

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on August 25, 2009 at 7 pm in the council chambers, Palmer, Alaska.

Mayor John Combs called the meeting to order at 7:02 pm.

B. ROLL CALL

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

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

The following member was absent and excused by the council:

Kathrine Vanover

Also in attendance were the following:

Bill Allen, City Manager
Cindy Cartledge, City Attorney Pro-Tempora
Janette Bower, City Clerk
Shelly Acteson, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by an audience member Tiny DePriest.

D. APPROVAL OF AGENDA

MOVED BY:	Chmielewski	To amend the agenda by postponing Item K. 2. Resolution 09-041 to October 13, 2009 regular council meeting
SECONDED BY:	Best	

Council Member Chmielewski:

- expressed concern with the legislation; and
- stressed the importance of City participation in formulating the Borough ordinance.

City Manager Bill Allen:

- outlined the time-line for the Borough ordinance; and
- stated Staff is tracking the Borough Ordinance.

Council Member Brown:

- informed Council of his absence September 3-24.

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

Minutes of Previous Meetings

- a. August 4, Special Meeting
- b. August 11, Regular Meeting

The minutes were approved as presented.

E. COMMUNICATIONS AND APPEARANCE REQUESTS

F. REPORTS

Item 1 - City Manager's Report

City Manager Bill Allen reported on the following items:

- Director Kelli Veech's birthday;
- Grant funding procedures;
- Employee Level Classifications;
- Transportation Meeting with the Mat-Su delegation;
- Federal Government transportation funding percentage;
- Monthly sales tax analysis; and
- Delinquent sales tax collection efforts.

Council Member Brown:

- questioned the statistical usefulness of the monthly sales tax data without the separation of delinquent sales tax collected from the regular sales tax collected.

Council Member Chmielewski:

- concurred with Council Member Brown's expression of unease.

Mayor Combs:

- requested a quarterly revenue variance report.

Item 2 - City Clerk's Report

City Clerk Janette Bower reported on the following items:

- 2010 budget timeline; and
- AML Conference.

Item 3 - Mayor's Report

Mayor John Combs reported on the following items:

- AML Conference;
- Alaska Conference of Mayors Meetings; and
- Palmer Lions Club meeting.

G. AUDIENCE PARTICIPATION

Mayor Combs noted Boy Scout Troop #35 was in attendance.

Shelly Edwards:

- expressed concern with how the City plans to use Department of Housing and Urban Development (HUD) funds; and
- suggested Council use the HUD funds to provide transitional housing.

Donald Fiscus:

- advocated Council use the funds slated for track removal for transitional housing; and
- requested Council help stop the cycle of hopelessness.

H. PUBLIC HEARINGS

Item 1 -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)

City Clerk Janette Bower:

- explained the legislation.

Mayor Combs opened the public hearing for Ordinance No. 09-018.

Mike Madar:

- spoke in favor of the legislation.

The matter was brought before the Council.

MOVED BY:	Chmielewski	To adopt Ordinance 09-018
SECONDED BY:	Best	

Primary Amendment #1 to Main Motion		
Moved by:	Brown	To divide the question by separating the amendments pertaining to PMC 2.04.075 and PMC 2.04.080 Meetings
Seconded by:		

Vote: Motion carried by unanimous voice vote			
Yes:			No:
Erbey	Brown	Best	
Hanson	Combs	Chmielewski	

City Clerk Janette Bower:

- clarified the PMC 2.04.075 amendment request.

Council Member Chmielewski:

- asked for comparables from other municipalities.

Mayor Combs:

- suggested other venues for public information dissemination.

Council Member Brown:

- encouraged on-line advertising on the Anchorage Daily News website.

Vote on the first section of the divided amendment: Motion carried by unanimous voice vote			
Yes:		No:	
Erbey	Brown	Best	
Hanson	Combs	Chmielewski	

Council Member Chmielewski:

- spoke in favor of the amendment to PMC 2.04.080; and
- conveyed support of changing the day of the meetings to Monday.

Council Member Brown:

- questioned delaying deliberation in light of Council Member Vanover's absence;
- spoke in favor of the amendment.

Primary Amendment #1 to Main Motion		
Moved by:	Combs	To amend by changing the effective date of the ordinance to October 13, 2009, in Section 5
Seconded by:	Best	

Vote: Motion carried by a five to one voice vote			
Yes:		No:	
Hanson	Brown	Best	Erbey
Combs		Chmielewski	

Council Member Erbey:

- indicated a preference for status quo concerning the meeting day;
- requested Staff response to the proposed amendment.

City Manager Allen:

- expounded on the positive aspects of retaining Tuesday night's meetings.

City Clerk Bower:

- expressed concern with changing the meeting day; and
- justified preference for retaining Tuesday night meetings.

Council Member Best:

- suggested changing the meeting day to Wednesday.

Council Member Brown:

- reminded Council of Council Member Vanover's inability to attend meetings on Wednesday nights.

VOTE ON MAIN MOTION: Failed by a 4 to 2 roll call vote				
Yes:		No:		
Chmielewski	Hanson	Best	Brown	Erbey
		Combs		

City Clerk Bower:

- noted the vote also failed the first divided amendment; and
- called for a brief recess.

MOVED BY:	Brown	To reconsider the previous action
SECONDED BY:	Best	

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

MOVED BY:	Brown	To divide the question into 2 amendments: first amendment amends 2.04.080 A. Meetings, and second amendment amends 2.04.080 C. and F.
SECONDED BY:	Chmielewski	

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

MOVED BY:	Brown	To amend 2.04.080 A. Meetings
SECONDED BY:	Chmielewski	

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

MOVED BY:	Brown	To amend 2.04.080 C. and F.
SECONDED BY:	Chmielewski	

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

I. ACTION MEMORANDA

Item 1 - Action Memorandum 09-046: Authorize the City Manager to Enter into and Execute a Contract to Provide Dispatch Services for Guardian Ambulance, a Medical Ground Ambulance Company

MOVED BY:	Erbey	To authorize Action Memorandum 09-046
SECONDED BY:	Best	

Public Safety Director Jon Owen:

- provided Council with a staff report.

Council Member Best:

- questioned the service area.

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

J. UNFINISHED BUSINESS

K. NEW BUSINESS

Item 1 - Information Memorandum 09-070: Declaration of Emergency for Alaska Street Water Main Replacement Work

Council Member Hanson:

- asked if the legislation received City Attorney review.

City Attorney Pro-Tempora Cindy Cartledge:

- stated City Attorney Gatti had reviewed and factually approved the document.

Item 2 - Resolution No. 09-041: Opposing Matanuska-Susitna Borough Ordinance Serial No. 09-110 and Encouraging the Borough to Actively Enforce their Existing Code Language Pertaining to Earth Materials Extraction Activities (IM 09-067)

The legislation was postponed until the October 13 Regular Meeting.

Item 3 - Resolution No. 09-039: Repealing Resolution No. 09-025: Requesting Authorization from the Alaska Railroad Corporation to Allow the City of Palmer to Remove the Railroad Tracks North of the Palmer Municipal Airport Spur and to Add the Mile and a Half of the Right-Of-Way Created by Removing the Tracks to the Current Transportation Corridor Permit (IM 09-064)

MOVED BY:	Chmielewski	To adopt Resolution No. 09-039
SECONDED BY:	Erbey	

Council Member Chmielewski:

- explained the legislation;

- commented on the ARRC letter dated August 19, 2009; and
- spoke in support of the legislation.

Council Member Brown:

- indicated apprehension with repealing the public hearings requirement as outlined in the resolution;
- spoke in support of the legislation; and
- spoke of local fund raising efforts to refurbish the tracks.

City Manager Allen:

- recommended utilizing a citizen focus group;
- stated ARRC (Alaska Railroad Corporation) was in favor of the legislation;
- recognized the value of significant public input;
- mentioned ARRC was not interested in track refurbishment; and
- voiced preference for a community consensus concerning plans for the railroad corridor.

Mayor Combs:

- questioned ARRC's opinion concerning track refurbishment;
- stated the tracks were more of a barrier than a carrier; and
- spoke in favor of retaining small sections of track for historical purposes.

Council Member Erbey:

- spoke with references to the ARRC letter.

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

L. RECORD OF ITEMS PLACED ON THE TABLE

Letter from ARRC Representative Pat Gamble.

M. AUDIENCE PARTICIPATION

N. COUNCIL COMMENTS

Council Member Brown:

- expounded on the upbeat comments expressed during the AML Conference by attendees and local business owners;
- expressed accolades to the Staff for all their hard work before and during the Conference;
- reminded Council of his absence September 3-24; and
- thanked everyone for their thoughtful insights and prayers concerning his father's illness.

Council Member Best:

- coined the phrases "Hats off! And"Top notch!!" to one and all who assisted with the AML Conference;
- requested a letter of appreciation for all Conference supporters.

Council Member Chmielewski:

- concurred with Council Members Best and Brown concerning the successful AML Conference; and
- noted the casual and comfortable feel of the Conference.

Council Member Hanson:

- requested a letter of appreciation for Mike Madar and Morgan Blakeman and their supporters for the new handicap accessible viewing area in the Palmer Ice Arena.

O. ADJOURNMENT

With no further business before the council, the meeting adjourned at 8:58 pm.

Approved this eighth day of September, 2009.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, CMC, City Clerk