

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on April 11, 2006, 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:

Brad Hanson	Jim Wood
Ken Erbey	Tony Pippel
John Combs	

Also in attendance were the following:

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Pippel

D. APPROVAL OF AGENDA

The agenda was approved as presented.

1. Approval of Consent Agenda
 - a. Introduction – Ordinance No. 06-006-Z-1: Ratifying the Recommendation of the City Planning and Zoning Commission Concerning Requested Amendment to the Zoning Map Instituted by the Commission to Rezone Tax Parcel 1165000L010 (220 S. Cobb Street) from R-4 (High Density Residential) to P (Public District) (IM 06-016)
 - b. Introduction – Ordinance No. 06-007-Z-2: Ratifying the Recommendation of the City Planning and Zoning Commission Concerning Requested Amendment to the Zoning Map Instituted by the Commission to Rezone Tax Parcel 1165000T00B (401 W. Evergreen Avenue) from R-4 (High Density Residential) to P (Commercial General District) (IM 06-017)
 - c. Introduction – Ordinance No. 06-009: Creating Business Improvement District 06-1, Setting the Special Property Tax Levy and Authorizing the District to Provide Services to Promote the Vitality Stability and Improvement of the Business Improvement District as a Whole (IM 06-018) *Clerk's note: removed from agenda during approval of the agenda*
 - d. Action Memorandum 06-039: Accept \$956.25 from the State of Alaska for an Alaska Highway Mini-Grant and Direct the City Manager to Prepare an Amendment to the 2006 Fiscal Year Budget to Appropriate the Funds

- e. Action Memorandum 06-040: Non-Objection Statement to the Renewal of Liquor License #4351 (Inn Café)
2. Approval of Minutes
 - a. March 28, 2006, Regular Meeting
 - b. April 4, 2006, Special Meeting

E. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Stephanie Vetter – Palmer Skateboard Association

Ms. Vetter reported on the following items:

- Newly formed Association;
- Amount of kids with interest in skateboarding;
- Skateboard Park Project began when 500 signatures in support of the project were collected;
- Will proceed with fundraising and formation of a non-profit corporation;
- Liability issues;
- Parks costs.

2. Sara Jansen – Community Development Coordinator

Ms. Jansen reported on the following items:

- Highlighted the first quarter activities of the Department;
- Working with Northern Economics to complete the annexation study;
- Design guidelines for the historic district, a joint project with the Borough;
- Wal-Mart project;
- Academy Charter Gym;
- University of Alaska subdivision;
- Code enforcement clarification;
- Planning and Zoning Commission and discussions of subdivisions and platting powers, subdivision regulations, variances, building in a public use district;
- Inspections of yards and junk vehicles, appeals and citation process for yard and junk vehicles.

F. AUDIENCE PARTICIPATION

Cody Vetter spoke in support of Skateboard Park in Palmer. He highlighted the amount of interest in a park and stated that some of the potential users travel to Wasilla. Mr. Vetter stated that because they are not able to drive, they often obtain unsafe measure of transportation.

Cindy Bedingfield, a teacher at Colony High School explained her involvement with a group of students who have asked her to serve as their advisor for a skateboard club at the high school. She stated that the students are interested in losing the reputation as troubled students. Ms Bedingfield stated that the group is working together and desires to reach out to other schools to build the activity as a sport. She explained the travel requirements to reach the Wasilla Park. Ms. Bedingfield highlighted her involvement with skateboard parks within the communities she used to live and stated that the benefits have been great and illegal skating was reduced.

G. PUBLIC HEARINGS

Item 1 – Public Hearing (3 of 4) – Action Memorandum 06-014: Approve 2006 City of Palmer Comprehensive Plan Update

Mayor Combs opened the public hearing for action memorandum 06-014. There being no persons who wished to testify, the public hearing was closed and the matter was brought back before the council.

Clerk's note: An additional public hearing was scheduled on May 9, 2006.

Item 2 – Public Hearing – Ordinance No. 06-004: Amending Palmer Municipal Code Subsection 2.58.200 E Nepotism (IM 06-014)

MOVED BY:	Pippel	To adopt ordinance no. 06-004
SECONDED BY:	Wood	

Mayor Combs opened the public hearing for ordinance no. 06-004. There being no persons who wished to testify, the public hearing was closed and the matter was brought back before the council.

VOTE ON MAIN MOTION: Motion carried by unanimous voice vote.		
Yes:		No:
Pippel	Erbey	Wood
Hanson	Combs	

Item 3 – Public Hearing – Ordinance No. 06-005: Repealing Palmer Municipal Code Section 1.08.010 (Designating General Penalty), and Enacting Sections for General Fine Penalties (1.08.011) and Other Remedies (1.08.013) (IM 06-015)

MOVED BY:	Pippel	To adopt ordinance no. 06-005
SECONDED BY:	Hanson	

Mayor Combs opened the public hearing for ordinance no. 06-005. There being no persons who wished to testify, the public hearing was closed and the matter was brought back before the council.

Council Member Pippel asked Attorney Snodgrass if the ordinance addresses the issues raised by court. Attorney Snodgrass stated that it would and explained the fine schedule.

Council Member Wood asked of the ability of the City to cite daily for a violation. Attorney Snodgrass stated that it could be done but stated that the theory behind the fines were to gain compliance with the code.

Council Member Wood asked of the ability of the City to have its own prosecutorial and magistrate system. Attorney Snodgrass spoke of the legal and financial ramifications of the City's operation of its own court system.

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To insert the language "If a person is charged with an offense to which the fine schedule applies and the person appears in court and is found guilty, the penalty imposed of the offense may not exceed the fine schedule amount. In addition to the fine stated below, the violator must also pay the \$10 State surcharge required by AS 12.55.039(a)(4)" in subsection 1.08.011 B
Seconded by:	Wood	

		<p>To strike all surcharge language in the fine schedule.</p> <p>To strike the word “offense” and insert the language “violation of the same ordinance” under the second and third violation</p> <p>To strike the word “offense” and insert the language “violation of the same ordinance” and to strike the language “any offense” and insert the language “the third offense”.</p> <p>To strike the language “Note, for fines on the Fine Schedule over \$75, the offense must be for violating the same ordinance. A violation of a different ordinance will be considered the first offense”.</p>
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Vote: Motion carried by unanimous voice vote.

<p style="text-align: center;">Yes:</p> <p>Pippel Erbey Wood Hanson Combs</p>	<p style="text-align: center;">No:</p>
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VOTE ON MAIN MOTION: Motion carried by unanimous voice vote.

<p style="text-align: center;">Yes:</p> <p>Pippel Erbey Wood Hanson Combs</p>	<p style="text-align: center;">No:</p>
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H. BIDS

I. ACTION MEMORANDUMS

Item 1 – Action Memorandum 06-027: Authorize City Manager to Enter into a Five Year Contract with MTA for Local Phone Service

Clerk’s note: Council Member Hanson was recused from the discussion and vote due to a recognized financial gain conflict.

MOVED BY:	Pippel	To authorize the city manager to enter into a five year contract with MTA for local phone service
SECONDED BY:	Erbey	

VOTE ON MAIN MOTION: Motion carried by unanimous voice vote.

<p style="text-align: center;">Yes:</p> <p>Pippel Erbey Wood Combs</p>	<p style="text-align: center;">No:</p>
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Clerk’s note: Council Member Hanson rejoined the council.

Item 2 –Action Memorandum 06-028: Authorize Donation to the Palmer Skateboard Association of No More than \$2,000 for Costs Associated with Filing for Status as a Non-Profit Organization

MOVED BY:	Pippel	To authorize a donation to the Palmer Skateboard Association of no more than \$2,000 for costs associated with filing for status as a non-profit organization
SECONDED BY:	Erbey	

Council Member Wood asked of the proposed location for the skateboard park and of the City’s intent to place the skateboard park on City property. Mayor Combs spoke of the remaining property at the Ice Arena. Council Member Wood spoke of joint operation in the Ice Arena’s location and voiced his support of action memorandum 06-028.

Council Member Pippel voiced his support of action memorandum 06-028 and the Skateboard Association. He asked the Skateboard Association to provide the council with further information regarding the best way to build a skateboard park.

Mayor Combs expanded on the Skateboard Association’s meeting held in February.

VOTE ON MAIN MOTION: Motion carried by unanimous voice vote.			
	Yes:		No:
Pippel	Erbey	Wood	
Hanson	Combs		

Item 3 – Action Memorandum 06-038: Authorize City Manager to Negotiate and Enter into a Contract with Ashburn and Mason for Legal Services Regarding Acquisition of Property for the Felton Street Project

MOVED BY:	Pippel	To authorize the city manager to negotiate and enter into a contract with Ashburn and Mason for legal services regarding acquisition of property for the Felton Street project
SECONDED BY:	Erbey	

City Manager Healy expanded on the obtainment of easements and rights-of-ways. He stated that at least one property may require condemnation.

Council Member Pippel asked of the timeline of the Felton Street project. City Manager Healy highlighted the project’s progression within the previous eighteen months.

Council Member Hanson asked of the timeframe for condemnation. City Manager Healy stated that he was uncertain of the exact timeframe but believed the City could gain right of entry within thirty to sixty days.

VOTE ON MAIN MOTION: Motion passed by unanimous voice vote.			
	Yes:		No:
Pippel	Erbey	Wood	
Hanson	Combs		

J. UNFINISHED BUSINESS

K. NEW BUSINESS

L. CITY MANAGER’S REPORT

City Manager Healy reported on the following items:

- Borough Historic District guideline project;
- Borough National Heritage area for Palmer;
- Will attend a mediation session with Alaska Public Utility Insurance Trust (APUIT) in regards to the case against Calco on April 25;
- Received the signed agreement from John and Roseanne Leiner;
- Urban Revitalization Project will be out to bid within the next couple of weeks;
- Upcoming meeting with the Finance Department regarding the rates for the Palmer Community Center;
- Advertising for the Public Works Director position has been extended;
- Seasonal ground crew positions are being advertised;
- Increase of subdivisions within the area of the new hospital;
- Memo in the packet regarding Brian Silva's airport lease.

M. CITY CLERK'S REPORT

Ms. Bower reported on the following items:

- April 18, special meeting;
- May 16, special meeting;
- Elections;
- Public hearing on ordinance no. 06-009.

N. MAYOR'S REPORT

Mayor Combs commented on his travels to Juneau and Washington D.C.

O. RECORD OF ITEMS PLACED ON THE TABLE

The following items were placed on the table:

- Ordinance no. 06-009;
- Determination of Petition Sufficiency.

P. AUDIENCE PARTICIPATION

Q. COUNCIL COMMENTS

Council Member Erbey highlighted a phone call regarding the passing of Bernie Niemann and asked that Mr. Niemann be recognized for his work at the tennis courts.

Council Member Hanson echoed Council Member Erbey's comments on the contributions of Bernie Niemann.

Council Member Pippel warned the council of the problem of construction of a gymnasium at the Charter School. He stated that there are access/egress problems on the property. He spoke of the increased flow of traffic on the site. Council Member Pippel stated that the parcel is isolated and explained the long term benefits of the City's purchase of the 20 acres adjacent to the property.

Mayor Combs explained the receipt of a thank you card from the Palmer Arts Council and recognized City Clerk Bower's birthday.

R. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 8:41 p.m.

APPROVED THIS 25th day of April, 2006.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, City Clerk