

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on May 22, 2007, at 7 p.m. in the council chambers, Palmer, Alaska.

Mayor Combs called the meeting to order at 7:10 p.m.

B. ROLL CALL

Comprising a quorum of the Council, the following were present:

Tony Pippel	Kathrine Vanover	Jim Wood
Richard Best	Brad Hanson	John Combs

Also in attendance were the following:

Tom Healy, City Manager
Michael Gatti, City Attorney
Janette Bower, City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by a member of the American Legion.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction – Ordinance No. 07-012: Amending Palmer Municipal Code Section 2.58.170 of Chapter 2.58 (Personnel Regulations); To Establish a Travel Policy for Elected Officials and City Employees (IM 07-019)
 - b. Introduction – Ordinance No. 07-013: Increasing the Required Notification Distance for a Proposed Zoning Map Amendment, Conditional Use Permit, Variance, or Property Owners Protest as Defined in Title 17, Zoning, From 600’ to 1200’ (IM 07-021)
 - c. Introduction – Ordinance No. 07-014: Amending Palmer Municipal Code Section 6.08.065, Animals at Large and Enacting Section 6.08.067, Animal Annoyance (IM 07-022)
 - d. Action Memorandum 07-053: Authorize City Manager to Approve a One-Year Extension of a Professional Services Agreement with Valley Computer Consulting for Information Technology Services
2. Minutes of Previous Meetings
 - a. May 8, 2007, Special Meeting
 - b. May 8, 2007, Regular Meeting

E. SPECIAL ORDER OF BUSINESS

Item 1 – Action Memorandum 07-043: Accept the Financial Statements for Year Ending December 31, 2006 as Presented by Staff and Audited by Mikunda Cottrell and Co.

MOVED BY:	Vanover	To action memorandum 07-043
SECONDED BY:	Hanson	

VOTE ON MOTION: Carried by unanimous voice vote.		
	Yes:	No:
Pippel	Vanover	Wood
Best	Hanson	Combs

F. COMMUNICATIONS AND APPEARANCE REQUESTS

G. AUDIENCE PARTICIPATION

Ruth Hosten, American Legion Auxiliary President:

- presented a poppy to Mayor Combs from Miss Poppy, Raven Kennedy;
- expanded on the origination and meaning of the poppy;
- highlighted the Legion’s mission to aid military members in need; and
- asked the Mayor to issue a proclamation to set aside Memorial Day as Poppy Day in honor of both past and present military personnel.

Michelle Heun:

- offered support of action memoranda 07-033 and 07-054;
- stated the project’s importance for the entire Borough and the City of Palmer in particular;
- highlighted the critical nature of interoperability; and
- explained her involvement in the project through her profession and involvement in the appropriation and allocation of funds.

Dennis Brodigan, Matanuska-Susitna Borough Emergency Services Director:

- spoke to action memorandum 07-033;
- defined interoperability and emphasized the importance of public safety services to possess the ability to communicate with one another;
- explained the AMLR system and project funding;
- highlighted the demonstrated the need for interoperability within the Borough and State; and
- commented on the phased out equipment and the federal monies needed to complete the required AMLR upgrades.

Dean Maxwell:

- spoke in support of action memoranda 07-033 and 07-054;
- described his employment as a field underwriter for the largest property insurer in Alaska and the nation;
- noted his membership with the Alaska Seismic Hazard Safety Commission, which reports to the Governor regarding mitigating loss from seismic hazards, and chairperson for the Insurance Subcommittee for the Alaska Seismic Hazard Safety Commission;
- spoke of the importance of property and human life mitigation;

- urged the council to vote in favor of the dispatch upgrade;
- stated the upgrade will allow the Palmer Police to communicate with all crucial emergency responders;
- stressed that lack of communication was the major failure during the September 11, disaster;
- commented on his work with hurricane victims and stated that future victims within the Borough may ask why the City did not fully fund the communications center; and
- stated that the upgrade will serve the citizens of the Borough and City of Palmer.

Heather Kelley:

- encouraged support of action memorandum 07-045;
- stated development of the existing easement would remove mature trees from both the affected and adjacent subdivision;
- stressed that passage of the action memorandum would eliminate the impact on trees; and
- commented on access into the park.

Michael Madar:

- spoke to action memorandum 07-042;
- spoke of the newspaper article regarding the city manager;
- voiced disagreement with the hurtful, irresponsible manner in which the situation was handled;
- questioned the method in which the council micro-manages city employees;
- commented on statements made regarding the city being broke;
- voiced his desire for a quality city manager;
- stressed that the loss of Mr. Healy would be a great blow to the city; and
- stated that the root of the issue lies in some members desire for a strong mayor form of government.

H. PUBLIC HEARINGS

Item 1 – Public Hearing – Ordinance No. 07-012: Amending Palmer Municipal Code Section 2.58.170 of Chapter 2.58 (Personnel Regulations); To Establish a Travel Policy for Elected Officials and City Employees (IM 07-019)

Mayor Combs opened the public hearing for ordinance no. 07-012. There being no one who wished to speak, the public hearing was closed and the matter was brought before the council.

MOVED BY:	Best	To adopt ordinance no. 07-012
SECONDED BY:	Hanson	

Council Member Wood:

- referenced subsection 2.58.703 (A) and the incomplete reference to the Fair Labor Standards Act;
- stated his intention to offer further amendments; and
- requested postponement of the ordinance to gather further amendments.

Moved by:	Wood	To postpone ordinance no. 07-012 to the June 12 meeting
Seconded by:	Pippel	

Vote: Motion carried by unanimous voice vote.		
Yes:		No:
Pippel	Vanover	Wood
Best	Hanson	Combs

VOTE ON MOTION: Carried by unanimous voice vote.

Item 2 – Public Hearing – Resolution No. 07-007: Supporting Radio Free Palmer in its Efforts to Obtain a Federal Communication Commission License (IM 07-23)

Mayor Combs opened the public hearing for resolution no. 07-007. There being no one who wished to speak, the public hearing was closed and the matter was brought back before the council.

MOVED BY:	Pippel	To adopt resolution no. 07-007
SECONDED BY:	Vanover	

Council Member Pippel:

- described the current broadcasting;
- commented on the committee formed to create Radio Free Palmer; and
- spoke of the intent to provide internet access to area citizens.

Council Member Wood:

- voiced concern regarding city government’s support of a private enterprise;
- stated that at times, the radio platform voices ideals which may not be of interest to all citizens;
- spoke of a recent podcast regarding the power to make changes and counteract propaganda;
- stated the action would create a false precedent; and
- questioned the wisdom of offering support of the resolution.

VOTE ON MOTION: Carried by 5-1 voice vote.			
Yes:			No:
Pippel	Vanover	Best	Wood
Hanson	Combs		

Item 3 – Public Hearing – Resolution No. 06-034 (A): Amending the 2007 Fiscal Year Budget (IM 07-024)

Mayor Combs opened the public hearing for resolution no. 06-034 (A). There being no one who wished to speak, the public hearing was closed and the matter was brought back before the council.

MOVED BY:	Hanson	To adopt resolution no. 06-034 (A)
SECONDED BY:	Vanover	

Council Member Hanson:

- inquired of amendments to the budget regarding the \$351,000 General Fund unappropriated surplus expenditure; and
- spoke of future accounting changes and the reduction in property tax revenue.

Finance Director Dean Baugh:

- spoke of the change of accounting and identification of money in the 2007 budget;
- stated that there was \$351,000 less revenue in the 2007 budget;
- commented on the lowered PERS rate and the receipt of \$367,000; and
- stated the property tax would climb at the “normal” rate.

Council Member Pippel:

- commented on the reduction in revenues in the 2007 budget; and
- asked for assurance of accuracy in the 2008 budget.

VOTE ON MOTION: Carried by unanimous voice vote.			
	Yes:		No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

I. BIDS

Item 1 – Action Memorandum 07-046: Authorize the City Manager to Award and Execute a Contract with Alaska Sure Seal in the Amount of \$33,300 for the 2007 Palmer Street Crack Sealing Project

MOVED BY:	Pippel	To approve action memorandum 07-046
SECONDED BY:	Vanover	

VOTE ON MOTION: Carried by unanimous voice vote.			
	Yes:		No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 2 – Action Memorandum 07-048: Authorize the City Manager to Award and Enter Into a Contract with Wilder Construction in the Amount of \$1,310,342.90 for the Arctic Avenue and Transmission Main Water System Improvements Project

MOVED BY:	Pippel	To approve action memorandum 07-048
SECONDED BY:	Best	

VOTE ON MOTION: Carried by unanimous voice vote.			
	Yes:		No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 3 – Action Memorandum 07-056: Authorize the City Manager to Award and Enter into a Contract with Seacoast Construction in the Amount of \$353,763 for the Alaska Street Sidewalk and Lighting Improvements Project

MOVED BY:	Pippel	To approve action memorandum 07-056
SECONDED BY:	Best	

VOTE ON MOTION: Carried by unanimous voice vote.			
	Yes:		No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

J. ACTION MEMORANDA

Item 1 – Action Memorandum 07-033: Authorize the City Manager to Enter into a Grant Agreement with the Matanuska-Susitna Borough Regarding the United States Department of Justice COPS Technology Grant in the Amount of \$427,661.69 for the Palmer Dispatch Center Upgrade Project, and to Direct Administration to Prepare a Budget Amendment to Appropriate \$50,000 of City Funds to the Project

MOVED BY:	Pippel	To approve action memorandum 07-033
SECONDED BY:	Best	

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To amend the title to reflect the total amount of \$855,579
Seconded by:	Best	

Vote: Motion carried by unanimous voice vote.		
Yes:		No:
Pippel	Vanover	Wood
Best	Hanson	Combs

Primary Amendment #2 to Main Motion		
Moved by:	Pippel	To amend the action memorandum to reflect the total amount of \$855,579
Seconded by:	Vanover	

Vote: Motion carried by unanimous voice vote.		
Yes:		No:
Pippel	Vanover	Wood
Best	Hanson	Combs

Council Member Pippel:

- voiced support of the project;
- commented on the third major upgrade of the dispatch center; and
- spoke of a society which must provide these upgrades.

VOTE ON MOTION: Carried by unanimous voice vote.		
Yes:		No:
Pippel	Vanover	Wood
Best	Hanson	Combs

Item 2 – Action Memorandum 07-054: Accept the City Manager’s Determination of Sole Source Necessity and Authorize the City Manager to Enter into and Execute a Contract with Motorola Alaska for the Police Dispatch Radio System Upgrade Project

MOVED BY:	Pippel	To approve action memorandum 07-054
SECONDED BY:	Best	

VOTE ON MOTION: Carried by unanimous voice vote.		
Yes:		No:
Pippel	Vanover	Wood
Best	Hanson	Combs

Item 3 – Action Memorandum 07-044: Authorize the City Manager to Issue a Request for Proposals for Palmer Municipal Airport Lease Lot 33, Block 3

MOVED BY:	Pippel	To approve action memorandum 07-044
SECONDED BY:	Vanover	

Council Member Pippel inquired as to why the leaseholder “gave up” the lease.

Attorney Gatti explained the breach of the lease agreement for non-payment and the negotiated disposition of the contract.

VOTE ON MOTION: Carried by unanimous voice vote.			
Yes:			No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 4 – Action Memorandum 07-045: Authorize the City Manager to Execute Utility Easements with Matanuska Electric Association, Inc. and Matanuska Telephone Association, Inc. Across Block 14 Park Reserve Tract, T.A. Smith Subdivision

MOVED BY:	Pippel	To approve action memorandum 07-045
SECONDED BY:	Vanover	

City Manager Healy:

- highlighted the scope of work;
- stated the action would save two birch trees from destruction; and
- spoke of the clearance issues involving the pole.

Council Member Hanson:

- asked if it was absolutely necessary that a pole be installed to accommodate the utility;
- spoke of the opposition of an additional pole; and
- inquired of the original approval of the utilities.

The council recognized the developer, Darrin Hamming.

Mr. Hamming:

- illustrated and explained the original utility configuration; and
- spoke of the lessened environmental impact involved in moving the utilities.

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To amend the agreement to reflect the lack of a utility pole and requirement that the utilities be buried
Seconded by:	Best	

Vote: Motion carried by unanimous voice vote.			
Yes:			No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

VOTE ON MOTION: Carried by unanimous voice vote.			
Yes:			No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 5 – Action Memorandum 07-047: Authorize the City Manager to Execute Change Order One to the Alaska Sure Seal Contract in the Amount of \$6,600 for an Additional 2,200 lbs of Crack Sealant for the 2007 Palmer Street Crack Sealing Project

MOVED BY:	Pippel	To approve action memorandum 07-047
SECONDED BY:	Vanover	

Council Member Pippel:

- inquired of the origination of the additional 2,200 pounds of crack sealant.

City Manager Healy:

- commented on the funds appropriated for the overall budget.

Council Member Hanson:

- commented on the previous asphalt study; and
- encouraged Administration to bring the issue back to the council should there be need for additional work.

Council Member Best:

- commented on the lack of concrete maintenance.

VOTE ON MOTION: Carried by unanimous voice vote.			
Yes:			No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 6 – Action Memorandum 07-049: Approve a \$2,500 Donation to Valley Community for Recycling Solutions and Direct the City Manager to Prepare an Amendment to the 2007 City Budget for that Purpose

MOVED BY:	Pippel	To approve action memorandum 07-049
SECONDED BY:	Vanover	

Council Member Pippel:

- commented on the tangential service to the City;
- questioned the spending of city funds for the service; and
- commented on the previous discretionary fund.

Council Member Vanover:

- voiced concurrence with Council Member Pippel.

Council Member Wood:

- voiced concurrence with Council Members Pippel and Vanover; and
- commented on Attorney Gatti’s suggestion of establishing a grant program for requests.

Council Member Hanson:

- spoke of the legislative appropriation for the Center in the amount of \$2 million; and

- voiced support of the action in an effort to reduce the overall obligation to the Borough.

Attorney Gatti:

- commented on the budget process to address the issue; and
- suggested the implementation of a grant program.

VOTE ON MOTION: Failed by 3-3 roll call vote.					
Hanson	Yes: Pippel	Combs	Vanover	No: Best	Wood

Item 7 – Action Memorandum 07-050: Approve a \$200 Donation to Radio Free Palmer and Direct the City Manager to Prepare an Amendment to the 2007 City Budget for that Purpose

MOVED BY:	Pippel	To approve action memorandum 07-050
SECONDED BY:	Vanover	

Council Member Pippel:

- highlighted the intent of Radio Free Palmer to provide internet services; and
- voiced support of the action memorandum.

Council Member Wood:

- commented on the provision of internet services by other community entities; and
- voiced opposition to the action.

VOTE ON MOTION: Carried by 4-2 roll call vote.					
Pippel	Yes: Vanover	Hanson	Wood	No: Best	
Combs					

Item 8 – Action Memorandum 07-051: Authorize the City Manager to Issue a Request for Proposals for Commercial Leases at the Palmer Ice Arena

MOVED BY:	Pippel	To approve action memorandum 07-051
SECONDED BY:	Vanover	

City Manager Healy:

- highlighted the services requested in the proposal.

Council Member Pippel:

- voiced concern over the cost of services being conveyed to the end user.

Council Member Hanson:

- stated that currently the only service offered by the City was skate sharpening; and
- cautioned the administration to remember the long term goals and objectives of development of the upstairs of the Arena.

Council Member Best:

- stated that any opportunity to tap into revenue for the Ice Arena would be of benefit to the facility.

VOTE ON MOTION: Carried by unanimous voice vote.			
Yes:			No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 9 – Action Memorandum 07-052: Authorize the City Manager to Approve the Memorandum of Agreement and the Public Use Easement from Mr. and Mrs. Clarence Furbush Regarding Property on Felton Street

MOVED BY:	Pippel	To approve action memorandum 07-052
SECONDED BY:	Wood	

Council Member Pippel:

- voiced pleasure over resolution of the issue to further the Felton Street project; and
- stated that delays in the project have cost the City \$6 or \$7 per square foot.

Council Member Hanson:

- inquired of outstanding leases;
- asked of the remaining budget for the project; and
- inquired if the project would be bid this year.

City Manager Healy:

- highlighted the property owners who have yet to sign the necessary documents;
- indicated that \$200,000 had been spent on the project; and
- stated that the project would be bid this year and commented on the properties under condemnation.

VOTE ON MOTION: Carried by unanimous voice vote.			
Yes:			No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 10 – Action Memorandum 07-055: Authorize the City Manager to Execute Amendment No. 2 to the Professional Service Agreement with DOWL Engineers in the Amount of \$34,124 for Construction Administration of the Alaska Street Sidewalk and Lighting Improvement Project

MOVED BY:	Pippel	To approve action memorandum 07-055
SECONDED BY:	Vanover	

VOTE ON MOTION: Carried by unanimous voice vote.			
Yes:			No:
Pippel	Vanover	Wood	
Best	Hanson	Combs	

Item 11 – Action Memorandum 07-042: Approve City Manager Job Description and Advertisement of City Manager Position

MOVED BY:	Pippel	To approve action memorandum 07-042
SECONDED BY:	Hanson	

VOTE ON MOTION: Failed by 3-3 roll call vote.

	Yes:			No:	
Pippel	Hanson	Combs	Vanover	Best	Wood

K. UNFINISHED BUSINESS

L. NEW BUSINESS

Item 1 – Library Funding

Library Director Pat Kilmain joined the discussion.

Mayor Combs:

- highlighted the current proposed reduction in funding by the Matanuska-Susitna Borough;
- commented on the joint meeting with the Borough in which Borough Assembly Members described the Libraries as essential services; and
- suggested a \$50 per person fee be charged for library cards for non-City residents.

Council Member Pippel:

- commented on the “dumping off” of obligations by the Borough;
- suggested that non-City residents be charged a fee for services;
- stated that an information sheet should be given to library patrons with Borough information so that the public may contact them;
- voiced the City’s necessity to pick up all costs should the Library continue to function in its current capacity;
- stated that the only hope to eliminate the fee and gain additional Borough funding was for regular non-City users to put pressure on the Borough;
- stated closing the Library or turning it over to the Borough was unacceptable;
- noted that 81 percent of all items checked out in the Borough come from the Palmer and Wasilla libraries;
- stated that 87 percent of Borough residents who live in a community with a library, frequent the Palmer and Wasilla libraries;
- suggested non-City residents be directed to the Borough libraries; and
- highlighted his conversations with Borough Assembly Members regarding library funding.

Council Member Vanover:

- voiced concurrence with Council Member Pippel; and
- commented on the information sheets produced by the Friends of the Library.

Library Director Pat Kilmain:

- highlighted the information sheet currently in circulation;
- spoke of persons who check out materials;
- commented on the status of a grant application to link the Palmer Library with the Anchorage Library;
- highlighted the annual costs of service; and
- stated that any implemented fees would not reduce the amount of persons using the Library’s other services.

Council Member Best:

- commented on the shared service agreements;
- noted the service provided by Palmer to Borough residents;
- suggested the immediate “cut-off” of services to the Borough shared service and movement to join with the Anchorage Library services; and
- stated there was not support on the Borough Assembly to fund libraries.

Council Member Hanson:

- inquired of user fees for home schoolers and the possibility that the fees be reimbursed through home school programs.

MOVED BY:	Pippel	To institute a \$50 fee for non-City resident users of the Library who check out materials and to develop a one page handout which will educate the public regarding the lack of Borough funding and contact information for Borough officials with an effective date to be set by the Administration
SECONDED BY:	Wood	

VOTE ON MOTION: Carried by unanimous voice vote.
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Yes:	No:
Pippel Best	Wood Combs

M. CITY MANAGER’S REPORT

City Manager Healy reported on the following item:

- State Legislature Capital Budget.

N. CITY CLERK’S REPORT

City Clerk Bower reported on the following items:

- May 29, Special Meeting;
- May 31, State Fair Hearing; and
- Discussion ensued regarding the Hearing process.

O. MAYOR’S REPORT

Mayor Combs reported on the following item:

- State Legislature Capital Budget.

P. RECORD OF ITEMS PLACED ON THE TABLE

- Supplemental information for action memorandum 07-033.

Q. AUDIENCE PARTICIPATION

Heather Kelly:

- spoke of the current \$35 fee for users outside of the Borough and the effects of the additional fee; and
- voiced concern regarding ramifications of users who may use the Anchorage Library.

R. COUNCIL COMMENTS

Council Member Pippel:

- inquired of the status of the resolution opposing the proposed sales tax by the Matanuska-Susitna Borough;
- commented on striping completed by the Public Works Department;
- voiced pleasure with the Moose prints in the four-way stops and asked if further moose prints would be placed in the downtown area; and
- voiced the need to hire a lobbyist

Council Member Best:

- voiced concern regarding vehicles parking on City streets; and
- spoke of the school being out and the danger of kids running between the cars and getting injured.

Council Member Wood:

- concurred with Council Member Best and commented on the need for sidewalks; and
- spoke of the cost of lobbyist lunches.

Council Member Hanson:

- thanked Chief Dan Contini for his services at the local schools.

Mayor Combs:

- stated that the Governor would not entertain a lobbyist and that Legislators would not entertain the lobbyist either.

S. ADJOURNMENT

With no further business before the council, the meeting adjourned at 9:47 p.m.

Approved this twelfth day of June, 2007.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, CMC, City Clerk