

## City Council Minutes

### Special Meeting

5:00PM, Wednesday, February 26, 2025 ~ 5:00PM

City Hall, Delta Junction, Alaska



### CALL TO ORDER / PLEDGE OF ALLEGIANCE / PRAYER

Mayor Igor Zarembo called the meeting to order at 5:00pm.

**Council members present:** Mayor Igor ZAREMBA, Deputy Mayor Mary LEITH, Travis RIESNER, Michael PRESTEGARD, Stormie MITCHELL

**Council present via Zoom:** Pete HALLGREN, Lance STRICKLIN

**City staff present:** City Administrator Lori Roberts, Finance Officer Kaylee Reiersen, City Clerk Pat White

**Public present:** Roughly 20 members from the community were present (plus 10 on Zoom and including City Attorney Pam Weiss). The meeting was broadcast over KDHS 95.5 FM radio.

### PUBLIC COMMENTS

Sherman Stebbins blamed Mayor Zarembo for issues within the community and reasons driving the recall of Council member Stormie Mitchell because of inability to control what's going on within the city. He said, "agendas are not posted in a timely manner, not until late on Friday nights, which does not allow time for Council members to do research and make a well-informed vote on problems that concern the community." He asked why two anonymous letters addressed to the City Council (received on February 10 and posted on the February 18 agenda) were still on the agenda page of the City website. He felt the letters "defamed" Ms. Mitchell.

### NEW BUSINESS

#### Recall Petition

White reported the timeline in processing a petition to recall Council member Mitchell.

- Alaska Statutes 29.26.250 states grounds for recall are misconduct in office, incompetence, or failure to perform duties. Former Council member Alan Levinson (served 2017-2022) presented a recall application on Friday, February 21. Grounds to recall were, " Mitchell comes unprepared to meetings and delays the business of the City because of this." The application was signed by Sherry Heinbockel (alternate contact) and Levinson (main contact) as well as 10 sponsors who are registered City-precinct (050) voters. Using the Division of Elections (DOE) voter list, each signature was verified in Levinson's presence.

- Levinson was given recall petition pages that were generated by White, as spelled out in AS 29.26.270. Levinson returned the petition on Monday, February 24. Again, the 41 signatures were verified in his presence. White also sent an email to Levinson and Heinbockel on Tuesday, February 25, stating both the recall application and the recall petition were sufficient and that a special meeting would be scheduled "... to present the recall petition to the City Council."

- An error was made in calculating the number of signatures that were required. Twenty-five percent of the number of votes cast for that office at the last regular election was nine out of 35, not 25% of the voter turnout in the last election (17 out of 69). Nonetheless the 41 signatures on the recall petition were more than sufficient.

- According to AS 29.26.320, a recall election can be scheduled within 75 days but no sooner than 45 days after the petition is presented to the City Council. To comply with 120 days in office and 180 days left in Mitchell's term, an election must be scheduled between April 12 and April 23.

Hallgren reported the State Statutes gives voters the right to recall. He questioned Levinson's grounds for the recall, whether they were "stated with particularity." He also asked if the City Attorney reviewed the petition process and if all the State Statutes requirements were met.

Marc Aaron Smith introduced himself as Mitchell's attorney and referenced grounds for a recall. He said the reasons for a recall (unprepared for meetings, which delays the business of the City) does not provide specific instances or facts. What specific actions harmed the City or the community? What City Ordinance, State Statute, or anything requires a standard of preparation? Mitchell's recall, similar to an Alaska Supreme Court case from 1995 (903 P.2d 1055) in which three Council members were recalled, has nothing specific to make the recall move forward, nor in the near future.

Pam Weiss, City Attorney, reported the purpose of the meeting is for the City Clerk to present the petition to the City Council. It is at the discretion of the Clerk to determine whether the recall application meets requirements. State Statutes do not list specific conduct that is required, however the language stated in the application is within the realm of reason that the Clerk could determine either incompetence or failure to perform prescribed duties.

Motion: Hallgren moved to table choosing a date for the recall election to March 4, 2025; Prestegard seconded. Stricklin, referring to the motion to delay action, said that is the behavior why more people signed the petition to remove Mitchell than those who voted for her in the last election. Those delays harm the City from conducting normal business. The only vote tonight is to set a date for the recall election.

Discussion followed regarding urgency in calling tonight’s meeting, necessary to get everyone informed, and “kicking the can down the road” again.

Riesner said the public has spoken and it is the City Council’s duty to choose a date for the recall election.

Hallgren said the delay is to clarify if the State Statutes were properly followed.

Prestegard said the reasons for a recall were too general and not specific enough.

White reported the grounds for recall were written on the petition. Every one of the 41 signers could read them. The window for an election (45 days) will be gone if a date is not set.

Mitchell said the table is 30 days. Putting it off for six days (to March 4) is not going to have any impact.

Motion failed on a roll call (to postpone to March 4) with three in favor (Hallgren, Prestegard, Mitchell) and four opposed (Riesner, Leith, Stricklin, Zaremba).

**Motion:** Stricklin moved to hold the recall election on April 18, 2025; Leith seconded.

Prestegard amended the motion to postpone the election for 75 days instead of 45; Mitchell seconded.

Leith said it would effectively kill an election that was requested by the public.

Motion failed on a roll call (to delay for 75 days) with two in favor (Mitchell, Prestegard) and five opposed (Leith, Hallgren, Stricklin, Riesner, Zaremba).

**Motion passed** on a roll call (to hold the recall election on April 18, 2025) with five in favor (Stricklin, Leith, Riesner, Hallgren, Zaremba) and two opposed (Prestegard, Mitchell).

**ADJOURNMENT – 5:31pm**

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Igor Zaremba, Mayor

CITY  
SEAL

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Pat White, City Clerk

Approved: March 4, 2025