

**A. CALL TO ORDER**

A regular meeting of the Palmer City Council was held on August 9, 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:

Tony Pippel	Katherine Vanover
Jim Wood	Steve Carrington
John Combs	Brad Hanson

Also in attendance were the following:

Dan Contini, Acting 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
  - a. Introduction – Ordinance No. 05-030: Amending 17.20.060, Set Back Requirements, of Title 17, Zoning, to Define Dates of Preliminary Plat, Recorded Plat and Master Plans (IM 05-076)
  - b. Introduction – Ordinance No. 05-031: Amending Palmer Municipal Code 2.05.040 Specifically to Establish Additional Mayoral Duties, Adopting 2.05.045 to Institute Remedies Regarding Performance, and Amending 2.05.050 to Modify the Method of Determining and Increasing the Amount of the Mayoral Compensation (IM 05-079)
2. Minutes of Previous Meetings – *the minutes were amended and approved.*
  - a. July 26, 2005, Regular Meeting
  - b. August 1, 2005, Special Meeting

**E. COMMUNICATIONS AND APPEARANCE REQUESTS**

**F. AUDIENCE PARTICIPATION**

**Gary Rosenbaum** spoke of the improvements in the Helen Drive area. He stated that the street has been dug at least three to four feet deep. He asked why the road would not be paved at this time instead of at a later date.

**Jim Ward** inquired of the letter sent by the Public Works Department regarding the project on Helen Drive. He explained his receipt of the letter on Monday. He stated that had the work continued, he would have been unaware of the situation regarding connection costs. Mr. Ward stated that they were informed of the connection costs after the fact. He stated that the minutes reflect all property owners will pay the same amount of money and that some citizens are receiving bills which are not equitable. He stated he was informed that a new letter would be sent, but has not received it as of yet.

**Larry Bowling** voiced his complaint regarding the minutes reflecting that the city would pay for the connection. He spoke of the frost heaves and the perception that the city is charging the homeowners to repair the road.

**Kevin Clifford** voiced his complaint regarding the lack of communication between the city and property owners.

**Jerry Tokar** voiced his concern regarding the curve in the road near the Baptist Church and lack of notification of impending road closures. He spoke of potential accidents and emergency situations. He inquired of future incurred charges.

**Juanita Loyer** asked of the water pressure and the diameter of the pipe. She stated that several residents do not understand they will be charged for the LID but have not received notification of those costs.

**Rick Koch**, Public Works Director stated that there will not be a sewer charge and the City is unable to provide refuse service. He stated that he can attest that letters have been sent to homeowners listed on the Borough tax records. Mr. Koch stated that in conversation with some of the owners, he received new addresses and updated the records. He highlighted the May 10, 2005, regular meeting minutes and stated that he and the City Manager reviewed the recording of the meeting and provided an overview of the content of the recording. He noted the costs for the curb stops, the necessary connections and the costs surrounding those connections. Mr. Koch explained his contact with DEC and DEC's agreement to pay for asphalt improvements. He explained the lack of obligation by homeowners to have the city's contractor place the curb stop. He strongly encouraged the owners on Helen Drive to move forward with curb placement due to the asphalt placement. Mr. Koch explained the contractor is moving much faster than anticipated and will finish the project in October rather than in June 2006.

## **G. ACTION MEMORANDUMS**

**Item 1** – Action Memorandum 05-088: Approval of Joint Tri-City Resolution, Resolution No. 05-XX: A Joint Resolution of the City of Houston, City of Palmer and City of Wasilla Supporting and Endorsing the State of Alaska in its Efforts to Complete the Bogard/Seldon Road Extension East to the Glenn Highway and West to the Parks Highway Via King Arthur Drive

MOVED BY:	Pippel	To approve action memorandum 05-088
SECONDED BY:	Vanover	

Council Member Vanover highlighted the sub-committee meeting held on July 18 and stated that

the three cities were in agreement with the work.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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**Item 2** – Action Memorandum 05-089: Authorize City Manager to Negotiate and Enter into a Professional Services Agreement for Engineering Services with Hattenburg, Dilley & Linnell for the 2005 Palmer Municipal Airport Design and Runway Protection Zone Land Acquisition Project

MOVED BY:	Pippel	To authorize the city manager to negotiate and enter into a professional services agreement for engineering services with Hattenburg, Dilley & Linnell for the 2005 Palmer Municipal Airport Design and Runway Protection Zone Land Acquisition Project
SECONDED BY:	Hanson	

Mayor Combs spoke of the approach zone and stated his belief that two of the homes within the area will be acquired for the project.

Council Member Pippel spoke of the larger required runway protection zone and the subdividing requirements of the University property.

Council Member Wood asked of the homes and the allowable purchase of those homes. Council Member Pippel expanded on the area and allowable actions by the engineers.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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**Item 3** – Action Memorandum 05-090: Authorize City Manager to Negotiate and Execute Amendment No. 2 to Hattenburg, Dilley & Linnell’s Professional Services Agreement for Construction Management Services Related to the Helen Drive Water Main Extension Project

MOVED BY:	Hanson	To authorize the city manager to Negotiate and execute Amendment No. 2 to Hattenburg, Dilley & Linnell’s professional services agreement for construction management services related to the Helen Drive Water Main Extension Project
SECONDED BY:	Vanover	

Council Member Hanson asked of the Attorney’s desire to include a not to exceed amount in the motion.

Primary Amendment #1 to Main Motion		
Moved by:	Hanson	To include a not to exceed amount of \$85,010
Seconded by:	Pippel	

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** – Action Memorandum 05-092: Approve and Direct the Preparation of Ordinance to Transfer City of Palmer Animal Control Board Powers to the Matanuska-Susitna Borough

MOVED BY:	Pippel	To approve and direct the preparation of an ordinance to transfer City of Palmer Animal Control Board powers to the Matanuska-Susitna Borough
SECONDED BY:	Vanover	

Council Member Pippel stated that the memo written by Sgt. Ketterling was straight forward and informative.

Council Member Hanson asked Sgt. Ketterling about the continued police department duties regarding animal control. Sgt. Ketterling explained the police department's continued involvement and response to animal calls.

Council Member Vanover spoke of dangerous and large animals and her call to the police department. She voiced support of the action.

Mayor Combs spoke of the hybrid wolf incident and the movement of the animal out of the City and into the Borough. He explained the efficiency gained by transferring the duties to the Borough.

Council Member Pippel asked that a letter of thanks be forwarded to the current members of the Animal Control Board.

Ms. Bower explained that the City Manager will recommend that one member on the Borough Animal Control Board be a Palmer representative.

Council Member Wood asked of the Animal Control Board sanctions and compliance with sanctions. Sgt. Ketterling spoke of the civil remedies and the Borough's process of enforcement of those sanctions.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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**Item 5 – Action Memorandum 05-093: Authorize City Manager to Negotiate and Execute Amendment No. 4 to Hattenburg, Dilley & Linnell’s Professional Services Agreement for Additional Planning, Easement Acquisition, and Design Services Related to the Southwest Utility Extension Project in an Amount not to Exceed \$141,878**

MOVED BY:	Pippel	To the city manager to negotiate and Execute Amendment No. 4 to Hattenburg, Dilley & Linnell’s professional services agreement for additional Planning, easement acquisition, and design services related to the Southwest Utility Extension Project in an amount not to Exceed \$141,878
SECONDED BY:	Vanover	

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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**H. HEARINGS, ORDINANCES AND RESOLUTIONS**

**Item 1 – Public Hearing – Resolution No. 05-029: Establishing the City of Palmer’s Capital Project Priorities for the State Fiscal Year 2007 Alaska Department of Environmental Conservation’s Municipal Matching Grant Program (IM 05-077)**

MOVED BY:	Pippel	To adopt resolution no. 05-029
SECONDED BY:	Hanson	

Mayor Combs opened the public hearing for resolution no. 05-029. There were no persons who wished to testify.

Mr. Koch explained the municipal matching grant program process. He explained the following requests:

- Palmer Southwest Utility Extension – Sewer, Palmer Southwest Utility Extension – Water – the monies would substitute the council’s commitment to fund the project out of the reserves. He stated that the money would become available July 1, 2006.
- Palmer Water Storage Reservoir No. 5 – the reservoir would be in the area between the hospital and college. Monies would be used for site selection and design; grant conditions do not allow the use of funds for land acquisition but could be used as a match for other grant monies. Mr. Koch explained the imperativeness of constructing a reservoir.
- Steel Water Main Replacement, Phase V – this phase may finish the project.

Council Member Pippel asked of future projects. Mr. Koch explained that there are future needs and spoke of the distribution and collection systems for the entire water/sewer area.

Council Member Hanson spoke of the appropriateness of placing the Southwest Utility Extension on the list and the ability to “gain back” some of the expended funds. He asked that an abundance of public notification be made regarding the Arctic Avenue project.

Council Member Pippel spoke of the monies recoverable by users and raised the question of the potential of lost opportunity being worth recovering the funds at this time.

Mayor Combs stated that it is in the best interest of the entire community to get the money back into the reserves as soon as possible.

Mr. Koch explained the total grant funding level as between \$10 and 12 million and the average receipt of \$2 million per year by the city. He voiced his belief that due to the significant nature of the Southwest Utility Extension project, the City will receive the \$1.3 million request.

Council Member Pippel asked of the decision to replace the steel water replacement rather than substitute the reserve funds. Mr. Koch stated that there is two years worth of water main replacement money currently in the budget. He stated that the reservoir project is not fully developed and the right project is the utility extension project.

Council Member Hanson asked of failures regarding water lines and the amount of funds expended on the waterlines this year. Mr. Koch responded by stating that overall there have not been a great deal of waterline failures and that the biggest issue has been in Valley Trails. Mr. Koch spoke of MEA’s possible involvement in the issue.

Council Member Hanson asked of the need to expand the sewer treatment facility. Mr. Koch spoke of the appraisal of the property needed for the project. He stated that the current asking price is \$20,000 per acre.

Council Member Wood asked of MEA’s involvement regarding the lines and their helpfulness in repairing the lines. Mr. Koch stated that he would be in conversation with them regarding the issue.

VOTE ON MAIN MOTION:	Motion passed by unanimous voice vote.
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## I. BIDS

## **J. UNFINISHED BUSINESS**

## **K. NEW BUSINESS**

### **Item 1 - Discussion and Possible Action Regarding the July 28, Palmer City Council Work Session (IM 05-078)**

Sara Jansen, Community Development Coordinator explained the timeframes surrounding the Comprehensive Plan. She explained the first draft and the refinement of the level of detail in the plan. She stated that the comp plan has been accelerated and is on track. Ms. Jansen spoke of the pace on the preliminary timeline and voiced her opinion that the City should wait one year before proceeding with annexation. She described annexation as the ultimate tool in community planning and described the importance of communicating with property owners within the proposed annexation areas. Ms. Jansen described the comp plan as what the zoning code should flow from.

Mayor Combs stated that in a meeting held with City Manager Healy, Mr. Healy's response was the same as Ms. Jansen. Mayor Combs spoke of the danger of making up rules as the City moves along in the annexation process and stated that he is not satisfied with some of the CL and CG issues. He stated that the highway commercial concept is being worked on by several different factions and stated that it is just not the City that is interested in the issue. He expressed his disappointment that the issue "has been on the stove" for a long time but stated that he does not want to approach the public without all of the answers.

Council Member Vanover spoke of the 2006 deadline and the unrealistic goal of the date. She stated that the City would be reactive rather than proactive and that acting in that manner will not gain the public's confidence.

Council Member Pippel voiced his concurrence and stated that every year that the city waits to annex, development continues in a manner that may not meet the City's requirements. Council Member Pippel asked of the administration's assurance regarding the newly proposed timeframe.

Ms. Jansen spoke of the provision of ongoing updated timelines and stated that the project must constantly progress to be complete by 2007.

Council Member Hanson spoke of his commitment to the annexation process and the elements which must be placed in the code prior to annexation. He stated that the City has a lot of work to do in respect to the comp plan and stated that it is impossible for the City to impose its annexation wishes on the public when the City does not know what those wishes may be. Council Member Hanson stated that the annexation will be very difficult and time and effort must be taken to promote and educate so that the public understands the desire to create a better community. He emphasized that the comp plan still requires work and stated the need to communicate the same message to the public.

Council Member Pippel stated that he believes that the city has a good product to sell and that if the public is informed of the values of the city, the public will desire to be in the city.

Mayor Combs emphasized the need for additional zoning work and explained a conversation with a citizen regarding target practice. He spoke of citizens who live on agricultural property and the "tough sell" annexation will be with those individuals. He stated that he doesn't want to get a product out to the public that is not well thought out.

Council Member Wood voiced his concurrence with stepping back and asked Ms. Jansen of how soon an adjusted timeline could be presented to the council.

Ms. Jansen stated that the adjusted timeline would be placed “on the table” on August 23 and an ongoing timeline would be before the council once per month thereafter.

MOVED BY:	Combs	To set a tentative completion date for submission to the Boundary Commission of February 2007
SECONDED BY:	Vanover	

Council Member Vanover requested a monthly progress report on the timeline and the development of a list of the 20 frequently asked questions.

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

Chief Contini spoke of the new rescue vehicle.

#### M. CITY CLERK’S REPORT

Ms. Bower stated that the area-wide clerks will meet to discuss the validity of work sessions and the special meeting process.

#### N. RECORD OF ITEMS PLACED ON THE TABLE

The following items were placed on the table:

- The goals and outline for the Comprehensive Plan from Community Development Coordinator Sara Jansen; and
- Special meeting notification.

#### O. AUDIENCE PARTICIPATION

**Maryann Cockle** provided the Mayor with a petition which contained over 1200 signatures in opposition to the proposed Wal-Mart location. She spoke of the future special meeting regarding the LRE and asked that it be “worked on, stabilized and placed on the books”.

#### P. COUNCIL COMMENTS

**Council Member Hanson** asked that the public works director prepare a cost estimate for paving Caribou.

**Council Member Pippel** commented on the local street paving and the receipt of \$1 million by the City of Wasilla to pave streets and stated that he would like to look in the same funding direction. He stated that due to his 52 birthday, he may not be in attendance at the August 16, special meeting.

**Council Member Vanover** asked for information regarding a 10-15 year CIP plan, clarification on the runway and protection zone and stated that she would like to advise administration to provide notification to the Helen Drive contractor to move signs regarding road closures further down the road. She asked of the City’s liability regarding service to subdivisions which have been annexed into the City. Attorney Snodgrass explained that garbage service area established

in 1973 and the necessity of obtaining RCA approval to provide service outside of the established area. He stated that the City has the ability to purchase the area. Discussion ensued regarding the services provided by private contractors and the city services.

**Mayor Combs** highlighted his meeting with Senator Green regarding Palmer's improvement in performance which will help her schedule. He stated that the meeting was productive and useful and groundwork was laid for the upcoming session.

**Q. ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 9:16 p.m.

**APPROVED THIS 23<sup>rd</sup> day of August, 2005.**

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John C. Combs, Mayor

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Janette M. Bower, City Clerk