

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on November 27, 2007, at 7 p.m. in the council chambers, Palmer, Alaska.

Mayor Combs called the meeting to order at 7:15 p.m.

B. ROLL CALL

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

Mike Chmielewski	Brad Hanson	John Combs
Ken Erbey	Tony Pippel	

Richard Best – attended by teleconference
Kathrine Vanover – attended by 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 Pippel.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction – Ordinance No. 07-029: Repealing Fees Throughout the Palmer Municipal Code with the Intent of Placing the Fees in the Resolution Adopting the City’s Fiscal Year Budget (IM 07-050)
 - b. Introduction – Ordinance No. 07-034: Amending Palmer Municipal Code Subsection 3.16.055 F, Certificate of Exemption, to Increase Fees for Contractor Exemption Certificates (IM 07-056)
 - c. Action Memorandum 07-103: Authorize Placement of State of Alaska Department of Environmental Conservation Air Quality Monitoring Trailer on City Maintained Parks and Recreation Land for an Initial Period of Three Years Beginning November 2007
2. Minutes of Previous Meetings
 - a. November 13, 2007, Special Meeting
 - b. November 13, 2007, Regular Meeting

E. COMMUNICATIONS AND APPEARANCE REQUESTS

F. AUDIENCE PARTICIPATION

Larry Hill:

- commended the city manager for his leadership;
- voiced support of the Palmer Police Department;
- challenged the city council to begin the process of enacting term limits;
- commented on his previous election and voiced support of a full-time mayor; and
- advised the council to examine their job descriptions.

Peggy Tusema-Compton:

- supported Palmer Museum; and
- voiced appreciation of the council's previous museum funding.

Laura Kern:

- thanked the council for taking the time to review the Museum's budget proposal;
- commented on the Museum's vision; and
- voiced pride in the Museum.

Gerri McCann:

- commented on community members and their involvement in the Museum;
- stated the Museum touches every part of the community and binds the community together;
- expanded on the doubling of money previously donated to the Museum through in-kind volunteer services;
- explained the education outreach program;
- highlighted the bed tax grant application opportunity;
- commented on pride in the community;
- expanded on the artist community and the venue to display their talents;
- commented on cultural tourism;
- spoke of in-put through visitor cards; and
- expanded on the history and venue for pioneers to display their history.

John Leiner:

- commented on his jury duty service;
- spoke of his fight with "Ricky Killer" Edmondson;
- stated the City lacked pride because of City Manager Allen's employment;
- spoke of Council Member Pippel's previous resignation and subsequent recantation of the resignation;
- commented on the Christmas season; and
- highlighted the previous fight regarding prison and annexation issues.

Jo Weller:

- voiced favor of pay increases for the Palmer Police Department;
- spoke to ordinance no. 07-028;
- stated she was dismayed the subject was being addressed again;
- commented on the deletion of mayoral duties;

- voiced objection to the language concerning compensation; and
- stated should a need to change the mayor's position exist, the matter should be subjected to a citizen's review team.

John Echternaucht:

- commented on the voters who voted for the Mayor;
- stated the council should abide by the will of the people;
- spoke of the ceremonial duties of the mayor; and
- stated the issue should be put to rest.

G. PUBLIC HEARINGS

Item 1 – Public Hearing (1 of 2) – Resolution No. 07-020; Adopting a Budget for the City of Palmer, Alaska for the Fiscal Year Beginning January 1, 2008 and Ending December 31, 2008 and Appropriating Monies

Mayor Combs opened the public hearing for resolution no. 07-020. The following persons addressed the council:

John Douglas:

- commented on the Visitor Center proposal;
- stated in-kind monies were involved in the proposal;
- stated the Visitor Center was the face of Palmer; and
- voiced their mission to assist the Museum.

Joseph Hawkins:

- spoke of donations to charitable organizations; and
- stated it was inappropriate to tax citizens and provide the monies to charitable organizations.

There being no one else who wished to speak, the public hearing was closed and the matter was brought before the council.

Clerk's note: As required by the Charter, a second public hearing was scheduled for December 11, 2007.

Item 2 – Ordinance No. 07-028: Amending Palmer Municipal Code 2.05.040 to Adjust Mayoral Duties; Repealing Section 2.05.045, Remedies Regarding Performance; and Amending Section 2.05.050 to Establish the Amount of Mayoral Compensation (IM 07-049)

Mayor Combs was recused from discussion and vote on the matter.

Mayor Pro-Tempore Erbey opened the public hearing for ordinance no. 07-028. The following persons addressed the council:

Helen Munoz:

- stated City action affected all of the areas surrounding the City;
- expressed sadness over the in-fighting;
- suggested a facilitator be brought in to address the issue; and
- encouraged the council to further think about the issue.

John Douglas:

- highlighted the previous statement of support for a full-time mayoral position by the Greater Palmer Chamber of Commerce.

There being no one else who wished to speak, the public hearing was closed and the matter was brought before the council.

MOVED BY:	Pippel	To adopt ordinance no. 07-028
SECONDED BY:	Chmielewski	

Council Member Vanover:

- spoke of the selection of a full-time mayor by the voters; and
- stated she would not support the ordinance.

Primary Amendment #1 to Main Motion		
Moved by:	Chmielewski	To amend section 2.05.050 to read as follows:
Seconded by:	Hanson	Original language: A. The mayor's salary shall be fixed by code provision and may be changed by amendment upon 30 days' notice at any time <u>except during the 60-day period immediately preceding a general municipal election.</u> B. As compensation, the mayor shall receive a salary of \$45,000 \$20,000 per year. and, in addition, the mayor will receive those benefits, other than leave and overtime and holiday pay, provided for classified employees. C. The mayor shall not be entitled to receive any other or additional compensation from the city for any service to the city except as provided by this code. D. The mayor is expected to perform the duties of mayor for at least 1,800 hours per year. Amended language: A. The mayor's salary shall be fixed by code provision and may be changed by amendment upon 30 days' notice at any time <u>except during the 60-day period immediately preceding a general municipal election</u>

		<p>B. As compensation, the mayor shall receive a salary of \$45,000 per year <u>and those benefits, other than leave, overtime, and holiday pay, provided for classified employees until the first City election conducted in 2008.</u> and, in addition, the mayor will receive those benefits, other than leave and overtime and holiday pay, provided for classified employees. <u>Following said election, compensation shall be \$24,000 per year.</u></p> <p>C. The mayor shall not be entitled to receive any other or additional compensation from the city for any service to the city except as provided by this code.</p> <p>D. The mayor is expected to perform the duties of mayor for at least 1,800 hours per year.</p>
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Council Member Chmielewski:

- commented on the 2005 amendment which enacted language regarding a full-time mayor;
- highlighted the statements made by former Council Member Wood;
- stated a strong enough justification for the amendment did not exist at the time;
- explained the City’s governmental structure;
- commented on the lack of change in mayoral duties in the 2005 language;
- expanded on the City of Wasilla’s organizational duties;
- commented on Charter language regarding council-manager form of government;
- expanded on the mayoral duties contained within the Charter;
- stated ordinance no. 07-028 returns the duties to the language previous to the 2005 ordinance;
- suggested the primary amendment provided an opportunity for thorough examination of the City’s council-manager form of government;
- spoke of the original election which brought Mayor Combs to the position;
- commented on the home rule form of government; and
- stated the issue would continue to arise until the mayoral duties matched defined duties.

Council Member Pippel:

- supported Council Member Chmielewski;
- expanded on the duties of the council-manager form of government;
- stated the change in the mayoral duties was an ad-hoc issue to solve perceived problems;
- added the intended problems were not solved;
- commented on the blurring of lines between the council and administration;

- stated ordinance no. 07-028 returned mayoral duties to what they had always been;
- described mayoral duties as a half time job;
- advocated an increase in mayoral pay to more than \$200 per meeting;
- voiced his preference for the pay to be \$20,000 per year;
- commented on council member pay;
- stated the principal of volunteerism should apply throughout the council, including the mayor; and
- spoke of Council Member Chmielewski’s suggestion regarding engaging the community in discussion regarding a strong mayor versus manager form of government.

Council Member Hanson:

- voiced regret over the issue’s timing;
- stated he was a strong advocate of the original ordinance in 2005;
- reported that a mistake had been made at that time;
- voiced regret over the matter becoming personalized;
- commented on the council’s desire to act in the best interest of the City;
- described the full-time mayoral status as an experiment;
- supported ordinance no. 07-028;
- stated former Mayor Cooper set the tone for a modern mayor; and
- stated compensation should be adjusted to a part-time salary.

Council Member Best:

- commented on the council’s mistake of allowing the Mayor’s duties and compensation to become a tool for penalization;
- spoke of the people’s vote to elect Mayor Combs as a full-time mayor;
- stated it was not the time for a paid professional lobbyist;
- stressed the mayor’s compensation and duties should not be amended during an election period;
- stated any changes in compensation should take effect after the next mayoral election; and
- stated he would vote against any amendments.

Vote on Primary Amendment #1: Motion carried by unanimous roll call vote.			
	Yes:		No:
Pippel	Erbey	Vanover	
Chmielewski	Best	Hanson	

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

Following resolution of ordinance no. 07-028, Mayor Combs rejoined the council.

Clerk’s note: Following the resolution of ordinance no. 07-028, Council Members Best and Vanover left the meeting.

Item 3 – Ordinance No. 07-030: Amending Palmer Municipal Code 17.16.010, District Establishment and Zoning Map, to add the Airport Mixed Use District (IM 07-051)

Mayor Combs opened the public hearing for resolution no. 07-030. There being no one who wished to speak, the public hearing was closed and the matter was brought before the council.

MOVED BY:	Pippel	To adopt ordinance no. 07-030
SECONDED BY:	Erbey	

VOTE ON MOTION: Carried by unanimous voice vote.		
	Yes:	No:
Pippel Hanson	Erbey Combs	Chmielewski

Item 4 – Ordinance No. 07-031: Adopting a Current Zoning Districts Map in Accordance with Palmer Municipal Code 17.16.040, Map Replacement (IM 07-052)

Mayor Combs opened the public hearing for ordinance no. 07-031. There being no one who wished to speak, the public hearing was closed and the matter was brought before the council.

MOVED BY:	Pippel	To adopt ordinance no. 07-031
SECONDED BY:	Erbey	

VOTE ON MOTION: Carried by unanimous voice vote.		
	Yes:	No:
Pippel Hanson	Erbey Combs	Chmielewski

Item 5 – Ordinance No. 07-032: Amending Palmer Municipal Code Section 17.64.021 Parking Lot Design Standards, to Delete 17.64.021.J.5 Regarding No Accessible Parking Space Required (IM 07-053)

Mayor Combs opened the public hearing for ordinance no. 07-032. There being no one who wished to speak, the public hearing was closed and the matter was brought before the council.

MOVED BY:	Pippel	To adopt ordinance no. 07-032
SECONDED BY:	Erbey	

Council Member Pippel:

- inquired of required parking spaces.

Community Development Coordinator Jansen:

- highlighted the code language regarding parking spaces.

VOTE ON MOTION: Carried by unanimous voice vote.		
	Yes:	No:
Pippel Hanson	Erbey Combs	Chmielewski

Item 6 – Ordinance No. 07-033: Amending Palmer Municipal Code Section 17.08.038, Bed and Breakfast Definition and Enacting Palmer Municipal Code, Title 17.88 Bed and Breakfasts (IM 07-054)

Mayor Combs opened the public hearing for ordinance no. 07-033. There being no one who wished to speak, the public hearing was closed and the matter was brought before the council.

MOVED BY:	Erbey	To adopt ordinance no. 07-033
SECONDED BY:	Hanson	

Council Member Hanson:

- inquired of the language regarding “certain zoning districts”; and
- described the language as useful for future annexations.

Community Development Coordinator Jansen:

- described the ordinance as the enacting language; and
- explained the organization of the enacting language.

VOTE ON MOTION: Carried by unanimous voice vote.		
	Yes:	No:
Pippel	Erbey	Chmielewski
Hanson	Combs	

H. BIDS

I. ACTION MEMORANDA

Item 1 – Action Memorandum 07-102: Authorize the City Manager to Approve Change Order No. 2 to Wilder Construction for Construction Phase Services on Arctic Avenue Water System Improvements to Increase the Contract Amount by \$88,720.87 to \$1,004,197.67

MOVED BY:	Pippel	To authorize action memorandum 07-102
SECONDED BY:	Erbey	

VOTE ON MOTION: Carried by unanimous voice vote.		
	Yes:	No:
Pippel	Erbey	Chmielewski
Hanson	Combs	

J. UNFINISHED BUSINESS

K. NEW BUSINESS

Item 1 – Resolution No. 07-019: Requesting the State of Alaska Initiate a Comprehensive Planning Process for the Matanuska River to Address Erosion Mitigation, Protection of Public Facilities and River Management Authority (IM 07-055)

MOVED BY:	Pippel	To adopt resolution no. 07-019
SECONDED BY:	Erbey	

City Manager Allen:

- described the language’s origination with the Matanuska-Susitna Borough;
- stated the issue of erosion must be addressed; and
- spoke of the appointment of Jane Dale to work with the Borough and HDL on the project.

Council Member Pippel:

- voiced support of the resolution;
- commented on the State issue and the awkwardness of local control of the issue; and
- spoke of the previous research regarding the matter.

Council Member Chmielewski:

- commented on the changes in the river and future impacts to the community.

VOTE ON MOTION: Carried by unanimous voice vote.		
Yes:		No:
Pippel	Erbey	Chmielewski
Hanson	Combs	

L. CITY MANAGER’S REPORT

City Manager Allen reported on the following items:

- Fire Marshal meeting regarding plan review for fire safety;
- Meeting with Mayor Combs;
- City Hall Signage;
- Programs for Progress;
- Meeting with Ice Arena Manager McSwain regarding Dasher Board advertising.

M. CITY CLERK’S REPORT

City Clerk Bower reported on the following:

- December 4, Special Council Meeting.

N. MAYOR’S REPORT

Mayor Combs reported on the following:

- Future meeting with the Valley Delegates;
- Mayoral Duties;
- November 7, Greater Palmer Chamber of Commerce meeting;
- Pioneer Peak Elementary Platform regarding Government;
- Veterans Memorial.

O. RECORD OF ITEMS PLACED ON THE TABLE

- Amendment to Ordinance No. 07-028;
- 2008 Budget Amendments.

P. AUDIENCE PARTICIPATION

Q. COUNCIL COMMENTS

Council Member Chmielewski:

- complimented the Clerk for continued improvements on the City's webpage.

Council Member Hanson:

- thanked the Mayor for his comments.

Council Member Pippel:

- complimented the City for the Christmas lights displayed in the downtown area;
- commented on his elderly grandmother's view of Palmer during the holiday season.

R. ADJOURNMENT

With no further business before the council, the meeting adjourned at 9:36 p.m.

Approved this eleventh day of December, 2007.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, CMC, City Clerk