

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on December 14, 2004, at 7:00 p.m. in the council chambers, Palmer, Alaska.

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

B. ROLL CALL, DETERMINATION OF A QUORUM

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

Brad Hanson	Kathrine Vanover
Tony Pippel	Steve Carrington – <i>arrived at 8:07</i>
Ken Erbey	John Combs
Jim Wood	

Also in attendance were the following:

Tom Healy, City Manager
Janette Persinger, City Clerk
Jack Snodgrass, City Attorney

C. APPROVAL OF AGENDA

The agenda was approved as presented.

D. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hanson.

E. APPROVAL OF MINUTES

Item 1 – November 23, 2004, Regular Meeting – the minutes were approved as presented.

F. CONSENT AGENDA

1. Introduction – Ordinance No. 648: Amending Chapter 2.04 (City Council) and 2.44 (Records Retention), Adopting Chapters 2.04 (Mayor), 2.06 (Council Rules), 2.07 (Legislation), 2.08 (Council Meetings), 2.10 (City Manager), 2.11 (City Clerk), 2.12 (City Attorney), Repealing Chapters 2.08 (Council Meetings) and 2.12 (Legislation) of Title 2 (Administration and Personnel) of the Palmer Municipal Code (IM 04-018)

G. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Gene Jansen – Executive Director of the Greater Palmer Chamber of Commerce
President Shawn Osborne was also in attendance
Mr. Jansen reported on the following items:

- Overall summer traffic counts were down over the previous year;
 - City funds spent;
 - Tourist Center expense sheet and the costs incurred by the Chamber;
 - Colony Christmas and the promotion of Palmer through the event;
 - Discussion ensued regarding the previous season, the large increase in bus traffic, the progress made in connecting with the tour companies;
 - Discussion ensued regarding the contacts made with the Alaska Railroad;
 - Discussion ensued regarding Visitor Center operation costs;
 - The Chamber’s desire to assist in growing local businesses; and
 - Discussion ensued regarding the 2005 budget.
2. Russ Boatright – Chief, Palmer Police Department
 Chief Boatright reported on the following items:
- Animal calls for service – discussion ensued regarding the Borough’s response to animal control events and costs for those services;
 - Background investigations for hiring of new officers are continuing;
 - Sign regulations regarding snow removal and parking in roadways;
 - The lack of enforcement of actions written on local ordinances by the local magistrate; and
 - Discussion ensued regarding the equipment used for animal calls and the Animal Control Board.

H. BOROUGH REPRESENTATIVE’S REPORT

I. AUDIENCE PARTICIPATION

J. HEARINGS, ORDINANCES AND RESOLUTIONS

Item 1 – Resolution No. 1365: City of Palmer 2005 Fiscal Year Budget Second Public Hearing (IM 04-016)

MOVED BY:	Hanson	To adopt resolution no. 1365
SECONDED BY:	Erbey	

Clerk’s Note: As required by the City of Palmer Charter (Section 6.3 b), a public hearing was held on the Fiscal Year 2004 Budget on November 23, 2004. There were no members of the public to be heard.

Mayor Combs opened the public hearing for resolution no. 1365. There were no members of the public who wished to offer testimony.

Council Member Pippel stated that the biggest issue the City will face within the next 10 years is growth and voiced his concerns regarding the lack of a credentialed Planner. He stated that there is a need to bring on a professional planning staff.

Council Member Hanson stated that there is a need to update the comprehensive plan and the current staff has begun the process to do so. He stated that he pleased with the University of Washington project and believes that the City will receive a satisfactory product.

Council Member Wood stated that the University of Washington will help to provide an excellent comprehensive plan and voiced the necessity of a person to coordinate the comprehensive plan for council action. He agreed that in the future, bringing on contracted planner would be beneficial.

Mayor Combs reviewed the opened ended projects. The first project was the ice arena. The second project was the Southwest Utility Extension project. He suggested that the budgets for these projects could be larger than the original budgeted amounts. Mayor Combs further reviewed the costs associated with increased insurance and PERS contributions.

Primary Amendment to Main Motion		
Moved by:	Pippel	Police Department (0112-10)
Seconded by:	Erbey	<ul style="list-style-type: none"> • One additional police officer, wages and benefits (6011, 6014-6018) - \$64,000 • One additional patrol vehicle, equipped (09-0110-6055) - \$30,000 • Officer equipment (6053) - \$ 3,500

Vote on amendment:	Motion carried by unanimous voice vote.
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Secondary Amendment		
Moved by:	Vanover	• Addition of police department position - \$75,000
Seconded by:	Wood	• Officer equipment costs - \$3,500

Council Member Vanover stated that it is imperative to keep the police department in full operational force and to recognize that the subject of an additional officer is the subject of public safety and expectation. She stated that she feels that the department is already behind in staffing levels.

City Manager Healy stated that the lieutenant position was at the request of the police department but he chose not to include in the budget. He stated that it is his preference that the budget be amended to include the one additional officer position and to observe the service calls for six months to see if the call volumes warrant the lieutenant position.

Council Member Wood stated that the lag time between hiring officers and the time frame involved in training is more than one year. He explained the officer and public safety issues involved in the hiring of additional officers.

Mayor Combs stated that he works with a retired sheriff and was told that adding another level of administration doesn't diminish the responsibilities of the current sergeants. He stated that he is in favor of bringing on another officer. Mayor Combs stated that he doesn't question the motives of the police department in addressing the issue with the council; however he expressed his concerns over the procedures involved in which the department addressed the council. He stated that he cannot support the lieutenant position at this time.

Vote on amendment:	Motion failed by 2-4 (Combs, Erbey, Hanson, Pippel) roll call vote.
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Primary Amendment to Main Motion		
Moved by:	Vanover	Planning and Zoning
Seconded by:	Wood	<ul style="list-style-type: none"> • Planning Technician (wages and benefits) (0102-12-6011, 6014-6018) - \$50,000 • Equipment (0102-12-6053) - \$ 4,500

Vote on amendment:	Motion carried by unanimous voice vote.
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Primary Amendment to Main Motion		
Moved by:	Hanson	Administration: Mayor and Council
Seconded by:	Wood	<ul style="list-style-type: none"> • Increase “Council Donations” (6096) by \$10,000 for a donation to “Alaska Far Away” video production - \$10,000 <p>All Funds:</p> <ul style="list-style-type: none"> • Reduce “Health Insurance” line items (6016) by five percent (5%), all funds – approximately \$36,000 <p>Administration, Water & Sewer, Airport Funds:</p> <ul style="list-style-type: none"> • Decrease city manager assistant wages and benefits (6011, 6014-6018) - \$3,000 <p>All enterprise funds:</p> <ul style="list-style-type: none"> • Delete all Depreciation expense amounts (line items 6076). • Delete all Unrestricted Net Assets amounts (line items 3692). • Enter Depreciation amount on a separate sheet for each fund. – varies with each fund <p>Administration (0101-10-6098):</p> <ul style="list-style-type: none"> • Emergency Operations Plan - \$11,400 <p>Transfer from General Fund to CIP Fund HVAC control system repairs - \$35,000</p>

Vote on amendment:	Motion carried by unanimous voice vote.
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Primary Amendment to Main Motion		
Moved by:	Pippel	Delete one dispatcher position
Seconded by:	Hanson	<ul style="list-style-type: none"> • Reduce 0112-70-6014-6018 - \$53,734 • Reduce General Fund Dispatch revenue (3422) - \$39,832

City Manager Healy explained that due to the decreased demands the overall approved number of dispatchers will be reduced by one position.

Vote on amendment:	Motion carried by unanimous voice vote.
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Primary Amendment to Main Motion		
Moved by:	Pippel	To direct the city manager to direct the finance director to make the appropriate amendments to each fund affected by the previous amendments
Seconded by:	Vanover	

Primary Amendment to Main Motion		
Moved by:	Combs	Increase the council discretionary funds by \$8,000 for the purposes of a skateboard park
Seconded by:	Vanover	

Mayor Combs explained his desire to designate funds for a community skateboard park to be located across the street from the Palmer Police Department. Discussion ensued regarding the costs and development process of the park.

Vote on amendment:	Motion carried by unanimous voice vote.
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Vote on amendment:	Motion carried by unanimous voice vote.
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VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 2 - Public Hearing – Ordinance No. 646: Regarding Chapter 2.58 (Personnel Regulations): Amending Subsection C of 2.58.040 (Application); Amending Subsection C of Section 2.58.320 (Overtime and Holiday Pay); Amending Subsection B of 2.58.420 (Sick Leave Bank); Amending Subsection H of 2.58.635 (Employee’s Right to a Hearing on Department Head’s Intent to Impose Adverse Action); Amending Subsection B of 2.58.640 (City Manager Procedure for Imposing Adverse Action); Amending Subsection H of 2.58.645 (Employee’s Right to a Hearing on City Manager’s Intent to Impose Adverse Actions); Amending Section 2.58.660 (Retirement) and Amending Subsection 2.58.810 C (Statement of Prohibited Conduct of Title 2 (Administration and Personnel)(IM 04-014)

MOVED BY:	Hanson	To adopt ordinance no. 646
SECONDED BY:	Carrington	

Mayor Combs opened the public hearing for ordinance no. 646. There no persons who wished to offer testimony.

Primary Amendment to Main Motion		
Moved by:	Pippel	To strike section 10
Seconded by:	Vanover	

Ms. Persinger explained that section 10 should not have been amended and requested that the amendments to section 10 (2.58.810 C.3.) be stricken.

Vote on amendment:	Motion carried by unanimous voice vote.
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VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 3 – Ordinance No. 647: Amending Subsection 6.14.055 (Animals Which Reside Outside the City Limits) of Title 6 (Animals) of the Palmer Municipal Code

MOVED BY:	Pippel	To adopt ordinance no. 647
SECONDED BY:	Erbey	

Mayor Combs opened the public hearing for ordinance no. 647. There no persons who wished to offer testimony.

Primary Amendment to Main Motion		
Moved by:	Pippel	To strike the work “city” and insert “municipality”
Seconded by:	Hanson	

Vote on amendment:	Motion carried by unanimous voice vote.
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VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 4 – Resolution No. 1366: Authorizing the Vacation of a Public Alleyway (Right of Way), Cope Subdivision, Lots 1A and 2A, Block 3

MOVED BY:	Hanson	To adopt resolution no. 1366
SECONDED BY:	Carrington	

Mayor Combs opened the public hearing for resolution no. 1366. There no persons who wished to offer testimony.

City Manager Healy stated that the resolution will allow the vacation of an alleyway area and will replace the alley with a 30’ utility easement. He explained that the property owner intends to install utility lines in the area.

Discussion ensued regarding the area to be vacated and the original configuration of the alleyway. Discussion followed regarding the placement of buildings on top of the easement and the ownership of the utilities. Discussion regarding a local improvement district and the approval of the resolution language followed.

Council Member Wood voiced his concerns regarding the building constructed on the property previous to the council issuance of the vacation.

Council Member Carrington voiced his concerns over the process and suggested that the resolution be tabled until answers could be obtained regarding conditions listed in the memorandum.

Council Member Hanson asked that the City Manager consider the problems regarding the driveway on Chugach when speaking with the developer. City Manager Healy explained that the issue lies with the Department of Transportation and the driveway permits issued.

Discussion ensued regarding the time critical issue with the contractor and the work accomplished thus far.

Primary Amendment to Main Motion		
Moved by:	Wood	To postpone the main motion to the December 28 meeting
Seconded by:	Pippel	

Vote on amendment:	Motion carried by unanimous voice vote.
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VOTE ON MAIN MOTION:	Motion postponed to the December 28 meeting.
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Item 5 – Resolution No. 1367: Establishing Capital Project Priorities for FY 2006 Funding From the State of Alaska (IM 04-020)

MOVED BY:	Vanover	To adopt resolution no. 1367
SECONDED BY:	Erbey	

Mayor Combs opened the public hearing for resolution no. 1367. There no persons who wished to offer testimony.

City Manager Healy explained the six priorities listed in the resolution. Discussion ensued regarding public entities in need of additional space and a comprehensive plan to address the needs.

Primary Amendment to Main Motion														
Moved by:	Hanson	To amend the resolution as follows:												
Seconded by:	Pippel	<table border="1"> <thead> <tr> <th><u>Project Name</u></th> <th><u>Total Project Cost</u></th> </tr> </thead> <tbody> <tr> <td>1. Felton Street Improvement Project</td> <td>\$600,000</td> </tr> <tr> <td>2. Dolphin St., Caribou St. and Bailey Street Improvements</td> <td>\$550,000</td> </tr> <tr> <td>3. Palmer Ice Arena and Park Improvements</td> <td>\$375,000</td> </tr> <tr> <td>4. Downtown Street Lighting, Phase II</td> <td>\$200,000</td> </tr> <tr> <td>5. Public Safety Complex Design Study Report</td> <td>\$175,000</td> </tr> </tbody> </table>	<u>Project Name</u>	<u>Total Project Cost</u>	1. Felton Street Improvement Project	\$600,000	2. Dolphin St., Caribou St. and Bailey Street Improvements	\$550,000	3. Palmer Ice Arena and Park Improvements	\$375,000	4. Downtown Street Lighting, Phase II	\$200,000	5. Public Safety Complex Design Study Report	\$175,000
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5. Public Safety Complex Design Study Report	\$175,000													

Vote on amendment:	Motion carried by unanimous voice vote.
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VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 6 – Resolution No. 1368: Accepting Department of Environmental Conservation Grant Agreement No. 67110 for the Southwest Distribution Main Extension Project (IM 04-022)

MOVED BY:	Hanson	To adopt resolution no. 1368
SECONDED BY:	Wood	

Mayor Combs opened the public hearing for resolution no. 1368. There no persons who wished to offer testimony.

City Manager Healy explained that a portion of the match could be potentially allocated through the Local Improvement District process. He stated that there is a possibility that there are eligible funds in the water main authority and will work to identify those funds for eligibility.

Discussion ensued regarding the arsenic language contained in the letter from the State of Alaska.

Primary Amendment to Main Motion		
Moved by:	Pippel	To amend the authorization for the city manager to enter into the agreement based on adequate proof that there are high levels of arsenic as stated in the letter or alternatively that there are other actively approvable matters acceptable to the DEC to make the grant
Seconded by:	Vanover	

Vote on amendment:	Motion carried by unanimous voice vote.
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VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 7 – Resolution No. 1369: Accepting Department of Environmental Conservation Grant Agreement No. 67111 for the Water System Improvements, Phase III (IM 04-022)

MOVED BY:	Pippel	To adopt resolution no. 1369
SECONDED BY:	Erbey	

Mayor Combs opened for public hearing for resolution no. 1369. There no persons who wished to offer testimony.

City Manager Healy explained that the funding sources include state and federal funds. Discussion ensued regarding the timeframes involved in project completion.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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K. BIDS

L. UNFINISHED BUSINESS

Item 1 – Authorize \$6,530 Donation to Mat-Su Agency Partnership (AM 04-033)

MOVED BY:	Pippel	To authorize a \$6,530 donation to the Mat-Su Agency partnership
SECONDED BY:	Erbey	

Discussion ensued regarding the project’s recent completion date of less than two years ago and the project as previously completed as not being an effective tool to measure the needs of Palmer.

VOTE ON MOTION:	Motion failed by unanimous voice vote.
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M. NEW BUSINESS

Item 1 – Authorize City Manager to Enter Into an Agreement for Legal Services Related to Easement Acquisitions for Utility Projects

MOVED BY:	Hanson	To authorize the city manager to enter into an agreement for legal services related to easement acquisitions for utility projects
SECONDED BY:	Erbey	

Discussion ensued regarding the service provided by the legal services.

City Manager Healy explained that there four or five property owners who have stated possible objections to the easement procurement process.

Attorney Snodgrass explained the need for establishing the legal services and recommended the council’s approve of such services.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 2 - Authorize City Manager to Enter Into an Agreement for Professional Services with Emergency Management Associates to Develop an Emergency Operations Plan

MOVED BY:	Hanson	To authorize the city manager to enter into an agreement for professional services with Emergency Management Associates to develop an Emergency Operations Plan
SECONDED BY:	Pippel	

City Manager Healy explained the plan and it’s bearing on the City. Discussion ensued regarding the emergency plan and the City’s emergency plan status during an area wide emergency.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 3 – Approve Easement Policy Related to Utility Extension Projects

MOVED BY:	Pippel	To approve easement policy related to utility extension projects
SECONDED BY:	Vanover	

City Manager Healy explained the easement policy’s focus on the Southwest Utility Extension project and allowable compensation by the policy.

Discussion ensued regarding the policy of the City to purchase utility easements and the merits of establishing a policy to address each property on its own merits to eliminate the appearance of capricious behavior.

Discussion ensued regarding donated property requirements for use as an easement from property owners who wish to connect to the City’s system and the laws surrounding the issue.

Discussion regarding previous annexation agreements which were required by property owners who chose to connect to the City’s utility system followed. City Manager Healy explained the annexation standard and the utility conditions the City has been placed under.

Primary Amendment to Main Motion		
Moved by:	Pippel	To amend the language in the second paragraph, first sentence from the word “will” to “may” and the third paragraph, second sentence from “shall” to “may”.
Seconded by:	Wood	

Vote on amendment:	Motion carried by unanimous voice vote.
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Primary Amendment to Main Motion		
Moved by:	Pippel	To amend the previous amendment to amend the language in the second paragraph, first sentence from the word “may” to “will” and the third paragraph, second sentence from “may” to “will” and to have a policy expiration date of December 31, 2005.
Seconded by:	Erbey	

City Manager Healy voiced his concerns regarding changing the language as stated in the previous amendment. He stated that by doing so, the policy is left to interpretation.

Discussion ensued regarding the “Service Connections and Other Request Improvements” language and the ability to compensate the property owner under the language.

Vote on amendment:	Motion carried by unanimous voice vote.
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Secondary Amendment to Primary Amendment		
Moved by:	Wood	To postpone the main motion until the next regular meeting
Seconded by:	Vanover	

City Manager Healy explained that the project is at a critical point and stressed the timelines involved in the project.

Vote on amendment:	The motion was subsequently withdrawn.
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VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 4 – Review Airport Lease Conditions

Council Member Hanson inquired of the referenced document regarding the leased lot criteria. City Manager Healy stated that his office is continuing to work on the criteria and explained the proposed language.

Discussion ensued regarding the requirement that all hangars be constructed of commercial grade metal.

Council Member Pippel requested that rules and restrictions regarding hours of operation and noise levels be considered.

City Manager Healy stated that he would investigate the recommendations and bring the Conditions back before the council.

Item 5 – Mayor’s Appointment to the Planning and Zoning Commission

MOVED BY:	Pippel	To accept the Mayor’s appointment of Darrin Hamming to the Planning and Zoning Commission
SECONDED BY:	Hanson	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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N. CITY MANAGER’S REPORT

City Manager Healy reported on the following items:

- Southwest Utility Extension – continues to meet with DEC regarding the pipe separation issue, finalizing a letter to DEC stating the City’s position, finalizing the design to refine the cost estimate and available funding through USDA;
- The potential joint use agreement with a developer outside of the City’s utility district;
- Ice Arena – the ice arena manager has been hired, will begin to advertise one additional full-time position and one part-time position, the opening date is scheduled to be late January;
- Urban Revitalization – the State Historic Preservation Office has granted approval, negotiation with the engineer will begin to finish to design work;
- Process of converting the Tsunami Warning Center building for office use;
- Finance Director – waiting for reference information, expects to make a determination within a week;
- Gathering information on the dispatch numbers and will write a letter to the Borough regarding the dispatch center;
- Passenger car storage by the railroad; and
- Discussion ensued regarding traffic control and improvements on First Street.

MOVED BY:	Wood	To extend the meeting for one half hour
SECONDED BY:	Pippel	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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O. CITY CLERK’S REPORT

P. AUDIENCE PARTICIPATION

Q. COUNCIL COMMENTS

Council Member Wood stated that he was impressed with the festivities and attendance at Colony Christmas. He stated that he was given an opportunity to drive a float in the parade.

Council Member Vanover wished everyone a Merry Christmas.

Council Member Carrington apologized for his tardiness and stated that his tardiness was due to an accident on the highway.

Council Member Erbey stated that he thought that the idea for a skateboard was an excellent idea. He stated that one of students from the University of Washington had previously explained the benefits received from a park were enormous.

Council Member Hanson stated that at a previous meeting Ms. Sara Jansen, Community Development Coordinator had stated that some of the attorney costs have seen a reduction. Council Member Hanson requested the attorney be involved earlier in the process so that he may have a greater insight into items before the council. Council Member Hanson wished everyone Merry Christmas.

Council Member Pippel commented on the Action and Informational Memorandums and spoke of the attorney's initials on the documents. He also asked that the attorney be brought in earlier in the process.

Mayor Combs announced Finance Director Allan Ossakow's retirement potluck on Friday, December 17, 2004. He congratulated Council Member Hanson's on his appointment as Person of the Year and stated that he thought it was well deserved. Mayor Combs reported on his meeting with Governor Murkowski and stated that the Governor has a reported a surplus of funds. Mayor Combs explained the proposed projects for the surplus and stated that he was encouraged by the meeting.

R. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 11:20 p.m.

APPROVED THIS 28th day of December, 2004.

_____/s/_____
John C. Combs, Mayor

_____/s/_____
Janette M. Persinger, City Clerk