

City Council Minutes City of Palmer, Alaska

Regular Meeting
July 27, 2004

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on July 27, 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:

Jim Cooper	Brad Hanson
Tony Pippel	Steve Carrington
John Combs	

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 amended as follows:

- Deletion of item M.3. and
- Item Q.1. was moved to M.4.

D. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Pippel.

E. APPROVAL OF MINUTES

The amended minutes of the July 13, 2004, regular meeting were approved by council.

F. CONSENT AGENDA

1. Authorize Advertisement for Bids – Public Safety Building Security Improvements

G. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Allan Ossakow – City of Palmer Finance Department
Mr. Ossakow reported on the following items:
 - Borough Sales Tax;
 - Alaska Permanent Capital;
 - Utility Meters – a letter is being sent to the 50 – 60 homeowners who have not made appointments to have their meters changed;

- All funds are solid;
- Discussion ensued regarding the June sales tax report and estimated budget amounts;
- Discussion followed regarding persons who do not desire to have water meters installed on their property;
- Discussion regarding the implementation of credit card transactions ensued; and
- Discussion on the rate of long term investments followed.

H. BOROUGH REPRESENTATIVE’S REPORT

I. AUDIENCE PARTICIPATION

1. Bill Pippel – Airport Tree Cutting

Mr. Pippel expressed his frustration over the trees that were removed between his R-1 property and the neighboring industrial properties. He stated that the City requires more out of property owners than it requires of itself. Mr. Pippel explained that the berm erected between the properties will help, but development of a driveway through the berm has begun. He requested dust control measures such as planting grass and trees on the berm be taken. Mr. Pippel asked that if possible, a 12’ fence be erected between the Kircher and airport property to separate the view & headlights from the industrial area. Mr. Pippel stated that he recognizes that future development is likely to occur and encouraged the council to address homeowner’s needs in the area and reminded the City of the need to abide by the rules that it sets.

2. Mike Chmielewski – Candidate for State House

Mr. Chmielewski expressed his pleasure over the institution of the credit card transactions for City business. He stated that as a school board representative, the school board actively seeks to address the demographics ramifications of growth in the area. The school board will meet on August 4, 2004 to discuss the impact of the growth affecting Palmer, the Butte and Goose Bay. He explained that the district is currently faced with determining the placement of an addition school. Mr. Chmielewski explained his interest in facilitating state and municipal working relationships.

J. HEARINGS, ORDINANCES AND RESOLUTIONS

Item 1 – Motion to Amend Something Previously Adopted - An Amendment to Resolution No. 1346: Providing for the Submission to the Qualified Voters of the City of Palmer the Question of Amending Chapter XII (Contracts) of the Charter of the City of Palmer At An Election In and For the City of Palmer on October 5, 2004

MOVED BY:	Pippel	To amend the motion adopted at the July 13, 2004 meeting to add yes/no language to resolution no. 1346
SECONDED BY:	Hanson	

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 2 – Motion to Amend Something Previously Adopted – An Amendment to 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

MOVED BY:	Pippel	To amend the motion adopted at the June 8, 2004 meeting to add a replacement section to section 1 adding the language “which about residential use”
SECONDED BY:	Hanson	

VOTE ON MOTION:	Motion carried by unanimous vote.
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Item 3 – Resolution No. 1351: Accepting a Volunteer Fire Assistance Grant From the Alaska Department of Natural Resources

MOVED BY:	Hanson	To adopt resolution no. 1351
SECONDED BY:	Carrington	

There were no members of the public who wished to offer testimony.

City Manager Healy explained the resolution and grant offered by the State of Alaska.

Fire Chief Contini explained that the grant is a \$5,000 match and stated that the monies will be used to purchase newer radio equipment.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 4 – Resolution No. 1352: Authorizing the Transfer of a Portion of the City Water Utility Service Area to Clearwater Utilities LLC

MOVED BY:	Pippel	To adopt resolution no. 1352
SECONDED BY:	Hanson	

There were no members of the public who wished to offer testimony.

City Manager Healy explained the resolution and stated that Clearwater Utilities has applied for a license to provide utility service to the subdivision across from Colony High School. The resolution authorizes a transfer of that portion of the City’s utility service area to Clearwater and addresses the issue of future connections to City services.

Council Member Hanson asked if fire hydrants were required in the subdivision or if that would be a future requirement. City Manager Healy stated that the issue would be addressed at a later date and explained that a regulatory requirement regarding fire hydrants does not exist.

Council Member Hanson asked if there is a requirement that the subdivisions connect to the City’s water system when it becomes available in their area. City Manager Healy stated that there is not a requirement that the subdivision connect to the City’s system and explained that agreements can be negotiated up-front with newly proposed subdivisions requiring connection to the City’s system.

Council Member Pippel stated that it important that the City is consistent with newly developing subdivisions and future operations of the subdivision utilities. City Manager Healy explained that subdivision connection should be addressed on a case-by-case basis because while the utilities may meet and/or exceed the City’s standard at this time, it may not at the time when City utilities are available in the area.

Council Member Hanson stated that it in the City’s best interest to communicate with the Department of Environmental Conservation to reiterate that there is a requirement that notification be made to the City when new systems are being developed within the City’s utility service area.

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

L. UNFINISHED BUSINESS

Item 1 - Ordinance No. 631: Amending Title 6 (Animals)

MOVED BY:	Combs	To adopt ordinance no. 631 as amended
SECONDED BY:	Pippel	

Clerk’s note: This item had been postponed from the June 22, 2004 and July 13, 2004 meeting. The public hearing was held and motions were made for adoption. The discussion moved to the council.

M/M by Pippel to amend ordinance no. 631 as follows (amendment are in bold and are italicized):

Seconded by Carrington. Motion carried by unanimous voice vote.

6.06.010 Composition.

A. 2. Organized *animal* interest groups; and

6.06.040 Agenda, Notice of meeting.

- A. The agenda for each meeting shall be prepared by the police department (*deleted designee*) after consultation with the board chair. Items not on the agenda may not be discussed at the meeting if two or more members object.
- B. The police department (*deleted designee*) shall attempt to notify each member at least 48 hours prior to a regular meeting. Notification shall be by means of a packet including information on the time and place of meeting and the agenda. Whenever practicable, minutes of the previous meeting and other background material pertinent to the agenda shall be included in the packet.
- C. The police department (*deleted designee*) shall attempt to notify all persons involved in a referral not less than five days before the date of the hearing on the incident.

6.06.050 Quorum.

A quorum shall consist of two members of the board. If only two members of the board are present, a unanimous vote *must* be reached to uphold any motions.

6.14.040 Hearing procedure.

A. 2. Statements from the victim, owner, responding officer *or* chief; and

6.14.045 Board determination.

- B. If the board classifies an animal as dangerous or vicious, the board shall require that the animal be registered with the police department (unless the animal is to be destroyed *and in such case, documentation of the animal’s destruction shall be delivered to the police department*) and determine whether to impose additional conditions if the animal is to remain in the city. The registration application shall contain the name and address of the owner, the breed, age, sex, color, and any other identifying marks of the animal, the location where the animal is to be kept and a registration fee of twenty-five dollars and two color photographs, three inches

by five inches, clearly showing the color and approximate size of the animal. Each animal registered shall be assigned an official registration number by the department. A certificate of registration shall be issued to the owner upon payment of the registration fee and proof of sufficient evidence that the owner has complied with all of the orders prescribed by the board.

6.14.055 Animals which reside outside the city limits.

If an incident has been referred to the animal control board and the animal resides outside the city limits. The board shall follow its normal course and after rendering its determination, provide written notification of the board’s findings to the *animal control board or animal board* in which the animal resides. If the animal is in the possession of the city or has been impounded by the city, then the board can order that the animal be registered with the city or alternatively, if circumstances warrant, that the animal be humanely destroyed.

M/M by Pippel to amend ordinance no. 631 as follows:
Seconded by Carrington. Motion carried by unanimous voice vote.

6.08.020 Animal Restrictions

B. No more than a total of three *of each type of the following animals, up to a cumulative total of six animals*, may be kept, *owned*, or harbored or be in the custody of a person on any lot, tract, or parcel of land in the city. An adult who has the right to possession of the lot, tract, or parcel of land will be responsible for the failure to comply with this subsection.

1. *Dogs over six months of age;*
2. *Cats over six months of age;*
3. Domestic birds, including chickens, turkeys, ducks, geese and swans;
4. Adult rabbits;
5. Rodents;
6. Any type of non-aggressive, non-poisonous reptile.

6.08.080 Dead animal disposal.

Bodies of dead animals shall be transported, buried or otherwise disposed of in accordance with regulations promulgated by the city manager. (~~deleted “and approved by the health officer”~~)

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
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Item 2 – Resolution No. 1347: Authorizing the City of Palmer to Issue Utility Revenue Bonds in the Principal Amount of Not To Exceed \$2,000,000 to Finance Water and Wastewater Utility and Related Capital Improvements, and to Submit the Question of the Issuance of Such Bonds to the Qualified Voters of the City at the October 5, 2004 City Election

MOVED BY:	Pippel	To adopt resolution no. 1347 as amended
SECONDED BY:	Vanover	

Clerk’s note: This item had been postponed from the July 13, 2004 meeting. The public hearing was held and motions were made for adoption. The discussion moved to the council.

City Manager Healy explained the project’s cost estimate and that based on the cost estimate, he is comfortable with the two million dollar figure. Council Member Pippel stated that because the City can only go to the voter’s once regarding the bond and because he is concerned that the original amount may not cover all of the costs, the bond amount should be 2.3 million dollars.

Council Member Combs stated that he feels the use of the bond should be limited to this issue and that it is crucial that accurate information regarding repayment of the bond be circulated to the public.

City Manager Healy explained the meeting that he and Attorney Snodgrass attended with attorney's Loren Ulenkott and Bob Stoller. Both Mr. Ulenkott and Mr. Stoller agree that utility construction costs can be recouped by revenues generated from the utility line. Mr. Ulenkott is performing a cost of service analysis on the existing utility in an effort to determine the current base costs for the utilities and costs to the existing customers. City Manager Healy stated that he expects a recommendation based on that study. He explained that after the project is constructed and in operation, a stipulation of the Regulatory Commission of Alaska (RCA) requires that within six months following the operation of the utility line an analysis be conducted to determine if any rate adjustments are necessary. City Manager Healy stated that within the next 45 days a framework will be established analyzing how City proposes to set line connection fees and capture cost recovery. He stated that the point of the study is to demonstrate the line as a separate cost center and the intention of the City to not burden the existing rate payers for the higher costs associated with the extension.

Council Member Hanson requested an explanation of the initial rates service the hospital will be charged. City Manager Healy explained the concept of inception and differential rates. Council Member Hanson recommended that a new rate structure be created for the new extension.

M/M made by Pippel to amend the not to exceed amount to state \$2,300,000.

Seconded by Hanson. Motion carried by unanimous voice vote.

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

Item 1 – Authorize City Manager to Apply for Grant Assistance from the U.S. Department of Agriculture, Rural Utility Service

MOVED BY:	Combs	To authorize the City Manager to apply for grant assistance from the U.S. Department of Agriculture, Rural Utility Service
SECONDED BY:	Pippel	

City Manager explained the grant application and the costs allowable under the grant.

VOTE ON MOTION:	Motion carried by unanimous voice vote.
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Item 2 – Discussion of Future Dispatch Costs

City Manager Healy explained the 9-1-1 call taking function and the Borough's financial responsibility associated with the costs. He stated that the 9-1-1 fund contains money for upgrades and further stated that the Borough anticipates obtaining substantial grants to pay for the 9-1-1 upgrades. Discussion ensued regarding the rising costs incurred by the City of Palmer for dispatch services.

Council Member Pippel asked at what point should Palmer "turn over" the dispatch responsibilities to Wasilla. City Manager Healy explained that the Borough has control of the 9-1-1 system and the Borough's plan is to continue to house the system in the Palmer center.

Council Member Hanson stated that the City needs to examine the age and quality of the Palmer dispatch center. He stated that the City needs to make a policy decision regarding the City's operation of a dispatch center.

City Manager Healy explained that there has been a considerable amount of progress in the center and that upgrades of the 9-1-1 system have begun. He stated that he would gather further information and provide that information at a future date.

Item 3 – Multi-Family Dwelling Zoning Districts

Mayor Cooper stated his desire to resurrect the R-2 issue. Discussion ensued regarding the existing fix, six and seven-plexes and the impacts that changes in zoning would have to the existing properties.

A work session was schedule for August 17, 2004 at 6:00 p.m., to discuss the impacts to existing properties and the establishment of a process to proceed with the zoning changes.

Item 4 – City Clerk Evaluation

MOVED BY:	Pippel	To terminate the City Clerk's existing contract and offer a new two year contract with a cost of living allowance to \$55,000
SECONDED BY:	Hanson	

Council Member Hanson asked that further discussion be recorded in the minutes. Council Member's Pippel and Combs concurred with the request.

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:

- The utility project and the submission of the preliminary engineering plan;
- Received preliminary plans for Dogwood/Glenn Highway project. The plan is in review and comments are due by August 10. Construction is set to begin next year; the projected cost for the project is 2+ million dollars;
- Will attend a meeting with the railroad to discuss various projects, including historic determinations;
- Borough sales tax issue – stated that he has reiterated to the Borough that the sales tax question is a question for the voters to decide;
- Announced that he has hired Jane Dale as the Assistant to the City Manager; Ms. Dale will begin in August;
- The office conversion is progressing; the clerk will move to the computer room and the assistant will move into the office next to the manager;
- The success of the Sister City Celebration. George Carte announced that he is stepping down from the program. City Manager Healy stated that it is appropriate for the City to recognize George Carte's efforts;
- Announced that he will be out of the office next week and will be traveling to Southeast Alaska to visit family;
- Discussion ensued regarding "Welcome to Palmer Signs"; Mayor Cooper stated that he spoke with Job Corp regarding contracting with them for project completion;
- Discussion followed regarding the status of City sidewalks; and

- Discussion of relocating the council chambers in the basement followed.

O. CITY CLERK'S REPORT

Ms. Persinger reported on the following items:

- Highlighted the progress of the records management program and stated that Shred Alaska had been on-site today and over 5,100 pounds of materials were shredded; and
- She and the Borough clerk will present at the Chamber of Commerce on July 28, the topic of the presentation is the upcoming municipal election.

P. AUDIENCE PARTICIPATION

1. Daniel Spoth - Frontiersman

Mr. Spoth announced that the council meeting would be his last and is leaving to attend Vanderbilt University in the fall. Mr. Spoth thanked the council and stated that he is unsure of his replacement will be. The council thanked him for his coverage of Palmer and wished him the best in his future endeavors.

2. Guy AlLee

Mr. AlLee stated Mr. Spoth wrote a very nice article about himself and stated that his wife continues to draw it to Mr. AlLee's attention, requiring him to live up to the article.

Q. COUNCIL COMMENTS

Council Member Pippel recognized Council Member Hanson as the Citizen of the Year and thanked him for his contributions to the community. Council Member Pippel stated that he felt it was unfortunate that the topic of "City Compliance with City Codes" was removed from the agenda because he was going to share some concerns and stated the importance of the city abiding by same rules as the public. He explained that he has spoken with four or five of the residents on Eagle St. and stated that the contractor is attempting to treat citizens appropriately and to adequately communicate with them during the project.

Council Member Carrington inquired as to the review date of the manager. City Manager Healy stated that the review date is in September.

Council Member Hanson thanked the city for the Citizen of the Year award. He announced that the football season has begun and invited members to attend the games.

Council Member Combs stated that Council Member Hanson's award is well deserved. He explained that his work shift change will occur, leaving more time for council business.

Mayor Cooper stated that previous week was busy with Sister City activities and explained that the Japanese dignitaries were very impressed with the Mat-Su Youth Facility. He said that they experience problems with their youth but those issues are not discussed. Mayor Cooper highlighted the going away ceremony at Palmer Pride and stated that the Palmer Pride festivities went well with over 690 hot dogs served. He announced the Alaska Association of Chiefs of Police selected Chief Boatright for the July 2004 Police Chief of the Month. Mayor Cooper asked that future discussion be held regarding water rates – lowering minimum or winter rates and separating sewage rates from lawn watering rates.

S. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:41 p.m.

APPROVED THIS 10th day of August, 2004.

_____/s/_____
Jim Cooper, Mayor

Janette M. Persinger, City Clerk