

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on August 8, 2006, 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:

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

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 Hanson.

D. SPECIAL ORDER OF BUSINESS

Item 1 – Certification Presentation by Alaska Association of Municipal Clerks (AAMC) President Jamie Newman to Janette Bower, Palmer City Clerk

AAMC President Newman presented City Clerk Bower with a plaque stating Ms. Bower's status as a certified municipal clerk.

E. APPROVAL OF AGENDA

1. Approval of Consent Agenda – *Items K.2. and K.3. were postponed, the remainder was approved as presented.*
 - a. Introduction – Ordinance No. 06-018-Z-5: Ratifying the Recommendation of the City Planning and Zoning Commission Concerning Requested Amendment to the Zoning Map Instituted by the Commission to Rezone Tract 2, Kopperud Subdivision (1015 E. Moore Road) from R1 (Single Family Residential) to CG (Commercial General) (IM 06-043)
 - b. Action Memorandum 06-082: Authorize City Manager to Enter into a Professional Services Agreement with Dowl Engineers for Alaska Street Sidewalk and Lighting Design Services
 - c. Action Memorandum 06-084: Authorize City Manager to Execute Change Order Number Three to the Helen Drive Realignment and Water System Extension Palmer,

- Alaska Project with NorthStar Paving and Construction, Inc. in the Amount of \$35,650 to Construct Additional Water Services
- d. Action Memorandum 06-085: Authorize City Manager to Consent to the Sublease of Airport Lease 92-1
 - e. Action Memorandum 06-088: Authorize City Manager to Enter Into a Block Grant Agreement with the Matanuska-Susitna Borough for \$294,841
2. Minutes of Previous Meetings – *the minutes were approved as presented.*
 - a. July 25, 2006, Special Meeting
 - b. July 25, 2006, Regular Meeting

F. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Dan Contini – City of Palmer Fire and Building Department
Chief Contini reported on the following items:
 - Building department report contained in the packet;
 - Quonset hut like structure in the Industrial Park;
 - Political signs;
 - Fire department calls;
 - 1967-1968 fire department budget.

G. AUDIENCE PARTICIPATION

Mary Burns spoke of her attendance and comments regarding her water and sewage use and rates at the previous meeting. She stated that she pays an additional \$200 per year because of the minimum usage rate. She asked that a single rate be established to create an equitable situation for water usage. Ms. Burns stated that if the recommended rates were adopted she would pay an additional \$300 per year.

H. PUBLIC HEARINGS

Item 1 – Public Hearing – Ordinance No. 06-017: Amending Chapter 17.64, (Off-Street Parking and Loading), Specifically Amending General Provisions (17.64.015), Parking Lot Design Standards (17.64.021), Parking Spaces Required (17.64.031), Shared Use Parking (17.64.041), Downtown Parking District (17.64.050), Fee-in-lieu of Parking Program (17.64.055), and Landscaping Requirements (17.64.080) of Title 17, Zoning (IM 06-039)

MOVED BY:	Pippel	To adopt ordinance no. 06-017
SECONDED BY:	Erbey	

Mayor Combs opened the public hearing for ordinance no. 06-017. There being no one who wished to speak, the public hearing was closed and the matter brought back before the council.

Council Member Pippel asked that a comprehensive parking study be completed.

Council Member Wood asked of the proposed amendment to strike the requirement of a five foot buffer adjacent to public right-of-way in subsection 17.64.080 B. Community Development Coordinator Sara Jansen spoke of landscaping buffer requirements and stated that through practical application, the requirement was such that some buildings could not be built.

Council Member Pippel asked of potential projects that were in conflict with the code requirements. Ms. Jansen spoke of the developers who were unable to meet the code requirements.

City Manager Healy asked of the requirement for parking lot landscaping for a building built next to a property line. Ms. Jansen stated the developer’s requirement to provide landscaping in the interior of a parking lot.

Council Member Pippel spoke of parking ordinances to control and create reasonable development. He spoke in favor of the ordinance and his desire to encourage development.

Discussion ensued regarding the need to buffer an alley.

Council Member Pippel spoke of lots which back into alleys. Ms. Jansen spoke of green space/landscaping between a parking lot and a traveled “street”.

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To amend section 17.64.080 B to read as follows: <i>Original language:</i> B. All required parking lots shall provide a landscape buffer at least five feet in width along any property line adjacent to a public right of way or coincident with the parking lot, except for those in the airport commercial, airport industrial, and industrial district where they do not border a residential district. <i>Amended language:</i> B. All required parking lots shall provide a landscape buffer at least five in width along any front property line adjacent to a street, except for those in the airport commercial, airport industrial, and industrial district where they do not border a residential district.
Seconded by:	Vanover	

Council Member Wood asked of the front lot line definition. Attorney Snodgrass expanded on the street and front property line definition.

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

Council Member Pippel asked of the landscaping requirement in regard to the new day spa. Ms. Jansen explained the City’s oversight and action taken to prevent future oversights.

Council Member Wood spoke of the need to address subsection 17.64.080 B with an assigned number of parking spaces. Ms. Jansen spoke of existing lots and the code language affecting the

refurbishment of existing buildings. Council Member Hanson commented on lots which back into alleys and the buffer requirement for those lots.

Council Member Wood asked of properties which were unable to meet the landscaping requirements due to the size of their lots and the variance process. Council Member Pippel spoke of variances granted for selected items and expressed the danger of addressing the issue on a case by case basis.

City Manager Healy spoke of the language in subsection 17.64.080 C as applicable to a certain number of parking spaces and suggested an amendment to subsection 17.64.080 B regarding lots of five or more spaces. Council Member Hanson voiced his agreement and spoke of the necessity of compromise.

Council Member Pippel spoke of existing lots and reasonable parking lots for redevelopment.

Primary Amendment #2 to Main Motion		
Moved by:	Pippel	To amend section 17.64.080 B to read as follows: <i>Original language (as amended by primary motion #1):</i> B. All required parking lots shall provide a landscape buffer at least five feet in width along any front property line adjacent to a street, except for those in the airport commercial, airport industrial, and industrial district where they do not border a residential district. <i>Amended language:</i> B. All required parking lots <u>of five spaces or more</u> shall provide a landscape buffer at least five feet in width along the front property line adjacent to a street, except for those in the airport commercial, airport industrial, and industrial district where they do not border a residential district.
Seconded by:	Wood	

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

Primary Amendment #3 to Main Motion		
Moved by:	Hanson	To amend section 17.64.055 to read as follows: <i>Original language:</i> ... The in-lieu parking fee shall be determined annually based on the costs for planning, acquisition, design, development, construction,
Seconded by:	Wood	

		<p>financing (including interest on city self-financing), maintenance and operation of off-street parking facilities within 400 feet of the subject building as measured along public rights-of-way.</p> <p><i>Amended language:</i></p> <p>The in-lieu parking fee shall be determined annually based on the costs for planning, acquisition, design, development, construction, financing (including interest on city self-financing), maintenance and operation of off-street parking facilities within 400 <u>600</u> feet of the subject building as measured along public rights-of-way.</p>
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Vote: Motion carried by unanimous voice vote.

Yes: Pippel Erbey Vanover Wood Hanson Combs	No:
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Primary Amendment #4 to Main Motion

Moved by:	Pippel	To amend section 17.64.050 C to read as follows: <i>Original language:</i> C. In areas with designated public on-street parking, each twenty five feet in front of a structure may be counted towards the parking requirement. <i>Amended language:</i> C. In areas with designated public on-street parking, each twenty five feet in front of a <u>lot</u> will be counted towards the parking requirement <u>for the lot</u> .
Seconded by:	Vanover	

Vote: Motion carried by unanimous voice vote.

Yes: Pippel Erbey Vanover Wood Hanson Combs	No:
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Primary Amendment #5 to Main Motion

Moved by:	Pippel	To amend section 17.64.031 A to read as follows: <i>Original language:</i> A. The following minimum number of free-off-street parking spaces shall be provided in all districts for all structures and uses. For uses not specifically identified in this section, the requirement for free off-street parking shall be the same as for the use duly determined
Seconded by:	Vanover	

		by the zoning administrator to be the most similar. <i>Amended language:</i> A. The following minimum number of free-off-street parking spaces shall be provided in all districts for all structures and uses. For uses not specifically identified in this section, the requirement for free off-street parking shall be the same as for the use duly determined by the zoning administrator to be the most similar.
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Vote: Motion carried by unanimous voice vote.

Yes:			No:		
Pippel	Erbey	Vanover			
Wood	Hanson	Combs			

Council Member Hanson asked of the proposed central business district expansion. Ms. Jansen explained the area growth and future development. Council Member Hanson stated his reservation to expand the district and described the area east of the railroad tracks as new construction. He voiced the need to hold developers to standards which were applicable to the rest of the City.

Council Member Pippel spoke of the central business parking district’s purpose and the creation of an area that would pay for the parking requirements.

Council Member Hanson spoke of the goal of parking lot revenue identification and those who would participate in an LID to fund parking lots. Ms. Jansen stated that if a compact central business district was created, sales taxes from the business district which contributes to the general fund would help to fund the parking needs.

Council Member Pippel spoke of three funding sources for parking: the City’s general fund, fee-in-lieu program, and a district with an assessment on the properties in the district. Ms. Jansen spoke of development in other cities.

Council Member Hanson asked of 17.64.050 C and the language regarding designated public on-street parking. Ms. Jansen explained the continual evolvement of on-street parking during the day time hours and the ability to count the parking toward mass parking in the area.

Council Member Pippel spoke of well planned, dense parking in the downtown area. He stated that the downtown area is thick with traffic and expressed the need to develop a public off-street parking plan.

Council Member Hanson spoke of the expanded district and new construction potential. He asked if the proposed district expansion would lead the City down the path of having to create public parking at the public’s expense. Ms. Jansen spoke of the downtown area and the creation of a core of activity leading to an overall cohesive area. She spoke of the negative impact of oasis development rather than compact, dense downtown areas.

Council Member Wood asked of the impact of the district on the historic district. Ms. Jansen stated that the historic district is a federal designation and stated that the historic district would

be a district within the central business district. City Manager Healy stated that the ability to obtain federal funding within the historic district would not be impacted.

VOTE ON MOTION: Motion carried by unanimous voice vote.		
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Yes: Pippel Erbey Vanover Wood Hanson Combs	No:
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Item 2 – Public Hearing - Resolution No. 05-042 (C): Amending the City of Palmer 2006 Fiscal Year Budget (IM 06-044)

MOVED BY:	Pippel	To adopt resolution no. 05-042 (C)
SECONDED BY:	Erbey	

Mayor Combs opened the public hearing for resolution no. 05-042 (C). There being no one who wished to speak, the public hearing was closed and the matter was brought back before the council.

Primary Amendment #1 to Main Motion		
Moved by:	Pippel	To eliminate the line items containing the Admin (Recycling) Janitor, Community Center (Depot) Janitor and Ice Rink Janitor
Seconded by:	Hanson	

City Manager Healy spoke to the increased use and janitorial needs at the Community Center (Depot). He spoke of the inclusion of one hour of time for Depot cleaning. He asked that the Depot janitorial hours be included in the resolution.

Finance Director Baugh explained the janitor allocations and complaints received regarding the Ice Arena’s cleanliness.

Council Member Hanson spoke of decreased efficiency caused by increased janitorial staff.

Mayor Combs spoke of the previous performance of the contract janitors. He spoke of the Ice Arena employees as those who could meet the janitorial needs and the lack of formal janitorial costs assigned to the facility.

Council Member Pippel spoke of department head input regarding departmental budget impact.

Vote: Motion failed by 5-1 voice vote.		
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Yes: Pippel	No: Erbey Vanover Wood Hanson Combs
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Primary Amendment #2 to Main Motion		
Moved by:	Pippel	To eliminate the line items containing reference Ice Rink Janitor
Seconded by:	Erbey	

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

VOTE ON MOTION: Motion carried by 5-1 voice vote.			
Yes:			No:
Pippel	Erbey	Vanover	Hanson
Wood	Combs		

Item 3 – Public Hearing – Resolution No. 06-025: Establishing the City of Palmer’s Capital Project Priorities for FY 2008 Funding Under the Alaska Department of Environmental Conservation’s Municipal Matching Grant Program (IM 06-045)

MOVED BY:	Pippel	To adopt resolution no. 06-025
SECONDED BY:	Hanson	

Mayor Combs opened the public hearing for resolution 06-025. There being no one who wished to speak, the public hearing was closed and the matter brought back before the council.

Council Member Pippel asked of the property on Trunk Road and the City’s ownership of the property. City Manager Healy stated that the City had not yet acquired the property.

City Manager Healy spoke of the request for \$1 million for the Palmer Water Main Replacement, Phase V indicating that the amount should have been \$500,000. *Clerk’s note: discussion ensued regarding the project. The council concurred to leave the request of \$1 million in the resolution.*

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

I. BIDS

J. ACTION MEMORANDA

Item 1 – Action Memorandum 06-083: Authorize a Variance from the Provisions of PMC 12.12.035 for Curbs and Gutters in Proposed Angel Acres Subdivision

MOVED BY:	Hanson	To accept the action of action memorandum 06-083
SECONDED BY:	Erbey	

City Manager Healy highlighted the proposed subdivision and stated that the city development standards require curb and gutter unless waived by the city. He expanded on the findings and recommendation to grant the variance. City Manager Healy explained the requirement of a drainage easement on the adjacent lot.

Council Member Wood asked of the lot provision for drainage purposes by the developer, drainage onto adjoining properties and ownership of the adjacent lot. City Manager Healy referenced the letter by the developer. Council Member Wood asked of the open drainage system and direction of the drainage. He voiced his opposition to approving the variance without the drainage designation. Mayor Combs concurred with Council Member Wood.

Council Member Vanover asked of future requirements should the City expand into the area. Council Member Pippel stated that curb and gutter would not be needed for an eight acre subdivision.

VOTE ON MOTION: Motion carried by 4-2 voice vote.					
Yes:			No:		
Pippel	Erbey	Vanover	Wood	Combs	
Hanson					

Item 2 – Action Memorandum 06-086: Authorize City Manager to Distribute Request for Proposals for Preparation of Annexation Petition

MOVED BY	Pippel	To accept the action of action memorandum 06-086
SECONDED BY:	Vanover	

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

Item 3 – Action Memorandum 06-087: Authorize City Manager to Enter Into Negotiations for the Purchase of a 19.1 Acre Property (18N02E33A002) Located on the Old Glenn Highway

MOVED BY	Pippel	To accept the action of action memorandum 06-087
SECONDED BY:	Vanover	

Council Member Pippel expanded on community needs and uses of the property. He spoke of access to the school district building and elementary school. He spoke of the Charter School’s needs and potential for traffic disaster and stated that a portion of the property could be sold to the Borough to address the school’s needs. He spoke of funding for the property through the unappropriated general fund and stated that the seller prefers to take payment in 2007.

Council Member Hanson voiced his concern regarding the accommodations for the Charter School and spoke of the many other outstanding needs of the City. He spoke of investment property and the reserve depletion. Council Member Hanson voiced his desire of a more defined purpose for the property.

Council Member Wood spoke in favor of the action memorandum and spoke of the future needs of the police department and construction of a new public safety complex. He stated the value of obtaining the land at this time rather than attempting to purchase land at a later date.

Council Member Vanover spoke in support of the purchase of the land.

City Manager Healy asked of the need to obtain an appraisal. Council Member Pippel stated the lack of need for an appraisal and spoke of land valuation and the methods of appraisal.

Council Member Hanson asked of the actual negotiations and voiced opposition to the property cost without an appraisal. He spoke of other properties in the downtown area for future development and investment.

VOTE ON MOTION: Motion carried by 5-1 voice vote.			
	Yes:		No:
Pippel	Erbey	Vanover	Hanson
Wood	Combs		

Item 4 – Action Memorandum 06-089: Authorize City Manager to Submit an Application to the State of Alaska for Municipal Energy Assistance Program Grant Funds

MOVED BY	Hanson	To accept the action of action memorandum 06-089
SECONDED BY:	Erbey	

City Manager Healy explained the grant appropriation and the use of the funds. He spoke of the funds for a capital need and explained the allocation of the grant funding for the purchase of a fire truck. City Manager Healy stated that the balance of the grant monies would be allocated for building improvements at the Library.

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

K. UNFINISHED BUSINESS

Item 1 – Resolution No. 06-014: Designating the Community Center (Depot) Parking Lot as a Public Parking Lot for Fee-In-Lieu of Parking Spaces (IM 06-028)

MOVED BY:	Hill	To adopt resolution no. 06-014
SECONDED BY:	Erbey	

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

Item 2 – Resolution 06-001: Establishing Adequate Insurance Requirements for Palmer Municipal Airport Leases (IM 06-003) – *Postponed to August 22, 2006*

Item 3 – Resolution 06-021: Adopting the City of Palmer Emergency Operations Plan (IM 06-038) – *Postponed to September 12, 2006*

L. NEW BUSINESS

M. CITY MANAGER’S REPORT

City Manager Healy reported on the following items:

- Annexation;
- Airport property acquisition;
- Urban revitalization;
- Felton Street reconstruction;
- Palmer Airport – ACIP report;
- Byrne grant;

- Borough notice regarding August 11 Mat-Su Borough historic guidelines;
- Utility rates and those customer who are in the zero to 2,000 gallon range;
- Street lighting project.

N. CITY CLERK’S REPORT

O. MAYOR’S REPORT

Mayor Combs reported on the following items:

- Correspondence;
- Working with railroad regarding the skateboard park.

P. RECORD OF ITEMS PLACED ON THE TABLE

The following items were placed on the table:

- August 15 special meeting;
- Central Business District boundary map.

Q. AUDIENCE PARTICIPATION

R. COUNCIL COMMENTS

Council Member Pippel announced that the Palmer Arts Council will bring the Art Train to Palmer at the end of September. He asked for the support of a council member to request the administration to prepare an ordinance exempting travel agency commissions from sales tax. (*Council Member Vanover supported his request*). Council Member Pippel asked that a council member support him in requesting the reassessment of rental rates and charges for the Depot. (*Council Member Wood supported the request*).

S. EXECUTIVE SESSION

Item 1 – Subjects That Tend to Prejudice the Reputation and Character of Any Person – City Manager Evaluation (Note: Personnel action regarding the City Manager may taken following the executive session)

Clerk’s note: Mayor Combs provided City Manager Healy with an opportunity to hold the session in public. City Manager Healy chose to convene in executive session.

MOVED BY:	Pippel	To enter into an executive session to discuss subjects that tend to prejudice the reputation and character of any person – City Manager Evaluation
SECONDED BY:	Hanson	

The council entered into executive session at 10:34 and exited at 11:45.

Clerk’s note: Council Member Pippel exited the meeting prior to the end of the executive session.

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

T. ADJOURNMENT

With no further business before the council, the meeting adjourned at 11:46 p.m.

APPROVED THIS 22nd day of August, 2006.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, CMC, City Clerk