

**I. CALL TO ORDER**

The Regular Meeting of the Wasilla City Council was held on Monday, May 14, 2012, 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
- Mr. Douglas Holler, Deputy Mayor, Seat B
- Ms. Leone Harris, Seat C
- Ms. Colleen Sullivan-Leonard, Seat D
- Ms. Dianne Woodruff, Seat E

Mayor Rupright noted that Mr. Brandon Wall, Seat F, was absent and excused unless there was any objection. There was no objection noted.

Staff in attendance were:

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

**III. PLEDGE OF ALLEGIANCE**

Mayor Rupright asked the 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 Woodruff requested that Resolution Serial No. 12-16 and AM No. 12-21 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**

### **A. Certificates of Appreciation Presented to Youth Court Volunteers**

Mayor Rupright and Probation Officers Lisa Albert-Konecky and Carol Cross presented awards to the Youth Court Volunteers for their hours of community service and extended their thanks to each of the volunteers.

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

### **A. Parks and Recreation Commission**

Mr. Combs:

- provided an updated on parks and recreation efforts at the City Parks and the Curtis D. Menard Memorial Sports Center;
- commented on Wasilla Clean Up Days; and
- noted that the Parks and Recreation Commission passed a resolution in support of a community garden at their May 9, 2012, Regular Meeting.

### **B. Planning Commission**

Mr. Doug Miller, Commissioner, provided an update of their May 8, 2012, Regular Meeting and spoke to their upcoming meeting of May 22, 2012.

### **C. Friends of Wasilla Public Library**

Ms. Jeanne Troshynski, President:

- stated that they are preparing for the summer reading program;
- commented on the Adult Spelling Bee program which is tentatively set for July 26, 2012;
- noted that the Friends of Wasilla Public Library will be donating a Kindle or Nook to the winner of the teen reading program; and
- spoke to the money they have raised in support of a new library.

## **VII. PUBLIC PARTICIPATION**

### **A. Public Hearings**

1. **Ordinance Serial No. 12-14:** Amending WMC 3.85.010.B.2, Employees Holding Confidential/Managerial Positions, Scope, and WMC 2.72.020.B, Historical Preservation Commission, Officers, to update the position titles from Recreational and Cultural Services Manager to Recreational and Cultural Services Director.

Mayor Rupright opened the public hearing on Ordinance Serial No. 12-14. There being no one present who wished to speak, Mayor Rupright closed the public hearing.

Mr. Combs provided a staff report.

MOTION: Council Member Woodruff moved to adopt Ordinance Serial No. 12-14.

VOTE: The motion to adopt Ordinance Serial No. 12-14 passed unanimously.

2. **Ordinance Serial No. 12-15:** Amending the FY2012 budget by appropriating \$88,000 from the General Fund, Fund Balance to the Capital Fund's Land Acquisition Account to Purchase Lots 10 and 11, Block 6, Wasilla Townsite and authorizing the Mayor to execute the Land Purchase and Sale Agreement for said purchase.

Mayor Rupright opened the public hearing on Ordinance Serial No. 12-15. There being no one present who wished to speak, Mayor Rupright closed the public hearing.

Mr. Giddings provided a staff report.

MOTION: Council Member Sullivan-Leonard moved to adopt Ordinance Serial No. 12-15.

Discussion moved to the Council.

VOTE: The motion to adopt Ordinance Serial No. 12-15 passed unanimously.

#### B. Persons to be Heard

Mr. William Bruu:

- stated that he has provided to the City Council a copy of the audio from the April 23, 2012, Regular City Council Meeting along with a transcript of a portion of the meeting;
- spoke to comments made by Mayor Rupright; and
- asked the City Council to listen to the audio.

Mr. Robert Friesen:

- spoke regarding the Parks Highway expansion;
- stated that he is in favor of a five lane highway and not in favor of a four lane divided highway; and
- noted that he would like a stop light at Lamont Way and not at the proposed Stanley Road.

Ms. Mary Kvalheim:

- requested that the Mayor's Minutes be put on the City's website ; and
- thanked Ms. Joan Matthews for passing out garbage bags to their entire subdivision.

Mr. Tom Stoelting and Ms. Arlene Stoelting:

- spoke regarding the Parks Highway expansion; and
- stated that they are in favor of a five lane highway and not in favor of a four lane divided highway.

Ms. Anne Kilkenny:

- thanked the City Council for supporting the Youth Court;
- spoke in favor of AM No. 12-19, regarding the renewal of the contract with Denali Law;
- spoke regarding discouraging the use of plastic bags in the City of Wasilla; and
- opined that the City Council should pass an ordinance which requires businesses to charge for the use of plastic bags.

Mr. Paul Gardner:

- spoke regarding the Parks Highway expansion;
- stated that he is in favor of a five lane highway and not in favor of a four lane divided highway; and
- encouraged the City Council to consider a resolution stating their opposition for a four lane divided highway.

## **VIII. CONSENT AGENDA**

A. Minutes of Preceding Meetings:

1. Regular Meeting: April 23, 2012
2. Special Meeting: April 16, 2012

B. Introduction of Ordinances: Recommended for Public Hearing on June 11, 2012:

1. **Ordinance Serial No. 12-16:** Amending the FY2012 budget by appropriating \$2,000 in grant funding from the Alaska Community Forestry Program.

C. Resolutions

D. Action Memorandums

1. **AM No. 12-19:** Authorization to extend the contract for one option year and awarding renewal to Denali Law Group in the amount of \$87,200 for the purpose of general counsel and legal services (effective date of renewal: August 1, 2012 through July 31, 2013).

2. **AM No. 12-20:** Awarding a sole source contract to SIRE Technologies in the amount of \$59,459 for an electronic information and agenda management solution and \$7,167 for annual software maintenance.

MOTION: Council Member Woodruff moved to adopt the consent agenda as read into the record by the City Clerk.

GENERAL CONSENT: There was no objection noted.

*(The regular meeting recessed at 6:53 p.m. and reconvened at 7:05 p.m.)*

## **IX. UNFINISHED BUSINESS**

There was no unfinished business.

## **X. NEW BUSINESS**

### **A. Committee of the Whole**

#### **1. American Civil Liberties Union Update**

MOTION: Council Member Woodruff moved to enter into Committee of the Whole to discuss the American Civil Liberties Union Update.

GENERAL CONSENT: There was no objection noted and the Council entered into Committee of the Whole at 7:06 p.m.

Mayor Rupright and Mr. Payne provided an update on communications the American Civil Liberties Union has had with the City of Wasilla.

Discussion ensued.

MOTION: Council Member Woodruff moved to exit into Committee of the Whole.

GENERAL CONSENT: There was no objection noted and the Council exited Committee of the Whole at 7:30 p.m.

#### **B. Resolution Serial No. 12-16:** Authorizing the City of Wasilla to adopt a Section 125 Flexible Benefits Cafeteria Plan.

MOTION: Council Member Woodruff moved to adopt Resolution Serial No. 12-16.

Discussion moved to the Council.

VOTE: The motion to adopt Resolution Serial No. 12-16 passed unanimously.

- C. **AM No. 12-21:** Contract award to Alaska Snow Removal Services in the amount of \$95,000 for the Lake Lucille demonstration project to enhance water quality by reviving spring water feeding the lake using a suction dredge.

Deputy Mayor Holler noted that he had relatives who lived on Lake Lucille and added that it could be construed as a conflict of interest.

Mayor Rupright ruled that Deputy Mayor Holler did not have a conflict of interest.

MOTION: Council Member Woodruff moved to adopt AM No. 12-21.

Discussion moved to the Council.

VOTE: The motion to adopt AM No. 12-21 passed unanimously.

## **XI. COMMUNICATIONS**

### A. Informational Memorandums

1. **IM No. 12-08:** Monthly financial reports for the period ending March 2012 to include the month-to-date expenditure report, disbursements greater than \$5,000, investment report and the quarterly report of businesses receiving a penalty waiver for sales tax.

### B. Commission Minutes

There was no action taken on the communication items.

## **XII. AUDIENCE COMMENTS**

Ms. Colleen Cottle:

- spoke regarding the expansion of the Parks Highway; and
- noted her favor for a four lane divided highway with a sunken meridian.

The following people spoke regarding the expansion of the Parks Highway and noted their preference for a five lane highway which contains a center turn lane: Mr. Wade Behn, Mr. Henry Fagnani, Mr. Mikel Saunders, Mr. Paul Gardner, Mr. Brad Laybourn, and Mr. Dallas Masse.

Ms. Anne Kilkenny:

- spoke regarding the Parks Highway expansion;
- commented on the differing needs of the property owners along the highway; and
- pointed out the increased traffic during the summer months and opined that those needs should be addressed.

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

Ms. Smithers:

- reminded the Council that the next meeting is June 11, 2012; and
- asked for the Council to inform her if they would like to attend the Alaska Municipal League meeting in Bethel.

Mr. Payne:

- thanked the City Council for approving AM No. 12-19, approving the contract extension to Denali Law;
- complimented the Sports Center on the great job they did with hosting the Wrestling Championship; and
- spoke to a potential executive session that may be needed regarding matters that pertain to litigation.

### **XIV. COUNCIL COMMENTS**

MOTION: Council Member Harris moved to direct the City Attorney to strike the section of City Code that allows a private citizen to bring an injunction against the City as it relates to speech.

Discussion ensued.

GENERAL CONSENT: There was no objection noted.

Council Member Harris spoke regarding the Parks Highway expansion.

Council Member Woodruff:

- spoke regarding WMC 2.04.040.A.2, regarding a council member's absence;
- requested that the Council be asked if someone is excused from their absence, instead of simply noting that the council member is absent at roll call;
- thanked the Youth Court staff and the citizens involved with the success of the Youth Court;
- thanked everyone who helped with Wasilla Clean Up Days;
- spoke in favor of supporting businesses to offer incentives for bringing their own bags and not using plastic bags;
- encouraged the City Council to listen to the audio CD distributed by the Mr. William Bruu;
- noted her displeasure with some of the comments that can be heard on the audio CD;
- thanked Mr. Payne for his services;
- commented on her use of the City's Attorney's time; and
- spoke regarding her concerns with the expansion of the Parks Highway.

Council Member Katkus:

- noted her pleasure with the City hosting the wrestling tournament at the Curtis D. Menard Memorial Sports Center;
- thanked the Parks and Recreation Commissioners for all the time they volunteered during Wasilla Clean Up Days;
- opined that the City needs annual events and commented on the need for an aviation show;
- noted her pleasure at the possible expansion of the Wasilla Public Library; and
- encouraged the business owners along the Parks Highway to be involved in the public process during the expansion phases.

Deputy Mayor Holler:

- addressed Chief Belden and expressed his concerns with the Code Compliance Officer's behavior with the public; and
- queried the status of the burnt building at the corner of Swanson Avenue and North Willow Street.

Mr. Giddings provided an update.

Council Member Sullivan-Leonard:

- commended the members of the public who participated in Wasilla Clean Up Days;
- informed the Council that she attended the Alaska Municipal League Board Meeting on Friday, May 11, 2012;
- provided highlights from the meeting and covered future items of discussion during the upcoming meeting in Bethel;
- noted that the tomorrow is the Military Appreciation Luncheon at the Wasilla Chamber of Commerce luncheon; and
- spoke to the passing of Former Mayor Harold Newcomb.

Mayor Rupright:

- noted that there would be a service held on May 19, 2012, in recognition of Former Mayor Harold Newcomb;
- supported the idea of an aviation show at the Wasilla Airport; and
- asked for a moment of silence in recognition of Former Mayor Harold Newcomb.

## **XV. EXECUTIVE SESSION**

There was no executive session held.



**XVI. ADJOURNMENT**

With no further business at hand, Mayor Rupright adjourned the meeting at 8:34 p.m.



---

VERNE E. RUPRIGHT, Mayor

ATTEST:



---

KRISTIE SMITHERS, MMC, City Clerk

Minutes approved: June 12, 2012