

**A. CALL TO ORDER**

A special meeting of the Palmer City Council was held on May 2, 2006, at 6 p.m. in the council chambers, Palmer, Alaska.

Mayor Combs called the meeting to order at 6 p.m.

**B. ROLL CALL**

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

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

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 Erbey.

**D. APPROVAL OF THE AGENDA**

The council consented to remove item G.1.

**E. AUDIENCE PARTICIPATION**

Heidi Tokar-Haggart spoke to action memorandum 06-050, voicing her resignation with a road in her backyard and asked the council to ensure the road is planned correctly. She voiced concern regarding the lack of curb and gutter on Helen Drive. Ms. Tokar-Haggart described the 30 mile per hour speed limit as excessive for that type of road. She voiced concern regarding drainage and stated the possibility of the drainage being directed to her backyard. Ms. Tokar-Haggart spoke of area growth and identified herself as a taxpayer. She stressed the need to make the area safe.

**F. UNFINISHED BUSINESS**

**Item 1** – Action Memorandum 06-050: Authorize a Variance from the Provisions of PMC 12.12.030, 12.12.035 and 12.12.060 for Construction of an Access Road to a Proposed Subdivision Development on Parcels 17N02E07A015 and 17N02E07A016

MOVED BY:	Pippel	To authorize a variance from the provisions of PMC 12.12.030, 12.12.035 and 12.12.060 for construction of an access road to a proposed subdivision development on parcel 17N02E07A015 and 17N02E07A016  Clerk's note: After reviewing all documents and holding discussions regarding the variance request, the city council took into account the nature of the proposed use of the land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon conditions in the vicinity and hereby granted the variance request subject to the provisions of primary amendment no. one.
SECONDED BY:	Hanson	

City Manager Healy explained the meeting held with the engineer and highlighted the following items:

- Design standards for collector streets;
- Appropriateness of the proposed road design in an urban setting;
- Engineering standards analysis;
- City standards for streets and the proposal a two 12 foot driving lanes, a four foot gravel shoulder on both sides and an eight foot paved bike path with two shoulders outside of the path;
- Commitment by the developer for installation of a guard rail should it be required;
- Municipality of Anchorage and State standards in comparison to the proposal;
- Variance from the road width, curb and gutter standards and sidewalk standards;
- Examination of the proposal by his office from a planning point of view;
- Alignment and the road improvement plan; stated that the alignment would be constructed as an arterial and spoke of the increased speed limits;
- Impacts of fill slope and properties to the west;
- Lack of need to obtain additional property at this time.

Council Member Pippel asked of drainage paths and the direction of the drainage if curb and gutter were installed. City Manager Healy stated that if curb and gutter were installed, the water would be directed to the low point and could be channeled by the installation of a catch basin or by a curb.

Council Member Wood spoke of the contour lines and the drainage as flowing downward towards the lots opposite of C-21.

Council Member Pippel spoke of the water flowing to the low spot and the necessity of a stipulation which would designate where the water would go.

Council Member Wood spoke of the two different drainage sections of the road with fill between them which would cause two different pools of water asked of the adequate drainage system contemplated by the engineers.

Mayor Combs voiced concern regarding the direction of the drainage and impact on the area.

Council Member Pippel spoke of curb and gutters as a way to manage the water. He voiced the need to gain knowledge from the engineers regarding their plan for the water system.

City Manager Healy stated that even with the installation of curb and gutter, the water would continue to drain to the low spot. He stated that the issue may be addressed through the drainage easements.

Council Member Pippel asked of the ability to set standards for guard rails. City Manager Healy referred to the state standards. Discussion ensued regarding the road grades and the placement of guard rails in the area of the bike paths.

Mayor Combs voiced concern regarding the drainage, the guard rails and safety issues for pedestrians.

Council Member Wood spoke of the area on Helen Drive which does not have a guard rail and the evidence of repeated accidents.

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To require the following provisions: 1. Adequate drainage plan 2. Guard rails for both sides of the roadway to address pedestrian safety
Seconded by:	Erbey	

Council Member Erbey spoke of the hole on C-20 which drains water over to D-19 and stated that if a road were to be put through the area; the hole would be dammed up, causing ponding. He asked that a culvert be considered from C-20 to D-19 to stop the affects of ponding in the area.

Attorney Snodgrass spoke of the developer's ownership of D-19 and voiced concern regarding the installation and expense of a culvert.

Council Member Erbey voiced concern of a pond being formed in the area of construction which had not previously been there.

Attorney Snodgrass clarified that the variance request did not contain a variance from the drainage provisions.

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

Council Member Hanson asked if the area outside of the road easement would become a permanent part of the road easement. He voiced concern regarding the future upgrade of the easement. He spoke of the need for a retaining wall on C-20.

The council addressed the following items required by PMC 12.12.080 for granting a variance:

- A. That there are such circumstances or conditions affecting said property that the strict application of the provisions of this chapter would clearly be impractical, unreasonable or

undesirable to the general public. In such cases, the subdivider shall first state his reasons in writing to the specific provision or requirement involved and submit them to the city council. The subdivider bears the burden of proof.

Council Member Hanson spoke of the reasonableness to waive the curb and gutter requirement due to the rural nature of the area and the lack of access on and off the highway.

The council voiced concurrence with Council Member Hanson and the findings in section A.

B. That the granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

The council voiced a 5-1 (Wood) concurrence with the findings in section B.

C. That the granting of the specific variance will not have the effect of nullifying the intent and purpose of this title or the comprehensive plan.

The council voiced unanimous concurrence with the findings in section C.

VOTE ON MAIN MOTION: Motion passed by unanimous voice vote.			
Yes:			No:
Pippel	Erbey	Vanover	
Wood	Combs	Hanson	

**F. NEW BUSINESS**

**Item 1** – Action Memorandum 06-052: Authorize City Manager to Negotiate and Amend the Professional Service Agreement with Hattenburg, Dilley and Linnell Engineering Consultants for South Chugach Street Water Main Design to include Construction Administration and Inspection Services

*Clerk’s note: Action memorandum 06-052 was removed from the agenda.*

**Item 2** – Review and Discussion of the Matanuska-Susitna Borough’s Historic District Design Guidelines Project (Action may be taken by the Council following the Committee of the Whole)

MOVED BY:	Vanover	To enter into the committee of the whole to review and discussion the Matanuska-Susitna Borough’s Historic District Design Guidelines Project
SECONDED BY:	Erbey	

The council entered into the committee of the whole at 7:10 p.m. and exited at 8:49 p.m.

Fran Seger-Boss, Vicki Cole and Bonnie Allen addressed the council regarding the Borough grant concerning the historic district design guidelines.

VOTE ON MAIN MOTION: Motion carried by unanimous voice vote.			
Yes:			No:
Pippel	Erbey	Vanover	
Wood	Hanson	Combs	

**G. ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 8:50 p.m.

**APPROVED THIS 9<sup>th</sup> day of May, 2006.**

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John C. Combs, Mayor

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Janette M. Bower, City Clerk