

Mayor Edna B. DeVries
Deputy Mayor Pete LaFrance
Council Member Julie Berberich
Council Member Steve Carrington
Council Member Linda Combs
Council Member Sabrena Combs
Council Member David Fuller

City Attorney Michael Gatti
City Clerk Norma I. Alley, MMC
City Manager Nathan Wallace

City of Palmer, Alaska
City Council Meeting
May 14, 2019, at 7:00 PM
City Council Chambers
231 W. Evergreen Avenue, Palmer
www.cityofpalmer.org

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction of **Ordinance No. 19-007**: Enacting Palmer Municipal Code Chapter 9.39 Regarding Excessive Police Responses Page 3
 - b. Introduction of **Ordinance No. 19-008**: Amending Palmer Municipal Code Chapter 2.18 Pertaining to Boards and Commissions Generally Page 11
 - c. Introduction of **Ordinance No. 19-009**: Amending Palmer Municipal Code Chapter 2.30 Pertaining to Board of Economic Development..... Page 15
 - d. **Action Memorandum No. 19-047**: Authorizing the City Manager to Purchase and Install a Fire Radio Repeater and Associated Equipment for the Palmer Fire Department..... Page 23
2. Approval of Minutes of Previous Meetings
 - a. March 12, 2019, Joint City Council and Park, Recreation and Cultural Resources Advisory Board Meeting..... Page 27
 - b. April 23, 2019, Regular Meeting..... Page 31

E. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Presentation of a Proclamation Recognizing May 19-25, 2019, as Public Works Week..... Page 35
2. Presentation from Airport Advisory Commission Chair Ken More..... Page 37

F. REPORTS

1. City Manager's Report..... Page 45
2. City Clerk's Report Page 47
3. Mayor's Report Page 53
4. City Attorney's Report

G. AUDIENCE PARTICIPATION

H. PUBLIC HEARING

1. **Ordinance No. 19-005**: Amending Palmer Municipal Code Title 7 Pertaining to the Airport Regulations for the Warren "Bud" Woods Palmer Municipal Airport Page 55
2. **Ordinance No. 19-006**: Amending Palmer Municipal Code Chapter 12.08 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport Page 67

I. NEW BUSINESS

J. RECORD OF ITEMS PLACED ON THE TABLE

K. AUDIENCE PARTICIPATION

L. COUNCIL MEMBER COMMENTS

M. ADJOURNMENT

Tentative Future Palmer City Council Meetings

Meeting Date	Meeting Type	Time	Notes
May 28	Special	6 pm	DOT Present on Glenn Hwy. Proj.
May 28	Regular	7 pm	
June 11	Regular	7 pm	
June 25	Regular	7 pm	
July 9	Special	6 pm	Mid-Year Budget Review
July 9	Regular	7 pm	
July 23	Special	6 pm	2020 Budget Planning Priorities
July 23	Regular	7 pm	
Aug 13	Regular	7 pm	
Aug 27	Regular	7 pm	
Sept 10	Regular	7 pm	
Sept 24	Regular	7 pm	

**City of Palmer
Ordinance No. 19-007**

Subject: Enacting Palmer Municipal Code Chapter 9.39 Regarding Excessive Police Responses

Agenda of: March 14, 2019 – Introduction
March 28, 2019 – Public Hearing

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




Originator Information:

Originator: Council Member Sabrena Combs and Council Member Julie Berberich

Department Review:

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

Approved for Presentation By:

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

Certification of Funds:


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

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted

Director of Finance Signature: 

Attachment(s):

- Ordinance No. 19-007

Summary Statement/Background:

A concerned citizens group formed in Palmer and approached the City Council to consider adopting an excessive call ordinance to possibly help alleviate some of the issues with "trap houses" and problem residences in town.

The city of Wasilla has had a similar ordinance on the books since 2014. This ordinance would keep consistency through the cities of the Valley and give concerned citizens a tool to use for residences that have excessive encounters with law enforcement.

In speaking with the city of Wasilla, since its inception this ordinance has only been enforced a handful of times, meaning this is unlikely to create much additional workload for the Palmer Police Department or administration.

The ordinance fee schedule would keep in line with the fee schedule for excessive calls to the fire department, an ordinance that has been in place for many years.

LEGISLATIVE HISTORY

Introduced by: Council Members S. Combs
and Berberich
Date: March 14, 2019
Public Hearing: March 28, 2019
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Ordinance No. 19-007

An Ordinance of the Palmer City Council Enacting Palmer Municipal Code Chapter 9.39 Regarding Excessive Police Responses

WHEREAS, the city of Palmer has citizens concerned with residences that have an excessive amount of crime and suspicious traffic and activity; and

WHEREAS, these citizens would like an avenue to discourage unlawful activities through a defined penalty system; and

WHEREAS, the city of Palmer police department is dispatched regularly to these problem residences for a variety of unlawful or suspicious activities.

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 Chapter 9.39 is hereby enacted to read as follows:

9.39.010 Purpose

This ordinance addresses the issue of excessive police responses to repeat locations. Occasionally, one or more police officers respond multiple times to a property on a call for assistance, a complaint, an emergency, a potential emergency or a reasonable suspicion of unlawful activity. This Ordinance outlines liable parties, fees for excessive police response and appropriate corrective action.

9.39.020 Definitions.

When used in this chapter, the following words and phrases shall have the meanings set forth in this section:

“Dwelling unit” means a structure or portion thereof providing independent and complete cooking, living, sleeping, and toilet facilities for a person or group of persons living as a single housekeeping unit.

“Excessive police response” means for a residential property, each police response in excess of eight to a dwelling unit in a calendar year.

“Mobile home” means a detached single dwelling unit fabricated at a factory and capable of being transported to location of use on its own chassis and wheels, identified by a model number and serial number by its manufacturer, and designed primarily for placement on a non-permanent foundation.

“Mobile home park” means any parcel or adjacent parcels of land in the same ownership which are managed for occupancy by more than two mobile homes. The term does not include tourist facilities for travel trailers or campers.

“Owner” means the record owner of the property as shown in the real property records of the borough.

“Person” means any individual, or any business or non-business association recognized by law, whether or not organized for profit.

“Police response” means one or more police officers that respond to a call for assistance, a complaint, an emergency, a potential emergency, or a reasonable suspicion of unlawful activity witnessed by a police officer, and any response determined by a sergeant or higher ranking police officer to be related to activities on the property premises and reasonably preventable. The term “police response” does not include a response to:

1. Receipt of false information as defined in AS 11.56.800(a)(1), unless the false information was provided by an occupant or owner of the property;
2. A false alarm as defined in AS 11.56.800(a)(2) through (3), unless the false alarm was caused, permitted or allowed by an occupant or owner of the property in violation of AS 11.56.800(a)(2) through (3);
3. A call involving potential child neglect, potential domestic violence as defined in AS 18.66.990, or potential stalking under AS 11.41.260 or 11.41.270;
4. A report of a sexual assault as defined in AS 11.41.410 through 11.41.427;
5. A medical emergency for serious bodily injury or death;
6. A call from the tenant or owner of property for police assistance with:
 - a. Theft or attempted theft from the tenant or owner; or
 - b. A report of the presence or identification of a person under state or federal warrant; or
 - c. A report of the presence or identification of a person under state or federal warrant; or
 - d. An inebriated person preparing to operate a motor vehicle upon leaving the premises.

“Residential property” means an individual parcel, tract or lot shown on the most recent plat of record containing one or more dwelling units, or a mobile home.

9.39.030 Notice to liable persons.

A. The city may notify the owner and tenant of a property in writing when the number of police responses in the current calendar year to a residential unit equals the number of excessive police responses for that type of property.

B. A notice under this section shall be given in a manner reasonably calculated, under all the circumstances, to provide actual notice to the person of the potential liability for the fee. At a minimum, the notice shall be sent by certified mail or by direct delivery, return receipt requested, to the mailing address of the person as shown on the city's real property tax records. If the mailed notice is returned refused for signature by the recipient, actual notice shall be conclusively presumed on the date refused. If the mailed notice is returned unclaimed or undeliverable, the city shall accomplish notice by another method and attest to the date notice is accomplished by affidavit or in a police report. Notice may be accomplished by any lawful manner.

C. The notice addressed to an owner and tenant shall:

1. Identify the property that is the subject of the notice by street address, and if the property has multiple units, identify the dwelling unit;
2. State the number of police responses in the calendar year to date and state additional police responses to the unit or property may result in imposition of fees under this chapter;
3. State the person shall be liable for a fee for each excessive police response to the property during the calendar year, unless, within 30 days, any person takes appropriate corrective action promptly and gives written notice to the chief of police of the action taken;
4. State the amount of the fee per excessive police response; and
5. State the contact information of a representative of the police department to contact concerning the notice.

9.39.040 Corrective Action.

A. An owner or tenant of a property shall have 30 days from the date notice is accomplished, as required under PMC 9.36.030, to promptly take appropriate corrective action. Appropriate corrective action is action reasonably expected to correct the cause of the police responses to the property. Police officers holding the rank of sergeant or higher are authorized to determine whether corrective action is appropriate under the circumstances. The officer's determination shall be in writing and issued within five days of receipt of the person's written notice of the action taken. Should the officer determine the action taken is not appropriate corrective action, the officer shall explain the reasons and the person shall have 10 days from the date of the determination to take appropriate corrective action. The 10-day extension shall be provided only once in a calendar year for each unit receiving excessive police responses. Examples of appropriate corrective action, subject to a police officer's determination whether it is appropriate, may include, without limitation:

1. Written notice to quit under AS 09.45.100 through 09.45.110;
2. Eviction notice served on the tenant or lessee requiring vacation of the premises within 30 days or less;
3. Obtaining a restraining order, if appropriate;
4. Installation or implementation of new or additional security measures; or
5. Action recommended by the police department in writing and implemented to the satisfaction of a police officer the rank of sergeant or higher.

B. Appropriate corrective action does not include:

1. Relocating a tenant or lessee of a unit to a different unit on the same property, unless a police officer the rank of sergeant or higher determines the relocation is appropriate. If a person is relocated, the city may transfer the number of police responses from the former unit to the new unit; or
2. Communicating only orally with the person causing the police responses.

C. A fee may not be imposed for additional police responses to the unit that is the subject of the notice during the 30-day period allowed under subsection (A) of this section if any person takes

appropriate corrective action and gives written notice to the police department of the action taken during the 30-day period. There is a conclusive presumption that appropriate corrective action was taken if there are no additional police responses to the property from the end of the 30-day period until the earlier of:

1. The end of the calendar year; or
2. Ninety calendar days.

9.39.050 Fees for excessive police response.

A. Subject to subsection (B) of this section, the owner of a property and the tenant of a unit shall jointly pay the city a progressive charge for violations of this chapter in accordance with the fee in the current, adopted budget per excessive police response to the dwelling unit during a calendar year.

B. The city shall bill the owner of the property and the tenant of a unit for excessive police responses and they both shall jointly pay those charges within 30 days of a receipt of said bill.

C. A person is exempt from liability for the fee established by subsection (A) of this section if:

1. The person is a federal, state, or local government agency;
2. The property or unit responded to is used exclusively for nonprofit religious, charitable, cemetery, hospital or educational purposes;
3. The city has not provided notice to the person in writing as provided in PMC 9.36.030;
4. Any person has taken appropriate corrective action and given written notice to the police department of the action as required by PMC 9.36.030; or
5. The owner or tenant of the property or unit responded to has entered a current written agreement with the police department.

D. If a property has more than one owner, all owners shall be jointly liable, with the tenant, for any fee imposed under this chapter. Actual notice to one owner creates a rebuttable presumption of actual notice to all other owners.

E. For residential property owned as a condominium, a fee based on excessive police responses to a single dwelling unit shall be assessed against the owner of the dwelling unit, jointly with the tenant.

F. A tenant shall not be liable for the fee if the tenant's conduct did not require the police response and the tenant's right to possession commenced on a date subsequent to the date of the first police response that is counted for purposes of the fee imposed under this chapter.

G. If the unit requiring excessive police responses is a mobile home located in a mobile home park, the fee may not be imposed on the owner or operator of the mobile home park, unless the owner's or operator's conduct required the excessive police response. The fee may be imposed jointly on the owner and tenant of the mobile home.

H. If a sergeant or higher ranking official of the police department determines appropriate corrective action was taken with respect to a specific unit, the count of police responses to the unit shall reset to zero, effective the date of the determination.

I. The fee may be collected in any lawful manner, including bringing an action in court for a personal judgment against any one or more of the persons liable.

J. An owner or tenant liable for a fee under this chapter may bring an action in court against a person whose conduct required the excessive police response to recover the amount of the fee and related costs. An owner or tenant shall not be granted any extension of time or continuance to pay the fee based on a pending action against a third party.

Section 4. Effective Date. Ordinance No. 19-007 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this _____ day of _____, 2019.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

**City of Palmer
Ordinance No. 19-008**

Subject: Amending Palmer Municipal Code Chapter 2.18 Pertaining to Boards and Commissions Generally

Agenda of: May 14, 2019

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




Originator Information:

Originator: Norma I. Alley, City Clerk

Department Review:

Route to:	Department Director:	Signature:	Date:
<u>X</u>	Airport	<u></u>	_____
<u>X</u>	Community Development	<u></u>	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
<u>X</u>	Public Works	<u></u>	_____

Approved for Presentation By:

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

Certification of Funds:


Total amount of funds listed in this legislation: \$ **0.00**

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted

Director of Finance Signature: 

Attachment(s):

- Ordinance No. 19-008

Summary Statement/Background:

The City Council requested the code be reviewed regarding the Airport Advisory Commission (AAC); Board of Economic Development (BED); Parks, Recreation and Cultural Resources Advisory Board (PRCRAB); and Planning and Zoning Commission (PZC) for potential revisions. On August 8, 2017, the city clerk brought forward Information Memorandum No. 17-016 to the City Council for discussion on potential Palmer Municipal Code (PMC) amendments regarding boards and commissions. The City Council convened a Committee of the Whole and provided valuable direction for amendments.

The city clerk drafted potential amendments and presented the amendments to the respective boards and commissions as noted below:

1. Airport Advisory Commission (AAC): 8/24/2017
2. Board of Economic Development (BED): 9/5/2017
3. Parks, Recreation and Cultural Advisory Board (PRCRAB): 9/7/2017
4. Planning & Zoning Commission (PZC): 8/17/2017

At each board and commission meeting, the general comments were positive to the direction the amendments were heading and additional suggestions were provided.

The attached ordinance reflects changes to PMC Chapter 2.18 Boards and Commissions Generally amending the term of office and month of chair and vice chair appointments. It is suggested to change the terms of office from November 1-October 31 to January 1-December 31. In addition to the change in the term dates, language reflections that during the transition to the new terms, the current member would remain in their seat until a successor is appointed. If the term of office changes to a calendar year, there would be an immediate effect on all members. Their terms would extend by two months to end December 31 of the respective year of their current term. The Clerk’s Office would advertise terms for new appointments to end December 31, 2022. The new terms would be:

Member	Current Term Expires	New Term Expires
Term A	October 31, 2019	December 31, 2019
Term B	October 31, 2020	December 31, 2020
Term C	October 31, 2021	December 31, 2021

Administration’s Recommendation:

Adopt Ordinance No. 19-008 Amending Palmer Municipal Code Chapter 2.18 Pertaining to Boards and Commissions Generally.

LEGISLATIVE HISTORY

Introduced by: Mayor via City Clerk
Date: May 14, 2019
Public Hearing: May 28, 2019
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Ordinance No. 19-008

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Chapter 2.18 Pertaining to Boards and Commissions Generally

WHEREAS, the City Council adopted Ordinance No. 15-019, which enacted the Boards and Commission Generally chapter; and

WHEREAS, the City Council recognizes the continued value the boards and commissions brings to the Palmer community and wishes to provide clear guidance to the boards and commissions through the Palmer Municipal Code (PMC); and

WHEREAS, the City Council periodically considers code amendments to assist in providing clear guidance.

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 Chapter 2.18 is hereby amended to read as follows (new language is underlined, and deleted language is ~~stricken~~):

**Chapter 2.18
BOARDS AND COMMISSIONS GENERALLY**

Sections:

- 2.18.010 Board and commission creation.
- 2.18.020 Member appointment.
- 2.18.030 Membership terms.
- 2.18.040 Officers.
- 2.18.050 Board or commission termination.

2.18.010 Board and commission creation.

All boards and commissions shall be established by ordinance of the city council.

2.18.020 Member appointment.

- A. Members shall be nominated by the mayor and confirmed by the council.
- B. Mayoral nomination and council confirmation may occur anytime there is a vacancy.

2.18.030 Membership terms.

- A. The term of each appointed member shall be three years;
- B. ~~The three-year terms are calculated as: term beginning date: November 1st, and term ending date: October 31st shall commence on January 1 and end December 31 or until a successor is appointed and qualified;~~
- C. Terms shall be staggered by the appointment of initial members for lesser terms so that as nearly as possible a pro rata number of members are appointed each year;
- D. A person appointed to fill a vacancy shall serve the remainder of the previous member's term.

2.18.040 Officers.

- A. Each board or commission shall have a chair and vice chair.
- B. The chair and vice chair are selected and appointed from and by the appointive members during the first regular meeting of ~~November~~ each calendar year. ~~If the meeting is not held, the selection and appointment shall occur at the next meeting.~~
- C. If a chair or vice chair vacancy occurs, the appointive members shall select a new chair or vice chair during the next regular meeting following the vacancy.

2.18.050 Board or commission termination.

The council may terminate a board or commission in the same manner as it was created.

Section 4. Effective Date. Ordinance No. 19-008 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this ____ day of _____, 2019.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

**City of Palmer
Ordinance No. 19-009**

Subject: Amending Palmer Municipal Code Chapter 2.30 Pertaining to Board of Economic Development

Agenda of: May 14, 2019

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

Originator Information:

Originator: Norma I. Alley, City Clerk

Department Review:

Route to:	Department Director:	Signature:	Date:
<u>X</u>	Community Development	<u><i>Bradley Han</i></u>	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u><i>TK GWN</i></u>	_____
City Attorney	<u><i>[Signature]</i></u>	_____
City Clerk	<u><i>Norma I. Alley</i></u>	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ 0.00

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature: *Shirley Davis*

Attachment(s):

- Ordinance No. 19-009

Summary Statement/Background:

The City Council requested the Palmer Municipal Code (PMC) be reviewed regarding the boards and commissions for potential revisions. On August 8, 2017, the city clerk brought forward Information Memorandum No. 17-016 to the City Council for discussion on potential PMC amendments regarding all the boards and commissions. The City Council convened a Committee of the Whole and provided valuable direction for amendments and requested each of the boards and commissions be presented with the potential amendments for an opportunity to provide their input.

The city clerk drafted potential amendments and presented them to the respective boards and commissions as noted below:

1. Airport Advisory Commission (AAC): 8/24/2017
2. Board of Economic Development (BED): 9/5/2017
3. Parks, Recreation and Cultural Advisory Board (PRCRAB): 9/7/2017
4. Planning & Zoning Commission (PZC): 8/17/2017

At each board and commission meeting, the general comments were positive to the direction the amendments were heading and additional suggestions were provided.

The City Council held a joint meeting with the BED on February 5, 2019, and consensus was met to move forward with amending the PMC, specifically pertaining to membership.

The attached ordinance reflects all changes to PMC Chapter 2.30 BED as provided at the above mentioned meetings.

Administration's Recommendation:

Adopt Ordinance No. 19-009 Amending Palmer Municipal Code Chapter 2.30 Pertaining to Board of Economic Development.

LEGISLATIVE HISTORY

Introduced by: Mayor via City Clerk
Date: May 14, 2019
Public Hearing: May 28, 2019
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Ordinance No. 19-009

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Chapter 2.30 Pertaining to Board of Economic Development

WHEREAS, the City Council adopted Ordinance No. 08-004, which enacted the Board of Economic Development (BED); and

WHEREAS, the City Council recognizes the continued value the BED brings to the Palmer community and wishes to provide clear guidance to the BED through the Palmer Municipal Code (PMC); and

WHEREAS, the City Council periodically considers code amendments to assist in providing clear guidance; and

WHEREAS, the City Council adopted code amendments to Chapter 2.30 through Ordinance Numbers 08-019, 10-007, 11-001, 14-008, 14-010, 14-016, and 15-019.

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 Chapter 2.30 is hereby amended to read as follows (new language is underlined, and deleted language is ~~stricken~~):

**Chapter 2.30
BOARD OF ECONOMIC DEVELOPMENT**

- Sections:
- 2.30.005 Purpose.
- 2.30.010 Creation.
- 2.30.020 Duties.
- 2.30.040 Compensation.
- 2.30.050 Staff assistance to board.

- 2.30.060 Quorum.
- 2.30.070 Board chair.
- 2.30.080 Meetings.
- 2.30.090 Public meeting notification.
- 2.30.100 Meetings – Rules of proceedings.
- 2.30.110 Audience participation.
- 2.30.120 Agenda and agenda packets.
- 2.30.125 Order of business.
- 2.30.130 Voting.
- 2.30.140 Cause for removal.
- 2.30.150 Conflict of interest.

2.30.005 Purpose.

A. The purpose of the city of Palmer board of economic development is to develop a policy for the city of Palmer economic development plan based upon city council consideration. The plan is a statement of goals and objectives to guide the city in its provision of long-term, permanent employment opportunities, enhancement of the quality of life for city residents, highest and best land use, and maximum development of natural resources. The plan will describe the economic condition of the city and identify potential economic development areas.

B. The board shall also advise the city council on economic development issues.

2.30.010 Creation.

A. There is created a city board of economic development which shall consist of seven members.

B. Membership should include a varied representation ~~from the following categories~~ such as, ~~including but not limited to:~~ business, tourism, industry, education, finance, health care and the general public interest.

C. ~~Members are not required to be city residents.~~ By 2022, at least two members shall reside within city limits.

D. ~~A member of the city council and representative from the planning and zoning commission shall serve as ex officio members of the board, but shall have no vote.~~

2.30.020 Duties.

The board shall:

- A. Prepare a city of Palmer economic development plan.
 - 1. The plan shall be updated ~~bi~~-annually and submitted to the council for consideration.
 - 2. The economic development plan and strategy shall be consistent with the city council policies and the city’s comprehensive plan.
 - 3. The major components of the plan are:
 - a. Factual data to assure that city residents understand the current development situation as a base upon which to make decisions;
 - b. Identification of community visions and potentials (such as resources or location) that can be the basis for economic development;
 - c. Establishment of goals and intermediate objectives to point the direction of development activities, and upon which to measure progress toward satisfying long-term goals;
 - d. A strategy for development – an implementation plan of activities necessary to accomplish the city’s stated goals and objectives.

4. The plan shall encourage activities that:
 - a. Provide long-term benefits, quality of life, increased efficiencies and economies in public service, and increased permanent private sector employment to the residents of the city by strengthening and diversifying the present economic bases and encouraging and supporting new activities;
 - b. Have positive effects on the revenue and fiscal conditions of the city and do not impose burdensome costs to the taxpayer in excess of their positive effects.
5. The plan must recognize and support the city council's policy statement that government does not produce wealth but instead supports the private sector's efforts to advance and promote commerce.

B. Provide for research, public input, collect, analyze and disseminate information to the city council to evaluate economic development opportunities and strategies.

C. Identify impediments to economic development in the city of Palmer area imposed by all influences, such as government at all levels, and lack of transportation and energy systems necessary to support business and industry.

2.30.040 Compensation.

A. Each board member shall receive \$50.00 per regular and special meeting attended in person or by teleconference.

B. A ~~commission~~ board member may decline compensation by completing the form required as provided by the city clerk.

2.30.050 Staff assistance to board.

~~The city manager or designee shall serve as staff to the board. The city manager or designee shall be the regular technical adviser of the board and may also be designated its executive secretary, but shall not have the power to vote.~~

A. The city manager, or designee, shall assist the board and will be the regular technical advisor of the board, but shall not have the power to vote.

B. City staff shall provide a recording clerk to the board. The recording clerk shall keep a record of board proceedings.

2.30.060 Quorum.

A quorum shall be made up of four members and be required to conduct a meeting, except that less than a quorum can adjourn a meeting to another time or date.

2.30.070 Board chair.

A. The chair shall preside at all board meetings and may participate in the debate and vote on any matter.

B. ~~In the temporary absence or disability of the chair, the vice chair shall exercise all the powers of chair during the temporary absence or disability of the chair.~~

2.30.080 Meetings.

A. Public Participation. All meetings are open to the public and ~~shall be electronically recorded. If~~ the public shall have the reasonable opportunity to be heard.

B. Regular Meetings. Regular board meetings shall be held at least quarterly on the first Monday of the month beginning at 7:00 p.m. in the city council chambers, unless otherwise designated by the board.

C. Special Meetings. A special board meeting may be held at the call of the chair, any two members of the board, or the city manager. No business shall be transacted at any special meeting except that which is specifically stated in the meeting notice.

~~D. Attendance and participation at meetings by board members may be by teleconferencing. Materials that are to be considered at the meeting shall be made available at teleconference locations if practicable. The vote at a meeting held by teleconference shall be taken by roll call. The presiding officer shall not preside over the meeting when participating by teleconference.~~

D. Teleconferencing.

1. A board member who will be absent from a meeting may participate in and vote at the meeting by teleconference under the following circumstances:

a. Reasonable technical capabilities are available at the meeting location to allow the member to participate by teleconference, to include being able to hear and engage in discussion, and being audible to all persons participating in the meeting;

b. Prior to the meeting reasonable efforts are made to ensure that the member participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and/or acted upon. Access to the agenda and documents from the city's website will be considered sufficient access; and

c. All votes taken at the meeting are by roll call.

2. Board members may not use teleconferencing as a regular form of participating in meetings.

3. Board members shall provide the chair and board's technical advisor with at least twenty-four (24) hours' notice of their intent to participate in a meeting via teleconference and provide sufficient contact information for purposes of setting up the teleconference; unless another length of time for notice is agreed upon by the board's technical advisor.

4. Board members are responsible for any charges incurred due to their participation in a meeting via teleconference.

5. The chair may participate in meetings by teleconference but shall not act as presiding officer of the meeting.

E. Adjournment. The board shall adjourn not later than 10:00 p.m. and may not reconvene any earlier than 9:00 a.m. the next day. However, by two-thirds consent of the board the meeting may be extended for up to one hour, at which time adjournment is mandatory.

F. Minutes. Minutes shall be kept of the board's proceedings. The minutes shall record the vote of each member upon every question. Every decision or finding shall immediately be filed in the city clerk's office and shall be a public record open to inspection by any person. Minutes shall be kept in accordance with best practices to ensure permanent retention of the record of proceedings and maintained in accordance with applicable local and state laws.

G. Report to the Council. The board shall report ~~quarterly~~ at least biannually to the city council on board objectives and performance.

2.30.090 Public meeting notification.

A. All public notices must include the date, time and place of a meeting, ~~and if the meeting is by teleconference, the location of the teleconferencing facilities that will be used.~~

B. Regular Meeting. Public meeting notification shall be by means of ~~posting~~ publishing the agenda on the city's website ~~and by publishing the agenda for a regular meeting~~ five days prior to the a regular meeting.

C. Special Meeting. Public meeting notification shall be by means of ~~posting~~ publishing the agenda on the city's website ~~and by publishing the agenda for a regular meeting~~ five days prior to the a special meeting.

2.30.100 Meetings – Rules of proceedings.

Meetings shall be conducted under the current edition of Robert's Rules of Order, Newly Revised Edition.

2.30.110 Audience participation.

All presentations to the board shall be limited to three minutes per person, five minutes per group and also limited to a total time of not more than 30 minutes, unless the limitations are enumerable, in which case the presiding officer may set reasonable limits.

2.30.120 Agenda and agenda packets.

A. The agenda for each meeting shall be prepared by the city manager, or designee, after consultation with the chair. The agenda shall include any discussion item requested in writing and signed by the chair or two board members. The request shall be made to allow the timeframes of PMC 2.30.090.

B. The city manager, or designee, shall attempt to notify each board member at least 48 hours prior to a regular meeting. Notification shall be by means of a packet including information on the time and place of meeting and the agenda. Whenever practicable, minutes of the previous meeting and other background material pertinent to the agenda shall be included in the packet.

2.30.125 Order of business.

At every regular meeting, the order of business shall be as follows:

- A. Call to order;
- B. Roll call;
- C. Pledge of allegiance;
- D. Approval of agenda;
- E. Approval of mMinutes of previous meetings;
- F. Reports
- ~~F~~G. Audience participation;
- ~~G~~H. Unfinished business;
- ~~H~~I. New business;
- ~~I~~J. Board member comments;
- ~~J~~K. Adjournment.

2.30.130 Voting.

A. The chair shall declare all votes; but if any member doubts a vote, the chair, without further debate upon the question, shall request a roll call vote and the chair shall declare the result.

B. The vote upon all matters considered by the board shall be taken by yes/yea or no/nay votes which shall be entered into the record, except that when the vote is unanimous, it shall be necessary only to so state.

C. Every member present shall vote, unless the member is recused due to a declaration of conflict of interest as stated in section 2.30.150 ~~chair excuses the member because of substantial financial interest and the board does not override the chair's action. Declarations to be excused must be made before the vote, and shall be decided without debate.~~

D. The affirmative vote of at least four members shall be required for official action of the board.

2.30.140 Cause for removal.

A. A board seat shall become vacant upon the occurrence of any of the following:

1. Expiration of the term of office;
2. Death of the board member;
3. Resignation approved by the council;
4. Ceasing to possess the required eligibility qualifications to be a board member;
5. Conviction of a felony involving moral turpitude ~~or an offense involving a violation of an oath of office;~~
6. Judicial determination that the board member is of unsound mind;
- ~~7. Failure to take an oath of office within 30 days of appointment to office or with such shorter time between appointment and the date of the board member's first board meeting; and~~
7. No longer physically resides in the city if it was a requirement of a member's appointment; and
8. Other just cause for removal, as determined by a majority vote of the city council.

B. In addition, a board member may be removed by the council if, during any 12-month period while in office:

1. The board member is absent from three ~~regular~~ meetings without excuse; or
2. The board member is absent from six ~~regular~~ meetings.
3. Absence from a meeting for good and sufficient cause shall be provided to the chair and board's technical advisor prior to the meeting. The board will determine if the good or sufficient absence is considered excused or unexcused by means of consent of the board. The absence will be presumed unexcused if notification of the absence is not received prior to the meeting.

2.30.150 Conflict of interest.

A. A board member shall declare a substantial financial interest the member has in an official action prior to discussion and vote on the matter.

AB. The chair shall rule on the request to be excused from discussion and vote;

BC. The decision of the chair on the request may be overridden by a majority vote of the board and shall be decided without debate.

Section 4. Effective Date. Ordinance No. 19-009 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this _____ day of _____, 2019.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

**City of Palmer
Action Memorandum No. 19-047**

Subject: Authorizing the City Manager to Purchase and Install a Fire Radio Repeater and Associated Equipment for the Palmer Fire Department

Agenda of: May 14, 2019

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

Originator Information:

Originator: City Manager

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
<u>√</u>	Finance	<u><i>[Signature]</i></u>	<u>04/25/2019</u>
<u>X</u>	Fire	<u><i>[Signature]</i></u>	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Approved for Presentation By:

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

Certification of Funds:

Total amount of funds listed in this legislation: \$ 26,405.00

This legislation (√):

<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Creates expenditure in the amount of:	\$ <u>26,405.00</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>09-01-10-6053</u>
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: *[Signature]*

Attachment(s):

- Quote from Arcticom

Summary Statement/Background:

Palmer Fire & Rescue currently uses a fire radio repeater, antenna and cabling that is approximately 25 years old. The equipment is installed on a tower on Bailey Hill and has combated severe winds and elements this entire time and the equipment is beginning to breakdown and become unreliable. Because of the age of the repeater and the abuse from the weather elements the equipment needs replacement to keep the Department viable to perform its mission. Over the past year the radio communications that the Fire & Rescue Department relies on to operate has been degrading and soon the system will be inoperable for the responders to use.

Three sperate quotes were solicited and Arcticom was the vendor selected to complete this project. The project will install a new radio repeater, antenna and cabling at the current location. This equipment will have the latest technology to serve Palmer Fire & Rescue into the next 20 to 30 years.

This item was budgeted for in the capital plan for 2019.

Administration's Recommendation:

To approve Action Memorandum No. 19-047 to authorize the City Manager to purchase and install a fire radio repeater and associated equipment.



April 16, 2019

**Palmer Fire Rescue
645 E. Cope Industrial Way
Palmer, Alaska 99645**

jgoodman@palmerak.org

ATTN: Jim Goodman
RE: GTR8000 VHF Repeater System

- 1 unit Motorola GTR8000 100 watts VHF Repeater (Analog Conventional System)
- 1 unit High Power Duplexer and Patch Cords
- 1 unit BR Preselector
- 1 unit Wildcard GPIO
- 1 unit Ext Dual Circulator
- 1 unit Telewave ANT150D6 4 Dipole Antenna
- 130 Ft. 7/8 Helix Cable with Connectors
- 1 unit Polyphaser
- 1 set Miscellaneous Hardware
- 1 set Labor for Installation and Testing
- 4 pcs. 12V AGM Batteries with wiring hardware for -48V

Price \$26,405.00

If this proposal is acceptable to you, please sign this copy and fax it back to our office at (907) 276-1913. If you have any questions or if I can be of further assistance please feel free to call me at 907-276-0023.

Thank You,

JOEY ACOSTA



144 East Potter Drive Unit C
Anchorage, Alaska 99518
Office: 907-276-0023
FAX: 907-276-1913 Direct: 907-570-7909
JOEY.ACOSTA@ARCTICOM.COM

ACCEPTED: _____

TITLE: _____ **DATE:** _____

BILLING INFORMATION IF DIFFERENT THAN LISTED ABOVE

PURCHASE ORDER NUMBER: _____

BILLING ADDRESS: _____

ATTENTION: _____

A. CALL TO ORDER

A special joint meeting of the Palmer City Council and the Parks, Recreation and Cultural Resources Advisory Board was held on March 12, 2019, at 6:00 p.m. in the Council Chambers, Palmer, Alaska. Mayor DeVries called the meeting to order at 6:00 p.m.

B. ROLL CALL

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

Edna DeVries, Mayor	David Fuller
Julie Berberich	Pete LaFrance, Deputy Mayor
Steve Carrington	

Council Member Sabrena Combs was absent and excused.

Comprising a quorum of the Parks, Recreation and Cultural Resources Advisory Board, the following were present:

Shannon Connelly, Chair	Heather Kelley
Stephanie Allen	Wesley Rath
Jo Ehmann	

Parks, Recreation and Cultural Resources Advisory Board Member Marilyn Bennett was absent and excused.

Staff in attendance were the following:

Nathan Wallace, City Manager	Michael Gatti, City Attorney
Norma I. Alley, MMC, City Clerk	Angie Anderson, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

D. APPROVAL OF AGENDA

Main Motion: For City Council to Approve the Agenda

Moved by:	Fuller
Seconded by:	Berberich
Vote:	6 Yes/0 No/1 Absent (S. Combs)
Action:	Motion Carried

Main Motion: For Parks, Recreation and Cultural Resources Advisory Board to Approve the Agenda

Moved by:	Allen
Seconded by:	Rath
Vote:	6 Yes/0 No/1 Absent (Bennett)
Action:	Motion carried

E. AUDIENCE PARTICIPATION

None.

F. NEW BUSINESS

1. Committee of the Whole (note: action may be taken following the committee of the whole)
 - a. Recap of 2018 Board Accomplishments
 - b. 2019 Board Projects and Goals
 - i. CIP Update
 - ii. Utility Box Painting Contest
 - iii. Walking Circuit
 - c. Other Matters Related to the Board
 - d. City Council Direction to the Board

Main Motion: For City Council to Enter into a Committee of the Whole

Moved by:	Fuller
Seconded by:	Berberich
Vote:	6 Yes/0 No/1 Absent (S. Combs)
Action:	Motion carried

Main Motion: For the Parks, Recreation and Cultural Resources Advisory Board to Enter into a Committee of the Whole

Moved by:	Allen
Seconded by:	Rath
Vote:	6 Yes/0 No/1 Absent (Bennett)
Action:	Motion carried

The City Council and Park, Recreation and Cultural Resources Advisory Board (Board) entered into the Committee of the Whole at 6:02 p.m.

- a. Recap of 2018 Board Accomplishments

Chair Connelly reported on 2018 Board accomplishments. Items of discussion included the following:

- Bicycle Rack competition and placement of bike racks;
- Parks and trail assessment and maintenance; and
- CIP reprioritizing project list and creation of a top ten priority list.

- b. 2019 Board Projects and Goals

Chair Connelly reported on 2019 Board projects and goals. Items of discussion included the following:

- Utility Box painting contest;
- Downtown walking circuit; and
- work on top ten projects list.

- c. Other Matters Related to the Board

None.

- d. City Council Direction to the Board

City Council requested the Board to assess the fence and trees around the Skateboard Park and encouraged the Board to look into painting the utility boxes.

Deputy Mayor LaFrance and Council Member Berberich stated they would like to see the rail trail project completed.

The City Council and Board adjourned from the Committee of the Whole and reconvened the special joint meeting at 6:46 p.m.

Mrs. Chris Herberger spoke in favor of painting the utility boxes.

G. RECORD OF ITEMS PLACED ON THE TABLE

None.

H. COUNCIL AND BOARD MEMBERS COMMENTS

All Council and Board Members expressed their gratitude for the opportunity to meet and have open discussion.

Board Member Ehmann announced the Arboretum parking lot and picnic tables were updated.

Chair Connelly thanked the Council for their direction and guidance.

Mayor DeVries thanked the Board for all their hard work and dedication to the community.

I. ADJOURNMENT

With no further business before the Council and Board, the meeting adjourned at 6:54 p.m.

Approved by the City Council on this _____ day of _____, 2019.

Norma I. Alley, MMC, City Clerk

Edna DeVries, Mayor

Approved by the Parks, Recreation and Cultural Resources Advisory Board this _____ day of _____, 2019.

Chris Nall, Public Works Director

Shannon Connelly, Board Chair

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on April 23, 2019, at 7:00 p.m. in the Council Chambers, Palmer, Alaska. Mayor DeVries called the meeting to order at 7:00 p.m.

B. ROLL CALL

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

Edna DeVries, Mayor	Linda Combs
Julie Berberich	David Fuller
Steve Carrington	Pete LaFrance, Deputy Mayor

Council Member Sabrena Combs was absent and excused.

Staff in attendance were the following:

Nathan Wallace, City Manager	Michael Gatti, City Attorney
Norma I. Alley, MMC, City Clerk	Angie Anderson, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction of **Ordinance No. 19-005**: Amending Palmer Municipal Code Chapters 7.40, 7.50, 7.60, 7.90, 7.110, and 7.130 Pertaining to the Airport Regulations for the Warren "Bud" Woods Palmer Municipal Airport
 - b. Introduction of **Ordinance No. 19-006**: Amending Palmer Municipal Code Section 12.08.15 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport
 - c. **Action Memorandum No. 19-043**: Authorizing the City Manager to Extend the Professional and Data Services Contract with AlasConnect, LLC for One Additional Year for a Term Ending June 15, 2020
 - d. **Action Memorandum No. 19-044**: Authorizing the City Manager to Negotiate and Execute a New Lease Agreement with a New LLC to be Formed by Dayton J. and Elizabeth A. Madison for Palmer Municipal Airport Lease No. 19-004 on Lot 20, Block 3, for the Purpose of Establishing a Personal Use Aircraft Hangar
 - e. **Action Memorandum No. 19-045**: Authorizing the City Manager to Negotiate and Execute an Assignment and Consent to Assignment of Lease Agreement with Alaska Tactical Aviation, LLC (Assignor) and Aurora Sky, LLC (Assignee) for Palmer Municipal Airport Lease No. 19-003 on Lease Lot 10, Block 3, for the Purpose of Transferring the Lease to a Newly Formed LLC
2. Approval of Minutes of Previous Meetings
 - a. April 9, 2019, Regular Meeting

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

Moved by:	L. Combs
Seconded by:	Fuller
Vote:	6 Yes/0 No/1 Absent (S. Combs)
Action:	Motion Carried

E. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Presentation of a Proclamation Recognizing May, 2019, as Bike Month

Mayor DeVries read and presented the Bike Month Proclamation to Deputy Mayor LaFrance and Council Member Berberich.

2. Presentation from Triverus Owner Hans Vogel

Mr. Vogel reported highlights of his company and the benefits of being in the city of Palmer with 28 employees from the community, thanked the community development and public works departments for all the support, and fielded questions from the Council.

F. REPORTS

3. City Manager's Report

City Manager Wallace highlighted his written report and stated:

- A good construction season is expected;
- Glenn Hwy project is underway;
- Ailis Vann will be the new Chamber Director; and
- All 18 holes of the Golf course will be open soon.

4. City Clerk's Report - None.

5. Mayor's Report

Mayor DeVries highlighted her written report.

6. City Attorney's Report - None.

G. AUDIENCE PARTICIPATION

Mr. Mike Chmielewski encouraged the city to consider a community bike and scooter share program.

Ms. Kenda Huling spoke in opposition to Ordinance No. 19-004.

Ms. Maryann Fry stated concern that residential and commercial areas were getting blurred, inquired about city operations and processes, and expressed concern for the city placing layers of taxing for businesses trying to do business in the city.

Mr. Todd Smolden, Governor Dunleavy's Mat-Su Office Director, provided an update on legislative and Governor's Office matters.

H. PUBLIC HEARING

1. **Ordinance No. 19-004:** Amending Palmer Municipal Code Chapter 5.28 Pertaining to Roving Vendors and Retitling it to Itinerant Vendors

City Manager Wallace reported this was a change to current code and retitle of roving vendor to itinerant vendor to clean up the code language.

Mayor DeVries opened the public hearing on Ordinance No. 19-004.

Ms. Kenda Huling testified in opposition of the ordinance stating it did not fit the needs of non-profits.

Mrs. Mariann Fry, on behalf of Grandma’s Dumplings, testified in opposition of the ordinances stating she felt it was confusing for vendors to know if they can be at special events and this was placing taxing on top of existing taxing with requiring more licenses and permits.

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

Main Motion: To Adopt Ordinance No. 19-004

Moved by:	LaFrance
Seconded by:	Carrington

Deputy Mayor LaFrance stated he felt protecting local business was important and asked the city manager to clarify the 100 foot set-up requirement from a business selling like items. City Manager Wallace explained an itinerant vendor could not sell like items and goods within 100 feet of a brick and mortar store’s.

City Attorney requested an amendment to Section 5.28.035 to add clarification that exemptions were only provisions in the chapter.

Discussion ensued regarding giving the city manager the authority to decide what events were special events and to not have them listed in the code versus listing them in the code for transparency for the public, parking ingress and egress requirements, and itinerant vendor signage.

Primary Amendment #1: To Amend Section 5.28.035 to Add the Language “is exempt from the provisions of this chapter” before the word however in paragraph A., Add “of this chapter” After the Word Criteria in paragraph B., and Remove the “, and” after the list of locations in paragraph C. to Read As Follows:

5.28.035 Exemptions.

A. An itinerant vendor solely located at the Alaska State Fairgrounds is exempt from the provisions of this chapter; however, the itinerant vendor must obtain an Alaska State Fair or Special Event Business License as applicable and remit sales tax due to the city of Palmer finance department.

B. An itinerant vendor that meets the criteria of this chapter and has obtained a Special Event Business License and remit sales tax due to the city of Palmer finance department.

C. An itinerant vendor that is solely located within a community hall, gymnasium, ice rink, library, church or similar facility is required to obtain a business license from the city of Palmer for the current calendar year.

Moved by:	LaFrance
Seconded by:	Fuller
Vote:	6 Yes/0 No/1 Absent (S. Combs)
Action:	Motion Carried

Vote on Main Motion: To Adopt Ordinance No. 19-004

Vote:	6 Yes/1 No (Fuller)/1 Absent (S. Combs)
Action:	Motion Carried

2. **Resolution No. 19-013:** Accepting and Appropriating a Crime Prevention and Response and Equipment Grant from the State of Alaska’s Department of Public Safety Alaska State Troopers Division in the Amount of \$75,000.00 for the Purchase of Video Surveillance Equipment for City Parks

City Manager Wallace highlighting his written report.

Mayor DeVries opened the public hearing on Resolution No. 19-013. Seeing no one come forward to speak and hearing no objection from the Council, the public hearing was closed.

Main Motion: To Approve Resolution No. 19-013

Moved by:	L. Combs
Seconded by:	Carrington
Vote:	6 Yes/0 No/1 Absent (S. Combs)
Action:	Motion Carried

I. NEW BUSINESS

1. **Action Memorandum No. 19-046:** Approving a Council Community Grant in the Amount of \$475.00 to the Alaska Farmland Trust to Support the 2019 Drive Your Tractor to Work Event

Main Motion: To Approve Action Memorandum No. 19-046

Moved by:	Fuller
Seconded by:	LaFrance
Vote:	6 Yes/0 No/1 Absent (S. Combs)
Action:	Motion Carried

J. RECORD OF ITEMS PLACED ON THE TABLE

None.

K. AUDIENCE PARTICIPATION

Ms. Maryann Fry inquired if food trucks could go on to private property and stated having to submit plans were one more step on top of the existing requirements.

Ms. Kenda Hulling suggested the city create a food truck lot or a specific place for all of them to go to.

L. COUNCIL MEMBER COMMENTS

No direction given to staff.

M. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:08 p.m.

Approved this ____ day of _____, 2019.

Norma I. Alley, MMC, City Clerk

Edna B. DeVries, Mayor



PROCLAMATION

PROCLAIMING MAY 19-25, 2019, AS PUBLIC WORKS WEEK

WHEREAS, public works services provided in our community are an integral part of our citizen's everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and grounds, public buildings, and solid waste collection; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and City Council of the City of Palmer, Alaska, do hereby recognize May 19-25, 2019, as Palmer Public Works Week, and encourage residents to acquaint themselves with the issues involved in providing and maintaining our infrastructure and to recognize the contributions which our public works department make every day to our health, safety, comfort, and quality of life in Palmer.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the City of Palmer to be affixed on this 14th day of May, 2019.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

Helipad Sign Unveiling & Ribbon Cutting Ceremony

April 30, 2019















May 14, 2019, Acting City Manager's Report to Palmer City Council:

Public Works

- Crack Sealing has begun across town. Expect the crew to be here a week or two
- ADA Sidewalk Project for 2019 will begin the last week of May, first week of June, pending pre-construction meeting with Orion Construction and HDL
- City Hall Parking Lot Project will begin the last week of May. Expect this project to take about 3 weeks.

Community Development

- MTA Events Center shut the ice down on April 11. Staff preparing for annual car show in May and preparing a prioritized maintenance list for the summer.
- Palmer Golf Course opened 18 holes for Play on April 5. Deck replacement is nearing completion.
- Building department having an outstanding start to 2019 building season. Valuation of permits issued to date is \$12,737,064.
- Friends of the Palmer Library raised \$1,200 in their basket auction. Palmer Public Library hosted a compost presentation for kids, put on by the Alaska Department of Agriculture.
- Code Compliance busy issuing clean up letters to nuisance yards. Compliance has been excellent.

Police and Fire

- PPD switched to a new RMS on April 30.
- PPD attended meetings with the Mat Su Borough, U.S. Military, Alaska Department of Transportation, and local schools.
- PPD conducted annual firearms training and qualifications.
- Officers and dispatchers completed annual CPR training.

Airport

- The John S. Lee helipad sign unveiling and ribbon cutting took place on April 30. Over 75 were in attendance for this special event.



TO: Palmer City Council
FROM: Norma I. Alley, MMC
SUBJECT: City Clerk's Report for the May 14, 2019, Council Meeting

1. Boards & Commissions Attendance Spreadsheets

The monthly attendance spreadsheets are attached for:

- a. AAC
- b. BED
- c. PRCRAB
- d. P&ZC

2. Upcoming Events

Below is a list of upcoming events on the City Clerk's Office radar. Please let us know if you are or are not planning on attending one of the events below.

Name of Event	Date	Time	Location
Mat-Su Special Olympics Torch Run	5/18	9a - Reg. 10a - Run	Palmer High School
Arbor Day Celebration	5/20	11 a	Palmer Arboretum
Memorial Day Celebration	5/27	1 p	Veteran's Wall in Wasilla

Please don't forget to let me know of any other events you are aware of or will be attending.

3. October 1, 2019, Regular City Election Update

Important Election Dates:

- **Candidate Filing:** Candidate filing period begins July 15 at 8:00 a.m. and closes at 4:00 p.m. on July 26. Packets will be available on the city's website or at the City Clerk's Office starting Friday, July 12.
- **Last Day to Adopt Propositions:** July 23 is the last regularly scheduled Council meeting to adopt legislation placing propositions and questions on the ballot. August 9 is the last day to call a special meeting to adopt legislation.
- **Voter Registration:** Last day to register to vote or update your voter registration information is Sunday, September 1. Registration can be done online at <http://www.elections.alaska.gov/>.
- **Early Voting:** September 16 – September 30
 - MSB: M-F from 8:00 a.m. – 5:00 p.m.
- **Last Day to Request an Absentee Ballot:** September 25
- **Canvass Board:** October 5 at 2:00 p.m. in City Hall Council Chambers
- **Certification of Election:** October 8 at 6:00 p.m. at City Hall

4. Records Management

The Clerk's Office has spent the last year and a half working on a records audit of our ordinances and resolutions. The audit consists of reviewing all the legislation ensuring each number was accounted for in hard copy, properly scanned for legal retention, and indexed

accurately. There were quite a few ordinances and resolutions we found that were missing or not properly accounted for, which have all been rectified. The next records audit will be the Council minutes.

We are still working through finalizing the 2019 records destruction. All authorized records meeting the retention period have been destroyed and our last step is getting them destroyed in Simple (records management program).

5. Code Web Platform Upgrades

The Palmer Municipal Code's online platform is getting a required upgrade in the next few weeks to month. This will enhance our linking to state statutes, ordinances, resolutions and other chapters within the Code. The appearance will be simplified to enhance the user's experience and be more user friendly.

City of Palmer

Airport Advisory Commission Members

PMC 2.25.020. There is created a city airport advisory commission which shall consist of seven members.

Seat	Board Member	Term Expires
A	Richard Best	Oct. 2019
B	Kenneth More	Oct. 2019
C	Jeff Helmericks	Oct. 2020
D	Andrew Weaver	Oct. 2021
E	Joyce Momarts	Oct. 2020
F	Shannon Jardine	Oct. 2019
G	Liz Swearingin	Oct. 2021

PMC 2.25.140.B. Cause for removal. In addition, a board member may be removed by the council if, during any 12-month period while in office: 1) The board member is absent from three regular meetings without excuse; or 2) The board member is absent from six regular meetings.

2019 Attendance Record

Board Member	Jan **	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Best	✓	✓	E	E								
More	✓	✓	✓	✓								
Helmericks	E	✓	✓	✓								
Weaver	✓	✓	✓	E								
Momarts	✓	✓	✓	✓								
Jardine	✓	✓	✓	✓								
Swearingin	✓	✓	✓	✓								

2018 Attendance Record

Board Member	Jan *	Feb	Mar	Apr	May	June *	July	Aug	Sept	Oct	Nov	Dec *
Best											✓	
More		✓	✓	✓	✓		✓	E	✓	✓	✓	
Helmericks		✓	✓	✓	✓		✓	✓	✓	✓	✓	
Weaver		✓	✓	E	E		✓	E	E	U	✓	
Momarts		✓	✓	E	✓		✓	✓	✓	✓	✓	
Jardine		✓	✓	✓	✓		✓	E	✓	✓	✓	
Swearingin											✓	

* Meeting Cancelled

** Special Meeting

✓ - Present

E - Excused

U - Unexcused Absence

V - Vacant

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City of Palmer

Board of Economic Development Members

PMC 2.30.010.A. There is created a city board of economic development which shall consist of seven members.

Seat	Board Member	Term Expires
D	Christopher Chappel	Oct. 2021
B	Peter Christopher	Oct. 2019
A	Barbara Hunt	Oct. 2020
E	Janet Kincaid	Oct. 2019
C	Lorie Koppenberg	Oct. 2021
F	Kelly Turney	Oct. 2020
G	Dusty Silva	Oct. 2021
CC	David Fuller	Oct. 2019
PZC	Not Yet Appointed	Oct. 2019

PMC 2.30.140.B. Cause for removal. In addition, a board member may be removed by the council if, during any 12-month period while in office: 1) The board member is absent from three regular meetings without excuse; or 2) The board member is absent from six regular meetings.

2019 Attendance Record

Board Member	Jan	Feb	Mar *	Mar **	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Chappel	✓	E		✓	✓								
Christopher	✓	✓		E	✓								
Hunt	✓	✓		✓	✓								
Kincaid	✓	✓		✓	✓								
Koppenberg	✓	✓		✓	✓								
Turney	E	✓		✓	✓								
Silva	✓	✓		✓	✓								
Fuller	✓	✓		✓	✓								

2018 Attendance Record

Board Member	Jan	Feb	Mar	Mar **	Apr *	May	June	July	Aug	Sept	Oct *	Nov	Dec
Chappel	✓	✓	U	E		✓	✓	✓	E	✓		U	✓
Christopher	✓	✓	U	✓		✓	E	✓	E	✓		✓	✓
Hunt	✓	✓	✓	✓		✓	✓	✓	✓	✓		✓	✓
Kincaid	✓	E	✓	✓		✓	✓	✓	✓	✓		✓	✓
Koppenberg	✓	✓	✓	✓		✓	✓	E	✓	✓		✓	E
Turney	E	✓	✓	✓		✓	✓	✓	✓	E		✓	✓
Silva	✓	✓	✓	✓		✓	✓	E	✓	✓		✓	✓
Fuller												✓	✓

* Meeting Cancelled
 ** Special Meeting
 ✓ – Present

E – Excused Absence
 U – Unexcused Absence
 V – Vacant

City of Palmer Parks, Recreation and Cultural Resources Advisory Board Members

PMC 2.22.010.A. There is created a city board for parks, recreation and cultural resources which shall consist of seven members.

Seat	Board Member	Term Expires
A	Stephanie Allen	Oct. 2020
B	Jo Ehmann	Oct. 2021
C	Heather Kelley	Oct. 2020
D	Shannon Connelly	Oct. 2019
E	George Hoden	Oct. 2020
F	Wesley Rath	Oct. 2021
G	Marilyn Bennett	Oct. 2019

PMC 2.22.140.B. Cause for removal. In addition, a board member may be removed by the council if, during any 12-month period while in office: 1) The board member is absent from three regular meetings without excuse; or 2) The board member is absent from six regular meetings.

2019 Attendance Record

Board Member	Jan *	Feb *	Mar *	Mar **	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Allen				✓	✓								
Bennett				E	✓								
Connelly				✓	✓								
Ehmann				✓	✓								
Hoden				V	✓								
Kelley				✓	E								
Rath				E	✓								

2018 Attendance Record

Board Member	Jan	Feb	Feb **	Mar	Apr	May	June *	July	Aug	Sept *	Oct	Nov	Dec
Allen	✓	✓	✓	✓	✓	✓		✓	U		✓	✓	✓
Connelly	✓	✓	✓	✓	✓	✓		✓	✓		✓	✓	✓
Ehmann	✓	✓	✓	U	✓	✓		✓	✓		✓	✓	✓
Kelley									✓		E	✓	✓
Rath												E	✓

* Meeting Cancelled
** Special Meeting
✓ – Present

E – Excused Absence
U – Unexcused Absence
V – Vacant

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City of Palmer

Planning & Zoning Advisory Commission Members

PMC 2.20.010.A. There is created a city planning and zoning commission which shall consist of seven members who shall be nominated by the mayor and confirmed by the city council. All members must be residents of the city.

Seat	Commission Member	Term Expires
A	Gena Ornquist	Oct. 2020
B	Richard Benedetto	Oct. 2019
C	Andrew Corbin	Oct. 2021
D	Kristy Thom Bernier	Oct. 2019
E	Dan Lucas	Oct. 2020
F	Casey Peterson	Oct. 2021
G	Rhonda Wohlbach	Oct. 2021

PMC 2.20.321.C. Cause for removal. In addition, a commissioner may be removed by the council if, during any 12-month period while in office: 1) The commissioner is absent from three regular meetings without excuse; or 2) The commissioner is absent from six regular meetings.

2019 Attendance Record

Commissioner	Jan	Feb	Mar	Apr **	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Benedetto	✓	✓	✓	E	✓								
Corbin	✓	✓	✓	✓	✓								
Lucas	✓	✓	✓	✓	✓								
Ornquist	✓	✓	✓	✓	✓								
Peterson				✓	✓								
Thom Bernier	E	E	✓	✓	✓								
Wohlbach	E	✓	E	E	E								

2018 Attendance Record

Commissioner	Jan	Feb	Mar *	Apr **	Apr	May	Jun *	Jul	Aug	Sep	Oct	Nov	Dec
Benedetto	E	✓		✓	✓	✓		✓	✓	✓	E	✓	✓
Corbin								✓	✓	✓	✓	✓	E
Lucas	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓
Ornquist	✓	✓		E	E	✓		✓	E	✓	✓	✓	✓
Thom Bernier	✓	✓		✓	✓	✓		✓	E	E	✓	✓	✓
Wohlbach								✓	✓	E	U	✓	✓

* Meeting Cancelled
 ** Special Meeting
 ✓ – Present

E – Excused Absence
 U – Unexcused Absence
 V – Vacant

Mayor's Memo

Council Meeting report – May 14, 2019

NOTES AND UP COMING EVENTS

Mayors/Manager Meeting – May 16 in Palmer

Agenda Setting Meeting – May 30, June 13

Palmer High School Graduation May 14

Palmer Junior High – May 22

Arbor Day – May 20

Bike Run – May 18

Law Enforcement Special Olympics Run – May 18

Job Corp Workforce Luncheon May 16

Memorial Day Wall Event May 27

May Senior Citizens Month

We want and value your input and participation.

Edna DeVries Mayor

907-355-9933 edevries@palmerak.org

**City of Palmer
Ordinance No. 19-005**

Subject: Amending Palmer Municipal Code Chapters 7.40, 7.50, 7.60, 7.90, 7.110, and 7.130 Pertaining to the Airport Regulations for the Warren "Bud" Woods Palmer Municipal Airport

Agenda of: April 23, 2019 – Introduction
May 14, 2019 – Public Hearing

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

Originator Information:

Originator: City Manager

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
X	Finance	<u>Michèle Tefft</u>	4/4/2019
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Approved for Presentation By:

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

Certification of Funds:

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

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature:

Attachment(s):

- Ordinance No. 19-005
- Palmer Municipal Airport Advisory Commission Resolution No. 19-001

Summary Statement/Background:

On March 28, 2017, the Palmer City Council adopted Ordinance No. 17-003 which repealed Ordinance No. 428 Appendix A - Airport Regulations from May of 1991 and adopted Palmer Municipal Code Title 7, Airport Regulations.

Two years of working under the newly adopted regulations have passed and based upon recommendations from the Airport Superintendent, the Palmer Municipal Airport Advisory Commission has put forth a resolution dated March 28, 2019, recommending that the City Council amend Palmer Municipal Code Title 7 pertaining to the Airport Regulations for the Warren "Bud" Woods Palmer Municipal Airport.

These recommended changes update, clarify and enhance existing airport regulations for safety, environmental and regulation purposes.

Administration's Recommendation:

Adopt Ordinance No. 19-005 Amending Palmer Municipal Code Title 7 Pertaining to the Airport Regulations for the Warren "Bud" Woods Palmer Municipal Airport, Chapters 7.40, 7.50, 7.60, 7.90, 7.110, 7.130.

LEGISLATIVE HISTORY

Introduced by: City Manager
Date: April 23, 2019
Public Hearing: May 14, 2019
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Ordinance No. 19-005

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Chapters 7.40, 7.50, 7.60, 7.90, 7.110, and 7.130 Pertaining to the Airport Regulations for the Warren "Bud" Woods Palmer Municipal Airport

WHEREAS, the Airport Advisory Commission (AAC) has reviewed the recommendations of the Airport Superintendent; and put forth AAC Resolution No. 19-001 recommending that the City Council amend the Palmer Municipal Code Title 7 pertaining to the Airport Regulations for the Warren "Bud" Woods Palmer Municipal Airport; and

WHEREAS, the City Council adopted the current Airport Regulations on March 28, 2017 and needed amendments have been identified to update, clarify and enhance the current regulations; and

WHEREAS, upon additional review by the City Council, it was recommended to amend Palmer Municipal Code Title 7 Airport Regulations 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 Title 7 Airport Regulations is hereby amended to read as follows (new language is underlined and deleted language is stricken):

7.40.010 Aeronautical activities.

A. A person who engages in any aeronautical activity on the airport or operates an aircraft departing from or arriving in the airspace above the airport shall comply with FAA regulations and orders issued pursuant thereto.

B. Upon observance by the airport superintendent, or city employees, or the owner or flight crew of an aircraft, that any person exhibits an intent to board and/or operate an aircraft while he or she is physically incapacitated or mentally irresponsible by virtue of intoxication or the effects of

drugs, or if any person attempts to board or operate an aircraft illegally, they shall endeavor to contact the Palmer emergency dispatch center by dialing 911.

C. A person who witnesses a violation of these airport regulations shall promptly report the violation to the airport superintendent.

D. If the airport superintendent, or designee, believes the conditions of the airport or any portion of the airport are unsafe for aircraft operations, the airport superintendent, or designee, shall issue a NOTAM closing the airport or portion of the airport to aircraft operations. When the airport superintendent, or designee, determines that the airport or closed portion of the airport has returned to a condition permitting the safe operation of aircraft, the ~~city manager~~ airport superintendent, or designee, shall issue a NOTAM reopening the airport or portion of the airport to aircraft operations.

E. A disabled aircraft and any parts thereof on a movement area of the airport shall be promptly removed from the movement area unless applicable law requires, or the airport superintendent or other person having jurisdiction orders, the removal to be delayed pending investigation of an accident. The owner bears financial responsibility for such removal.

F. No person shall abandon an aircraft anywhere on the airport.

G. An aircraft that the airport superintendent determines is abandoned or derelict on the airport shall be subject to impound under and removal by the city under PMC 7.60.040 at the sole expense and risk of the owner of the aircraft.

H. A person may not conduct an aircraft show or other aeronautical demonstration on the airport without the prior written approval of the airport superintendent.

I. No person shall operate an aircraft on the airport unless that person holds the valid license, certificate, or rating issued and required by the FAA for the operation of the aircraft. Said documents shall be exhibited to the airport superintendent or to a police officer upon demand.

7.50.010 Vehicle operation.

A. No person shall operate a motor vehicle on the airport in any manner other than in accordance with the airport regulations, rules prescribed by the airport superintendent, and other laws applicable to the operation of motor vehicles on the public way.

B. No person shall operate any motor vehicle in areas designated for the use of aircraft without the airport superintendent's prior permission.

C. A person that operates any kind of motorized equipment on the airport must be in possession of a valid operator's license, current and issued in the name of the person, required by law for the type of motorized equipment being operated.

D. No person shall operate a motor vehicle of any kind on the airport in a reckless manner or in excess of the speed limits prescribed by posted signs. In the absence of a posted sign, the speed limit shall be 15 miles per hour in all apron, aircraft parking, and hangar areas, and 25 miles per hour in all other portions of the airport.

E. Visitors to the airport shall use designated parking and aircraft viewing areas.

~~F.~~ Vehicles entering the airport from all traffic points of entry, shall use a direct route from the public road to their destination keeping aircraft interference to a minimum.

~~G.~~ Use of tenant ground vehicles, their employees, guests, customers and commercial deliveries shall access tenant space from tenant's driveway and are not allowed on the airside facilities.

~~H.~~ Use of tenant ground vehicles on the airside of airport facilities, including lease lots, is prohibited without obtaining authorization from the Airport Superintendent.

~~E.~~ I. Except in the case of an emergency, no person shall operate a motor vehicle in the field area contrary to the directions of posted signs.

~~F.~~ J. The driver of any vehicle operated in the field area must at all times comply with the lawful orders, signals, and directives of the airport superintendent or a police officer.

~~G.~~ K. All vehicles authorized to operate on the field area shall display a flashing yellow light visible for at least one mile and all vehicle operators shall maintain two-way voice communications with flight service, either by radio or telephone.

~~H.~~ L. The existence of emergency conditions on the field area will not suspend or cancel any existing regulations. During an emergency in the field area, no motor vehicle shall be moved in any direction unless it is an emergency response vehicle.

~~I.~~ M. All motor vehicles shall be equipped with and use headlamps, rear lamps, stop signal lamps, and other lights as required by applicable law.

~~J.~~ N. No person on the airport shall:

1. Clean motor vehicles, engines, tools, or other equipment; and
2. Repair motor vehicles anywhere in the field area.

~~K.~~ O. Any vehicle that has been authorized under this section to be operated in the field area shall not proceed closer than 75 feet from the edge of any runway, nor cross any runway, prior to obtaining current the traffic situation in the air and on the ground from the FAA flight service station during the hours when the flight service station is active, and by visual avoidance and monitoring of CTAF when within 75 feet of runway or taxiway when flight service station is not open or active.

~~L.~~ P. No vehicle shall be operated on the airport if, in the judgment of the airport superintendent, it is so constructed, equipped, or loaded as to endanger persons or property.

7.60.020 Transient aircraft parking.

A. The operator of a transient aircraft shall upon arrival park the aircraft only:

1. On the premises of a land lease where aircraft parking is authorized by the city and where the lessee has given the person permission to park the person's aircraft; or

2. In an area on the airport designated by the airport superintendent for the transient parking of the size, type, or weight of the aircraft and all transient aircraft shall be parked in those areas.

B. A person parking an aircraft in a city-operated transient aircraft parking area shall upon arrival register their aircraft and pay the required fee as outlined in the applicable City fee schedule.

~~C.~~ The airport superintendent shall require a person parking an aircraft in a city-operated transient aircraft parking area to sign a transient parking permit issued by the superintendent.

~~D.~~ C. A person using a city-operated transient parking space shall properly secure their aircraft and shall be responsible for any property damage or bodily injury that results from the person's failure to do so.

~~E.~~ D. If a person who parks an aircraft in a city-operated transient parking area fails to pay transient parking fees prior to departure from the airport, the person's aircraft shall be subject to impound under PMC 7.60.040 immediately or upon any future return to the airport.

~~F.~~ E. For the purpose of this section, a "transient aircraft" is an aircraft that is brought to the airport on a temporary basis with the intent to remain at the airport for not more than 10 consecutive days and no more than 10 days per calendar month. Extensions may be granted by the airport superintendent as the demand for transient parking allows.

7.90.040 Runway and taxiway use.

A. The normal maximum CMGTW for aircraft landing on RW ~~9/27~~ 10/28 is 12,500 pounds and unlimited on RW 16/34.

B. A pilot taxiing an aircraft on the Airport shall use the taxiways established for that purpose, subject to such aircraft size, type, or weight restrictions as may be established by the Airport Superintendent.

C. Upon landing a fixed wing aircraft, the pilot shall taxi the aircraft ahead down the runway and exit at the first available taxiway.

7.90.090 Aircraft deicing.

The airport does not have a dedicated deicing pad nor a storm water collection system that allows for separation of deicing chemicals prior to discharge. Therefore;

A. All aircraft deicing must take place on tenant's lease lots, and

B. The tenant is responsible for securing all necessary permits, inclusive of city approval, and make all necessary improvements to prevent the discharge of deicing chemicals.

7.110.080 Commercial fueling.

A. No person shall engage in fuel delivery, dispensing or storage for commercial purposes on the Airport without first obtaining a land lease or fuel dispensing permit (Wholesale commercial delivery to the airport) and a city of Palmer business license from the city authorizing the activity and paying any required fees.

B. The loading of fuel as air cargo is not considered self-service fueling and therefore is not allowed except as permitted by 49 CFR Part 175.310. This includes authorized control of areas within 50 feet of cargo fueling activities.

7.130.040 Minimum standards for (nonlessee's) commercial businesses and organizations.

A. Application to conduct business on airport grounds for a Commercial Operating Agreement.

- B. An applicant must demonstrate, to the satisfaction of the City that the applicant has sufficient experience, knowledge, certifications, and licensing to be reasonably capable of lawfully and successfully operating the aeronautical service proposed by the applicant.
- C. The applicant shall rent or sub-lease at a minimum, sufficient land to provide adequate space as determined by the City, to accommodate the applicant's proposed business, aircraft parking, customer vehicle parking, and employee parking needs.
- D. As a condition of operating a business on airport grounds, the applicant must:
 - 1. Invest sufficient funds in support of the applicant's proposed business.
 - 2. Indemnify and defend the City and maintain insurance coverage, as required under the operating agreement.
 - 3. Pay all user airport user fees timely, when due without undue collection efforts on behalf of the City.
- E. PMC Title 7 Section 7.130.040 does not apply to persons or entities making deliveries to tenants of the airport and therefore they are exempt from this section.

Section 4. Effective Date. Ordinance No. 19-005 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this _____ day of _____, 2019.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

Introduced by: Airport
Superintendent
Date: March 28, 2019
Action: Approved
Vote:

Yes: _____ No: _____

More
Swearingin
Helmericks
Momarts
Jardine
Weaver

**CITY OF PALMER, ALASKA
Resolution No. 19-001**

A RESOLUTION OF THE CITY OF PALMER AIRPORT ADVISORY COMMISSION RECOMMENDING THAT THE CITY COUNCIL AMEND THE PALMER MUNICIPAL CODE TITLE 7 PERTAINING TO THE AIRPORT REGULATIONS 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 Title 7, Airport Regulations.**

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF PALMER AIRPORT ADVISORY COMMISSION RECOMMENDS THAT THE CITY COUNCIL AMEND THE PALMER MUNICIPAL CODE TITLE 7 PERTAINING TO THE AIRPORT REGULATIONS FOR THE WARREN "BUD" WOODS PALMER MUNICIPAL AIRPORT AS FOLLOWS:

Chapters:

- 7.40 Aeronautical Activities
- 7.50 Vehicle Operation and Parking
- 7.60 Aircraft Parking
- 7.90 Aircraft Operation
- 7.110 Fuel
- 7.130 Standard Operating Procedure

7.40.010 Aeronautical activities.

- A. A person who engages in any aeronautical activity on the Airport or operates an aircraft departing from or arriving in the airspace above the Airport shall comply with FAA Regulations and orders issued pursuant thereto.
- B. Upon observance by the Airport Superintendent, or City Employees, or the owner or flight crew of an aircraft, that any person exhibits an intent to board and/or operate an aircraft while he or she is physically incapacitated or mentally irresponsible by virtue of intoxication or the effects of drugs, or if any person attempts to board or operate an aircraft illegally, they shall endeavor to contact the Palmer Emergency Dispatch Center by dialing 911.
- C. A person who witnesses a violation of these Airport regulations shall promptly report the violation to the Airport Superintendent.
- D. If the Airport Superintendent or designee believes the conditions of the Airport or any portion of the Airport are unsafe for aircraft operations, the Airport Superintendent or designee shall issue a NOTAM closing the Airport or portion of the Airport to aircraft operations. When the Airport Superintendent or designee determines that the Airport or closed portion of the Airport has returned to a condition permitting the safe operation of aircraft, the ~~Manager~~ **Airport Superintendent** or designee shall issue a NOTAM reopening the Airport or portion of the Airport to aircraft operations.
- E. A disabled aircraft and any parts thereof on a movement area of the Airport shall be promptly removed from the movement area unless applicable law requires, or the Airport Superintendent or other person having jurisdiction orders, the removal to be delayed pending investigation of an accident. The owner bears financial responsibility for such removal.
- F. No person shall abandon an aircraft anywhere on the Airport.
- G. An aircraft that the Airport Superintendent determines is abandoned or derelict on the Airport shall be subject to impound under and removal by the City under PMC 7.60.040 at the sole expense and risk of the owner of the aircraft.
- H. A person may not conduct an aircraft show or other aeronautical demonstration on the Airport without the prior written approval of the Airport Superintendent.
- I. No person shall operate an aircraft on the Airport unless that person holds the valid license, certificate, or rating issued and required by the FAA for the operation of the aircraft. Said documents shall be exhibited to the Airport Superintendent or to a police officer upon demand.

7.50.010 Vehicle operation.

- A. No person shall operate a motor vehicle on the Airport in any manner other than in accordance with the Airport regulations, rules prescribed by the Airport Superintendent, and other laws applicable to the operation of motor vehicles on the public way.
- B. No person shall operate any motor vehicle in areas designated for the use of aircraft without the Airport Superintendent's prior permission.
- C. A person that operates any kind of motorized equipment on the Airport must be in possession of a valid operator's license, current and issued in the name of the person, required by law for the type of motorized equipment being operated.
- D. No person shall operate a motor vehicle of any kind on the Airport in a reckless manner or in excess of the speed limits prescribed by posted signs. In the absence of a posted sign, the speed limit shall be fifteen (15) miles per hour in all apron, aircraft parking,

and hangar areas, and twenty-five (25) miles per hour in all other portions of the Airport.

- E. Visitors to the airport shall use designated parking and aircraft viewing areas.
- F. Vehicles entering the airport from all traffic points of entry, shall use a direct route from the public road to their destination keeping aircraft interference to a minimum.
- G. Use of tenant ground vehicles, their employees, guests, customers and commercial deliveries shall access tenant space from tenant's driveway and are not allowed on the airside facilities.
- H. Use of tenant ground vehicles on the airside of airport facilities, including lease lots, is prohibited without obtaining authorization from the Airport Superintendent.
- I. Except in the case of an emergency, no person shall operate a motor vehicle in the field area contrary to the directions of posted signs.
- J. The driver of any vehicle operated in the field area must at all times comply with the lawful orders, signals, and directives of the Airport Superintendent or a Police Officer.
- K. All vehicles authorized to operate on the field area shall display a flashing yellow light visible for at least one mile and all vehicle operators shall maintain two-way voice communications with Flight Service, either by radio or telephone (745-2495 or 1-800-WX-BRIEF).
- L. The existence of emergency conditions on the field area will not suspend or cancel any existing regulations. During an emergency in the field area, no motor vehicle operator shall move his vehicle in any direction unless it is an emergency response vehicle.
- M. All motor vehicles shall be equipped with, and use headlamps, rear lamps, stop signal lamps, and other lights as required by applicable law.
- N. No person on the Airport shall:
 - 1. clean motor vehicles, engines, tools, or other equipment;
 - 2. repair motor vehicles anywhere in the field area.
- O. Any vehicle that has been authorized under this section to be operated in the field area shall not proceed closer than seventy-five (75) feet from the edge of any runway, nor cross any runway, prior to obtaining current traffic situation in the air and on the ground from the FAA Flight Service Station during the hours when the Flight Service Station is active, and by visual avoidance and monitoring of CTAF when within 75 feet of runway or taxiway when Flight Service Station is not open or active.

No vehicle shall be operated on the Airport if, in the judgment of the Airport Superintendent, it is so constructed, equipped, or loaded as to endanger persons or property.

7.60.020 Transient aircraft parking.

- A. The operator of a transient aircraft shall upon arrival park the aircraft only:
 - 1. on the premises of a land lease where aircraft parking is authorized by the City and where the lessee has given the person permission to park the person's aircraft; or
 - 2. in an area on the Airport designated by the Airport Superintendent for the transient parking of the size, type, or weight of the aircraft and all transient aircraft shall be parked in those areas.
- B. A person parking an aircraft in a City-operated transient aircraft parking area shall upon arrival register their aircraft and pay the required fee as outlined in the applicable City fee schedule.

- C. ~~The Airport Superintendent shall require a person parking an aircraft in a City-operated transient aircraft parking area to sign a transient parking permit issued by the Superintendent.~~
- D. A person using a City-operated transient parking space shall properly secure their aircraft and shall be responsible for any property damage or bodily injury that results from the person's failure to do so.
- E. If a person who parks an aircraft in a City-operated transient parking area fails to pay transient parking fees prior to departure from the Airport, the person's aircraft shall be subject to impound under Section 7.60.040 immediately or upon any future return to the Airport.
- F. For the purpose of this section, a "transient aircraft" is an aircraft that is brought to the Airport on a temporary basis with the intent to remain at the airport for not more than ten (10) consecutive days and no more than 10 days per calendar month. Extensions may be granted by the Airport Superintendent as the demand for transient parking allows.

7.90.040 Runway and taxiway use.

- A. The normal maximum CMGTW for aircraft landing on RW 9/27 10/28 is 12,500 pounds and unlimited on RW 16/34.
- B. A pilot taxiing an aircraft on the Airport shall use the taxiways established for that purpose, subject to such aircraft size, type, or weight restrictions as may be established by the Airport Superintendent.
- C. Upon landing a fixed wing aircraft, the pilot shall taxi the aircraft ahead down the runway and exit at the first available taxiway.

7.90.090 Aircraft Deicing

The airport does not have a dedicated deicing pad nor a storm water collection system that allows for separation of deicing chemicals prior to discharge. Therefore;

- A. All aircraft deicing must take place on tenant's lease lots, and
- B. The tenant is responsible for securing all necessary permits, inclusive of City approval, and make all necessary improvements to prevent the discharge of deicing chemicals.

7.110.080 Commercial fueling.

- A. No person shall engage in fuel delivery, dispensing or storage for commercial purposes on the Airport without first obtaining a land lease or fuel dispensing permit (Wholesale commercial delivery to the airport) and a City of Palmer business license from the City authorizing the activity and paying any required fees.
- B. The loading of fuel as air cargo is not considered self-service fueling and therefore is not allowed except as permitted by 49 CFR Part 175.310. This includes authorized control of areas within 50 feet of cargo fueling activities.

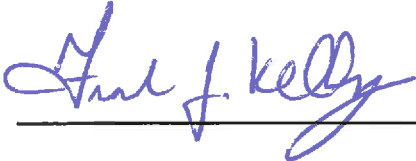
7.130.040 Minimum Standards for (Non-Lessee's) Commercial Businesses and Organizations

- A. Application to conduct business on airport grounds for a Commercial Operating Agreement.
- B. An applicant must demonstrate, to the satisfaction of the City that the applicant has sufficient experience, knowledge, certifications, and licensing to be reasonably capable of lawfully and successfully operating the aeronautical service proposed by the applicant.

- C. The applicant shall rent or sub-lease at a minimum, sufficient land to provide adequate space as determined by the City, to accommodate the applicant's proposed business, aircraft parking, customer vehicle parking, and employee parking needs.
- D. As a condition of operating a business on airport grounds, the applicant must:
 - 1. Invest sufficient funds in support of the applicant's proposed business.
 - 2. Indemnify and defend the City and maintain insurance coverage, as required under the operating agreement.
 - 3. Pay all user airport user fees timely, when due without undue collection efforts on behalf of the City.

PMC Title 7 Section 7.130.040 does not apply to third party entities making deliveries to tenants of the airport and therefore they are exempt from this section.

Passed and approved by the Airport Advisory Commission of the City of Palmer, Alaska this 28th day of March 2019.



Frank Kelly, Airport Superintendent



Ken More, Chairperson

**City of Palmer
Ordinance No. 19-006**

Subject: Amending Palmer Municipal Code Section 12.08.15 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport

Agenda of: April 23, 2019 – Introduction
May 14, 2019 – Public hearing

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

Originator Information:

Originator: City Manager

Department Review:

Route to:	Department Director:	Signature:	Date:
	Community Development		
X	Finance	<i>Michelle Tefft</i>	4/4/2019
	Fire		
	Police		
	Public Works		

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<i>[Signature]</i>	
City Attorney	<i>[Signature]</i>	
City Clerk	<i>Norma L. Alley</i>	

Certification of Funds:

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

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted

Director of Finance Signature: *Michelle Tefft*

Attachment(s):

- Ordinance No. 19-006
- Palmer Municipal Airport Advisory Commission Resolution No. 19-002
- Fuel Flowage Fee Statistics from Inception

Summary Statement/Background:

On April 26, 2016 the Palmer City Council approved Ordinance Nos. 16-002 and 16-008 changing Palmer Municipal Code Sections 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 replaced 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.

By ordinance, wholesale distributors are required to charge and collect the five (\$0.05) cents per gallon fuel flowage fee (FFF) on all aviation fuel sold at the Palmer Municipal Airport. A consolidated monthly report is issued to the City of Palmer, Finance Department within 15 calendar days of the last day of the prior month. By ordinance, retail sellers of aviation fuel can apply for a refund of the fuel flowage fee for sale transactions and delivery of aviation fuel that occur outside of the Palmer Municipal Airport.

On January 15, 2019, at the joint City Council and Airport Advisory Commission meeting, the City Council directed the Airport Advisory Commission (AAC) to review the FFF Program and make recommendations to the City Council.

At the February 28 and March 28, 2019, Airport Advisory Commission meetings, a review was conducted of the fuel flowage fee program with the historical statistical information available. After review of the program, the Airport Advisory Commission has recommended that the program remain in place as it has shown that even with the reduced wild fire seasons of the last three years, since the programs' inception, that the FFF program generally out performs previous sales tax revenue. The Commission also recommends that the reimbursement language for retail sales occurring off airport property be deleted. The commission contends that the same infrastructure resources are being utilized to transport aviation fuel off the airport and FFF proceeds are still needed to eventually replace the depreciated airport infrastructure.

The AAC recommendations are set forth in the attached AAC Resolution No. 19-002.

Administration's Recommendation:

Adopt Ordinance No. 19-006 Amending Palmer Municipal Code Section 12.08 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport, Chapter 12.08.015.

LEGISLATIVE HISTORY

Introduced by: City Manager
Date: April 23, 2019
Public Hearing: May 14, 2019
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Ordinance No. 19-006

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Section 12.08.15 Pertaining to the Fuel Flowage Fee for the Warren "Bud" Woods Palmer Municipal Airport

WHEREAS, the Airport Advisory Commission (AAC) has reviewed the Fuel Flowage Fee program at the direction of the Palmer City Council and put forth AAC Resolution No. 19-002 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, On April 26, 2016, the Palmer City Council approved Ordinance Nos. 16-002 and 16-008 changing the Palmer Municipal Code Sections 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 Chapter 12.08 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 Chapter 12.08 Municipal Airport is hereby amended to read as follows (new language is underlined and deleted language is stricken):

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.

~~B. Any person, firm or corporation who transports fuel to another location for sale outside city limits for resale may be entitled to a rebate within 45 days of the city of palmer fuel flowage fee.~~

- ~~1. A rebate request must be accompanied by proof of purchase of a fuel flowage fee at the Warren "Bud" Woods Palmer Municipal Airport; and~~
- ~~2. Proof of resale outside Palmer city limits.~~

~~C. 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. 19-006 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this ____ day of _____, 2019.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

Introduced by: Airport
 Superintendent
 Date: March 28, 2019
 Action: Approved
 Vote:

Yes:	No:
More Swearingin Helmericks Momarts Jardine Weaver	

**CITY OF PALMER, ALASKA
 Resolution No. 19-002**

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**

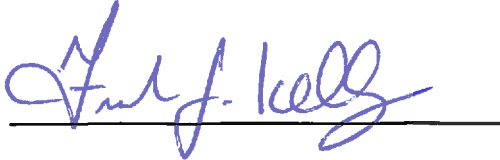
12.08.015 Fuel Flowage Fee.

- A. Any person, firm or corporation who delivers 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. Any person, firm or corporation who transports fuel to another location for sale outside city limits for resale may be entitled to a rebate within 45 days of the city of palmer fuel flowage fee.

- ~~1. A rebate request must be accompanied by proof of purchase of a fuel flowage fee at the Warren "Bud" Woods Palmer Municipal Airport; and~~
- ~~2. Proof of resale outside Palmer city limits.~~

C. 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 28th day of March 2019.



Frank Kelly, Airport Superintendent



Ken More, Chairperson

Report to Airport Advisory Commission

“Fuel Flowage Fee vs. Sales Tax”

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

Total Gallons Delivered to Airport

2016	129,188 (Second half of year)
2017	232,060
2018	171,260

Considerations:

- SOA DNR Division of Forestry is tax exempt.
- A robust South Central fire season has not occurred since FFF inception.
- FFF currently allows for reimbursement of cargo fuel delivered to outside of the City limits.
- FFF is charged and collected by the wholesale fuel distributor, which provides for any easy accounting of gallons sold and remittance of the fee.