

City Council Minutes City of Palmer, Alaska

Regular Meeting
April 13, 2004

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on April 13, 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	Steve Carrington
Tony Pippel	
John Combs	
Jim Cooper	

Also in attendance were the following:

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

C. APPROVAL OF AGENDA

The agenda was approved with the following amendments:

- F-3 was moved to J.7.
- Addition of Authorize City Manager to Advertise for Bid the Eagle Avenue Project under item M.6.

D. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Combs.

E. MINUTES OF PREVIOUS MEETINGS

Unanimous consent – to approve the amended minutes of the 3-23-04 regular meeting and 3-30-04 special meeting.

F. CONSENT AGENDA

1. Introduction – Ordinance No. 617-Z-58: 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 R.I.P. Subdivision Lot 1B-1, From R-1, Single Family Residential to P, Public
2. Introduction – Ordinance No. 618-Z-59: 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 C-3 & C-5, T18N, R2E, S28 From R-1, Single Family Residential to AG, Agricultural

3. Introduction – Ordinance No. 619-Z-60: 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 A-10/A-11, T18N, R2E, S32 From R-1, Single Family Residential to C-G, General Commercial – *moved to item M.7.*
4. Authorize City Manager to Enter Into A Professional Services Agreement with Wolf Architecture for Architectural Services for a Golf Course Storage Building
5. Authorize City Manager to Issue a Request for Proposals for Engineering and Design Services for the Extension of Utilities to the MVMC Hospital
6. Authorize City Manager to Waive Building Permit Fee for Machetanz Field Concession Stand
7. Authorize City Manager to Enter Into a Joint Purchase Agreement for the Purchase of Two Pickup Trucks from Alaska Sales and Service

G. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Sara Jansen – Community Development Coordinator, City of Palmer
Ms. Jansen reported on the following items:
 - The Planning and Zoning Commission now meets twice per month and an established schedule has been prepared for the annexation rezones;
 - Ms. Jansen continues to work on code revisions, including the Large Retail Establishment (LRE) ordinance and revisions to the conditional use process;
 - A tracking system for ordinance revisions has been established;
 - She is in the process of developing landscape and buffer information;
 - Finalizing the R-2, R-3 process;
 - Continues to work on rural residential and mixed use in commercial zones, enabling residential and commercial entities to exist in the same building;
 - Provided the council with an annexation snapshot;
 - Stated that the University of Washington will be on site after Labor Day and the research associate assigned to the project and will be in Palmer in July for preliminary work;
 - Dogwood Extension project – the Department of Transportation (DOT) has submitted their letter to the State Historic Preservation Office, the submission of the letter is the last requirement before the City may contact Federal officials for a break in the access;
 - A public relations strategy has been designed for stop sign reconfiguration;
 - Discussion ensued regarding the Dogwood Extension project, Fred Meyer expansion and the dedicated right-of-way to the highway; and
 - Discussion ensued regarding mixed use and future development.

H. BOROUGH REPRESENTATIVE’S REPORT

I. AUDIENCE PARTICIPATION

1. Helen L. Dolence – Wildlife Museum
Ms. Dolenc suggested that a Wildlife Museum be located in the Palmer community and voiced her concern over animals that may be moved out of the area. Ms. Dolenc stated that the animals are an attraction to tourists and an educational opportunity for children. She asked that the Visitor Information Center building be considered as a location for the museum. Ms. Dolenc expanded on the Sitka eagle display and the reactions of the tourists who view it. She stated that the Juneau Airport has a bear which attracts community members and tourists alike. Ms. Dolenc requested that a member of the council approach

the owners of animals and ask for a donation commitment to the City. She stated that she and her husband are willing to donate financially to the museum.

2. Gene Jansen – Boy Scout of America

Mr. Jansen introduced the members of the troop. Those in attendance were the following: Zach Beasley, Ricky Beasley, Wayne Peters, Phillip Jansen and Assistant Scout Master Don Peters.

J. HEARINGS, ORDINANCES AND RESOLUTIONS

Item 1 – Public Hearing – Special Assessments District: Street Improvements and Paving on North Denali Street & North Chugach Street, East & West Eagle Avenue

Mayor Cooper opened the public hearing.

1. Diana Long read a letter stating that street paving along and utility improvements are completed to enhance to the quality of the citizens lives and the council should work with its citizens to make Palmer a better place to live. She further stated that the citizens do not feel informed about the project and after even attending the informational meeting where concerns and potential problems were raised, citizens left the meeting without solutions to the issue. Ms. Long stated that she is in support of the paving but the following concerns need to be addressed:
 - The only access for over forty residents is Eagle St.
 - Day care center accessibility on the corner of Eagle and First St.
 - Speed control on Eagle St.
 - The under ground spring running the hill just past N. Alaska St.
 - The partial paving proposed on N. Chugach and N. Denali and the lack of proposed paving on N. Bailey St.
 - No sidewalk on the second block of Eagle Street.
 - Drainage from First and Second Streets and the Glenn Highway.
 - The rock located under Eagle St.
 - The lack of parking on Eagle St. and the proposed bicycle lanes.
2. Vera Euwer explained that she owns the second house on Eagle St., just off the Glenn Highway and stated that she has been informed that to complete the project, her driveway will be raised by two feet. Ms. Euwer stated that the State put in the landing ten years ago and suggested that the City pave to the area where the State stopped. She voiced her concerns over the ditches, curbs and daycare access. Ms. Euwer stated that she is in support of the paving but wants the work completed properly. She suggested that rather than spending \$100,000 on street lighting, that money be spent on storm drains.
3. Vivian St. George stated that she lives on North Denali and voiced her opposition to the assessment because the method used to assess each property is not equitable for all property owners. She suggested that the City reconsider the assessment method and the necessity to pave as far on North Denali as stated in the project design.
4. Robert Bailey stated that he owns seven lots adjacent to Eagle St. and voiced his concerns over drainage and access to the lots. He questioned how the tie into the city water and sewer system will be affected. Mr. Bailey stated that he has not been informed of studies that have been conducted to resolve the drainage issue.
5. Larry Hill stated that his primary concern is access to the affected properties. He further stated that to his knowledge all of the property owners are in favor of the project but requests that an engineering study be thoroughly conducted. He stated that the water table in the area is extremely high and there is an underground spring in the area.

Mayor Cooper closed the public hearing.

Item 2 – Resolution No. 1339: Establishing a Street Improvement District for North Denali Street & North Chugach Street, East & West Eagle Avenue, and Determining the Need and Necessity for Construction of Same

MOVED BY:	Pippel	To adopt resolution no. 1339 as amended
SECONDED BY:	Carrington	

Rick Koch, Public Works Director provided an explanation of the inclusion of the side streets. He explained the drainage and underground water in the area.

Discussion ensued regarding ditches and the existing grade. Discussion followed regarding the access to the side streets. Discussion regarding drainage on the Euwer property and the increased elevation of the driveway ensued. Discussion ensued regarding the notification process.

M/M by Cooper to amend #8 second sentence to read as follows: Any funds received for this project from State Funds or the Matanuska-Susitna Borough’s dust control road improvement fund, if any, shall be for the benefit of the entire project.

Seconded by Pippel. Motion carried by unanimous voice vote.

Discussion ensued regarding storm drains and ditches and additional costs of the additive alternative.

M/M by Pippel to amend the title to read as follows: A Resolution Establishing a Street Improvement District For East & West Eagle Avenue and Determining the Needs and Necessity for Construction of the Same, and to strike paragraph #5 and delete Block 2, Lot 2A and Block 2, Lot1A.

Seconded by Carrington. Motion carried by unanimous voice vote.

Due to a recognized conflict of interest, Council Member Combs recused himself from the discussion and vote.

M/M by Pippel to amend paragraph #9 read as follows: The Council has determined in accordance with Section 3.08.081 that property owners’ costs shall be allocated using the per-lot basis for two-thirds of the total and the square-foot method for one-third of the total providing that the City’s park property will be assessed at half of its square footage for the square foot method only.

Seconded by Erbey. Motion carried by unanimous vote.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 3 – Public Hearing – Ordinance No. 615: Amending Section 17.72.080 (Appeal to Hearing Examiner) of Chapter 17.72 (Conditional Use Permits) of Title 17 (Zoning) of the Palmer Municipal Code

MOVED BY:	Pippel	To adopt ordinance no. 615
SECONDED BY:	Combs	

Mayor Cooper opened for public hearing ordinance no. 615.

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. 616: Amending Section 12.16.010 (Skateboards, Prohibition and Regulation) of Title 12 (Streets, Sidewalk and Public Places) of the Palmer Municipal Code

MOVED BY:	Pippel	To adopt ordinance no. 616
SECONDED BY:	Erbey	

Mayor Cooper opened for public hearing ordinance no. 616.

There were no members of the public to be heard.

Mayor Cooper closed the public hearing.

Discussion regarding areas of the City which allow skateboarding and the City’s liability ensued. Direction was given to administration to investigate the issue, with the expected end result of, the receipt of proposals to accommodate skateboarders.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 5 – Resolution No. 1326 (C): Amending the City of Palmer Fiscal Year 2004 Budget

MOVED BY:	Combs	To adopt resolution no. 1326 (C)
SECONDED BY:	Carrington	

City Manager Healy explained the resolution and the appropriations of the funds.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 6 – Resolution No. 1338: Authorizing the City of Palmer, Alaska, to Issue General Obligation Bonds in the Principal Amount of Not to Exceed \$1,500,000 to Provide Funds for Acquisition and Construction of Park and Recreation and Related Capital Improvements, in the City, Fixing Certain Details of Such Bonds and Authorizing Their Sale

MOVED BY:	Pippel	To adopt resolution no. 1338
SECONDED BY:	Carrington	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 7 - Introduction – Ordinance No. 619-Z-60: 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 A-10/A-11, T18N, R2E, S32 From R-1, Single Family Residential to C-G, General Commercial

MOVED BY:	Combs	To introduce and set for public hearing on April 27, 2004, ordinance no. 619-Z-60
SECONDED BY:	Carrington	

Council Member Pippel declared a conflict of interest and was recused from the item.

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

L. UNFINISHED BUSINESS

Item 1 – Discussion of Planning and Zoning Issue: Comprehensive Plan, Annexation Zoning, Zoning Amendment

Council Member Pippel stated that an update the comprehensive plan and streamline of the annexation rezoning process is a necessity. He stated that the City will continue to encounter properties that do not fit into already identified zones. Council Member Pippel stated that in the current process, the owner completes all of the work to identify a proper zone. He stated that a transitional zone is needed, and when used properly, undecided properties will be identified as such. The use of the transitional zone will provide the property owner a reasonable amount of time to determine of the property’s use.

Council Member Combs spoke in favor of the transition zone and stated that the designation may never be used but considers it as another tool to enable the property owner.

Council Member Combs asked about the memo which states that the consensus reached at the joint Planning and Zoning Commission and City Council work session was to not move the transition zone forward at this time.

City Manager Healy explained that the Commission and Council chose to add additional zones, update the comprehensive plan, to await the completion of the University of Washington study and to not move the transitional zoning ordinance forward at this time.

Mayor Cooper explained the consensus of the group was to work on a pre-planning process and explained that the Commission has stated that they are comfortable with the current annexation process and does not feel the need to move the ordinance forward.

Discussion ensued regarding pre-planning and the timeframe of the transitional zoning ordinance.

M. NEW BUSINESS

Item 1 – Authorize a \$5,000 Donation to Boys and Girls Clubs of Southcentral Alaska

MOVED BY:	Pippel	To postpone until the next council meeting so that a Boys & Girls Club representative may be in attendance
SECONDED BY:	Combs	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 2 – Authorize City Manager to Establish a Utility Easements on Tract A-2, Patterson Subdivision

MOVED BY:	Pippel	To authorize city manager to establish a utility easements on tract A-2, Patterson Subdivision
SECONDED BY:	Combs	

City Manager Healy explained the easement request. Discussion ensued regarding access and egress and area property owners.

M/M by Pippel to amend the main motion to authorize the city manager to enter into an agreement regarding utility easements on A-2, Patterson Subdivision.

Seconded by Erbey. Motion carried by unanimous voice vote.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 3 – Authorize City Manager to Enter Into a Contract with Valley Computer Consulting for Information Technology Services

MOVED BY:	Pippel	To authorize the city manager to enter into a contract with Valley Computer Consulting for Information Technology services
SECONDED BY:	Erbey	

Discussion ensued regarding the contract and services offered by the company.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 4 – Authorize Contracting Method for Installation of Ice Arena Equipment

MOVED BY:	Carrington	To enter into a professional services agreement with Festive Outfitters for design work and creation of a bid packet and the authority to advertise the bid packet or negotiate a change order with Wolverine Supply
SECONDED BY:	Combs	

City Manager Healy explained the installation of the equipment and the contract with Festive Outfitters. Discussion ensued regarding sole source contracts, professional service contracts, changes orders and the issuance of a contract to Festive Outfitters. Discussion regarding the requirements of the Charter ensued.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 5 – Authorize City Manager to Extend the Agreement with Alaska Permanent Capital Management Co. for Investment Management Services

MOVED BY:	Combs	To authorize the city manager to extend the agreement with Alaska Permanent Capital Management Co. for Investment Management services for additional two years
SECONDED BY:	Pippel	

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 6 – Authorize City Manager to Advertise for Bid the Eagle Avenue Project

MOVED BY:	Combs	To authorize the city manager to advertise for bid the Eagle Avenue project
SECONDED BY:	Erbey	

City Manager Healy explained the request and the time schedule requirements.

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

City Manager Healy reported on the following items:

- Provided an update of the drug seizure fund and narcotics grant, stated that the funds are no longer funding the grant and that it may be necessary to fund the position in the state fiscal year;
- Highlighted the City Hall design study completed by Wolf Architecture;
- Stated that he spoke with the USDA office regarding the preparation of a RFP for engineering services for the hospital utilities; and

- Stated that during his attendance a dispatch meeting the final recommendation regarding the two dispatch centers was announced. It was recommended that Palmer remain the primary center and that E9-1-1 upgrades progress.

O. CITY CLERK'S REPORT

P. AUDIENCE PARTICIPATION

1. Robert Bailey – Eagle Street LID
Mr. Bailey stated that he is going to be heavily impacted by the street assessment process and stated that the project favors developed property. He asked the council to consider a different assessment method.
2. Daniel Spoth – Frontiersman
Mr. Spoth introduced himself to the council and stated that he has been assigned to cover City of Palmer news.

Q. COUNCIL COMMENTS

Council Member Combs stated that April 30, 2004, is John Dolenc 100th birthday. He explained that his mother has had a triple bypass, experienced some problems regulating blood pressure, is expected to move into the next progressive care center and is doing well overall.

Council Member Carrington stated that he will be on vacation during the next council meeting. He stated his reluctance to get into the maintenance mode of donating to entities.

Council Member Pippel stated that life without his wife has been difficult. He is tired and lonely and ready for her return.

Mayor Cooper passed around a postcard from Council Member Vanover. Mayor Cooper stated that Judge Heath is being installed as a judge at the Palmer Court House on Friday, April 16, 2004. He reported that on May 1, 2004, Matanuska-Susitna Convention and Visitors Bureau (MSCVB) will hold their Extravelganza. Mayor Cooper announced that Spenard Builders Center will hold their grand opening on April 15, 2004. He highlighted the bomb scare in downtown Palmer on April 12, 2004. Mayor Cooper stated that he is traveling to Juneau on April 14, 2004, for Alaska Municipal League (AML) meetings and will return on Thursday evening.

S. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 10:42 p.m.

APPROVED THIS 27th day of April, 2004.

_____/s/_____
Jim Cooper, Mayor

Janette M. Persinger, City Clerk