

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on May 11, 2004, at 7:00 p.m. in the council chambers, Palmer, Alaska.

Mayor Cooper 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:

Ken Erbey	Brad Hansen
Tony Pippel	Kathrine Vanover
John Combs	Steve Carrington
Jim Cooper	

Also in attendance were the following:

Dan Contini, Acting City Manager
Jack Snodgrass, City Attorney
Janette Persinger, City Clerk

C. APPROVAL OF AGENDA

D. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Carrington.

E. SPECIAL ORDER OF BUSINESS

1. Mayor's Letter of Commendation to Officer James (Lucky) Gipson
Mayor Cooper presented Officer Gipson with a letter of commendation, thanking him for saving the life of an infant.

F. MINUTES OF PREVIOUS MEETINGS

Unanimous consent – to approve the minutes of the 4-27-04 regular meeting.

G. CONSENT AGENDA

1. Introduction – Ordinance No. 623-Z-63: Ratifying the Recommendation of the City of Palmer Planning and Zoning Commission Concerning An Amendment to the Zoning Map Instituted By the Commission to Rezone Tax Parcels 18N02E32C019, 18N02E32C020, 18N02E32C021 and 18N02E32C024 From R-1, Single Family Residential to C-G, General Commercial
2. Introduction – Ordinance No. 624-Z-64: Ratifying the Recommendation of the City of Palmer Planning and Zoning Commission Concerning An Amendment to the Zoning Map Instituted By the Commission to Rezone Tax Parcel 18N02E34C020, 18N02E34C018,

3. Authorize Advertisement for Bids for Banking Services

H. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Joe Lawton – Alaska State Fair

Mr. Lawton reported on the following items:

- Explained his attendance at a Fair Manager’s Meeting in Calgary and stated that the City of Calgary and Calgary Stampede enjoy a close working relationship;
- Stated that the Commuter Center is progressing and will be named the South Palmer Station;
- Stated the Glenn Highway Scenic By-Way has appropriated \$50,000 for display panels and stated that the display panels will be an entrance to Palmer;
- Explained the status of the \$30,000 grant for the Farm Exhibits Building studies;
- Stated that the \$49,000 bed tax grant was received for restrooms in the Don Sheldon Building. The Building is a medium size meeting place and will allow for public meetings;
- Stated that Alaska Demolition is busy working and making improvements on the property; and
- Stated that the competitive soccer league will play on the church lot this summer and will enter into a long term agreement with the Fair for development of the fields.

2. Mike Logan – Palmer Hockey Association

Mr. Mike Logan introduced three members from the Palmer Hockey Association: Jaxson Logan, Temo Stenvik and Justin Ferguson.

- On behalf of the Palmer High School Hockey Association, Jaxson Logan presented the City of Palmer with a check for \$136,673.33 towards construction of the new ice arena in Palmer;
- Mr. Logan stated that the money was the balance of the proceeds gained from the piece of property donated by an angel in 1997 and sold by the association; and
- Mr. Logan requested the council consider naming the Ice Arena after the angel and donor, Mr. Dominic Donatello.

3. Rick Koch, Public Works Superintendent

Mr. Koch reported on the following items:

- Explained the memo regarding the Daron Drive Neighborhood Park project and cost estimates for the project. Discussion ensued regarding the costs and notification to the area neighbors;
- Discussion ensued regarding the Refuse Container memo and the process of refuse collection;
- Stated that all of the bases for the stop signs are in place and stated that temporary signs will be put into place to alert motorists of the traffic pattern revisions. The stop signs will be put into place following public notification by the Community Development Coordinator. Discussion regarding the affected streets followed; and
- Explained the changes to Eagle Street plans and stated that storm drains, additional sidewalks and a recalculation of the assessments have been finalized for the project. Discussion ensued regarding the addition of sidewalks.

I. BOROUGH REPRESENTATIVE’S REPORT

J. AUDIENCE PARTICIPATION

1. Robert Bailey – Eagle Street Local Improvement District (LID)
Mr. Bailey voiced his concerns about the 30% increase in project costs and concerns regarding potential flooding on his properties.

K. HEARINGS, ORDINANCES AND RESOLUTIONS

Item 1 – Resolution No. 1341: Authorizing the Vacation of a Portion of the Public Right-of-Way of South Eklutna Street

MOVED BY:	Combs	To adopt resolution no. 1341
SECONDED BY:	Hanson	

Mayor Cooper opened for public testimony resolution no. 1341.

Peter J. Probasco, President of St. John Lutheran Church Council spoke in favor of the adoption of resolution no. 1341.

Mayor Cooper closed the public testimony.

Discussion regarding the following items ensued:

- Alternate avenues to address the parking and safety issues;
- The City’s requirement of unusual or compelling circumstances to vacate City-owned streets;
- The airport safety zone and developable areas;
- Set-back ordinance revisions;
- The precedent set by granting the vacation and future requests by private individuals that may occur;
- The fair treatment of all residents and future community development; and
- The development of a pedestrian ordinance.

VOTE ON MOTION:	Motion failed by 2 - 5 voice vote (Hanson, Cooper).
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Council suspended the rules to allow Mr. Dave Nufer from St. John’s speak. Mr. Nufer thanked the council for the process and their diligent consideration of the request.

Item 2 – Public Hearing – Ordinance No. 606: Regarding Large Retail Establishments (LREs): Adopting Palmer Municipal Code Section 17.08.047 (Definition of LRE), Amending 17.28.040 (Prohibiting LREs in The Limited Commercial District), Amending Section 17.32.030 (Making LREs a Conditional Use in The General Commercial District), Adopting Section 17.72.055 (Additional Standards for Conditional Use Permit for an LRE), Adopting Section 17.68.065 (Limited Application of Nonconforming Use Status to Existing LREs), and Amending Section 17.72.080 (Appeal)

MOVED BY:	Pippel	To adopt ordinance no. 606
SECONDED BY:	Hanson	

Mayor Cooper opened the public hearing.

Dave LeClaire, Carr Gottstein Properties placed before the council a memo requesting changes to the ordinance and stated that overall the ordinance is sound. He spoke in favor of the ordinance, with further examination of the issues listed in his memo.

Discussion ensued regarding the changes suggested by Mr. LeClaire.

Jim Klauder, Friends of Mat-Su stated that he is in support of the ordinance and would like to see its passage. He further stated that perhaps changes may be needed to the ordinance but would not want to the delay its adoption because doing so could cause issues with further development.

Mayor Cooper closed the public hearing.

M/M by Pippel to amend 17.32025 (C) 1. a) to read as follows:

- a) Improvements to a road or intersection shall be made to maintain an acceptable LOS if a road or intersection has an acceptable LOS under PMC 17.32.025(B)(2)(b) without traffic generated by the development and an unacceptable LOS under PMC 17.32.025(B)(2)(b) with traffic generated by the development at the opening date of the development or ten years after the development opens.

Seconded by Hanson. Motion carried by unanimous voice vote.

M/M by Pippel to amend 17.32.026 Procedures for a large retail establishment as follows:

Seconded by Hanson. Motion carried by unanimous voice vote.

D. City manager review. When the city manager determines the application and plans meet the requirements of 17.32.025, the manager will give tentative approval, subject to such special limitations as the manager may deem reasonable arising out of the comprehensive plan, mitigation of adverse impacts of the project on the neighborhood or public facilities, or the public health and safety.

E. Objections to Special Limitations. If the applicant objects to any of the manager's proposed special limitations, the applicant may request review of the special limitations by the City Council. The applicant shall clearly denote each objection and state why the applicant objects to it. The applicant's objections shall be forwarded to the City Council with the manager's proposed special limitations.

F. Public hearing. The council shall hold a public hearing regarding the manager's tentative approval, the manager's proposed special limitations, and the applicant's objections. Notice for the public hearing shall be given in accordance with 17.80.030, as if the LRE were a zoning map amendment.

G. Council determination. After the public hearing the council shall determine whether the permit shall be approved. After due consideration of the public input, the council may approve the permit if the applicant's plans meet the requirements of 17.32.025, subject to such special limitations as the council deems are reasonably related to the comprehensive plan, mitigation of adverse impacts of the project on the neighborhood or public facilities, or the public health and safety.

H. Effective permit. The permit shall not be effective until signed by the city manager and also signed by the applicant agreeing to comply with the plans approved by the council and such special limitations as set by the council. A copy of the plans and limitations shall be attached to the permit.

M/M by Hanson to amend 17.32.025 D Landscaping and screening. 2 a) to read as follows:

Evergreen and deciduous trees shall be planted at intervals and shall be a minimum of three feet in height at planting.

Seconded by Carrington. Following discussion, the motion was subsequently withdrawn by the council.

M/M by Hanson to strike 17.32.025 H Outdoor lighting. 2 in its entirety. Discussion ensued regarding reasonable lighting standards.

Seconded by Combs. Motion carried by unanimous voice vote.

Discussion regarding operational aspects of businesses and the minimum entry way requirements ensued.

M/M by Combs to amend section 17.32.025 D 3. to read as follows:

3. All parking lots visible from public rights-of-ways shall be screened with a combination of trees, shrubs or other plant materials, possibly in combination with fences and berms.

Seconded by Hanson. Motion carried by 6 - 1 voice vote (Hanson).

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 3 – Public Hearing – Ordinance No. 620: Amending Title 18 (Elections) of the Palmer Municipal Code

MOVED BY:	Hanson	To adopt ordinance no. 620
SECONDED BY:	Combs	

Mayor Cooper opened the public hearing.

There were no members of the public to be heard.

Mayor Cooper closed the public hearing.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 4 – Public Hearing – Ordinance No. 621-Z-61: Ratifying the Recommendation of the City of Palmer Planning and Zoning Commission Concerning An Amendment to the Zoning Map Instituted By the Commission to Rezone Tax Parcel 17N02E05B2, 17N02E05B3, 17N02E05B9, 17N02E05A5 From R-1, Single Family Residential to C-G, General Commercial

MOVED BY:	Combs	To adopt ordinance no. 621-Z-61
SECONDED BY:	Hanson	

Mayor Cooper opened the public hearing.

Rolf Dagg spoke in support of ordinance no. 621-Z-61. Mr. Dagg explained future development of his property.

Discussion regarding the process of the rezones ensued.

Mayor Cooper closed the public hearing.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 5 – Public Hearing – Ordinance No. 622-Z-62: Ratifying the Recommendation of the City of Palmer Planning and Zoning Commission Concerning An Amendment to the Zoning Map Instituted By the Commission to Rezone Tax Parcels 18N02E33A2 and 18N02E33D24 From R-1, Single Family Residential to R-2, Multi-Family Residential

MOVED BY:	Hanson	To adopt ordinance no. 622-Z-62
SECONDED BY:	Combs	

Mayor Cooper opened the public hearing.

There were no members of the public to be heard.

Mayor Cooper closed the public hearing.

Discussion regarding the staff's recommendation and determination of an appropriate zone for the properties followed.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 6 – Resolution No. 1342: Establishing City of Palmer Solid Waste Collection Rates

MOVED BY:	Pippel	To adopt resolution no. 1342
SECONDED BY:	Vanover	

Discussion ensued regarding current rates and the establishment of rates. Discussion followed regarding the establishment of utility rates for “snow birds”.

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

Item 1 – Palmer Airport Taxiway J & L and Apron A Expansion Project

MOVED BY:	Pippel	To accept the bids of Wilder Construction, Alaska Road Builders and Pruhs Corporation and to award the contract to Wilder Construction
SECONDED BY:	Hanson	

Discussion regarding soft and hard bidding contracts ensued.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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M. UNFINISHED BUSINESS

Item 1 – Authorize City Manager to Enter Into a Joint Purchasing Agreement for the Purchase of A Digital Copier

MOVED BY:	Pippel	To authorize the city manager to enter into a joint purchasing agreement for the purchase of a digital copier
SECONDED BY:	Erbey	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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N. NEW BUSINESS

Item 1 – Authorize City Manager to Enter Into an Agreement for Insurance Broker and Risk Management Consultant Services

MOVED BY:	Pippel	To authorize the city manager to enter into an agreement for insurance broker and risk management consultant services
SECONDED BY:	Hanson	

Discussion ensued regarding the low liability coverage and excess liability coverage. The recommendation of council was to explore the option of raising the coverage limitations.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 2 – Authorize City Manager to Negotiate and Enter Into an Agreement for Design Services for Downtown Street Lighting Project

MOVED BY:	Combs	To authorize the city manager to negotiate and enter into an amendment for design services for downtown street lighting project
SECONDED BY:	Hanson	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 3 – Authorize Additional Services and Fees for Engineering Services by Hattenburg, Dilley and Linnell for the Airport Improvement Project

MOVED BY:	Pippel	To authorize additional services and fees for engineering services by Hattenburg, Dilley and Linnell for the Airport Improvement Project
SECONDED BY:	Hanson	

Rick Koch, Public Works Director provided an overview of the requested additional services and fees.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 4 – Authorize the Assignment of Airport Lease No. 96-1 from The Hanger, LLC, to James DeNier for Loan Security Purposes

MOVED BY:	Pippel	To authorize the assignment of Airport Lease No. 96-1 from The Hangar, LLC, to James DeNier for Loan Security Purposes
SECONDED BY:	Erbey	

Discussion ensued regarding the City’s opportunity to examine the current rates and overall lease rates.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 5 – Authorize City Manager to Enter Into a Lease Amendment with the State of Alaska for the Palmer Public Safety Building

MOVED BY:	Hanson	To authorize the city manager to enter into a lease amendment with the State of Alaska for the Palmer Public Safety Building
SECONDED BY:	Carrington	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 6 – Authorize City Manager to Authorize the Alaska Department of Transportation and Public Facilities to conduct Other Agency Review and Project Bidding Tasks for the Glenn Highway/Dogwood Avenue Intersection Project for Up to \$35,000

MOVED BY:	Hanson	To authorize the city manager to authorize the Alaska Department of Transportation and Public Facilities to conduct Other Agency Review and Project Bidding Tasks for the Glenn Highway/Dogwood Avenue Intersection Project for up to \$35,000
SECONDED BY:	Carrington	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 7 – Authorize City Manager to Approve Change Order No. 2 for Ice Arena Project

MOVED BY:	Hanson	To authorize the city manager to approve change order no. 2 for the Ice Arena Project
SECONDED BY:	Erbey	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 8 – Authorize City Manager to Accept Grant from the Federal Aviation Administration for Palmer Airport Taxiway J & L and Apron A Expansion Project

MOVED BY:	Combs	To authorize the city manager to accept grant from the Federal Aviation Administration for Palmer Airport Taxiway J & L and Apron A Expansion Project
SECONDED BY:	Hanson	

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

Attorney Snodgrass explained that all parties involved in the Baptist Church utility easement issue have signed the required agreement and the Baptist Church congregation will vote on the agreement on May 16, 2004.

Council consensus was to direct the City Manager to request the Borough to provide sales documents for final Council approval for the Kiddie Park.

Mr. Contini commented on Fred Meyer’s landscaping and the buildings in town that are in the process of being painted.

P. CITY CLERK’S REPORT

Ms. Persinger reported on the following items:

- Provided an update on the charter revisions and requested that a work session be scheduled for June 1, 2004 at 6:30 p.m. Council consensus was to set the work session for that date and time;
- Discussion regarding the website ensued; and
- Discussion regarding the ownership of the City’s ordinances and code followed.

Q. AUDIENCE PARTICIPATION

1. Dan Contini, Fire Chief stated that the Mat-Su Borough is holding a special meeting this evening regarding their yearly fiscal budget. Discussion of the Greater Palmer Fire Department budget will be held. Mr. Contini stated that the Department budget is in trouble.

R. COUNCIL COMMENTS

Council Member Hanson thanked Council Member Pippel and Mayor Cooper for their assistance with Little League opening day activities and the City of Palmer for their care for the fields. Council Member Hanson stated that a local contractor donated labor to build dugouts for the ball fields. He stated that Roth Construction, Cedar Design and Kiana painting were involved in the project.

Council Member Carrington favorably commented on the website and the available documents.

Council Member Combs requested that the administration prepare a Neighborhood Park Plan with the end result of an RFP for the development of Greatland Terrace, Block 2, Lots 15 & 16. Council Members Pippel and Hanson sponsored the request.

Council Member Vanover commented on the traffic pattern at the In and Out Deli and the difficulty of driving in the area. She explained a situation where a City employee requested to be shown a meter in the basement of the school district office and the lack of identification by the City employee. Discussion ensued regarding the comments by the City employee, employee identification and the meter type.

Council Member Pippel explained that a citizen who lives on Daron Drive cleaned the lots and when the citizen asked the City to pick up the trash bags, was told that the City was unable to do so. Subsequently the trash was picked up by the City. Council Member Pippel stated that the ball fields are in wonderful condition.

Mayor Cooper commented on the Little League opening day ceremony. He commented on the May 1st City Clean Up Day and stated that Council Member Hanson and fellow works picked up 150+ bags of garbage. Mayor Cooper explained that May 11, 2004, is the last day of the State session and provided an overview of pending legislation. He stated that he will travel to Washington, D.C. on the evening of May 12, 2004. While in Washington, D.C., he and his wife will spend time with their grandchildren. After returning from Washington D.C., he will travel Kodiak for a week and then will travel to Saroma, Japan.

S. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 10:27 p.m.

APPROVED THIS 25th day of May, 2004.

_____/s/_____
Tony Pippel, Mayor Pro Tempore

Janette M. Persinger, City Clerk