

## A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on April 27, 2021, at 7:00 p.m. in the Council Chambers, Palmer, Alaska. Mayor DeVries called the meeting to order at 7:00 p.m.

## B. ROLL CALL

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

Edna DeVries, Mayor  
Julie Berberich  
Richard W. Best (participated telephonically)  
Steve Carrington

Sabrena Combs, Deputy Mayor  
Brian Daniels  
Jill Valerius (participated telephonically)

Staff in attendance were the following:

John Moosey, City Manager  
Norma I. Alley, MMC, City Clerk  
Michael Gatti, City Attorney (participated telephonically)  
Cynthia Cartledge, City Bond Attorney (participated telephonically)

Brad Hanson, Community Development Director  
Chris Nall, Public Works Director  
Kara Johnson, Deputy City Clerk

## C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

## D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
  - a. **Action Memorandum No. 21-027:** Authorizing the City Manager to Negotiate and Execute a New Lease Agreement with Michael J. Meekin dba Meekins Air Service and Diane M. Meekin for a New Lease on Lease Lot 28, Block 3, Palmer Municipal Airport Needed for the Purchase of Jeremy Gallagher's Hangar
  - b. **Action Memorandum No. 21-028:** Authorizing the City Manager to Negotiate and Enter into a One-Year Contract with Alaska Sure Seal Inc., in an Amount Not to Exceed \$99,450.00, for Road Striping and Crack Sealing of City Streets for 2021
2. Approval of Minutes of Previous Meetings
  - a. March 23, 2021, Regular Meeting

Mayor DeVries requested National Day of Prayer Proclamation be moved from Mayor's Report to Communications and Appearance Requests on the Agenda.

### Main Motion: To Approve the Agenda, Consent Agenda, and Minutes

Moved by:	Devries
Seconded by:	Best

**Primary Amendment #1: To Move F.3.a. to E.4. on the Agenda**

Moved by:	Best
Seconded by:	Berberich
Vote:	6 Yes/1 Absent (Combs)
Action:	Motion Carried

**Vote on Motion: To Approve the Agenda, Consent Agenda, and Minutes as Amended**

Vote:	6 Yes/1 Absent (Combs)
Action:	Motion Carried

Deputy Mayor Combs joined the meeting at 7:09 p.m.

**E. COMMUNICATIONS AND APPEARANCE REQUESTS**

1. Update by Alaska State Fair CEO Jerome Hartel or Director of Corporate and Community Partnerships Kelly Larson

Mr. Jerome Hartel, Alaska State Fair CEO, gave an update on how the 2021 State Fair was progressing.

2. Update on Great Alaska Aviation Gathering by Alaska Airmen’s Association Executive Director Abby Austin

Ms. Abby Austin, Alaska Airmen’s Association Executive Director, spoke on how the change of location provided so many more opportunities for the Air Show, the Show & Shine Event for the airplanes, new hands-on displays for youth, and the multiple locations of the event.

Mr. Steven Ratcliff, Alaska Airmen’s Association President, thanked the city for their support of the event and future efforts.

3. Presentation of Proclamation Declaring May as Bike Month

Mayor Devries read and presented a proclamation to Council Member Berberich, Backcountry Bike and Ski Owner, in observance of National Bike Month.

4. National Day of Prayer Proclamation

Mayor DeVries read and presented a proclamation to Brandon Lupie, Real Life Church Social Media Coordinator, in observance of National Day of Prayer.

**F. REPORTS**

1. City Manager’s Report
  - a. Fair Parade Memorandum of Agreement

City Manager Moosey reported on city wide clean-up event, looking into noise volume permits due to complaints, and requested to postpone the Executive Session on the Agenda.

2. City Clerk’s Report

City Clerk Alley reported on 2020 Elections ballot mistake and what it would take to rectify the mistake.

3. Mayor’s Report
  - a. ~~National Day of Prayer Proclamation~~
  - b. Older Adults Month Proclamation

Mayor DeVries read and presented a proclamation to the Mat-Su Senior Services in observance of Older Adults Month.

4. City Attorney’s Report

None.

**G. AUDIENCE PARTICIPATION**

Mr. Mike Chmielewski spoke on the city’s need to expand local bike routes.

**H. PUBLIC HEARING**

- 1. **Ordinance No. 21-003:** Amending Palmer Municipal Code Title 5.32 Definitions, Enacting 5.32.030 Standards for Marijuana Businesses, and Enacting 5.32.040 Marijuana Businesses License Review

Mayor DeVries opened the public hearing on Action Memorandum No 21-005.

Ms. Jillyan Hendrickson spoke in favor of Ordinance No. 21-003.

Ms. Heather Orcaly spoke against Ordinance No. 21-003.

Hearing no objection from Council, Mayor DeVries closed the public hearing.

City Manager Moosey and Community Development Director Hanson provided the staff report and fielded questions from Council.

**Main Motion: To Approve Ordinance No. 21-003**

Moved by:	Combs
Seconded by:	Berberich

**Motion to Postpone: To Postpone Ordinance No. 21-003 and Send to Board of Economic Development for their Recommendation**

Moved by:	Best
Seconded by:	Carrington
Vote:	3 Yes/4 No (Berberich, Combs, Daniels, Valerius)
Action:	Failed for Lack of Majority Vote

**Primary Amendment #1: Add Library to 5.32.030(c) making 6**

Moved by:	Carrington
Seconded by:	Best
Vote:	3 Yes/4 No (Berberich, Combs, Daniels, Valerius)
Action:	Failed for Lack of Majority Vote

**Motion to Call the Question:**

Moved by:	Combs
Seconded by:	Berberich
Vote:	4 Yes/3 No (Best, Carrington, DeVries)
Action:	Motion Failed for Lack of two-thirds Vote

**Primary Amendment #3: To Allow No More Than Two Establishments, Based on Current Population of Below 6,000 and Use Same Requirements as Liquor License of 2,500 Population per License**

Moved by:	DeVries
Seconded by:	Best
Vote:	3 Yes/4 No (Berberich, Combs, Daniels, Valerius)
Action:	Failed for Lack of Majority Vote

**Vote on Motion: To Approve Ordinance No. 21-003**

Vote:	4 Yes/3 No (Best, Carrington, DeVries)
Action:	Motion Carried

Mayor DeVries called a recess at 8:15 p.m. and reconvened the meeting at 8:30 p.m.

- Ordinance No. 21-004:** Amending Palmer Municipal Code to Add Retail Marijuana Establishments as a Permitted Use in Chapters 17.08 Definitions, 17.30 Central Business District, and 17.32 Commercial General and Adding Marijuana Cultivation, Testing and Manufacturing Facilities Establishments as a Permitted Use in Chapters 17.36 Industrial and 17.57 Agricultural

Mayor DeVries opened the public hearing on Ordinance No. 21-004. Seeing no one come forward and hearing no objection from the Council, Mayor DeVries closed the public hearing.

City Manager Moosey provided the staff report and fielded questions from Council.

**Main Motion: To Approve Ordinance No. 21-004**

Moved by:	Combs
Seconded by:	Valerius

**Primary Amendment #1: To Remove Retail Marijuana from the Central Business District Overlay**

Moved by:	Carrington
Seconded by:	Best
Vote:	3 Yes/4 No (Berberich, Combs, Daniels, Valerius)
Action:	Failed for Lack of Majority Vote

**Vote on Motion: To Approve Ordinance No. 21-004**

Vote:	4 Yes/3 No (Best, Carrington, DeVries)
Action:	Motion Carried

- Resolution No. 21-015:** Authorizing the City Manager to Execute a Subdivision Agreement with Variances to Required Public Improvements for Subdivision Development as Outlined in Palmer Municipal Code Chapter 12.12 (**Quasi-Judicial Hearing**)

City Manager Moosey and Public Works Director Nall provided the staff report and fielded questions from Council.

Mayor DeVries opened the public hearing on Resolution No. 21-015.

Ms. Connie Yoshimura requested the City Council to postpone the public hearing on Resolution No. 21-015 due to the subdivision's engineer not being available.

Mr. Erik Anderson stated he would give his opinion at the next meeting on Resolution No. 21-015.

Mr. Gregory Heathe spoke in favor of Resolution No. 21-015.

Hearing no objection from Council, Mayor DeVries closed the public hearing.

**Motion to Postpone: To Postpone Resolution No. 21-015 to Date Arranged by the City Clerk**

Moved by:	Best
Seconded by:	Carrington
Vote:	Unanimous
Action:	Motion Carried

- Resolution No. 21-016:** Accepting and Appropriating the 2021 State of Alaska High Visibility Click It or Ticket Enforcement Grant 402PT-21-06-FA(A)-8 in the Amount of \$3,120.00 to be used for High Visibility Seatbelt Enforcement Activities by the Palmer Police Department

Mayor DeVries opened the public hearing on Resolution No. 21-016. Seeing no one come forward and hearing no objection from the Council, Mayor DeVries closed the public hearing.

**Main Motion: To Approve Resolution No. 21-016**

Moved by:	Best
Seconded by:	Valerius
Vote:	Unanimous
Action:	Motion Carried

- Resolution No. 21-017:** Accepting a Loan from the Alaska Clean Water Fund (State Revolving Fund) in an amount not to exceed \$8,052,000.00 to Provide Interim Financing as Required by the United States Department of Agriculture, Rural Development Loan/Grant Program, for the Engineering, Construction, and Installation of Secondary Clarifiers at the Palmer Wastewater Treatment Plant Facility

Mayor DeVries opened the public hearing on Resolution No. 21-017. Seeing no one come forward and hearing no objection from the Council, Mayor DeVries closed the public hearing.

City Manager Moosey provided the staff report and fielded questions from Council.

**Main Motion: To Approve Resolution No. 21-017**

Moved by:	Combs
Seconded by:	Carrington

**Primary Amendment #1: To Amend Summary Statement of Resolution No. 21-017 to Read: the Palmer City Council Hereby Accepts the Loan From the Alaska Clean Water Fund, Administered by Alaska Department of Environmental Conservation, in the Amount not to Exceed \$8,052,000 and Authorizes the City Manager to Negotiate and Execute a Loan Agreement which Secures Repayment of Such Loan; Loan Proceeds Shall Be Used to Pay Costs of Engineering, Constructing and Installing Secondary Clarifiers at the City of Palmer Wastewater Treatment Facility and Related Expenses. Notwithstanding, such Authorization is in All Respects Subject to the City Council’s Authorization to Issue a Utility Revenue Bond to Evidence Payment of the Loan.**

Moved by:	Best
Seconded by:	Combs
Vote:	Unanimous
Action:	Motion Carried

**Vote on Motion: To Approve Resolution No. 21-017 as Amended**

Vote:	Unanimous
Action:	Motion Carried

**I. UNFINISHED BUSINESS**

- Action Memorandum No. 21-025:** Approving a Council Community Grant in the Amount of \$2,500.00 to Who Let the Girls Out Supporting the 2021 Event (Pending Motions)

*Action Memorandum No. 21-025 was brought forth from April 13, 2021, City Council Regular Meeting.*

City Manager Moosey provided the staff report and fielded questions from Council.

**Motion to Postpone: To Postpone Action Memorandum No. 21-025 Indefinitely**

Moved by:	Berberich
Seconded by:	Combs
Vote:	Unanimous
Action:	Motion Carried

**Vote on Main Motion: To Approve Action Memorandum No. 21-025**

Vote:	
Action:	Failed Due to Postponement

**J. NEW BUSINESS**

- Action Memorandum No. 21-029:** Authorizing the City Manager to Negotiate and Execute a Five-Year Cooperative Fire Protection Agreement with the State of Alaska to Provide Fire Suppression Response and Assistance to the Division of Forestry with Regards to Wildland Firefighting Emergencies

**Main Motion: To Approve Action Memorandum No. 21-029**

Moved by:	Berberich
Seconded by:	Valerius
Vote:	Unanimous
Action:	Motion Carried

**K. EXECUTIVE SESSION**

- 1. Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Public Entity and Matter which by Law, Municipal Charter, or Ordinances are Required to be Confidential – Potential Litigation Attorney Client Communication: State of Alaska City of Palmer Dispatch Agreement (note: action may be taken by the council following the executive session)

City Manager Moosey stated due to no new news, the Executive Session was not needed at this time.

**L. RECORD OF ITEMS PLACED ON THE TABLE**

City Clerk Alley reported Resolution No. 21-015 public testimony, Resolution No. 21-015 Public Works Director Reports, and Resolution No. 21-017 update flyer, were Items Placed on the Table (see official meeting packet for items placed on the table).

**M. AUDIENCE PARTICIPATION**

Mr. Erik Anderson thanked the Council for passing Resolution No. 21-017.

**N. COUNCIL COMMENTS**

Council Member Berberich, Daniels, and Valerius requested City Clerk Alley to bring forth legislation to amend Resolution No. 20-010 to match what was put on the 2020 city elections ballot.

**O. ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 10:13 p.m.

**Approved this 25<sup>th</sup> day of May, 2021.**

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Norma I. Alley, MMC, City Clerk

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Edna B. DeVries, Mayor