



Mayor Edna B. DeVries
Deputy Mayor Sabrena Combs
Council Member Julie Berberich
Council Member Richard W. Best
Council Member Steve Carrington
Council Member Brian Daniels
Council Member Jill Valerius

City Attorney Michael Gatti
City Manager John Moosey
Deputy City Clerk Kara Johnson

City of Palmer, Alaska
City Council Meeting
July 13, 2021, at 7:00 PM
City Council Chambers
231 W. Evergreen Avenue, Palmer
www.palmerak.org

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA

1. Consent Agenda
 - a. Introduction and Setting a Public Hearing for July 27, 2021, for **Ordinance No. 21-013:** Amending Palmer Municipal Code Section 5.32.030 Standards for Marijuana Businesses and Enacting Additional Sections for Chapter 5.32 Marijuana BusinessesPage 3
 - b. Introduction and Setting a Public Hearing for July 27, 2021, for **Ordinance No 21-014:** Amending the Zoning Map to Revise the Zoning Designation of Lot 200, Block 1, Felton Add Subdivision, from R-3, Medium Density Residential to R-4, High Density Residential...Page 9
 - c. **Action Memorandum No. 21-042:** Authorize the City Manager to Purchase Insurance Coverage for the Period of July 1, 2021, through June 30, 3022, per the Premium Quote Submitted by the City's Insurance Broker, RISQ ConsultingPage 37
 - d. **Action Memorandum No. 21-043:** Authorize the City Manager to Negotiate and Enter Into a Contract with Bering Marine Corporation for the Purchase and Delivery of 180 Tons of Road Salt in the Amount of \$35,100.00.....Page 67
2. Approval of Minutes of Previous Minutes
 - a. May 25, 2021, Regular Meeting MinutesPage 71
 - b. June 8, 2021, Regular Meeting MinutesPage 77

E. REPORTS

1. City Manager's Report
2. City Clerk's Report
3. Mayor's Report
4. City Attorney's Report

F. AUDIENCE PARTICIPATION

G. PUBLIC HEARINGS

1. **Ordinance No. 21-010:** Amending Palmer Municipal Code Chapter 17.86 Allowing Accessory Dwelling Units in the Commercial Limited and Commercial General Districts and Elimination of Lot Size Requirements Within the Central BusinessPage 83
2. **Ordinance No. 21-011:** Amending Palmer Municipal Code Section 3.16.050 Pertaining to the Removal of Sales Tax Exemptions at the Warren "Bud" Woods Palmer Municipal Airport..Page 95
3. **Ordinance No. 21-012:** Amending Palmer Municipal Code Chapter 12.08 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal AirportPage 101

H. NEW BUSINESS

1. **Action Memorandum No. 21-044:** 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 Number 5966 for the Matanuska Brewing Company, LLC Located at 513 South Valley Way.Page 109
2. **Information Memorandum No. 21-003:** Committee of the Whole for a Presentation By Metropolitan Planning Organization.Page 121

I. 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)

J. RECORD OF ITEMS PLACED ON THE TABLE

K. AUDIENCE PARTICIPATION

L. COUNCIL COMMENTS

M. ADJOURNMENT

Tentative Future Palmer City Council Meetings

Meeting Date	Meeting Type	Time	Notes
July 27	Regular	7 pm	
Aug 10	Special	6 pm	Joint BED
Aug 10	Regular	7 pm	
Aug 24	Regular	7 pm	
Sep 14	Regular	7 pm	
Sep 28	Regular	7 pm	
Oct 11	Special	6 pm	Election Certification
Oct 12	Special	6 pm	Budget
Oct 12	Regular	7 pm	
Oct 26	Special	6 pm	Budget
Oct 26	Regular	7 pm	

City of Palmer
Ordinance No. 21-013

Subject: Amending Palmer Municipal Code Section 5.32.030 Standards for Marijuana Businesses and Enacting Additional Sections for Chapter 5.32 Marijuana Businesses


Agenda of: July 13, 2021 - Introduction

Council Action: ☐ **Adopted** ☐ **Amended:** _____
 ☐ **Defeated**

Originator Information:

Originator: Brad Hanson, Director of Community Development

Department Review:

Route to:	Department Director:	Signature:	Date:
<u>✓</u>	Community Development		<u>June 2, 2021</u>
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (✓):


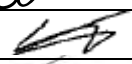
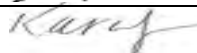
<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	

Funds are (✓):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk	 Acting City Clerk	_____

Attachment(s):

1. Ordinance No. 21-013

Summary Statement/Background:

City Council approved ordinance No. 21-003 which established operation standards for marijuana establishments in the City of Palmer. This ordinance enacts licensing requirements for marijuana operators and establishes a fee. The criteria for granting of a marijuana license by the City of Palmer will utilize the same standards that are established by the State of Alaska with AS 17.38.

The issuance of a City of Palmer license will ensure the city has the final say on the issuance of marijuana establishments license. Additionally, this ordinance establishes the criteria for suspension or revocation of a marijuana establishment license by the City of Palmer.

Administration's Recommendation:

Adopt Ordinance No. 21-013

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey

Date: July 13, 2021

Public Hearing:

Action:

Vote:

Yes:

No:

CITY OF PALMER, ALASKA

Ordinance No. 21-013

An Ordinance of the Palmer City Council Enacting Amending Palmer Municipal Code Section 5.32.030 Standards for Marijuana Businesses and Enacting Additional Sections for Chapter 5.32 Marijuana Businesses

WHEREAS, in October 2020 City of Palmer residents voted by referendum to repeal previously enacted ordinance prohibiting the operation of marijuana businesses; and

WHEREAS, the City of Palmer as a home rule municipality, has the authority to provide responsible standards of operation for marijuana businesses that protect the public peace, health, safety and welfare; and

WHEREAS, the City of Palmer requires licensing for certain business activities to ensure compatible operation of an establishment with community values.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 5.32.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

5.32.030 Standards for marijuana businesses

A. No person may operate a marijuana business within the City without a current City of Palmer business license, City of Palmer marijuana establishment license and a license under AS 17.38 from the State of Alaska Marijuana Control Board. Licensee must be in compliance with all requirements of AS 17.38.

Section 4. Palmer Municipal Code Section 5.32.050 is hereby enacted to read as follows (new language is underlined and deleted language is stricken)

5.32.050 License Required

~~Any person who operates a business within the City of Palmer must obtain a valid City of Palmer license. The following types of licenses may be issued under this chapter:~~

1. Marijuana retail store license;

- 2. Marijuana cultivation facility license;
- 3. Marijuana product manufacturing facility;
- 4. Marijuana testing facility license.

B. A separate license shall be required for each specific business or business entity or for each specific location identified on the license as the licensed premise.

C. Upon denial or revocation of a marijuana establishment license issued by the State of Alaska, any license issued by the city under this section shall be null and void.

Section 5. Palmer Municipal Code Section 5.32.060 is hereby enacted to read as follows (new language is underlined and deleted language is stricken)

5.32.060 Marijuana establishment license fee

A. The license fee, established in the current, adopted budget, shall be paid to the city for each marijuana establishment license and shall be applicable for the calendar year in which the fee is paid.

B. Marijuana establishment license and late fees are nonrefundable.

C. If payment is made by check, bill of exchange, or note which is later returned by the drawee as uncollectible because of insufficient funds or is dishonored by the drawee for any reason, the dishonor is prima facie evidence of nonpayment of the license fee.

Section 6. Palmer Municipal Code Section 5.32.070 is hereby enacted to read as follows (new language is underlined and deleted language is stricken)

5.32.070 Term of Marijuana Establishment License; renewal

A. No marijuana establishment license granted or issued under any of the provisions of this title shall be in any manner assignable or transferable.

B. Marijuana establishment licenses are valid only as long as the applicant holds a current license with the state.

C. Marijuana establishment licenses issued under this section are effective from the date of issuance through December 31 of the same year.

Section 7. Palmer Municipal Code Section 5.32.080 is hereby enacted to read as follows (new language is underlined and deleted language is stricken)

5.32.080 Violations; enforcement

A. License suspension or revocation. The zoning administrator may suspend or revoke a marijuana establishment license when the licensee commits one or more of the following acts or omissions:

1. Failure to comply with any provision of this title or AS 17.38;

2. Is delinquent in the remittance of any sales tax, penalty, or interest on sales tax arising out of the operation of the licensed premises;

3. Has any delinquent property taxes or special assessment district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;

4. Operating or allowing the operation of the marijuana establishment license in such a manner as to create a public nuisance, cause a breach of the peace, constitute a danger to the public health, safety, welfare or morals, or interfere with the rights of abutting property owners;

5. The securing of the registration by fraud or misrepresentation, to specifically include false or incorrect information on the registration application.

B. Procedure. Should the zoning administrator decide to suspend or revoke a marijuana establishment license, the licensee will be given notice and an opportunity to respond following the procedures in this subsection, except that should the zoning administrator determine the marijuana establishment or its operation present a safety hazard or require immediate remedy, the zoning administrator may order operation of the marijuana establishment to cease immediately.

1. The licensee will be notified in writing by the zoning administrator at least seven days prior to the action contemplated and the reasons therefore.

2. Upon receipt of the notice, the licensee may request a meeting with the zoning administrator. Such request must be in writing and must be received by the zoning administrator within seven days of the licensee's receipt of the notice. Failure on the part of the licensee to request in writing a meeting and within the specified time period shall be a waiver of the licensee's right to a meeting.

3. If a meeting is requested by the licensee, the zoning administrator will set a time, date and place and will so notify the licensee, in writing.

4. When a meeting is conducted, the city will present the evidence supporting the contemplated action. The zoning administrator may request evidence be presented by other parties. The licensee may present evidence. The zoning administrator will take all evidence admitted under advisement and once a decision has been made the zoning administrator will notify the licensee of the findings and decision in writing.

C. Appeal. Any person aggrieved by a decision of the zoning administrator will have the right to appeal to the city manager by following the procedures.

Section 8. Effective Date. Ordinance No. 21-013 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this ____ day of ____, 2021.

Edna B. DeVries, Mayor

Kara Johnson, Acting City Clerk

**City of Palmer
Ordinance No. 21-014**

Subject: Amending the Zoning Map to Revise the Zoning Designation of Lot 200, Block 1, Felton Add Subdivision, from R-3, Medium Density Residential to R-4, High Density Residential


Agenda of: July 13, 2021 - Introduction

Council Action: ☐ **Adopted** ☐ **Amended:** _____
 ☐ **Defeated**

Originator Information:

Originator: Brad Hanson, Community Development Director

Department Review:

Route to:	Department Director:	Signature:	Date:
<u>✓</u>	Community Development		<u>June 22, 2021</u>
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (✓):


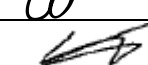

<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	

Funds are (✓):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature:  _____

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk	 Acting City Clerk	_____

Attachment(s):

1. Ordinance No. 21-014
2. Planning and Zoning Commission Resolution No. 21-004 with Findings of Facts
3. Planning and Zoning Commission Minutes for June 17, 2021 (Draft Copy)
4. Staff Report
5. Public Notice and Vicinity Map for Council Public Hearing of July 13, 2021
6. Zoning Map Amendment Application
7. Public Comments Received for City Council Public Hearing

Summary Statement/Background:

On June 1, 2021, Martin Moffat, The Alaska Life LLC initiated a zoning map amendment to re-zone Lot 200, Block 1, Felton Add Subdivision, from R-3 to R-4. The property was a legal nonconforming structure/use and had three structures containing a total of 11 dwelling units. Structures one and two (MSB building information) were added to the lot in 2002 and contained a four-plex and a tri-plex. The original building was known as 'The Felton House' and was built in 1939. The structure contained 4 units but was torn down by the owner due to its age and the necessary modifications needed to make the building safe and habitable.

The current zoning designation of R-3 for this lot permits only medium density residential uses up to eight units. An R-4, High Density Residential district would allow for more than eight dwelling units on individual lots, limited by the lot size. The owners are requesting a zone change to allow additional dwelling units to be built on the property, in order to conform to current Palmer Municipal Code.

Ordinance No. 21-014 will re-zone Lot 200, Block 1, Felton Add Subdivision, from R-3, Medium Density Residential to R-4, High Density Residential allowing additional dwelling units on the property.

Administration's Recommendation:

Adopt Ordinance No. 21-014

LEGISLATIVE HISTORY

Introduced by: City Manager

Date: July 13, 2021

Public Hearing:

Action:

Vote:

Yes:

No:

CITY OF PALMER, ALASKA

Ordinance No. 21-014

An Ordinance of the Palmer City Council Enacting the Zoning Map to Revise the Zoning Designation of Lot 200, Block 1, Felton Add Subdivision, from R-3, Medium Density Residential to R-4, High Density Residential

WHEREAS, Martin Moffat, The Alaska Life LLC initiated a zoning map amendment application received on June 1, 2021 to re-zone Lot 200, Block 1, Felton Add Subdivision, from R-3, Medium Density Residential to R-4, High Density Residential; and

WHEREAS, the Commission duly gave required notices, held its required public hearing on June 17, 2021, made a written report of its decision as to such need, justification and effect of the change of zoning in Commission Resolution 21-004, and voted 6 in favor and 0 opposed to recommend that such amendment to the zoning map be approved; and

WHEREAS, the Planning and Zoning Commission (Commission) adopted findings of fact in Resolution No. 21-004 as to the need, justification and effect to the zoning map amendment on June 17, 2021; and

WHEREAS, the City Council duly gave required notices, held its required public hearing on this date, and has duly considered the request to re-zone the property from R-3, Medium Density Residential to R-4, High Density Residential, all evidence and testimony presented including any comments of the persons attending the public hearing, the findings of fact set forth in Planning and Zoning Commission Resolution No. 21-004, and the recommendation of the Commission.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. The City of Palmer Zoning Districts Map dated November 2017 is hereby amended to revise the zoning designation of Lot 200, Block 1, Felton Add Subdivision, from R-3, Medium Density Residential to R-4, High Density Residential

Section 4. Effective Date. Ordinance No. 21-014 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this _____ day of _____, 2021.

Edna B. DeVries, Mayor

Kara Johnson, Acting City Clerk

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 21-004

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION RECOMMENDING CITY COUNCIL APPROVE A ZONING MAP AMENDMENT FOR LOT 200, BLOCK 1, FELTON SUBDIVISION TO BE REZONED FROM R-3, MEDIUM DENSITY RESIDENTIAL TO R-4, HIGH DENSITY RESIDENTIAL, LOCATED WITHIN SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA

WHEREAS, Kyle & Nicole Moffat, Martin & Nikki Moffatt, The Alaska Life LLC, have initiated a zoning map amendment application to change the zoning designation for Lot 200, Block 1, Felton Add subdivision from R-3, Medium Density Residential to R-4, High Density Residential; and

WHEREAS, a request for a zoning map amendment must be reviewed by the Planning and Zoning Commission and a recommendation reflecting the findings of the Commission must be forwarded to the City Council; and

WHEREAS, on June 1, 2021 162 public hearing notices were mailed to property owners within 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on June 11, 2021. A total of 2 written comments were received in response, with 0 in favor of, 0 opposed and 2 no objections; and

WHEREAS, Goal 1 of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growth guided to make Palmer an increasingly attractive place to live, work, invest and visit; and

WHEREAS, Goal 5 encourages the development of high quality buildings that reflects Palmer's historical character; and

WHEREAS, Goal 6 of Chapter 6 supports improvements to the downtown area to help insure Palmer's traditional downtown is lively, attractive, and inviting for residents and visitors;

The following facts support a finding that this zone change is in accordance with the Zoning Code, Title 17, and the Comprehensive Plan:

Fact 1:

- a) The proposed change would support the objectives and goals of the City's Comprehensive Plan by encouraging attractive development that will improve the neighborhood and increase the availability of higher density housing near downtown.
- b) This new building will reflect Palmer's character and historical setting with high quality architecture while maintaining the traditional appeal of Palmer.
- c) The proposed change will provide more accommodations in the downtown area as well as encourage spending for visitors and tourists.

Fact 2:

- a) The property for the proposed rezone is contiguous to R-3 zoning on the East side, CL Commercial Limited on the West side as well as CG Commercial General to the North and South lines of the lot.
- b) Among the other comparable land use in the subject area are residential neighborhoods as well as other small businesses such as retail and gift shops. Many restaurants and dining establishments are within walking distance from the property, convenient for visitors of Palmer while staying at this location.
- c) PMC 17.27.060 establishes a minimum lot size for dwelling units, that would make the development compatible with surrounding properties.

Fact 3:

- a) This property is a triple frontage lot and has access on Dogwood, South Colony Way and South Bonanza, allowing adequate flow of traffic along with incoming and outgoing visitors.
- b) Utilities are available to serve the proposed use of property as High Density Residential, current water and sewer are set in place and will support the proposed structure.
- c) The proposed change is from R-3, Medium Density Residential to R-4, High Density Residential; there would be little to no impact on public schools since the proposed change would be for short term lodging. The nearest public school is .7 miles from the property.

Fact 4:

- a) The changed conditions affecting the subject parcel will be the reconstruction of a previous structure that has recently been removed. The continued development of the surrounding housing units supports the proposed change to R-4.
- b) The surrounding zoning districts consist of R-3, Commercial General and Commercial Limited, and have had no recent significant condition changes to the area. The recent amendments to the Central Business District allows for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land.

Fact 5:

- a) The proposed change does not grant the owner any special privilege as the property in question is contiguous to existing residential zoning and commercial development.
- b) The proposed change is consistent with the public welfare by continuing to permit the current use of this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby recommend the City Council approve the Zoning Map Amendment for Lot 200, Block 1, Felton Add subdivision from R-3, Medium Density Residential to R-4, High Density Residential.

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this 17th day of June, 2021.

Casey Peterson, Chairman

Nichole Degner
Planning & Code Compliance Technician

PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA

REGULAR MEETING
THURSDAY, JUNE 17, 2021
7:00 P.M. - COUNCIL CHAMBERS

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chair Peterson at 7:00 p.m.

B. ROLL CALL:

Constituting a quorum, present in person were Commissioners:

Casey Peterson, Chair
Josh Tudor, Vice Chair
Linda Combs
Lisbeth Jackson
Pamela Melin
Sabrina Shelton

Absence(s) excused without objection:

Kristy Thom Bernier

Also present were:

Brad Hanson, Community Development Director
Nichole Degner, Community Development Specialist
Pam Whitehead, Recording Secretary (via teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. APPROVAL OF AGENDA:

The agenda was approved as presented by all members present.

[Shelton, Melin, Jackson, Combs, Tudor, Peterson: *Absent*: Thom Bernier]

E. MINUTES OF PREVIOUS MEETINGS:

1. The minutes of the **May 20, 2021 Regular Meeting** were unanimously approved as presented by all members present.

[Shelton, Melin, Jackson, Combs, Tudor, Peterson: *Absent*: Thom Bernier]

F. REPORTS: None.

G. AUDIENCE PARTICIPATION: None.

H. PUBLIC HEARINGS:

1. **Resolution No. 21-004:** A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Lot 200, Block 1, Felton Addition Subdivision to be Rezoned from R-3, Medium Density Residential to R-4, High Density Residential, Located within Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska.

Chair Peterson inquired if there were any *ex parte* communications related to Resolution 21-004. None were disclosed.

Staff Report: Director Hanson reported general and background information on the requested rezone, including site information, parcel size, existing zoning, surrounding land uses, particular considerations, code requirements, and findings of fact. Public notice and publishing requirements pursuant to code have been met. A total of 2 written comments were received – 0 in favor, 0 opposed, 2 no objection. The applicants are: Kyle & Nicole Moffat, Martin & Nikki Moffat, The Alaska Life LLC.

Findings of Fact: Pursuant to PMC 17.80.036.C, the Commission shall give consideration as to what effect the proposed change would have on public health, safety, welfare and convenience, and or a map amendment show whether:

Fact 1: The proposed change is in accordance with the borough and city Comprehensive plans.

Staff Finding:

- Goal 1 of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growth guided to make Palmer an increasingly attractive place to live, work, invest and visit.
- Goal 5 encourages the development of high-quality buildings that reflect Palmer's historical character.
- Goal 6 of Chapter 6 supports improvements to the downtown area to help ensure Palmer's traditional downtown is lively, attractive and inviting for residents and visitors.

Staff finds the following facts in support:

- a) The proposed change would support the goals and objectives of the City's Comprehensive Plan by encouraging attractive development that will improve the neighborhood and increase the availability of higher density housing near downtown.
- b) This new building will reflect Palmer's character and historical setting with high quality architecture while maintain the traditional appeal of Palmer.
- c) The proposed change will provide more accommodations in the downtown area as will as encourage spending for visitors and tourists.

Fact 2: The proposed change is compatible with surrounding zoning districts and established land use pattern.

Staff Finding:

- a) The property for the proposed rezone is contiguous to R-3 zoning on the East side, CL Commercial Limited on the West side as well as CG Commercial General to the North and South lines of the lot.
- b) Among the other comparable land use in the subject area are residential neighborhoods as well as other small businesses such as retail and gift shops. Many restaurants and dining establishments are within walking distance from the property, convenient for visitors of Palmer while staying at this location.
- c) PMC 17.27.060 establishes a minimum lot size for dwelling units, that would make the development compatible with surrounding properties.

Fact 3: Public facilities such as schools, utilities and streets are adequate to support the proposed change.

Staff Finding:

- a) This property is a triple frontage lot and has access on Dogwood, South Colony Way and South Bonanza, allowing adequate flow of traffic along with incoming and outgoing visitors.
- b) Utilities are available to serve the proposed use of property as High Density Residential, current water and sewer are set in place and will support the proposed structure.
- c) The proposed change is from R-3, Medium Density Residential to R-4, High Density Residential; there

would be little to no impact on public schools since the proposed change would be for short term lodging. The nearest public school is .7 miles from the property.

Fact 4: Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change.

Staff Finding:

- a) The changed conditions affecting the subject parcel will be the reconstruction of a previous structure that has recently been removed. The continued development of the surrounding housing units supports the proposed change to R-4.
- b) The surrounding zoning districts consist of R-3, Commercial General and Commercial Limited, and have had no recent significant condition changes to the area. The recent amendments to the Central Business District allows for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land.

Fact 5: The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).

Staff Finding:

- a) The proposed change does not grant the owner any special privilege as the property in question is contiguous to existing residential zoning and commercial development.
- b) The proposed change is consistent with the public welfare by continuing to permit the current use of this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

Staff Recommendation: (Resolution 21-004)

Based on the information provided, staff recommends approval of the requested rezone. Staff also finds the requested rezone to be in conformance with the Palmer Comprehensive Plan. If, following the Public Hearing, the Commission finds the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve the rezone request and forward to the City Council with a recommendation for approval.

Public Hearing: (Resolution 21-004)

Chair Peterson opened the hearing for public testimony at 7:15 p.m.

Applicants' Presentation:

Martin Moffat, on behalf of the Moffat family and Alaska Life, LLC

- Testified in support of the rezoning request;
- Spoke to the history of the property (previously referred to as "The Felton House" or "Palmer House") and described the renovations that have taken place since they purchased the property in 2018 to bring it up to code and still preserve some of its historical nature.

There being no others coming forward to speak, Chair Peterson closed the hearing for public testimony at 7:17 p.m.

The Commission reviewed and unanimously approved Findings of Fact 1-5 as proposed by staff in support of Resolution 21-004 by roll call vote of the commissioners present.

Chair Peterson called for the motion:

Main Motion: For approval of Resolution No. 21-004, recommending City Council approve a Zoning Map Amendment for Lot 200, Block 1, Felton Addition Subdivision to be Rezoned from R-3, Medium Density Residential to R-4, High Density Residential, to include adoption of Findings of Fact 1-5 as stated by staff in support of Resolution 21-004 and as reviewed by the Commission.

Moved by:	Combs
Seconded by:	Tudor
Vote:	Unanimous (<i>Absent:</i> Thom Bernier)
Action:	Motion Carried.

Chair Peterson called a short recess at 7:25 p.m.; meeting resumed at 7:27 p.m.

I. UNFINISHED BUSINESS:

1. Committee of the Whole: Discussion of IM 21-016 regarding Palmer Municipal Code Chapter 17.59 T Transitional District (note: action may be taken by the Commission following the committee of the whole)

Main Motion: To enter Committee of the Whole for open and ease of discussion regarding IM 21-016.

Moved by:	Shelton
Seconded by:	Combs
Vote:	Unanimous (<i>Absent:</i> Thom Bernier)
Action:	Motion Carried.

[The Commission entered Committee of the Whole at 7:28 p.m.; exited at 9:03 p.m.]

Director Hanson provided an update from the previous meeting noting the City Council at its June 8 meeting directed staff to prepare a proposed plan for the preparation of an annexation petition. P&Z will play a large role in assisting staff in preparation of the plan by analyzing the study areas, review of land use maps for continuity of land uses, consider any Title 17 policy considerations, land use text amendments, setback considerations, and determine whether there are certain parts of annexed areas where land use regulations may not apply.

Committee of the Whole discussion included:

- Review and open discussion of the study area maps and the purpose of the T zone as it relates to annexation;
- Review of the T Transitional District language and commissioner suggestions for revisions;
- Discussion regarding permitted, prohibited, and conditional uses;
- Director Hanson will do further research and revise pursuant to the suggestions.

[The Commission exited Committee of the Whole at 9:03 p.m.]

J. NEW BUSINESS:

1. Committee of the Whole: Discussion of IM 21-018 regarding Palmer Municipal Code Chapter 17.60 General District Regulations (note: action may be taken by the Commission following the committee of the whole)

Main Motion: To enter Committee of the Whole for open and ease of discussion regarding IM 21-018.

Moved by:	Jackson
Seconded by:	Combs
Vote:	Unanimous (<i>Absent</i> : Thom Bernier)
Action:	Motion Carried

[The Commission entered Committee of the Whole at 9:04 p.m.; exited at 9:39 p.m.]

Director Hanson reported this is further review of Title 17, explaining the General District Regulations are part of the code that applies to all zoning districts, generally. The Commission is to review PMC 17.60 General Regulations and provide comments where necessary should further action be requested.

Committee of the Whole discussion included:

- Review and open discussion of PMC 17.60 General District Regulations for suggestions on revisions;
- Suggestion for clarification purposes to include Definitions of all terms used in the different zones districts.
- Suggestion to clarify 17.60.050, Projections into required yards, paragraph F. regarding enclosed porch or arctic entry;
- Suggestion to clarify 17.60.070, Fences and walls, paragraph A.

[The Commission exited Committee of the Whole at 9:39 p.m.]

K. PLAT REVIEWS: None.

L. PUBLIC COMMENTS: None.

M. COMMISSIONER COMMENTS:

Commissioner Shelton advised she will be out of state for the next meeting.

Chair Peterson thanked Director Hanson and his staff for all the help answering questions and concerns.

Director Hanson emphasized if any of the Commission has questions or concerns to not hesitate to call and let staff know, that it will facilitate getting to a faster end result.

N. ADJOURNMENT:

There being no further business, the meeting adjourned without objection at 9:40 p.m.

APPROVED by the Planning and Zoning Commission this 15th day of July, 2021.

Casey Peterson, Chair

Brad Hanson, Community Development Director



Community Development Zone Change Application Staff Report to Commission

PART I. GENERAL INFORMATION

Location:	Lot 200, Block 1, Felton Addition Subdivision	
Site Address:	380 South Colony Way, Palmer Alaska 99645	
Request:	To re-zone the Lot from R-3, Medium Density Residential to R-4, High Density Residential District	
Applicant(s) & Owner:	Kyle & Nicole Moffat, Martin & Nikki Moffat, The Alaska Life LLC	
Public Hearing Date:	June 17, 2021	
Notification Requirements:	In accordance with 17.80.030	
On June 1, 2021, 162 public hearing notices were mailed to property owners within 1,200' of the site. Notification of the public hearing was published in the Frontiersman on June 11, 2021. A total of 2 written comments were received in response, with 0 in favor of, 0 opposed and 2 with no objection.		

PART II. BACKGROUND

Site Information:

Lot 200, Block 1, Felton Addition Subdivision is a triple frontage lot that has access from Dogwood, South Colony Way and South Bonanza. The Lot is located between Lot 100, Felton Add, which is zoned R-3, Medium Density Residential and Tract 1-A, Block 1, ARRC #1, which is zoned CL, Commercial Limited.

The structure recently removed from the lot was previously known as 'The Felton House' and was originally built in 1939. Due to the age of the building and the modifications necessary to make the building safe and habitable, the building was demolished in hopes of recreating a replica of the previous historical building.

In 2002 two additional buildings were added to the lot. They included a 4-plex and a tri-plex, which were legal in an R-2 district at the time.

In 2005 Lots 100 and 200 of Block 1 were rezoned from R-2, Low Density Residential to R-3, Medium Density Residential. The rezone in 2005 was initiated by the City of Palmer. It was a result of the enactment of R-3 and R-4 zoning districts to title 17 and affected the entire city. At the time of the rezone, it would have been considered a legal nonconforming structure/use because of the total of 11 dwellings units on the lot.

Parcel Size:

Lot size is 0.65 acres, 28,314 square feet.

Existing Zoning:

R-3, Medium Density Residential

Surrounding Land Uses:

	<u>Zoning</u>	<u>Land use for surrounding areas</u>
North	R-3	Medium density residential
East	R-3	Single family
South	CG	Family First Treasures, thrift & consignment store
West	CL	Small businesses, insurance, and law offices



Considerations:

The intent of the **R-3**, Medium Density Residential District is to establish residential areas with a combination of multiple-family structures consisting of eight or fewer dwelling units, and single-family residences with a medium population density. The intent of the **R-4**, High Density Residential District is for residential areas with a combination of multiple-family structures and single-family residences with a high population density.

- The property is currently considered a legal non-conforming structure and use because of 11 dwelling units in an R-3 zoning district.
- The structure previously known as 'The Felton House' was recently demolished by the owner.
- The petitioner's intention is to rebuild the structure in compliance to current code requirements, while preserving the familiar historical charm of the development.
- Total allowable dwelling units in an R-4 is 10 because of the lot size requirements in 17.27.060.

Code Requirements:

In the R-4 High Density Residential District, the required minimum lot width is 60 feet and the required minimum lot area is 8,400 square feet. The total square footage of the proposed rezone property is 28,314 square feet.

PART III. FINDINGS OF FACT

(PMC 17.80.036.C) The report of the Commission shall give consideration as to what effect the proposed change would have on public health, safety, welfare and convenience, and for a map amendment show whether:

Fact 1) *The proposed change is in accordance with the borough and city comprehensive plans;*

Applicant's response:

The reconstruction of this building would be mutually beneficial for the applicant and the City of Palmer due to the fact that it satisfies the summary of goals found in Chapter 6 of the City of Palmer's comprehensive plan. The plans for this building and the remaining two buildings, on top of the efforts already done, would make Palmer an increasingly attractive place to live, work, invest and visit. This building would help maintain high quality residential neighborhoods and also promote development of new commercial endeavors through the means of erecting an extremely high quality building, along with continued rehabilitation of the other buildings which house the 11 doors on the property.

Staff finding:

- Goal 1 of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growth guided to make Palmer an increasingly attractive place to live, work, invest and visit.
- Goal 5 encourages the development of high-quality buildings that reflects Palmer's historical character.
- Goal 6 of Chapter 6 supports improvements to the downtown area to help ensure Palmer's traditional downtown is lively, attractive, and inviting for residents and visitors.

Staff finds the following facts in support:

- a) The proposed change would support the goals and objectives of the City's Comprehensive Plan by encouraging attractive development that will improve the neighborhood and increase the availability of higher density housing near downtown.
- b) This new building will reflect Palmer's character and historical setting with high quality architecture while maintaining the traditional appeal of Palmer.
- c) The proposed change will provide more accommodations in the downtown area as well as encourage spending for visitors and tourists.

Fact 2) *The proposed change is compatible with surrounding zoning districts and the established land use pattern;*

Applicant's response:

Since the property in question has had 11 doors on it for two decades, it is safe to say that there would be more change to not have the 11 doors and also not have a building in place that is largely the same size/structure/shape that has been there since 1935. The proposed change will, in essence, allow no change to the property because we are simply rebuilding what was once there.

Staff finding:

- a) The property for the proposed rezone is contiguous to R-3 zoning on the East side, CL Commercial Limited on the West side as well as CG Commercial General to the North and South lines of the lot.
- b) Among the other comparable land use in the subject area are residential neighborhoods as well as other small businesses such as retail and gift shops. Many restaurants and dining establishments are within walking distance from the property, convenient for visitors of Palmer while staying at this location.
- c) PMC 17.27.060 establishes a minimum lot size for dwelling units, that would make the development compatible with surrounding properties.

Fact 3) *Public facilities such as schools, utilities and streets are adequate to support the proposed change;*

Applicant's response:

Yes, since the previous question states that there are no real changes to the property should this building be erected, no change of utilities, schools, streets or otherwise would be effected.

Staff finding:

- a) This property is a triple frontage lot and has access on Dogwood, South Colony Way and South Bonanza, allowing adequate flow of traffic along with incoming and outgoing visitors.
- b) Utilities are available to serve the proposed use of property as High Density Residential, current water and sewer are set in place and will support the proposed structure.
- c) The proposed change is from R-3, Medium Density Residential to R-4, High Density Residential; there would be little to no impact on public schools since the proposed change would be for short term lodging. The nearest public school is .7 miles from the property.

Fact 4) *Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change;*

Applicant's response:

Yes. As already stated, this property has already been functioning in this area and the surrounding neighborhood for nearly two decades.

Staff finds:

- a) The changed conditions affecting the subject parcel will be the reconstruction of a previous structure that has recently been removed. The continued development of the surrounding housing units supports the proposed change to R-4.
- b) The surrounding zoning districts consist of R-3, Commercial General and Commercial Limited, and have had no recent significant condition changes to the area. The recent amendments to the Central Business District allows for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land.

Fact 5) The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).

Applicant's response:

The proposed change was extremely welcome to the public as we have communicated to the Palmer residents via social media that we are recreating the Felton House with something like-in-kind that will be new, modern, and safe.

The residents gave a tremendous outpouring of positive encouragement and comments in light of the historic building being removed. Along with dozens of residents, several of the City Council members thanked us on social media or liked the fact that we are continuing to beautify the downtown area and invest heavily in Palmer.

This change, though it will not be a change to anyone but the people who know the code for Palmer, will not grant the owners special privilege other than allowing us to rebuild what was already on this property and what is known to the public as a historical part of our town.

I'll also add that a constantly reoccurring theme in our reviews from our guests at Colony Suites is the proximity of our property to walk to shops and restaurants in the downtown Palmer area. Just a glance at the first 15 reviews of the 205 reviews we have on Airbnb clearly indicates that our property attracts visitors to the business district of Palmer.

<https://www.airbnb.com/preformance/quality/overall/reviews>

Staff finds:

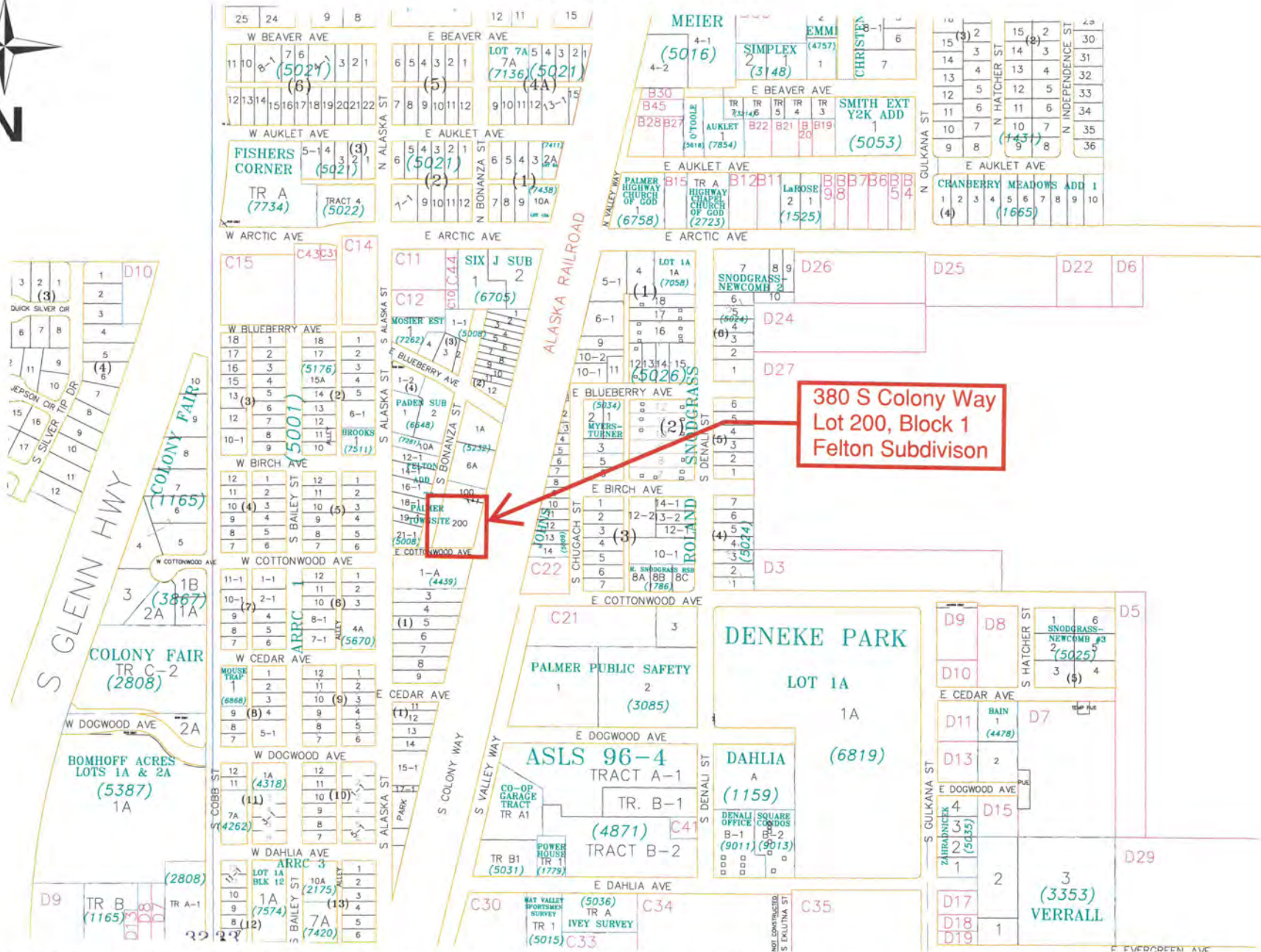
- a) The proposed change does not grant the owner any special privilege as the property in question is contiguous to existing residential zoning and commercial development.
- b) The proposed change is consistent with the public welfare by continuing to permit the current use of this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

PART III. STAFF RECOMMENDATION

Based on the information provided by the applicant and comments received from the public, staff recommends approval of the requested rezone. Staff also finds the request to rezone Lot 200, Block 1, Felton Addition from R-3, Medium Density Residential to R-4, High Density Residential, is consistent with, and in conformance with the Palmer Comprehensive Plan.

If following the Public Hearing, Commission finds that the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve this request for rezoning Lot 200, Block 1, Felton Addition subdivision from R-3, Medium Density Residential to R-4 High Density Residential and forward a recommendation for approval to the City Council.

VICINITY MAP



Request for Rezone from R-3, Medium Family Residential District to R-4, High Density Residential District for Lot 200, Block 1, Felton Add Subdivision located at 380 S. Colony Way in Palmer, Alaska.



City of Palmer
Department of Community Development

645 E. Cope Industrial Way, Palmer, Alaska 99645

Telephone: 907-745-3709 • Fax: 907-745-5443

www.palmerak.org

Zoning Map Amendment Application

Applicant: SEE ATTACHED

Legal Description of Properties covered by this application (use additional sheets if necessary):

Requested District Change (i.e., from - to): _____

Reason for request: _____

Please provide a written narrative explaining the following:

1. Is the proposed change in accordance with the borough and city comprehensive plan?

2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern?

Zoning Map Amendment Application

Applicant: Kyle and Nicole Moffat, Martin and Nikki Moffat, The Alaska Life LLC

Legal Description: 380 S Colony Way, Palmer AK 99645 (Felton Add Palmer Townsite B1 200)

Requested change: R-3 to R-4

Reason for request:

This property was the original location of what many residents knew as 'The Felton House' which was erected in the mid 1930's. Then in 2000 and 2002, two additional buildings were erected on this property. The first building was a Tri-plex, and the second a Four-plex, totaling 11 separate doors at this location.

The applicant purchased this property in August of 2018 and has worked toward rehabilitating what was a very depressed property into a very popular destination for short term rentals. Seven out of the 11 units are fully renovated and new, and the last project was to restore and renovate the original building. Significant efforts were made to save the building and also the historical value of this slice of Palmer's rich history.

After much time and effort was spent to preserve and restore the building, it was determined via the city engineer, several contract individuals, and an architect that it would have likely required too many modifications to bring the building up to code, or even be safe.

The decision was made to remove the building and reconstruct a modern and safe building, which will materially look similar, in its place that would serve as a new landmark for the original Felton

House. This property has had 11 doors on it for nearly 20 years and we would like to reconstruct the building to bring the property back to the state that it had been in for the last two decades.

1) Is the proposed change in accordance with the borough and city comprehensive plan?

The reconstruction of this building would be mutually beneficial for the applicant and the City of Palmer due to the fact that it satisfies the summary of goals found in Chapter 6 of the city of Palmer's comprehensive plan. The plans for this building and the remaining two buildings, on top of the efforts already done, would make Palmer an increasingly attractive place to live, work, invest, and visit. This building would help maintain high quality residential neighborhoods and also promote development of new commercial endeavors through the means of erecting an extremely high quality building, along with continued rehabilitation of the other buildings which house the 11 doors on the property.

2) How is the proposed change compatible with surrounding zoning districts and the established land use pattern?

Since the property in question has had 11 doors on it for two decades, it is safe to say that there would be more change to not have the 11 doors and also not have a building in place that is largely the same size/structure/shape that has been there since 1935. The proposed change will, in essence, allow no change to the property because we are simply rebuilding what was once there.

3) Are public facilities such as schools, utilities and streets adequate to support the proposed change? Yes, since the previous question states that there are no real changes to the property should this building be erected, no changes of utilities, schools, streets or otherwise would be affected.

4) Do changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change?

Yes. As already stated, this property has already been functioning in this area and the surrounding neighborhood for nearly two decades.

5) Is the proposed change consistent with public welfare and will it grant a special privilege to the owners?

The proposed change was extremely welcome to the public as we have communicated to the Palmer residents via social media that we are recreating the Felton House with something like-in-kind that will be new, modern, and safe.

The residents gave a tremendous outpouring of positive encouragement and comments in light of the historic building being removed. Along with dozens of residents, several of the city council members thanked us on social media or liked the fact that we are continuing to beautify the downtown area and invest heavily in Palmer.

This change, though it will not be a change to anyone but the people who know the code for Palmer, will not grant the owners special privilege other than allowing us to rebuild what was already on this property and what is known to the public as a historical part of our town.

I'll also add that a constantly reoccurring theme in our reviews from our guests at Colony Suites is the the proximity of our property to walk to shops and restaurants in the downtown Palmer area. Just a glance at the first 15 reviews of the 205 reviews we have on AirBnB clearly indicates that our property attracts visitors to the business district of Palmer:

<https://www.airbnb.com/performance/quality/overall/reviews/review/750164535>

Mr Moffat 6/1/2021

3. Are public facilities such as schools, utilities and streets adequate to support the proposed change?

4. Do changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change?

5. Is the proposed change consistent with public welfare and will it grant a special privilege to the owners?

Date of application: 5-28-2021

\$250.00 Filing fee paid: Yes


Signature of owner or owner's authorized representative

12120 E. Woodstock Dr. Palmer, AK 99645
Address


907-232-2210
Phone/contact number



PALMER COMMUNITY DEVELOPMENT

ATTN: Joan E. Patterson
645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709 • Fax: 907-745-5443
www.palmerak.org

Invoice No.: CD21-062
Invoice Date: 06/01/2021

Sold To: THE ALASKA LIFE LLC RENTALS 800 W. BRIAR DR. WASILLA, AK 99654		
Qty	Description	Price
	REQUEST FOR ZONING MAP AMENDMENT Felton Add Palmer Townsite, Block 1 200 380 S. Colony Way	\$250.00
		
01-00-00-3427		TOTAL \$250.00

This invoice must be paid within 30 DAYS or further collection procedures will be taken.



DEPARTMENT OF COMMUNITY DEVELOPMENT

Brad Hanson
Director

Dusten Voehl
Building Inspector

Beth Skow
Library Director

Mail: 231 W. Evergreen Ave.
Location: 645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709
Fax: 907-745-5443
www.palmerak.org

June 1, 2021

Dear Property Owner:

The Palmer Planning and Zoning Commission will consider a Zoning Map Amendment Application for Lot 200, Block 1, Felton Add Subdivision, initiated by Kyle & Nicole Moffat, Martin & Nikki Moffat, The Alaska Life LLC. The property is located at 380 South Colony Way, Palmer, Alaska.

The property is zoned R-3, Medium Density Residential. The request is to rezone the property to R-4, High Density Residential District. The map on the reverse side of this notice indicates the location of the subject property. For additional information on the R-4 District, please refer to Palmer Municipal Code Chapter 17.27 - R-4 High Density Residential District, located online at: www.palmerak.org.

The Commission will hold a Public Hearing to consider this application and to allow for public comments as well. The meeting will be held on June 17, 2021 at 7:00 p.m., in the City Council Chambers located at 231 West Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comments to the Planning and Zoning Commission by **June 9, 2021**. Written comments may be mailed to Department of Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to (907) 745-5443 or emailed to me at: ndegner@palmerak.org.

Sincerely,

Nichole Degner, Community Development Specialist

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆

For the following reason, I am (please circle) (in favor of), (NOT in favor of),
(have no objection to) the issuance of the proposed re-zone from R-1 to R-4.

Name: Anna Hanson
Address: 235 S. Valley Way, Palmer Alaska



DEPARTMENT OF COMMUNITY DEVELOPMENT

Brad Hanson
Director

Dusten Voehl
Building Inspector

Beth Skow
Library Director

Mail: 231 W. Evergreen Ave.
Location: 645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709
Fax: 907-745-5443
www.palmerak.org

June 1, 2021

Dear Property Owner:

The Palmer Planning and Zoning Commission will consider a Zoning Map Amendment Application for Lot 200, Block 1, Felton Add Subdivision, initiated by Kyle & Nicole Moffat, Martin & Nikki Moffat, The Alaska Life LLC. The property is located at 380 South Colony Way, Palmer, Alaska.

The property is zoned R-3, Medium Density Residential. The request is to rezone the property to R-4, High Density Residential District. The map on the reverse side of this notice indicates the location of the subject property. For additional information on the R-4 District, please refer to Palmer Municipal Code Chapter 17.27 - R-4 High Density Residential District, located online at: www.palmerak.org.

The Commission will hold a Public Hearing to consider this application and to allow for public comments as well. The meeting will be held on June 17, 2021 at 7:00 p.m., in the City Council Chambers located at 231 West Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comments to the Planning and Zoning Commission by **June 9, 2021**. Written comments may be mailed to Department of Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to (907) 745-5443 or emailed to me at: ndegner@palmerak.org.

Sincerely,

Nichole Degner, Community Development Specialist

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆

For the following reason, I am (please circle) (in favor of), (NOT in favor of),
(have no objection to) the issuance of the proposed re-zone from R-1 to R-4.

Why do you ask? I was told for
10+ years my GC Zoned land could not
have Rental units & then the City Actively

Name: Took apart a Contract to have Retail/shooting

Address: Range in a G.C Zoned Property & made it
the largest indoor Rental Space in the State.

U-Haul - the anchor of Palmer
I believe it is still G.C

No objection to
the Re-Zone.

City of Palmer
Action Memorandum No. 21-042

Subject: Authorize the City Manager to Purchase Insurance Coverage for the Period of July 1, 2021, through June 30, 2022, per the Premium Quote Submitted by the City's Insurance Broker, RISQ Consulting

Agenda of: July 13, 2021

Council Action: ☐ **Approved** ☐ **Amended:** _____
 ☐ **Defeated**

Originator Information:

Originator: John Moosey, City Manager

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ **517,869.99**

This legislation (✓):




<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ <u>517,869.99</u>
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input type="checkbox"/>	Has no fiscal impact	

Funds are (✓):

<input checked="" type="checkbox"/>	Budgeted	Line item(s): <u>Various Accounts</u>
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u> Acting City Clerk</u>	_____

Attachment(s):

1. RISQ Consulting APEI Insurance proposal

Summary Statement/Background:

The City's Insurance Broker, RISQ Consulting (formerly AlaskaUSA Insurance Brokers), presented the attached proposal from Alaska Public Entity Insurance (APEI) to the administration for the renewal of the City's insurance policies for the year beginning July 1, 2021.

The insurance coverage includes property (including earthquake and fire); crime; general liability, police professional liability; auto liability and physical damage; worker's compensation and COVID-19 related insurance expenses.

In July of 2019, Council approved the City Manager to enter into a three-year agreement with APEI, which resulted in a 5% discount for each year of coverage. In the 2021/2022 insurance policy, the premium increased by \$14,097.74. The City also received a longevity credit of \$20,052.67. 2021/2022 is the last year of the three-year agreement with APEI.

The City has had insurance coverage with excellent service through APEI since 2008.

Administration's Recommendation:

Approve Action Memorandum No. 21-042

CITY OF PALMER



PALMER *Alaska*

Commercial Insurance Proposal

Presented By



Jan Martinson, CMIP
Senior Account Executive/Partner

Spring Ortega, CISR
Senior Account Manager

July 1, 2021 to July 1, 2022

YOUR RISQ CONSULTING SERVICE TEAM

SENIOR ACCOUNT EXECUTIVE/PARTNER

Jan Martinson, CMIP

(907) 365-5108 – Direct Line

jmartinson@risqconsulting.com

Jan aggressively represents your firm in the insurance marketplace and intends to thoroughly acquaint you with coverage proposals and placements. She is responsible to make sure your account is handled to your satisfaction.

CUSTOMER SERVICE REPRESENTATIVE

Spring Ortega, CISR

Senior Account Manager

(907) 365-5115 – Direct Line

sortega@risqconsulting.com

Spring is qualified to help you with service needs, questions, changes in coverage, or problems you may have with your policies. Her goal is your satisfaction.

CLAIMS

Jan or Spring can be called when you have an insurance claim. We can help you with every step of the claim process, from the initial report to staying in contact with the insurance company to make sure your claim is handled in a manner that meets our high standards.

ACCOUNTING

Spring Ortega, CISR

Senior Account Manager

(907) 365-5115 – Direct Line

sortega@risqconsulting.com

CLIENT INFORMATION SHEET

Account Name: City of Palmer

Mailing Address: 231 W. Evergreen Avenue
Palmer, AK 99645

Phone Number: (907) 745-3271

Fax Number: (907) 745-0930

Contacts: John Moosey, City Manager
jmoosey@palmerak.org
Direct: (907) 761-1317

Kimberly, Green, SPHR, IPMA-SCP
Human Resources/Risk Manager
kgreen@palmerak.org
Direct: (907) 761-1302

Gina Davis, Finance Director
gdavis@palmerak.org
Direct: (907) 761-1314

RISQ Consulting provides this Insurance Proposal as a working document for easy reference concerning insurance coverage, not as a legal contract. This Insurance Proposal is provided to facilitate your understanding of your insurance program. Please refer to the actual policies for specific terms, conditions, limitations and exclusions that will govern in the event of a loss.

In evaluating your exposures to loss, we have been dependent upon information provided by you. If there are other areas that need to be evaluated prior to binding coverage, please bring these areas to our attention. Should any of your exposures change after coverage is bound, such as your beginning new operations, hiring employees in new states, buying additional property, etc., please let us know so proper coverage can be discussed.

NAMED INSUREDS

City of Palmer

INDEX

Premium Summary	1
Premium Credits Last 4 Years	2
Premium Summary Last 4 Years	3
Commercial Property.....	4
Inland Marine – Mobile Equipment.....	9
Inland Marine – Radios and Laptops	10
Crime	11
General Liability	12
Cyber Liability	13
Automobile	14
Workers’ Compensation	18
Airport Owners & Operators Liability	20
Optional Coverage’s.....	21
Privacy Policy	22

PREMIUM SUMMARY

COVERAGE	2020-2021 With 3 Yr. Agreement	2021-2022 With 3 Yr. Agreement
Property, Mobile Equipment, Earthquake/Flood, Crime	\$155,143.52	\$155,161.88 (1)
General Liability, Police Professional Liability	\$149,935.13	\$168,122.50 (2)
Auto Liability, UM/UIM, Physical Damage	\$ 84,933.03	\$ 86,033.09 (3)
Workers' Compensation	\$109,692.54	\$104,853.59 (4)
APEI PKG TOTAL	\$499,704.22	\$514,171.06
APEI Longevity Credit	-\$ 13,491.97	-\$ 20,052.67
APEI PKG TOTAL DUE AT BINDING	\$486,212.25	\$494,118.39
Cyber Liability	\$ Included	\$ 5,197.60 (5)
Airport Owners Operators Liability	\$ 10,358.00	\$ 10,992.00 (6)
Inland Marine	\$ 7,202.00	\$ 7,562.00 (7)
TOTAL ESTIMATED ANNUAL PREMIUM	\$503,772.25	\$517,869.99

- (1) **Property** – Increase due to rates increasing, some buildings, contents other structures value increasing.
- (2) **GL** – Increase due to higher payroll and APEI has had significant claims and payouts.
- (3) **Auto** – Increase due to increase in vehicles, 20-21 77 vehicles and 21-22 80 vehicles.
- (4) **Work Comp** – Decrease due to lower rates and lower payroll.
- (5) **Cyber Liability** – The premium for this coverage is no longer included in the members' liability quote, but is separate. Each member's premium is based on their operating budget, and is shown on their quote.
- (6) **Airport Premises Liability** – Increased due to more coverage and higher limits offered by APEI, new coverage war, hi-jacking and other perils aggregate limit \$10,000,000, higher limit for personal & advertising Injury aggregate \$10,000,000, new no deductibles.
- (7) **IM** – Increase due to rates increasing from \$1.2731 to \$1.3368.

Airport Owners & Operators – Premium includes terrorism and/or war coverage the annual premium is \$1,221.00, 25% Min Earned Premium, No Flat Cancellations.

Inland Marine – Premium includes Terrorism the annual premium is \$220.00.

APEI – 3 Year Agreement results in a **5%** reduction calculated to the gross annual premium effective July 1, 2019 through June 30, 2022 with the understanding that if you leave the program before the three years are up you will be expected to pay back the amount of the discount to the carrier, with interest plus penalties in the amount of 10% of the total premium charged for the last year that the insured was in the program.

PREMIUM CREDITS

Applied to 2021 – 2022

GL: LC and Safety Meetings	\$13,320.40
WC: LC Training & Safety Meetings	\$ 7,925.98
Auto: LC	\$ 0
Property: LC/Fire Dept./Sprinkler	\$12,719.55
3 - Year Agreement - Expires in 2022	\$27,061.63
<u>Longevity Credit</u>	<u>\$20,052.67</u>

Total \$81,080.23

(Gross Premium w/out Credits \$575,198.63)

Applied to 2020 – 2021

GL: LC and Safety Meetings	\$13,724.04
WC: LC Training & Safety Meetings	\$15,745.34
Auto:	\$ 0
Property: LC/Fire Dept./Sprinkler	\$12,718.02
3 - Year Agreement - Expires in 2022	\$26,300.23
<u>Longevity Credit</u>	<u>\$13,492.01</u>

Total \$81,979.64

Applied to 2019 – 2020

GL: LC and Safety Meetings	\$ 9,260.35
WC: LC Training & Safety Meetings	\$15,921.48
Auto:	\$ 0
Property: LC/Fire Dept./Sprinkler	\$10,595.00
3 - Year Agreement - New, Expires in 2022	\$21,024.87
<u>Longevity Credit</u>	<u>\$15,703.20</u>

Total \$72,504.90

Applied to 2018 – 2019

GL: LC and Safety Meetings	\$ 4,910.00
WC: LC Training & Safety Meetings	\$14,665.00
Auto:	\$ 0
Property: LC/Fire Dept./Sprinkler	\$ 8,726.00
3 - Year Agreement - Expires in 2019	\$17,149.00
<u>Longevity Credit</u>	<u>\$12,707.80</u>

Total \$58,157.80

PREMIUM SUMMARY – LAST 4 YEARS

COVERAGE	2018-2019 Policy Term	2019-2020 Policy Term With 3 Yr. Agreement	2020-2021 Policy Term With 3 Yr. Agreement	2021-2022 Policy Term With 3 Yr. Agreement
Property, Mobile Equipment, Earthquake/Flood, Crime	\$ 93,331.66	\$114,916.93	\$155,143.52	\$155,161.88
General Liability, Police Professional Liability, Cyber	\$ 53,641.02	\$101,169.32	\$149,935.13	\$168,122.50
Auto Liability, UM/UIM, Physical Damage	\$ 87,207.93	\$ 88,027.62	\$ 84,933.03	\$ 86,033.09
Workers' Compensation	\$102,163.70	\$110,919.64	\$109,692.54	\$104,853.59
APEI PKG TOTAL	\$336,344.31	\$415,033.51	\$499,704.22	\$514,171.06
APEI Longevity Credit	-\$12,707.80	-\$ 14,941.33	-\$ 13,491.97	-\$ 20,052.67
APEI PKG TOTAL DUE AT BINDING	\$323,636.51	\$400,092.18	\$486,212.25	\$494,118.39
Cyber Liability	\$ Included	\$ Included	\$ Included	\$ 5,197.60
Airport Owners/Operators Liability	\$ 8,050.00	\$ 8,050.00	\$ 10,358.00	\$ 10,992.00
Inland Marine	\$ 6,590.00	\$ 6,788.00	\$ 7,202.00	\$ 7,562.00
TOTAL ANNUAL PREMIUM	\$338,276.51	\$415,130.18	\$503,772.25	\$517,869.99

COMMERCIAL PROPERTY

Insurance Carrier:	Alaska Public Entity Insurance
Policy Period:	July 1, 2021 to July 1, 2022
Coverage:	All Risk for direct physical damage including earthquake and flood. Subject to policy terms, conditions and exclusions.
Property:	\$200,000,000 Program Limit Shared by all participants
Fine Arts:	*\$ 5,000,000 Program Limit Shared by all participants
Mobile Equipment:	\$ 10,000,000 Program Limit Shared by all participants
Earthquake & Flood:	\$ 75,000,000 Program Limit Shared by all participants
Equipment Breakdown:	\$200,000,000 Program Limit Shared by all participants
Location, Limits & Property Covered:	Buildings, Contents, Other Structures \$92,445,956 Mobile Equipment \$1,113,626 (See Attached Schedule)
Co-Insurance:	None
Recovery Basis:	Replacement Cost - Buildings, Contents, EDP
Deductibles:	\$10,000 – Building – Per Occurrence \$10,000 – Earthquake/Flood – Each Claim \$ 5,000 – Contents, EDP, Fine Arts – Each Claim

- NOTE: Fine Arts must be scheduled

Yellow highlighted items on the property schedule are values that have increased

COMMERCIAL PROPERTY SCHEDULE

LOC.	LOCATION	DESCRIPTION	BLDG VALUES	CONTENTS VALUES	OTHER STRUCTURES	TOTAL
1	Old Woods Hanger	650 E. Yukon Street	\$250,000	\$0	\$0	\$250,000
2	Tourist Center Restrooms	723 S. Valley Way	\$250,000	\$0	\$0	\$250,000
2/1	Lift Station 1	South Gulkana Street	\$80,000	\$76,000	\$0	\$156,000
2/2	Lift Station 2	South Chugach Street	\$100,000	\$89,000	\$0	\$189,000
2/3	Lift Station 3	South Chugach Street	(\$416,950) \$444,900	\$0	\$0	\$444,900
2/4	Lift Station 4	Woodruff Loop, SWX	\$60,000	\$130,000	\$0	\$190,000
2/5	Lift Station 5	Mile 35 Glenn Hwy., SWX	\$60,000	\$130,000	\$0	\$190,000
3	A-Moose-Ment Park	420 W. Fern Avenue	\$100,000	\$0	\$0	\$100,000
4	Lift Station 6	Inner Springer Loop, SWX	\$60,000	\$110,000	\$0	\$170,000
5	Airport Energy Module Building	901 E. Yukon Street	\$60,000	\$100,000	\$0	\$160,000
6	Little League Baseball Complex	North Gulkana Street	\$0	\$0	\$130,000	\$130,000
7	Pressure Reducing Station 1	North Alaska Street	\$20,000	\$12,000	\$0	\$32,000
8	Pressure Reducing Station 2	North Gulkana Street	\$20,000	\$12,000	\$0	\$32,000
9	Soccer Field Bathroom Building	North Gulkana Street	\$100,000	\$0	\$0	\$100,000
10	Sewer Lagoon Equipment Storage	1802 S. Brooks Road	(\$129,000) \$129,900	(\$50,000) \$50,700	\$0	\$180,600
11	Farmers Market Pavilion	South Valley Way	\$50,000	\$0	\$0	\$50,000

LOC.	LOCATION	DESCRIPTION	BLDG VALUES	CONTENTS VALUES	OTHER STRUCTURES	TOTAL
12	Community Center Depot	610 S. Valley Way	(\$1,530,400) \$1,541,600	(\$128,100) \$129,800	\$0	\$1,671,400
13	250,000 Gallon Water Storage Tank	Cedar Hills Subdivision	\$0	\$0	\$15,000	\$15,000
14	1,000,000 Gallon Water Storage Tank	E. Scott Road	\$0	\$0	(\$1,782,900) \$1,795,900	\$1,795,900
15	Airport Office FAA Building	901 East Yukon Street	(\$1,089,600) \$1,097,600	\$307,470	\$0	\$1,405,070
16	Booster Pump Station	Cedar Hills Drive	\$20,000	\$100,000	\$0	\$120,000
17	Community Development	645 E. Cope Industrial Way	\$156,000	\$106,804	\$0	\$262,804
18	City Hall	231 W. Evergreen Avenue	(\$2,760,700) \$2,780,900	(\$478,600) \$484,800	0	\$3,265,700
19	City Vehicle Maint. PPD Car Wash	1316 Bonanza Street	\$90,440	\$5,000	\$0	\$95,440
20	Equipment Storage (Airport)	800 E. Evergreen Avenue	\$416,240	(\$326,800) \$331,000	\$0	\$747,240
21	Cold Storage Building	Muni Golf Course	\$140,400	\$138,000	\$0	\$278,400
22	Restrooms	645 E. Cope Industrial Way	\$50,762	\$10,000	\$0	\$60,762
23/1	Sewer Lagoon/Lab/Blower Bldg.	1802 S. Brooks Road	(\$565,200) \$569,300	(\$332,920) \$337,200	\$0	\$906,500
23/2	Sewer Lagoon Headwork's	1802 S. Brooks Road	(\$1,564,000) \$1,575,400	\$0	\$0	\$1,575,400
23/3	Sewer Lagoon Main Blower Bldg.	1802 S. Brooks Road	(\$533,400) \$537,300	(\$59,900) \$60,700	\$0	\$598,000
23/4	Sewer Lagoon UV Bldg.	1802 S. Brooks Road	(\$1,223,900) \$1,232,800	\$0	\$0	\$1,232,800
24	Tourist Center/Museum	723 S. Valley Way	\$387,421	\$227,500	\$0	\$614,921
25	Equipment Storage	645 E. Cope Industrial Way	\$299,820	\$10,000	\$0	\$309,820
26	Public Works Office	1316 Bonanza Street	\$180,000	\$157,782	\$0	\$337,782
27	Well House #4 and #5	950 Cope Industrial Way	\$180,000	\$400,000	\$0	\$580,000

LOC.	LOCATION	DESCRIPTION	BLDG VALUES	CONTENTS VALUES	OTHER STRUCTURES	TOTAL
28	MTA Events Center	1317 Kerry Weiland Way	(\$11,881,400) \$11,968,100	(\$739,200) \$748,700	\$0	\$12,716,800
29	Fire Hall Station 31	717 S. Cobb Street	(\$1,817,400) \$1,830,700	(\$148,800) \$150,700	\$0	\$1,981,400
30/1	Fire Maintenance Building	645 E. Cope Industrial Way	(\$1,416,300) \$1,426,600	(\$292,700) \$296,500	\$0	\$1,723,100
30/2	Fire Training Classroom	645 E. Cope Industrial Way	\$260,000	\$200,000	\$0	\$460,000
30/3	Fire Training Tower	645 E. Cope Industrial Way	\$130,701	\$2,000	\$0	\$132,701
31	Golf Clubhouse	Muni Golf Course	(\$838,500) \$844,600	(\$86,400) \$87,500	\$0	\$932,100
32	Reservoir Bldg., 250,000 Gal. Tank	12050 E. Scott Road	\$0	\$0	(\$607,300) \$611,700	\$611,700
33	Library	655 S. Valley Way	(\$4,482,000) \$4,514,700	(\$1,771,100) \$1,793,900	\$0	\$6,308,900
34	Pump house Building	12050 E. Scott Road	\$75,000	\$250,000	\$0	\$325,000
35/1	Public Safety Bldg., 1 PPD	423 S. Valley Way	(\$2,696,400) \$2,716,100	(\$496,800) \$503,200	\$0	\$3,219,300
35/2	Public Safety Bldg., 2 AST/ DISP	453 S. Valley Way	(\$2,953,000) \$2,974,600	\$871,170	\$0	\$3,845,770
35/3	Public Safety Comm. Shelter	423 S. Valley Way	\$150,000	\$1,500,000	\$0	\$1,650,000
36	Public Works Equipment Building	1432 S. Bonanza Street	\$401,455	\$1,000,000	\$0	\$1,401,455
37/1	Public Works Equipment Building	1316 Bonanza Street	\$399,750	\$700,000	\$0	\$1,099,750
37/2	Public Works Mech./Shop	1316 Bonanza Street	(\$1,749,200) \$1,762,000	(\$599,400) \$607,100	\$0	\$2,369,100
38	Golf Course Storage	Muni Golf Course	\$91,853	\$0	\$0	\$91,853
39	Church Property	2390 S. Glenn Hwy.	\$175,000	\$0	\$0	\$175,000
40	Public Works Meter Building	1432 S. Bonanza Street	\$29,000	\$75,000	\$0	\$104,000
41	Bugge Park	220 S. Cobb Street	\$0	\$0	\$12,000	\$12,000
42	Hagen Park	201 E. Dolphin Avenue	\$0	\$0	\$3,500	\$3,500

LOC.	LOCATION	DESCRIPTION	BLDG VALUES	CONTENTS VALUES	OTHER STRUCTURES	TOTAL
43	McKechnie Park	643 W. Daron Drive	\$0	\$0	\$19,000	\$19,000
44	Meier Park	325 S. Silver Tip Drive	\$0	\$0	\$3,500	\$3,500
45	Palmer Skateboard Park	231 E. Arctic Avenue	\$0	\$0	\$60,000	\$60,000
46	Wilson Park	1115 S. Felicia Street	\$0	\$0	\$47,000	\$47,000
47	50 Kw Diesel Generator	1802 S. Brooks Road	\$0	\$0	(\$79,080) \$81,800	\$81,800
48/1	Aeration Pond #1	1802 S. Brooks Road	\$0	\$0	(\$2,990,400) \$3,012,200	\$3,012,200
48/2	Aeration Pond #2	1802 S. Brooks Road	\$0	\$0	(\$2,990,400) \$3,012,200	\$3,012,200
48/3	Aeration Pond #3	1802 S. Brooks Road	\$0	\$0	(\$4,557,800) \$4,591,100	\$4,591,100
49	Storage Building #1	1802 S. Brooks Road	(\$8,100) \$8,200	\$3,000	\$0	\$11,200
50	50 Kw Diesel Generator	1802 S. Brooks Road	\$0	\$0	(\$79,080) \$81,800	\$81,800
51	Storage Building	1802 S. Brooks Road	(\$8,400) \$8,500	\$1,400	\$0	\$9,900
52	New Sewer Lagoon Building	1802 S. Brooks Road	\$12,000,000	\$300,000	\$0	\$12,300,000
53	Moving Bed Bioreactor Basin	1802 S. Brooks Road	(\$11,439,000) \$11,522,500	\$0	\$0	\$11,522,500
54	Effluent Parshall Flume	1802 S. Brooks Road	\$0	\$0	(\$33,000) \$33,200	\$33,200
TOTALS:			\$66,330,142	\$12,605,926	\$13,509,900	\$92,445,986

YEAR	BUILDINGS	CONTENTS	OTHER STRUCTURES	MOBILE EQUIPMENT	TOTAL INSURED VALUE
2020-2021	\$65,946,692	\$12,534,926	\$13,409,960	\$1,113,626	\$93,005,204
2019-2020	\$53,849,752	\$12,198,676	\$13,148,590	\$1,113,826	\$80,310,844
2018-2019	\$52,155,962	\$12,044,206	\$12,653,070	\$885,042	\$77,738,280

INLAND MARINE – MOBILE EQUIPMENT

Insurance Carrier: Alaska Public Entity Insurance

Policy Period: July 1, 2021 to July 1, 2022

Coverage: Provides Direct Physical Loss or Damage coverage for scheduled equipment. Subject to policy terms, conditions, and exclusions.

Total Insured Value: \$1,133,626

Coinsurance: 90%

Recovery Basis: Actual Cash Value

Year	Make/Description	Serial Number	Value	Deductible
2006	Caterpillar 140 Grader 5205	CAT043HTAPN00901	\$247,010	\$ 5,000
2015	John Deere Tractor w/Loader	1LV3038ETEH61076 1POD16XTEX001623	\$ 21,000	\$ 5,000
2006	John Deere Backhoe Attachment	LV0047C060210	\$ 17,531	\$ 5,000
2017	GAS Sickle Bar Mowing Attachment	GG95D1885	\$ 5,200	\$ 5,000
2017	AGRI EASE Rotary Cutter Attachment	152405RC5HDGY16	\$ 2,200	\$ 1,000
2004	John Deere Rotary Broom	MO60HDB015133	\$ 5,000	\$ 2,500
2004	John Deere Snow Blower	MOB2756X190584	\$ 5,000	\$ 2,500
2018	Ski-Doo Snowmobile	2BPSCFJD0JV000714	\$ 14,138	\$ 5,000
2019	Wausau MP318 Loader MT Blower	SCMP31810075126775	\$228,784	\$ 5,000
2019	Caterpillar 950 M Loader	KSA00171	\$266,921	\$10,000
2019	Caterpillar 160M3 Motor Grader	CAT0160MEN9E01003	\$301,042	\$10,000
2007	Haulmark Crime Scene Police Trailer	16HPB20227H156078	\$ 19,800	\$ 1,000
TOTAL:			\$1,133,626	

Note: 20-21 Limit \$1,113,626

INLAND MARINE – RADIOS AND LAPTOPS

Insurance Carrier: Allianz Global Corporate and Specialty

Policy Period: July 1, 2021 to July 1, 2022

Coverage: Provides Direct Physical Loss or Damage coverage for scheduled equipment. Subject to policy terms, conditions, and exclusions.

Total Insured Value: \$549,200 – Blanket Limit

Deductible: \$1,000

Recovery Basis: Actual Cash Value

Description	Location	Value	Rate
Radios/Laptops	In Police Vehicles	\$362,600	\$1.3368
Radios	In Public Works Vehicles	\$186,600	\$1.3368
TOTAL:		\$549,200	

Rate: 20-21 \$1.2731

Note: 20-21 Limit \$549,200

Subject to: Updated Schedule of Equipment

Noteworthy Endorsements: Minimum Earned Premium \$1,000
Pollutant Removal

Noteworthy Exclusions: Virus, Bacterium or Other Microorganism
Fungi, Wet Rot and Dry Rot
War and Military Action
Governmental Action
Earth Movement
Electronic Data
Nuclear Hazard
Water

CRIME

Insurance Carrier: Alaska Public Entity Insurance

Policy Period: July 1, 2021 to July 1, 2022

Location: City of Palmer

	<u>LIMIT</u>	<u>DEDUCTIBLE</u>
EMPLOYEE THEFT INCLUDING FAITHFUL PERFORMANCE Payment for loss sustained by the insured caused by a dishonest act by an employee.	\$1,000,000	\$2,500
FORGERY OR ALTERATION Covers loss due to dishonesty in writing, signing, or altering checks or other financial instruments.	\$1,000,000	\$2,500
THEFT OF MONEY OR SECURITIES Inside the Premises	\$1,000,000	\$2,500
ROBBERY OR SAFE BURGLARY OF OTHER PROPERTY Inside the Premises	\$1,000,000	\$2,500
OUTSIDE THE PREMISES	\$1,000,000	\$2,500
COMPUTER FRAUD	\$1,000,000	\$2,500
FUNDS TRANSFER FRAUD \$100,000 Limit for Fraudulent Impersonation Claims	\$1,000,000	\$2,500
MONEY ORDERS & COUNTERFEIT MONEY	\$1,000,000	\$2,500

GENERAL LIABILITY

Insurance Carrier: Alaska Public Entity Insurance

Policy Period: July 1, 2021 to July 1, 2022

Coverage: The insurance company agrees to pay those sums that you are legally obligated to pay as damages because of bodily injury and property damage to which the insurance applies. Subject to policy terms conditions and exclusions.

Per Occurrence Limit:	General Liability	\$15,500,000
(No Aggregate)	Water/Sewer Backup Liability	\$15,500,000
	Volunteer Medical Coverage	\$ 50,000

Annual Aggregate Limit:	Public Officials E&O Liability	\$15,500,000
	Law Enforcement Liability	\$15,500,000
	Employment Practices Liability	\$15,500,000
	Employee Benefits Liability	\$15,500,000
	Non-Owned Auto Liability	\$15,500,000
	Non-Owned Auto Physical Damage	\$ 50,000

Deductibles:	General Liability	\$ 0
	Water/Sewer Backup Liability	\$ 10,000
	Volunteer Medical Coverage	\$ 0
	Public Officials E&O Liability	\$ 0
	Law Enforcement Liability	\$ 10,000
	Employment Practices Liability	\$ 10,000
	Employee Benefits Liability	\$ 0
	Non-Owned Auto Liability	\$ 0
	Non-Owned Auto Physical Damage	\$ 1,000

Audit Frequency: Annually

Note: 21-22 Payroll \$4,924,563
20-21 Payroll \$4,878,430

CYBER LIABILITY

Insurance Carrier: Alaska Public Entity Insurance

Policy Period: July 1, 2021 to July 1, 2022

Coverage Type: Claims Made

**Insuring Agreement, A
Loss Expense:**

Protects against expenses incurred directly (1st Party) in connection with a privacy incident, network Security incident, or Cyber Crime incident. Examples of covered expenses include: forensics, notification, Identity monitoring, breach coaching, data restoration, systems restoration, extortion costs and business interruption loss. Subject to policy terms conditions and exclusions.

Aggregate Limit: **Loss Expense and Liability Expense** **\$2,000,000**

Per Occurrence Limit: **Loss Expense** **\$2,000,000**
Extortion, Ransomware, Data Restoration **\$1,000,000**
(Sublimit)
Deductible **\$ 25,000**

**Insuring Agreement B
Liability Expense:**

Protects against your liability to others (3rd Party) in connection with a privacy incident, network Security incident, or media incident. Examples of covered expenses include: defense expense, damages, pre-judgement interests, judgements, post judgement interests, settlements, PCI assessments, and consumer redress funds. Subject to policy terms conditions and exclusions.

Per Occurrence Limit: **Liability Expense** **\$2,000,000**
Deductible **\$ 25,000**

**Noteworthy
Endorsements:**

Loss of Income Due to Negative Publicity
General Limitation of Coverage
Liability Expense Retroactive Date 1/1/2014

AUTOMOBILE

Insurance Carrier:	Alaska Public Entity Insurance
Policy Period:	July 1, 2021 to July 1, 2022
Coverage:	The insurance company will pay all sums an insured legally must pay for damages as a result of bodily injury or property damage to which the insurance applies, caused by an accident and resulting from the ownership, maintenance or use of a covered auto. Subject to policy terms conditions and exclusions.
Liability Limit:	\$15,500,000 - Bodily Injury/Property Damage
Medical Payments:	Included in limit above
Physical Damage:	See Schedule Next Page
Uninsured/Underinsured Liability:	\$250,000 - Per Occurrence, with \$0 Deductible
Uninsured/Underinsured Physical Damage:	\$ 25,000 - Per Occurrence, with \$250 Deductible
Covered Autos:	See Attached Schedule Non-Owned & Hired Auto Liability
Recovery Basis:	Actual Cash Value
Note:	21-22 Policy Term, 80 Vehicles 20-21 Policy Term, 77 Vehicles

AUTOMOBILE SCHEDULE

Location	Year	Make	Body Type	Insured Value	VIN	Physical Damage Deductible
PW	1980	Western Star	Dump Truck		LONFPGJ903927	
PW	1980		Sand Truck		LONFPGJ904494	
Sewer	1982	Ford	Vactor		1FDYR80U7CVA48222	
PW	1983	Ford	Dump Truck		1FDYU80UXDVA16302	
PW	1983	International	Box Steam Truck		1HTAA17B9DHB13828	
GC	1986	Ford	Dump Truck F8000		1FDYK87UOGVA34338	
FD	1987	Spartan	Fire Truck	\$500,000	1S9AT6A0XHC185172	\$25,000
FD	1989	Ford	F-350 Truck		1FDKF38G6KKB51583	
PW	1994	Chevy	C-3500 Flatbed Truck		1GBHC34K1RE307124	
FD	1994	Freightliner	Rescue Truck FL70	\$300,000	1FV6HFAA2RL626582	\$10,000
FD	1994	Pierce	Pumper	\$500,000	4P1CT02UXRA000560	\$25,000
CD	1994	Chevy	K-2500 Pickup		1GBGK24K9RE305128	
GARB	1994	Ford	Garbage Truck		1FDZW82E5SVA17956	
FD	1997	Ford	Expedition		1FMFU18LOVLC23210	
PD	1998	Ford	Contour LX		1FAFP66L9WK257185	
CD	2000	Dodge	Ram 1500 Pickup		3B7HF13Z8YG148003	
CD	2000	Dodge	Dakota Pickup		1B7HC162XYSS72934	
PW	2001	Chevy	Silverado K-1500 Pickup		1GCEK19V31E311737	
PW	2001	Chevy	Silverado C-1500 Pickup		1GCEC14V91Z155250	
PW	2001	Chevy	Silverado C-1500 Pickup		1GCEC14V21Z155302	
Sewer	2001	Chevy	Silverado C-1500 Pickup		1GCEC14V21Z156207	
PW	2001	Dodge	Ram 2500 Pickup		3B7KF23621G219008	
CD	2001	Dodge	Durango		1B4HS28Z21F597367	
PW	2002	Chevy	Silverado C-1500 Pickup		1GCEC14T12Z309840	
FD	2002	Chevy	Silverado K-2500 Pickup		1GCHK29U42E228698	
PW	2002	Ford	Explorer		1FMZU72E22UB04977	
PW	2004	Sterling	Elgin Sweeper SC8000		49HAADB54DN04722	
AP	2004	International	Dump Truck 5600I	\$120,946	IHTXHAXT24JO18709	\$ 1,000
PW	2004	International	Bucket Truck 4300	\$ 39,401	1HTMMAAL94H653960	\$ 1,000

Location	Year	Make	Body Type	Insured Value	VIN	Physical Damage Deductible
PW	2005	Chevy	Silverado C-1500 Pickup		1GCEC14T95Z193808	
Airport	2005	Ford	Expedition XLT		1FMPU16505LA79067	
FD	2005	Ford	F-550 Rescue Truck	\$200,000	1FDAW57P65EC56104	\$ 1,000
Sewer	2005	International	Vactor Truck	\$180,900	1HTWDAAR15J044644	\$ 1,000
PD	2006	Ford	Crown Victoria	\$ 18,000	2FAHP71W76X160239	\$ 1,000
PW	2006	International	Sand Truck 7400	\$ 81,000	1HTWGAATX6J355073	\$ 1,000
PD	2007	Ford	F-250 Pickup	\$ 22,500	1FTSX2152EA65813	\$ 1,000
Sewer	2007	Ford	F-450 Plow Truck	\$ 43,394	1FDXF47P37EA91748	\$ 1,000
FD	2007	Pierce	Pumper Fire Truck	\$500,000	4PICC01AX7A007528	\$25,000
PD	2007	Haulmark	Crime Scene Trailer	\$ 19,800	16HPB20227H156078	\$ 1,000
PW	2007	Peterbilt	Conventional Dump Truck 335	\$ 63,900	2NPLLZ9X37M695220	\$ 1,000
PD	2009	Ford	Crown Victoria	\$ 9,000	2FAHP71V59X105445	\$ 1,000
PD	2009	Ford	Explorer XLT	\$ 9,000	1FMEU73E89UA30021	\$ 1,000
CM	2010	Dodge	Charger	\$ 18,000	2B3AA4CT6AH145864	\$ 1,000
PW	2010	Ford	F-350 Super Duty Truck	\$ 18,420	1FTWF3B58AEA90313	\$ 1,000
PW	2010	Ford	F-350 Super Duty Truck	\$ 18,420	1FTWF3B5XAEA90314	\$ 1,000
PD	2010	Dodge	Charger	\$ 18,000	2B3AA4CT0AH303566	\$ 1,000
PD	2010	Dodge	Charger	\$ 18,000	2B3AA4CT9AH303565	\$ 1,000
FD	2011	Chevy	Silverado K-2500 HD Pickup	\$ 40,000	1GC1KVCG7BF177701	\$ 1,000
FD	2011	Chevy	Silverado K-3500 Truck	\$ 40,000	1GC5KZCG4BZ262289	\$ 1,000
PD	2013	Ford	Explorer	\$ 31,500	1FM5K8AR3DGA22272	\$ 1,000
PD	2013	Ford	Explorer	\$ 31,500	1FM5K8AR3DGA22273	\$ 1,000
PD	2013	Ford	Explorer	\$ 31,500	1FM5K8AR4DGC40561	\$ 1,000
PD	2013	Ford	Explorer	\$ 31,500	1FM5K8AR6DGC40562	\$ 1,000
Garb	2013	Peterbilt	Garbage Truck 320	\$282,724	3BPZL70X8DF193588	\$10,000
WW	2003	Ford	Escape	\$ 5,000	1FMCU9GX7DUB98529	\$1,000
PW	2014	Ford	F-350 Super Duty Truck	\$ 29,700	1FD8X3B61EEB36290	\$ 1,000
WW	2014	Ford	F-350 Super Duty Truck	\$ 29,700	1FD8X3B63EEB36291	\$ 1,000
PD	2014	Ford	Expedition XL	\$ 36,000	1FMJU1G51EEF31536	\$ 1,000
PD	2014	Ford	Expedition XL	\$ 36,000	1FMJU1G53EEF31537	\$ 1,000

Location	Year	Make	Body Type	Value	VIN	Physical Damage Deductible
FD	2015	Rosenbauer	Cobra Arial Truck	\$1,200,000	54F3DF1OFWM11278	\$25,000
FD	2015	International	Fire Truck	\$ 400,000	1HTGSSNT2FH143231	\$10,000
PW	2015	Ford	F-350 Super Duty Truck	\$ 30,470	1FD8X3B65EEB36292	\$ 1,000
PW	2015	Ford	F-350 Super Duty Truck	\$ 30,470	1FTRF3B64FEC03364	\$ 1,000
PD	2015	Ford	Explorer	\$ 31,500	1FM5K8AR2FGC66871	\$ 1,000
PD	2015	Ford	Explorer	\$ 31,500	1FM5K8AR0FGC66870	\$ 1,000
PD	2016	Ford	Explorer	\$ 31,500	1FM5K8AR7GGD30436	\$ 1,000
PD	2016	Ford	Taurus	\$ 31,500	1FAHP2MK5GG119398	\$ 1,000
SW	2017	Peterbilt	Garbage Truck	\$ 297,450	3BPZL0X9HF1714117	\$10,000
PD	2017	Ford	Explorer	\$ 26,741	1FM5K8AR6HGE00994	\$ 1,000
PD	2017	Ford	Explorer	\$ 26,741	1FM5K8AR8HGE00995	\$ 1,000
PD	2018	Ford	Explorer	\$ 27,454	1FM5K8AR5JGB46619	\$ 1,000
PD	2018	Ford	Explorer	\$ 27,454	1FM5K8AR1JG846620	\$ 1,000
CD	2018	Ford	F-350 Super Duty Truck	\$ 28,458	1FT8X3C67JED02289	\$ 1,000
PW	2018	Ford	F-350 Super Duty Truck	\$ 38,406	1FT8X3B61JED02290	\$ 1,000
Sewer	2018	Ford	F-350 Super Duty Truck	\$ 36,485	1FT8X3D67JED02288	\$ 1,000
SW	2019	Ford	F-350 Super Duty Truck	\$ 37,327	1FT8X3B60KEF54940	\$ 1,000
WS	2019	Ford	F-350 Super Duty Truck	\$ 38,190	1FD8X3B63KEF19045	\$ 1,000
PD	2020	Ford	Explorer	\$ 31,360	1FM5K8AB8LGA71548	\$ 1,000
PD	2020	Ford	Explorer	\$ 31,360	1FM5K8AB3LGD08432	\$ 1,000
WW	2020	Ford	F-350 Truck	\$ 37,883	1FTRF3B64LED86583	\$ 1,000
PW	2021	International	Sand Truck with Blade HV607	\$ 162,893	3KAEKTAT2ML368940	\$ 1,000

Note: 21-22 Vehicles, 80

20-21 Vehicles, 77

WORKERS' COMPENSATION& EMPLOYER'S LIABILITY

Insurance Carrier: Alaska Public Entity Insurance

Policy Period: July 1, 2021 to July 1, 2022

Named State: Alaska

Workers' Compensation: **Statutory Benefits**

Employer's Liability:

Bodily Injury by Accident	\$3,000,000	Each Accident
Bodily Injury by Disease	\$3,000,000	Policy Limit
Bodily Injury by Disease	\$3,000,000	Each Employee

Subject To:

- 1.03 2021-2022 Experience Modification
- 0.92 2020-2021 Experience Modification
- 1.07 2019-2020 Experience Modification
- 1.07 2018-2019 Experience Modification
- 1.27 2017-2018 Experience Modification

Audit Frequency: Annually

Estimated Payroll:

21-22	\$4,759,563
20-21	\$4,878,430

WORKERS' COMPENSATION - SPECIFICATIONS

Classification	Code	2020-2021 Estimated Payroll	2020-2021 Base Rate	2021-2022 Estimated Payroll	2021-2022 Base Rate
Street, Road, Maintenance	5509	\$ 204,400	3.8391	\$ 209,000	4.1340
Water Works Operations	7520	\$ 148,800	2.4954	\$ 145,000	2.4404
Sewage Treatment Operations	7580	\$ 182,950	2.6987	\$ 195,500	2.9872
Firefighters and Drivers - Paid	7710	\$ 185,640	3.8504	\$ 185,000	3.5606
Firefighters and Drivers - Volunteers	7711	\$ 280,000	3.8504	\$ 100,000	3.5606
Police/Safety Officers - Volunteers	7720	\$1,171,720	3.5117	\$1,171,720	3.2005
Police Officers - Reserve	7720R	\$ 4 5,000	3.5117	\$ 30,000	3.2005
Municipal Garage, Retail Fuel Sales	8380	\$ 130,560	2.9810	\$ 132,500	2.8538
Clerical, Professional, Elected Officials	8810	\$1,958,400	0.2597	\$2,024,693	0.2534
Building Maintenance, Operations	9015	\$ 190,400	4.2343	\$ 194,000	3.8940
Parks, Recreation, Ice Rinks	9102	\$ 101,400	3.2520	\$ 100,000	3.5206
Refuse Collectors	9403	\$ 59,160	5.0360	\$ 60,150	4.7341
General Municipal Employees Other	9410	\$ 220,000	2.8455	\$ 212,000	2.5604
Total Payroll:		\$4,878,430		\$4,759,563	

Note: Volunteer Firefighters Assume \$2,000 Payroll X # of Volunteers
Reserve Police Officers Assume \$7,500 Payroll X # of Reserve Officers

AIRPORT OWNERS & OPERATORS LIABILITY

Insurance Carrier: ACE Property and Casualty Insurance Company **Best Rating: A++, XV**

Policy Period: July 1, 2021 to July 1, 2022

Coverage: Airport Owners and Operators General Liability coverage, in respect of Bodily Injury, Personal & Advertising Injury and Property Damage combined. Subject to policy terms, conditions and exclusions.

Limits:

Bodily Injury/Property Damage Each Occurrence	\$10,000,000
Products-Completed Operations Aggregate	\$10,000,000
Personal Injury and Advertising Injury Aggregate	\$ 2,000,000
Malpractice Annual Aggregate	\$ 2,000,000
Non-Owned Aircraft Liability Each Occurrence	\$10,000,000
War, Hi-Jacking and Other Perils Aggregate	\$10,000,000
Fire Damage - Any One Fire	\$ 50,000
Medical Expense - Each Person	\$ 1,000

HANGARKEEPERS – NOT IN FLIGHT

Hangarkeepers - Each Occurrence	\$10,000,000
Hangarkeepers - Each Aircraft	\$10,000,000
Deductible	\$ 0

Subjectivity: Need updated loss details on the FED Action claim

Noteworthy Endorsements:

- Infringement of Copyright, Patent, Trademark or Trade Secret
- Amendment to Supplementary Payments (Court Cost)
- Data Recognition Limited Coverage
- Airport Limited Enhanced Coverage
- 25% Minimum Earned Premium
- Trade or Economic Sanctions
- Personal Injury Limitation
- Volunteers Coverage
- Immunity Waiver
- TRIA and War coverage included in premium**

Noteworthy Exclusions:

- Access or Disclosure of Confidential or Personal Information
- Advertising Injury or Personal Injury
- Asbestos or Asbestos-Containing Materials or Products
- Noise and Pollution and Other Perils
- Silica or Silica-Related Dust
- Fungi or Bacteria
- Nuclear Risks

OPTIONAL COVERAGE'S FOR CONSIDERATION

- **POLLUTION LIABILITY** – Provides coverage for cleanup costs due to a “sudden and accidental” discharge of any pollutant.
- **TANK POLLUTION** – Provides coverage for cleanup costs due to tank discharge of pollution.
- **UMBRELLA/EXCESS LIABILITY** – A form of liability insurance that protects you for claims in excess of the limits of your primary automobile, general liability and employer’s liability.



Notice of Privacy Policy

Our Privacy Principals

- We do not sell customer information.
- We do not provide customer information to persons or organizations outside of our office, except to companies who are doing business on our behalf, for their own marketing purposes.
- We contractually require any person or organization providing products or services to customers on our behalf to protect the confidentiality of our customer information.
- We do not share customer medical information with anyone, unless you specifically authorize it or unless your insurance policy contract with us permits us to do so.
- We afford prospective and former customers the same protections as existing customers with respect to the use of personal information.

We maintain physical, electronic and organizational safeguards to protect customer information. We continually review our policies and procedures, monitor our computer network and test the strength of our security in order to help ensure the safety of our customer information

INFORMATION WE MAY COLLECT

We collect and use information we believe is necessary to administer our business, to advise you about our products and services and to provide you with customer service. We may collect and maintain several types of customer information needed for these purposes, such as those below.

Types of information we may collect and how we gather it:

- **From you:** on applications for insurance or on other forms, through telephone or in-person interviews with your agent or a customer service representative, such as your address or telephone number.
- **From your transactions:** such as your payment history with us, underwriting and claim documents.
- **From other agencies:** such as your driving record, your credit history or claims history.

HOW WE USE INFORMATION ABOUT YOU

We use customer information to underwrite your policies, process your claims, ensure your proper billing, service your accounts and to offer you other insurance products that we believe may suit your needs.

We share information about our transactions (such as payment of premium) and experiences (such as loss history) within our agency to better serve you and to assist in meeting your current product and service needs. We may also disclose customer information about you to persons or organizations outside our agency as permitted or required by law, including companies that perform marketing services for us or with whom we have joint marketing agreements. These agreements allow us to provide a broader selection of insurance products to you.

We share customer information as necessary to process your claims and protect you against fraud and unauthorized transactions.

SHARING OF INFORMATION WITHIN RISQ CONSULTING

What we share: Unless you tell us not to we may share information, within departments at RISQ Consulting, that was obtained from your application, such as your occupation; or information from a consumer report such as your credit history. We may also verify information provided by you, such as your driving record, or information regarding your employment, such as your employment history.

Why we share: We may share information about you within our agency to underwrite your policies, measure your interest in our products and services or to monitor customer trends.

If you prefer that we not share this information within our agency, please call us at (907) 365-5100 your direction not to share this information does not limit us from sharing certain information, about your transactions with us (such as your name, address or payment history) or your experiences (such as your claims activity.) This choice does not apply to our efforts to market products and services to you.

City of Palmer
Action Memorandum No. 21-043

Subject: Authorize the City Manager to Negotiate and Enter Into a Contract with Bering Marine Corporation for the Purchase and Delivery of 180 Tons of Road Salt in the Amount of \$35,100.00

Agenda of: July 13, 2021

Council Action: ☐ **Approved** ☐ **Amended:** _____
 ☐ **Defeated**

Originator Information:

Originator: Greg Wickham, Superintendent of Public Works

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
✓	Finance		06/08/2021
_____	Fire	_____	_____
_____	Police	_____	_____
✓	Public Works		06/08/2021

Certification of Funds:

Total amount of funds listed in this legislation: \$ 35,100.00

This legislation (✓):



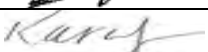
<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
✓	Creates expenditure in the amount of:	\$ <u>35,100.00</u>
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input type="checkbox"/>	Has no fiscal impact	

Funds are (✓):

✓	Budgeted	Line item(s): <u>01-17-40-6066</u>
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk	 Acting City Clerk	_____

Attachment(s):

1. Bering Marine Corporation salt quote

Summary Statement/Background:

This Action Memorandum authorizes the City's annual purchase of salt that is mixed with sand for winter street maintenance and ice control.

This purchase will utilize the governmental procurement provision of City code (PMC 3.21.230). This allows the City, without the use of the competitive bidding procedure, to use another governmental bid process through bid extension.

In this case, the State of Alaska solicited bids for the supply of Type 1 sodium chloride in bulk. Bering Marine Corporation was awarded the contract. Under that contract, the City will purchase 180 tons of road salt at a per ton cost of \$195.00 delivered to Palmer, for a total cost of \$35,100.00.

Administration's Recommendation:

Approve Action Memorandum No. 21-043



Bering Marine Corporation
6520 Kulis Drive
Anchorage, AK 99502-1816
Main: (907) 245-1544
Fax: (907) 245-1744

SALT QUOTE

CUSTOMER City of Palmer

PRODUCT Sodium Chloride type 1 - Bulk

QUANTITY Approximately 180 tons

PRICE \$195/ short ton delivered to 1316 South Bonanza Street Palmer AK

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on March 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:

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)
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.

2. **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

3. **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

4. **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

1. **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 ____ day of ____, 2021.

Kara Johnson, Acting City Clerk

Edna B. DeVries, Mayor

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on June 8, 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	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:

John Moosey, City Manager	Brad Hanson, Community Development Director
Norma I. Alley, MMC, City Clerk	Kimberly Green, Human Resources Specialist
Michael Gatti, City Attorney (participated telephonically)	Kara Johnson, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

D. APPROVAL OF AGENDA

1. Consent Agenda
 - a. ~~Action Memorandum No. 21-037: Authorizing the City Manager to Sign a Memorandum of Agreement with the State of Alaska, Department of Health and Social Services to Receive Funding to Encourage and Increase Access to Support Covid-19 Activities~~
2. Approval of Minutes of Previous Meetings
 - a. May 11, 2021, Special Meeting
 - b. May 11, 2021, Regular Meeting

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

Moved by:	Combs
Seconded by:	Daniels

Primary Amendment #1: To Move D.1.a. to H.3. on the Agenda

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

Primary Amendment #2: To Remove the Executive Session

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

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

Vote:	Unanimous
Action:	Motion Carried

E. REPORTS

1. City Manager's Report

City Manager Moosey reported on the meeting with Mayor DeVries and State of Alaska Department of Public Safety Commissioner Jim Cockrell. Stated he is waiting on an answer from Governor Dunleavy since the Troopers are stating that it will possibly be another 2 to 3 years before the city will have service.

2. City Clerk's Report

City Clerk Alley requested Council to accept her resignation and to make a decision on how to go forward in the recruitment process of a new City Clerk.

Ms. Kimberly Green City Human Resources Specialist provided clarification on the City Clerk recruitment process.

Main Motion: To Schedule a Special Meeting at 6 p.m. on June 22, 2021, for City Clerk Recruitment with a Possible Executive Session to Follow

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

3. Mayor's Report

Mayor DeVries requested Council to have nominations for Palmer Pride for next council meeting.

4. City Attorney's Report

None.

F. AUDIENCE PARTICIPATION

Ms. Jackie Goforth Concerned Citizens of Palmer spoke on communism within the community.

Mr. Mike Chmielewski spoke on much City Clerk Alley will be missed.

G. PUBLIC HEARING

1. **Ordinance No. 21-008:** Amending Palmer Municipal Code Chapter 8.20 Regarding Garbage Collection and Disposal

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

Mayor DeVries opened the public hearing on Ordinance No. 21-008. Seeing no one come forward and hearing no objection from the Council, Mayor DeVries closed the public hearing.

Main Motion: To Adopt Ordinance No. 21-008

Moved by:	Combs
Seconded by:	Daniels

Primary Amendment #1: To Approve City Attorney Gatti Suggested Changes

Moved by:	Best
Action:	Failed for Lack of Second

Motion to Postpone: To Postpone Until June 22, 2021 City Council Meeting for City Manager Moosey and City Attorney Gatti to Provide Additional Clarification on Proposed Amendments

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

2. Ordinance No. 21-009: Amending Palmer Municipal Code Section 13.16.025 Water Supply System

Mayor DeVries opened the public hearing on Ordinance No. 21-009. Seeing no one come forward and hearing no objection from the Council, Mayor DeVries closed the public hearing.

Main Motion: To Adopt Ordinance No. 21-009

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

3. Resolution No. 21-020: Authorizing the City Manager to Negotiate the Reversion of Tract E-2 of the Replat of Tract A, B, E and H-2 Palmer Industrial Park Subdivision to the City of Palmer and Prepare a Resolution Authorizing the Sale to Northland Hangers LLC for Industrial Purposes per Palmer Municipal Code 3.20.080

Mayor DeVries opened the public hearing on Ordinance No. 21-020. Seeing no one come forward and hearing no objection from the Council, Mayor DeVries closed the public hearing.

Main Motion: To Approve Resolution No. 21-020

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

4. Resolution No. 21-021: Authorizing the City Manager to Conduct a Public Land Sale for 1891 S. Chugach (17N02E04C004) as Authorized by Palmer Municipal Code 3.20.080

Mayor DeVries opened the public hearing on Ordinance No. 21-021. Seeing no one come forward and hearing no objection from the Council, Mayor DeVries closed the public hearing.

Main Motion: To Approve Resolution No. 21-021

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

H. NEW BUSINESS

1. **Action Memorandum No. 21-038:** Directing the City Manager to Notify the State of Alaska of the City Council's Statement of Non-Objection to Grant a Marijuana License to Connoisseur Lounge, LLC Located at 226 West Evergreen Avenue, Suite 2, Marijuana License No. 27522

Main Motion: To Approve Action Memorandum No. 21-038

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

Mayor DeVries called a recess at 8:06 p.m. and reconvened the meeting at 8:16 p.m.

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

Main Motion: To Enter Into Committee of the Whole

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

The Council entered into a Committee of the Whole at 8:17 p.m.

Topics addressed in the Committee of the Whole included:

- Location of areas to include of annexation;
- Areas that would benefit the most;
- Redrawing of annexation lines on proposed map;
- Most feasible way to move forward;
- How long the process would take;
- Cost of moving forward with annexation; and
- Projected timeline.

The Mayor adjourned from Committee of the Whole at 9:10 p.m. and reconvened the regular meeting.

Upon exiting the Committee of the Whole the following motion was made:

Main Motion: To Direct the City Manager to Prepare a Feasibility Study and Timeline for Annexation

Moved by:	Combs
Seconded by:	Valerius
Vote:	4 Yes/3 No (Best, Carrington, DeVries)
Action:	Motion Carried

3. **Action Memorandum No. 21-037:** Authorizing the City Manager to Sign a Memorandum of Agreement with the State of Alaska, Department of Health and Social Services to Receive Funding to Encourage and Increase Access to Support Covid -19 Activities

Action Memorandum No. 21-037 was moved from the Consent Agenda.

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

Main Motion: To Approve Action Memorandum No. 21-037

Moved by:	Combs
Seconded by:	Daniels
Vote:	4 Yes/3 No (Best, Carrington, DeVries)
Action:	Motion Carried

I. 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)~~

J. RECORD OF ITEMS PLACED ON THE TABLE

City Clerk Alley reported no Items Placed on the Table

K. AUDIENCE PARTICIPATION

Mr. Dicky Hudgins spoke against Action Memorandum No. 21-037.

Ms. Cindy Hudgins spoke against Action Memorandum No. 21-037.

Ms. Jackie Goforth spoke against COVID-19 vaccine.

Mr. Mike Chmielewski spoke on people being able to have diverse choices.

L. COUNCIL COMMENTS

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

M. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:59 p.m.

Approved this ____ day of _____, 2021.

Norma I. Alley, MMC, City Clerk

Edna B. DeVries, Mayor

**City of Palmer
Ordinance No. 21-010**

Subject: Amending Palmer Municipal Code Chapter 17.86 Allowing Accessory Dwelling Units in the Commercial Limited and Commercial General Districts and Elimination of Lot Size Requirements Within the Central Business

Agenda of: June 22, 2021 – Introduction
July 13, 2021 – Public Hearing

Council Action: ☐ **Adopted** ☐ **Amended:** _____
☐ **Defeated**

Originator Information:

Originator: Brad Hanson, Director

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (√):


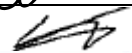
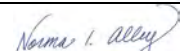
<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

Attachment(s):

1. Ordinance No. 21-010
2. Palmer Municipal Code Chapter 17.86 Accessory Dwelling Units
3. Planning and Zoning Minutes for May 20, 2021 (Draft)

Summary Statement/Background:

On February 23, 2021, the Palmer City Council approved Ordinance 21-002 enacting the Commercial Land Use Matrix. These amendments to commercial districts promote opportunities for economic development and reinvestment, as well as offer flexibility of permitted activities within different commercial districts, by allowing a more compatible use of land through appropriate land use regulations. Goals of these amendments are:

1. To promote opportunities for investment and reinvestment by allowing a more compatible use of land through appropriate land use regulations and uniformity of code.
2. To encourage economic opportunities through sound land use practices.
3. To promote land use flexibility to encourage quality, scale and character of development consistent with Palmer's existing or planned uses.

Ordinance No. 21-010 will allow accessory dwelling units as a permitted use in the Commercial Limited and Commercial General zoning districts on a single-family residence within the Central Business District, as well as eliminate lot size restrictions for single-family residences containing an ADU inside the Central Business District. This should encourage densification of the Central Business District. Lot size requirements have been eliminated for ADU's in the Central Business District, however developments will still have to provide adequate parking as required by Palmer Municipal Code Chapter 17.64 and meet all setback requirements for residential developments in commercial districts.

At the May 20, 2021 Planning and Zoning meeting, the Commission discussed and reviewed the changes to the draft ordinance and voted unanimously to move the draft ordinance forward to City Council with a recommendation for adoption.

Administration's Recommendation:

Adopt Ordinance No. 21-010

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey

Date: June 22, 2021

Public Hearing: July 13, 2021

Action:

Vote:

Yes:

No:

CITY OF PALMER, ALASKA

Ordinance No. 21-010

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Chapter 17.86 Allowing Accessory Dwelling Units in the Commercial Limited and Commercial General Districts and Elimination of Lot Size Requirements Within the Central Business

WHEREAS, the Planning and Zoning Commission proposes and recommends text amendments as necessary to Title 17, Zoning to ensure that the regulations and standards are applicable to the current needs of the community, and;

WHEREAS, the Commission has reviewed and determined Palmer Municipal Code Chapter 17.86 Accessory Dwelling Units can more adequately address the current residential housing demands of the community for accessory dwelling units, and;

WHEREAS, the Commission has reviewed and discussed accessory dwelling units from other similar communities and has drafted code language to help meet the increasing residential demands of the community, and;

WHEREAS, due to a growing residential market for downtown housing opportunities, the Commission has determined there is a need to encourage infill and higher density housing in the Central Business District, the size restrictions of Accessory Dwelling Units have been reduced.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 17.86 Accessory Dwelling Units classifications are hereby amended to read as follows (new language is underlined, and deleted language is stricken):

17.86.030 General Provisions

A. One attached ADU is permitted per residentially or agriculturally zoned lot larger than 10,000 square feet. An ADU may be developed on a limited commercial or general commercial zone within the central business district with no lot size restriction.

E. Detached ADUs not part of a ~~garage~~ the primary residential structure may be developed only on lots of 20,000 square feet or larger. An ADU may be developed on a limited commercial or general commercial zone within the central business district with no lot size restriction.

J. Subsections A and E of this section notwithstanding, an ADU in the established Central Business District Overlay zone is permissible on any legally conforming lot or use.

Section 4. Palmer Municipal Code Section 17.86.040 Development standards are hereby amended to read as follows (new language is underlined, and deleted language is stricken):

17.86.040 Development standards.

H. Size. The ADU shall not be more than 40 percent of the gross floor area of the principal dwelling unit. An ADU may not be less than 300 square feet or more than 900 square feet. A maximum of two bedrooms is permitted. An ADU in the established Central Business District Overlay zone may not exceed 50 percent of the gross floor area of the principal dwelling unit.

Section 5. Effective Date. Ordinance No. 21-010 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this ____ day of ____, 2021.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

Chapter 17.86

ACCESSORY DWELLING UNITS

Sections:

- 17.86.010 Intent.**
- 17.86.020 Application and approval.**
- 17.86.030 General provisions.**
- 17.86.040 Development standards.**
- 17.86.060 Lot covenant.**
- 17.86.080 Transfer of property.**
- 17.86.090 Prior illegal uses.**
- 17.86.100 Right to appeal.**
- 17.86.110 Annual review.**

17.86.010 Intent.

This chapter sets out the criteria under which accessory dwelling units (ADUs) may be incorporated into certain zoning districts. Accessory dwelling units promote a diverse range of quality housing, allow for more efficient and flexible use of existing housing stock and infrastructure, and respond to changing family needs and smaller households by allowing a mix of housing. The development standards set forth in this chapter help maintain high quality residential neighborhoods and protect neighborhood stability, property values, and single-family residential appearance of the neighborhood by ensuring that ADUs are developed under the provisions of this chapter. (Ord. 07-026 § 4, 2007)

17.86.020 Application and approval.

- A. An application for an ADU permit shall be initiated by the owner on a form prescribed by the zoning administrator. For the purposes of this chapter, the "owner" shall mean any person named on the deed, a contract purchaser, or the beneficiary of a trust named on the deed.
- B. The permit shall be accompanied by the notarized affidavit affirming that at least one owner will occupy the principal dwelling or the accessory unit, and that the ADU will conform to the requirements of the permit and the requirements of this chapter.
- C. A nonrefundable fee of \$50.00 shall accompany the application.
- D. The zoning administrator shall review the application for code compliance within 30 calendar days.

E. The zoning administrator shall notify the applicant in writing of approval or denial. Approved applications shall be issued an ADU permit. (Ord. 07-026 § 4, 2007)

17.86.030 General provisions.

The following provisions apply to accessory dwelling units:

- A. One ADU is permitted per residentially or agriculturally zoned lot larger than 10,000 square feet.
- B. One ADU may be added to or created within a detached single-family dwelling on a lot, tract, or parcel, if the detached single-family dwelling is the sole principal dwelling on the lot, tract, or parcel.
- C. The owner must occupy either the principal or accessory dwelling unit a minimum of six months each calendar year.
- D. The owner may not receive any rent from the owner-occupied unit.
- E. Detached ADUs not part of a garage may be developed only on lots of 20,000 square feet or larger.
- F. An ADU may be developed in either an existing or a new dwelling unit.
- G. An ADU shall not be permitted on any lot with a bed and breakfast or child care center. Other home occupations shall be allowed, subject to existing regulation, in either the ADU or the principal dwelling unit, but not both.
- H. For purposes of securing financing, a potential owner may request and receive a letter of pre-approval from the city indicating property is eligible for an ADU permit if the potential owner completes the application process and construction in accordance with this section.
- I. An ADU shall not be sold separately unless legally subdivided. (Ord. 07-026 § 4, 2007)

17.86.040 Development standards.

Development standards ensure that accessory dwelling units maintain and are compatible with the single-family appearance and character of the principal residence, lot, and neighborhood. All ADUs must conform to the following standards:

- A. *Codes.* The ADU shall conform to all applicable codes, laws, and regulations.
- B. *Design.* Attached ADUs shall maintain the style and exterior finishes consistent with the existing structure. Detached ADUs shall have exterior finishes that are consistent with local industry standards for residential exterior cladding. All exterior work shall be completed within eight months of start of construction.

- 1. Accessory dwelling units contained within the principal dwelling unit shall be connected to each other by an interior door.

2. There may be only one entrance located on each front or street side of the residence.

C. *Height.* The maximum height of a detached ADU shall be 25 feet.

D. *Lot Area.* The combined square footage of the principal and accessory dwelling units may not exceed the lot area coverage in the underlying zoning district.

E. *Orientation.* On lots of 40,000 square feet or less, detached ADUs shall be located at least 10 feet behind the front plain of the principal dwelling unit. On lots of 20,000 square feet or over, should the placement of the ADU in the rear of the lot negatively impact a neighbor's view shed, a waiver from this requirement may be requested from the planning and zoning commission. Testimony from the impacted neighbors is encouraged.

F. *Parking.* One parking space shall be provided on site for each studio and one-bedroom ADU. Two parking spaces shall be provided on site for each two-bedroom ADU. Parking for the accessory unit is in addition to the required parking for the principal dwelling.

G. *Setbacks.* ADUs are subject to the setback and coverage requirements of the underlying zone.

H. *Size.* The ADU shall not be more than 40 percent of the gross floor area of the principal dwelling unit. An ADU may not be less than 300 square feet or more than 900 square feet. A maximum of two bedrooms is permitted. (Ord. 07-026 § 4, 2007)

17.86.060 Lot covenant.

As a condition of the building permit for an ADU the property owner shall file with the State of Alaska Recorder's Office a covenant pertaining to the property stating that the title company shall notify the city of Palmer within 30 calendar days of change of ownership. The above declaration is binding upon any successor in ownership of the property; lack of compliance shall be cause for revocation of the permit. (Ord. 07-026 § 4, 2007)

17.86.080 Transfer of property.

An ADU permit is not transferable to any other property or person. When a property with an ADU is sold or otherwise transferred, the new owner must apply for an ADU permit as set forth in PMC [17.86.020](#) within 60 days from the date of transfer. (Ord. 07-026 § 4, 2007)

17.86.090 Prior illegal uses.

A. All structures which meet the definition of accessory dwelling unit which are not recognized as legal nonconforming structures or uses of structures under Chapter [17.68](#) PMC shall comply with this subsection. Such structures may continue in existence, provided the following requirements are met:

-
1. A permit application for an ADU is submitted to the zoning administrator within six months after the ordinance codified in this chapter becomes law.
 2. The unit complies with the requirements of this section.
- B. If the unit does not comply with the requirements of this section at the time the permit application is filed, the zoning administrator may grant six months to bring the unit into conformance.
- C. All owners of illegal units shall also be required to either legalize the unit or remove it.
- D. This subsection does not apply to existing legal nonconforming uses of structures established pursuant to PMC [17.68.050](#). (Ord. 07-026 § 4, 2007)

17.86.100 Right to appeal.

The commission's decision on a waiver for the placement of any accessory dwelling unit in PMC [17.86.040\(E\)](#) may be appealed pursuant to Chapter [17.98](#) PMC. Right of appeal is forfeited unless a written appeal is delivered to the clerk within 20 days of the commission's decision. (Ord. 07-026 § 4, 2007)

17.86.110 Annual review.

The zoning administrator shall report annually to the planning and zoning commission the number of ADU units established, the geographic distribution of the units, the average size of the units, the number and type of complaints, and completed enforcement actions. The commission shall reassess this chapter if records show that 20 percent of the single-family structures within the city have ADUs. (Ord. 07-026 § 4, 2007)

The Palmer Municipal Code is current through Ordinance 21-004, passed April 27, 2021.

Disclaimer: The city clerk's office has the official version of the Palmer Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

Note: This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

[City Website: www.palmerak.org](http://www.palmerak.org)

[Code Publishing Company](#)

**PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA**

**REGULAR MEETING
THURSDAY, MAY 20, 2021
7:00 P.M. - COUNCIL CHAMBERS**

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chair Peterson at 7:00 p.m.

B. ROLL CALL:

Constituting a quorum, present in person were Commissioners:

Casey Peterson, Chair
Josh Tudor, Vice Chair
Linda Combs
Lisbeth Jackson
Pamela Melin
Sabrina Shelton
Kristy Thom Bernier

Also present were:

Brad Hanson, Community Development Director
Nichole Degner, Community Development Specialist
Pam Whitehead, Recording Secretary (via teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. APPROVAL OF AGENDA:

The agenda was unanimously approved as presented.

[Thom Bernier, Shelton, Melin, Jackson, Combs, Tudor, Peterson]

E. MINUTES OF PREVIOUS MEETINGS:

1. The minutes of the **April 15, 2021 Regular Meeting** were unanimously approved as presented.

[Thom Bernier, Shelton, Melin, Jackson, Combs, Tudor, Peterson]

F. REPORTS:

Director Hanson:

- reported status of building development in Palmer – commercial and residential;
- noted the Marijuana ordinance was passed by the City Council;
- responded to Commission member questions regarding variances and the variance process.

G. AUDIENCE PARTICIPATION: None.

H. PUBLIC HEARINGS:

1. **IM 21-015:** Amending Palmer Municipal Code Chapter 17.86 Accessory Dwelling Units to allow ADU's as a permitted use in commercial districts and eliminate size restrictions inside the Central Business District.

Staff Report: Director Hanson summarized the proposed text amendment will allow an ADU to be a permitted use within the Central Business District zoned Commercial Limited and Commercial General

when the property use is a single-family residence. The Commission is to review the draft Ordinance and if approved move forward to the City Council with a recommendation for adoption.

Public Hearing: There was no public testimony.

Chair Peterson called for the motion to be put on the floor for discussion.

Director Hanson responded to questions and discussion ensued regarding various types of ADUs and development standards.

Main Motion: For approval recommending adoption of proposed Ordinance 21-0XX.

Moved by:	Shelton
Seconded by:	Combs
Vote:	Unanimous by roll call vote.
Action:	Motion Carried.

I. UNFINISHED BUSINESS: None.

J. NEW BUSINESS:

1. Committee of the Whole: Discussion of IM 21-016 regarding Palmer Municipal Code Chapter 17.59 T Transitional District (note: action may be taken by the Commission following the committee of the whole)

Main Motion: To enter Committee of the Whole for open and ease of discussion regarding IM 21-016.

Moved by:	Combs
Seconded by:	Tudor
Vote:	Unanimous by roll call vote.
Action:	Motion Carried.

[The Commission entered Committee of the Whole at 7:25 p.m.; exited at 8:32]

Director Hanson provided a staff report explaining the T zone and its importance as relates to potential annexation.

Committee of the Whole included:

- Open discussion and review of the annexation study areas, transition plan, and 17.59 Transitional District (packet pp 27-45);
- Director Hanson explained the different types of annexation and the annexation process;
- Further discussion on this topic will brought back at the next meeting (June 17, 2021).

[The Commission exited Committee of the Whole at 8:32 p.m.]

K. PLAT REVIEWS:

1. **IM 21-013**: Pre-application plat request to combine Lots 5, 6 and 7, Block 1, South Denali, Plat #84-316 into one lot to be known as Lot 5A.

Comments from City departments included:

Public Works: Are all driveways going to be retained when combined into one lot? If they are to remain, please submit new driveway applications and drawing with new address.

Fire Chief: Concur with Public Works.

Commissioner Shelton commented concern about combined driveways and agreed with the comments of Public Works/Fire Chief and that it needs to be made more clear.

Director Hanson explained that addresses are not assigned until the property is built on.

The Commission had no additional comments.

2. **IM 21-014:** Pre-application routing slip to vacate a 20' MEA Utility Easement within Lot 7-1, Matanuska Maid, Plat #63-14 and replace it with a smaller MEA Utility Easement in the southeast corner to contain existing utility pole.

Comments from City Departments:

Public Works: PW does not concur with vacating this utility ROW. There is a 12' steel sewer main that runs the entire length of the easement.

Director Hanson explained that this is a work-in-progress and Public Works comments will have to be evaluated.

The Commission had no additional comments.

L. PUBLIC COMMENTS: None.

M. COMMISSIONER COMMENTS:

Chair Peterson:

- Commented he is happy to see things opening up. Happy summer!

Commissioner Combs:

- Commented the Senior Center has re-opened and explained some of the activities that will be taking place there; that she serves on the Board;
- Extended invitations to come check it out.

N. ADJOURNMENT:

There being no further business, the meeting adjourned without objection at 8:42 p.m.

APPROVED by the Planning and Zoning Commission this 17th day of June, 2021.

Casey Peterson, Chair

Brad Hanson, Community Development Director

**City of Palmer
Ordinance No. 21-011**

Subject: Amending Palmer Municipal Code Section 3.16.050 Pertaining to the Removal of Sales Tax Exemptions at the Warren "Bud" Woods Palmer Municipal Airport

Agenda of: June 22, 2021 – Introduction
July 13, 2021 – Public Hearing

Council Action: ☐ **Adopted** ☐ **Amended:** _____
 ☐ **Defeated**

Originator Information:

Originator: Frank J. Kelly, Airport Superintendent

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (✓):


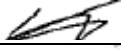
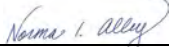
<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	

Funds are (✓):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

Attachment(s):

1. Ordinance No. 21-011

Summary Statement/Background:

This Legislation is being presented in conjunction with Ordinance No. 21-011 Amending Palmer Municipal Code Section 12.08.015 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport.

On April 26, 2016, the Palmer City Council approved Ordinance numbers 16-002 and 16-008 changing Palmer municipal codes 3.16.050 and 12.08.015 respectively. As of July 1, 2016 the City of Palmer discontinued the collection of sales tax at the Palmer Municipal Airport on all aviation fuel products and replace it with a fuel flowage fee of five cents (\$0.05) per gallon of aviation fuel delivered for sale at the Palmer Municipal Airport. The change effected both the wholesale and retail distribution of aviation fuel at the airport. Fuel distribution and sale of other fuel products that are not considered aviation in nature remained unaffected and are still subject to the city's existing sales tax.

On May 14, 2019 upon the recommendation of the Airport Advisory Commission, the City Council adopted ordinance 19-006 eliminating the reimbursement provision of the original ordinance for aviation fuel transported off the airport for sale outside of the City limits.

The Airport Advisory Commission further recommends that all fuel products for use in, or transported by aircraft at the airport be subject to the fuel flowage fee. Traditional automobile gasoline is now being used to power small aircraft engines, generally in a blended mixture with aviation gasoline, home heating oil, regular diesel fuel and automobile fuels are being transported off airport as well. The commission contends that the same infrastructure resources are being utilized for aircraft utilizing automobile gasoline and to transport aviation fuel off the airport, as well as other fuel products and FFE proceeds are still needed to eventually replace the depreciated airside assets.

This recommended change will provide for more simplified language in the code and the collection of the Fuel Flowage Fees are higher and more easily tracked than the sales tax on other fuel products, the proceeds can then be applied to airport operations more directly per FAA grant assurances.

Administration's Recommendation:

Adopt Ordinance No. 21-011

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey

Date: June 22, 2021

Public Hearing: July 13, 2021

Action:

Vote:

Yes:

No:

CITY OF PALMER, ALASKA

Ordinance No. 21-011

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Section 3.16.050 Pertaining to the Removal of Sales Tax Exemptions at the Warren “Bud” Woods Palmer Municipal Airport

WHEREAS, the City of Palmer owns and operates an airport named the Warren “Bud” Woods Palmer Municipal Airport, which is used for taking off, landing, operation and storage of aircraft, and the conduct of businesses supporting aviation activities; and

WHEREAS, the airport is an important asset to the community; and

WHEREAS, it is essential that the airport be financially self-sufficient to perform its transportation role in the community and provide cost effective aviation facilities; and

WHEREAS, the revenues received from users of the airport are vital to the economic well-being of the airport; and

WHEREAS, many airports in Alaska have a sales tax exception or exemption for fuels that are delivered on or thru the airport; and

WHEREAS, the sales tax exception would be imposed on all fuels at the airport; and

WHEREAS, as a recipient of financial assistance from the United States Government for development of the airport, the City is required, pursuant to 49 USC 47107, to maintain a schedule of charges for the use of facilities and services at the airport that will make the airport operations as self-sustaining as possible under the circumstances existing at the airport; and

WHEREAS, in accordance with City code, it is recommended that the City Council adopt the following sales tax exception for the Warren “Bud” Woods Palmer Municipal Airport.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 3.16.50 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

Section 3.16.050 Exemptions.

A. The following transactions are exempt from sales tax:

1. Sales of real property and interest in real property.
2. Casual and isolated sales of goods or services and not made in regular course of business, e.g., garage sales.
3. Sales of securities, insurance and bonds of guaranty, fidelity, and surety.
4. Gross receipts or proceeds derived from funeral charges and services.
5. Gross receipts or proceeds derived from the transportation of students to and from grade or high schools in motor or other vehicles.
6. Sales of food in cafeterias or lunchrooms in elementary, secondary, or post-secondary schools that are operated primarily for the convenience of school students and faculty and not operated for profit.
7. Sales or services which the municipality is prohibited from taxing under the laws of the state or under the laws of the United States.
8. Sales of newspapers or other periodicals.
9. Sales, rentals, and services by or to the United States government, the state of Alaska, or any of their agencies, instrumentalities or any political subdivisions and federally recognized Indian tribes. This exemption does not apply to the following:
 - a. Sales of gaming by federally recognized Indian tribes, political subdivisions, and municipalities; or
 - b. Retail sales, services, or rentals by the city as follows:
 - i. Sewer and water utility sales, services, and rentals;
 - ii. Palmer Municipal Airport sales, services, and rentals;
 - iii. Palmer Museum and visitor sales;
 - iv. Rents for commercial properties owned by the city.
10. Dues or fees to nonprofit clubs, labor unions or fraternal organizations.
11. Sales of admission to school entertainments, school athletic events and activities conducted for charitable purposes or community benefits. Retail sales by a school-sanctioned activity group raising funds for its approved purpose. This exemption does not apply to sales of gaming.
12. Bulk sale of feed, seed, and fertilizer to farmers.
13. Sales of air, train, boat, cruise line or bus tour transportation, car rentals, accommodations, or admission to entertainment events, where the service is provided outside the city, and fees or commission related to such sales.

14. Sales related to orbital space facilities, space propulsion systems, space vehicles, satellites, or stations, to the extent of the exemption required by AS 29.45.650(h).
15. Medical services.
16. Medical equipment and supplies and prescribed by a health care provider licensed to practice in the state of Alaska. Sales and rentals of hearing aids, crutches, wheelchairs, and personal apparatus specifically manufactured for a patient.
17. Prescription drugs for human consumption prescribed by a health care provider licensed to practice in the state of Alaska.
18. Food coupons, food stamps and other allotments issued under 7 U.S.C. 2011 through 2036 (Food Stamp Program) or food instruments, food vouchers or other type of certificate issued under 42 U.S.C. 1786 (Special Supplemental Food Program for Women, Infants and Children).
19. Gross receipts or proceeds received by those schools that comply with AS 14.45.100 through 14.45.130, to include religious schools and other private schools, that are derived from the provision of educational services to children at least five years of age; provided, however, such gross receipts or proceeds for other services, to include without limitation, education services to children less than five years of age and day care for children of any age, are not exempt from the tax, except to the extent such comparable services are provided for free by the Matanuska-Susitna Borough School District to children similarly situated.
20. U.S. postage; and shipping and freight hauling services that originate in the city, but the end destination is outside the city limits. Excluding warehouse, storage services, and delivery services that begin and end within the city.
21. Sales of transportation service by taxicabs, limousine companies, and rideshare companies.
22. Sales of goods and services provided under warranty or service contract, whether performed by the manufacturer or authorized representative of the manufacturer, and charged to a third-party warrantor for repairs, major maintenance, or both. The initial purchase of warranty or service contract would be taxed at the time of purchase. Any portion of repair paid by the customer through a deductible or other means would not be exempt under this section.
23. The following sales and services by banks, savings and loan associations, credit unions and investment banks:
- a. Services associated with any deposit accounts, including service fees, NSF fees and attachment fees;
 - b. Fees for the purchase of bank checks, money orders, travelers' checks and similar products for payment;
 - c. Loan fees and points associated with loan transactions;
 - d. Pass-through charges on loan transactions which include sales tax; and
 - e. Services associated with the sale, exchange or transfer of currency, stocks, bonds and other securities.
24. ~~Sales of aviation fuel (Jet A, Jet B, low lead, and others) at the Warren "Bud" Woods Palmer Municipal Airport.~~ Sales of all fuel products at the Warren "Bud" Woods Palmer Municipal Airport.

Section 4. Effective Date. Ordinance No. 21-011 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this _____ day of _____, 2021.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

City of Palmer
Ordinance No. 21-012

Subject: Amending Palmer Municipal Code Section 12.08 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport

Agenda of: June 22, 2021 – Introduction
July 13, 2021 – Public Hearing

Council Action: ☐ **Adopted** ☐ **Amended:** _____
 ☐ **Defeated**

Originator Information:

Originator: Frank J. Kelly, Airport Superintendent

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (√):



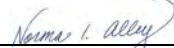
<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/> Budgeted	Line item(s): _____
<input type="checkbox"/> Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

Attachment(s):

1. Ordinance No. 21-012
2. Palmer Municipal Airport Advisory Commission Resolution No. 21-001
3. Fuel Flowage Fee Statistics from Inception

Summary Statement/Background:

This Legislation is being presented in conjunction with Ordinance No. 21-012 Amending Palmer Municipal Code Section 3.16.050 Pertaining to Sales Tax Exemptions at the Warren "Bud" Woods Palmer Municipal Airport.

On April 26, 2016, the Palmer City Council approved Ordinance numbers 16-002 and 16-008 changing Palmer municipal codes 3.16.050 and 12.08.015 respectively. As of July 1, 2016 the City of Palmer discontinue the collection of sales tax at the Palmer Municipal Airport on all aviation fuel products and replace it with a fuel flowage fee of five cents (\$0.05) per gallon of aviation fuel delivered for sale at the Palmer Municipal Airport. The change effected both the wholesale and retail distribution of aviation fuel at the airport. Fuel distribution and sale of other fuel products that are not considered aviation in nature remained unaffected and are still subject to the city's existing sales tax.

On May 14, 2019 upon the recommendation of the Airport Advisory Commission, the City Council adopted ordinance 19-006 eliminating the reimbursement provision of the original ordinance for aviation fuel transported off the airport for sale outside of the City limits.

The Airport Advisory Commission further recommends that all fuel products for use in, or transported by aircraft at the airport be subject to the fuel flowage fee. Traditional automobile gasoline is now being used to power small aircraft engines, generally in a blended mixture with aviation gasoline home heating oil, regular diesel fuel and automobile fuels are being transported off airport as well. The commission contends that the same infrastructure resources are being utilized for aircraft utilizing automobile gasoline and to transport aviation fuel off the airport, as well as other fuel products and FFE proceeds are still needed to eventually replace the depreciated airside assets.

This recommended change will provide for more simplified language in the code and spread the fuel flowage fee more equitably to all airport users groups.

The Airport Advisory Commission recommendations are set for in the attached AAC Resolution No. 21-001.

Administration's Recommendation:

Adopt Ordinance No. 21-012

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey

Date: June 22, 2021

Public Hearing: July 13, 2021

Action:

Vote:

Yes:

No:

CITY OF PALMER, ALASKA

Ordinance No. 21-012

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Section 12.08 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport

WHEREAS, the Airport Advisory Commission has reviewed the Fuel Flowage Fee program on behalf of the Palmer City Council and put forth AAC Resolution No. 21-001 recommending that the City Council amend the Palmer Municipal Code Section 12.08 pertaining to the Fuel Flowage Fee program for the Warren "Bud" Woods Palmer Municipal Airport; and

WHEREAS, the Palmer City Council On April 26, 2016 approved Ordinance numbers 16-002 and 16-008 changing Palmer municipal codes 3.16.050 and 12.08.015 respectively; and

WHEREAS, the Palmer City Council On May 14, 2019 approved Ordinance numbers 19-006 changing Palmer municipal codes 3.16.050 and 12.08.015 respectively; and

WHEREAS, upon additional review by the City Council, it was recommended to amend Palmer Municipal Code Section 12.08, Municipal Airport with the following changes.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section Title 7 Airport Regulations is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**Chapter 12.08
Municipal Airport**

12.08.15 Fuel Flowage Fee.

- A. ~~Any person, firm or corporation who delivers aviation fuel including Jet A, Jet B, or 100 low lead fuel and others (hereafter referred to as fuel) to any person, firm or corporation at the Warren "Bud" Woods Palmer Municipal Airport for use in an aircraft for flight, shall pay a fuel flowage fee of five cents (\$0.05) for each~~

~~gallon of fuel. Any person, firm or corporation who delivers any type of fuel product for use in, or transportation by, aircraft to any person, firm, or corporation, including self-fueling, at the Warren "Bud" Woods Palmer Municipal Airport shall pay a fuel flowage fee of five cents (\$0.05) for each gallon of fuel.~~

- B. The funds derived from fuel flowage fees shall be utilized solely for the maintenance, operation, and improvements of the Warren "Bud" Woods Palmer Municipal Airport.

Section 4. Effective Date. Ordinance No. 21-012 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this _____ day of _____, 2021.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

Introduced by: Airport
Superintendent
Date: April 22, 2021
Action: Approved
Vote:

Yes:	No:
More	
Helmericks	
Momarts	
Lee	
Jardine	
Weaver	
Reese	

**CITY OF PALMER, ALASKA
Resolution No. 21-001**

A RESOLUTION OF THE CITY OF PALMER AIRPORT ADVISORY COMMISSION RECOMMENDING THAT THE CITY COUNCIL AMEND THE PALMER MUNICIPAL CODE SECTION 12.08 PERTAINING TO THE FUEL FLOWAGE FEE FOR THE WARREN "BUD" WOODS PALMER MUNICIPAL AIRPORT.

WHEREAS, the City of Palmer operates the Warren "Bud" Woods Palmer Municipal Airport; and

WHEREAS, the Airport Advisory Commission (AAC) advises the City in matters pertaining to the Airport; and

WHEREAS, the AAC Resolutions are the primary method of transmitting recommendations and observations to the City Council; and

WHEREAS, the AAC recommends The City Council amend the **Palmer Municipal Code, Chapter 12.08, Municipal Airport.**

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF PALMER AIRPORT ADVISORY COMMISSION RECOMMENDS THAT THE CITY COUNCIL AMEND THE PALMER MUNICIPAL CODE, CHAPTER 12.08. FOR THE WARREN "BUD" WOODS PALMER MUNICIPAL AIRPORT AS FOLLOWS:

**Chapter 12.08
Municipal Airport**

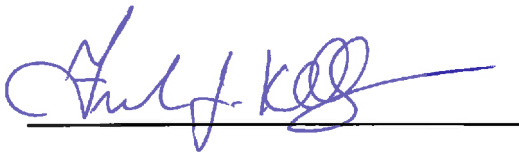
12.08.015 Fuel Flowage Fee.

- A. Any person, firm or corporation who delivers any type of fuel product for use in, or transportation by, aircraft to any person, firm, or corporation, including self-fueling,

at the Warren "Bud" Woods Palmer Municipal Airport shall pay a fuel flowage fee of five cents (\$0.05) for each gallon of fuel.

- A. ~~Any person, firm or corporation who delivers aviation fuel including Jet A, Jet B, or 100 low lead fuel and others (hereafter referred to as fuel) to any person, firm or corporation at the Warren "Bud" Woods Palmer Municipal Airport for use in an aircraft for flight, shall pay a fuel flowage fee of five cents (\$0.05) for each gallon of fuel.~~
- B. The funds derived from fuel flowage fees shall be utilized solely for the maintenance, operation, and improvements of the Warren "Bud" Woods Palmer Municipal Airport.

Passed and approved by the Airport Advisory Commission of the City of Palmer, Alaska this 2nd day of April 2021.



Frank Kelly, Airport Superintendent



Ken More, Chairperson

Report to Palmer City Council

Aviation Fuel Sales Tax Summary (3%)

In 2011, sales tax for fuel sales at the airport were posted to the airport fund and that lasted until July 1, 2016 when the Fuel Flowage Fee was put into place.

The sales tax for fuel sales at the airport by year follows.

2011	\$6,960
2012	\$4,323
2013	\$4,223
2014	\$9,471
2015	\$8,135
2016	\$2,975 (Only first half of year)

Aviation Fuel Flowage Fee Summary (\$0.05 Cents Per Gallon)

2016	\$6,459.41 (Second half of year)
2017	\$11,602.90 (Less reimbursements of \$1,426.25)
2018	\$8,563.00
2019	\$14,567.12
2020	\$9,794.83
2021 YTD 03	\$1,389.29

Total Gallon's Delivered to Airport

2016	129,188 (Second half of year)
2017	232,060
2018	171,331
2019	291,340
2020	195,895
2021 YTD 03	27,786

Considerations:

- SOA DNR Division of Forestry now pays FFF was tax exempt from sales tax
- A robust South Central fire season occurred in 2019 with Forestry a big consumer
- Automobile fuel mixed with some aviation gas is being consumed by many small aircraft
- FFF is charged and collected by the wholesale fuel distributor, which provides for any easy accounting of gallons sold and remittance of the fee.

City of Palmer
Action Memorandum No. 21-044

Subject: 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 Number 5966 for the Matanuska Brewing Company, LLC Located at 513 South Valley Way

Agenda of: July 13, 2021

Council Action: ☐ **Approved** ☐ **Amended:** _____
 ☐ **Defeated**

Originator Information:

Originator: John Moosey, City Manager

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ Unknown

This legislation (√):


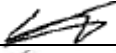

<input checked="" type="checkbox"/>	Creates revenue in the amount of:	\$ <u>Unknown</u>
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/> Budgeted	Line item(s): _____
<input type="checkbox"/> Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u> Acting City Clerk</u>	_____

Attachment(s):

1. LGB Notice from the State of Alaska for License No. 5966
2. Liquor License Application Form

Summary Statement/Background:

The Matanuska Brewing Company, LLC has applied for a liquor license renewal. Per State law, a local governing body may protest the approval of an application pursuant to AS 04.11.480 by providing the applicant with a clear and concise written statement of the reason for the protest or may voice a non-objection to a request.

Administration's Recommendation:

Approve Action Memorandum No. 21-044



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

June 7, 2021

City of Palmer
Matanuska – Susitna Borough

VIA Email: jmazurkiewicz@palmerak.org; jmoosey@palmerak.org; adam.bradway@matsugov.us;
alex.strawn@matsugov.us; permitcenter@matsugov.us

License Type:	Distillery	License Number:	5966
Licensee:	Matanuska Brewing Company, LLC		
Doing Business As:	Matanuska Brewing Company		
Premises Address:	513 South Valley Way		

☒ **New Application**

☐ **Transfer of Location Application**

☐ **Transfer of Ownership Application**

☐ **Transfer of Controlling Interest Application**

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Glen Klinkhart, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Matanuska Brewing Company, LLC				
License Type:	Distillery	Statutory Reference:	04.11.170		
Doing Business As:	Matanuska Brewing Company				
Premises Address:	513 South Valley Way				
City:	Palmer	State:	AK	ZIP:	99645
Local Governing Body:					
Community Council:	Palmer, AK, [↑] MATSU BOROUGH				

Mailing Address:	513 South Valley Way				
City:	Palmer	State:	AK	ZIP:	99645

Designated Licensee:	Kevin Burton				
Contact Phone:	907-351-2615	Business Phone:	907-351-2615		
Contact Email:	burtonbeer@hotmail.com				

Seasonal License? ☐ Yes ☒ No ☐ If "Yes", write your six-month operating period: _____

OFFICE USE ONLY					
Complete Date:	4/7/21	License Years:	21/22	License #:	5966
Board Meeting Date:	6/22/21	Transaction #:	100055901		
Issue Date:		BRE:	CDC		



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 2 – Premises Information

Premises to be licensed is:



an existing facility



a new building



a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

--

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

--

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application**Section 4 – Entity Ownership Information**

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Kevin Burton				
Title(s):	Member Manager	Phone:	907-351-2615	% Owned:	20
Address:	19321 Upper Skyline Drive				
City:	Eagle River	State:	AK	ZIP:	99577

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	



Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10037728	AK Formed Date:	4/16/16	Home State:	Alaska
Registered Agent:	David Shoup	Agent's Phone:	907-278-8533		
Agent's Mailing Address:	508 W. 2nd Avenue, 3rd Floor				
City:	Anchorage	State:	AK	ZIP:	99501

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?



Section 5 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?



If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

MATANUSKA BREWING COMPANY - BREWERY LIC. # 5566 } see EXHIBIT A TO THE OPERATING
MATANUSKA BREWING COMPANY - WINERY LIC. # 5867 } AGREEMENT HERON FOR OWNERSHIP

Section 6 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?



If "Yes", disclose the name of the individual and the reason for this authorization:

--



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

LB

I certify that all proposed licensees have been listed with the Division of Corporations.

LB

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

LB


I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

LB

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

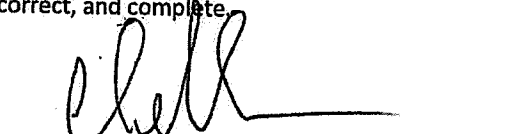
LB

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.


Signature of licensee

Kevin Burton

Printed name of licensee


Signature of Notary Public

Notary Public in and for the State of Alaska

CLARK D. SAUNDERS
Notary Public
State of Alaska
My Commission Expires May 19, 2024

My commission expires: 5/19/24

Subscribed and sworn to before me this 23rd day of FEBRUARY, 2021.



Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram**What is this form?**

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

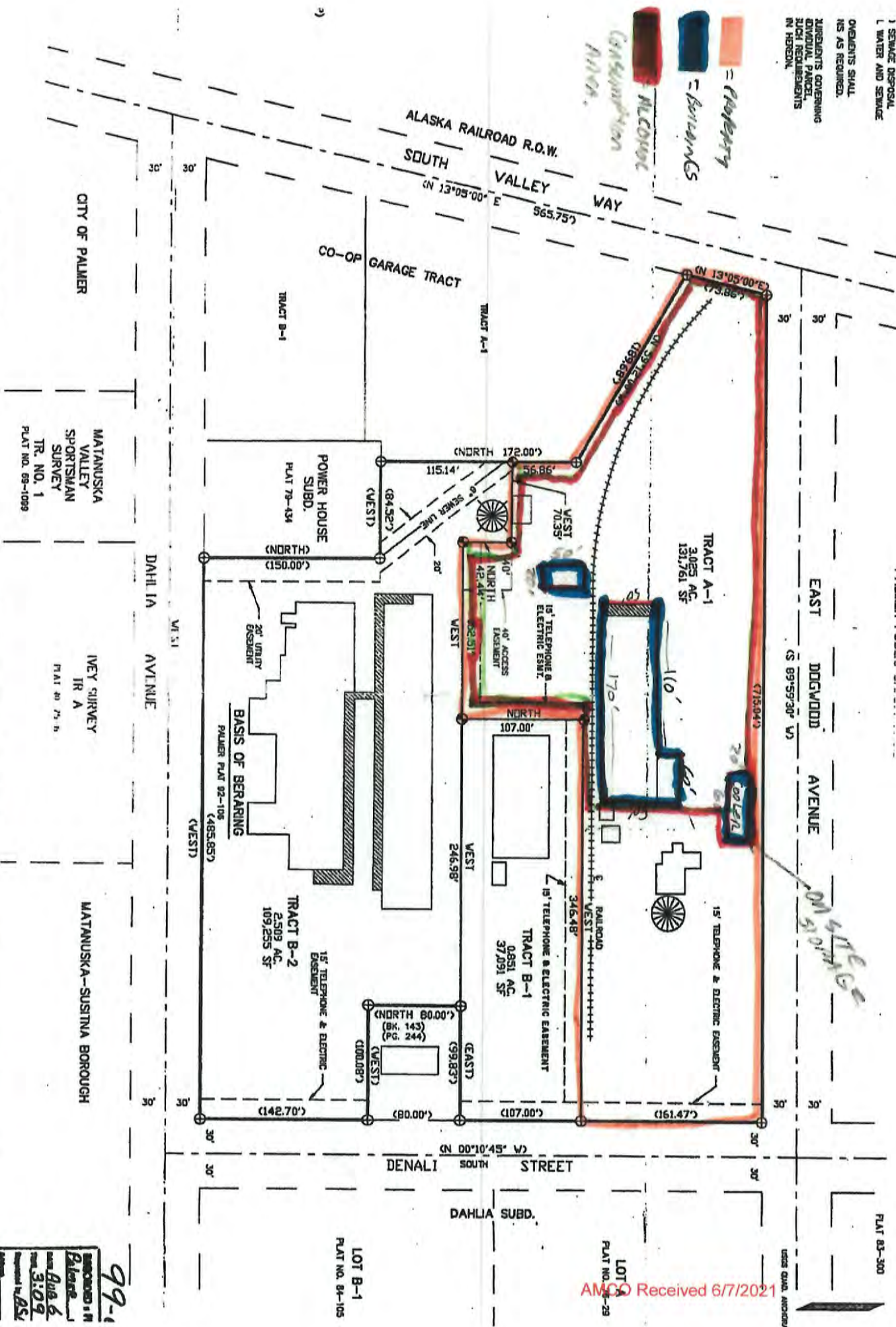
**Section 1 – Establishment Information**

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Matanuska Brewing Company, LLC	License Number:	
License Type:	Distillery		
Doing Business As:	Matanuska Brewing Company		
Premises Address:	513 South Valley Way		
City:	Palmer	State:	AK
		ZIP:	99645

1. SEWAGE DISPOSAL
L. WATER AND SEWAGE
OWNERS SHALL
BE AS REQUIRED.
JURISDICTION CONCERNING
ADJACENT LANDS,
SUCH RECORDS
IN HEREON.

Property
= Buildings
= Railroad
= ALCONAC



CERTIFICATE OF LESSEE

I HEREBY CERTIFY THAT I HOLD A LEASE WITH OPTION TO PURCHASE OF A PORTION OF THE PROPERTY SHOWN AND DESCRIBED HEREON, I HEREBY AGREE TO THE PLAT AND RECORD AND TO THE OBLIGATION APPEARING HEREON AND ANY SUCH RESTRICTION OR COVENANT SHALL BE BINDING AND ENFORCEABLE AGAINST PRESENT AND SUCCESSIVE OWNERS OF THIS SUBDIVIDED PROPERTY.

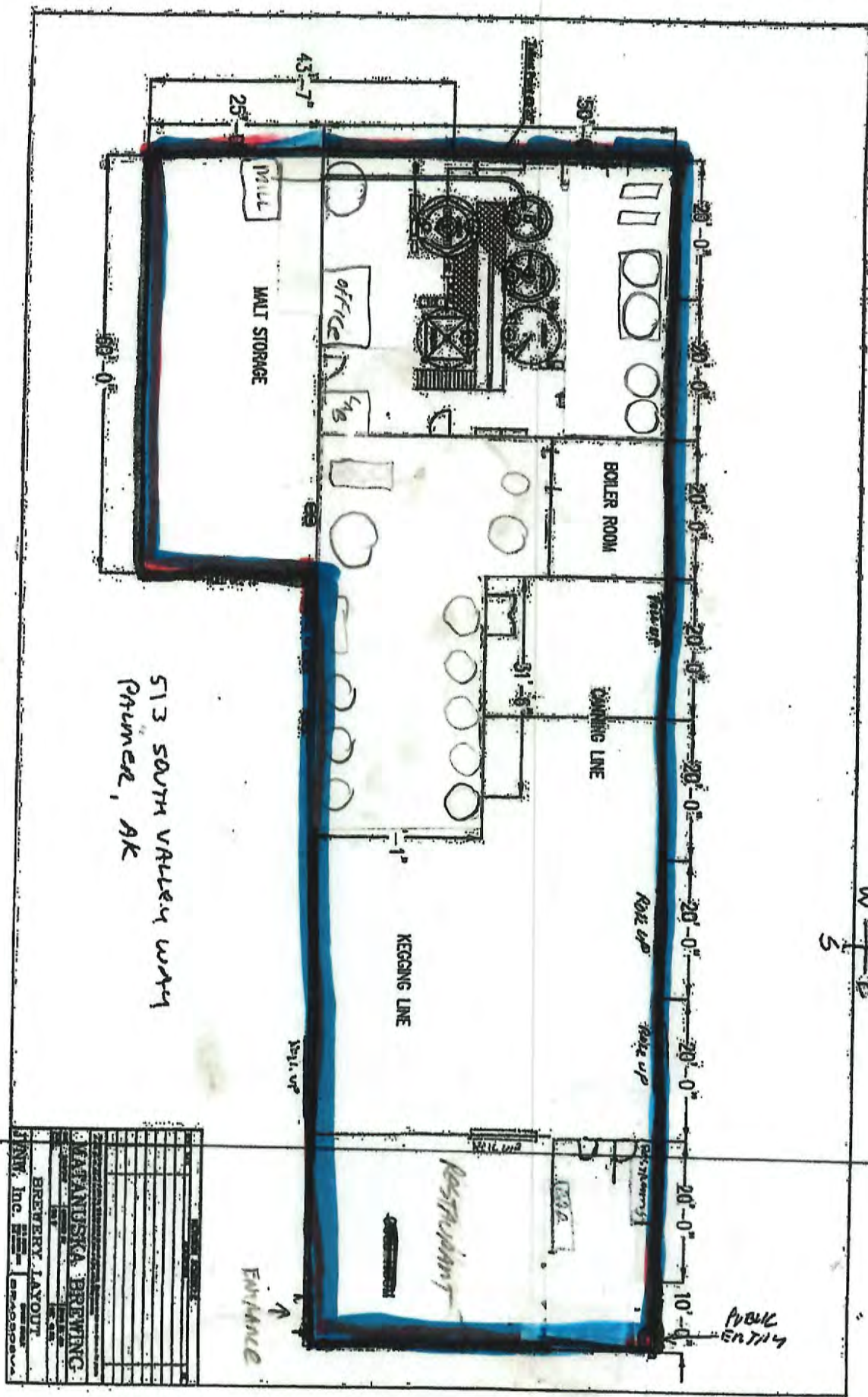
CERTIFICATE OF PAYMENT OF TAXES

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS, THROUGH DATE 8/1/1994, AGAINST THE PROPERTY, INCLUDED IN THE SUBDIVISION OR RESUBDIVISION HEREON HAVE BEEN PAID.

PLANNING DIRECTOR'S CERTIFICATE

I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSTITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NO. 199-17-10, DATED 8-17-1994, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

RECORDED IN
Palmer
Book 6
Page 3:09
8/5/19



513 SOUTH VALLEY WAY
PRINCE, AK

JANUSKA BREWING	
BREWERY LAYOUT	
DATE	10/1/2021
BY	BRAD SPUR
REVISION	
1	Initial Layout
2	Equipment Placement
3	Final Layout

AMCO Received 6/7/2021

MATANUSKA BREWING COMPANY
Outdoor/Indoor Serving Security Plan

1. All minors must be accompanied by an adult (age over 21) while in the restricted area when any alcohol is being served/sold/consumed.
2. All new patrons are carded upon ordering alcohol.
3. All staff is trained in the identification of fake IDs.
4. (6 FOOT HIGH CHAIN LINK) is around the outdoor servicing area.
5. Underaged persons will be monitored closely by our professionally trained alcohol servers.
6. Proper egress from the outdoor service area will always remain unobstructed.
7. ABC mandated posters as required by law are posted inside (MATANUSKA BREWING COMPANY) and at the entrances of the outdoor seating area.
8. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.
9. Keeping outdoor seating area viable without any increased risk to minors exposed to alcohol WILL continue to be a part of our training for our staff.
10. All safety related operations for our current liquor service will additionally be enforced in the new service area.
11. Proper signage at points of entry indicating no minors without a parent or legal guardian will be posted.
12. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.
13. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages.
14. Servers will be present in the outdoor area to monitor consumption.

AMCO Received 6/7/2021

City of Palmer
Information Memorandum No. 21-003

Subject: Presentation By Steering Committee Member on Metropolitan Planning Organization (MPO) Concepts and Progress Regarding Formation and Operation MPO Policy Board

Agenda of: July 13, 2021

Originator Information:

Originator: Brad Hanson, Director Community Development

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (√):




- | | | |
|-------------------------------------|---------------------------------------|----------|
| <input type="checkbox"/> | Creates revenue in the amount of: | \$ _____ |
| <input type="checkbox"/> | Creates expenditure in the amount of: | \$ _____ |
| <input type="checkbox"/> | Creates a saving in the amount of: | \$ _____ |
| <input checked="" type="checkbox"/> | Has no fiscal impact | |

Funds are (√):

- | | | |
|--------------------------|--------------|---------------------|
| <input type="checkbox"/> | Budgeted | Line item(s): _____ |
| <input type="checkbox"/> | Not budgeted | _____ |

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u> Acting City Clerk</u>	_____

Attachment(s):

1. Metropolitan Planning Organization Presentation

Summary Statement/Background:

The Federal Highway Act of 1962 required the formation of a Metropolitan Planning Organization (MPO) for communities with populations greater than 50,000 people. Upon completion of the 2020 census most likely a portion of the Mat-Su valley will be designated as an urbanized area which will require the formation of a MPO. The formation of a MPO has many fiscal, organizational, policy, and governance implications on the City of Palmer transportation planning and construction.

The city has participated on a steering committee that was formed by the Mat-Su Borough to lay the foundation for the establishment of a MPO. It was funded through Alaska Department of Transportation with a planning grant. The Mat-Su Borough hired a consultant team consisting of PDC Engineers, Gardino Consulting and Catalyst Alaska to facilitate the creation of the Mat-Su MPO.

The MPO Presentation that is an attachment to the IM will give a better understanding of what a MPO is and what it means to the city. City Council must decide participation parameters, including how the city will interface with the MPO, what type of staff participation, and financial resources that will be allocated to the MPO.

The next step in the formation of the MPO is for the establishment of a pre-policy board. The steering committee consultants have requested the City Manager be a participant on the pre-policy board. The pre-policy board will be responsible for making decisions on governance, creation of four required planning documents, MPO organizational structure, hosting alternatives, and hiring of a pre-MPO director.

Transportation Planning & Funding

In the Mat-Su is about to change

MPO



- A **Metropolitan Planning Organization (MPO)** is a planning organization that develops short- and long-range plans for a **local multi-modal transportation system that guides State and Federal investments** so that they work for the betterment of the community.

Why do we need an MPO?

Our Population is growing and because of that, the Federal Government requires we form one.



The Department of Commerce

will designate a portion of the Mat-Su as a Qualifying Urban Area, with a population "cluster" of over 50,000 for Census 2020. An official Metropolitan Planning Organization (MPO) must be established in the Mat-Su area to continue to receive Federal Highway Funding.

April 2022- expected census designation

INTRODUCTION

What does an MPO do?

- ✓ Carries out transportation planning activities-based on population growth and community need
- ✓ Directs State and Federal Funds for road/transportation projects for motorized and non-motorized users
- ✓ Allows for local control of transportation decisions
- ✓ **Engages the public** in transportation planning and projects

“BY LAW, THE MPO IS DEFINED AS THE POLICY BOARD COMPRISED OF LOCAL OFFICIALS.”

Organized

- How is the MPO organized?

Kind of like a non-profit or corporation. Governance is managed by a board of directors- but the board of directors are made up of elected officials of the regional governments and policy makers of transportation NGO's

- State/Borough/City/Tribes

- Transit

- Bike / Pedestrian Advocate

Policy Board

- Policy Board must consist of units of local government who represent a minimum of 75% of the existing metropolitan planning area population. (including largest incorporated city)

- Steering committee has recommended a medium (6-9) sized policy board consisting of:
 - Palmer
 - MSB
 - Wasilla
 - AK DOT

Other potential members may include:

- Trails and parks Rep
 - DEC Rep
 - Health Rep
 - Tribal Rep
 - Transit Rep

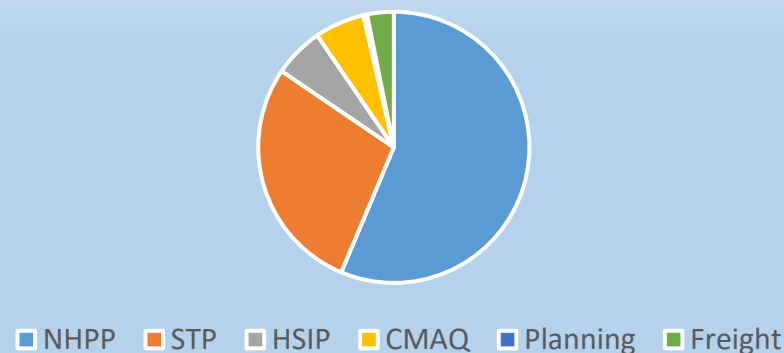
- Policy Board Coordinates funding within its boundaries

Federal Funding

- How much MONEY does Alaska get from Federal Highway Administration?

	\$542,000,000
NHPP	\$306,715,836
STP	\$153,320,470
HSIP	\$32,384,409
CMAQ	\$29,076,413
Planning	\$2,402,700
Freight	\$17,206,531

FFY19 FAST Act Funding For Alaska



Acronyms

NHPP – National Highway Performance Program STP – Surface Transportation Program HSIP – Highway Safety Improvement Program
CMAQ – Congestion Mitigation & Air Quality FAST – Fixing America's Surface Transportation STBGP - Surface Transportation Block Grant

MPO Statewide Allocation

- Communities >5000-200,000 \$31.2 M

- ✓ Juneau
- ✓ Sitka
- ✓ Ketchikan
- ✓ Wasilla
- ✓ Kenai
- ✓ Kodiak
- ✓ Bethel
- ✓ Palmer
- ✓ Homer
- ✓ Soldotna

- Communities >50,000<200,000 \$8.3 M

- ✓ Fairbanks

- Communities > 200,000 \$27.3 M

- ✓ Anchorage

Types of MPO Hosting

- **Independent MPO**

This is a truly independent agency. The MPO must meet all of its operating needs by itself. The most expensive type of MPO. Provides all payroll costs, administrative and capital needs.

- **Leaning Independent**

Independent MPO that “leans” on one of its members for support. The MPO receives some services under a severable contract.

- **Component MPO**

This type of hosting relationship, the MPO functions are separated from all other functions of the host. (Department or Division)

- **Dual Purpose MPO**

This type of hosting relationship, the host leverages MPO planning funds to maintain transportation planning staff. Performs both MPO planning and local government transportation planning functions.

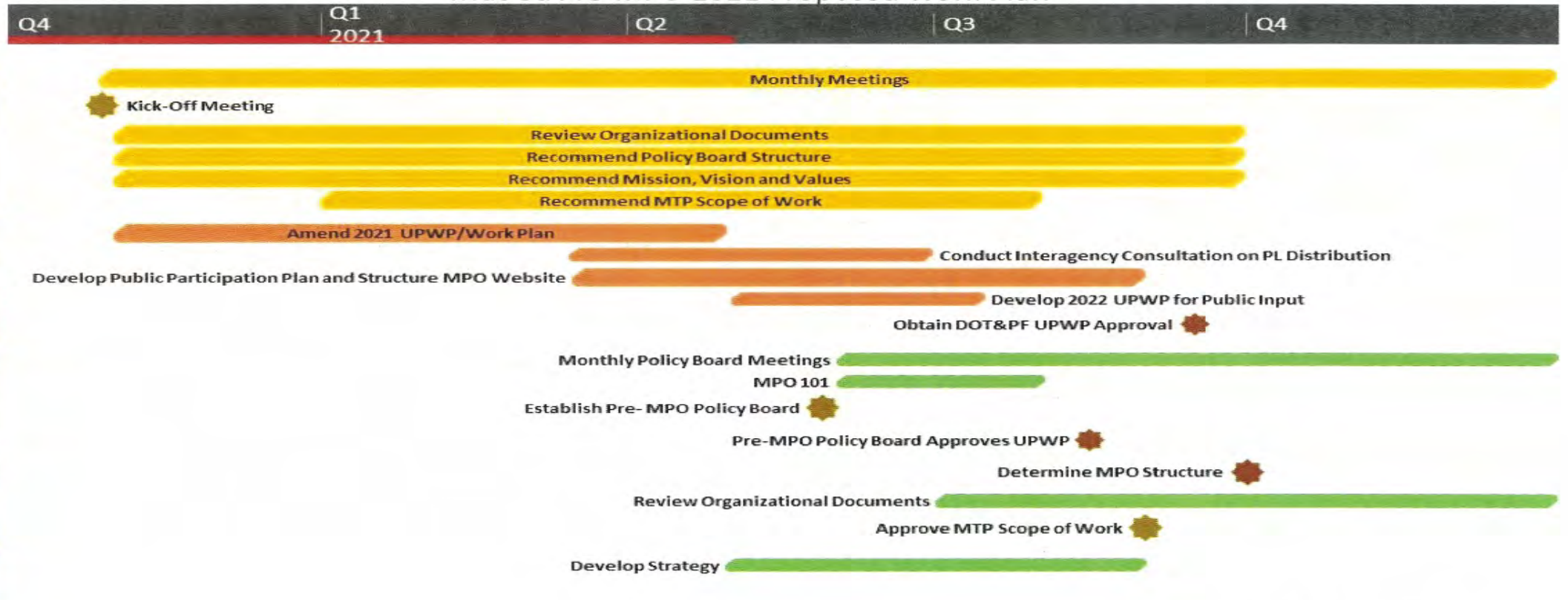
- **All-In-One Agency**

This type of agency does not differentiate between MPO functions, non-MPO transportation functions and all other functions of the broader agency.

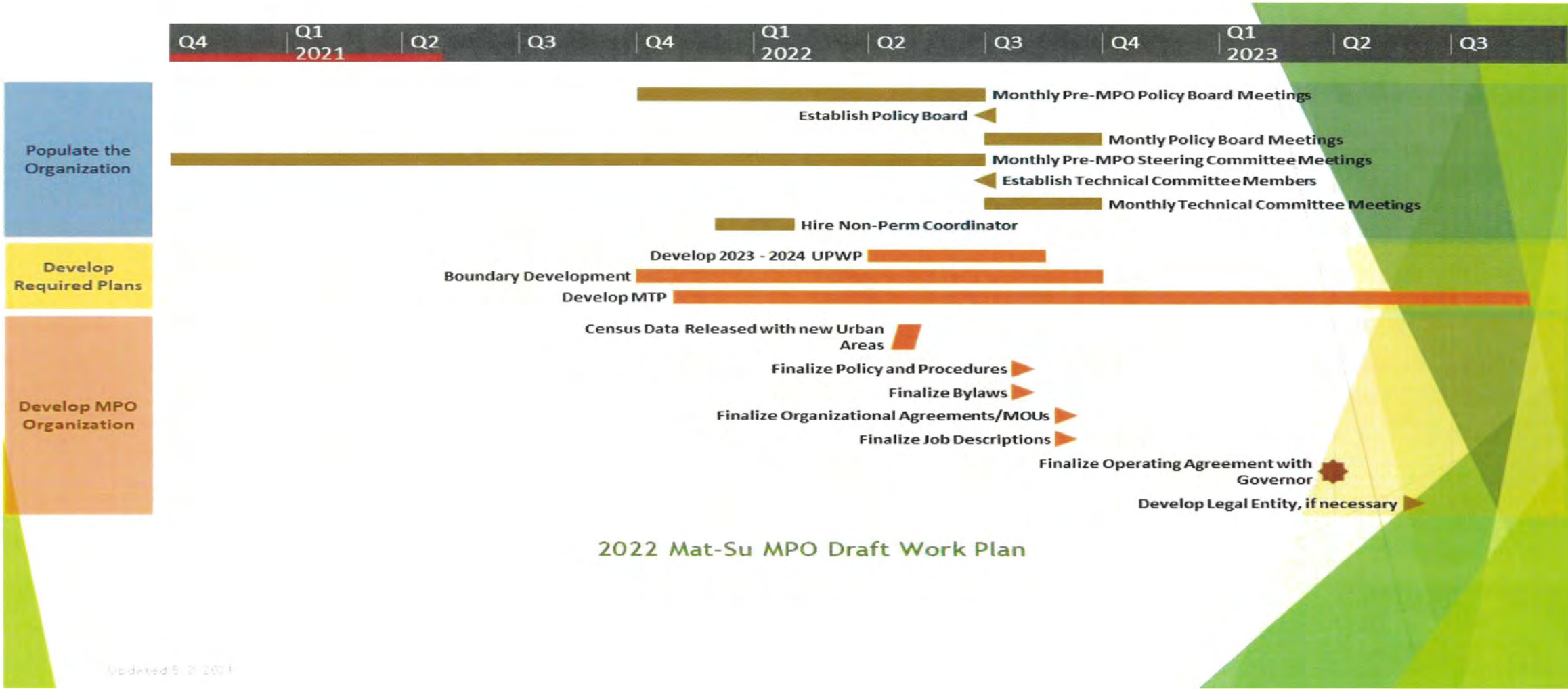
2021 MPO Formation Steps

- Steps of the steering committee to the formation of the MPO Board
 - Determine composition of “pre-policy board”, select a COP Member
 - Determine the “policy board size and member”
 - Determine the MPO entity type
 - Mandatory Plans
 - Unified Planning Work Program (UPWP) for 2022
 - Public Participation Plan (PPP)
 - Determine administrative matters
 - Hire a pre-MPO coordinator
 - Name
 - Branding: Mission, Vision, Values
 - Strategic Goals and Objectives

Mat-Su Pre-MPO 2021 Proposed Work Plan



Amended 05/02/2021



Updated 5/21/2021

Strategy of Boundary Development

- Consider 2010 and 2020 Census Data
- Consider where people are moving (where are they building?)
- Where will the growth occur in the next 20 years?
- Consider any available models, forecasts and GIS mapping scenarios
- Consider road miles of each area
- Consider air quality conditions
- Consult subject matter experts (Platting, Planning, Zoning, Real Estate, Economist)

Unified Planning Work Program (UPWP)

- Describes the MPO's budget, planning activities, studies and technical support expected to be undertaken in a one or two-year period
- Ensures that a continuing, cooperative and comprehensive approach to planning for transportation is maintained and coordinated between all stakeholders
- Statement of Work

Unified Planning Work Program (UPWP)

- Estimated at \$430,000 annually (Federal PL funds) but depends on status of the MPO
- Requires 9.03% non-federal share - \$38,829
- Discuss allocation formula with State and other MPOs; 2022 will be discretionary funds not PL funds
- Outline how these funds will be spent in the 2022 UPWP due in August 202

2022 UPWP Budget

- Discussed preliminary tasks with the State
- State plans use of discretionary funding for the FFY2022 tasks due to Pre-MPO status
- PL funding will not be included until designation occurs (mid FFY2023)
- Refining necessary tasks for the FFY2022 UPWP
- TransCad Modeling needs for MTP
- GIS services for Boundary Development
- Data availability for road information in all parts of the MS