

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on September 22, 2009 at 7 pm in the council chambers, Palmer, Alaska.

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

B. ROLL CALL

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

Brad Hanson	John Combs
Richard Best	Mike Chmielewski
Kathrine Vanover	

The following council members were absent and excused by the council:

Kevin Brown and Ken Erbey

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 Chmielewski.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction – Ordinance No. 09-022: Approving the Granting of a Natural Gas Easement on the Palmer Airport Property Beginning at the Eastern Terminus of Evergreen Avenue and More Specifically Over All of that Part of Tract B, Palmer Municipal Airport Subdivision, According to Plat No. 2006-15, Records of the Palmer Recording District, Third Judicial District, State of Alaska Providing that Said Easement Shall Reduce to a Ten Foot wide Natural Gas Easement, Centered on All Natural Gas Pipelines Installed On, Under, Over and Through the Property (IM 09-077)
 - b. Introduction – Ordinance No. 09-024: Amending the Following Sections of the City of Palmer Personnel Regulations: 4.05 Holidays with Pay; 4.10 Overtime, Holiday Pay, Standby, and Callout Pay; 4.12 Shift Differential; and 5.00 Personal Leave (IM 09-083)

- c. Action Memorandum 09-047: Authorize the City Manager to Enter into a Memorandum of Agreement (MOA) with the State of Alaska, Department of Revenue, Permanent Fund Division (PFD) to Process Permanent Fund Deductions for Delinquent Fines Due to the City of Palmer
 - d. Resolution No. 09-040: Confirming the Appointment of Election Officials for the City of Palmer Regular Election on Tuesday, October 6, 2009 (IM 09-066)
 - e. Resolution No. 09-049: Accepting and Appropriating \$7,699 from the Fireman's Fund Heritage Grant to the 2009 General Fund Fire Department Operating Budget, Local Solicitation and Authorizing the Fire Chief to Purchase Firefighter Personal Protective Equipment (IM 09-078)
2. Minutes of Previous Meetings
- a. August 25, Regular Meeting

E. COMMUNICATIONS AND APPEARANCE REQUESTS

Citizens Regarding Sewer Lagoon:

Rita Loyer:

- expressed displeasure with the site of the proposed Treatment Plant expansion;
- remarked unfavorably on the odor emanating from the sewage lagoon;
- requested Council consider a 10 acre site east of the current Treatment Plant for the expansion; and
- submitted a resident-generated petition.

JoAnn Franks:

- spoke in support of a central Treatment Plant located by the hospital;
- expressed concern with ground water contamination and property degradation; and
- stated preference for a new Treatment Plant versus an upgrade to the current Plant.

Natasha Pineda, United Way Representative:

- provided Council with an Update on the Mat-Su Substance Abuse Prevention Coalition Project.

Public Safety Director Jon Owen:

- provided Council with a brief synopsis of the Public Safety Department update.

Mayor Combs:

- questioned the increase in the number of fires in the Greater Palmer area.

F. REPORTS

Item 1 - City Manager's Report

City Manager Bill Allen reported on the following items:

- Executive Session;
- Soccer Field large ball donation;
- Sales tax analysis;
- AHFC Grant Master Plan;
- Department of Commerce Grant; and
- Track removal by the gazebo.

Item 2 - City Clerk's Report

City Clerk Janette Bower reported on the following items:

- September 29 Special Meeting;
- Early voting;
- October 12 Special Meeting;
- October 13 Special Meeting; and
- Upcoming AML Conference.

Item 3 - Mayor's Report

Mayor John Combs reported on the following items:

- Chamber Community Forum;
- Ground Breaking at the Community Recycling Solutions;
- Downtown Merchants Neighborhood Watch Program;
- Chamber of Commerce meeting; and
- Palmer Homecoming Football Game.

Council Member Vanover:

- expressed frustration with the rumor mill; and
- spoke in favor of "setting the record straight".

G. AUDIENCE PARTICIPATION

Delena Johnson:

- spoke of volunteer efforts being disrespected and disregarded;
- expressed frustration with tree removal at the Visitor Center Restroom Project site.

Teresa Roy:

- commented on track removal near the gazebo;
- requested better communication between the Council and the downtown merchants;
- spoke of the downturn of revenue in her place of business; and
- requested a memorial for Eric Deeter.

Greg Gussey, Downtown Merchants Association Representative:

- commented on the track removal and the inactive status designation;
- questioned the cost of track repair; and
- expressed disappointment with recent public project outcomes.

H. PUBLIC HEARINGS

Item 1 - Resolution No. 09-050: Establishing Local Improvement District No. 09-02-L.I.D. for the Gulkana Area and Determining the Need and Necessity for Construction of Same (IM 09-076)

A staff report was provided by Public Works Director Carter Cole.

Mayor Combs opened the public hearing for Resolution No. 09-050. 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 Resolution No. 09-050
SECONDED BY:	Vanover	

Council Member Hanson:

- questioned the assessment method choice.

Public Works Director Cole:

- explained the recommended assessment method.

Council Member Chmielewski:

- spoke in favor of the methodology.

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

I. ACTION MEMORANDA

Item 1 - Action Memorandum 09-048: Authorize the City Manager to a Enter into and Execute a Contract with Nuka Research and Planning Group, LLC, to Update the City of Palmer Emergency Operations Plan

MOVED BY:	Best	To authorize Action Memorandum 09-048
SECONDED BY:	Chmielewski	

A staff report was provided by Public Safety Director Jon Owen.

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

J. UNFINISHED BUSINESS

K. NEW BUSINESS

Item 1 - Resolution No. 09-027: Authorize the City Manager to Enter into the Alaska Drinking Water Fund Agreement with the Alaska Department of Environmental Conservation, Accept and Appropriate Funding Subsidy Number 677221 in the Amount of \$2,500,000 for the Steel Water Main Replacement Project (IM 09-047)

MOVED BY:	Chmielewski	To adopt Resolution No. 09-027
SECONDED BY:	Vanover	

Primary Amendment #1 to Main Motion		
Moved by:	Chmielewski	To amend by adding "BE IT FURTHER RESOLVED, that the form and content of, and the performance by the City of Palmer of the obligations contained in, the ADEC Loan Agreement Number 677221 be, and the same hereby are, in all respects authorized, approved, and confirmed, and the City Manager is hereby authorized, empowered, and directed to execute and deliver the ADEC Loan Agreement Number 677221 for and on behalf of the City of Palmer in substantially the form and content presented at and made a part of the records of this meeting, but with such changes, modifications, additions, and deletions therein as shall to him seem necessary, desirable, or appropriate, the execution of the ADEC Loan Agreement Number 677221 to constitute conclusive evidence of his approval of any and all changes, modifications, additions, or deletions thereto from the form. After the execution and delivery of the ADEC Loan Agreement Number 677221, the City Manager is hereby authorized, empowered, and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the ADEC Loan Agreement Number 677221 as executed."
Seconded by:	Vanover	

Council Member Chmielewski:

- spoke in favor of the amendment.

Council Member Hanson:

- questioned the "green" project designation.

Public Works Director Carter Cole:

- addressed Council's concerns.

City Attorney Michael Gatti:

- explained the amendment.

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

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

Item 2 - Resolution No. 09-044: Authorizing the City Manager to Enter into the Alaska Clean Water Fund Agreement with the Alaska Department of Environmental Conservation, Accepting and Appropriating Funding Subsidy Number 671161 in the Amount of \$2,500,000 for the Wastewater Treatment Plant Improvements (IM 09-062)

MOVED BY:	Chmielewski	To adopt Resolution No. 09-044
SECONDED BY:	Best	

Primary Amendment #1 to Main Motion		
Moved by:	Chmielewski	To amend by adding "BE IT FURTHER RESOLVED, that the form and content of, and the performance by the City of Palmer of the obligations contained in, the ADEC Loan Agreement Number 671161 be, and the same hereby are, in all respects authorized, approved, and confirmed, and the City Manager is hereby authorized, empowered, and directed to execute and deliver the ADEC Loan Agreement Number 671161 for and on behalf of the City of Palmer in substantially the form and content presented at and made a part of the records of this meeting, but with such changes, modifications, additions, and deletions therein as shall to him seem necessary, desirable, or appropriate, the execution of the ADEC Loan Agreement Number 671161 to constitute conclusive evidence of his approval of any and all changes, modifications, additions, or deletions thereto from the form. After the execution and delivery of the ADEC Loan Agreement Number 671161, the City Manager is hereby authorized, empowered, and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the ADEC Loan Agreement Number 671161 as executed.
Seconded by:	Best	

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

Public Works Director Carter Cole:

- outlined the scope of work;
- responded to Council's unease; and
- reminded Council the Department of Environmental Conservation (DEC) would only fund one Treatment Plant in the area.

Council Member Best:

- requested clarification.

Council Member Vanover:

- questioned the ramifications of accepting the funds;
- inquired if the upgrade would reduce the smell.

Council Member Hanson:

- questioned the scope of work;
- requested a presentation from a licensed professional; and
- expressed concern with the lack of tangible data concerning the methodology.

Mayor Combs:

- commented in favor of the legislation.

Council Member Chmielewski:

- inquired of the time-line; and
- questioned the City of Wasilla's project willingness.

City Manager Bill Allen:

- reminded Council of the December 2011 EPA Compliance deadline.

VOTE ON MAIN MOTION: Carried by 4 to 1 voice vote			
	Yes:		No:
Chmielewski	Combs	Hanson	
Vanover	Best		

Item 3 - Resolution No. 09-046: Approving a Supplemental Appropriation from Undesignated General Fund, Fund Balance, to the Capital Project Fund (08-01-10-7136), in the Amount of \$200,000 and Retaining the Firm of Anderson Kreiger for City of Palmer Legal and Associated Matters (IM 09-075)

MOVED BY:	Chmielewski	To adopt Resolution No. 09-046
SECONDED BY:	Vanover	

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

Item 4 - Resolution No. 09-048: Amending the 2009 Operating Budget with a Supplemental Appropriation of \$11,000 From the General Fund Fund Balance to the Police Department Salaries and Benefit for Certain Positions Based on the Leveling Results of the Salary Survey (IM 09-032)

MOVED BY:	Chmielewski	To adopt Resolution No. 09-048
SECONDED BY:	Vanover	

Primary Amendment #1 to Main Motion		
Moved by:	Hanson	To amend by adding "BE IT FURTHER RESOLVED that the effective date of resolution no. 09-048 is September 21, 2009.
Seconded by:	Best	

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

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

Item 5 - Resolution No. 09-052: Approving a Supplemental Appropriation of \$21,460 from the General Fund Undesignated Fund Balance (Fund 01) to the 2009 Clerk/Council Operating Budget for Additional Audit Costs Relating to the 2008 City Audit (IM 09-080)

MOVED BY:	Chmielewski	To adopt Resolution No. 09-052
SECONDED BY:	Vanover	

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

L. RECORD OF ITEMS PLACED ON THE TABLE

Petition from residents re: sewage lagoon
 Mat-Su Substance Abuse Coalition Data Document
 Department of Public Safety Report

M. AUDIENCE PARTICIPATION

N. COUNCIL COMMENTS

Council Member Best:

- questioned placing objects on public property without allowing for a public comment period; and
- provided details concerning a police pursuit in his neighborhood

City Clerk Janette Bower:

- reminded Council Planning and Zoning held a public hearing on the soccer field donation.

Council Member Hanson:

- expressed frustration with the lack of a process in relation to the Treatment Plant Project;
- recognized the value of EPA compliance at the Treatment Plant; and
- commented on forthcoming football games.

City Manager Allen:

- remarked on Fairbanks football games.

Council Chmielewski:

- commented favorably on the Palmer Moose football team;
- conveyed the positive and creative spirit of Eric Deeter;
- witnessed the tree removal near the Visitor Center Restrooms; and
- expounded on the temporary rail removal near the depot.

Council Member Vanover:

- encouraged public reassurance;
- reminded Council of the Alaska Railroad Corporation (ARRC) disinterest in the Colony Christmas Train traveling into downtown; and
- expressed concern with the public losing confidence in the Council

City Manager Allen:

- commented on the temporary track removal.

Mayor Combs:

- commented on the Colony Christmas Train; and
- mentioned the historical significance of the railroad tracks in Palmer.

O. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:45 pm.

Approved this thirteen day of October, 2009.

/s/

John C. Combs, Mayor

/s/

Janette M. Bower, CMC, City Clerk