \$37,200 for the City Shop concrete slab.
4. **AM No. 11-23:** Confirmation of Election Officials for the October 5, 2011, Regular City Election.

MOTION: Council Member Menard moved to adopt the Consent Agenda as read into the record by the Clerk.

GENERAL CONSENT: There was no objection noted and the Consent Agenda was approved as read into the record.

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. NEW BUSINESS

1. **Ordinance Serial No. 11-27:** Amending WMC 5.16, Sales Tax, to allow for a senior sales tax exemption for the sales of goods, services and rentals that are solely for personal use, or consumption, by a senior citizen. *(Sponsored by Council Member Katkus)*

MOTION: Council Member Sullivan Moved to postpone Ordinance Serial No. 11-27 indefinitely.

Discussion moved to the Council.

VOTE: The motion to postpone Ordinance Serial No. 11-27 indefinitely passed with Council Members Harris, Holler, Menard, Sullivan-Leonard and Woodruff in favor and Council Member Katkus in opposition.

2. **Ordinance Serial No. 11-28:** Amending WMC 5.16.035 and WMC 5.16.100.B.2, to change the cap per transaction that is subject to sales tax from \$500 to \$1,000. *(Sponsored by Council Member Katkus)*

MOTION: Council Member Sullivan moved to postpone Ordinance Serial No. 11-28 indefinitely.

VOTE: The motion to postpone indefinitely Ordinance Serial No. 11-28 passed with Council Members Harris, Holler, Menard, Sullivan-Leonard and Woodruff in favor and Council Member Katkus in opposition.

3. **Resolution Serial No. 11-30:** Authorizing the Mayor to execute an agreement with the Jonesers for leased space in the Meta Rose Square in the amount of \$2,100 for twelve (12) months.

MOTION: Council Member Menard moved to adopt Resolution Serial No. 11-30.

Discussion moved to the Council.

MOTION: Council Member Woodruff moved to postpone Resolution Serial No. 11-30 to a time certain of August 22, 2011.

VOTE: The motion passed unanimously.

XI. COMMUNICATIONS

A. Informational Memorandums

1. **IM No. 11-11:** Administration's response to Ordinance Serial No. 11-27. "An ordinance of the Wasilla City Council amending WMC 5.16, Sales Tax, to allow for a senior sales tax exemption for the sales of goods, services and rentals that are solely for personal use, or consumption, by a senior citizen" and Ordinance Serial No. 11-28 "An ordinance of the Wasilla City Council amending WMC 5.16.035 and 5.16.100.B.2, to change the cap per transaction that is subject to sales tax from \$500 to \$1,000".

B. Commission Minutes

1. Parks and Recreation Commission: June 8, 2011; June 29, 2011 Special Meeting
2. Planning Commission: July 12, 2011; July 26, 2011

There was no action taken on the communication items.

XII. AUDIENCE COMMENTS

There were no comments provided.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Ms. Smithers spoke to the upcoming summer and winter Alaska Municipal League conferences.

Ms. Charles briefed the Council on her trip to visit the records centers at the Kenai Peninsula Borough, City of Soldotna and City of Kenai.

XIV. COUNCIL COMMENTS

Council Member Katkus:

- thanked the public for their attendance;
- opined that the City of Wasilla should not be in the landlord business; and
- noted that she had concerns with future utility rate increases and the affects that would have on someone with a limited income, such as the elderly; and
- spoke to her reasons for sponsoring Ordinance Serial Nos. 11-27 and 11-28.

Council Member Woodruff:

- requested that Council receive copies of letters that were sent out to the public in mass before they are mailed out in order to better communications between the Council and the public;
- stated that she has been reviewing the utility rates with Mr. Giddings and that they will be bringing forward a piece of legislation for the Council's consideration in the near future; and
- spoke to Ordinance Serial No. 11-27 and the problems therein.

Deputy Mayor Holler queried what action had been taken regarding the sign violation at Alaska Toy Rentals on the corner of the Parks Highway and Knik Goose Bay Road.

Mayor Rupright stated that a committee had been formed to address the current sign code and encouraged Deputy Mayor Holler to apply.

Deputy Mayor Holler supported Council Member Woodruff's statements regarding the letter that was mailed out and noted his discontent with the tone of the letter.

Council Member Menard:

- stated that he recently purchased a house within City limits;
- noted his support for Valley Performing Arts and Alaska Live Steamers;
- commented on Wasilla City Market's location; and
- addressed Mr. Nyberg's concerns regarding competition between the Jonesers and All I Saw Cookware within the Meta Rose Square.

Council Member Sullivan-Leonard:

- stated that she supports the seniors;
- noted that she is not in support of raising taxes;
- clarified that council members are not within the purview of the media policy; and
- added her support for Valley Performing Arts.

Council Member Harris:

- stated that she has been to All I Saw Cookware;
- spoke to healthy competition;
- noted her desire to find a resolution with Alaska Live Steamers.

Mayor Rupright:

- stated that Mr. Cottle, Mr. Trankersley, and he would be attending the Alaska Municipal League Summer Conference in Sitka;
- spoke to the letter that was mailed on July 25, 2011, regarding the passage of the utility rate increase;
- offered his apologies to Deputy Mayor Holler and stated that he had not intended to offend the Council; and
- added that the letter was wrote in order to clarify matters for the public.

XV. EXECUTIVE SESSION

A. Land Acquisition

B. Annual Evaluation of City Clerk (*Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.*)

MOTION: Council Member Menard moved to enter into executive session to discuss land acquisition and the annual evaluation of the City Clerk.

Mayor Rupright noted that the entire Council, the Finance Director, the Public Works Director, City Clerk and himself would be present to discuss the land acquisition and that only the Council and City Clerk would remain for the annual evaluation of the City Clerk. The City Clerk declined a public discussion.

Mayor Rupright noted that Deputy Mayor Holler would assume the duties of the chair after the annual evaluation of the City Clerk.

VOTE: There was no objection noted and the Council entered into executive session at 7:34 p.m.

MOTION: Council Member Menard moved to exit the executive session.

VOTE: The motion passed and the executive session exited at 8:52 p.m.

MOTION: Council Member Woodruff moved to request administration to bring back further information regarding the land acquisition.

GENERAL CONSENT: The motion passed without objection.

MOTION: Council Member Sullivan-Leonard moved to approve the Clerk's annual increase by 3.5 percent, retroactive to July 1, 2011.

VOTE: The motion to approve the annual increase of 3.5 percent for the City Clerk passed with Council Members Harris, Holler, Katkus, Sullivan-Leonard and Woodruff in favor and Menard in opposition.

XVI. ADJOURNMENT

With no further business at hand, Deputy Mayor Holler adjourned the meeting at 8:55 p.m.


VERNE E. RUPRIGHT, Mayor

ATTEST:


KRISTIE SMITHERS, MMC, City Clerk

Minutes approved: August 22, 2011