

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on November 8, 2005, 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	Tony Pippel
Jim Wood	John Combs
Larry Hill	Kathrine Vanover

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 Wood.

D. APPROVAL OF AGENDA

The agenda was approved as presented.

1. Approval of Consent Agenda
2. Minutes of Previous Meetings – *the minutes were approved as presented.*
 - a. October 11, 2005, Special Meeting
 - b. October 11, 2005, Regular Meeting

E. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Dan Contini – City of Palmer Fire Chief

Mr. Contini reported on the following items:

- Building Department report contained within the council packet;
- New home construction within Palmer;
- Twenty-one new fire hydrants on Helen Drive;
- Discussion ensued regarding the year-to-date valuation of permit fees;
- Year-to-date there have been 231 calls for fire department services, two homes had burned within the previous two evenings;
- Fire Prevention program;
- Halloween Open House and support of the program;

- Fire department growth and training center facility;
- Needs of the fire department which included: additional fire trucks, an additional fire station, a test pit, and additional full-time paid personnel;
- Discussion ensued regarding the airport safety needs;
- Discussion regarding the cost of a new fire truck and funding opportunities.

Mayor Combs introduced Dean Baugh as the new finance director.

F. AUDIENCE PARTICIPATION

Eileen Johansen, Anton Meyer's Executive Assistant spoke in support of Action Memorandum 05-121. She explained the Mat-Su Borough's approval of the public use easement on October 6, 2005. Ms. Johansen explained the recorded easement and access gained by the easement. She stated that Mr. Meyer has asked her to recap his generosity to the City of Palmer and explained the Meyer's history as tax payers in the area. She explained Mr. Meyer's cooperation with the City and asked for approval of the vacation.

Rick Koch, Public Works Director, spoke of the area in question as indicated in Action Memorandum 05-121. He explained the area and spoke in opposition to the action. He explained the access to the water and sewer lines and clarified the existing insufficiency in gaining access to the area.

Claudia Roberts spoke regarding Action Memorandum 05-121. She explained her employment with the Borough and the Borough's lack of comments from the City regarding the subject. She spoke of possible revisions to the recorded temporary easements. Ms. Roberts indicated that there was a 100% vote of approval to provide the easement by the Borough Platting Board.

Pia Meyer (Mr. Anton Meyer's husband) stated that the vacation of property given to Noel Kopperud occurred without issue on November 18, 2004, and stated that she and her husband's vacation were to follow. She explained Mr. Meyer's willingness to furnish a temporary easement for access to the property. Ms. Meyer stated that their property does not contain utilities and explained the existence of utilities under Noel Kopperud's land. She explained the topography of their land.

Maryann Cockle addressed the council regarding the LRE ordinance, urging the council to keep the daily fines within the ordinance. She stated that while the fine may be small for a large retail establishment it is large for the City. She urged the council to retain the public hearing portion of the language.

G. PUBLIC HEARINGS

Item 1 – Public Hearing – Resolution No. 05-038: Designating Authorized Signatures for Check Signing Affecting Any and All Disbursements of City Monies (05-096)

MOVED BY:	Hanson	To adopt resolution no. 05-038
SECONDED BY:	Vanover	

Mayor Combs opened the public hearing for resolution no. 05-038. 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.
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Item 2 – Resolution No. 05-039: Authorizing Thomas Healy, City Manager, and Dean W. Baugh, City Finance Director, To Issue Instructions Regarding the Investment, Safekeeping and Withdrawal of City Funds (05-097)

MOVED BY:	Pippel	To adopt ordinance no. 05-039
SECONDED BY:	Wood	

Mayor Combs opened the public hearing for resolution no. 05-039. 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:	Main motion was postponed to December 13.
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Item 3 – Public Hearing – Resolution No. 05-041: Authorizing the Public Sale of Property (A Portion of the SE ¼ of the NE ¼ of Section 23, T 17 N, R 1 E, Seward Meridian, Lying North of the Northerly Right-of-Way of the Glenn Highway) in Accordance with Palmer Municipal Code 3.20.080 (IM 05-099)

MOVED BY:	Pippel	To adopt resolution no. 05-041
SECONDED BY:	Wood	

Mayor Combs opened the public hearing for resolution no. 05-041. There being no persons who wished to testify, the public hearing was closed and the matter was brought back before the council.

City Manager Healy explained the original authorization to purchase the property. He stated that with exception of a utility easement, the property was not needed for a public purpose. He explained the minimum bid price as being the City’s purchase price.

Council Member Pippel asked of the selling price and the possible inclusion of fees within the selling price. Mr. Koch referred to the appraisal and suggested that the resolution be amended to lower the minimum bid price to \$300,000. He stated the City’s original interest as a mechanism to remove an issue and explained the value of “getting what the City needs to get out of the property” to support the water/sewer project. Mr. Koch explained the value of the easement and its retention through the sale.

Council Member Hanson spoke of the previously indicated uses for the property. Mr. Koch stated that the City should not be in the position to sell gravel. Council Member Hanson spoke of the contractor interest in utilizing the existing gravel on the property. Mr. Koch spoke of the contractor’s willingness to purchase the gravel. He spoke in support of a water/sewer project rather than gravel operation.

Council Member Wood asked of the value of the gravel. Mr. Koch stated that the gravel is worth \$80,000.

Council Member Pippel asked whose money was used for the land purchase. City Manager Healy stated that the money was from the water/sewer fund.

Council Member Pippel explained the property and the fair market value of the property. He stated that he would like to see the sale advertised and have the final sales contract back before the council.

Attorney Snodgrass explained that the council may reject any and all bids and the conditions regarding the language. He stated that council approval of the sale authorizes the manager to execute all steps to close the sale.

Council Member Pippel spoke of the appraisal and established fair market value. Attorney Snodgrass reminded the council of the reasons the property was purchased and explained the retainment of the easement.

Mr. Koch spoke of the preference of the buyer in regards to placement of the easement.

Council Member Pippel spoke of the grade of the property and coordination with the contractor. Mr. Koch explained the elevation of the property and the alignment of the water/sewer line.

Council Member Hill asked of the contract and the timeframe involved with water/sewer line construction on the property. Mr. Koch explained the necessity to provide International Bridge Corporation (IBC) with a notice to proceed by March 1, 2006.

Mayor Combs asked of IBC's interest in the gravel. Mr. Koch stated that should the City be in the business of selling gravel, IBC would be interested. Mayor Combs spoke of the ability to sell the gravel at this time and place the property up for sale at a later date. City Manager Healy stated that if the City sold the gravel, put in the water/sewer line and then sold the property, an additional appraisal would be necessary to represent the adjusted value of the property. City Manager Healy spoke of the importance of timing with the contractor and notice requirement regarding the sale.

Council Member Pippel spoke of the unrealistic timeframe for the City to advertise, award bids, close the sale, sign contracts with buyer and expect that the buyer to have 25 yards of material moved the end of March. He voiced his concurrence with the Mayor to provide a contract for the removal of gravel, completion of placement of the water/sewer line and disposal of property. Attorney Snodgrass stated that the City is not a land developer and stated that the resulting product of land development may not be what the City would like to sell.

Council Member Hanson voiced his agreement with the Manager and stated that the City should not be in the land development business. He stated that the City bought the property for very specific reasons. He stated that should the City desire to make money on property development, there are other properties which may be developed for that purpose. Council Member Hanson stated that the City should dispose of the property and move on. He stated that the risks are too great.

Council Member Wood asked of the appraisal. City Manager Healy stated the appraisal speaks of the value of the land in its current condition.

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To amend the minimum bid contained in the "Now, Therefore, Be It Resolved" clause to \$326,400
Seconded by:	Wood	
Vote on Amendment:		Motion carried by unanimous voice vote.

Primary Amendment #2 to Main Motion		
Moved by:	Pippel	To require the advertising period to be three weeks rather than two as required by code
Seconded by:	Wood	

Vote on Amendment:	Motion carried by unanimous voice vote.
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Primary Amendment #3 to Main Motion		
Moved by:	Pippel	To include the language “with such additional terms as the manager determines are in the best interest of the City” in the “Now, Therefore, Be It Resolved” clause
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 4 – Public Hearing – Ordinance No. 05-037: Amending Palmer Municipal Code Sections: Adoption (1.01.010), Codification Authority (1.01.030) and Ordinances Passed Prior to Adoption of the Code (1.01.040) (IM 05-095)

MOVED BY:	Pippel	To adopt ordinance no. 05-037
SECONDED BY:	Vanover	

Mayor Combs opened the public hearing for resolution no. 05-041. There being no persons who wished to testify, the public hearing was closed and the matter was brought back before the council.

City Clerk Bower the code language as necessary to update the codification authority.

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

I. ACTION MEMORANDUMS

Item 1 – Action Memorandum 05-121: Approve the Vacation of a Public Use Easement on Property Owned by Anton Meyer on Helen Drive

MOVED BY:	Wood	To approve the vacation of a public use easement on property owned by Anton Meyer on Helen Drive
SECONDED BY:	Hanson	

City Manager Healy spoke of the history of utility line installation within the area. He stated that the line does not exist on the Meyer property and explained the map indicating the easement boundaries. City Manager Healy stated that should the City be willing to grant the vacation of the easement, the City would be required to renegotiate access. He explained the City’s current access through the easement to the utilities. He explained Mr. Meyer’s proposal of an easement and inclusion of a narrower easement, indemnification and notice requirements. City Manager Healy explained the temporary construction easement language and stated that because the City has access to the easement he questioned the reasonableness of giving up the current easement for a more restrictive easement.

Council Member Pippel asked of the easement in regards the sewer line. City Manager Healy explained the temporary construction easement and the 30 foot permanent easement.

Council Member Wood asked of the waterline and sewer line placement. City Manager Healy explained the lines.

Mayor Combs spoke in opposition to the vacation due to the City's interest in the current easement which is less restrictive than the one proposed by Mr. Meyer.

Council Member Pippel asked of the current easement and the timeframe in which the easement has been in place. He added his belief that the easement was old. City Manager Healy stated that the easement was created in 1977.

VOTE ON MAIN MOTION:	Motion failed by unanimous voice vote.
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J. UNFINISHED BUSINESS

K. NEW BUSINESS

L. CITY MANAGER'S REPORT

City Manager Healy reported on the following items:

- S. Chugach Project – will go to bid later this month, scheduled for completion before the 2006 Fair;
- Southwest Utility Extension – the project continues to progress and has not been hampered by the weather;
- 2006 Budget – the budget is nearing completion and will be distributed to the council prior to the budget work session;
- Health Board Trust – the board has approved a 5% premium increase, overall the trust doing well;
- Discussion with the Ron Swanson, Borough Land Manager regarding the City's 160 acres, will begin negotiations regarding its use;
- Finalizing the agreement with the Chamber of Commerce for the Visitor Information Center;
- Comprehensive Plan – revised draft will be forwarded to the Planning and Zoning Commission next month;
- At the next meeting a proposal regarding the economic analysis for annexation services will be before the council;
- Utility Vacation Rate – a further report will be given at the next meeting;
- Discussion ensued regarding the receipt of the utility rate study;
- Out of town the week of November 21.
- Discussion ensued regarding the outstanding assessments.

M. CITY CLERK'S REPORT

Ms. Bower reported on the following items:

- Website webcam;
- Retention schedule;
- Cancellation of the December 20 meeting;

- Robert's Rules of Order procedure regarding members speaking against their own motion;
- Alaska Municipal League schedule and meetings attended.

N. RECORD OF ITEMS PLACED ON THE TABLE

The following items were placed on the table:

- Letter and information from Mr. Anton Meyer and Mr. Noel Kopperud;
- November 15 special meeting agenda.

O. AUDIENCE PARTICIPATION

Dawn DeBusk, Frontiersman Reporter, asked of the Robert's Rules of Order procedures and the recording of the procedures within the minutes.

P. COUNCIL COMMENTS

Council Member Wood expanded on his experience of serving as a judge for the VFW for their annual essay contest regarding "What it is to be a Patriot". He stated that if the participating youth are representative of the youth today, our rights, privileges and freedoms are ensured for the future.

Council Member Vanover commented on the Joint Tri-City meeting and her request for information regarding the Christmas card program for service members. She spoke of the presentation regarding methamphetamines and the opportunity for the school district to pass a similar resolution.

Council Member Hill explained his experience as a witness of a vehicle accident.

Council Member Pippel spoke of the 70th Anniversary of Matanuska Maid and the feature of the Colony House museum on the milk cartons throughout the year. He announced that on Wednesday, November 16, 2006, at 10 a.m. a press conference would be held regarding the celebration at the Colony House Museum. Council Member Pippel expanded on his attendance of a house warming at Council Member Erbey's new home and the beauty of the home. Council Member Pippel asked of the purpose surrounding the Clean City Hearing Board. City Manager Healy explained the purpose of the Board. Discussion ensued regarding applicants for the Board.

Mayor Combs reported on the following items:

- Ice Arena Plaque and dedication of the plaque on January 8, 2006;
- Meeting held with the downtown business owners regarding signage;
- Attended a Transportation Advisory meeting; spoke in support of the Bogard extension and Palmer's priorities;
- Attendance of the Comprehensive Plan meeting;
- Correspondence with Borough Manager John Duffy regarding the uses and allocation of a bed tax;
- Meeting held with downtown merchants regarding Christmas lighting and decorations;
- Mayor's report during the Borough meeting;
- Joint Tri-City meeting;
- Attendance at the Senior Center 25th Anniversary;

- Attendance at the Alaska Municipal League.

R. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:56 p.m.

APPROVED THIS 22nd day of November, 2005.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, City Clerk