

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on March 9, 2010 at 7 pm in the council chambers, Palmer, Alaska.

Mayor Combs called the meeting to order at 7:00 pm.

B. ROLL CALL

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

Mike Chmielewski – via Webex	Richard Best
Kevin Brown	Kathrine Vanover
John Combs	Brad Hanson
Ken Erbey	

Also in attendance were the following:

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hanson.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction – Ordinance No. 10-006: Amending Palmer Municipal Code Chapter 2.05 Mayor, to Clarify the Duties and Pay of the Office of Mayor (IM 10-018)
2. Minutes of Previous Meetings
 - a. February 16, 2010, Special Meeting
 - b. February 23, 2010, Regular Meeting

E. COMMUNICATION AND APPEARANCE REQUESTS

John Owen, Director – Department of Public Safety:

- presented Council with a verbal overview of the written report.

Council Member Hanson:

- questioned the Fire Station Project outlined on page 5 of the report.

F. REPORTS

Item 1 – City Manager’s Report

City Manager Bill Allen reported on the following items:

- Economic Development Strategy Draft Plan;
- Meeting with Bush Air Cargo Representative;
- Woods Hangar at the Palmer Airport;
- Meeting with the new South Central Regional Director of the Department of Transportation, Lance Wilbur;
- Weekly meeting with Matanuska-Susitna Borough Assembly Member Pete Houston;
- Meeting with Don Carling concerning City Beautification Projects;
- Meeting in Anchorage with City Attorney Michael Gatti;
- Palmer Airport Management oversight;
- Meeting with Department of Transportation Planner Jim Amundsen; and
- Recently hired Director of Community Services.

Council Member Vanover:

- requested clarification concerning the Wood Hangar rental and the new Community Services Director.

Mayor Combs:

- requested clarification concerning the Eastern Terminus Project timeline; and
- commented on the lack of progress concerning the Brittany Estates public park.

Council Member Best:

- clarified the Eastern Terminus Project timeline.

Item 2 - City Clerk’s Report

City Clerk Janette Bower reported on the following items:

- Special Meeting March 16.

Item 3 - Mayor’s Report

Mayor Combs reported on the following items:

- Juvenile Justice Committee meeting in Juneau;
- Palmer Colonist Virginia Berg passed away; and
- Palmer’s history of “firsts”.

G. AUDIENCE PARTICIPATION

Delena Johnson:

- commented on the sidewalk inaccessibility for handicapped citizens due to lack of snow removal; and
- spoke against Resolution 10-020.

H. PUBLIC HEARINGS

Item 1 – Resolution No. 10-011: Confirming the Special Assessment Roll for Street Improvement District 08-01 S.A.D.; Known as Lucas Area Street Improvements and Setting the Date of Payment, Providing for Penalties and Interest in the Event of Delinquency (IM 10-016)
A staff report was provided by Public Works Director Carter Cole and Director of Administration Kelli Veech.

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

Mr. Curt Anderson:

- questioned the assessment method used in Resolution No. 10-011.

Ms. Laura LeFrance:

- stated no benefits from the project were realized by the residents affected by the project; and
- pointed out the flaws in the project including freezing pipes, driveway height, and the brightness of the street lights.

Ms. Lorie Koppenberg:

- commented on the ill effects of the driveway grade.

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

MOVED BY:	Vanover	To adopt Resolution No. 10-011
SECONDED BY:	Erbey	

Council Member Best:

- requested responses to questions posed by members of the audience.

Public Works Director Carter Cole:

- responded to Council and audience members concerns.

Department of Administration Director Kelli Veech:

- allayed Council's concerns with the project.

City Manager Allen:

- responded to Council inquiries concerning the completeness of the project.

Council Member Vanover:

- requested a staff review of audience concerns with the project expressed during the Audience Participation section of the agenda.

Council Member Brown:

- requested clarification concerning the lights fixtures used in the project.

Council Member Hanson:

- expressed concern with complete comments voiced by audience members; and
- raised questions concerning the due date of the first annual assessment payment.

Primary Amendment #1 to Main Motion		
Moved by:	Hanson	To amend Resolution No. 10-011 by changing Section 4 from "...payable on May 10, 2010" to "...payable on July 10, 2010; and from "...on or before the first day of May" to "...on or before the first day of July"; and Section 7 from "...later than April 9, 2010" to "...later than June 9, 2010"
Seconded by:	Vanover	

City Manager Allen:

- questioned the fiscal accountability of the amendment.

Vote on primary amendment #1: Motion carried by unanimous roll call vote		
Yes:		No:
Erbey	Brown	
Chmielewski	Combs	
Hanson	Best	
	Vanover	

VOTE ON MAIN MOTION: Carried by unanimous roll call vote		
Yes:		No:
Chmielewski	Combs	
Vanover	Best	
Erbey	Brown	
	Hanson	

Item 2 - Resolution No. 10-012: Confirming the Special Assessment Roll for Street Improvement District 09-01 S.A.D.; Known as Blueberry Area Street Improvements and Setting the Date of Payment, Providing for Penalties and Interest in the Event of Delinquency (IM 10-017)

Council Member Hanson was recused. There were no objections.

A staff report was provided by Public Works Director Carter Cole and Director of Administration Kelli Veech.

Mayor Combs opened the public hearing for Resolution No. 10-012.

Mr. Chris Curtis:

- expounded on the incompleteness of the project;
- requested removal of large boulders in his yard;
- noted the paving company had paved over the curbstone; and
- requested completion of the project in its entirety.

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

MOVED BY:	Best	To adopt Resolution No. 10-012
SECONDED BY:	Erbey	

Public Works Director Carter Cole:

- addressed concerns expressed by audience members.

Primary Amendment #1 to Main Motion		
Moved by:	Best	To amend Resolution No. 10-012 by changing Section 4 from "...payable on May 10, 2010" to "...payable on July 10, 2010; and from "...on or before the first day of May" to "...on or before the first day of July"; and Section 7 from "...later than April 9, 2010" to "...later than June 9, 2010"
Seconded by:	Erbey	

Vote on primary amendment #1: Motion carried by unanimous roll call vote

Yes:			No:
Erbey	Brown	Best	
Chmielewski	Combs	Vanover	
Hanson			

VOTE ON MAIN MOTION: Carried by unanimous roll call vote

Yes:			No:
Chmielewski	Combs	Brown	
Vanover	Best	Hanson	
Erbey			

Item 3 - Resolution No. 10-020: Approving a Supplemental Appropriation not to Exceed \$50,000 from the General Fund (Fund 01) Undesignated Fund Balance to the Capital Project Fund (08) for Professional Services in Conducting a Charrette on the Future of the Downtown Railway Corridor (IM 10-027)

The motion to adopt was brought forward from the February 23, 2010 Regular Council Meeting.

Mayor Combs opened the public hearing for Resolution No. 10-020.

Ms. Lori Koppenberg:

- expressed concern with the resolution; and
- requested Council reject the legislation.

Mr. Gary Wolf:

- spoke against the legislation;
- requested Council utilize a larger encompassing planning process;
- commented on the City's Economic Development Plan; and
- encouraged Council to work with the documents and comments that had already been ascertained.

Ms. Gerry Keeling:

- conveyed apprehension and displeasure with the legislation; and
- expressed preference for a larger information gathering base.

Ms. Denise Stotz:

- articulated the City staff's dedication to the charrette process;
- spoke against the legislation; and
- reminded Council that interest was the driving force behind participation.

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

Council Member Vanover:

- expressed preference for the City to partner with the community and not be the driving force; and
- stressed the importance of working alongside the community to strengthen and clarify the community's vision.

Council Member Chmielewski:

- stated commonality with Council Member Vanover's comments;
- reminded Council of the passionate input received from the public concerning the railroad corridor; and
- stated the charrette was utilized to develop a comprehensive development plan.

Council Member Brown:

- expressed frustration with the public's apprehension of the legislation and the charrette process;
- expounded on the eight year old Urban Revitalization Plan (URP); and
- questioned Staff concerning recent public project timelines.

Council Member Best:

- defended the public's frustration;
- expressed exasperation with the Council's lack of follow through concerning the Urban Revitalization Plan;
- recommended a public hearing to review the URP; and
- spoke in favor of moving forward with the URP.

Council Member Hanson:

- commented on the validity of the charrette process;
- spoke against utilizing the charrette process for the project;
- spoke in favor of conducting an in-house charrette;
- reminded Council of the conceptuality of the URP; and
- questioned the lack of a specific scope of work in the Request for Proposals.

City Manager Allen:

- expressed the importance of a plan to address the railroad corridor;
- voiced preference for removing the railroad tracks;
- stated the implementation of the URP had been halted;
- requested direction from Council concerning the URP; and
- stated funding was the project driver, not the project.

Council Member Erbey:

- spoke in favor of the legislation; and
- recommended a ballot measure to address the issue.

Mayor Combs:

- highlighted the charrette timeline;
- commented on the importance of the project; and
- spoke in favor of the legislation.

Community Development Director Garley and Special Assistant Sara Jansen fielded questions from Council Member Brown.

VOTE ON MAIN MOTION: Carried 5 to 2 roll call vote			
	Yes:		No:
Chmielewski	Combs	Brown	Hanson
Vanover	Erbey		Best

Item 4 - Ordinance No. 10-005: Amending Title 17, Zoning, Chapter 17.58 BP, Business Park District, To Delete 17.58.010.C. Intent; Amend 17.58.020 Permitted Uses, Permitted Commercial and Industrial Uses; Delete First Sentence in 17.58.050 Prohibited Uses and Structures; Amend 17.58.050.A. and B. Prohibited Uses and Structures to Permit Residency For Caretakers or Guards For Security Purposes; Amend 17.58.060 Building and Structure Height Limit; Amend 17.58.080 Parking and Loading to Correct the Code Citation; Delete 17.58.100 Open Storage and Fences In Its Entirety; and Amend 17.58.110.A. and B. Landscaping (IM 10-015)

A staff report was provided by Community Development Director Garley.

Mayor Combs opened the public hearing for Ordinance No. 10-005.

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

MOVED BY:	Hanson	To adopt Ordinance No. 10-005
SECONDED BY:	Vanover	

Director Garley:

- responded to Council inquiries; and
- stated currently after-hours security was not allowed in the Palmer Commercial Center.

Council Members Brown and Best questioned the legal ramifications of the proposed amendments.

Council Member Chmielewski:

- spoke in support of the legislation.

Mayor Combs:

- spoke in support of the legislation.

VOTE ON MAIN MOTION: Carried by unanimous roll call vote			
	Yes:		No:
Chmielewski	Combs	Brown	
Vanover	Best	Hanson	
Erbey			

I. ACTION MEMORANDA

J. UNFINISHED BUSINESS

Item 1 – Ordinance No. 08-012: Amending the Palmer Municipal Code Sections 10.04.050 Overnight Parking, 10.04.080 Prohibiting Parking for Longer than 72 Hours, and 10.04.090 Prohibiting Parking That Obstructs Traffic (IM 10-030)

The motion to adopt was brought forward from the June 10, 2008 Regular Council Meeting.

Community Development Director Garley:

- explained the recommendations provided by the Planning and Zoning Commission.

Public Safety Director Jon Owen:

- commented on the unenforceability of the current Code pertaining to Section 10.04.050.

Council Member Best:

- commented on Brittany Estates parking issues.

Council Member Brown:

- expressed frustration with parking issues; and
- spoke in favor of the legislation.

Primary Amendment #1 to Main Motion		
Moved by:	Best	To amend Ordinance 08-012, Section 10.04.090
Seconded by:	Erbey	A. by changing "14 feet" to "16 feet"

Public Works Director Cole:

- voiced concern with the amendment.

Vote on primary amendment #1: Motion failed by unanimous roll call vote		
Yes:	No:	
	Erbey	Brown
	Chmielewski	Combs
	Hanson	Best
		Vanover

Primary Amendment #2 to Main Motion		
Moved by:	Best	To amend Ordinance 08-012, Section 10.04.090
Seconded by:	Erbey	B. by changing "16 feet" to "14 feet"

Vote on primary amendment #2: Motion carried by unanimous roll call vote		
Yes:	No:	
Erbey	Brown	Best
Chmielewski	Combs	Vanover
Hanson		

Council Member Best:

- stated parking was not allowed on residential streets; and
- commented on the lack of a "tool" to enforce and fine violators.

Council Member Hanson:

- spoke in favor of keeping ordinances current.

Primary Amendment #3 to Main Motion		
Moved by:	Brown	To amend Ordinance 08-012 by adding the changes recommended by the Planning and Zoning Commission as outlined in IM 10-030
Seconded by:	Vanover	

Vote on primary amendment #3: Motion carried by unanimous roll call vote		
Yes:		No:
Erbey	Brown	
Chmielewski	Combs	
Hanson	Best	
	Vanover	

Council Member Brown:

- suggested posting “No Parking” signs on residential streets; and
- expressed confusion with the legislation.

City Manager Allen:

- stated “No Parking” signs had been posted on Felton Street;
- stated City residential streets were not designed for on-street parking; and
- reminded Council of their authority concerning parking issues.

Public Safety Director Owen:

- provided clarification concerning parking on residential streets.

VOTE ON MAIN MOTION: Carried by roll call voice vote		
Yes:		No:
Chmielewski	Combs	
Vanover	Best	
Erbey	Brown	
	Hanson	

Item 2 - Resolution No. 10-018: Establishing Four Working Subcommittees for the Board of Economic Development and Approving a Supplemental Appropriation of Five Thousand Dollars (\$5,000) from the Undesignated Fund Balance to City Manager’s Operating Budget Account 01-01-05-6022 for Advertising Subcommittee Meetings (IM 10-025)

MOVED BY:	Erbey	To postpone action until the June 8 regular council meeting
SECONDED BY:	Vanover	

VOTE ON MOTION TO POSTPONE: Carried by unanimous roll call vote		
Yes:		No:
Chmielewski	Combs	
Vanover	Best	
Erbey	Brown	
	Hanson	

K. NEW BUSINESS

Item 1 – Resolution No. 10-021: Authorizing the Addition of One Quality Assurance and Project Controller Position to Monitor Construction Projects Funded 100 Percent by Grants

MOVED BY:	Best	To adopt Resolution No. 10-021
SECONDED BY:	Erbey	

Public Works Director Carter Cole enlightened Council with a staff report.

Department of Administration Director Veech:

- responded to Council questions.

Council Member Best:

- recommended hiring a contractual person; and
- commented on utilizing a “temporary full-time” status for the position.

City Manager Allen:

- expounded on the necessity of the position.

Council Member Brown:

- commented on contractual employment.

Council Member Hanson:

- questioned the City’s benefit payment requirements; and
- expressed concern with verbiage in the resolution.

Council Member Vanover:

- requested clarification regarding employee leave payments.

Primary Amendment #1 to Main Motion		
Moved by:	Best	To amend Resolution No. 10-021 by adding “100 percent” to the NOW, THEREFORE, BE IT RESOLVED
Seconded by:	Vanover	

Vote on primary amendment #1: Motion carried by unanimous roll call vote		
Yes:		No:
Erbey	Brown	
Chmielewski	Combs	
Hanson	Vanover	

MOVED BY:	Brown	To extend the time to adjourn to past 11:00
SECONDED BY:	Vanover	

VOTE ON MOTION: Carried by 6 to 1 roll call vote		
Yes:		No:
Hanson	Combs	Chmielewski
Best	Erbey	

Mayor Combs:

- questioned the lack of a Request for Proposals for the position; and
- expressed concern with promoting a temporary employee.

VOTE ON MAIN MOTION: Carried by a unanimous roll call voice vote			
	Yes:		No:
Chmielewski	Combs	Brown	
Vanover	Best	Hanson	
Erbey			

Item 2 - City Manager's Monthly Report Concerning Public Construction Projects

City Manager Allen:

- commented on two confidential projects.

Council Member Brown:

- questioned the confidential projects.

MOVED BY:	Brown	To postpone action on the agenda item until the March 23, 2010 Regular Council Meeting
SECONDED BY:	Combs	

VOTE ON MAIN MOTION: Carried by unanimous roll call vote			
	Yes:		No:
Chmielewski	Combs	Brown	
Vanover	Best	Hanson	
Erbey			

L. RECORD OF ITEMS PLACED ON THE TABLE

M. AUDIENCE PARTICIPATION

Ms. Lori Koppenberg:

- commented on the Urban Revitalization Project; and
- encouraged Council to allow all interested parties to participate in the charrette.

Ms. Delena Johnson:

- expressed concern with Resolution No. 10-021;
- commented on the local economy; and
- verbalized issues with the City's hiring process.

Mr. Chris Curtis:

- defended fiscal conservatism;
- stated similar and cheaper alternatives were available for a charrette process; and
- noted every 10 cents saved equals a dollar a person doesn't have to earn.

Ms. Gerry Keeling:

- chided Council for adopting Resolution No. 10-020;
- duly noted Council Members side expressions and comments; and
- reminded council of Palmer's longevity via its natural surroundings and history.

Ms. Denise Stotz:

- expressed interest in participating in the charrette;
- voiced concern with the amount of meetings noted in Resolution No. 10-020; and
- commented on the economic viability of Friday Flings.

N. COUNCIL COMMENTS

Council Member Vanover:

- thanked audience members for their participation and endurance; and
- requested a work session in the future to discuss economic issues within the City, such as loss of the Borough building.

Council Member Chmielewski:

- noting the lateness of the hour, suggested everyone acquire a restful sleep tonight.

Council Member Hanson:

- questioned the recently implemented concept requiring a staff report before the public hearing begins.

Council Member Best:

- responded to Council Member Hanson's question;
- articulated a situation with the Public Employees Retirement System (PERS) which could require the City and Council Member Best to ante up funds for a mistake made in 2003; and
- requested support to direct staff to proceed with resolving the PERS issue. Mayor Combs concurred.

Council Member Brown:

- apologized for losing his cool earlier in the meeting;
- vehemently spoke against the waste of public money;
- commented on contractual employment;
- remarked favorably on the City Staff's expertise;
- requested Council support to obtain a list of all consultants currently on contract with the City, a brief synopsis of their work, the value of the contract, and expected completion date. Council Member Best offered support.
- requested Council support to direct the Planning and Zoning Commission to proceed with an earth extraction ordinance. Council Member Best offered support; and
- stated a written report from the Board of Economic Development would be forthcoming.

Mayor Combs:

- commented on the charrette process; and
- stated resolution of the track issues was in the best interest of the community.

O. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 11:37 pm.

Approved this twenty third day of March, 2010.

John C. Combs, Mayor

Janette M. Bower, MMC, City Clerk