

**City Council Minutes  
City of Palmer, Alaska**

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**Regular Meeting  
June 8, 2004**

**A. CALL TO ORDER**

A regular meeting of the Palmer City Council was held on June 8, 2004, at 7:00 p.m. in the council chambers, Palmer, Alaska.

Mayor Pro-Tempore Pippel 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:

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| Ken Erbey   |                  |
| Tony Pippel | Kathrine Vanover |
| John Combs  | Steve Carrington |

Also in attendance were the following:

Tom Healy, 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 Proclamation – Honoring Author James Joyce  
Mayor Pro Tempore Pippel read the proclamation and presented it to David Cheezem of Fireside Books.

**F. CONSENT AGENDA**

1. Minutes of May 25, 2004, Regular Meeting
2. Introduction – Ordinance No. 626: Repealing Section 17.32.060 (Lot Area) and Adopting Section 17.32.062 (Lot Area Restrictions), Section 17.32.064 (Set Back Requirements), Section 17.32.066 (Open Space requirements), and Section 17.32.068 (Fencing Requirements) of Chapter 17.32 (General Commercial District) of Title 17 (Zoning) of the Palmer Municipal Code
3. Introduction – Ordinance No. 627: Repealing Section 17.28.060 (Lot Area) and Adopting Section 17.28.062 (Lot Area Restrictions), Section 17.28.064 (Set Back Requirements), Section 17.28.066 (Open Space requirements), and Section 17.28.068 (Fencing Requirements) of Chapter 17.28 (Limited Commercial District) of Title 17 (Zoning) of the Palmer Municipal Code

4. Introduction – Ordinance No. 628-Z-65: 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 18N02E34B005 and 18N02E34B005 From R-1, Single Family Residential to I, Industrial
5. Introduction - Ordinance No. 629-Z-66: 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 Brittany Estates Subdivision, Portions of Tract B & C From R-1, Single Family Residential to C-G, General Commercial
6. Introduction – Ordinance No. 630: Amending the Palmer Municipal Code by Adding Sections 17.08.216 (Definition of “Tall Structure”) and 17.60.090 (Rules for Tall Structures) to Title 17 (Zoning)
7. Introduction – Ordinance No. 631: Amending Title 6 (Animals)
8. Authorize Advertisement for Bids – Painting of City Buildings
9. Approve Change Order No. 1 for Library Carpet Replacement – Remove and Replace Books and Shelving

**G. COMMUNICATIONS AND APPEARANCE REQUESTS**

1. Russ Boatright – Chief of Police, Palmer Police Department  
Chief Boatright reported on the following items:
  - The Property & Evidence Technician position has been filled by Jonathon Owens. He further reported that Mr. Owens is doing an excellent job and continues to refine the position;
  - The department received delivery of two new police cars and anticipates the receipt of a third car within the week;
  - The Bike Rodeo is scheduled to take place during Colony Days and stated that there has been incredible response to the request for assistance. Chief Boatright provided an explanation of the bike rodeo and the bike helmet donation program;
  - Explained the Title 10 code revisions which are in the process of completion; and
  - The department is fully staffed and the explained that because of the increased staffing levels, the department possesses the ability to complete other needed projects.

**H. BOROUGH REPRESENTATIVE’S REPORT**

**I. AUDIENCE PARTICIPATION**

**J. HEARINGS, ORDINANCES AND RESOLUTIONS**

**Item 1 – Public Hearing** – Ordinance No. 625: Amending Section 16.20.170 (Streets – Widths) of Chapter 16.20 (Design Standards) of Title 16 (Subdivisions) of the Palmer Municipal Code

|              |         |                            |
|--------------|---------|----------------------------|
| MOVED BY:    | Combs   | To adopt ordinance no. 625 |
| SECONDED BY: | Vanover |                            |

Mayor Pro Tempore Pippel opened for public testimony ordinance no. 625.

The following person spoke in opposition to the ordinance:

1. Kevin Sorensen

Mayor Pro Tempore Pippel closed the public testimony.

City Manager Healy stated that the ordinance request originated with the Public Works Department and explained that the Borough is considering adopting a similar revision. Discussion ensued regarding the ordinance's application to new residential streets versus those streets in existence.

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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**Item 2 – Resolution No. 1343: Amending the City of Palmer 1998 Standard Specifications**

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| MOVED BY:    | Combs      | To adopt resolution no. 1343 |
| SECONDED BY: | Carrington |                              |

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

City Manager Healy explained the 1998 Standard Specifications and the necessity to remove the hydrants drain plugs.

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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**Item 3 – Resolution No. 1344 – Accepting a Grant from the Matanuska-Susitna Borough for the Ice Arena Project**

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| MOVED BY:    | Combs   | To adopt resolution no. 1344 |
| SECONDED BY: | Vanover |                              |

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

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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**Item 4 – Resolution No. 1345 – Accepting a Grant from the Alaska Department of Transportation and Public Facilities for Seatbelt Enforcement**

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| MOVED BY:    | Erbey      | To adopt resolution no. 1345 |
| SECONDED BY: | Carrington |                              |

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

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

**L. UNFINISHED BUSINESS**

**Item 1 - 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:    | Hanson     | To adopt ordinance no. 623-Z-63 |
| SECONDED BY: | Carrington |                                 |

Note: This item had been postponed from the May 25, 2004 meeting. The public hearing was held and motions were made for adoption. The discussion moved to the council.

Council suspended the rules to allow public testimony from the following persons:

1. Gary Cox  
Mr. Cox explained his reason for signing the petition and his objection to the requested zoning which would allow bars and nightclubs near area schools. He feels it is appropriate for the council to place limitations on the zoning designation.
2. Kevin Sorensen  
Mr. Sorensen voiced his concerns over the R-1 zoning designation annexed properties receive when entering the City of Palmer. He stated that the area in question is obviously a commercial use area.
3. Julie LeMay  
Ms. LeMay stated that she understands the concerns of the council and of the property owners and asked that the council consider the position of all parties involved. She asked that allowances be made for the adjacent homeowners.

Discussion ensued regarding the following:

- The special limitations recommended by the City Manager;
- City Manager Healy explained the petition received and the results of the petition;
- The placement of a liquor store or bar within the commercial general zoning designation and the licensing requirements of a facility where alcohol is bought and/or sold.

**M/M** by Pippel - to amend the ordinance by adding the following special limitations:

1. The western boundary of lots C20 and C24 shall be fenced with a 6.5 foot solid or slatted fence prior to any commercial development being constructed on those properties.
2. The owner(s) of lots C19, 20, 21 and 24, prior to any commercial development of the property, shall prepare and submit to the City a driveway access plan that provides safe, efficient access to the Palmer-Wasilla Highway and that, to the extent practicable, consolidates driveways and access for all properties into the minimum number of driveways. The Alaska DOT & PF must review and approve the plan.
3. Commercial structures on property adjacent to any residential zoning district or property utilized for residential purposes shall be set back from the property line twenty-five feet.
4. Lighting for commercial development shall be shielded to the extent practicable so no light spills on to adjacent properties.
5. Commercial development on properties adjacent to public streets shall comply with landscaping requirements in effect at the time of commercial construction on the properties.
6. The above limitations are minimum limitations and are subject to any greater restrictions and limitations required by law.
7. In accordance with PMC 17.80.040 B.2.b., this rezoning ordinance becomes effective only upon the written consent of all the owners of all of the parcels subject to this rezoning ordinance, which fully signed written consent must be delivered to the city clerk within 60 days of Council action; otherwise, this ordinance is not effective and the properties are not rezoned.

**Seconded** by Combs. Motion carried by unanimous voice vote.

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

### Item 1 – Recommendation Regarding Hiring Temporary Employees for Records Management

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| MOVED BY:    | Pippel     | To authorize the City Manager to hire two temporary employees for the Records Disposal and Inventory Project |
| SECONDED BY: | Carrington |  |

Ms. Persinger explained the state of the current records and the goal of the project.

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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### Item 2 – Review Utility Extension Financing Options

City Manager Healy provided an overview of his memo and the projected costs of the utility extension. He explained the following as options for obtaining the matching funds:

1. Grant funding through the Alaska Department of Environmental Conservation (ADEC).
2. Loan funding through the ADEC.
3. The use of the City's utility undesignated reserves.
4. Contributions by utility customers.
5. Other grants programs which may include the State community development block grant program.

City Manager Healy provided an explanation of his recommendation that the council approve a resolution placing a bond proposition on the October 2004 municipal election ballot and the need to obtain voter approval of a bond. Discussion ensued regarding the total project costs and costs incurred by the City.

Council consensus was to authorize and instruct the City Manager to prepare a resolution to place \$2 million of bonded indebtedness on the October 2004 municipal election ballot, to instruct the City Manager to prepare or establish a schedule of connections charges or differential rates to charge to recover all or a portion of the City's capital outlay for the project and to apply for the ADEC's grant and loan program.

### Item 3 – Authorize City Manager to Execute Loan Agreement with the Alaska Municipal Bond Bank for Ice Arena Project Funding

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| MOVED BY:    | Combs | To authorize the city manager to execute the loan agreement with the Alaska Municipal Bond Bank for the Ice Arena Project funding |
| SECONDED BY: | Erbey |   |

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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### Item 4 – Authorize an Extension of Temporary Building Status for a Charter School Building

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| MOVED BY:    | Erbey   | To authorize an extension of a temporary building status for a Charter School building, extension of temporary status for additional two years to expire on June 26, 2006 |
| SECONDED BY: | Vanover |   |

City Manager Healy explained that the action would grant an extension for the eight temporary buildings at the high school.

M/M by Combs to add the language “Extension of temporary status for additional two years to expire June 26, 2006.”

**Seconded** by Carrington. Motion carried by unanimous voice vote.

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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**Item 5 – Report and Recommendations from the June 1, 2004, Work Session Regarding Amendments to the City of Palmer Charter**

City Manager Healy and Attorney Snodgrass provided an overview of the work session. City Manager Healy stated that the main focus of the revisions involves the purchasing requirements. Discussion ensued regarding ordinances that will follow the charter amendments.

Council consensus was to direct the administration to prepare a resolution for the July 13, 2004, council meeting placing the outlined charter revisions on the October 2004 municipal election ballot.

**Item 6 – Approve Change Order for Pruhs Construction for 2003 Street and Water Improvements**

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| MOVED BY:    | Combs   | To approve a change order for Pruhs Construction for 2003 Street and Water Improvements in the amount of \$69,458 |
| SECONDED BY: | Vanover |   |

City Manager Healy explained the change order request and the funding involved with the request.

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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**Item 7 – Discussion of the Transitional Zone Work Session**

Discussion regarding the following items ensued:

- The desire of certain members of council to see the “t-zone” modified and introduced to the council as soon as possible;
- The applicability of the transitional district zone; and
- Process requirements for substantial changes to ordinances and possible amendments to the existing document.

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| MOVED BY:    | Combs      | To consider by council the “Transitional Use Zone” ordinance and to introduce the ordinance at the next regular council meeting |
| SECONDED BY: | Carrington |   |

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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**Item 8 – Liquor License Transfer**

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| MOVED BY:    | Vanover    | To voice a non-objection to the transfer of the liquor from Klondike Mike’s to U-Line Beverage Company, Inc. |
| SECONDED BY: | Carrington |  |

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| VOTE ON MOTION: | Motion carried by unanimous voice vote. |
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## **Item 9 – Authorize Advertisement for Bids – Golf Course Storage Building Construction**

City Manager Healy explained the necessity and location of the requested building.

Discussion ensued regarding the following items:

- The location of the building;
- Construction and engineering costs of the building;
- The operational budget of the golf course; and
- The available funding and location of the funding for construction of the building.

The city council requested that the city manager to report back to the council the location of the building and identification of funding before bid advertisement authorization is granted.

## **N. CITY MANAGER’S REPORT**

City Manager Healy reported on the following items:

- The Borough is preparing a request for proposals for a consultant for an update of the Palmer Dispatch Center 9-1-1 equipment;
- Currently reviewing a copy of the revised by-laws of the joint powers agreement for the dispatch services;
- Hattenburg, Dilley and Linnell (HDL) is in the process of holding meetings with property owners, DOT, gravel companies, the University and Borough to determine the preferred alignment for the utility extension and stated that an application will be submitted to Rural Development within the week;
- The issue of remote utility systems within the City’s current utility service area has come before the administration and the staff and attorney are working to establish guidelines for resolving the issue;
- The consultant continues to work on the utility rate study;
- The preliminary engineering continues on the Urban Revitalization Trail Project and the environmental document is in its final stages;
- Provided an update of the airport property purchases;
- Continues to see improvements with the City’s computer network and attributed the improvements to the Information Technology Consultant;
- Will hold interviews within the week for the Assistant to the City Manager and stated that there is an issue as to where within the building the new employee will work;
- Discussion ensued regarding the Baptist Church Utilities; and
- Discussion regarding the stop signs and Welcome to Palmer signs.

## **O. CITY CLERK’S REPORT**

Ms. Persinger reported on the following items:

- Reported the vacancy on the Planning & Zoning Commission and stated that advertisement of the vacation will begin immediately; and
- Stated that she will be leaving on June 12 to attend the Clerk’s Institute.

## **P. AUDIENCE PARTICIPATION**

## **Q. COUNCIL COMMENTS**

**Council Member Erbey** reported that he will be out of state the last two weeks of July and stated that he and his wife are building a house. Council Member Erbey reported that thus far his experience with the Building Department has been pleasurable.

**Mayor Pro Tempore Pippel** stated that he attended the dedication ceremony for the Little League fields and that he continues to be impressed with the city of Palmer. He explained that he has an abundance of flowers and invited members to come to his house to obtain flowers.

## **S. ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 9:32 p.m.

**APPROVED THIS 22<sup>nd</sup> day of June, 2004.**

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Jim Cooper, Mayor

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Janette M. Persinger, City Clerk