

**A. CALL TO ORDER**

A regular meeting of the Palmer City Council was held on May 13, 2008, at 7 p.m. in the council chambers, Palmer, Alaska.

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

**B. ROLL CALL**

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

Tony Pippel	Ken Erbey
Brad Hanson	Kathrine Vanover
John Combs	Michael Chmielewski
Richard Best – via teleconference	

Also in attendance were the following:

Bill Allen, City Manager  
Michael Gatti, City Attorney  
Janette Bower, City Clerk

**C. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Hanson.

**D. APPROVAL OF AGENDA**

- A. Approval of Agenda
1. Approval of Consent Agenda
    - a. Action Memorandum 08-031: Authorize the City Manager to Advertise for Bid the South Felton Street Improvements Project
    - b. Action Memorandum 08-034: Authorize a \$300 Donation to the Light the Night Organization

*Note: – Item D. 1.b was moved to New Business*
  2. Minutes of Previous Meetings
    - a. April 15, 2008, Special Meeting
    - b. April 22, 2008, Regular Meeting

**E. COMMUNICATIONS AND APPEARANCE REQUESTS**

Alicia Dunham and Rick Allen, Light the Night  
Ms. Dunham reported on the following items:

- explained the requested donation; and
- spoke in support of the City participating in their annual walk in Wasilla

Mr. Rick Allen reported on the following items:

- encouraged City's participation in the Light The Night Walk; and
- supported the request for assistance.

Ms. Pat Kilmain, Director of Community Services

Ms. Kilmain reported on the following items:

- ice arena maintenance;
- increased number of daily library patrons;
- work on new signage for the parks denoting previous mayors;
- summer reading program for kids and teens;
- Alaska Airman's Trade Show;
- new playground equipment for the Darren Drive neighborhood park; and
- status of the Brittany Estates park.

## **F. AUDIENCE PARTICIPATION**

John Leiner:

- spoke in opposition to the prison; and
- verbalized his disapproval of Palmer riff raff coming to his house.

Douglas Cruthers:

- expressed opposition to the amount of the SAD assessments;
- stated a vast majority of residents affected were in favor of the improvements; and
- submitted a protest petition to the Clerk.

Ray LaFrance:

- suggested the City obtain additional funding from the State; and
- voiced concern with paving.

Lorie Koppenberg:

- expressed concern with the assessment on her property (Block 6, Lot 2), which did not abut the district boundary.

Joseph Hawkins:

- questioned the location of the Skateboard Park;
- supported a skate park in Palmer; and
- commented on the lack of a public hearing to select the location for this park.

Romeo Kruk:

- stated he would rather not have a driveway than pay an assessment he could not afford; and
- spoke against paving via the assessment.

Tony Jones:

- commented on the high assessment on his property, which abuts the project on three corners of his property.

Bob Goodman;

- suggested the City keep in mind handicap accessibility for the project.

Laura LaFrance:

- spoke against paving.

**G. SPECIAL ORDER OF BUSINESS**

**Item 1 - Action Memorandum 08-028: Ratify Alaska Railroad Special Land Use Permit for Property More Particularly Described as (A Portion of the ARRC Right-of-way, Containing Approximately 39,805 Square Feet, in the Vicinity of Arctic Avenue, Palmer, Alaska, Approximate ARRC Milepost A-6.5 of the ARRC Palmer Branch) For Use As A Skateboard Park**

MOVED BY:	Vanover	To approve action memorandum 08-028
SECONDED BY:	Combs	

City Manager Bill Allen:

- requested Council ratify the permit.

Attorney Gatti:

- recommended Council ratify the permit.

VOTE ON MOTION: motion carried by a unanimous roll call vote		
Yes:	No:	
Chmielewski Hanson Best	Vanover Pippel	Combs Erbey

**Item 2 - Action Memorandum 08-029: Approve a Lease or Assignment of Alaska Railroad Special Land Use Permit (ARR-SLUP) No. 9071 to the Palmer Skateboard Association (SBA) for Property Described as (A Portion of the ARRC Right-of-way, Containing Approximately 39,805 Square Feet, in the Vicinity of Arctic Avenue, Palmer, Alaska, Approximate ARRC Milepost A-6.5 of the ARRC Palmer Branch) for Use as a Skateboard Park**

City Manager Bill Allen:

- requested Council remove the item from the agenda; and
- stated the skateboard park would be administered by the City.

MOVED BY:	Chmielewski	To adopt Action Memorandum 08-029
SECONDED BY:	Vanover	

City Manager Bill Allen:

- stated donations to build the skateboard park would be gifted to the City; and
- reiterated his request for withdrawal.

Council Member Hanson:

- spoke against the legislation.

Council Member Pippel

- verbalized his concern with the lack of a public hearing for the project; and
- questioned who would maintain and oversee the park.

Council Member Chmielewski

- questioned how the project moved forward prior to the public hearing being held.

Council Member Vanover:

- asked if Davis-Bacon wages would be paid to the construction workers;
- voiced her assumption that the property would be a City park or playground; and
- thanked Mayor Combs for his dedication to the project.

Mayor Combs:

- commented on the similarity between the project and the ice arena; and
- clarified public hearings were held.

VOTE ON MOTION: motion carried by a unanimous roll call vote			
Yes:			No:
Chmielewski	Vanover	Combs	
Hanson	Pippel	Erbey	
Best			

## H. PUBLIC HEARINGS

**Item 1 - Palmer Skateboard Park** (Action may be taken by the council following the public hearing)

Mayor Combs opened the public hearing for the Palmer Skateboard Park. The following persons addressed the council:

Joseph Hawkins:

- stressed his favoritism for a skateboard park in Palmer;
- questioned the location of the park;
- preferred the north side of Arctic for the park, near three schools;
- expressed concern with visibility issues; and
- questioned how park regulations would affect his proposed four star restaurant.

Howard Bess, Palmer Skateboard Association member:

- strongly supported a skateboard park at the proposed location;
- voiced concern about the lack of a skateboard park ordinance;
- questioned oversight and enforcement issues; and
- voiced concern with the lack of a complete site plan for the project.

George Stewart, Palmer Skateboard Association Treasurer:

- commented on the need for the park; and
- stated support for the park was evidenced by the donations received.

Bonnie Allen:

- said the park could have been designed better with more public input.

Kevin Brown, City of Palmer Planning Commission Chairman:

- commented on the lack of notice to the Planning and Zoning Commission; and
- stressed the need for a better public process.

City Manager Bill Allen:

- explained the City did not have an ordinance addressing how to City accepts gifts, such as cash, land, etc.;
- noted the Council would receive a best practices for a skateboard park document; and
- reiterated the need for a public process.

Council Member Hanson:

- reminded council members of the process that occurred when the A-Moose-Ment Park first started their project.

Council Member Pippel:

- articulated his concerns with the lack of public input in relation to the project;
- expressed his disappointment with the City Administration; and
- questioned the placement of the bike path.

MOVED BY:	Pippel	To suspend work on this project and initiate a new planning process
SECONDED BY:	Erbey	

Mayor Combs:

- reviewed documents outlining the public hearings held in connection with the project;
- stated maintenance of the park would be minimal; and
- expressed concern with holding up the project.

Council Member Vanover:

- questioned Council Member Pippel's ability to read the mind of the Mayor; and
- asked if Davis-Bacon wages would apply.

Council Member Hanson:

- voiced concern with the placement of the bike path and a barrier between the park and its neighbors.

Dave Lundin, Hattenberg, Dilley and Linnell:

- explained the cost and possibility of realigning the bike path.

Council Member Chmielewski:

- recommended the Council peruse the website skatepark.org; and
- spoke in favor of City approval of the site plan and location before construction began.

Council Member Pippel:

- reiterated his concerns and requested one more minute to finish his comments (*hearing no objection from the council, Council Member Pippel was allowed to continue*); and
- urged the Council slow down in relation to the project.

Council Member Erbey:

- expressed disappointment with the lack of a public hearing; and
- spoke in favor of a skateboard park.

VOTE ON MOTION: motion failed by a 1 to 6 roll call vote				
Yes:		No:		
Pippel		Chmielewski	Vanover	Combs
		Hanson	Best	Erbey

**Item 2** - Resolution No. 08-004: Establishing A Street Improvement Assessment District for the Lucas Area Project and Determining the Need and Necessity for Construction of Same (IM 08-013)

Mayor Combs opened the public hearing for resolution no 08-004

Dawn and Zachary Paulsen:

- opposed the proposed Lucas Street improvements; and
- expressed concern regarding residents traveling safely to the park without sidewalks.

Jim Chesbro:

- spoke against the City's assessment method; and
- spoke in favor of sidewalks and LID's.

Cristy Kaska:

- voiced concern with the City's assessment method; and
- spoke in favor of a sidewalk on Lucas.

Dave Clayton:

- voiced concern with flooding and sewers backing up; and
- spoke in favor of sidewalks going to the park.

Kent Ingalls, Palmer Lodge:

- inquired of the availability of grants for the project;
- stated 80% of the land owners on Fern Street that he contacted had not been contacted by the City; and
- questioned why the Moose Lodge was assessed by the same method as the park.

Pete Probasko, Palmer Moose Lodge:

- voiced concern with additional costs associated with the storm drains; and
- questioned the necessity of the project.

Myrtle Thomas:

- described the financial hardship produced by the project.

Doug Cruthers:

- spoke in favor of sidewalks based on the increased foot traffic; and
- described the recent water quality and loss of water pressure.

Jean Sargent:

- explained the financial hardship created by the assessment.

Howard Erickson, Palmer Moose Lodge Governor:

- asked the public to support the protest petition; and
- reminded the Council of Lodge's non-profit status.

MOVED BY:	Pippel	To adopt Resolution 08-004
SECONDED BY:	Hanson	

City Clerk Janette Bower:

- stated the protest petition did not meet the 50% requirement, which nullified the petition.

Attorney Gatti:

- read Palmer Municipal Code Section 3.08.030 C. pertaining to protest petitions; and
- explained the percentage based on the cost of the improvement.

Special Assistant Sara Jansen:

- presented a historical perspective of the special assessment district project;
- explained the pay back schedule;
- stated historically the City had paid for all the costs associated with sidewalks and street lights;
- explained the difference between residential and commercial road width requirements; and
- reminded everyone the Code provides a wide variety of types of assessments.

Council Member Vanover:

- inquired of the City's notice requirements.

Council Member Pippel:

- conferred with City employee Greg Wickham concerning the quality of water and storm drain issues.

Council Member Hanson:

- requested a synopsis of the entire project.

Dave Lundin, Hattenberg, Dilley and Linnell:

- provided the Council with a brief presentation;
- explained several of the grantors participation in the project;
- explained the entire cost of the project on the east side of Cobb had been distributed

- amongst all the property owners; and
- reminded the Council that everyone benefits from a water project in the neighborhood.

City Manager Bill Allen:

- stated a 40% leakage rate city-wide.

Council Member Pippel:

- stated historically the City has used different methods and percentages for assessments.

MOVED BY:	Hanson	To extend the meeting past 11 p.m.
SECONDED BY:	Pippel	

VOTE ON MOTION: motion carried by a unanimous roll call vote		
Yes:		No:
Chmielewski	Vanover	Combs
Hanson	Pippel	Erbey
Best		

Council Member Hanson:

- verbalized his support of utilizing the traditional method of applying grant monies the city receives to the entire project, thus reducing the balance.

Special Assistant Sara Jensen:

- explained the 7 or 8 different funding sources; and
- application of DEC and EPA grants for water projects.

Mayor Combs:

- spoke in favor of the project;
- asked why residents did not receive a payment schedule with their assessment notice.

Council Member Pippel:

- said the City missed a valuable opportunity for public input by not holding a public hearing before the assessments are mailed to residents;
- spoke against the assessment methods utilized by the City; and
- suggested reducing the property owners collective cost.

Primary Amendment #1 to Main		
MOVED BY:	Pippel	To remove Block 2, Lot 6 from the Special Assessment District (S.A.D).
SECONDED BY:	Combs	

Council Member Chmielewski:

- questioned the assessment method utilized for the SAD.

Council Member Best:

- spoke in support of sidewalks on Lucas Street; and
- an 80/20 split for the project.

VOTE ON MOTION: motion carried by a unanimous roll call vote					
Yes:			No:		
Chmielewski	Vanover	Combs			
Hanson	Pippel	Erbey			
Best					

Mayor Combs:

- questioned Council Member Best and Council Member Pippel's recommendation to have the residents only pay for 25% of the paving.

Council Member Pippel:

- stated the City is charging them too much; and
- the City should be willing to spend more than \$72,000.

Primary Amendment #2 to Main		
MOVED BY:	Pippel	To include a sidewalk on the east side of Lucas Street between Fern and Fireweed to the project.
SECONDED BY:	Erbey	

Dave Lundin, Hattenberg, Dilley and Linnell:

- requested Council postpone the request due to drainage issues with a four plex on Lucas.

City Manager Allen:

- reminded Council of the importance of taking into account the project cost before they mandate the addition; and
- spoke in favor of keeping the project moving.

VOTE ON MOTION: motion failed by a 1 to 6 roll call vote					
Yes:			No:		
Best			Chmielewski	Vanover	Combs
			Hanson	Pippel	Erbey

Primary Amendment #3 to Main		
MOVED BY:	Pippel	To instruct Administration to prepare as quickly as possible pedestrian facilities alternatives on Lucas Street.
SECONDED BY:	Erbey	

VOTE ON MOTION: motion carried by a unanimous roll call vote					
Yes:			No:		
Chmielewski	Vanover	Combs			
Hanson	Pippel	Erbey			
Best					

Primary Amendment #4 to Main		
MOVED BY:	Pippel	To allocate grant funds to the total project cost directly off the top, where permitted by granting authorities.
SECONDED BY:	Hanson	

Council Member Pippel:

- stated the City would compile all the grant funds, subtract those funds from the project total, and the remainder would be split 75/25 with the residents.

MOVED BY:	Pippel	To lay this item on the table with the intention of picking it back up before midnight.
SECONDED BY:	Hanson	

VOTE ON MOTION: motion carried by a unanimous roll call vote		
Yes:		No:
Chmielewski	Vanover	Combs
Hanson	Pippel	Erbey
Best		

### I. ACTION MEMORANDA

**Item 1 - Action Memorandum 08-030: Authorize the City Manager to Award and Execute a Contract for Phase II of the Transmission Main Water System Improvements Project to Prosser-Dagg Construction in the Amount of \$358,952.78**

MOVED BY:	Erbey	To approve action memorandum 08-030
SECONDED BY:	Vanover	

City Manager Allen:

- voiced his delight over the project coming under the engineer's estimate.

VOTE ON MOTION: motion carried by a unanimous roll call vote		
Yes:		No:
Chmielewski	Vanover	Combs
Hanson	Pippel	Erbey
Best		

**Item 2 - Action Memorandum 08-033: Authorize the City Manager to Issue A Request For Qualifications To Retain Appraisal Services for the City of Palmer for Up to A Period of Three (3) Years**

MOVED BY:	Pippel	To approve action memorandum 08-033
SECONDED BY:	Erbey	

VOTE ON MOTION: motion carried by a unanimous roll call vote		
Yes:		No:
Chmielewski	Vanover	Combs
Hanson	Pippel	Erbey
Best		

**Item 3 - Action Memorandum 08-035: Authorize the City Manager to Award and Execute a Contract for Palmer Ice Arena Flooring Improvements to Northwest Carpet Co., LLC in the Amount of \$70,900.00**

MOVED BY:	Pippel	To approve action memorandum 08-035
SECONDED BY:	Vanover	

City Manager Bill Allen:

- requested Council approve funding to complete the entire project in the amount of \$102,400.

Primary Amendment #1 to Main		
MOVED BY:	Pippel	To amend AM 08-035 by increasing the amount requested to \$102,400
SECONDED BY:	Vanover	

Secondary Amendment #1		
MOVED BY:	Hanson	To amend the amendment: to treat the increase as a change order
SECONDED BY:	Combs	

VOTE ON MOTION: Secondary Amendment #1 carried by unanimous roll call vote		
Yes:		No:
Chmielewski	Vanover	Combs
Hanson	Pippel	Erbey
Best		

VOTE ON MOTION: Primary Amendment #1 carried by a unanimous roll call vote		
Yes:		No:
Chmielewski	Vanover	Combs
Hanson	Pippel	Erbey
Best		

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

MOVED BY:	Hanson	Approve action memorandum 08-034
SECONDED BY:	Combs	

Council Member Pippel:

- reminded the Council that the use of discretionary funds had to have a specific benefit to the City; and
- voiced concern with setting precedence.

Council Member Vanover:

- spoke in favor of donating funds versus waiving the Depot fee.

Council Member Chmielewski:

- concurred with Council Member Vanover.

Council Member Best:

- concurred with Council Member Pippel; and
- suggested a \$300 in-kind donation.

Mayor Combs:

- expressed empathy for the requested donation; and
- concurred with Council Member Pippel

VOTE ON MOTION: Failed with a 3 to 4 roll call vote.					
Yes:			No:		
Chmielewski	Vanover	Hanson	Erbey Combs	Pippel	Best

MOVED BY:	Pippel	To postpone action on Resolution 08-004 until the Special Meeting scheduled for May 20, 2008.
SECONDED BY:	Vanover	

VOTE ON MOTION: To postpone action on Resolution 08-004 carried with a unanimous roll call vote.					
Yes:			No:		
Chmielewski	Vanover	Combs			
Hanson	Erbey	Best			
Pippel					

*Clerk's note: Items New Business H 2-4 were postponed to the May 27, 2008 agenda.*

With no further business before the council, the meeting adjourned at 11:54 p.m.

**Approved this twenty seventh day of May, 2008.**

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John C. Combs, Mayor

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Janette M. Bower, CMC, City Clerk