

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on August 11, 2009 at 7 pm in the council chambers, Palmer, Alaska.

Mayor John Combs called the meeting to order at 7:03 pm.

B. ROLL CALL

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

Ken Erbey	John Combs
Richard Best	Mike Chmielewski
Kathrine Vanover	Kevin Brown
Brad Hanson	

Also in attendance were the following:

Bill Allen, City Manager
Michael Gatti, City Attorney
Janette Bower, City Clerk
Shelly Acteson, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Brown.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction – Ordinance No. 09-018: Amending Palmer Municipal Code 2.04.075 Public Meeting Notification, to Increase the Public Meeting Notification Timeframe from 24 Hours to Three Days and Palmer Municipal Code 2.04.080 Meetings, to Change the Day of the Week City Council Meetings are Held from Tuesday to Monday (IM 09-059)
 - b. Action Memorandum 09-033: Authorize Extension of Academy Charter School Use of Temporary Structures (Science Lab and Eight Portable Classrooms) for an Additional Ten Years
 - c. Action Memorandum 09-044: Authorize the City Manager to Enter into the City Of Palmer Ice Arena Lease Renewal with Silvertip Sports
2. Minutes of Previous Meetings
 - a. July 21, 2009, Special Meeting
 - b. July 28, 2009, Regular Meeting

E. COMMUNICATIONS AND APPEARANCE REQUESTS

Director of Community Development Sandra Garley:

- provided the Council with an overview of the Mid-Year Activity Report;
- explained the Palmer-Wasilla Highway Eastern Terminus Project Committee; and
- described the purpose of the Highway Corridor Landscape Ordinance.

Council Member Hanson:

- requested clarification concerning the Highway Corridor Landscape Team.

Director of Administration Kelli Veech:

- provided Council with a revenue and expenditure overview;
- clarified Council inquiries; and
- updated Council regarding employment vacancies.

Council Member Chmielewski:

- requested clarification regarding RFP oversight.

Council Member Hanson:

- requested clarification in relation to the Enterprise Fund allocation.

City Manager Bill Allen:

- justified the current allocation method of salaries; and
- explained the importance of careful review of Request For Proposals (RFP).

Mayor Combs:

- expressed apprehension with an inexperienced employee handling grant and purchasing oversight.

City Attorney Gatti:

- stressed the importance of the proper maintenance of RFP's.

Council Member Hanson:

- questioned the validity of the new process.

F. REPORTS

Item 1 - City Manager's Report

City Manager Bill Allen reported on the following items:

- Convention Sports and Leisure International meeting;
- Building Permits issued;
- Downtown Business Merchants Meeting;
- Palmer Airport Open House;
- Matanuska Electric Association refund;
- Accounting Tech I position interviews;
- Insurance Liability review;
- Palmer Hanger Owners Association proposal;
- Trip to Seattle with the City Attorney;
- An unnamed employee's financial plight;

- Public Works project comparison; and
- Timely tax payment from the Borough.

Council Member Brown:

- questioned the annexation strategy time-line; and
- commented on the gas line extension at the Palmer Airport.

Community Development Director Sandra Garley:

- responded to Council inquiries concerning annexation strategies.

Item 2 - City Clerk's Report

City Clerk Janette Bower reported on the following items:

- Alaska Municipal League (AML) Summer Meeting this week; and
- Accolades to the many individuals and businesses that helped with the Conference.

Item 3 - Mayor's Report

Mayor John Combs reported on the following items:

- Sewage lagoon odor and expansion concerns;
- Economic viability of a conference center;
- Chamber of Commerce meeting;
- Valley Cruisers Rally;
- Workman's Compensation cost correction; and
- Frontiersman newspaper interview.

G. AUDIENCE PARTICIPATION

Denise Stotz:

- expounded on her profound frustration with the location of the Visitor Center restrooms;
- expressed concern regarding the close proximity of the restroom to the Matanuska Christian School preschool playground;
- questioned the necessity of the restrooms; and
- stated the local businesses garner little from the bus traffic that stops at the Visitor Center.

Ryan Clark:

- requested Council revoke Palmer Municipal Code (PMC) PMC 9.73.020; and
- quoted Alaska Statute (AS) AS 29.35.145.

Scott Richardson, Matanuska Christian School Principal:

- requested Council rethink the placement and size of the Visitor Center restrooms;
- noted a potential safety issue with placing the restroom so close to the playground; and
- commented on the City's public notification process.

Ernest Koehrer, Matanuska Christian School Board Member:

- expressed distress with the City's public notification process; and
- advocated against the Visitor Center restroom location.

Dave Jenkins, Mountain View Estates Homeowners Association Representative:

- expressed unease with the proposed Sewage Plant upgrade concerns;
- requested the upgrades be transparent and open to vocal contributions from the public; and
- voiced concern with the possibility of a Regional Sewage Plant.

Delena Johnson:

- provided a landscape schematic for the Visitor Center restroom site;
- commented on the Alaska Railroad’s attempt to negate trains into downtown Palmer; and
- stressed the importance of retaining infrastructure.

Guy McConnell:

- described his professional skill-set;
- expressed concern with retaining the water quality; and
- requested Council clarify the engagement time-line for the Sewage Treatment Plant Upgrade Project.

Mike Madar:

- commented on the August 5 Anchorage Daily News article;
- spoke in favor of profession accountability;
- voiced concern with the perceived character assassination in the article; and
- applauded Mr. Allen’s professional accomplishments.

Layne Collins:

- conveyed concern with the salmon spawning near the Sewage Treatment Plant.

H. PUBLIC HEARINGS

I. ACTION MEMORANDA

Item 1 - Action Memorandum 09-045: Authorize the City Manager to Execute Amendment One for Phase II Services on the Bonanza Area Water and Street Improvements with DOWL HKM in the Amount not to Exceed \$157,866

MOVED BY:	Vanover	To authorize Action Memorandum 09-045
SECONDED BY:	Erbey	

VOTE ON MAIN MOTION: Carried by unanimous voice vote		
	Yes:	No:
Chmielewski	Combs	
Vanover	Best	
Hanson		
	Brown	
	Erbey	

J. UNFINISHED BUSINESS

K. NEW BUSINESS

Item 1 - Resolution No. 09-031: Urging State of Alaska Representatives to Support H.R. 2256, the "Preserving the American Historical Record" Act and Requesting that Once the Act is Adopted, the Funds be Redistributed to Local Municipalities to Meet the Mandates of Alaska Statute 29.20.380 (IM 09-060)

MOVED BY:	Hanson	To adopt Resolution No. 09-031
SECONDED BY:	Best	

Council Member Chmielewski:

- questioned the funding allocation; and
- suggested also using the funding to support other entities.

City Clerk Janette Bower:

- explained the legislation; and
- stated the funds could assist the City with software and storage needs.

VOTE ON MAIN MOTION: Carried by unanimous voice vote			
	Yes:		No:
Chmielewski	Combs	Brown	
Vanover	Best	Erbey	
Hanson			

Item 2 – Resolution No. 09-036: Accepting and Appropriating Grant No. 10-DC-021 in the Amount of \$100,000 from the State of Alaska Department of Commerce, Community and Economic Development to Purchase and Construct a Restroom Facility at the Palmer Visitors Information Center (IM 09-057)

MOVED BY:	Chmielewski	To adopt Resolution No. 09-036
SECONDED BY:	Vanover	

Council Member Hanson:

- asked if the proposed location was consistent with the site plan.

Council Member Vanover:

- inquired of the lavatory accompaniments; and
- asked if the City could place a taller fence between the restroom and the Matanuska Christian School.

Public Works Director Carter Cole:

- delineated the location;
- expounded on the interior and exterior design; and
- explained funding for the fence would be addressed in the future by the Council.

City Manager Allen:

- outlined the hours of operation; and
- reminded Council the restrooms were the first step toward attracting tour busses.

Council Member Brown:

- requested clarification in connection with the site selection;

- inquired of the construction schedule; and
- questioned whether Matanuska Christian School was specifically notified of the project.

Mayor Combs:

- spoke in favor of the legislation; and
- discussed expanding the City’s public notification process.

Council Member Best:

- recognized the value of salvaging trees near the restrooms.

Council Member Hanson:

- spoke in favor of restrooms in downtown; and
- remarked favorably toward increasing the distance between the restrooms and the school.

Council Member Chmielewski:

- stated the tour busses were not the only persons using the Visitor Center restrooms; and
- spoke in support of the legislation.

VOTE ON MAIN MOTION: Carried by unanimous voice vote			
Yes:			No:
Chmielewski	Combs	Brown	
Vanover	Best	Erbey	
Hanson			

Item 3 - Resolution No. 09-038: Accepting and Appropriating the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation and Authorizing the City Manager to Purchase, Using the Joint Purchase Arrangement Under the State of Alaska Purchasing Contract with Anchorage Chrysler, Two (2) Police Patrol Vehicles, and Authorizing the Purchase of Vehicle Equipment and Crime Scene Equipment (IM 09-061)

MOVED BY:	Vanover	To adopt Resolution No. 09-038
SECONDED BY:	Erbey	

Public Safety Director Jon Owen:

- explained the legislation.

VOTE ON MAIN MOTION: Carried by unanimous voice vote			
Yes:			No:
Chmielewski	Combs	Brown	
Vanover	Best	Erbey	
Hanson			

L. RECORD OF ITEMS PLACED ON THE TABLE

Report from Director Garley
 Report from Director Veech

Document from Ryan Clark
Document from Delena Johnson

M. AUDIENCE PARTICIPATION

Dave Jenkins:

- commented on the movement of the Matanuska River;
- questioned the effect on the salmon and their habitat; and
- inquired of the Police Department shooting range location.

Chamber of Commerce Representative Gene Raybung:

- expressed appreciation to Mayor Combs, City Manager Bill Allen and Special Assistant Sara Jansen for their extra effort toward public information dissemination.

Delena Johnson:

- explained her unabashed attention to detail;
- requested the landscaping portion of the Visitor Center restroom project be supervised by the Showcase Garden caretaker; and
- asked Council to give thoughtful consideration to plantings and a fence near the Visitor Center restrooms.

Mike Madar:

- described the departure of the last City Manager;
- voiced concern with a Council Member providing the press with disparaging comments about the City Manager;
- spoke in favor of the accessibility of City personnel;
- commented on disgruntled employees; and
- suggested the City Attorney review the possibility of a breach of confidentiality.

N. COUNCIL COMMENTS

Council Member Vanover:

- thanked the residents for attending and participating; and
- expressed thanks to Mr. McConnell for his summation.

Council Member Brown:

- reiterated Ms. Johnson's comments;
- requested an explanation of the City's public notice effort to the Mountain View Estates residents regarding the Sewage Treatment Plant upgrades;
- suggested notifying property owners and residents within certain distance of City projects;
- asked for clarification in relation to the Colony Christmas train;
- commented on the negative comments about Palmer made by a tour bus driver;
- remarked favorably on the revised walking map of Palmer;
- mentioned the Anchorage Daily News article;
- encouraged the City to provide training to new Council Members;
- requested support for an ordinance adding censure guidelines to the Code. Council Member Chmielewski offered his support; and
- requested support for a document that outlines a formal process for non-profits to request donations from the Council. Council Member Vanover proffered her support.

Special Assistant Sara Jansen:

- updated Council concerning the Colony Christmas train.

City Clerk Janette Bower:

- updated the Council concerning the gun control section of the Code.

City Attorney Michael Gatti:

- recommended a review of Roberts Rules of Order pertaining to censuring.

Council Member Erbey:

- thanked Mike Madar for his comments; and
- mentioned the possibility of utilizing a smaller train to provide transportation from the fairgrounds to downtown for special events.

Council Member Best:

- stated the items discussed with the media were documents obtained through the public records request process.

Council Member Chmielewski:

- thanked Mr. Madar for his comments;
- voiced appreciation to Council Member Brown for raising the issue of Council Member training and education;
- expressed displeasure with a Council Member discussing a topic with the media that was still under consideration by the Council;
- reminded Council the Executive Session was held for an employee evaluation; and
- questioned the Alaska Railroad's intentions concerning the tracks.

Council Member Hanson:

- expressed gratitude to the residents who attended the meeting;
- reminded Council of the recently adopted ordinance that allows for council-driven public hearings for City projects; and
- requested support for a tighter ordinance concerning public hearing requirements for City construction projects. Mayor Combs concurred.

Mayor Combs:

- commented positively regarding constituent attendance;
- commented on the Anchorage Daily news article; and
- spoke in favor of landscaping the Visitor Center Restroom area.

O. 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 be taken following the executive session)

MOVED BY:	Hanson	To discuss subjects that tend to prejudice the
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SECONDED BY:	Chmielewski	reputation and character of any person-City Manager Evaluation
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The City Attorney was asked to attend the Executive Session.

MOVED BY:	Brown	To table the motion to enter into Executive Session
SECONDED BY:	Hanson	

VOTE ON MOTION: Carried by a unanimous vote		
Yes:		No:
Chmielewski	Combs	Brown
Best	Erbey	Hanson
Vanover		

MOVED BY:	Chmielewski	To extend the time to adjourn to after 11:00
SECONDED BY:	Brown	

VOTE ON MOTION: Carried by a unanimous vote		
Yes:		No:
Chmielewski	Combs	Brown
Best	Erbey	Hanson
Vanover		

The tabled motion was brought back before the Council. There were no objections.

VOTE ON MAIN MOTION: Carried by unanimous voice vote		
Yes:		No:
Chmielewski	Combs	Brown
Vanover	Best	Erbey
Hanson		

The Council entered into the executive session at 10:32 pm and exited at 11:56 pm.

MOVED BY:	Chmielewski	To express a vote of confidence for the City Manager and requested he proceed with his work with the instructions given to him regarding taking care of issues such as following the Code, keeping the Council informed, and increase the use of the public process
SECONDED BY:	Vanover	

VOTE ON MAIN MOTION: Carried by unanimous roll call vote		
Yes:		No:
Chmielewski	Combs	Brown
Vanover	Best	Erbey
Hanson		

P. ADJOURNMENT

With no further business before the council, the meeting adjourned at 11:58 pm.

Approved this twenty fifth day of August, 2009.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, CMC, City Clerk