

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on October 25, 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:

Ken Erbey	Brad Hanson
Jim Wood	John Combs
Larry Hill	Kathrine Vanover
Tony Pippel	

Also in attendance were the following:

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vanover.

D. SPECIAL ORDER OF BUSINESS

Item 1 – Proclamation – Domestic Violence Awareness Month

E. APPROVAL OF AGENDA

The agenda was approved as presented.

1. Approval of Consent Agenda
 - a. Introduction – Ordinance No. 05-037: Amending Palmer Municipal Code Sections: Adoption (1.01.010), Codification Authority (1.01.030) and Ordinances Passed Prior to Adoption of the Code (1.01.040) (05-095)
 - b. Action Memorandum 05-118: Accept \$4,550 from the Alaska Highway Safety Office for an Impaired Driving Enforcement Grant
 - c. Action Memorandum 05-120: Accept \$21,450 from the Alaska Highway Safety Office for an Impaired Driving Holiday Enforcement Grant from the Alaska Highway Safety Office
2. Minutes of Previous Meetings – *the minutes were approved as presented.*
 - a. October 11, 2005, Special Meeting
 - b. October 11, 2005, Regular Meeting

F. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Stacy Stigar – Friday Fling Representative

Ms. Stigar reported on the following items:

- The Friday Fling Market was held every from Friday May 20 – August 19;
- Record total number of 90 vendors this year with an average of 38.5 per week, and a high of 50 vendors in one week;
- 5,000 rack cards were produced with funds granted by the council;
- Presented the City with a reimbursement check for \$800 for funds not spent on the rack cards;
- Council Member Vanover stated that School District staff members looked forward to the Friday Fling activities;
- Discussion ensued regarding feedback from vendors and customers;
- Discussion ensued regarding the attendance at the market.

2. Nikole Nelson & Erick Cordero – Alaska Legal Services Corporation

Ms. Nelson and Mr. Cordero reported on the following items:

- Non-profit organization created in 1964;
- Provides free civil legal services to low income persons;
- Offices statewide;
- Asked for financial support for the Mat-Su Children at Risk Project;
- Explained the success of the program and funding levels needed to sustain the program;
- Thirty-five percent of Mat-Su residents have expressed incidents of domestic violence within their home;
- Legal services are a deterrent to future violence;
- \$35,000 per year provides services for 85 families per year;
- \$90,000 provides funding for a full-time attorney for the program;
- Discussion regarding staff attorney and pro-bono attorney staffing ensued;
- Discussion ensued regarding legal services described as a human need and the Mat-Su needs survey;
- Discussion ensued regarding levels of funding within the State and Federal budgets.

G. AUDIENCE PARTICIPATION

John Lenier spoke in opposition to the Palmer Southwest Utility project. He described the experience of shopping with and death of Council Member Pippel’s brother. He explained the hospital as a great paradox and stated that if the council should persist in condemning his land, there would be hell to pay.

H. PUBLIC HEARINGS

Item 1 – Public Hearing – Resolution No. 1365 (C): Amending the City of Palmer Fiscal Year 2005 Budget

MOVED BY:	Pippel	To adopt resolution no. 1365 (C)
SECONDED BY:	Hanson	

Mayor Combs opened the public hearing for resolution no. 1365 (C). There being no persons who wished to testify, the public hearing was closed and the matter was brought back before the council.

Council Member Pippel inquired of the dispatch budget and the increased income within the line item. City Manager Healy explained the receipt of funds within the current fiscal year and agreements with the involved parties.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
----------------------	---

Item 2 – Public Hearing – Ordinance No. 05-036: Enacting Section: Special Needs Housing (17.08.424); Amending Chapter 17.64, Off-Street Parking and Loading; Specifically Repealing Sections: Space Required (17.64.010), Development Requirements (17.64.020), General Conditions (17.64.030) and Off-Street Parking (17.64.040) and Enacting Sections: Intent (17.64.005), General Provisions (17.64.015), Parking Lot Design Standards (17.64.021), Parking Spaces Required (17.64.031), Off Site Parking (17.64.035), Shared Use Parking (17.64.041), Downtown Parking District (17.64.050), Fee-In-Lieu Parking Program (17.64.055), Off Street Loading (17.64.60), Development Plan Requirements (17.64.070) and Landscape Requirements (17.64.080) of Title 17, Zoning (IM 05-092)

MOVED BY:	Pippel	To adopt ordinance no. 05-036
SECONDED BY:	Erbey	

Mayor Combs opened the public hearing for ordinance no. 05-036. The following person testified:

Gary Wolfe spoke in favor of the ordinance and stated that the City has a greater need to bring businesses downtown rather than parking spaces. He explained Palmer as an economic core. Mr. Wolfe stated that a provision should be made for property owners with existing parking spaces.

Council Member Pippel asked why the parking ordinance was confined to the downtown district. Ms. Sara Jansen, Community Development Coordinator spoke of the Planning & Zoning Commission’s decision to confine the district and expounded on the size of the district. Council Member Pippel spoke of defined areas and the parking spaces required for those areas. Ms. Jansen explained the exclusion as a manner in examining the smaller developable lots.

Council Member Hanson asked for an explanation of the fee-in-lieu program. Ms. Jansen explained that should a property owner not provide parking spaces, the owner would pay a fee in lieu of the required parking spaces. She described the establishment of a public parking program, a funding mechanism and a formula used to determine the value of a parking space. Ms. Jansen stated should the council desire the program, additional code language could be necessary. Council Member Hanson asked of the funding formula.

Council Member Pippel spoke of occupancy levels and the mechanisms to cure a lack of parking spaces.

Ms. Jansen described the originally proposed Commission language and the development of incentive based parking levels. She explained the limitation of the fee-in-lieu program to the downtown area as an effort to avoid the creation of “islands of new development” within the City.

Mayor Combs explained the fee-in-lieu as a lack of parking issue rather the economic value of the contractor. He asked of the timeframes written into the ordinance. Ms. Jansen suggested that should the council be interested in the program, she bring back additional council language to address economic levels.

City Manager Healy spoke of the public purpose of parking and expressed his concerns regarding the program as written. He voiced his concern over the potential transfer of responsibility to the City for the provision of all parking spaces and the low thresholds required for obtaining a waiver. City Manager Healy spoke of fees being tied to a 10-20 year capital improvement program.

Council Member Hanson spoke of existing businesses and current requirements versus the new requirements. He suggested that a balance be struck with the public parking provision and costs associated with the parking.

Attorney Snodgrass described the ordinance as an attempt to provide for densification of the downtown area and the costs associated with doing so. Council Member Pippel spoke in favor of the densification the downtown area. Ms. Jansen spoke of the densification differences in the rural areas versus those in urban areas.

Council Member Hanson asked of the language in 17.64.021 F and questioned the necessity for wheel buffers. He asked of the national standards regarding parking stalls and aisle widths. Council Member Hanson described the language in 17.64.080 regarding the need for the 5' foot buffer as unclear and the questioned the need for landscaping every 20 contiguous parking spaces. He spoke of the issue of snow removal and costs associated with snow removal equipment.

Discussion ensued regarding the standard of 25 foot aisle width.

Mayor Combs spoke of safety issues associated with narrow lots and voiced his agreement with City Manager Healy regarding waivers granted to developers.

Ms. Jansen spoke of the development of a downtown district and obtainment of waivers.

Attorney Snodgrass asked of the requirements in 17.64.050 A and ground level parking densification. Ms. Jansen spoke of shared spaces and the fee-in-lieu program.

Council Member Pippel voiced his appreciation of the approach and spoke of developers who may attempt to push the parking requirements onto the City. Ms. Jansen spoke of new developments and the manner in which to moderate waivers.

Mayor Combs voiced his concerns regarding potential conflict with the shared use parking requirements within the downtown area. Ms. Jansen voiced her belief that the language was added at the request of either a council member or commissioner.

Moved by:	Combs	To postpone to December 13
Seconded by:	Vanover	

Council Member Vanover suggested that a special meeting be held with the Planning and Zoning Commission.

Council Member Hill voiced his disagreement with the permissive use of “mays

and ifs” within the ordinance.

Council Member Erbey voiced his favor of a joint session with the Commission.

Council Member Pippel voiced his concern regarding the detail issues to be addressed and voiced his desire to hold a special meeting on December 6.

Mayor Combs stated that the council should review the ordinance and provide Ms. Jansen with suggestions.

Secondary Amendment #1 to Motion to Postpone		
Moved by:	Vanover	To hold a special meeting on December 6 to address ordinance no. 05-036
Seconded by:	Pippel	

Vote on Amendment:	Motion carried by unanimous voice vote.
--------------------	---

Vote on Amendment:	Motion carried by unanimous voice vote.
--------------------	---

VOTE ON MAIN MOTION:	Main motion was postponed to December 13.
----------------------	---

I. BIDS

J. ACTION MEMORANDUMS

Item 1 – Action Memorandum 05-112: Accept a Grant from the United States Environmental Protection Agency in the Amount of \$1,561,200 for Water Utility Improvements

MOVED BY:	Pippel	To accept a grant from the United States Environmental Protection Agency in the amount of \$1,561,200 for water utility improvements
SECONDED BY:	Erbey	

Council Member Pippel inquired of the time perimeters involved in the grant language. City Manager Healy explained the difficulties of obtaining the grant agreement and spoke of time delays, staff changes and contact made with the congressional delegation.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
----------------------	---

Item 2 – Action Memorandum 05-113: Authorize City Manager to Enter Into and Negotiate Change Order Number One with USKH, Inc., for Work at the Palmer Ice Arena

MOVED BY:	Pippel	To authorize the city manager to enter into and negotiate change order number one with USKH, Inc., for work at the Palmer Ice Arena
SECONDED BY:	Vanover	

City Manager Healy explained the additional work incorporated into the Ice Arena structure and phase II of the project.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
----------------------	---

Item 3 – Action Memorandum 05-114: Authorize City Manager to Enter Into an Agreement with the Mat-Su Borough for Library Automation Services

MOVED BY:	Pippel	To authorize the city manager to enter into an agreement with the Mat-Su Borough for library automation services
SECONDED BY:	Hanson	

City Manager Healy described the agreement as an annual agreement and highlighted the amount paid to obtain the services.

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
----------------------	---

Item 4 – Action Memorandum 05-115: Authorize City Manager to Enter Into a Two Year Extension of the Greater Palmer Chamber of Commerce Grant Agreement, to Appropriate Funds in the FY 06 and FY 07 Budgets for the Visitor Information Center and Visitor Information Services and to Appropriate Funds in the FY 06 Budget for Visitor Center Phone Upgrade

MOVED BY:	Pippel	To authorize the city manager to enter into a two year extension of the Greater Palmer Chamber of Commerce Grant agreement, to appropriate funds in the FY 06 and FY 07 budgets for the Visitor Information Center and Visitor Information Services and to appropriate funds in the FY 06 budget for the Visitor Center phone upgrade
SECONDED BY:	Vanover	

Council Member Pippel asked of the FY 07 budget appropriation process.

Council Member Pippel inquired of a joint use agreement with the museum. City Manager Healy explained his receipt of an agreement with the Palmer Museum of History and Art and the language regarding joint use of the facility contained in the agreement. City Manager Healy explained that the current agreement with the Chamber does not contain language regarding joint use but does contain language regarding artifact display. Council Member Pippel asked if the City were to approve the current agreement, would it preclude a joint use agreement. City Manager Healy explained the current agreement and the lack of a joint use. He explained the necessity to add language to the agreement regarding joint use.

Ms. Sandy Gaither stated that the Chamber is in the process of meeting with the Museum Group to include an arrangement for joint use of the facility.

Council Member Hanson inquired of the \$2500 request for telephone service. Ms. Gaither described the phone system as being original to the building and stated that although the Chamber is a current tenant – a guarantee does not exist which would continue the arrangement. Ms. Christy Brenier, Chamber President explained the volume of calls received throughout the facility. Council Member Wood asked of the problems with the system. Ms. Gaither explained the static, faulty wiring and lack of voicemail capability. She stated that there only two phone lines.

Council Member Vanover stated that the Palmer Visitor Center saw three times more calls than the larger visitor center.

Mayor Combs voiced his delight of the number of visitors at the Center and explained the negotiations with the Borough for operating funds for Visitor Centers services located within the Borough. He explained the Borough Manager’s verbal commitment to operational funds.

Mayor Combs spoke of lease options for the phone system and stated that it is not the responsibility of the City to provide a phone system.

City Manager Healy stated that he would like to receive additional information regarding the joint use of the building.

Council Member Pippel expressed his fundamental opposition to the use of general fund monies to fund tourism activities. He explained his interest in receiving specific tax funds to fund the Center. He expressed his disbelief that the Borough would pay \$50,000 per year for operating costs. He asked the Chamber members to discuss the institution of a bed tax within the city of Palmer.

Council Member Erbey spoke of the responsibility of the phone company to provide the service to the building and the building owner’s responsibility to maintain and provide service within the building. He stated that once those responsibilities are cared for, it is the responsibility of the tenant to provide the phone equipment.

Council Member Pippel stated that the building will remain the City’s responsibility regardless of the tenant and voiced his support of the allocation of funds for the phone system.

Council Member Hill spoke of the phone process and the antiquated wiring in the building. He suggested that the main portion of the costs will lie with the labor. Council Member Hill suggested the Chamber approach the phone company to request a donation of labor.

Council Member Wood voiced his agreement with Council Member’s Pippel, Hill and Erbey and the responsibility of the City to put a phone system in the building.

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To include the language “subject to appropriation of funds in the FY 06 and FY 07 budgets” rather than “to appropriate funds in the FY 06 and FY 07 budgets”
Seconded by:	Wood	

Vote on Amendment:	Motion carried by unanimous voice vote.
--------------------	---

VOTE ON MAIN MOTION, as amended:	Motion carried by unanimous voice vote.
----------------------------------	---

Item 5 – Action Memorandum 05-119: Authorize City Manager to Enter into a Memorandum of Agreement with the Matanuska-Susitna Borough to Accept \$32,610 from the 2003 Homeland Security Grant for the Purchase of Police Department Personal Protective and Detection Equipment and Authorize Expenditure of Funds

MOVED BY:	Pippel	To authorize the city manager to enter into a Memorandum of Agreement with the Matanuska-Susitna Borough to accept \$32,610 from the 2003 Homeland Security Grant for the purchase of police department personal protective and detection equipment and authorize expenditure of funds
SECONDED BY:	Vanover	

VOTE ON MAIN MOTION:	Motion carried by unanimous voice vote.
----------------------	---

K. UNFINISHED BUSINESS

L. NEW BUSINESS

M. CITY MANAGER’S REPORT

City Manager Healy reported on the following items:

- Received a preliminary proposal from Northern Economics regarding the annexation and will work with them to define the scope of work;
- 2006 budget and involved timeframes;
- Finance Director – Dean Baugh will begin work on Monday, October 31;
- Received proposal from Palmer Museum and History Art, will meet with them to discuss museum services;
- Medical Trust Board – will attend a meeting next week;
- AML attendance;
- Comprehensive Plan – public meeting on Saturday, October 29 from 9 a.m. to noon.

N. CITY CLERK'S REPORT

Ms. Bower reported on the following items:

- Joint Tri-City meeting on November 3 and the importance of a quorum;
- Work session and special meeting language;
- AML attendance;
- Will be out of the office on November 3 and 4;
- Introduced her son who was a member of the audience.

O. RECORD OF ITEMS PLACED ON THE TABLE

The following items were placed on the table:

- Chamber of Commerce Visitor Information Statistics;
- Table and maps pertaining to ordinance no. 05-036;
- November 3, Special meeting packet;
- Friday Fling rack cards;
- Alaska Legal Services Corporation materials.

P. AUDIENCE PARTICIPATION

Q. COUNCIL COMMENTS

Council Member Wood reminded members of National Red Ribbon and explained the origination of the week as a tribute and memorial to Drug Enforcement Officer Enrique Camerana who was assigned to Mexico and was brutally murdered. He explained that the National Family Partnership has continued the remembrance as week to remember Mr. Camerana and as an opportunity to provide education on the dangers of drug use.

Council Member Erbey commented on a phone call from a constituent regarding a vacation rate for utilities. Council Member Erbey and Mayor Combs sponsored a request to place the item on the agenda for further discussion.

Council Member Hill explained his receipt of the same call and stated that he asked been asked the same question from other constituents. He inquired of the process to introduce ordinances. Mayor Combs explained the requirement of a council member making the request at a public meeting and the necessity of having the support of another council member before an ordinance

can be written. He also explained that the Mayor may make the request outside of the public meeting format.

Council Member Pippel extended his congratulations to the Palmer High School football team and coaching staff. He expressed his enthusiasm over the Comprehensive Plan and the general direction of the plan. He voiced his agreement with the institution of a utility vacation rate.

Council Member Hanson voiced his agreement with the institution of a vacation rate and suggested that the rate be incorporated in the overall rate study. He thanked the community on behalf of the football for their support. He stated that the support was overwhelming and stated that the players enjoyed the police escort as well.

Mayor Combs reported on the following items:

- AML attendance;
- Interviews at Colony High School;
- Attended the Job Corp labor market presentation which featured the culinary arts department;
- Interview with Channel 13 regarding Security Aviation;
- Meeting with Stu Graham and the formation of an Alaska Club within Palmer;
- Chamber Board meeting regarding Candidates Forum;
- Up-coming meeting with Salvation Army on November 8 regarding the need for additional land;
- Christmas lighting within the downtown area;
- The police escort for the Palmer football team.

R. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 10:26 p.m.

APPROVED THIS 8th day of November, 2005.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, City Clerk