

I. CALL TO ORDER

The Regular Meeting of the Wasilla City Council was held on Monday, December 12, 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
- Mr. Douglas Holler, Deputy Mayor, Seat B
- Ms. Leone Harris, Seat C
- Ms. Colleen Sullivan-Leonard, Seat D
- Ms. Dianne Woodruff, Seat E
- Mr. Steve Menard, Seat F

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 Woodruff asked to remove Resolution Serial No. 11-47 and AM No. 11-32 from the Consent Agenda and to place them under New Business.

There was no objection noted.

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. Steve Colligan, Assembly Member, District 4:

- spoke regarding the proposed land transfer of a portion of the Wasilla Middle School property from the Matanuska-Susitna Borough (Borough) to the City of Wasilla;
- commented on a proposed tower ordinance;
- noted that the Borough Assembly passed a gravel ordinance as well as a timber harvest ordinance;
- advised the Council that there have been many discussions regarding changes to their land use code;
- stated that Borough Assembly met with their State Legislative representatives;
- noted that the federal government issued their Record on Decision on the rail spur; and
- added that the ferry will soon be in the full ownership of the Borough.

B. Presentation of FY2011 Comprehensive Annual Financial Audit – KPMG, LLC

Daniel Rozema, Partner Audit, provided the highlights of FY2011 Comprehensive Annual Financial Audit Report then walked the Council through the FY2011 Comprehensive Annual Financial Audit. Mr. Steven Stanchina, Senior Manager Audit, was also in attendance.

Discussion ensued.

[CLERK'S NOTE: The Mayor requested to suspend the rules at in order to allow the Council to address AM No. 11-32 with KPMG, LLC. There was no objection noted and after the conclusion of the presentation by KPMG, LLC, the Council began its discussions on the audit.]

1. **AM No. 11-32:** Acceptance of the City of Wasilla's Fiscal Year 2011 Comprehensive Annual Financial Report for public record.

MOTION: Council Member Woodruff moved to postpone AM No. 11-32 to a time certain of January 9, 2012.

GENERAL CONSENT: There was no objection noted.

VII. PUBLIC PARTICIPATION

A. Public Hearings

1. **Ordinance Serial No. 11-44:** Accepting and appropriating \$3.1 million in FY2012 State Legislative Grant Funding for the Wasilla Airport Access Road.

Mayor Rupright opened the public hearing on Ordinance Serial No. 11-44. There being no one present who wished to speak, Mayor Rupright closed the public hearing and discussion moved to the Council.

MOTION: Council Member Sullivan-Leonard moved to adopt Ordinance Serial No. 11-44.

VOTE: The motion to adopt Ordinance Serial No. 11-44 passed unanimously.

B. Persons to be Heard

Mr. John Dewar:

- noted his complaints with the City's Code Compliance Officer, Mr. Mike Rager; and
- stated that he wants no further contact with Mr. Rager.

Mr. Bill Wood spoke regarding his disfavor with commercial and nonresident traffic through his subdivision on Whispering Woods Drive and asked the Council to seek resolution to the problem with the nonresident thru-traffic.

Mayor Rupright:

- advised that the road was jointly owned and maintained by City of Wasilla and the Borough; and
- directed Mr. Cottle to begin discussions with the Borough on Mr. Wood's concerns.

Mr. Mason Engle spoke regarding traffic concerns and associated hazards on his street near Whispering Woods Drive.

Ms. Lisa Ameen:

- advised the Council that she has lived on Whispering Woods Drive for the past 12 years;
- supported Mr. Wood's comments; and
- spoke regarding a traffic calming document and to suggestions within the document.

Mr. Robert Ameen:

- supported Ms. Ameen's statements; and
- added his areas for concern regarding nonresident thru-traffic on Whispering Woods Drive.

Council Member Menard addressed the residents of Whispering Woods Drive and spoke to the issues the residents brought up this evening.

Council Member Katkus called a point of order. Council Member Menard noted his .

Mayor Rupright respectfully requested that Council Member Menard summarize his comments.

VIII. CONSENT AGENDA

A. Minutes of Preceding Meetings:

1. Regular Meeting: November 28, 2011
2. Special Meeting: November 28, 2011

B. Introduction of Ordinances: Recommended for Public Hearing on January 9, 2012:

1. **Ordinance Serial No. 12-01:**An ordinance of the Wasilla City Council amending WMC 1.20.030.C, within Disposition of Scheduled Offences, to set the fine amount for a public nuisance at \$300; and amending WMC 8.12.050.B, within Public Nuisance Abatement, by adding further citation.

A. Resolutions

1. **Resolution Serial No. 11-46:** Supporting the dedication and land transfer to the City of a portion of the Wasilla Middle School property at the corner of Swanson Avenue and Crusey Street of approximately four acres for the purpose of a new public library.

B. Action Memorandums

MOTION: Council Member Woodruff 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 amended.

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. NEW BUSINESS

- A. **Resolution Serial No. 11-47:** Directing the City Clerk to schedule a special election on February 7, 2012, on a question to recall Steve Menard from the Office of City Council.

MOTION: Council Member Woodruff moved to adopt Resolution Serial No. 11-47.

Council Member Woodruff noted that Council Member Menard may have a conflict of interest. Council Member Menard stated that he did not have a conflict of interest.

Discussion ensued.

Deputy Mayor opined that Council Member Menard did indeed have a conflict of interest. Council Members Katkus and Sullivan-Leonard supported Deputy Mayor Holler's opinion.

Council Member Menard recused himself from the discussion. *[CLERK'S NOTE: Council Member Menard left the dais, stepped to the back of the Council Chambers, and did not vote on Resolution Serial No. 11-47.]*

Council Member Woodruff clarified that by Resolution Serial No. 11-47 being passed this evening it did not mean that the statements in the petition were true, nor did they represent the opinion of the City Council or the City of Wasilla.

Mr. Payne provided clarifying statements.

Discussion ensued.

VOTE: The motion to adopt Resolution Serial No. 11-47 passed unanimously. *[CLERK'S NOTE: Council Member Menard did not vote on the issue; after the vote Council Member Menard resumed his seat at the dais and resumed his duties as a council member.]*

XI. COMMUNICATIONS

- A. Informational Memorandums
- B. Commission Minutes

There were no communication items.

XII. AUDIENCE COMMENTS

Mr. John Dewar:

- reiterated that he wanted no further contact from Mr. Rager; and
- spoke regarding the clearing of brush on his property and compared it to the clearing of trees on his surrounding neighbors.

XIII. MAYOR, CLERK AND ATTORNEY COMMENTS

Mayor Rupright:

- provided an update on the possibility of a land transfer or lease of land from the Borough for a new Wasilla Public Library; and
- spoke regarding unified lobbying efforts.

Ms. Smithers:

- wished everyone a Merry Christmas; and
- noted that the next meeting would be January 9, 2012.

Mr. Payne:

- noted that the City has almost reached a resolution with Mr. Brad Laybourn regarding the proposed firing range;
- invited the Council to call him with any questions they may have;
- provided clarifying statements regarding Resolution Serial No. 11-47, noting that the City Council only set a date for the special election;
- noted that he is grateful for those citizens who approach him with their concerns; and
- apologized for his absence at the last regular meeting which took place on November 28, 2011.

XIV. COUNCIL COMMENTS

Council Member Katkus spoke regarding the importance of being an informed voter.

Council Member Woodruff:

- thanked the Police Department for their attendance at the tree lighting event at the Dorothy G. Page Museum; and
- queried Mr. Hastings regarding the evolution of the Roller Derby using the Curtis D. Menard Memorial Sports Center as well as the status of the concessions during hockey games.

Mr. Hastings responded.

Council Member Woodruff:

- offered suggestions on how to help slow down or minimize traffic on Whispering Woods Drive; and

- noted her disappointment with the verbiage of the petition regarding the recall of Steve Menard from the Office of Council Member.

Deputy Mayor Holler:

- spoke regarding traffic issues on Whispering Woods Drive;
- noted his disfavor with the verbiage of the petition regarding the recall of Steve Menard from the Office of Council Member;
- encouraged the voters to call Council Steve Menard to ask questions; and
- noted his disfavor with Mr. Dewar's behavior this evening.

Council Member Harris:

- thanked the group of Whispering Woods Drive for coming this evening; and
- advised against Council Members pushing their opinions on political topics.

Council Member Sullivan-Leonard:

- thanked KPMG, LLC, and the Finance Department for their work on the financial report;
- thanked the group of Whispering Woods Drive for coming this evening;
- spoke to the policy that was brought forward to the Borough Assembly regarding electronic communications and how it related to the Open Meetings Act; and
- wished everyone a Merry Christmas and a Happy New Year.

Council Member Menard:

- spoke regarding the nonresident thru-traffic concerns on Whispering Woods Drive;
- encouraged the entire Whispering Woods Drive residents to annex into the City so that the City of Wasilla would have total control over the road;
- noted his disfavor with Mr. Dewar's behavior towards himself this evening;
- spoke to the special election of February 7, 2012, and commented on the process;
- stressed his disfavor with the executive session process that occurred on November 28, 2011, as it pertained to a council member refusing to go into the executive session and leaving the meeting prior to its adjournment.

Mayor Rupright wished everyone a Merry Christmas and Happy New Year.

XV. EXECUTIVE SESSION

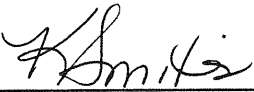
There was no executive session held.

XVI. ADJOURNMENT

With no further business at hand, Mayor Rupright adjourned the meeting at 7:39 p.m.


VERNE E. RUPRIGHT, Mayor

ATTEST:


KRISTIE SMITHERS, MMC, City Clerk

Minutes approved: January 9, 2012