

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on May 11, 2010 at 7 pm in the council chambers, Palmer, Alaska.

Mayor Combs called the meeting to order at 7:02 pm.

B. ROLL CALL

Comprising a quorum of the Council, the following were present:

Mike Chmielewski	Richard Best
Kevin Brown	Ken Erbey
John Combs	

The following council members were absent and excused by the council:

Brad Hanson	Kathrine Vanover
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Also in attendance were the following:

Bill Allen, City Manager
Michael Gatti, City Attorney
Janette Bower, City Clerk
Shelly Acteson, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Brown.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Action Memorandum 10-033: Confirm the Mayor's Appointment of Richard Stryken to the City of Palmer Board of Economic Development
 - b. Action Memorandum 10-034: Amend the Ex-Officio Membership of the Board of Economic Development by Deleting Stu Graham from the Greater Palmer Chamber of Commerce and Appoint a Representative from the Organization to Fill the Position
 - c. Action Memorandum 10-035: Approve the Resignation of Planning and Zoning Commission Member Darrin Hamming
2. Minutes of Previous Meetings
 - a. April 13, 2010, Regular Meeting
 - b. April 20, 2010, Special Meeting
 - c. April 20, 2010, Regular Meeting

City Clerk Janette Bower requested to move item L. 5. to K.1. There were no objections.

E. SPECIAL ORDER OF BUSINESS

Mayor Combs read a proclamation of the Palmer City Council, Proclaiming the Week of May 16, 2010, as Public Works Week in the City of Palmer.

F. COMMUNICATIONS AND APPEARANCE REQUESTS

Peter Brown, Chair – Airport Advisory Commission

- explained the role of the Airport Advisory Commission;
- provided Council with an avionic update relating to the Palmer Airport;
- stated most Commission Members were aviation advocates;
- discussed the economic viability of the Palmer Airport;
- expressed concern with the ever-changing Airport Manager; and
- spoke in favor of increased transparency between the Commission and the Council.

William Kerslake, Chair – Planning and Zoning Commission

- provided Council with a quarterly update.

Steve Carrington, Director – Department of Community Services

- provided Council with an overview of the written activity report.

Beth Skow, Director – Parks and Recreation Director

- presented an update to the Council.

Mayor Combs:

- commented on the Brittney Estates Park.

Council Member Chmielewski:

- suggested a ribbon cutting ceremony for the new Visitor Center restrooms.

G. REPORTS

Item 1 – City Manager’s Report

City Manager Bill Allen reported on the following items:

- Memorial service for deceased Police Officer Jim Roland;
- Grandson’s high school graduation;
- Sara Jansen promotion to Deputy City Manager;
- Accolades for the Public Works Department;
- Visit from Universal Studios Representatives;
- Wastewater Heat Project from the power plant at the Fairgrounds;
- Possible relocation of the Avalanche Hockey Team to Palmer;
- Ice Arena expansion;
- Meeting with Mat-Su Borough Land Manager John Duffy regarding a land swap;
- Vote of confidence regarding pursuit of a Local Government Campus in Palmer;
- Installation of four bike racks in downtown Palmer; and
- Palmer Clean-Up Day.

Mayor Combs:

- questioned the step increase for Sara Jansen;
- inquired of the land swap with the Mat-Su Borough;
- spoke in favor of bike racks; and
- reminded everyone to watch for pedestrians.

Council Member Best:

- stated some larger items from Clean Up Day were still awaiting pick up.

Item 2 – City Clerk’s Report

City Clerk Janette Bower reported on the following items:

- Alaska Municipal League (AML) Board Meeting update;
- AML Conference in November; and
- Joint Council Meeting May 18 with the Board of Economic Development.

Item 3 – Mayor’s Report

Mayor Combs reported on the following items:

- Saroma, Japan Sister City Meeting;
- Borough Economic Development Meeting;
- Public Service announcement regarding the 2010 census;
- Palmer Lions High School Scholarship;
- Chamber Forum host speaker;
- National Day of Prayer at the Depot;
- Awards for Clean-Up Day; and
- Gala for the Palmer Senior Center.

H. AUDIENCE PARTICIPATION

John Alcantra:

- commented on the “Stop the Gag Law Initiative”; and
- provided Council with an update of entities opposing “An Initiative Creating an Alaska Anti-Corruption Act”.

Tom Healy, Alaska Rock Products Association Representative:

- commented on Resolution No. 10-032; and
- expressed confusion with the legislation.

I. PUBLIC HEARINGS

Item 1 – Resolution No. 10-030: Ratifying the Citizen Advisory Committee’s Selection of a Preferred Alternative for the Palmer Wasilla Highway Eastern Terminus Project (IM 10-043)

A staff report was provided by Department of Community Development Director Sandra Garley.

Mayor Combs opened the public hearing for Resolution No. 10-030.

Al Strawn, Citizens Advisory Committee (CAC) Member:

- spoke in favor of the resolution as written;
- voiced concern with lost opportunities caused by a delay;
- inquired of the rationale for recommending an economic impact study before commencing the project; and
- recommended adoption of the legislation without the amendment proposed by staff.

Alex Kopperud, CAC Member:

- spoke against the amendment proposed by staff; and
- encouraged the Council to adopt the resolution as presented.

Jack Snodgrass, CAC Member:

- provided Council with a brief history of the CAC; and
- encouraged Council to approve the legislation as presented.

Helen Munoz:

- stated the Mat-Su Borough had 9,000 residents when she arrived and has grown to 85,000 residents; and
- recommended Council approve the resolution in its current form.

Pamela Stephen:

- advocated for Council approval of Resolution No. 10-030 as presented.

Mike Madar:

- requested Council consider and review the amendment posed by staff; and
- recommended the Council proceed with caution.

Stacey Bugby, CAC Member:

- addressed Council concerns with Evergreen Avenue; and
- expressed gratitude for the opportunity to serve as a CAC Member.

Mayor Combs closed the public hearing and the matter was brought before the Council

MOVED BY:	Chmielewski	To adopt Resolution No. 10-030
SECONDED BY:	Best	

Council Member Chmielewski:

- questioned the economic impact of Alternative B; and
- explained a variety of ways to study the economic impact of a project.

Community Development Director Garley:

- stated a specific broad economic analysis of the project was nonexistent;
- spoke in favor of the diversity of the CAC in relation to the economic impact to local businesses;
- explained the staff recommendation regarding an economic impact analysis;
- reminded Council of the lack of a detailed schematic for the project;
- noted the amendment requesting an economic impact analysis was a not a reflection or rejection of the CAC recommendation; and
- stated the "design phase" was the next phase of the project.

Council Member Brown:

- requested a list of land "takings" associated with the project alternatives; and
- questioned the impact of delaying the project to complete an economic impact analysis.

Council Member Best:

- stated Alternative B was an augmentation to the existing highway plan;
- requested the Department of Transportation (DOT) employee in attendance respond to Council concerns; and
- expressed concern with Glenn Highway project.

City Manager Allen:

- stated the project was "light" on information; and
- suggested completion of the economic impact study during the design phase of the project.

Mayor Combs:

- spoke in favor of moving forward with the legislation.

Project Manager Jim Amundsen:

- responded to Council questions and concerns;
- stated DOT would not fund an economic impact study;
- expounded on the "taking" matrix provided to the Council; and
- explained the next step in the project process.

Council Member Chmielewski called for the question. The motion was not seconded.

VOTE ON MAIN MOTION: Carried by unanimous voice vote			
	Yes:		No:
Chmielewski	Combs	Erbey	
Best	Brown		

Item 2 - Ordinance No. 10-010: Enacting Palmer Municipal Code Chapter 5.21 Massage Therapist Licensing, to Provide for Massage Therapist Regulations within the City of Palmer (IM 10-020)

A staff report was provided by City Clerk Janette Bower.

Mayor Combs opened the public hearing for Ordinance No. 10-010.

Pamela Stephen:

- remarked favorably on the legislation.

Mayor Combs closed the public hearing and the matter was brought before the Council.

MOVED BY:	Chmielewski	To adopt Ordinance No. 10-010
SECONDED BY:	Erbey	

Council Member Best:

- spoke in support of the legislation.

Council Member Brown:

- spoke in favor of the legislation.

VOTE ON MAIN MOTION: Carried by unanimous voice vote		
	Yes:	No:
Chmielewski Best	Combs Brown	Erbey

Item 3 - Ordinance No. 10-011: Amending Palmer Municipal Code Chapter 17.28, C-L Limited Commercial District to Add Public and Private Schools under 17.28.030 Conditional Uses; to Amend 17.28.010 C by Substituting the Word Uses for Establishments; to Amend the List of Permitted Uses in 17.28.020 to Delete Obsolete Language; to Amend 17.28.062 C for Clarity; and to Amend 17.28.070 Parking to Include Landscaping in the Title (IM 10-038)

A staff report was provided by Director Garley.

Mayor Combs opened the public hearing for Ordinance No. 10-011.

Mayor Combs closed the public hearing and the matter was brought before the Council.

MOVED BY:	Chmielewski	To adopt Ordinance No. 10-011
SECONDED BY:	Erbey	

Council Member Best:

- voiced concern with the definition of "school" in the Code.

Director Garley:

- explained the legislation removed antiquated language in the Code; and
- responded to Council questions.

Attorney Gatti:

- replied to Council questions concerning the definition of "school";
- noted Council Member Chmielewski was not required to seek recusal; and
- stated the definition needed closer examination.

Council Member Brown:

- disagreed with the Attorney's opinion; and
- requested staff bring a revised definition of "school" for Council approval during a future meeting.

Council Member Chmielewski:

- explained his request for recusal; and
- described a possible cyber-school at his place of residence.

VOTE ON MAIN MOTION: Carried by unanimous voice vote			
	Yes:		No:
Chmielewski	Combs	Erbey	
Best	Brown		

J. ACTION MEMORANDA

Item 1 – Action Memorandum 10-019: Authorize the City Manager to Award and Execute a Contract for the 8,000 Gallon Fuel Tank Bid to Greer Tank, Inc. in the Amount of \$84,479

MOVED BY:	Brown	To approve Action Memoranda 10-019
SECONDED BY:	Best	

Public Works Director Carter Cole provided a staff report.

VOTE ON MAIN MOTION: Carried by unanimous voice vote			
	Yes:		No:
Chmielewski	Combs	Erbey	
Best	Brown		

Item 2 - Action Memorandum 10-027: Authorize the City Manager to Award and Execute a Contract in the Amount of \$49,620.24 and Change Order No. One in the Amount of \$19,722.50 for the Crack Sealing and Street Striping Project to Alaska Sure Seal for a Total Amount of \$69,342.74 for both Contract and Change Order One

MOVED BY:	Chmielewski	To approve Action Memoranda 10-027
SECONDED BY:	Brown	

Council Member Best:

- questioned the durability of the sealant.

Public Works Director Carter Cole:

- responded to Council inquiries.

VOTE ON MAIN MOTION: Carried by unanimous voice vote			
	Yes:		No:
Chmielewski	Combs	Brown	
Erbey	Best		

Item 3 - Action Memorandum 10-030: Approve the Capital Construction Project Development Process

MOVED BY:	Erbey	To approve Action Memoranda 10-030
SECONDED BY:	Best	

City Manager Bill Allen:

- expounded on the legislation;
- noted the abundant opportunities for public input during the process; and

- responded to Council inquiries.

Assistant City Manager Sara Jansen:

- provided Council with an overview of the development process; and
- responded to Council queries.

Council Member Brown:

- requested clarification of the project approval process;
- spoke in favor of the legislation;
- objected to Council Member Best's suggestion to change the process for projects put forth by a Council Member; and
- suggested the proposed change would politicize the development process.

Council Member Best:

- suggested amendments regarding Council Member incepted projects.

Council Member Chmielewski:

- spoke in support of the document; and
- raised questions concerning a Council Member's ability to suggest a project without the support of another Council Member.

Mayor Combs:

- concurred with Council Member Chmielewski's comments.

Council Member Erbey:

- questioned Council Member Best's suggested requirement for Council Members.

Motion to Postpone		
Moved by:	Brown	To postpone any action until the May 25 Regular Meeting
Seconded by:	Best	

Vote on motion to postpone: passed with unanimous voice vote		
Yes:		No:
Chmielewski	Brown	
Combs	Erbey	

Item 4 - Action Memorandum 10-036: Authorize the City Manager to Enter into a Three Month Lease with Jim Hill for the Building Known as the Old Woods Hanger at the Palmer Municipal Airport

MOVED BY:	Chmielewski	To approve Action Memoranda 10-036
SECONDED BY:	Best	

VOTE ON MAIN MOTION: Carried by unanimous voice vote		
Yes:		No:
Chmielewski	Combs	
Best	Erbey	

K. UNFINISHED BUSINESS

Item 1 - Resolution No. 10-034: Approving a \$150 Supplemental Appropriation from the General Fund Undesignated Fund Balance to Appropriate Funds in Support of City of Palmer Resolution No. 10-031: Opposing "An Initiative Creating an Alaska Anti-Corruption Act", Scheduled for the 2010 Alaska Primary Ballot (IM 10-047)

MOVED BY:	Chmielewski	To adopt Resolution No. 10-034
SECONDED BY:	Erbey	

VOTE ON MAIN MOTION: Carried by unanimous voice vote		
	Yes:	No:
Chmielewski Erbey	Combs Best	Brown

Item 2 - Resolution No. 10-031: Opposing "An Initiative Creating an Alaska Anti-Corruption Act", Scheduled for the 2010 Alaska Primary Ballot (IM 10-044)

A pending motion was brought forth from the April 20, 2010 meeting.

VOTE ON MAIN MOTION: Carried by unanimous voice vote		
	Yes:	No:
Chmielewski Erbey	Combs Best	Brown

MOVED BY:	Chmielewski	To continue the meeting past 11:00
SECONDED BY:		

The above motion failed for lack of a second.

ADJOURNMENT

The meeting adjourned at 10:58 pm. The items listed below were moved to the May 25, 2010 agenda.

Resolution No. 10-026: Amending the City of Palmer Fee Schedule to Reflect a Fee for Massage Therapist Licenses and to Provide for Housekeeping Amendments (IM 10-039)

Resolution No. 10-029: Approving a Supplemental Appropriation of \$52,000 from the General Fund Undesignated Fund Balance (Fund 01) to the General Projects Fund (Fund 08) to Construct Air Handling Improvements to the Public Works Maintenance Facility at 1316 South Bonanza Street (IM 10-042)

Resolution No. 10-032: Recommending Matanuska-Susitna Borough Assembly Adoption of an Ordinance Amending Borough Earth Materials Extraction Regulations to Include Borough Standards for Reclamation (IM 10-045)

Resolution No. 10-033: Approving a \$14,555 Supplemental Appropriation from the General Fund Undesignated Fund Balance to Perform an External Audit of City of Palmer Credit Cards (IM 10-046)

Resolution No. 10-035: Approving a Supplemental Appropriation of \$13,000 from the General Fund Undesignated Fund Balance (Fund 01) to the General Projects Fund (Fund 08) to install the new Emergency Fuel Tank at the Public Works Maintenance Facility at 1316 South Bonanza Street (IM 10-049)

City Manager's Monthly Report Concerning Public Construction Projects

Approved this twenty-fifth day of May, 2010.

John C. Combs, Mayor

Janette M. Bower, MMC, City Clerk