

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on June 27, 2017, 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	Linda Combs, Deputy Mayor
Richard Best – participated telephonically	Steve Carrington
David Fuller	Brad Hanson
Peter LaFrance	

Also in attendance were the following:

Nathan Wallace, City Manager	Norma I. Alley, MMC, City Clerk
Michael Gatti, City Attorney	Bernadette Packa, CMC, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member LaFrance.

Main Motion: To Add an Additional Audience Participation

Moved by:	Carrington
Seconded by:	Combs
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

D. AUDIENCE PARTICIPATION

Eugene Carl Haberman:

- Complemented the Council on having held an additional Audience Participation;
- Requested the agenda be posted sooner to provide more time for review by the public; and
- Noted additional time should be allowed for the review of contracts.

E. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. **Action Memorandum No. 17-044:** Authorizing the City Manager to Negotiate and Execute a One Year Contract with the Matanuska-Susitna Borough to Provide Fire Emergency Response to the Greater Palmer Fire Service Area (GPFSA)
 - b. **Action Memorandum No. 17-045:** Authorizing the City Manager to Negotiate and Execute a One Year Contract for Rescue Services with the Matanuska-Susitna Borough

- c. **Action Memorandum No. 17-046:** Authorizing the City Manager to Execute a Contract with Matanuska Electric Association for the Cost of Relocating the Primary Powerline at the Palmer Waste Water Treatment Facility, for \$62,000.00
- d. **Action Memorandum No. 17-047:** Authorizing the City Manager to Negotiate and Execute a New Lease Agreement with FCA Properties, LLC, Solely Owned by Mr. John A. Biornstad, on Block 3, Lease Lot 33, Palmer Municipal Airport to Coincide with the Completion of the Hangar Purchase Agreement Between Mr. Helmericks and Mr. Biornstad
- e. **Action Memorandum No. 17-048:** Authorizing the City Manager to Negotiate and Execute a Renewed Lease Agreement with Artic's Air Academy, LLC, on Block 3, Lease Lots 26 and 27, Palmer Municipal Airport Under an Original PMA Lease No. 77-1 and PMA Lease No. 81-3 Respectively
- f. **Action Memorandum No. 17-049:** Authorizing the City Manager to Negotiate and Execute a Renewed Lease Agreement with N A Holdings, LLC, Formerly Known as Colville Logistics, LLC, Solely Owned by Mr. Jeff Helmericks, on Block 3, Lease Lot 30, Palmer Municipal Airport Under an Original PMA Lease No. 78-1 and PMA Lease No. 00-2 Respectively
- g. **Action Memorandum No. 17-050:** Authorizing the City Manager to Negotiate and Execute an Assignment and Consent to Assignment Agreement with Jeff Helmericks and Northern Aviation, LLC, for the PMA Lease No. 92-1 on Block 3, Lease Lot 29, Palmer Municipal Airport for the Purpose of Transferring the Lease from Mr. Helmericks to His Actual Operating Entity
- h. **Action Memorandum No. 17-051:** Authorizing the City Manager to Negotiate and Execute a New Lease Agreement with the Federal Aviation Administration, for their Palmer Flight Service Station Operations at the Randy Thom Flight Service Center Building Located at 901 E. Yukon Street
- i. **Action Memorandum No. 17-052:** Authorizing the City Manager to Negotiate and Execute Lease Amendment and Modification Agreements with Hinchinbrook Equipment Solely Owned by New Horizons Telecom, Inc., Lease Lot 5, Palmer Municipal Airport

- 2. Approval of Minutes of Previous Meetings
 - a. February 14, 2017, Regular Meeting
 - b. May 23, 2017, Regular Meeting

Main Motion: Approve Consent Agenda and Minutes

Moved by:	Hanson
Seconded by:	Fuller
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

F. COMMUNICATION AND APPEARANCE REQUESTS

G. REPORTS

Item 1 – City Manager’s Report

City Manager Nathan Wallace:

- Highlighted his written report;
- Commented on attendance of a FEMA Water Wastewater Disaster Preparedness Course;
- Noted topics discussed at the recent Mat-Su Borough Assembly meeting;
- Noted approval of the Greater Palmer Fire Service Area Contract and Rescue Contract;
- Shared pictures of progress on the wastewater treatment plant;
- Commented on the award of the Eastern Terminus contract to Pruhs; and
- Noted dispatch services would effectively go live with MatCom tomorrow.

Item 2 – Mayor’s Report

Mayor DeVries highlighter her written report.

H. AUDIENCE PARTICIPATION

Eugene Carl Haberman:

- Addressed happenings at other local government meetings;
- Expressed concern over the State of Alaska budget; and
- Requested the public be given greater opportunity to review local government legislation prior to approval at meetings.

I. PUBLIC HEARINGS

Item 1 – Ordinance No. 17-009-Z-1-SL: Amending the Zoning Map to Revise the Designation of Tax Parcel C8, Located in Section 4, Township 17 North, Range 2 East, Seward Meridian from R-1, Single-family Residential to R-4, High Density Residential with Special Limitations

Mayor DeVries opened the public hearing.

Keith Morberg:

- Thanked AMG and Cameron Johnson for researching Mt. Rose Estates concerns and incorporating mitigation of them into the rezone proposal through special conditions;
- Spoke to an alternative secondary access through the 100’ MEA easement;
- Spoke in favor of removal of the fence requirement;
- Preferred a vegetative screen and 200’ setback be put in place to allow trail and walkway access on both developments by all residents;
- Spoke in favor of the rezone subject to the special conditions and VRS withdrawal of its PUD application.

Robert Nilsen:

- Spoke in favor of Ordinance No. 17-009-Z-1-SL as a solution to the need for senior housing.

Eugene Carl Haberman:

- Felt the comment period on Ordinance No. 17-009-Z-SL was too short; and
- Requested an additional public hearing be held.

Howard Bess:

- Noted the importance of well thought out zoning decisions made by the Council; and
- Encouraged the Council to turn down the rezone request as it was not in the best interest for the community.

Cameron Johnson, Representative of AMG Associates:

- Provided a power point presentation on the proposed project for the property;
- Noted the project was designed as median income housing; and
- Fielded questions from the Council.

Ron Fassett, Representative of Valley Residential Services:

- Encouraged passage of the rezone to provide affordable senior housing in the area.

Hearing no further public testimony and no objection from the Council, Mayor Devries closed the public hearing.

Discussion by the Council ensued and included the following:

- Primary access and traffic mitigation on Cope Industrial Way and Chugach;
- The proposed parking ratio; and
- The proposed dog park.

City Clerk Alley gave the Council written testimony which was supplied after printing of the packet.

The Council took a brief recess from 8:33 to 8:42 p.m. to review the written testimony.

Main Motion: To Adopt Ordinance No. 17-009-Z-1-SL as Amended

Moved by:	Fuller
Seconded by:	Carrington
Action:	Motion carried by 6-1 roll call vote
In favor:	Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	Best

Primary Amendment #1: To Change Section 4, Special Limitation 4, to Read: Primary Access to be Cope Industrial Way (with Access for EVA Entrance From Commercial Drive)

Moved by:	Carrington
Seconded by:	Combs
Action:	Motion carried by 6-1 roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, LaFrance
Opposed:	Hanson

Primary Amendment #2: To Add Special Limitation 8.: The R-4 Rezone with Special Limitations is Restricted to AMG & Associates, LLC and Must be Substantially in Accord with the Concept Contained in the Site Plan Presented at the June 27, 2017, Council Meeting

Moved by:	Hanson
Seconded by:	Best
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Primary Amendment #3: To Change Section 4, Special Limitation 7, to Read: Parking Stall Ratio Should be in Accordance with PMC 17.64.031

Moved by:	Fuller
Seconded by:	Hanson
Action:	Motion failed by a 0-7 roll call vote
In favor:	None
Opposed:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance

Primary Amendment #4: To Remove Section 4, Special Limitation 7

Moved by:	Fuller
Seconded by:	Combs
Action:	Motion carried by a 6-1 roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson
Opposed:	LaFrance

Primary Amendment #5: To Require a Dog Park as Required by the Site Plan

Moved by:	Hanson
Seconded by:	Carrington
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Primary Amendment #6: To Add Section 4, Limitation 9: Commercial Drive to be Built to COP Standards

Moved by:	Best
Seconded by:	Hanson
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Primary Amendment #7: Substitute New Language to Section 4, Limitation 9: Access to Commercial Drive to be Built to COP Standards as Determined by Public Works, Based Upon Proposed Usage

Moved by:	Carrington
Seconded by:	Combs
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Primary Amendment #8: To Add Special Limitation 10: Sidewalk to be Built on Primary Access to the Development as Reflected in the Proposed Site Plan

Moved by:	LaFrance
Seconded by:	Fuller
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Primary Amendment #9: Require Primary Access be Built to Residential Road Standards of 24 Feet

Moved by:	Best
Seconded by:	Fuller
Action:	Motion failed 3-4 by roll call vote
In favor:	Best, Hanson, LaFrance
Opposed:	Carrington, Combs, DeVries, Fuller

Primary Amendment #10: To add to Section 4, Limitation 6, in Lieu of Six and a Half Foot Fence

Moved by:	Combs
Seconded by:	Fuller
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Item 2 – Ordinance No. 17-010-Z-1-SL: Amending the Zoning Map to Revise the Designation of Lot 8, Lot 7 and the West One-half of Lot 6, Block 3, T A Smith Subdivision Located in Section 33, Township 18 North, Range 2 East, Seward Meridian from R-2, Low Density Residential to CG – General Commercial with Special Limitations

Mayor DeVries opened the public hearing.

City Clerk Alley noted no additional written testimony was received following the printing of the packet.

Eugene Carl Haberman:

- Noted the narrow notification window and the opportunity for people to be heard; and
- Expressed displeasure that notation of the Clerk’s written notification was not included in the packet information for the ordinance.

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

Main Motion: To Adopt Ordinance No. 17-010-Z-1-SL

Moved by:	Fuller
Seconded by:	LaFrance
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Motion to Postpone: To Postpone to the Next Meeting

Moved by:	Best
Seconded by:	Fuller
Action:	Motion failed by 1-6 roll call vote
In favor:	Best
Opposed:	Carrington, Combs, DeVries, Fuller, Hanson, LaFrance

Item 3 – Resolution No. 17-021: Authorizing the Vacation of a 20’ by 113’ Alley Adjacent to Tract 3 and Lots 8, 7 and 6 of Block 3, TA Smith Subdivision and Replacement of Vacated Area with a 20’ Utility Easement

Mayor DeVries opened the public hearing. Seeing no one come forward to speak, and hearing no objection from the council, the public hearing was closed.

Main Motion: To Approve Resolution No. 17-021

Moved by:	Combs
Seconded by:	Fuller
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

Item 4 – Resolution No. 17-022: Accepting and Appropriating the 2017 Volunteer Fire Assistance Grant from the State of Alaska, Department of Natural Resources, Division of Forestry, in the Amount of \$7,500.00 for the Purchase of Wildland Firefighting Equipment, Fire Safety Shelters, Firefighting Suppression Foam and Wildland Fire Personal Protective Clothing

Mayor DeVries opened the public hearing. Seeing no one come forward to speak, and hearing no objection from the council, the public hearing was closed.

City Clerk Alley noted no comments were received from the public.

Main Motion: To Approve Resolution No. 17-022

Moved by:	Combs
Seconded by:	Fuller
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

J. ACTION MEMORANDA

Item 1 – Action Memorandum No. 17-053: Authorizing the City Manager to Negotiate and Purchase Insurance Coverage for the Period July 1, 2017, through June 30, 2018, per the Premium Quote Submitted by the City’s Insurance Broker, Insurance Brokers of Alaska

Main Motion:

Moved by:	Combs
Seconded by:	Fuller
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

K. NEW BUSINESS

Item 1 - Resolution No. 17-023: Authorizing the City Manager to Negotiate and Enter into a Four-Year Agreement with Motorola Solutions to Lease-Purchase Radio and Computer Aided Dispatch Equipment in the Amount of \$725,913.28, and to Lease Over a Term Ending No Later Than August of 2021, and to Obtain the Equipment Under the Governmental and Proprietary Procurements Section of Palmer Municipal Code 3.21.230

Council Member Carrington requested a staff report. City Manager Wallace explained the need for the equipment due to the age of the current equipment and its inability to communicate with other agencies.

Main Motion: To Approve Resolution No. 17-023

Moved by:	
Seconded by:	
Action:	
In favor:	
Opposed:	

Motion to Postpone: To Postpone Until October

Moved by:	Fuller
Seconded by:	Carrington
Action:	Motion carried by a 4-3 roll call vote
In favor:	Best, Carrington, DeVries, Fuller
Opposed:	Combs, Hanson, LaFrance

Main Motion: To Extend the Meeting Until Midnight

Moved by:	Hanson
Seconded by:	Combs
Action:	Motion carried unanimously by roll call vote
In favor:	Best, Carrington, Combs, DeVries, Fuller, Hanson, LaFrance
Opposed:	None

L. RECORD OF ITEMS PLACED ON THE TABLE

- Two Items of Written Testimony
- Pictures from the City Manager Showing the Wastewater Treatment Plant Under Construction

M. AUDIENCE PARTICIPATION

Eugene Carl Haberman:

- Noted a Point of Order does not require a second; and
- Spoke to concerns regarding the handling of public hearings.

Frank Kelly:

- Spoke to the possibility of including a prepayment clause when negotiating the possible Motorola Radio equipment purchase.

N. COUNCIL MEMBER COMMENTS

Deputy Mayor Combs:

- Commented on the influx of visitors to Palmer;
- Encouraged everyone to participate in the Mat-Su Miners events and games;
- Highlighted upcoming events for the Fourth of July celebration in Wasilla;
- Addressed passage of the State of Alaska budget;
- Spoke against the proposed Mat-Su Borough Sales Tax; and
- Commented on plans to bring legislation before the Council opposing the proposed tax.

Council Member Fuller:

- Wished everyone a Happy Fourth of July.

Council Member Hanson:

- Wished everyone a Happy Fourth of July; and
- Recognized the invaluable contribution Rick Koch's vision made to the City of Palmer.

Council Member Best:

- Echoed sentiments concerning Rick Koch and his involvement with youth activities, sports activities, and sharing knowledge within Palmer's Public Works Department.

Mayor DeVries:

- Requested input from the City Attorney concerning possible legislation to oppose the Mat-Su Borough's proposed sales tax.

O. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 11:13 p.m.

Approved this 8th day of August, 2017.

Norma I. Alley, MMC, City Clerk

Edna B. DeVries, Mayor