

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on May 25, 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:

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| Edna DeVries, Mayor | Sabrena Combs, Deputy Mayor |
| Julie Berberich | Brian Daniels |
| Richard W. Best (participated telephonically) | Jill Valerius (participated telephonically) |
| Steve Carrington | |

Staff in attendance were the following:

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|---------------------------------|--|
| John Moosey, City Manager | Michael Gatti, City Attorney (participated telephonically) |
| Norma I. Alley, MMC, City Clerk | Chris Nall, Public Works Director |

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction and Setting a Public Hearing for June 8, 2021, for **Ordinance No. 21-008:** Amending Palmer Municipal Code Chapter 8.20 Regarding Garbage Collection and Disposal
 - b. Introduction and Setting a Public Hearing for June 8, 2021, for **Ordinance No. 21-009:** Amending Palmer Municipal Code Section 13.16.025 Water Supply System
2. Approval of Minutes of Previous Meetings
 - a. April 27, 2021, Regular Meeting

Council Member Best left the meeting at 7:04 p.m.

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

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

Council Member Best rejoined the meeting at 7:05 p.m.

E. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Presentation on Drug Enforcement Agency Presentation from DEA Tactical Diversion Squad Group Supervisor Thomas Olsen

Mr. Thomas Olsen spoke on the impact DEA Tactical Diversion Squad has had on the community. He also praised the efforts of city of Palmer police officer that has been working with them and how he has

contributed to the success of the DEA Tactical Diversion Squad in the valley.

F. REPORTS

1. City Manager's Report

City Manager Moosey reported on the following:

- Requested City Councils' permission to send a letter to the State requesting transfer of state funds to Mat-Su Health Foundation relating to COVID-19 funding;
- City's first quarter financial report is on the city's website;
- Has made a decision on three of the Cedar Park variances, those decisions are listed on the city's website; and
- Upcoming meetings and events he would be attending.

2. City Clerk's Report

None.

3. Mayor's Report

a. Memorial Day Proclamation

Mayor DeVries spoke on upcoming voter redistrict meeting at Mat-Su Borough on June 1, 2021.

4. City Attorney's Report

None.

G. AUDIENCE PARTICIPATION

Mr. Erik Anderson requested clarification from City Manager Moosey on the Cedar Park variance decisions.

H. PUBLIC HEARING

1. **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 (2nd Public Hearing)

This item was postponed from the April 27, 2021, Council Meeting.

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

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

Ms. Connie Yoshimura, Cedar Park Properties, LLC, Owner, testified to the merits of the application for the variances. She stated Cedar Park will have an active non-profit homeowner's association, which will enforce the covenants, codes, and restrictions of the homeowner's association and will be in control of the areas of variance #5 instead of the city.

Mr. Steven Pannone, Pannone Engineering Services, LLC., Senior Civil Engineer, testified to the merits of the variances.

Mr. Gary Lorusso, Keystone Surveying and Mapping Surveyor, testified on the merits of the variances.

Mr. Phil Michelson, Cedar Park Project Developer, testified on building spacing and fire safety providing clarification that there will be gravel five to six feet around the structures on the ground and all buildings will

be spaced 30 to 50 feet apart.

Mr. Chris Nall, City of Palmer Public Work Director, provided clarification on how the variances do not meet code and fielded questions from Council.

Mr. Erik Anderson spoke against the application for variances.

Mr. Mike Chmielewski spoke against the application for variances.

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

Main Motion: To Approve Resolution No. 21-015

Moved by:	Valerius
Seconded by:	Daniels

Division of a Question: To Divide Resolution No. 21-015 into Two Parts: Curb and Gutter Variance Request Number 2, and Street Lighting Variance Request Number 5

Moved by:	Combs
Seconded by:	Best
Vote:	6 Yes/1 No (DeVries)
Action:	Motion Carried

Deliberation commenced from Council regarding concerns for street lighting and the health and safety of children during dark months for bus stop pick-up.

Deputy Mayor Combs expressed she would not vote in favor of the variance request for street lighting due low street lighting creating a health and safety concern for children during winter months at bus stops and people walking on streets with no sidewalks.

Vote on Motion: Resolution No. 21-015 Variance Request Number 2 Street Lighting

Moved by:	Combs
Seconded by:	Valerius
Vote:	3 Yes/4 No (Berberich, Best, Combs, Daniels)
Action:	Motion Failed

Discussion commenced identifying the finding of facts, which were to be attached to the resolution. Consensus was met that the findings of facts to be adopted were what was provided on pages 133-138 in the packet.

Vote on Motion: Resolution No. 21-015 Variance Request Number 5 Curb and Gutter and Adopt Findings of Facts as Identified on Pages 133-138 of the Packet.

Moved by:	Daniels
Seconded by:	Valerius
Vote:	6 Yes/1 No (Berberich)
Action:	Motion Carried

Mayor DeVries called a recess at 8:55 p.m. and reconvened the meeting at 9:05 p.m.

- Ordinance No. 21-005:** Amending Palmer Municipal Code Chapter 17.36 Industrial District, 17.58 Business Park and Enacting 17.28.020 Palmer Commercial Land Use Matrix

Mayor DeVries opened the public hearing on Ordinance No. 21-005. Seeing no one come forward and hearing no objection from the Council, Mayor Devries closed the public hearing.

Main Motion: To Approve Ordinance No. 21-005

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

- Ordinance No. 21-006:** Amending Palmer Municipal Code Section 17.64.050 Central Business District Boundaries, Deleting Section 17.64.055 Fee-in-Lieu, and Amending Section 17.64.080 Landscaping Requirements

Mayor DeVries opened the public hearing on Ordinance No. 21-006. Seeing no one come forward and hearing no objection from the Council, Mayor Devries closed the public hearing.

Main Motion: To Approve Ordinance No. 21-006

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

- Ordinance No. 21-007:** Amending Palmer Municipal Code Section 18.05.067 Pertaining to Election Proposition and Questions Referral Deadlines

Mayor DeVries opened the public hearing on Ordinance No. 21-007. Seeing no one come forward and hearing no objection from the Council, Mayor Devries closed the public hearing.

Main Motion: To Approve Ordinance No. 21-007

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

I. NEW BUSINESS

- Action Memorandum No. 21-036:** Directing the City Manager to Notify the State of Alaska of the City Council’s Statement of Non-Objection for the Renewal of Liquor License Nos. 119, 5638, and 5716 for the Palmer Alehouse Located at 320 E. Dahlia Avenue

Main Motion: To Approve Action Memorandum No. 21-036

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

2. **Committee of the Whole:** Discussion Regarding Annexation

Motion to Postpone: To Postpone until June 8, 2021, City Council Meeting.

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

J. 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 the Executive Session was not needed at this time.

K. RECORD OF ITEMS PLACED ON THE TABLE

City Clerk Alley reported no Items Placed on the Table.

L. AUDIENCE PARTICIPATION

Mr. Erik Anderson requested City Council to change the process of requesting city variances.

M. COUNCIL COMMENTS

No direction given to staff for legislation to be placed on a future agenda.

N. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:44 p.m.

Approved this 13th day of July, 2021.

Nichole Degner, Interim City Clerk

Edna B. DeVries, Mayor