

Mayor Edna B. DeVries  
Deputy Mayor Linda Combs  
Council Member Richard Best  
Council Member Steve Carrington  
Council Member David Fuller  
Council Member Brad Hanson  
Council Member Pete LaFrance

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

**City of Palmer, Alaska**  
**Regular City Council Meeting**  
**February 14, 2017, at 7 PM**  
City Council Chambers  
231 W. Evergreen Avenue, Palmer  
[www.cityofpalmer.org](http://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. 17-003**: Repealing Ordinance No. 428 and Adopting Palmer Municipal Code Title 7, Airport Regulations (IM No. 17-006) .... Page 3
    - b. **Action Memorandum No. 17-008**: Authorize City Manager to Negotiate and Execute an Assumption of Proprietary Lease from Brian K. & Carrie M. Groseclose to John C. & Sharon S. Dieffenderfer for Palmer Hangars Owners Association Unit No. 1 Lot 11 Block 3 at the Palmer Municipal Airport..... Page 25
    - c. **Action Memorandum No. 17-009**: Authorize the City Manager to Sign Amendment No. 3 to the Contract with Greene Garden Services for Gardening Services to Reflect Payments for 2017 ..... Page 33
  - 2. Approval of Minutes of Previous Meetings
    - a. January 10, 2017, Regular Meeting ..... Page 37
- E. Communication and Appearance Requests
  - 1. Golden Heart Lifetime Achievement Award Presentation
  - 2. Presentation on the Bikeability Survey from Council Member LaFrance..... Page 43
- F. Reports
  - 1. City Manager's Report..... Page 67
  - 2. City Clerk's Report..... Page 71
  - 3. Mayor's Report..... Page 79
  - 4. City Attorney's Report
- G. Audience Participation
- H. Public Hearing
  - 1. **Ordinance No. 17-001**: Amending a Portion of Palmer Municipal Code Chapters 17.44.010(E) A-C Airport Commercial District Intent, 17.48.010(E) A-I Airport Industrial District Intent and 17.49.010(C) A-M Airport Mixed Use District Intent; and Amending Building Setbacks in Chapters 17.44.060(C) A-C Airport Commercial District, 17.48.060(C) A-I Airport Industrial District and 17.49.060(C) A-M Airport Mixed Use District (IM No. 17-001)..... Page 81

2. **Ordinance No. 17-002:** Amending Palmer Municipal Code Chapter 12.24.025.E. Regarding Firearms in City Parks, Adding 12.24.025.M. Establishing Hours During Which Parks are Closed, 12.24.025.N. Establishing Quiet Hours in Parks; and Amending 12.24.030 to Update Park Use Permits Process (IM No. 17-004) .....Page 93
3. **Resolution No. 17-001A:** Amending the Budget for the City of Palmer, Alaska for the Fiscal Year Ending December 31, 2017, by appropriating \$1,000,000.00 from the General Fund to the Water/Sewer Fund for Wastewater Treatment Plant Upgrades (IM No. 17-007).....Page 103
4. **Action Memorandum No. 17-010:** City Council Statement of Non-Objection to the Renewal of Liquor License #5032, for Arkose Brewery, Located at 650 E. Steel Loop Road .....Page 107
5. **Action Memorandum No. 17-011:** City Council Statement of Non-Objection to the Renewal of Liquor License #744, for the Moose Lodge #793, Located at 1136 S. Cobb Street.....Page 113

I. Action Memoranda

J. New Business

1. **Resolution No. 17-009:** Establishing a Wayfinding Special Committee (IM No. 17-008) .....Page 119
2. **Resolution No. 17-010:** Authorizing the Sale of a +/-222 Square Foot Easement, for the Amount of \$4,100.00, Located at 231 West Evergreen Avenue, to the Alaska Department of Transportation and Public Facilities in Accordance with Palmer Municipal Code 3.20.080.D. (IM No. 17-009) .....Page 123
3. **Resolution No. 17-011:** Authorizing the City Manager to Negotiate and Execute a Utility Reimbursable Services Agreement with the State of Alaska Department of Transportation for Betterments to the Palmer Wasilla Highway Eastern Terminus in the Amount of \$55,311.00 (IM No. 17-010).....Page 147

K. Record of Items Placed on the Table

L. Audience Participation

M. Council Member Comments

N. Adjournment

## Tentative 2017 Palmer City Council Meetings

Meeting Date	Meeting Type	Time	Notes
<b>Feb 14</b>	Regular	7 pm	
<b>Feb 28</b>	Regular	7 pm	
<b>March 14</b>	Special	6 pm	PRCRAB
<b>March 14</b>	Regular	7 pm	
<b>March 21</b>	Special	7 pm	Goal Setting
<b>March 28</b>	Regular	7 pm	

**City of Palmer  
Information Memorandum No. 17-006  
Ordinance No. 17-003**

**Subject:** Ordinance No. 17-003: An Ordinance of the Palmer City Council Repealing Ordinance No. 428 and Adopting Palmer Municipal Code Title 7, Airport Regulations

**Agenda of:** February 14, 2017

**Council Action:**     **Adopted**                       **Denied**  
 **Amended:** \_\_\_\_\_


**Originator Information:**

**Originator:**    Airport Superintendent Frank Kelly

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	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:    \$ \_\_\_\_\_

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. 17-003

**Summary Statement:**

The City of Palmer, "Palmer Municipal Airport" is currently operating from old airport regulations adopted in the 1990's under a replacement Appendix A of Ordinance No. 428. These 25 year old airport regulations are in need of updating to modern standards.

The Airport Advisory Commission (AAC) began this process in 2014 with a proposed ordinance, but unfortunately with a change in City and Airport Administrations, these proposed regulations were never acted upon. Beginning in July, 2016, the Airport Superintendent with the Airport Advisory Commission began the process of reviewing the airport regulations again. On December 22, 2016, the AAC approved AAC Resolution No. 16-003, which recommends Council approve new airport regulations. The attached ordinance provides for a repeal of the current regulations and adopts new regulations based upon current practices within the City of Palmer and airport operations.

On January 7, 2017, the City Council and the AAC reviewed the recommended regulations. Changes were recommended and are included in this final version as Title 7.

**Administration's Recommendation:**

Adopt Ordinance No. 17-003 updating the Palmer Municipal Code relating to airport regulations.



Introduced by: City Manager Wallace  
Date: February 14, 2017  
Public Hearing:  
Action:  
Vote:

Yes:

No:

CITY OF PALMER, ALASKA

**Ordinance No. 17-003**

**An Ordinance of the Palmer City Council Repealing Ordinance No. 428 and Adopting Palmer Municipal Code Title 7, Airport Regulations**

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

WHEREAS, the city of Palmer Warren "Bud" Woods Palmer Municipal current airport regulations were adopted on May 28, 1991, as Ordinance No. 428, which are outdated and not in keeping with best practices or modern airport operations; and

WHEREAS, the Airport Advisory Commission (AAC) advises the city in matters pertaining to the airport and worked since 2014 on modifying the airport regulations; and

WHEREAS, the AAC approved AAC Resolution No. 16-003, which recommends the City Council accept the changes to Palmer Municipal Code and adopt Title 7 for airport regulations; and

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. Ordinance No. 428 shall be repealed.

Section 4. Palmer Municipal Code Title 7 is hereby enacted to read as follows:

**Title 7  
AIRPORT REGULATIONS**

**Chapters:**

7.10 Authority

- 7.20 Definitions
- 7.30 Airport Superintendent Authority
- 7.40 Aeronautical Activities
- 7.50 Vehicle Operation and Parking
- 7.60 Aircraft Parking
- 7.70 Aircraft Parking Registration
- 7.80 Accidents
- 7.90 Aircraft Operation
- 7.100 General Rules of Conduct
- 7.110 Fuel
- 7.120 Safety & Sanitation
- 7.130 Standard Operating Procedure

## **Chapter 7.10 AUTHORITY**

### **7.10.010 Authority.**

- A. Under the authority granted in Alaska Statutes, Section 02.20.060 Enforcement and Penalties and pursuant to the provisions of PMC 7.10, the following regulations are hereby promulgated governing the conduct of all persons visiting or using the facilities of the Warren “Bud” Woods Palmer Municipal airport and all vehicles, structures, property and aircraft on the airport. The penalty for violation of any airport regulations shall be as prescribed PMC 1.08, unless otherwise provided herein
- B. These regulations also govern the conduct of all persons flying within a three mile radius of the airport unless exceptions are specifically provided in the FAA Regulations, or unless the airport superintendent authorizes exceptions not in conflict with the Federal Regulations.

### **7.10.020 Previous regulations superseded.**

These regulations supersede and void all previous regulations promulgated by the city of Palmer with respect to the Palmer Municipal Airport.

### **7.10.030 Purpose and scope.**

The purpose and scope of these regulations includes providing guidance to airport users, operators, and staff; compliance with Federal Aviation Authority (FAA) rules and regulations; control airport activities; and ensuring the safety of all airport users and operations.

## **Chapter 7.20 DEFINITIONS**

### **7.20.010 Definitions.**

Whenever used in this title pertaining to the regulations of the Palmer Municipal Airport, the following terms shall have the meanings given below, unless the context requires otherwise:

“Abandoned aircraft” means an aircraft having been deserted or cast off by the owner and left without needed protection and care or by lack of payment of parking fee in excess of 90 days.

“Aeronautical Service” means any service that involves, makes possible or is required for the operation of aircraft, or that contributes to or is required for the safe operation of aircraft on the airport, and is operated by a person under a land lease or Commercial Operating Agreement with the city. These services include, but are not limited to, air taxi and charter operations, pilot

training, emergency services personnel housing, aircraft renting, sightseeing, aerial photography, aerial advertising, aerial surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, or sale of aircraft parts and rental of aircraft storage.

"Air Carrier" means a person engaged in the transportation of passengers or cargo in air commerce for compensation;

"Aircraft" signifies any contrivance now known, or hereafter designed, invented, or used for navigation or flight in the air, except parachutes and other contrivances used primarily as safety equipment.

"Aircraft accident" has the meaning given in 49 CFR 830.2, as most currently amended.

"Aircraft Operational Area" means any area an aircraft is designated to operate on the airfield (Runway, Taxiway and Apron Area).

"Airport" refers to the Palmer Municipal Airport, including all the runways, taxiways, aprons, and all city-owned real estate located within the boundaries of the airport reserve. This includes the properties in the runway protection zones (RPZ).

"Airport Superintendent" refers to the official to whom the city manager has delegated the authority and responsibility of managing and directing the activities of the airport.

"Airport Superintendent" includes that person's authorized representative.

"City" means the city of Palmer, Alaska.

"City Employee" refers to any person employed by the city and having assigned duties at the airport, including the Airport Superintendent.

"City Manager" refers to the official to whom the Palmer City Council has delegated the responsibility of managing and directing all activities of the city.

"CMGTW" means the certificated maximum gross takeoff weight of an aircraft as approved by the FAA.

"Derelict aircraft" means an aircraft that is in very poor condition and or appearance as a result of disuse and neglect such as; flat tire, missing components or deteriorated surfaces.

"Disabled Aircraft" means an aircraft that is or has become inoperable on the airport for any reason such as; incident, accident, weather event, or under repair and unable to move under its own power by normal means.

"FAA" means the Federal Aviation Administration;

"FBO" means "Fixed Base Operator", an aviation business operating an aeronautical service at the airport from a fixed location on land leased from the city.

"Field Area" is that area within the airport that the airport superintendent designates for, or restricts to, use by aircraft only.

"Fire Department" refers to the city of Palmer Fire & Rescue;

"Fuel Tender" refers to any motor vehicle, trailer, or other mobile contrivance used for the transporting, handling or dispensing of gasoline, kerosene, oil or other fuel or lubricant.

"Hazardous substance" means any substance that is defined under an environmental law as hazardous waste, hazardous substance, hazardous material, toxic, pollutant, contaminant, petroleum, petroleum product, or oil.

"Heavy Aircraft" refers to any aircraft having a CMGTW of 12,501 pounds or more and a minimum wing span over 60'.

"Historical Aircraft" means an aircraft with a notable or noteworthy past and history.

"Incident" has the meaning given in 49 CFR 830.2, as most currently amended.

"Intermediate Aircraft" refers to any aircraft having a CMGTW of 6,001 to 12,500 pounds and a maximum wing span of 60'.

"Light Aircraft" refers to any aircraft having a CMGTW of less than 6,000 pounds and a maximum wing span of 45'.

"Motor Vehicle" refers to any self-propelled contrivance, other than an aircraft, upon or by which a person or property may be transported or drawn along the ground.

"Movement Area" refers to the runways, taxiways and other areas of the airport which are designated by the airport superintendent for the taxiing, takeoff and landing of aircraft, exclusive of loading ramps and parking areas.

"Non-aeronautical Service" means any service that does not involve, make possible or is required for the operation of aircraft, or that does not contribute to or is not required for the safe operation of aircraft on the airport, and is operated by a person under a land lease or business activity permit with the city. These services include, but are not limited to, vehicle rental, pilot housing, and food service activities.

"NOTAM" signifies an abbreviation for "Notice to Airmen" published and distributed to pilots and others concerned with aeronautical operations calling attention to special airport or flying restrictions or conditions.

"Person" refers to any individual, firm, partnership, corporation, company, association, joint stock association or body politic and includes any trustee, receiver or assigned representative thereof, that will be responsible to adhere to any restrictions, limitations or rights covered within these regulations.

"Police Officer" refers to a certified law enforcement officer having jurisdiction within the city of Palmer.

"Police Department" means the city of Palmer Police Department.

"Public Use Area" refers to that space on the airport in which access by members of the general public is not prohibited, including roadways, walkways or designated parking.

"Release" has the meaning given in AS 46.03.826.

"Responsible," when used regarding hazardous substance contamination, means having materially contributed to, assumed under an assignment of lease, or being otherwise liable for contamination by law or contract.

"Wind scattered debris" is any rubbish caught by winds and leaving the direct control of an airport user.

## **Chapter 7.30 AIRPORT SUPERINTENDENT AUTHORITY**

### **7.30.010 Airport superintendent authority.**

- A. The airport superintendent is authorized by the city to enforce compliance with ordinances and regulations applicable to the Airport.
- B. All persons on the airport shall be governed by the regulations of the airport and by all orders and instructions issued by the airport superintendent under the authority of the regulations.
- C. A person who disputes the enforcement of an airport superintendent order or instruction may appeal to the city manager.
- D. In the event of any contingencies not specifically covered by these regulations, the decision of the airport superintendent shall be final, subject to appeal to the city manager under 7.30.020 of this chapter.
- E. In addition to the airport superintendent, members of the city of Palmer's Police and Fire Departments are authorized, within the scope of their respective jurisdictions, to require compliance with these regulations.

- F. The airport superintendent may remove or eject from the airport any person who violates any requirement of these Airport regulations or any order or instruction issued by the airport superintendent under the authority of these regulations, and may deny use of the airport and its facilities to any such person if the airport superintendent determines that the removal, ejection, or denial is necessary to maintain the safety or security of the airport.

**7.30.020 Appeal of an airport superintendent decision or order.**

- A. A person who is or was adversely affected by a decision or order by the airport superintendent and disputes the facts on which the decision or order was based may appeal to the city manager. To be considered, an appeal must be in writing, describe the facts or issues in dispute, and be received by the city manager within 14 calendar days after the date on which the airport superintendent's decision or order was mailed or given to the person making the appeal.
- B. The city manager's decision in an appeal of an airport superintendent's decision or order shall be in writing and give the reasons for the city manager's approval or denial of the appeal. The decision of the city manager shall be a final decision in all airport appeals.

**Chapter 7.40  
AERONAUTICAL ACTIVITIES**

**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, 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.

**7.40.020 Airport superintendent's authority over aeronautical activity.**

- A. Except in an emergency or upon prior approval of the airport superintendent, aircraft operations on the airport are confined to designated runways, helipads, taxiways, taxi lanes, aprons, airport leases, and aircraft parking areas.
- B. When the airport superintendent determines it is necessary for safe and secure operation of the airport, the airport superintendent may, by control device, sign or written order, regulate, control, and direct the availability of a runway, helipad, taxiway, taxi lane, apron, lease lots, or aircraft parking area on the airport.
- C. The airport superintendent shall limit the use, time, type, weight, dimensions, and number of aircraft allowed to use an aircraft parking area when the airport superintendent determines that the limitation is justified by the design, safety, maintenance, or operation of the parking area or the airport. The airport superintendent may segregate aircraft operations on the airport according to aircraft use, size, type, or weight. The airport superintendent shall give notice of the superintendent's orders, limitations, and aircraft operation segregation decisions under this section by:
  1. posting a sign in the affected areas of the airport;
  2. posting a notice in the FAA Flight Service Station at the airport; or
  3. issuing a NOTAM.
- D. The airport superintendent, or agents, have the authority to secure any aircraft believed to be in jeopardy. If said aircraft is in danger or at risk of damage from high wind or other peril and may cause damage to the aircraft or other aircraft in close proximity.

**7.40.030 Airport liability.**

- A. The city assumes no responsibility for loss, injury, or damage to persons or property on the airport, or using airport facilities, for any reason whatsoever.
- B. A person who brings an aircraft or personnel onto, or keeps an aircraft on, the airport does so at the person's own risk, including but not limited to, the security, maintenance, and operation of the aircraft.

**Chapter 7.50  
VEHICLE OPERATION AND PARKING**

**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. 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. 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. 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. 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. All motor vehicles shall be equipped with, and use headlamps, rear lamps, stop signal lamps, and other lights as required by applicable law.
- J. 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. 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.
- L. 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.

#### **7.50.020 Motor vehicle parking.**

- A. Other than for special events approved in advance by the airport superintendent, no person shall park a motor vehicle in an area designed for moving traffic or in an area where motor vehicle parking is prohibited.
- B. No person shall park a motor vehicle on an area designated for use by aircraft without permission of the airport superintendent, except:
  - 1. the holder of a valid aircraft tie down may park not more than two motor vehicles in the aircraft parking space while the aircraft is on a flight; or
  - 2. during a period of high winds, the owner of a parked aircraft may park a motor vehicle immediately adjacent to the aircraft to provide wind protection for the aircraft for the duration of the high winds and not more than 48 hours after the high winds cease. For the purpose of this subsection (b)(2), "high winds" are defined as winds having gusts above 25 nautical miles per hour.
- C. The airport superintendent may establish public parking areas for motor vehicles on the airport and establish, by signs posted at the parking areas, rules for use, including limits on vehicle size and parking duration.
- D. No person shall park or leave an unattended vehicle on the airport having exposed or uncovered refuse, bagged or not, in the open bed of a vehicle.

#### **7.50.030 Motor vehicle impound.**

The airport may cause any motor vehicle parked in violation of this chapter to be impounded, at the vehicle owner's expense and risk. The costs of impounding, towing and storage of such

vehicles will be charged or assessed by the city against the vehicle, the registered owner of the vehicle, any person who has acquired legal title to the vehicle from or through the registered owner and any person who has violated this chapter.

## **Chapter 7.60 AIRCRAFT PARKING**

### **7.60.010 Long-term aircraft parking.**

- A. No person shall park an aircraft, for the purpose of remaining indefinitely, in any area of the airport other than:
  - 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 designated by the airport superintendent for the long-term parking of aircraft of the size and type the person desires to park. These areas are defined as "Light Aircraft Parking", "Intermediate Aircraft Parking", "Heavy Aircraft Parking", "Disabled Aircraft Parking", "Historical Aircraft Parking"; subject to:
    - a. payment of the applicable required fee listed; and
    - b. signing an aircraft parking permit issued by the airport superintendent.
- B. Long-term parking of "Abandoned Aircraft" is not permissible and subject to impoundment after 90 days with the right of disposal at the sole discretion of the city after a 90 impoundment period.
- C. Long-term parking of "Derelict Aircraft" is not permissible and must be repaired within 30 days of notice, or must be removed from airport grounds.
- D. Long-term parking of "Disabled Aircraft" must have a viable plan for repair and maintenance, approved by the airport superintendent and at the discretion of the airport superintendent will have up to 12 months in which to remedy the disability or the aircraft will be re-designated as a "Derelict Aircraft" and must be removed from the airport within 30 days, except as outlined in section A.1.
- E. A person using a city-operated long-term 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.

### **7.60.020 Transient aircraft parking.**

- A. The operator of a transient aircraft shall 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.
- B. A person parking an aircraft in a city-operated transient aircraft parking area shall pay the required fee.
- 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) days.

**7.60.030 Aircraft parking on leaseholds.**

No aircraft on the premises of a land lease on the airport shall be parked in a manner that results in a wing, tail, nose, or other portion of the aircraft extending outside the boundaries of the leased premises.

**7.60.040 Aircraft impound.**

- A. An aircraft parked in violation of these regulations may be impounded at the discretion of the airport superintendent by:
1. affixing a seal or tag to the door of the aircraft;
  2. affixing a locking device on the propeller of the aircraft; or
  3. moving the aircraft to an impound location determined by the airport superintendent.
  4. Enchainment of aircraft to a stationary object.
- B. All aspects of the impound process, including any damage to the impounded aircraft and any inconvenience to the aircraft owner, shall be at the sole cost and risk of the aircraft owner.
- C. The airport superintendent shall not release an impounded aircraft to the owner unless the owner redeems the aircraft by paying
1. The impound fee required;
  2. The daily impound storage fee; and
  3. The city’s actual cost of towing or otherwise relocating of the aircraft, including legal and administrative costs.
- D. An impounded aircraft that is not redeemed by the owner within 90 days after the date on which the aircraft was impounded shall be considered abandoned and shall be subject to sale by the city at public auction. Notice of any auction shall be published in a newspaper of general circulation in the city at least once during each of three consecutive weeks. The first and last appearances of the published notice shall not be more than thirty days nor less than seven days, respectively, before the time set for the auction.

**Chapter 7.70  
AIRCRAFT PARKING REGISTRATION**

**7.70.010 Aircraft registration.**

A person who brings an aircraft to the airport and does not park the aircraft on the premises of a land lease shall, as soon as possible, register the aircraft with the Airport Superintendent or the city of Palmer Finance Department and obtain a parking location assignment.

**7.70.020 Failure to register aircraft.**

- A. The owner or operator of an aircraft who fails to register the aircraft as required shall be subject to having the aircraft impounded in accordance with PMC 7.60.040.
- B. This regulation shall not apply to an aircraft that, immediately after arriving at the airport, is parked on the premises of a land lease with the lessee’s permission and remains there until departure from the airport.

## **Chapter 7.80 ACCIDENTS**

### **7.80.010 Aircraft accidents.**

- A. The owner or operator of an aircraft involved in an aircraft accident or incident on the airport shall report the accident or incident to the airport superintendent by calling 911 and the FAA. Other reporting shall be in accordance with the requirements of the National Transportation Safety Board (NTSB) and the Federal Aviation Administration (FAA):
  - 1. immediately, if the aircraft or a condition of the airport poses an imminent safety hazard,
  - 2. immediately, if the accident or incident involves death or serious injury,
  - 3. within one hour of the accident or incident, or as soon as possible thereafter, if the accident or incident involves minor bodily injury or damage to any one person's property in excess of \$500; and
  - 4. if otherwise, within twenty-four hours of the accident or incident or as soon as possible thereafter.
- B. The accident report shall include:
  - 1. the make, model, and registration number of the aircraft involved;
  - 2. the names and mailing addresses of all persons involved;
  - 3. a description of the accident or incident;
  - 4. the name and mailing address of the owner(s) of the aircraft involved; and
  - 5. such other information as the airport superintendent or federal agencies may require.

### **7.80.020 Motor vehicle accidents.**

The owner or operator of a motor vehicle involved in an accident that occurs on city-owned property on the airport, other than a public street, shall report the accident to the Police Emergency Dispatch Center by calling 911.

### **7.80.030 Bodily injury and property damage.**

- A. Any person who damages, by any means, a fence, gate, gate control, light, fixture, or other city-owned property on the airport shall:
  - 1. report the damage:
    - a. immediately to the airport superintendent and the FAA Flight Service Station, if the damage is likely to adversely impact the safety of aircraft operations on, or the security of, the airport; or
    - b. as soon as possible, but no later than 24 hours after the damage occurred, to the airport superintendent, if the damage will not adversely impact the safety of aircraft operations on, or the security of, the airport;
  - 2. be fully responsible:
    - a. to pay all costs related to the repair, restoration, or replacement of the damaged property, including the city's legal and administrative costs; and
    - b. for any bodily injury or property damage that occurs as a direct or indirect result of the person's damage to city-owned property.
- B. If a person who is injured on the airport by, or owns property on the airport damaged by, the city, a city employee, or by city-owned property, the injured person or their representative, or the owner of the damaged property, as applicable, shall report the accident to the airport superintendent within:

1. one hour after the injury or damage, or as soon as possible thereafter, if the accident involves bodily injury or death or damage to any one person's property in excess of \$500; and
2. if otherwise, within twenty-four hours of the accident or as soon as possible thereafter.

## **Chapter 7.90 AIRCRAFT OPERATION**

### **7.90.010 Engine Maintenance tests.**

- A. An aircraft engine shall not be warmed up or run in engine test operations in any area of the airport or in any manner that would result in a hazard to other aircraft, persons or property.
- B. Under no circumstances shall a person engage in an aircraft engine test operation, unless:
  1. a competent operator is at the controls of the aircraft;
  2. the test takes place between the hours of 6:00 AM and 10:00 PM, prevailing local time. If engine testing needs to take place after 10:00 PM and before 6:00 AM a permit must be issued 72 hours prior to the effective time of the permit. Permit applications shall be submitted to the chief of police on forms prescribed by the city.
  3. it is a required preflight check on a non-maintenance flight and is required for the safe operation of the aircraft.

### **7.90.020 Certification.**

All aircraft operating on the airport shall be in conformity with the requirements of the FAA.

### **7.90.030 Equipment.**

No aircraft shall be operated on the airport unless it is equipped with main gear wheels, tail or nose wheel, and wheel brakes, or skis when conditions permit, except with the permission of the airport superintendent.

### **7.90.040 Runway and taxiway use.**

- A. The normal maximum CMGTW for aircraft landing on RW 9/27 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.

### **7.90.050 Helicopters.**

A pilot operating a helicopter carrying a sling load to or from the airport shall fly a course away from residential areas, golf course, and areas congested with buildings or parked aircraft.

### **7.90.060 Aircraft repair.**

- A. No person shall commercially maintain, modify, or repair an aircraft, aircraft engine, propeller or other aircraft equipment on the airport runways, taxiways or parking aprons.
- B. A person may perform the maintenance, modification or repairs described in (A) of this section as outlined below:
  1. on the premises of a land lease that authorizes the operation of an aircraft; or
  2. in an area designated or approved by the airport superintendent for that purpose; or

3. as specified in a formal Commercial Operating Agreement as defined in section 7.130.040 for a Non-FBO; or
4. is the owner of a personal aircraft and has rented a tie down space from the city of Palmer and is performing routine maintenance on said aircraft.

**7.90.070 Boundary crossing.**

No person shall taxi or tow an aircraft onto the airport from property outside the airport unless authorized to do so in writing by the airport superintendent and in strict accord with the directions and requirements of the airport superintendent.

**7.90.080 Noise Abatement**

In an effort to reduce aircraft noise over adjoining neighborhoods, all pilots utilizing the airport shall endeavor to adhere to the following fly friendly practices. The airport is not encouraging unsafe flying practices, but encouraging a more thoughtful approach to help alleviate aircraft noise.

- A. Utilize the entire length of the runway; Do not depart at intersections
- B. Follow the established traffic pattern; Do not make an early cross wind turn on departure
- C. Maintain the lowest propeller RPM setting necessary for safe flight; Do not over power your aircraft.

**Chapter 7.100  
GENERAL RULES OF CONDUCT**

**7.100.010 General rules of conduct.**

- A. All persons (visitor, business owner, employee, agent or guest) at the airport shall comply with:
  1. the airport regulations, PMC and other applicable laws and regulations; and
  2. orders the airport superintendent issues under applicable city, state or federal law and regulations; and
  3. instructions, requirements, and restrictions that the airport superintendent has posted or indicated by sign, signal, or other control device, unless otherwise directed by an authorized person directing aircraft, vehicle, or pedestrian traffic.
- B. No person on the airport shall:
  1. Alter, make additions to, erect any building or sign, place fill material, or make any excavations on the airport without first obtaining the approvals or permits required by these regulations or Palmer Municipal Code.
  2. Abandon any personal property on the airport.
  3. Smoke, light a match, or have any open flame within 50 feet of an aircraft being fueled or defueled.
  4. Interfere with, tamper with, unlawfully remove or injure any part of the airport or any of the equipment thereof.
  5. Knowingly or willfully make any false statement or report to the airport superintendent or a city employee.
  6. Enter any area posted as being closed to the public, except as may be permitted by these regulations.
  7. Enter upon the field area except:
    - a. persons assigned to duty therein by the airport superintendent or city manager;
    - b. authorized representatives of the city and FAA;

- c. persons authorized by the airport superintendent or city manager; and,
  - d. passengers, under appropriate supervision, entering the area for purposes of boarding or leaving an aircraft.
8. Travel on the airport other than on the roads, walks, or places provided for the particular class of traffic the person is using;
  9. Hinder or obstruct a vehicle, aircraft, or another person from the lawful use of the airport.
  10. Drive, walk, ride a bicycle or travel in any fashion in an "aircraft operational area" without the purpose of meeting a parked aircraft.
  11. Walk their dog without the use of a leash or allow their animal to run freely.
  12. Interfere or tamper with, any aircraft or put in motion the engine of any aircraft, or use any aircraft, aircraft parts, instruments or tools on the airport without permission of the aircraft owner or by specific direction of the airport superintendent.
- C. Any person who is authorized or needs to be on an "aircraft operational area", shall always yield the right of way to any aircraft and travel on the edge of the "aircraft operational area".
  - D. A person may not dump or plow snow anywhere on the airport except
    1. in a location the airport superintendent has designated for that purpose;
    2. in a manner and location approved in writing by the airport superintendent; or
    3. as specifically authorized under a lease or permit issued to the person by the city.
  - E. Any person who has been denied the use of the airport by the airport superintendent under PMC 7.30 may come upon or use the airport only while travelling through as a passenger in a taxicab or other vehicle or when enplaning or deplaning as a passenger of an aircraft operating on the airport.

**7.100.020 Penalties.**

Any person who violates any airport regulation, or any order or instruction issued thereunder, shall be subject to the penalties provided in PMC 1.08.

**7.100.030 Violation of regulations.**

- A. If a person acts in violation of the airport regulations or fails to act as required by the regulations, the airport superintendent may, in addition to the penalties herein, take one or more of the following actions:
  1. order the person to, either immediately or within a specified time,
    - a. stop the violation;
    - b. begin the required act; or
    - c. leave the airport;
  2. provide written notice to the person that describes how the person may correct the violation or omission and the time within which the violation or omission must be corrected;
  3. correct the violation or omission; or
  4. in an emergency or when the airport superintendent finds such assistance necessary for safety, maintenance, or operation of the airport, request enforcement assistance by the Police Department.
- B. If the airport superintendent acts under A.3. of this section to correct a violation or omission by a person, the city may seek reimbursement from the person of all costs, plus interest, that the city incurs in acting to correct the violation or omission, including but not limited to site assessment costs, clean-up costs, collection costs, legal and administrative costs, applicable

finer, and costs resulting from interference with or delay of projects or operations on the airport.

- C. If the FAA fines the city for a violation of a federal statute or regulation or for an occurrence or omission on the airport, the person who caused the violation, occurrence, or omission shall, upon written demand from the city, reimburse the city for the amount of the fine, plus interest and the costs incurred by the city in obtaining the reimbursement.

#### **7.100.040 Explosives at airport.**

- A. A person who brings or possesses an explosive to or on the airport shall comply with the current hazardous materials provisions of 49 CFR Part 175 Carriage by Aircraft.
- B. A person shall give the airport superintendent at least 24 hours advance written notice before bringing explosives onto the airport.
- C. The airport superintendent may, based on considerations of the safety of airport users and the general public,
  - 1. condition, direct, supervise, or prohibit an operation involving an explosive on the airport; and
  - 2. require that an aircraft with an explosive aboard
    - a. be fueled, serviced, and parked in a remote or other designated area of the airport; and
    - b. depart the airport as soon as air traffic and safety considerations allow.
- D. In this section, "explosive" also has the meaning given in AS 11.81.900; "explosive" also includes fireworks as defined in AS 18.72.100.

### **Chapter 7.110 FUEL**

#### **7.110.010 Fueling and Fuel Storage.**

- A. No aircraft shall be fueled or defueled while the engine is running, unless running the engine is allowed for hot fueling of a helicopter under the most current National Fire Protection Association Code 407, "Standard for Aircraft Fuel Servicing", which is adopted in this regulation by reference.
- B. No person shall smoke, light a match, or have any open flame within 50 feet of an aircraft being fueled or defueled.
- C. Persons engaged in the fueling or defueling of aircraft shall prevent the overflow or spilling of petroleum products.
  - 1. In the event of a petroleum products overflow or spill, the person shall immediately take appropriate measures to contain and clean up the petroleum products, prevent the petroleum products from draining into soil, and report the overflow or spill to the airport superintendent.
  - 2. The person shall also promptly report the petroleum products overflow or spill to each regulatory agency that requires a report of that overflow or spill and repair any petroleum products leak and equipment failure or defect that caused or contributed to the overflow or spill.
- D. No person shall start an engine of any aircraft when there is any liquid fuel on the ground under the aircraft.
- E. Fuel hoses, containers, storage tanks, and related equipment shall be maintained in a safe, sound and non-leaking condition.

- F. Fuel trucks with tanks shall be utilized only in a safe and operable condition. Inoperable fuel trucks shall never be used as above ground storage tanks.
- G. No person shall fuel or defuel an aircraft without adequate fire extinguishers or equivalent fire protection equipment immediately available to the fueling location.
- H. All fueling, defueling, and fuel transfer on the airport shall be conducted in accordance with applicable city and state of Alaska fire codes.
- I. All fuel storage tanks, whether above ground storage tanks (ASTs), underground storage tanks (USTs) or mobile storage tanks (MSTs), are subject to Plan review, approval and inspection by the city of Palmer's Department of Community Development and the Department of Fire and Rescue per the most currently adopted Palmer Municipal Code, as well as any other governing body responsible for same (state and federal).

**7.110.020 Fueling sources.**

- A. Aircraft fueling shall be conducted only from approved fuel handling systems that conform to city and State of Alaska fire codes, and only by persons authorized by the airport superintendent.
- B. All fueling shall be conducted only using equipment operated in a manner consistent with its designed purpose.

**7.110.030 Fuel personnel training.**

Any person who engages in commercial fuel delivery, fueling, defueling or fuel storage on the airport shall ensure that line service personnel and supervisors who handle fuel on the airport are trained in safe fuel handling practices, fire safety, spill prevention and spill response.

**7.110.040 Spill Prevention, Control and Countermeasure Plan (SPCC) and Fuel Loading Plan Required.**

- A. Storing bulk fuel. The following requirement is applicable to all vendors or other operations storing bulk fuel at the airport:
  - 1. SPCC Plan: A stamped Spill Prevention, Control and Countermeasure (SPCC) plan must be submitted to the airport superintendent for review.
  - 2. Spill Response Kit: A Spill Response Kit which is in conformity with the SPCC. The kit and its contents must be approved by the Palmer Fire & Rescue Chief or designee.
- B. Delivering, transporting or loading/unloading bulk fuel. The following requirement is applicable to all vendors or other operations delivering, transporting or loading/unloading bulk fuel (including, but not limited to: fuel trucks; aircraft engaged in hauling bulk fuel using the Palmer Municipal Airport):
  - 1. Submit Fuel Loading Plan: Any entity transporting bulk fuel for resale to or from the Palmer Municipal Airport must submit a fueling (fuel loading/unloading) plan to the airport superintendent for review and approval.
- C. Any person who engages in fuel delivery, fueling, defueling or fuel storage on the airport shall maintain spill prevention and response capability readily accessible to the site or on the vehicle where the fuel is handled, stored, transported, or dispensed.
- D. Any person who engages in commercial fuel delivery, fueling, defueling or fuel storage on the airport shall, before operating on the airport,
  - 1. Submit to the airport superintendent a copy the person's spill prevention control and countermeasures plan prepared under 14 CFR 112: or

2. If 14 CFR 112 does not apply to the person's fuel related activities on the airport, submit to the airport superintendent a written fuel spill prevention and response plan that includes:
    - a. The measures the person will take to prevent a spill or release of fuel;
    - b. The steps the person will take, in the event of a spill or release of fuel, to
      - i. stop the spill or release; and
      - ii. contain and prevent spreading or migration of any fuel released;
  3. The person's plan for immediate notification describing any spill or release of fuel to the airport superintendent and to each regulatory agency that requires such a report.
- E. Neither the submission of a plan by a person under this section, nor the receipt of the plan by the airport superintendent shall be construed as approval of the plan by the airport superintendent or the city.

**7.110.050 Fueling apparatus electrical bonding.**

Before fueling an aircraft from a tanker truck, fuel tender, or fixed fueling facility, the aircraft and the truck, tender, or fixed facility shall be connected by cable so as to establish a condition of zero electrical potential between them.

**7.110.060 Labeling.**

In addition to any labels or signs required by applicable law, a person who engages in fuel delivery, fueling, defueling or fuel storage on the airport shall place on the person's storage tank, tank truck, fuel tender or other fuel container placards consistent with regulations established by the Department of Transportation (DOT).

**7.110.070 Fueling facilities.**

- A. Any fuel storage tank (greater than 200 gallons in aggregate), fuel dispensing apparatus or other fuel handling facility placed or used on the airport must conform to applicable environmental law and the city's fire prevention code.
- B. Before constructing or installing a fuel storage tank, fuel dispensing apparatus or other fuel handling facility on the airport, a person must:
  1. obtain a lease for the land from the city; and
  2. obtain a city building permit and the airport superintendent's written approval under PMC 11.10.160.
  3. obtain a plan review submitted to and approved by the state of Alaska fire marshal.

**7.110.080 Commercial fueling.**

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 and city of Palmer business license from the city authorizing the activity and paying any required fees.

**Chapter 7.120  
Safety and Sanitation**

**7.120.010 Storage.**

- A. No person shall keep or store any flammable liquids, gases, signal flares or other similar materials in a hangar or any other building on the airport, unless the materials are kept:
  1. in aircraft in proper receptacles installed in the aircraft; or



2. in rooms or areas specifically approved for such storage by the airport superintendent, or in storage containers that are designed for that purpose and comply with applicable fire codes.
- B. Lessees shall provide suitable metal receptacles with covers for the storage of waste, rags and other rubbish. All waste and used rags or other rubbish shall be removed in accordance with PMC 8.20.

**7.120.020 Open flame operations.**

Except as may be specifically authorized by the airport superintendent, no person shall conduct any open flame operations anywhere on the airport unless fire extinguishers of sufficient size and type are close at hand to control any hazard that may arise.

**7.120.030 General requirements.**

- A. The holder of a land lease on the airport shall keep the premises leased by them and the apron and ramp areas used in their operations, clean and clear of oil, grease, waste materials and trash.
- B. No person shall keep uncovered trash containers on any part of the airport.
- C. No motor vehicle for hauling trash, dirt, or any other materials shall be operated on the airport unless the vehicle is constructed so as to prevent the contents thereof from dropping, shifting, leaking, or otherwise escaping.
- D. No person shall spill dirt or any other materials from a vehicle on the airport.
- E. Areas used for trash or garbage containers shall be kept clean and sanitary at all times.
- F. No persons shall dispose of garbage, papers, refuse or other material on the airport except in receptacles provided for that purpose, and in accordance with PMC 8.20.
- G. Wind scattered debris. All users of the airport are responsible for preventing debris release and wind scattering of debris. No wind scattered debris shall be allowed at the airport. Any person or company responsible for wind scattered debris shall be subject to fines and/or associated cleanup costs.

**7.120.040 Fire extinguishers.**

All tenants or lessees on the airport shall supply and maintain such adequate and readily accessible fire extinguishers as are required by the city fire codes for the particular fire hazards involved.

**7.120.050 Hazards.**

No tenant or lessee on the airport shall store or stock material or equipment in such a manner as to constitute a hazard to persons or property.

**7.120.060 Hazardous substance release.**

- A. A person who releases a hazardous substance on the airport shall immediately contain and clean up the release, using methods that ensure that contamination does not enter or spread on or in airport land or water or in an airport storm water drainage system.
- B. A person responsible under this chapter for a release shall immediately report the release to the airport superintendent and to each regulatory agency that requires such a report.
- C. Submission of a report to the airport superintendent under this subsection does not satisfy any other applicable requirement for reporting a release of a hazardous substance to any regulatory agency that has jurisdiction.

- D. If a person responsible under this section for a release does not take immediate action to report, contain, and clean up the release, the city may report, contain, or clean up the release as the city determines appropriate under the circumstances.
- E. The city may seek reimbursement for the city's direct costs of assessment, reporting, containment, cleanup, and indirect costs, as applicable, from any person responsible for the release.

## **Chapter 7.130 Standard Operating Procedure**

### **7.130.010 Statement of Policy**

The city of Palmer, as the owner and operator of the Palmer Municipal Airport, hereby gives notice of the following as a statement of minimum operating procedures for Aeronautical Services, Commercial Operations and Personal Hangars at the airport.

These standards are intended to be the threshold entry requirements for those wishing to provide aeronautical services or other services to the public or have a personal hangar at the airport and to insure that those who have undertaken to provide aeronautical services or other services are not exposed to unfair or irresponsible competition and aeronautical operations. These minimum standards were developed taking into consideration the aviation role of the airport, the future development of the airport, and the city's obligations as an airport improvement sponsor under 14 C.F.R. part 152. The uniform application of these minimum standards relates primarily to the public interest and discourages the offering of substandard services to users of the airport.

### **7.130.020 Application Information**

Persons interested in operating a business or service on the Palmer Municipal Airport grounds should contact the airport superintendent.

### **7.130.030 Minimum Standards for (Lessee's) fixed based operators (FBO)**

- A. Approved Lease on file with the city.
- B. Leases shall be for a term determined upon the basis of the applicant's proposed financial investment in permanent improvements on the premises to be leased.
- C. 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.
- D. An applicant must demonstrate, to the satisfaction of the city, that the applicant has adequate resources to complete the construction of the proposed improvements on the proposed premises and to successfully operate the proposed FBO business.
- E. The applicant shall lease at a minimum, sufficient land to provide adequate space as determined by the city, to accommodate the applicant's proposed building, aircraft parking, customer vehicle parking, and employee parking needs.
- F. As a condition of the lease, the applicant must:
  1. Invest \$100,000 in buildings and other permanent improvements on the premises in support of the applicant's proposed FBO business.
  2. Comply with all zoning and building code regulations for the city.
  3. Operate the proposed FBO business on a continuous basis throughout the term of the lease, uninterrupted by any period of closure over 15 consecutive days or 24

aggregate days within any 12-month period without permission of the airport superintendent, unless the business is by nature seasonal.

4. Have personnel in attendance on the premises during all operating hours who are qualified to perform the service offered by the proposed FBO business.
5. Indemnify and defend the city and maintain insurance coverage, as required under the lease.
6. Make all lease payments timely, when due without undue collection efforts on behalf of the city.

#### **7.130.035 Minimum Standards for (Lessee's) Personal Hangar**

- A. Approved Lease on file with the city.
- B. Leases shall be for a term determined upon the basis of the applicant's proposed financial investment in permanent improvements on the premises to be leased.
- C. An applicant must demonstrate, to the satisfaction of the city, that the applicant has adequate resources to complete the construction of the proposed improvements on the proposed premises.
- D. The applicant shall lease at a minimum, sufficient land to provide adequate space as determined by the city, to accommodate the applicant's proposed building, aircraft parking, and vehicle parking needs.
- E. As a condition of the lease, the applicant must:
  1. Invest \$75,000 in buildings and other permanent improvements on the premises in support of the applicant's proposed hangar.
  2. Comply with all zoning and building code regulations for the city.
  3. Indemnify and defend the city and maintain insurance coverage, as required under the lease.
  4. Make all lease payments timely, when due without undue collection efforts on behalf of the city.

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

- A. Approved commercial operating agreement to conduct business on airport grounds.
- 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.

#### **7.130.050 Through the Fence Operations**

- A. Agreement for through the fence airport access on file with the city.
- B. Written agreement with the city for access from the applicant's property, and applicant will meet all requirements for on field operations for insurance, safety, personnel and equipment.

C. Such written agreement shall include provision for payment of an access fee, as applicable, as established for such type activity by the airport.

An access fee ensures that those commercial activities that are using the airport to conduct their business to earn a profit are participating in the cost of maintaining the airport. The written agreement also ensures they are maintaining safe operations and minimum standards while using the airport.

Section 5. Effective Date. Ordinance No. 17-003 shall take effect upon adoption by the city of Palmer City Council.

**Adopted** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Edna B. DeVries, Mayor

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Norma I. Alley, MMC, City Clerk

**City of Palmer  
Action Memorandum No. 17-008**

**Subject:** Authorize City Manager to Negotiate and Execute an Assumption of Proprietary Lease from Brian K. & Carrie M. Groseclose to John C. & Sharon S. Dieffenderfer for Palmer Hangars Owners Association Unit No. 1 Lot 11 Block 3 at the Palmer Municipal Airport

**Agenda of:** February 14, 2017

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Denied**


**Originator Information:**

**Originator:**    Frank J. Kelly, Airport Superintendent

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	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:    \$ \_\_\_\_\_

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):**

- Assignment and assumption of proprietary lease to Dieffenderfer
- City of Palmer Consent to Assignment

**Summary Statement:**

Palmer Hangars Owners Association is the lessee for the 9-unit T-Hangar complex constructed on Yukon Drive at the Palmer Municipal Airport. Palmer Hangars Owners Association has a proprietary lease agreement with Brian K. and Carrie M. Groseclose for Unit 1.

In accordance with and in keeping with article 3, Compliance with Airport Lease, of the Palmer Hangars Owners Association Proprietary Lease with the Groseclose's, the assignor acknowledges their understanding of and agrees to be bound by and to comply with all terms of Palmer Municipal Airport Lease Agreement No. 05-02 (The Airport Lease), as if a lessee thereunder. The Assignor also acknowledges and agrees their rights under this Proprietary Lease are invalid and ineffective unless and until the City of Palmer executes a Consent to Assignment of Proprietary Lease as set forth in the Airport Lease, and the Assignee, in writing, agrees to be bound by the terms and conditions of the Airport Lease.

The administration recommends that the Council Authorize the City Manager to Negotiate and Execute a Consent to Assignment of Proprietary Lease from Brian K. & Carrie M. Groseclose to John C. & Sharon S. Dieffenderfer for Palmer Hangars Owners Association Unit No. 1, Lot 11 Block 3 at the Palmer Municipal Airport with the condition that the City receives the following: (1) Copy of fully executed proprietary lease assumption.

**Administration's Recommendation:**

To approve Action Memorandum No. 17-008 transferring Unit 1 of PHOA from Brian K. & Carrie M. Groseclose to John C. & Sharon S. Dieffenderfer.

**ASSIGNMENT AND ASSUMPTION OF PROPRIETARY LEASE  
AND TRANSFER OF CERTIFICATE OF MEMBERSHIP**

This ASSIGNMENT AND ASSUMPTION OF LEASE AND TRANSFER OF CERTIFICATE OF MEMBERSHIP (the "Assignment") is made and entered into and effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between BRIAN K. GROSECLOSE and CARRIE M. GROSECLOSE, husband and wife, ("Assignor"), whose address is 273 S. Conestoga Loop, Palmer, AK 99645, and JOHN C. DIEFFENDERFER and SHARON S. DIEFFENDERFER, husband and wife, ("Assignee"), whose address is 1750 N. Landmark Drive, Palmer, AK 99645.

**RECITALS**

**WHEREAS**, Assignor is currently the lessee under that certain Proprietary Lease Agreement (the "Lease") between Assignor and Palmer Hangars Owners Association, dated May 9, 2007, recorded July 3, 2007, Reception Number 2007-016489-0, with respect to certain airplane hangar space described as

Unit No. 1, Lot 11, Block 3, Preliminary Plat for the Palmer Municipal Airport, Palmer Recording District, Third Judicial District, State of Alaska, and

**WHEREAS**, by mesne Assignments Palmer Hangars Owners Association obtained a lease from the City of Palmer at the Palmer Airport as to the following described property

Lot 11, Block 3, Preliminary Plat for the Palmer Municipal Airport, Palmer Recording District, Third Judicial District, State of Alaska;

and all terms and conditions of said Airport Lease and compliance therewith apply to this Assignment and Assumption of Proprietary Lease and Transfer of Certificate of Membership, all as more fully set forth in said Proprietary Lease; and

**WHEREAS**, Assignor desires to assign their right, title, and interest under the Proprietary Lease to Assignee, and further transfers the Certificate of Membership in and to said Unit 1, and Assignee desires to accept and assume the right, title, and interest of Assignor under the Proprietary Lease and Certificate of Membership;

**NOW, THEREFORE**, in consideration of the foregoing and the covenants and agreements contained herein, the parties agree as follows:

**Section 1. Assignment of Proprietary Lease and Transfer of Certificate of Membership.** Assignor hereby grants, transfers, conveys and assigns to Assignee all of their right, title

and interest as Lessee under the Proprietary Lease and Certificate of Membership, and Assignee accepts such assignment, and except as provided in Section 2 below, assumes all obligations of Assignor thereunder, as of the effective date of this Assignment. Except as provided in Section 2 with respect to Claims (as such term is hereinafter defined), Assignee shall defend, indemnify and hold harmless Assignor from and against all Claims arising or occurring under the Proprietary Lease and Certificate of Membership after the effective date of this Assignment.

**Section 2. Continued Liability of Assignor.** Notwithstanding the provisions of Section 1 above, Assignor expressly agrees that they shall remain liable for all obligations and claims (the "Claims"), including, but not limited to, indemnity obligations, arising or occurring under the Proprietary Lease and Certificate of Membership prior to the effective date of this Assignment, irrespective of whether a Claim is made after the effective date of this Assignment. Assignor shall defend, indemnify and hold harmless Assignee from and against such Claims.

**Section 3. Permits, Laws, and Taxes.**

**3.01.** The Assignee shall acquire and maintain, in good standing, all permits, licenses and other entitlements necessary to the performance under this Agreement. All actions taken by the Assignee under this Agreement shall comply with all applicable statutes, ordinances, rules and regulations, including, but not limited to the Palmer Municipal Code, and all state and/or federal laws and regulations. The Assignee shall pay all taxes pertaining to his performance under this Agreement.

**3.02.** In accordance with and in keeping with Article 3, Compliance with Airport Lease, of the Palmer Hangers Owners Association Proprietary Lease with Jeffery R. Case and Deborah E. Case, recorded July 3, 2007, Reception Number 2007-016489-0, the Assignee acknowledges their understanding of and agree to be bound by and to comply with all terms of Palmer Municipal Airport Lease Agreement No. 05-02 (The Airport Lease), as if a lessee thereunder. The Assignee also acknowledges and agrees their rights under this Proprietary Lease are invalid and ineffective unless and until the City of Palmer executes a consent to transfer the Proprietary Lease as set forth in the Airport Lease, and the Assignee, in writing, agrees to be bound by the terms and conditions of the Airport Lease

**Section 4. Other Instruments/Actions.** The parties agree to execute such further reasonable instruments, to take such further reasonable actions, and to make any additional reasonable transfers as may be necessary to carry out the purpose and intent of this Assignment.

**Section 5. Miscellaneous.**

**5.01. Governing Law/Remedies.** This Assignment and the rights of the parties under it will be governed by and construed in all respects in accordance with the laws of the State of Alaska without giving effect to principles or provisions thereof relating to choice of law or conflict of laws. In any action to enforce the provisions of this Assignment, the prevailing party shall be entitled to reasonable attorney fees and court costs.

**5.02. Waiver/Amendments.** Any waiver must be in writing, and any waiver by any party of a breach of any provision of this Assignment shall not operate as or be construed to be a waiver of any other breach of that provision or of any breach of any other provision of this Assignment. The failure of a party



to insist upon strict adherence to any term of this Assignment on one or more occasions shall not be considered a waiver or deprive that party of the right thereafter to insist upon strict adherence to that term or any other term of this Assignment. This Assignment shall not be altered, modified or otherwise amended except by an instrument in writing signed by both parties.

**5.03. Binding Effect; Assignment.** This Assignment and all of the provisions hereof shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

**5.04. No Partnership, Joint Venture, Etc.** Nothing in this Assignment shall be intended or deemed to create a partnership, joint venture, association, or other similar relationship between the parties hereto.

**5.05. No Third Party Beneficiaries.** This Assignment does not create, and shall not be construed as creating, any rights enforceable by any person not a party to this Assignment.

**5.06. Severability.** If any provision of this Assignment or any application thereof shall be held invalid, illegal or unenforceable, the remainder of this Assignment or any other application of such provision shall not be affected thereby.

**5.07. Counterparts.** The Assignment may be executed in one or more counterparts, including by facsimile, all of which counterparts taken together shall constitute one and the same instrument.

**IN WITNESS WHEREOF,** the parties have executed this Assignment as of the date and year first written above.

**ASSIGNOR:**

\_\_\_\_\_  
BRIAN K. GROSECLOSE

\_\_\_\_\_  
CARRIE M. GROSECLOSE

STATE OF ALASKA )  
) ss.  
THIRD JUDICIAL DISTRICT )

The foregoing instrument was acknowledged before me on \_\_\_\_\_,  
2017, by BRIAN K. GROSECLOSE and CARRIE M. GROSECLOSE.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

**ASSIGNEE:**

\_\_\_\_\_  
JOHN C. DIEFFENDERFER

\_\_\_\_\_  
SHARON S. DIEFFENDERFER

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2017, by JOHN C. DIEFFENDERFER and SHARON S. DIEFFENDERFER.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

Record in Palmer Recording District.  
Return to:  
JOHN C. DIEFFENDERFER and  
SHARON S. DIEFFENDERFER  
1750 N. Landmark Drive  
Palmer, AK 99645



**City of Palmer • Palmer Municipal Airport**  
**231 W. Evergreen Avenue • Palmer, AK 99645**  
 Phone: 907-745-3271 Fax: 907-745-0930

**CONSENT TO ASSIGNMENT**

In consideration of and in reliance upon the above assumption and promises contained in this instrument, the City of Palmer hereby consents to the foregoing Assignment and Assumption of Proprietary Lease and Transfer of Certificate of Membership of Unit 1, Lot 11, Block 3, Plat for the Palmer Municipal Airport, Palmer Recording District, Third Judicial District, and State of Alaska from Brian K. & Carrie M. Groseclose, ("Assignor") to John C. & Sharon S. Dieffenderfer, ("Assignee").

Current Palmer Municipal Lease No 05-02 (The Airport Lease) is in Effect. Except as otherwise expressly stated herein, nothing in this consent to assignment of proprietary lease is intended to amend or alter any of the terms and conditions of the Airport Lease or any amendments thereto previously executed by Lessor and Lessee. All terms and conditions remain in full force and effect.

This consent to assignment of lease will not release the Assignor from obligations under the Airport Lease should the new Lessee default. In the event of the default of the Assignee, the lease agreement shall revert to the Assignor.

City of Palmer

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Nathan Wallace, City Manager

STATE OF ALASKA                    )  
   )ss:  
 THIRD JUDICIAL DISTRICT        )

The foregoing Consent to Assignment of Proprietary Lease \_\_\_\_\_  
 was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by  
 \_\_\_\_\_.

\_\_\_\_\_  
 Notary Public in and for Alaska  
 My Commission  
 Expires: \_\_\_\_\_



**City of Palmer  
Action Memorandum No. 17-009**

**Subject:** Authorize the City Manager to Sign Amendment No. 3 to the Contract with Greene Garden Services for Gardening Services to Reflect Payments for 2017

**Agenda of:** February 14, 2017

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Denied**


**Originator Information:**

**Originator:**     Sandra Garley

**Department Review:**

<b>Route to:</b>	<b>Department Director:</b>	<b>Signature:</b>	<b>Date:</b>
<u>x</u>	Community Development		<u>01/24/17</u>
<u>x</u>	Finance		<u>01/26/17</u>
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

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

**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:                      \$ 52,715.00
- Creates a saving in the amount of:                      \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (√):

- Budgeted                      Line item(s): 01-01-20-6030 Contractual Services
- Not budgeted

Director of Finance Signature: 

**Attachment(s):**

- Amendment No. 3 to contract for garden services

**Summary Statement:**

Approval of this AM will authorize payments of \$52,715.00 to Greene Garden Services for beautification and garden services in FY 2017. This is the amount approved on December 13, 2017, in the FY 2017 Budget. This amendment represents a 9% increase over FY 2016 for an increase in the cost of plant material, the cost of chipping and hauling plant material, and the cost of having tree service professional prune the large Lilac by the Museum shed and greenhouse. This Lilac is nearly an 80-years old tree. It is a very large specimen of this species of Lilac and is a prominent feature in the garden but has grown so large it needs to be pruned to keep it healthy.

**Background:**

The City has contracted its garden services to the private sector since 2004. The following table shows the history and compensation in the current contract for these services.

<u>Document</u>	<u>Approved by Council</u>	<u>Action Memorandum</u>	<u>Compensation</u>
Contract for Services	January 14, 2014	AM 14-006	\$ 46,000.00
Amendment #1	January 13, 2015	AM 15-008	\$ 48,300.00
Amendment #2	January 26, 2016	AM 16-013	\$ 48,300.00
Amendment #3	Pending	AM 17-009	\$51,715.00

**Administration’s Recommendation:**

To approve Action Memorandum No. 17-009 authorizing the city manager to sign Amendment No. 3 to the Greene Garden Services contract for gardening services.

CONTRACT FOR SERVICES  
CITY OF PALMER  
and  
GREENE GARDEN SERVICES

**AMENDMENT NO.3**

This Amendment, dated \_\_\_\_\_, 2017 amends the Contract for Services dated January 20, 2014, between the City of Palmer and Greene Garden Services for gardening services, as follows:

Section 08. D. is amended to read as follows:

It is expressly understood and agreed that in no event shall the total compensation due the Contractor to exceed \$52,715.

APPENDIX B Budget Proposal is amended to reflect the following payment amounts for 2017:

<u>Payments</u>	<u>Operation Costs</u>	<u>Plants and Supplies</u>	<u>Monthly Total</u>
April 1, 2017	4,500	1,800	6,300
May 1, 2017	5,560	11,000	16,560
June 1, 2017	7,480	500	7,980
July 1, 2017	7,135	0	7,135
August 1, 2017	6,060	500	6,560
September 30, 2017	<u>6,180</u>	<u>2,000</u>	<u>8,180</u>
Contract TOTAL	\$ 36,915	\$ 15,800	\$ 52,715

CITY OF PALMER

GREEN GARDEN SERVICES

\_\_\_\_\_  
Nathan Wallace, City Manager

\_\_\_\_\_  
Alicia Greene

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT    )

On \_\_\_\_\_, 2017, Alicia Greene personally appeared before me,

1.     [ ]     who is personally known to me
  2.     [ ]     whose identity I proved on the basis of \_\_\_\_\_
  3.     [ ]     whose identity I proved on the oath/affirmation of \_\_\_\_\_,
- a credible witness to be the signer of the Amendment No. 3 of the Professional Services Agreement for Beautification/Gardening Services and she acknowledged that she signed it.

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT    )

On \_\_\_\_\_, 2017, Nathan Wallace, City Manager, personally appeared before me, who is personally known to me, to be the signer of the above document, and he acknowledged that he signed it on behalf of the City of Palmer.

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_



## A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on January 10, 2017, at 7:00 pm in the council chambers, Palmer, Alaska.

Mayor DeVries called the meeting to order at 7:00 pm.

## B. ROLL CALL

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

Edna DeVries, Mayor  
Richard Best  
David Fuller  
Peter LaFrance

Linda Combs, Deputy Mayor  
Steve Carrington  
Brad Hanson

Also in attendance were the following:

Nathan Wallace, City Manager  
Michael Gatti, City Attorney - telephonically

Norma I. Alley, MMC, City Clerk  
Bernadette Packa, Deputy City Clerk

## C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Carrington.

## D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
  - a. Introduction of **Ordinance No. 17-001**: Amending a portion of Palmer Municipal Code Chapters 17.44.010(E) A-C Airport Commercial District Intent, 17.48.010(E) A-I Airport Industrial District Intent and 17.49.010(C) A-M Airport Mixed Use District Intent; and Amending Building Setbacks in Chapters 17.44.060(C) A-C Airport Commercial District, 17.48.060(C) A-I Airport Industrial District and 17.49.060(C) A-M Airport Mixed Use District (IM No. 17-001)
  - b. **Resolution No. 17-007**: Accepting a Water and Waste Disposal Loan and Grant from the U.S. Department of Agriculture (USDA) Rural Utilities Service Program for the Waste Water Treatment Plant Facility Improvements in the Amount of \$8,334,290.00
2. Approval of Minutes of Previous Meetings
  - a. December 6, 2016, Special Meeting
  - b. December 7, 2016, Special Meeting
  - c. December 13, 2016, Special Meeting
  - d. December 13, 2016, Regular Meeting

### Main Motion: To Approve Consent Agenda and Minutes as Amended

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

**Primary Amendment #1: To Pull Consent Agenda Item D.1.b. (Resolution No. 17-007), Place Under New Business, Move New Business to I., and Re-letter Subsequent Agenda Items**

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

**E. COMMUNICATION AND APPEARANCE REQUESTS**

**Item 1** – Palmer Municipal Golf Course Manager George Collum highlighted his written report; and fielded questions from the Council.

**F. REPORTS**

**Item 1 – City Manager’s Report**

City Manager Nathan Wallace:

- Highlighted his written report;
- Presented the new Construction Report and reviewed its format; and
- Highlighted the outlined steps for the Wastewater Treatment Plant Project.

**Item 2 – City Clerk’s Report**

City Clerk Norma Alley:

- Highlighted her written report;
- Noted full attendance in December by members in 3 of the 4 boards and commissions;
- Announced the Government Peak Recreation Area ribbon cutting scheduled for January 11, 2017, at 5:00 pm and requested Council let her know if they planned to attend; and
- Fielded questions from the Council.

**Item 3 – Mayor’s Report**

Mayor DeVries:

- Highlighted her written report;
- Addressed the 2016 Mat-Su Community Health Needs Assessment;
- Noted additional postings of the agenda by the front door entrance to City Hall;
- Spoke to an upcoming panel discussion on Youth Violence; and
- Reminded everyone of the Neighborhood Watch meeting scheduled for 7:00 pm on January 12, 2017, at the Depot.

**G. AUDIENCE PARTICIPATION**

**H. PUBLIC HEARINGS**

**Item 1 – Resolution No. 17-006:** Accepting and Appropriating the 2017 Alaska Transportation Alternatives Program Grant from the State of Alaska, Department of Transportation and Public Facilities, Small Federal Programs in the Amount of \$115,300.00 for the Installation of American’s with Disabilities

Act (ADA) Compliant Sidewalks, Driveways and Curb Ramps, in accordance with the City of Palmer 2006 Comprehensive Plan (IM No. 17-002)

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

**Main Motion: To Approve Resolution No. 17-006**

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

**Item 2 – Action Memorandum No. 17-001:** City Council Statement of Non-Objection to the Renewal of Liquor License #3696, for the La Fiesta Mexican Restaurant, Located at 132 W. Evergreen

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

No statements of objection were received from the public.

**Main Motion: To Authorize Action Memorandum No. 17-001**

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

**Item 3 – Action Memorandum No. 17-002:** City Council Statement of Non-Objection to the Renewal of Liquor License #3767, for the Peking Garden Restaurant, Located at 775 W. Evergreen

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

Council Member Carrington requested a staff report. City Clerk Alley confirmed the State of Alaska required the license be renewed by Peking Garden Restaurant for 2017 prior to the license being transferred to Humdingers.

No statements of objection were received from the public.

**Main Motion: To Authorize Action Memorandum No. 17-002**

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

**I. NEW BUSINESS**

**Item 1 – Resolution No. 17-007:** Accepting a Water and Waste Disposal Loan and Grant from the U.S. Department of Agriculture (USDA) Rural Utilities Service Program for the Waste Water Treatment Plant Facility Improvements in the Amount of \$8,334,290.00

City Manager Wallace provided clarification on the loan and grant requirements and fielded questions from the Council concerning funding.

**Main Motion: To Approve Resolution No. 17-007**

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

**J. ACTION MEMORANDA**

**Item 1 – Action Memorandum No. 17-003:** Authorize the City Manager to Execute a Contract with Cree Lighting c/o Arctic Sales, Inc. for 151 LED Street Light Luminaires for a Total Cost of \$107,774.00

**Main Motion: To Authorize Action Memorandum No. 17-003**

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

**Item 2 - Action Memorandum No. 17-004:** Authorize the City Manager to Negotiate and Execute a Contract with Kruger, Inc. for the Moving Bed Bioreactor Phase I Procurement as Part of the Wastewater Treatment Plant Upgrade in an Amount Not to Exceed \$918,760.00

**Main Motion: To Authorize Action Memorandum No. 17-004**

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

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

Golf Course Manager George Collum’s Written Report  
Construction Report provided by the City Manager

**L. AUDIENCE PARTICIPATION**

**M. COUNCIL MEMBER COMMENTS**

Council Member Best:

- Offered his condolences to families in the community on the loss of loved ones; and
- Expressed pleasure at being back in Palmer.

Council Member LaFrance:

- Shared some of the results from the bike-ability survey he completed in the fall;
- Addressed recommendations made by survey participants;
- Agreed to present the full results at an upcoming meeting; and
- Commented on hearing from Mountain Ranch residents interested in becoming part of the City.

Council Member Carrington:

- Hoped everyone enjoyed a safe holiday.

Council Member Hanson:

- Expressed interest in hearing the final report on the Safe Routes to School grant; and
- Commented on the value of the bike paths in the area.

Council Member Fuller:

- Expressed interest in the Safe Routes to School report as well; and
- Wished everyone a Happy New Year.

Deputy Mayor Combs:

- Notified the Council she would be unavailable to attend the February 7, 2017, combined Council and Board of Economic Development meeting;
- Noted the beautiful Christmas decorations for the City;
- Spoke to a grand opening at the Boutique on Main;
- Promoted the Cinema Kabuki performance scheduled for January 21, 2017; and
- Thanked Council Member LaFrance for his work on the bike-ability survey; and
- Commented on the Council being timely with its Golden Heart Lifetime Achievement Award nominations this year.

Mayor DeVries:

- Spoke to the nominations for the Golden Heart Lifetime Achievement Awards;
- Asked to have the design of the award be placed on an upcoming agenda; and
- Requested the City Clerk address plans for Council attendance of the Alaska Municipal League conference in Juneau.

The City Clerk requested information from the Council Members regarding their availability for attendance of the conference and noted preferred dates and times for travel. By consensus of Council, the attendees will be Mayor DeVries, Council Member Best, and Council Member Fuller.

## **N. ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 9:37 pm.

**Approved this 14th day of February, 2017.**

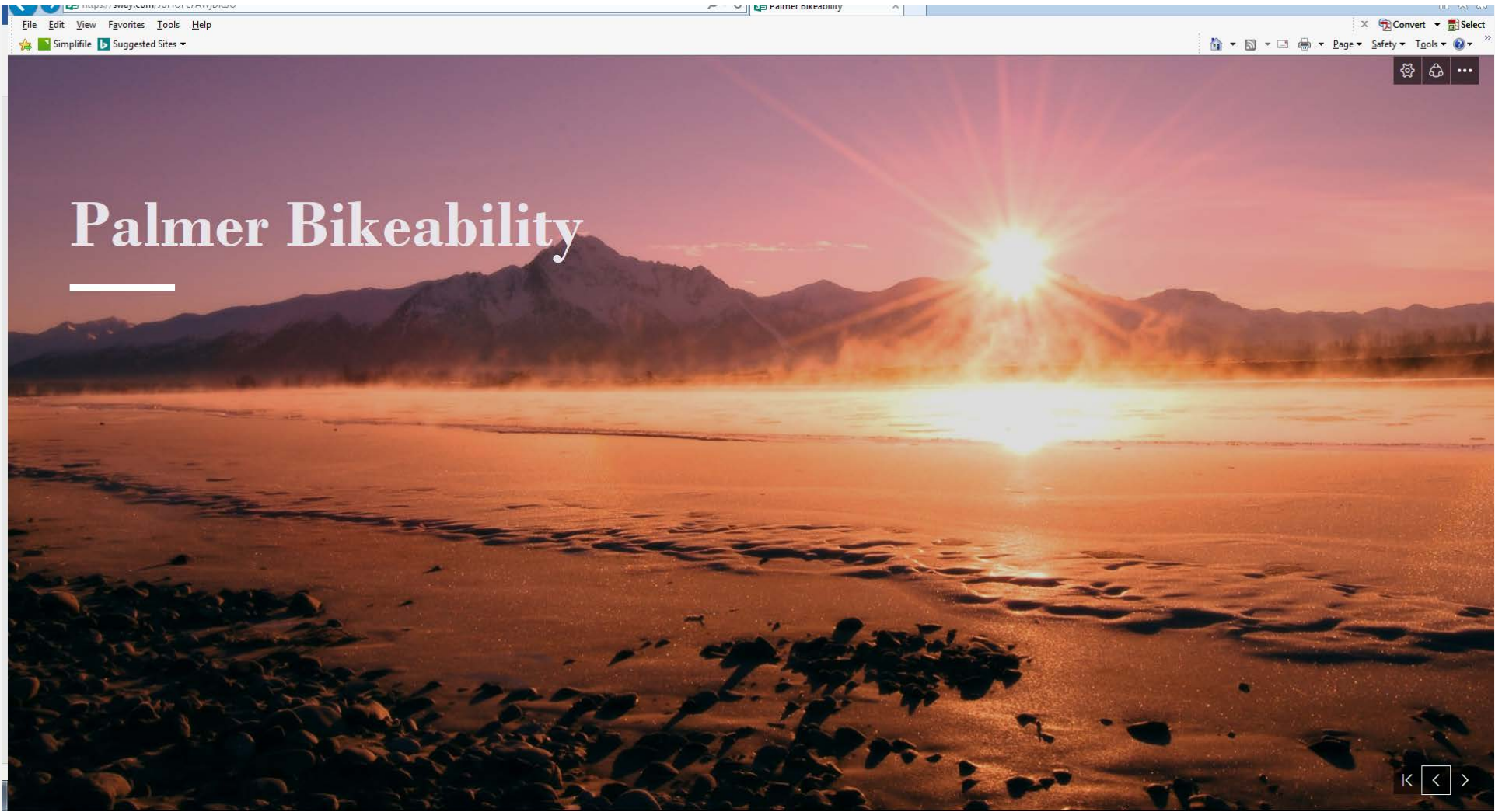
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Norma I. Alley, MMC, City Clerk

---

Edna B. DeVries, Mayor



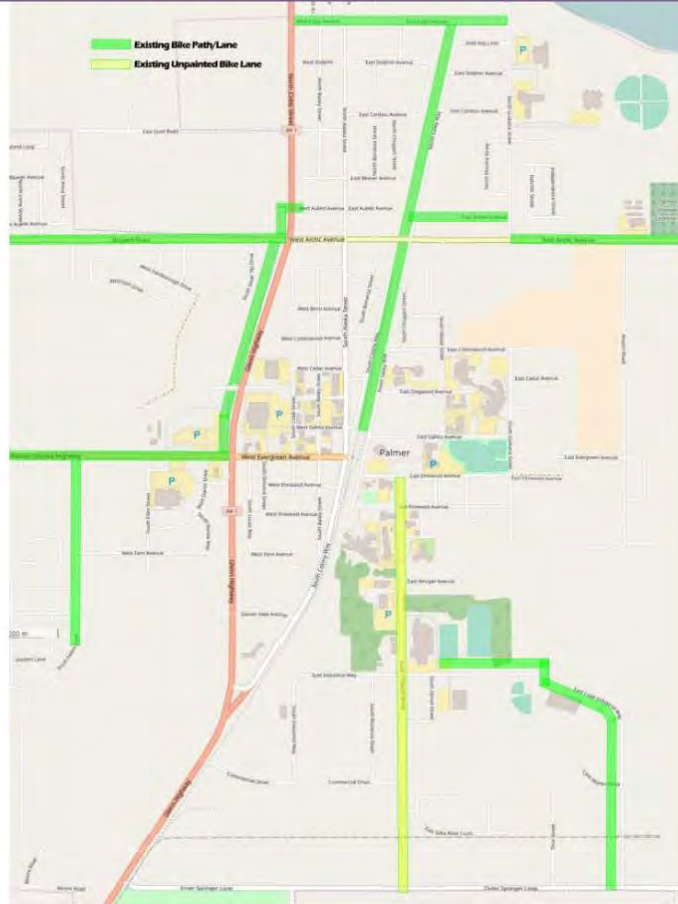








"I would love to see a safe route for people and children to bike in and out of Palmer. This would increase the health of our..."



"I would love to see a safe route for people and children to bike in and out of Palmer. This would increase the health of our..."

# THE BENEFITS OF CYCLING

## {HEALTH & COMMUNITY}



Cyclists are a diverse group. Some of us ride fat tires down rocky trails, some of us ride road bikes up burly hills, some of us ride for sport and some of us ride just for fun. Some ride for the adrenaline rush and some ride their bikes for basic transportation.

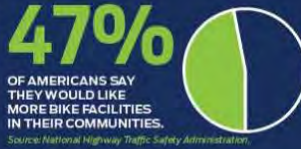
Bicycling, along with being the most efficient mode of human locomotion, is also one of the best all-around activities for improving our health and communities.

[www.atlantabike.org](http://www.atlantabike.org) • [www.peoplepoweredmovement.org](http://www.peoplepoweredmovement.org)



**2** CYCLING IS THE **SECOND** MOST POPULAR OUTDOOR ACTIVITY IN THE U.S.

Source: Outdoor Foundation, 2010



Studies have shown that homes closer to bike paths are more valuable.

Source: Bikes Being Foundation



THE AVERAGE PERSON WILL LOSE 13 LBS IN THEIR FIRST YEAR OF RIDING TO WORK

Source: Outdoor Foundation, 2010

### BALANCE

Cycling produces the balance between exertion and relaxation which is so important for the body's inner equilibrium.

### HEART

All the risk factors that lead to a heart attack are reduced and regular cycling reduces the likelihood of heart attack by more than 50%.

### COORDINATION

Moving both feet around in circles while steering with both your hands and your body's own weight is good practice for your coordination skills.

### MUSCLES

A week of inactivity reduces the strength of the muscular system by up to 50% and can harm them long-term. During cycling, most of the body's muscles are activated.



### MENTAL HEALTH

Cycling has a relaxing effect due to uniform movement which stabilizes physical and emotional functions. It reduces anxiety, depression and other psychological problems.



### BACK PAIN

Cycling posture is optimum, and the cyclic movement of the legs stimulates muscles in the lower back.

### WAISTLINE

Cycling is ideal for targeting problem areas. It enables people who can not move easily to exercise. It increases fitness and stimulates the body's fat metabolism.

### JOINTS

The circular movement of cycling assists the transport of energy and other metabolic products to the cartilages, reducing the likelihood of arthritis.

Source: Cavill N, Davis A, 2007. "Cycling and Health: what's the evidence?" Cycling England

- ON A ROUND TRIP OF TEN MILES, CYCLISTS SAVE AROUND \$10.00 A DAY
- Source: Commute Solutions, 2011



More than three times as many new bicycles (14.9 million) are sold in the U.S. each year than cars (4.6 million)

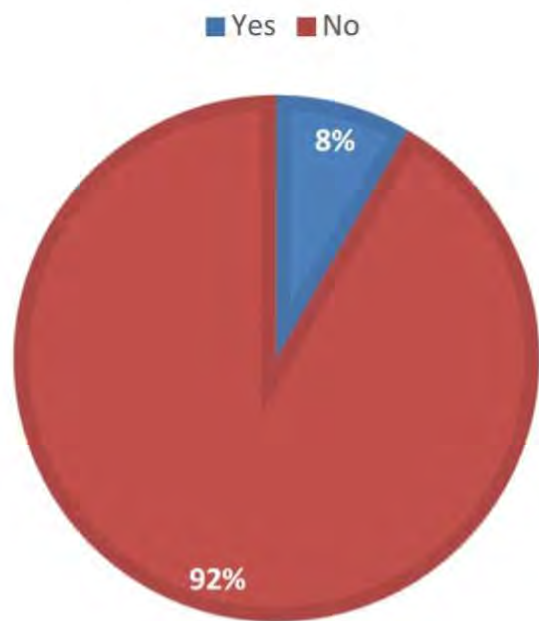
Source: National Bicycle Dealers Association, 2010

CYCLING/WALKING PROJECTS CREATE 11-14 JOBS PER \$1 MILLION SPENT COMPARED TO JUST 7 JOBS CREATED PER \$1 MILLION SPENT ON HIGHWAY PROJECTS

Source: The Alliance for Biking & Walking Benchmarking Project

"I would love to see a safe route for people and children to bike in and out of Palmer. This would increase the health of our..."

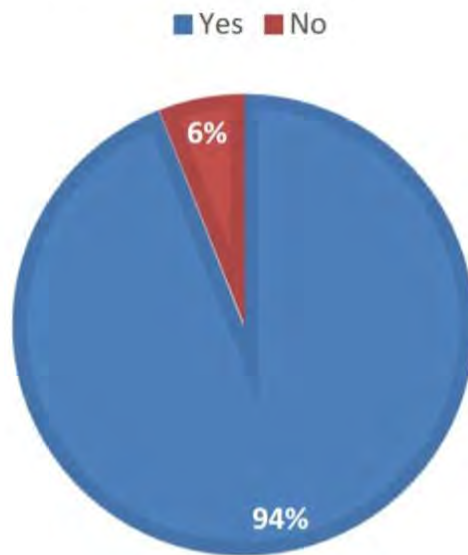
### ARE THERE AMPLE BIKE RACKS IN PALMER?



Yes=11, No=121

"I would love to see a safe route for people and children to bike in and out of Palmer. This would increase the health of our..."

## WOULD ADDITIONAL BIKE LANES IN PALMER IMPROVE CYCLING SAFETY?



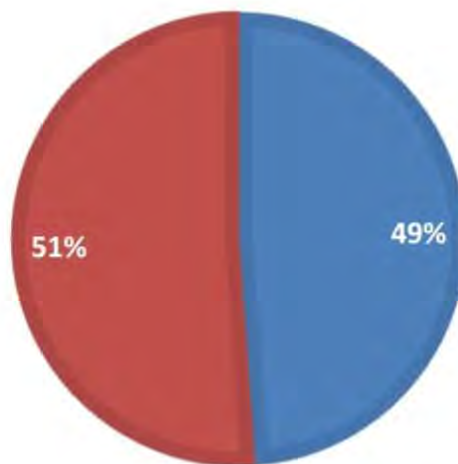
Yes=126, No=8



"I would love to see a safe route for people and children to bike in and out of Palmer. This would increase the health of our..."

### DO YOU FREQUENT OR AVOID BUSINESSES DUE TO BIKEABILITY OF AREA?

■ Yes ■ No

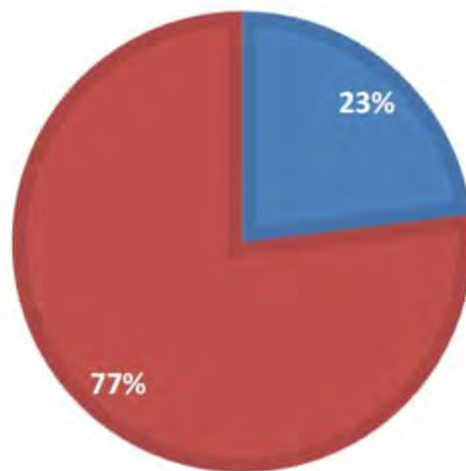


Yes=64, No=67

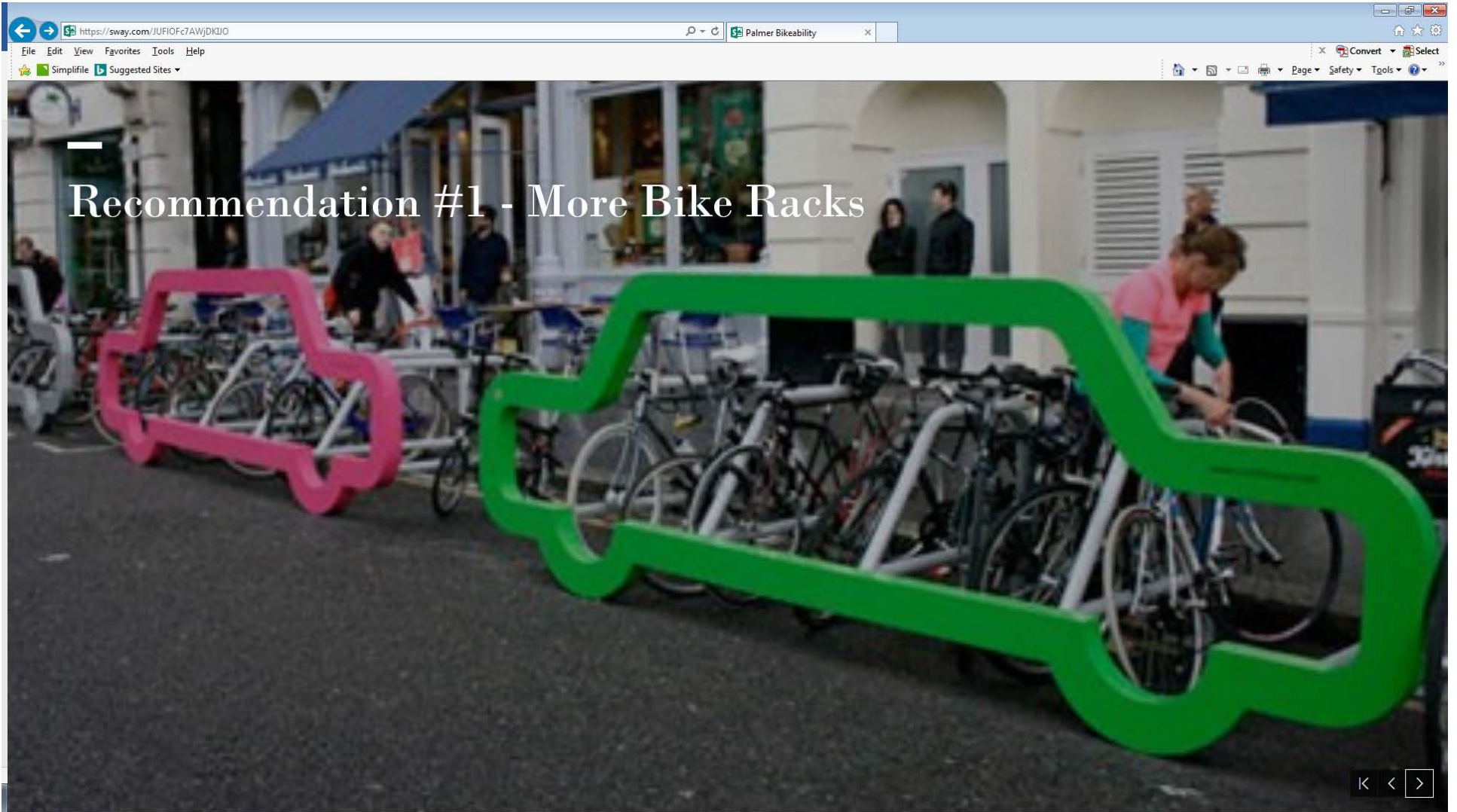
"I would love to see a safe route for people and children to bike in and out of Palmer. This would increase the health of our..."

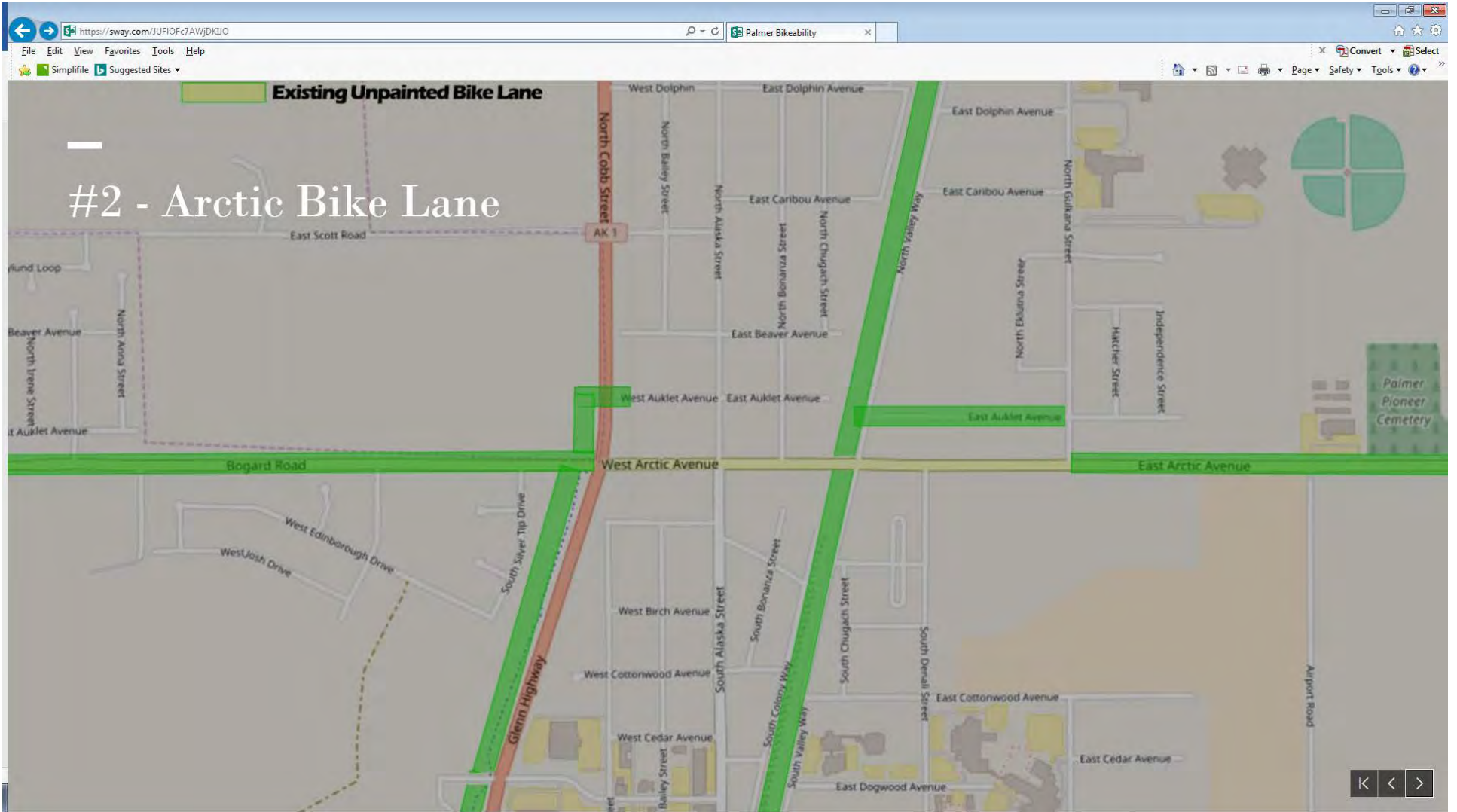
### IS THERE A SAFE ROUTE FOR YOUR KIDS TO BIKE TO SCHOOL?

■ Yes ■ No

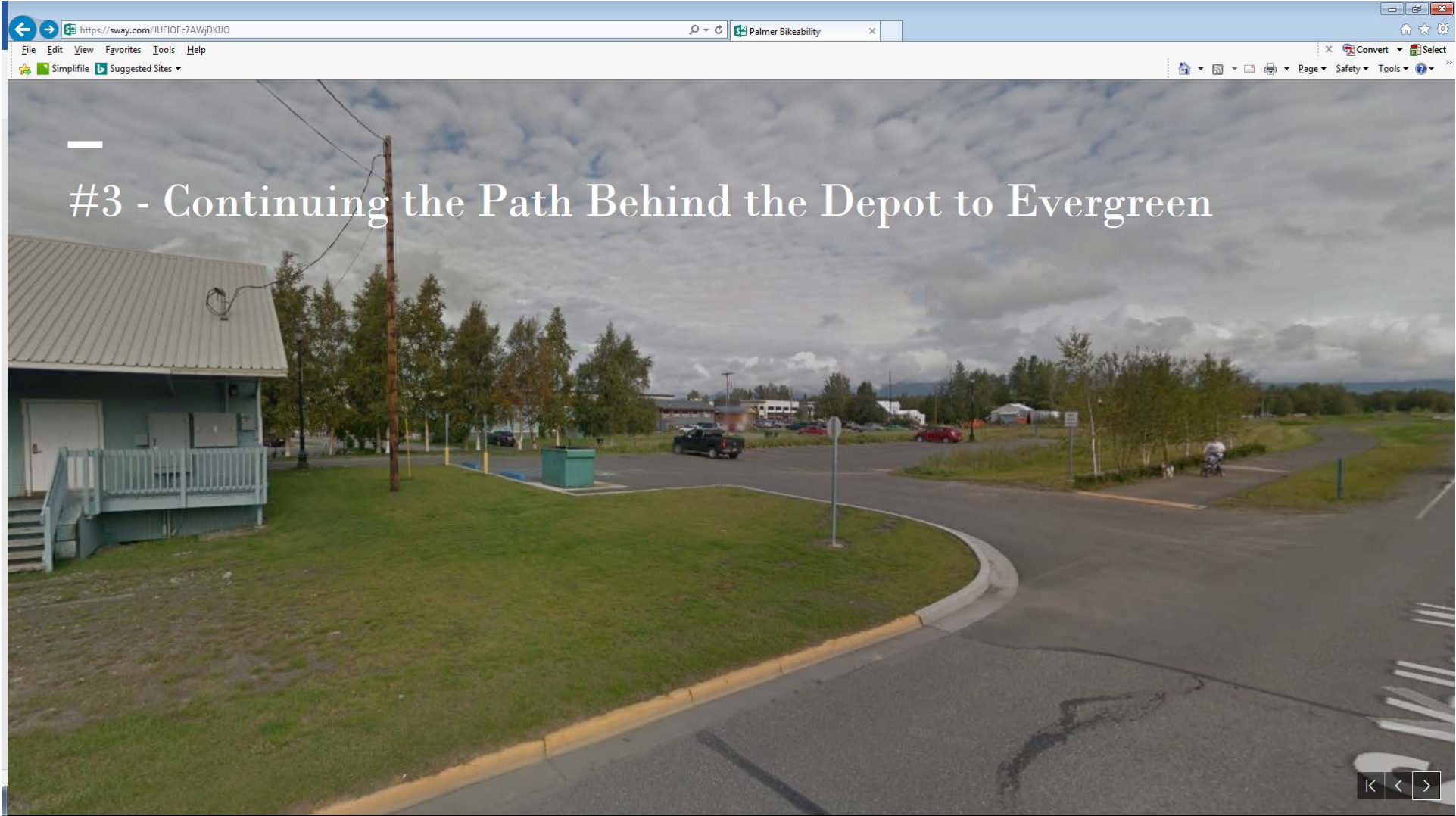


Yes=12, No=40



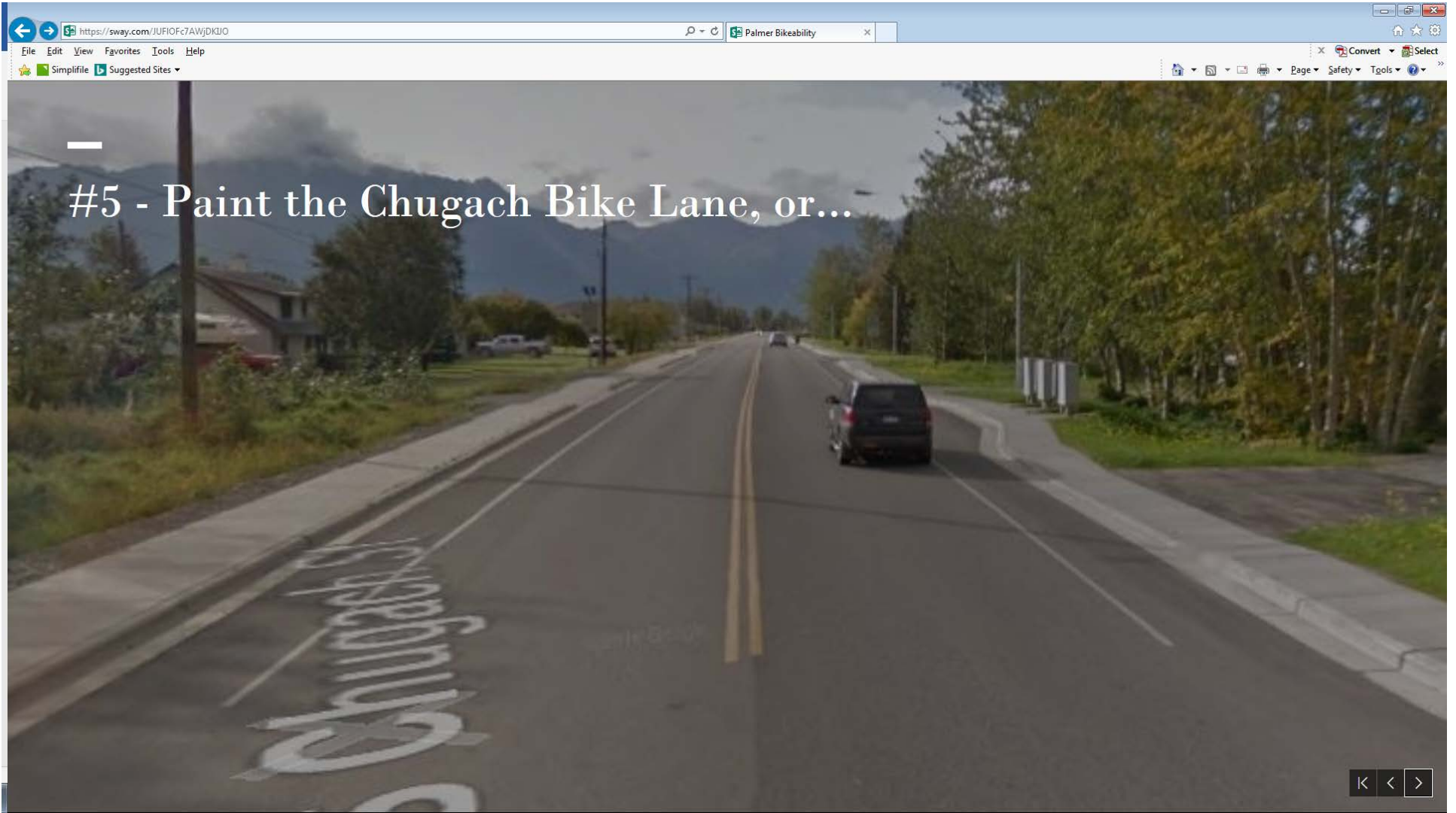












### #5 - Paint the Chugach Bike Lane, or...







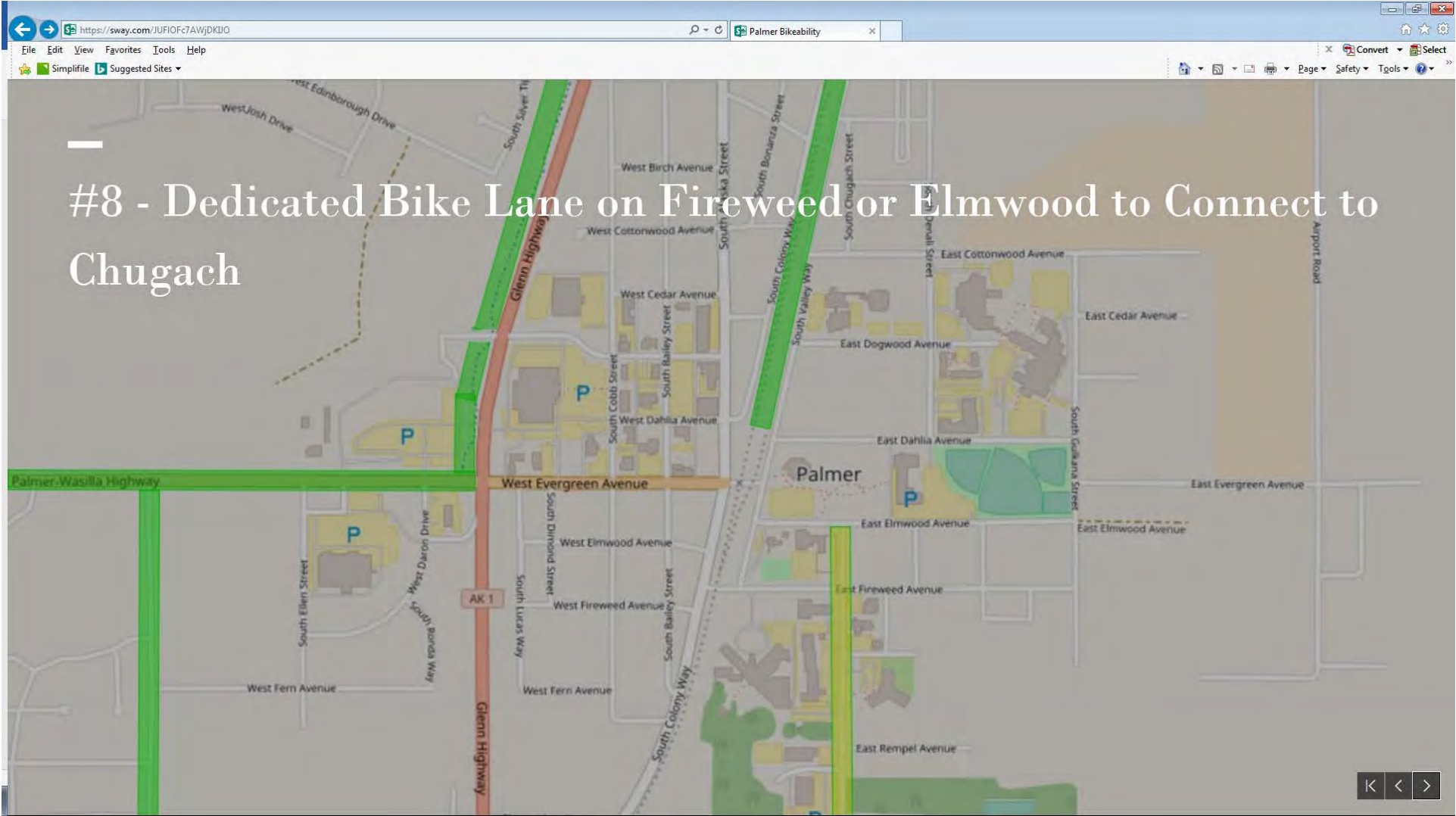
## #6 - Mixed Use on Alaska Street



Label lanes so it's clear to all that it is a mixed use road

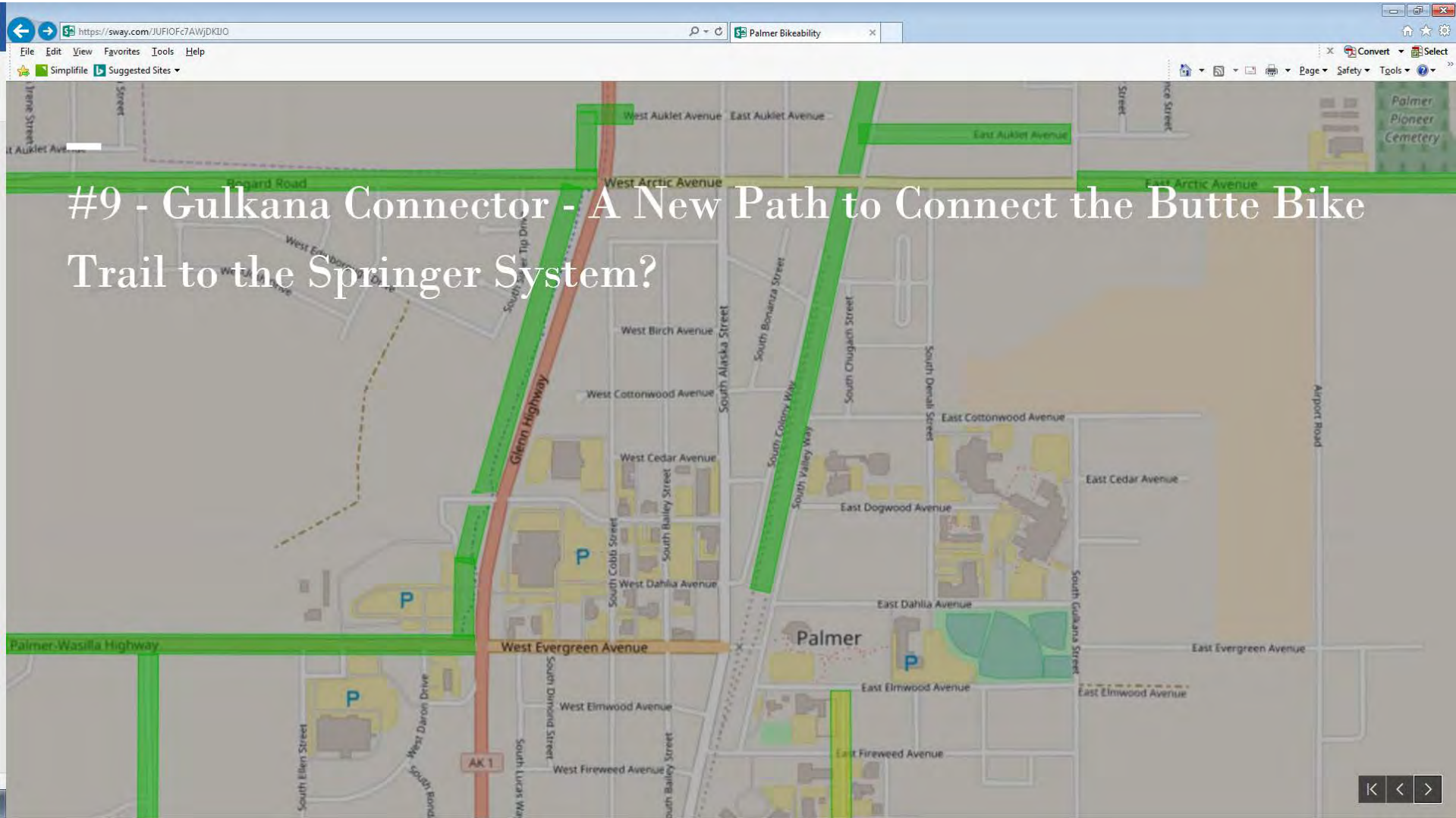




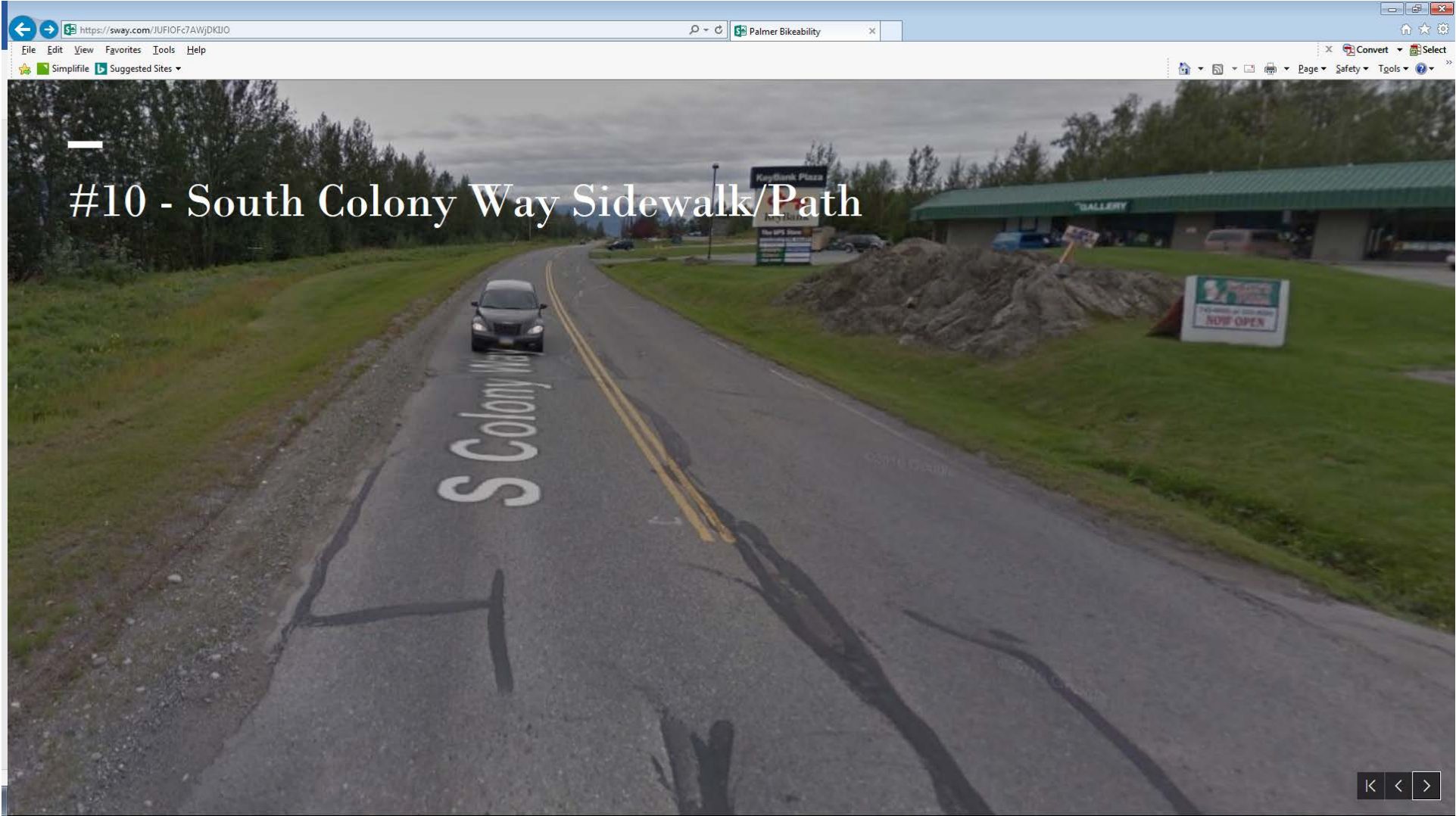


# #8 - Dedicated Bike Lane on Fireweed or Elmwood to Connect to Chugach



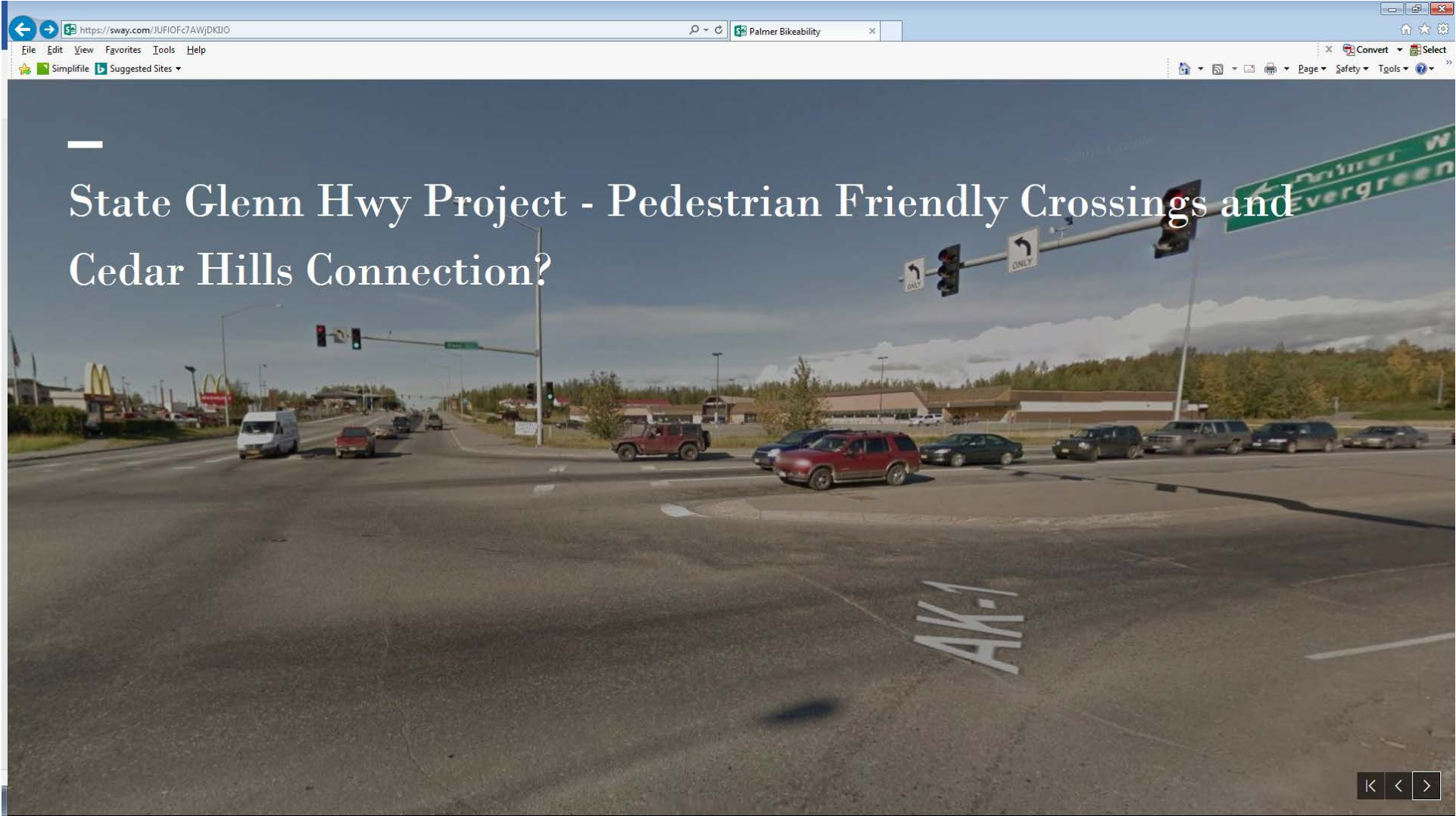


# #9 - Gulkana Connector - A New Path to Connect the Butte Bike Trail to the Springer System?



# #10 - South Colony Way Sidewalk/Path





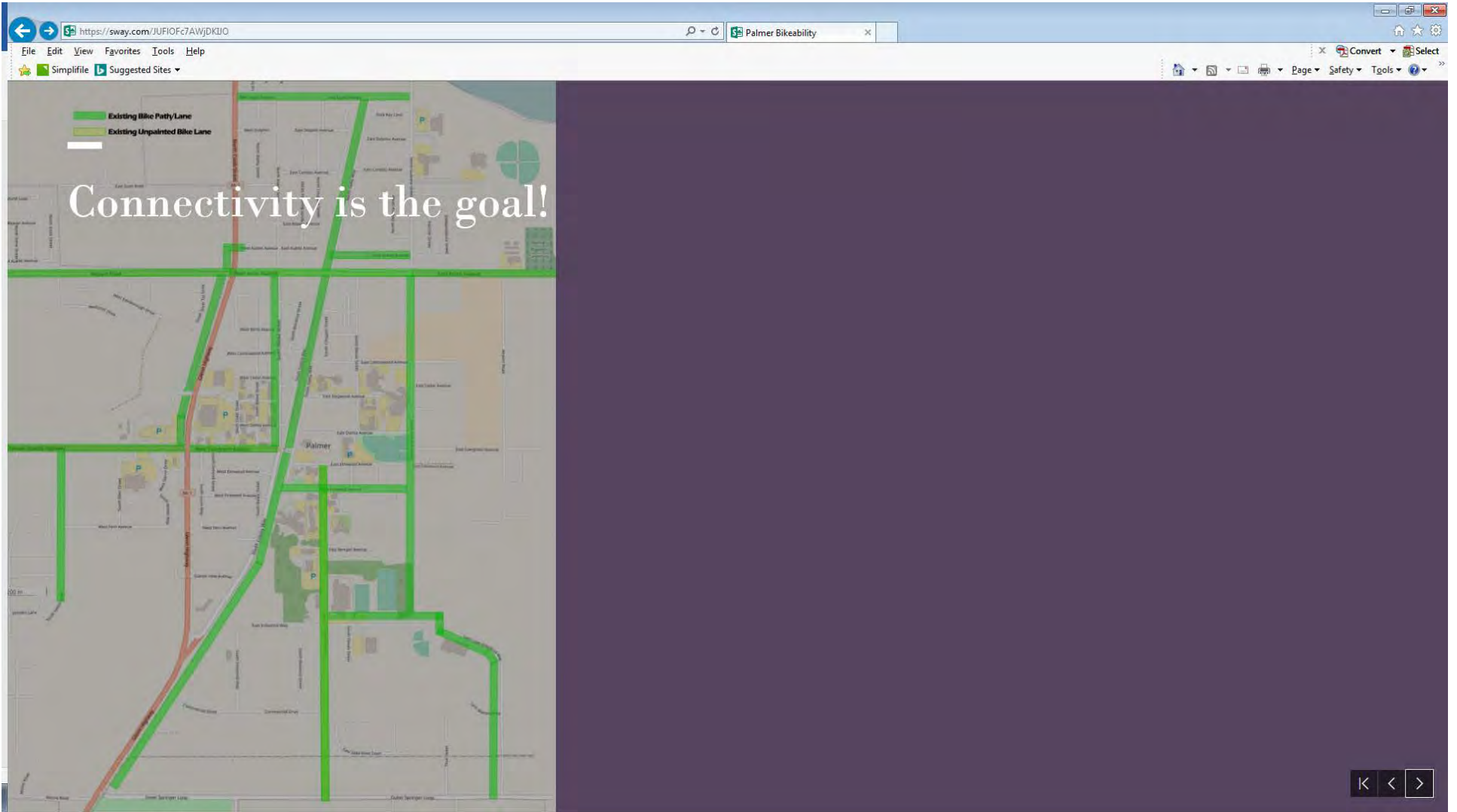
## State Glenn Hwy Project - Pedestrian Friendly Crossings and Cedar Hills Connection?



Browser window showing a map of Palmer, Maine, with a legend and navigation controls. The legend indicates:

- Existing Bike Path/Lane (thick green line)
- Existing Unpainted Bike Lane (thin green line)

The map displays a network of green lines representing bike paths and lanes across the town of Palmer. The text "Connectivity is the goal!" is overlaid on the map. The browser address bar shows the URL: <https://sway.com/JUFIOfc7AWjDKJJO>. The browser title is "Palmer Bikeability".







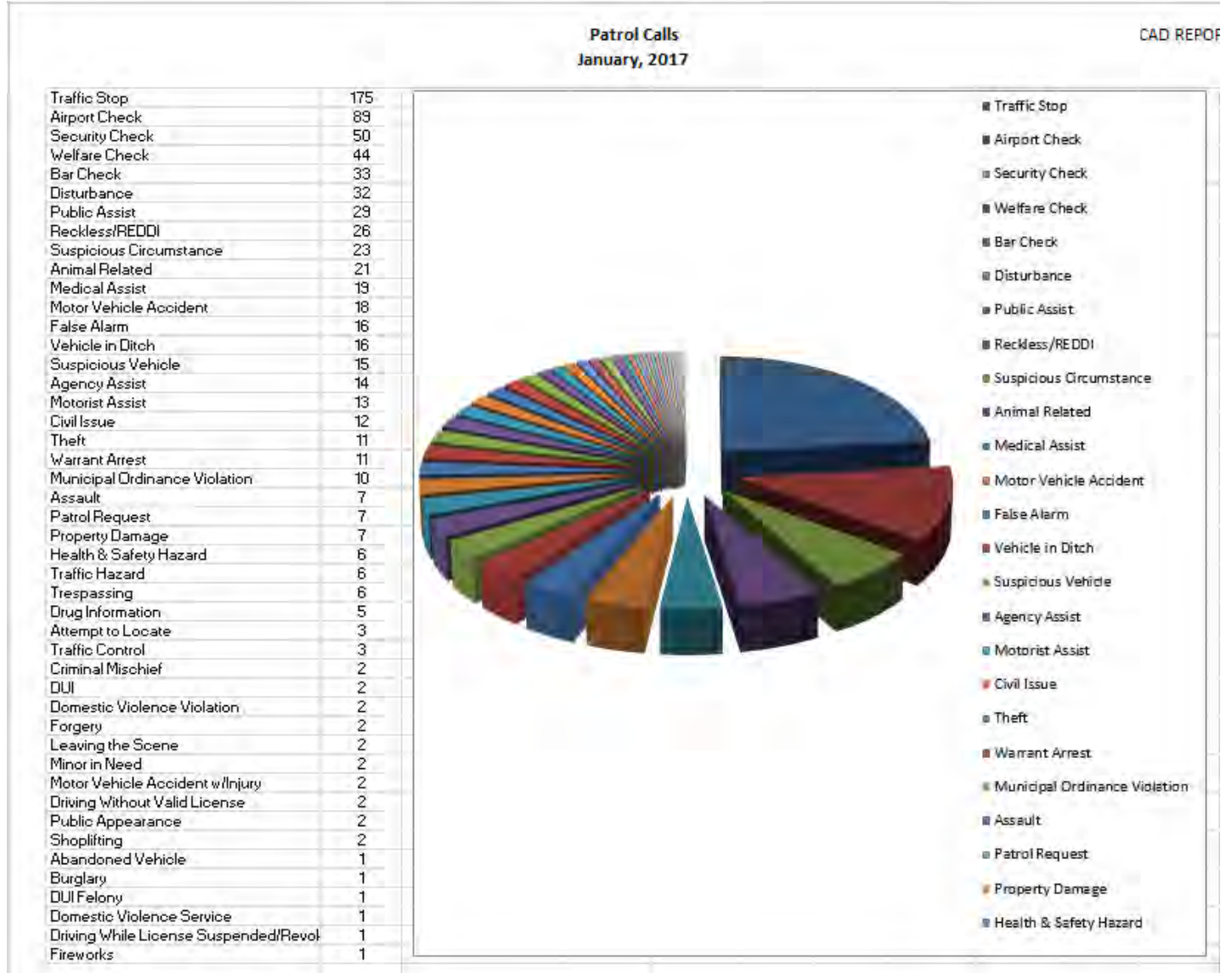


**Staff Update and analysis (January 2017):**

**Police Department:**

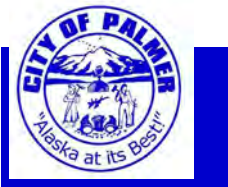
Total calls: 753 up from 647 in December

Call breakdown - 36% (December - 46%) traffic/vehicle related, 30% (December - 25%) checks (welfare/property), 14 % (December - 17%) citizen assistance, 20% (December - 12%) other.



**Fire Department:**

Calls: 41(65 - December) in January 2017, down by 58 % from last month, down by 19.5 % from last year. Fire: 4(10-December), Recue: 14(20-December), Hazard: 3(1-December), Good intents: 10(21-December), False alarm 5(9 – December), Special Incident: 0(0-December), Service call: 5(4-December).



**Report to Council**  
 City Manager Nathan Wallace  
 February 14, 2017

**Community Development:**

**Library:**

<b>Patrons:</b>	<b>December</b>	<b>January</b>
<i>Total Registered Patrons</i>	<i>12,733</i>	<i>12,805</i>

Total Mat-Su Borough Resident Patrons	9,811	9,872
Total City of Palmer Resident Patrons	2,922	2,933
New Library Users	<b>38</b>	<b>72</b>

<b>Usage:</b>	<b>December</b>	<b>January</b>
Patron Visits/Count	6,555	7,610
Reference Questions	1,311	1,978
Library Computer Sessions	1,802	1,805
WIFI Sessions	884	946
Circulation (PPL items)	Statistics unavailable	8,623
Magazine circulation	381	311
Take Home Paperbacks	156	158

<b>Programs:</b>	<b>December</b>		<b>January</b>	
Children's Programs	10 Events	389 Participants	10 Events	580 Participants
Class Visits	1 Event	32 Participants	2 Events	31 Participants
Young Adult Programs	2 Events	9 Participants	2 Events	72 Participants
Adult Programs	5 Events	374 Participants	2 Events	8 Participants
<b>Total Library Programs</b>	<b>18 Events</b>	<b>804 Participants</b>	<b>16 Events</b>	<b>691 Participants</b>
Community Events	21 Events	705 Participants	29 Events	273 Participants
<b>Total Events</b>	<b>39 Events</b>	<b>1,188 Participants</b>	<b>45 Events</b>	<b>964 Participants</b>

**Building and Compliance:**

Compliance Letters dispatched: 0(1- December) (unsightly premise), 0(2-December) clean up follow up), and 2(2-December) (permit follow ups), other: 1(3- December)





**Building Department Report  
 JANUARY 2017**

Permit Type	Count	Total Valuation	Permit Fees Collected	Plan Review Fees Collected
Building Permit	5	\$224,958.00	\$3,017.25	\$1,860.25
Sign Permit	1	\$280.00	\$98.00	
Fence Permit	0	\$0.00	\$0.00	
<b>Totals</b>	<b>6</b>	<b>\$225,238.00</b>	<b>\$3,115.25</b>	<b>\$1,860.25</b>

**TYPE OF PERMITS:**

Applicant	Valuation	Type of Work	Permit Fee	Plan Review Fee
PDC Inc. Engineers	\$280.00	Sign	\$98.00	
St. Michael's Catholic Church	\$30,000.00	COM Alteration	\$491.75	\$319.50
Purely Alaskan Water	\$100,000.00	COM Alteration	\$1,106.75	\$719.25
Johnson, Jeff	\$60,000.00	COM Alteration	\$794.75	\$516.50
Matanuska Electric Assoc.	\$27,958.00	COM Alteration	\$469.25	\$305.00
Otten, Justin & Lisa	\$7,000.00	RES Alteration	\$154.75	

**YEAR TO DATE COMPARISON:**

Year	Building Permits	Sign Permits	Fence Permits	Year to Date Valuation	Year to Date Permit Fees	Year to Date Plan Review Fees
2008	4	2	0	\$22,300.00	\$681.00	
2009	1	1	0	\$6,154.00	\$208.00	
2010	8	0	0	\$83,540.00	\$1,385.75	
2011	6	3	0	\$376,620.00	\$4,078.25	
2012	4	4	1	\$584,164.00	\$5,494.75	
2013	1	1	0	\$800.00	\$73.50	
2014	5	2	0	\$387,910.00	\$3,603.25	
2015	5	2	0	\$334,730.00	\$2,737.00	
2016	3	2	0	\$114,200.00	\$2,335.00	
2017	5	1	0	\$225,238.00	\$3,115.25	\$1,860.25





**Norma I. Alley, MMC**  
**City Clerk**

Phone: (907) 745-3271  
Direct: (907) 761-1321  
Fax: (907) 745-0930

231 W. Evergreen Ave.  
Palmer, Alaska 99645-6952  
[www.cityofpalmer.org](http://www.cityofpalmer.org)

**TO:** Palmer City Council  
**FROM:** Norma I. Alley, MMC *Norma I. Alley*  
**SUBJECT:** City Clerk's Report for the February 14, 2017, Council Meeting

1. The monthly Boards & Commissions attendance spreadsheets are attached.
  - a. AAC
  - b. BED
  - c. PRCRAB
  - d. P&ZC

2. 2017 Election Calendar

Attached is the 2017 Election Calendar. This has been posted on the Election Bulletin Board outside the City Clerk's Office.

3. Upcoming Meetings

The tentative meetings schedule for 2017 is attached.

Meeting Date	Meeting Type	Time	Notes
<b>Feb 28</b>	Regular	7 pm	
<b>March 14</b>	Special	6 pm	PRCRAB
<b>March 14</b>	Regular	7 pm	
<b>March 21</b>	Special	7 pm	Goal Setting
<b>March 28</b>	Regular	7 pm	
<b>April 4</b>	Special	7 pm	PZC
<b>April 11</b>	Regular	7 pm	
<b>April 25</b>	Regular	7 pm	
<b>May 9</b>	Regular	7 pm	
<b>May 23</b>	Regular	7 pm	
<b>June 13</b>	Regular	7 pm	
<b>June 27</b>	Regular	7 pm	
<b>July 11</b>	Regular	7 pm	
<b>July 25</b>	Regular	7 pm	
<b>Aug 8</b>	Regular	7 pm	

<b>Aug 22</b>	Regular	7 pm	
<b>Sept 12</b>	Regular	7 pm	
<b>Sept 26</b>	Regular	7 pm	
<b>Oct 9</b>	Special	6 pm	Election Certification
<b>Oct 10</b>	Regular	7 pm	
<b>Oct 17</b>	Special	6 pm	2018 Budget
<b>Oct 24</b>	Special	6 pm	2018 Budget
<b>Oct 24</b>	Regular	7 pm	
<b>Nov 7</b>	Special	6 pm	2018 Budget
<b>Nov 14</b>	Special	6 pm	2018 Budget
<b>Nov 14</b>	Regular	7 pm	
<b>Nov 21</b>	Special	6 pm	2018 Budget
<b>Nov 28</b>	Special	6 pm	2018 Budget
<b>Nov 28</b>	Regular	7 pm	
<b>Dec 5</b>	Special	6 pm	2018 Budget
<b>Dec 12</b>	Special	6 pm	2018 Budget
<b>Dec 12</b>	Regular	7 pm	Budget Adoption
<b>Dec 26</b>	Regular	7 pm	
<b>Jan 9, '18</b>	Regular	7 pm	

# 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	John Lee	Oct. 2019
B	Kenneth More	Oct. 2019
C	Jeff Helmericks	Oct. 2017
D	Andrew Weaver	Oct. 2018
E	Joyce Momarts	Oct. 2017
F	Shannon Jardine	Oct. 2019
G	Allan Linn	Oct. 2018

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.

### 2017 Attendance Record

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

### 2016 Attendance Record

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

- \* Meeting Cancelled
- \*\* Special Meeting
- ✓ - Present
- E - Excused
- U - Unexcused Absence
- V - Vacant

# 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
A	LaMarr Anderson	Oct. 2017
D	Christopher Chappel	Oct. 2018
B	Peter Christopher	Oct. 2019
E	Janet Kincaid	Oct. 2019
C	Lorie Koppenberg	Oct. 2018
F	Tendra Nicodemus	Oct. 2017
G	Dusty Silva	Oct. 2018
CC	David Fuller	Oct. 2017
PZC	Not Yet Appointed	Oct. 2017

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.

### 2017 Attendance Record

Board Member	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Anderson	E											
Chappel	✓											
Christopher	✓											
Kincaid	✓											
Koppenberg	✓											
Nicodemus	✓											
Silva	✓											
Fuller	✓											
PZ&C												

### 2016 Attendance Record

Board Member	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Anderson	*	✓	✓	✓	✓	E	✓	✓	✓	✓	✓	✓
Chappel	*	✓	✓	✓	✓	✓	✓	✓	✓	✓	E	✓
Christopher											✓	✓
Kincaid											✓	✓
Koppenberg	*	E	✓	✓	E	✓	✓	✓	✓	✓	E	✓
Nicodemus	*	E	✓	✓	✓	E	E	E	✓	✓	E	✓
Silva	*	✓	✓	✓	✓	✓	✓	E	✓	✓	✓	✓
Fuller												✓
PZ&C												

\* 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. 2017
F	Meggie Aube-Trammell	Oct. 2018
D	Shannon Connelly	Oct. 2019
B	Jo Ehmann	Oct. 2018
C	Dot Helm	Oct. 2017
E	Jan Newman	Oct. 2017
G	Fran Seager-Boss	Oct. 2017

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.

## 2017 Attendance Record

Board Member	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Allen	E											
Aube-Trammell	✓											
Connelly	✓											
Ehmann	✓											
Helm	✓											
Newman	✓											
Seager-Boss	✓											

## 2016 Attendance Record

Board Member	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Allen	✓	✓	U	E	✓	E	✓	✓	✓	✓	✓	✓
Aube-Trammell	✓	✓	✓	✓	✓	✓	✓	✓	E	✓	✓	✓
Connelly											✓	✓
Ehmann	✓	✓	E	✓	✓	E	✓	E	✓	✓	✓	✓
Helm	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Newman	✓	E	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Seager-Boss			E	✓	E	✓	✓	✓	✓	U	U	✓

- \* Meeting Cancelled
- \*\* Special Meeting
- ✓ – Present
- E – Excused Absence
- U – Unexcused Absence
- V – Vacant

# 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. 2017
B	Erik Cordero-Giorgana	Oct. 2019
C	Merry Maxwell	Oct. 2018
D	Kristy Thom Bernier	Oct. 2019
E	Dan Lucas	Oct. 2017
F	David Petty	Oct. 2018
G	Douglas Cruthers	Oct. 2018

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.

### 2017 Attendance Record

Commissioner	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Ornquist	✓											
Cordero-Giorgana	✓											
Maxwell	✓											*
Thom Bernier	✓											
Lucas	✓											*
Petty	✓											*
Cruthers	E											*

### 2016 Attendance Record

Commissioner	Jan	Feb	Mar	Apr **	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Ornquist											✓	✓
Cordero-Giorgana											U	E
Maxwell	✓	*	✓	✓	E	✓	✓	✓	✓	E	E	✓
Thom Bernier											✓	✓
Lucas	✓	*	✓	✓	✓	✓	E	✓	✓	✓	✓	✓
Petty	✓	*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cruthers	✓	*	✓	✓	✓	U	✓	✓	✓	✓	✓	✓

- \* Meeting Cancelled
- \*\* Special Meeting
- ✓ – Present
- E – Excused Absence
- U – Unexcused Absence
- V – Vacant

**CITY OF PALMER CITY CLERK'S OFFICE  
ELECTION CALENDAR FOR THE  
OCTOBER 3, 2017, REGULAR ELECTION**

DATE	ACTION	AUTHORITY
<b>July 14</b>	Declaration of candidacy packets available online and from the Office of the City Clerk. (target date)	
<b>July 17</b>	Candidate filing period opens at 8 a.m. (78 days prior to election)	<a href="#">PMC 18.15.026</a>
<b>July 28</b>	Candidate filing period closes at 4 p.m. (67 days prior to election)	<a href="#">PMC 18.15.026</a>
<b>July 31</b>	First day to declare candidacy as a write-in candidate (day immediately following last day of filing)	<a href="#">PMC 18.15.023</a> and <a href="#">Charter Section 1.8</a>
<b>August 4</b>	Last day to withdraw candidacy by 4 p.m. (7 days after closing of filing period)	<a href="#">PMC 18.15.020(C)(2)(e)</a> and <a href="#">18.15.030(C)</a> and <a href="#">Charter Section 1.8</a>
<b>August 8</b>	Last <u>regularly</u> scheduled Council meeting to <i>adopt</i> legislation placing propositions and questions on the ballot. (53 days prior to election)	<a href="#">PMC 18.05.067</a>
<b>August 22</b>	Last day for Council to appoint Precinct Election Officials	<a href="#">PMC 18.22.020(B)</a>
<b>September 3</b>	Last day to register to vote in the 2016 Regular Election (30 days prior to election)	<a href="#">Charter Section 10.3</a> and <a href="#">PMC 18.10.010</a>
<b>September 18</b>	<ul style="list-style-type: none"> <li>• Early In-Person voting begins (15 calendar days prior to election)</li> <li>• First day to request Special Need Ballot</li> </ul>	<a href="#">PMC 18.27.040</a> <a href="#">PMC 18.27.060(B)(1)</a>
<b>September 26</b>	Last day to request an Absentee By-Mail ballot (7 calendar days prior to election)	<a href="#">PMC 18.27.020</a>
<b>September 28</b>	Last day to declare candidacy as a write-in candidate by 5 p.m. (5 days prior to election)	<a href="#">PMC 18.15.023</a>
<b>October 2</b>	<ul style="list-style-type: none"> <li>• Early In-Person voting ends at 5 p.m.</li> <li>• Last day to request Special Need Ballot</li> </ul>	<a href="#">PMC 18.27.040</a> <a href="#">PMC 18.27.060(B)(1)</a>
<b>October 3</b>	<b>Election Date – Polls open from 7 a.m. to 8 p.m.</b>	<a href="#">Charter Section 10.1</a> and <a href="#">PMC 18.05.045</a>
<b>October 9</b>	<ul style="list-style-type: none"> <li>• Council Election Certification (Within five days and no later than the second Tuesday after election)</li> <li>• Oath of Offices (within 10 days of election)</li> <li>• Election of Deputy Mayor and Alternate Deputy Mayor (First meeting following the election)</li> </ul>	<a href="#">Charter Section 2.4</a> and <a href="#">PMC 18.35.100(B)</a>  <a href="#">Charter Section 3.1</a> <a href="#">Charter Section 3.3</a> <a href="#">PMC 2.05.070</a> <a href="#">PMC 2.05.060</a>



# Mayor's Memo

Council Meeting report – February 14, 2017

## OUTREACH:

- ❖ **Mayors and Manager's meeting on January 19 with guests from Governor's office and Assembly man Matthew Beck**

## MEETINGS:

- ✓ **Agenda setting – Manager, Attorney and Clerk – February 2**

## UP COMING EVENTS

- ✓ **Golden Heart Nominations – three awards Feb. 14**
- ✓ **Outreach to High school age student(s) for Boards and Commission**
- ✓ **March goal setting meeting for council, manager and clerk**
- ✓ **Pints and Policy – Tax Foundation Feb 16**
- ✓ **Valley Republican Women – Borough and City Mayors report Feb 9**
- ✓ **AML – February 22 and 23, Juneau**
- ✓ **School District February 23**
- ✓ **Community Relations Luncheon – Job Corp – March 9**
- ✓ **Mayors and Managers meeting – March 16**
- ✓ **Agenda Setting Meeting – manager, attorney, clerk and mayor on March 17**
- ✓ **Mayor's Minute on Radio – March 24**
- ✓ **Agenda Setting Meeting – manager, attorney, clerk and mayor on March 30**

**Listening Meetings in the community – ideas ???**

**Leaders choose the right things to do**  
**and managers do those things.**



## PROCLAMATION

### A PROCLAMATION RECOGNIZING MARTIN LUTHER KING JR. DAY

**WHEREAS**, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

**WHEREAS**, Dr. King's teachings can continue to guide and inspire us in addressing challenges in our communities; and

**WHEREAS**, millions of Americans have been inspired by the life and work of Dr. Martin Luther King Jr. to serve their neighbors and communities on the King Holiday; and

**WHEREAS**, serving on the King Holiday is an appropriate way to honor Dr. King, meet local and national needs, bring our citizens together, and strengthen our communities and nation; and

**WHEREAS**, the King Day of Service is the only federal holiday commemorated as a national day of service, and offers an opportunity for Americans to give back to their communities on the holiday and make an ongoing commitment to service throughout the year; and

**WHEREAS**, each of us can and must contribute to making our communities better with increased opportunity for all our citizens;

**NOW, THEREFORE, IT IS PROCLAIMED** by the Mayor and City Council of the City of Palmer, Alaska, do hereby recognize the Martin Luther King Jr. Holiday as a Day of Service in the City of Palmer and call upon the citizens to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Day and throughout the year.

**IN WITNESS WHEREOF**, I have hereunto set my hand and cause the seal of the City of Palmer to be affixed on this 16th day of January, 2017.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



**City of Palmer  
Information Memorandum No. 17-001  
Ordinance No. 17-001**

**Subject:** Ordinance No. 17-001: Amending a Portion of Palmer Municipal Code Chapters 17.44.010(E) A-C Airport Commercial District Intent, 17.48.010(E) A-I Airport Industrial District Intent and 17.49.010(C) A-M Airport Mixed Use District Intent; and Amending Building Setbacks in Chapters 17.44.060(C) A-C Airport Commercial District, 17.48.060(C) A-I Airport Industrial District and 17.49.060(C) A-M Airport Mixed Use District

**Agenda of:** January 10, 2017

**Council Action:**     **Adopted**                       **Denied**  
 **Amended:** \_\_\_\_\_



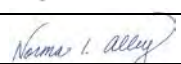
**Originator Information:**

**Originator:**    Planning & Zoning Commission

**Department Review:**

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

**Approved for Presentation By:**

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


**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: 

**Attachments:**

- Ordinance No. 17-001
- Report dated December 12, 2016 from Planning and Zoning Commission to City Council
- Memo dated November 10, 2016 from Chairman of Airport Advisory Commission
- Planning and Zoning Commission Minutes for November 17, 2016

**Summary Statement:**

The City of Palmer Airport Advisory Commission has recommended this amendment to update the "Intent" language of the Code and amend Building Setbacks in PMC Chapter 17.44 A-C Airport Commercial District, 17.48 A-I Airport Industrial District and 17.49 A-M Airport Mixed Use District.

**Background:**

Currently, the "Intent" language of the Code in the Airport Districts references "the airport layout plan prepared by HDL Engineering Consultants, July 2004". This text amendment will update the language to reference "the latest Airport Layout Plan approved by the Federal Aviation Administration".

In addition, the current building setbacks in the Airport Commercial, Industrial and Mixed Use Districts from lot lines are "10 feet minimum." This is more restrictive than the setbacks in the C-G General Commercial District and limits the ability to provide compact commercial style development on the Airport. Providing an opportunity for "zero lot line" development enhances development alternatives at the airport.

The "zero or 10 feet minimum" would be determined by design and conformance with building code.

After review of the Airport Districts in the Code and discussion with the Airport Manager, City Manager and Building Inspector, it was determined by the Commission to recommend that the 10-foot minimum building setback from the lot line requirement should be changed to "zero or 10 feet minimum," and that the intent language be updated to reference the latest Airport Layout Plan. This text amendment will update the building setback from lot lines in the Airport Districts.

**Administration's Recommendation:**

Adopt Ordinance No. 17-001 amending a portion of Palmer Municipal Code Chapters 17 relating to airport setbacks.

Commission Information:  
 Initiated by: Planning & Zoning Commission  
 First on Agenda: November 17, 2016  
 Action: Approved  
 Vote: Unanimously

Council Information:  
 Introduced by: City Manager  
 Introduced: January 10, 2017  
 Public Hearing: February 14, 2017  
 Action:  
 Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Ordinance No. 17-001**

**An Ordinance of the Palmer City Council Amending a portion of Palmer Municipal Code Chapters 17.44.010(E) A-C Airport Commercial District Intent, 17.48.010(E) A-I Airport Industrial District Intent and 17.49.010(C) A-M Airport Mixed Use District Intent; and Amending Building Setbacks in Chapters 17.44.060(C) A-C Airport Commercial District, 17.48.060(C) A-I Airport Industrial District and 17.49.060(C) A-M Airport Mixed Use District**

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 provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Chapter 17.44.010 is hereby enacted to read as follows (new language is underlined and deleted language is stricken):

**17.44.010 Intent.**

The A-C district is intended to provide for the safe and orderly use of lands where the best use is for airport-related commercial and retail purposes. The specific intent in establishing this district is:

- A. To provide land for commercial and retail operations that are dependent upon the use of aircraft or are involved in the maintenance of aircraft or aircraft parts and equipment;
- B. To locate aircraft-related uses in an area where their activities will have minimal effect on residential areas;
- C. To prohibit uses that are not commercial- or retail-oriented and dependent upon or related to aircraft and their use;
- D. To prohibit residential use of land;
- E. To be consistent with the ~~airport layout plan prepared by HDL Engineering Consultants, July 2004~~ latest Airport Layout Plan approved by the Federal Aviation Administration; and
- F. To give preference to aeronautical uses.

Section 4. Chapter 17.48.010 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.48.010 Intent.**

The A-I district is intended to provide for the safe and orderly use of lands where the best use is for airport-related industrial purposes. The specific intent in establishing this district is:

- A. To provide land for industrial operations that are dependent upon the use of aircraft or are involved in the manufacturing or maintenance of aircraft or aircraft parts and equipment;
- B. To locate industrial uses in an area where their activities will have minimal effect on residential areas;
- C. To prohibit uses that are not industrial- or manufacturing-oriented and dependent upon or related to aircraft and their use;
- D. To prohibit residential use of land;
- E. To be consistent with the ~~airport layout plan prepared by HDL Engineering Consultants, July 2004~~ latest Airport Layout Plan approved by the Federal Aviation Administration; and
- F. To give preference to aeronautical uses.

Section 5. Chapter 17.49.010 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.49.010 Intent.**

The A-M district is intended to provide for the safe and orderly use of lands where the best use is for airport-related noncommercial, commercial and retail purposes. The specific intent in establishing this district is:

- A. To provide land for noncommercial, commercial, and retail operations that are dependent upon the use of aircraft or are involved in the maintenance of aircraft or aircraft parts and equipment;
- B. To locate aircraft-related uses in an area where their activities will have minimal effect on residential areas;

- C. To be consistent with the ~~airport layout plan prepared by HDL Engineering Consultants, dated July 2004~~ latest Airport Layout Plan approved by the Federal Aviation Administration; and
- D. To give preference to aeronautical uses

Section 6. Chapter 17.44.060 is hereby enacted to read as follows (new language is underlined and deleted language is stricken):

**17.44.060 Building setbacks.**

- A. From right-of-way, 10 feet minimum.
- B. From taxiway, runway or apron, 50 feet minimum.
- C. From lot lines, ~~10 feet minimum.~~ Zero, or 10 feet minimum.

Section 7. Chapter 17.48.060 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.48.060 Building setbacks.**

- A. From right-of-way, 10 feet minimum.
- B. From taxiway, runway or apron, 50 feet minimum.
- C. From lot lines, ~~10 feet minimum.~~ Zero, or 10 feet minimum.

Section 8. Chapter 17.49.060 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.49.060 Building setbacks.**

- A. From right-of-way, 10 feet minimum.
- B. From taxiway, runway or apron, 50 feet minimum; and
- C. From all other lot lines, ~~10 feet minimum.~~ Zero, or 10 feet minimum.

Section 9. Effective Date. Ordinance No. 17-001 shall take effect upon adoption by the City of Palmer City Council.

**Adopted** this \_\_\_\_\_ day of February, 2017.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



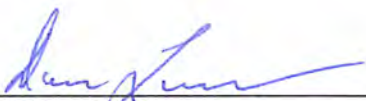
MEMORANDUM

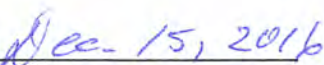
TO: Palmer City Council  
FROM: Dan Lucas, Planning and Zoning Chairman  
DATE: December 12, 2016  
SUBJECT: Report to City Council on text amendments to Airport Districts

At the November 17, 2016 Planning and Zoning meeting, the Planning and Zoning Commission discussed the text amendments recommended by the Airport Advisory Commission to clarify code language and change the required building setback from lot lines in PMC 17.44 A-C Airport Commercial District, 17.48 A-I Airport Industrial District and 17.49 A-M Airport Mixed Use District.

The effects the proposed text amendments would have on public health, safety, welfare and convenience were discussed with the Airport Manager, Building Inspector and City Manager; and it was determined there would be no negative effects to the public health, safety and welfare because of the proposed text amendments.

The Commission discussed the proposed text amendments to the Airport Districts. As reflected in the minutes, which are attached, the Commission unanimously agreed and directed staff to make changes as discussed to move the proposed Ordinance forward to City Council with a recommendation for adoption.

  
\_\_\_\_\_  
Dan Lucas, Chairman  
Planning & Zoning Commission

  
\_\_\_\_\_  
Date





Warren (Bud) Woods Palmer Municipal Airport

John Lee  
Chairman  
Airport Advisory Commission

Phone: (907) 745-4678  
Fax: (907) 761-6001  
Email: johnlee@nhtusa.com

Mail: 231 W. Evergreen Ave.  
Palmer, Alaska 99645-6952

**MEMO**

Date: November 10, 2016

To: City of Palmer  
Planning & Zoning Commission

Re: Airport Zoning Code Amendments

The City of Palmer, Airport Advisory Commission, hereby recommends the following amendments to Palmer Municipal Code zoning regulations on airport grounds to clarify language and to make them similar to the regular City of Palmer zoning regulations affecting the rest of Palmer.

The following amendments are recommended:

**Chapter 17.44 A-C Airport Commercial District**

**Section 17.44.010 Intent**

Current Language: E. "To be consistent with the airport layout plan prepared by HDL Engineering Consultants, July 2004; and"

Recommended Change: E. "To be consistent with the latest Airport Layout Plan approved by the Federal Aviation Administration, and"

**Section 17.44.060 Building Setbacks**

Current Language: C. "From lot lines, 10 feet minimum"

Recommended Language: C. "From lot lines, none or not less than 10 feet minimum."

**Chapter 17.48 A-I Airport Industrial District**

**Section 17.48.010 Intent**

Current Language: E. "To be consistent with the airport layout plan prepared by HDL Engineering Consultants, July 2004; and"

Recommended Change: E. "To be consistent with the latest Airport Layout Plan approved by the Federal Aviation Administration, and"

City of Palmer



**Section 17.48.060 Building Setbacks**

Current Language: C. "From lot lines, 10 feet minimum"

Recommended Language: C. "From lot lines, none or not less than 10 feet minimum."

**Chapter 17.49 A-M Airport Mixed Use District**

**Section 17.49.010 Intent**

Current Language: E. "To be consistent with the airport layout plan prepared by HDL Engineering Consultants, July 2004; and"

Recommended Change: E. "To be consistent with the latest Airport Layout Plan approved by the Federal Aviation Administration, and"

**Section 17.49.060 Building Setbacks**

Current Language: C. "From lot lines, 10 feet minimum"

Recommended Language: C. "From lot lines, none or not less than 10 feet minimum."

Thank you for your time and attention to this matter concerning airport zoning regulations and the Airport Advisory Commissions above outlined recommendations.

Respectfully,

John Lee  
Chairman

**City of Palmer**



**PLANNING & ZONING COMMISSION  
CITY OF PALMER, ALASKA  
REGULAR MEETING  
THURSDAY, NOVEMBER 17, 2016  
7:00 P.M. - COUNCIL CHAMBERS**

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A. CALL TO ORDER:

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

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

Dan Lucas, Chairman  
David Petty, Vice Chairman  
Douglas Cruthers  
Kristy Thom Bernier (new member)  
Gena Ornquist (new member)

Absence(s):

Merry Maxwell (Excused)  
Erick Cordero-Giorgana (new member, Unexcused)

Also present were:

Sandra S. Garley, Community Development Director  
Kimberly A. McClure, Planning and Code Compliance Technician  
Pam Whitehead, Recording Secretary

C. PLEDGE OF ALLEGIANCE: The Pledge was led by Commissioner Petty.

D. APPROVAL OF AGENDA:

The agenda was accepted as presented. There were no objections.

E. MINUTES OF PREVIOUS MEETING:

The minutes of the **October 20, 2016** Regular Meeting were approved as presented by voice vote [Cruthers, Thom-Bernier, Ornquist, Petty, Lucas].

F. PERSONS TO BE HEARD:

**Daniel Treat** addressed the Commission expressing disagreement and grievance with a section of the sales tax code, in particular PMC 3.16.040(F) concerning charging sales tax on rental proceeds if a homeowner were to rent out his home. He also believes it unfair to have to obtain a business license to rent out his property.

Following brief discussion answering Mr. Treat's questions related to zoning, he was referred to the City Council concerning his sales tax issues.

G. PUBLIC HEARING: There were no public hearings.

H. UNFINISHED BUSINESS: There was no Unfinished Business.

I. NEW BUSINESS:

1. Annual Election of Chairman and Vice Chairman

Commissioner Cruthers nominated Commissioner Dan Lucas to continue to serve as Chair. There were no other nominations.

**Commissioner Dan Lucas was duly elected to serve as Chair by unanimous voice vote.** [Cruthers, Thom-Bernier, Ornquist, Petty, Lucas]

Commissioner Cruthers nominated Commissioner David Petty to serve as Vice Chair. There were no other nominations.

**Commissioner David Petty was duly elected to serve as Vice Chair by unanimous voice vote.** [Cruthers, Thom-Bernier, Ornquist, Petty, Lucas]

2. **Resolution No. 16-006:** In appreciation of Michael Kircher's service as a member of the Commission.

Mr. Kircher served the Commission from November 1996 through October 2016 and served as Chair and Vice Chair from November 2004 to November 2015.

3. **Resolution No. 16-007:** In appreciation of William Kerslake's service as a member of the Commission.

Mr. Kerslake served the Commission from February, 2007 through October, 2016 and served as Vice Chair and Chair from October 2008 to November 2015.

4. **Resolution No. 16-008:** In appreciation of David Fuller's service as a member of the Commission.

Mr. Fuller served the Commission from October 2015 through October 2016 and was recently elected to the City Council.

**Main Motion: To approve Resolution Nos. 16-006, 16-007, and 16-008.**

Moved by:	Petty
Seconded by:	Cruthers
Action:	Motion carried unanimously by voice vote.
In favor:	Cruthers, Thom-Bernier, Ornquist, Petty, Lucas
Opposed:	None

Chairman Lucas spoke in great appreciation on behalf of the Commission for the service of the former Commissioners, noting their presence will be missed.

5. **IM 16-017:** Consideration of text amendment to PMC 17.84 Planned Unit Development (PUD) to process a PUD as a zone overlay; and review code language and revise, if necessary.

Director Garley summarized the request by the City Manager for the Commission to review the language in the PUD portion of Title 17 and consider revisions that would require City Council approval for adoption of a Planned Unit Development. It would



change the treatment of a PUD from the current conditional use process to a zoning overlay process using procedures similar to a zoning map amendment. The recommendation is to review PMC 17.84 (last revisions were in 2010) in its entirety for any obsolete or confusing language that should be revised for clarity and to direct staff to make any changes as necessary to move forward to the City Council for adoption. Ms. Garley further explained options regarding the requested Commission review.

**Main Motion: To enter Committee of the Whole for informal discussion on the request for a text amendment to PMC 17.84 (PUD).**

Moved by:	Petty
Seconded by:	Cruthers
Action:	Motion carried unanimously by voice vote.
In favor:	Cruthers, Thom-Bernier, Ornquist, Petty, Lucas
Opposed:	None

[The Commission entered Committee of the Whole at 7:29 p.m.; exited at 7:38 p.m.]

Following exit of Committee of the Whole, it was the consensus of the Commission that further careful consideration and discussion is needed on the advisability of changing the process from a P&Z-approved PUD conditional use to a City Council-approved PUD zoning overlay. It was decided to further consider the matter at the next meeting.

- Ordinance No. 16-0XX:** Amending Building Setbacks in Palmer Municipal Code Chapter 17.44.060(C) A-C Airport Commercial District, PMC 17.48.060(C) A-I Airport Industrial District and PMC 17.49.060(C) A-M Airport Mixed Use District (IM 16-018).

Director Garley directed attention to Memo dated 11/10/16 from AAC Chair John Lee with recommended changes and summarized the reasons for the requested text amendments to correct setback inconsistencies between the Airport Districts and the C-G, General Commercial District. Following review and discussions with City staff, it was determined that the 10-foot minimum building setback from the lot line requirement should be changed to zero or 10 feet minimum and to update the reference to the Airport Layout Plan. The request is for the Commission to review the revisions recommended by the Airport Advisory Commission and direct staff to make changes as discussed to move the proposed Ordinance forward to the City Council for adoption.

Following review, questions of staff and brief discussion that the changes make sense:

**Main Motion: To approve the text amendments, as stated in draft Ordinance No. 16-0XX, and move forward to City Council with a recommendation for adoption.**

Moved by:	Petty
Seconded by:	Thom-Bernier
Action:	Motion carried unanimously by voice vote.
In favor:	Cruthers, Thom-Bernier, Ornquist, Petty, Lucas
Opposed:	None

J. PLAT REVIEWS:

1. **IM 16-019:** Abbreviated Plat Review: The request is to create two lots from Tract 4, Kopperud Subdivision Plat No. 2001-71 to be known as Kopperud Fairhill, located outside Palmer city limits.

Ms. Garley explained the reasons and procedure for plat reviews for the benefit of the new Commissioners. City staff has reviewed and commented no changes are necessary. Community Development commented that both of the proposed lots have access and would meet the minimum lot requirements if developed residentially or commercially if the lots were located inside Palmer city limits.

Following brief questions of staff, the Commission had no additional comments.

K. PUBLIC COMMENTS:

There were no members of the public wishing to speak to any topic not on the agenda.

L. STAFF REPORT: Director Garley reported on:

- The status of the new Fred Meyer building project;
- In order to assure a quorum for the December 15 meeting, reminded the Commissioners to advise if any holiday plans will prevent attendance at the meeting.

M. COMMISSIONER COMMENTS:

**Commissioner Petty** welcomed new commission members.

**Chairman Lucas** also welcomed new members and spoke in appreciation of having a full seven-member commission.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:59 p.m.

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Dan Lucas, Chairman

---

Kimberly A. McClure  
Planning and Code Compliance Technician



**City of Palmer  
Information Memorandum No. 17-004  
Ordinance No. 17-002**

**Subject:** Ordinance No. 16-002: Amending Palmer Municipal Code Chapter 12.24.025.E Regarding Firearms in City Parks, Adding 12.24.025.M Establishing Hours During Which Parks are Closed, 12.24.025.N Establishing Quiet Hours in Parks; and Amending 12.24.030 to Update Park Use Permits Process

**Agenda of:** January 24, 2017

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Denied**




**Originator Information:**

**Originator:**    Parks, Recreation & Cultural Resources Advisory Board – Via City Manager

**Department Review:**

Route to:	Department Director:	Signature:	Date:
✓	Community Development		1/2/2017
✓	Finance		1/5/2017
_____	Fire	_____	_____
_____	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:    \$ \_\_\_\_\_

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. 17-002
- Parks, Recreation & Cultural Resources Advisory Board Minutes of the November 3, 2016

**Summary Statement:**

The primary change will bring park rules into compliance with Alaska Statutes on carrying firearms. Other changes will update the use permit process section by deleting the references to a specific department and establishing an 11 PM closing time and 0 PM to 6 AM quiet hours in City parks.

**Background:**

The City has prohibited carrying a firearm in its parks since 1970. In the intervening time, changes in the Alaska State Statutes, specifically AS 11.61.190-AS 11.61.220 provide in essence, that if a person is legally allowed to possess a firearm in Alaska, they may carry it on their person. There are exceptions for places where liquor is sold, around schools, in courtrooms, private property, etc. A person carrying a firearm also has a duty to notify law enforcement of that fact if contacted. The major amendment to Chapter 12.24 will change the carrying of firearms to prohibit discharge of a firearm in or into a city park.

Other changes will establish quiet hours in the parks between 10 PM and 6 AM, and close city parks at 11 PM. Having these times in the Municipal Code is a tool for Palmer Police officers to use if they need to deal with noise or other complaints in a city park.

The final change will delete references to the former Department of Community Services and simply indicate that permits and forms will be provided by the City rather than a specific department.

**Administration's Recommendation:**

Adopt Ordinance No. 17-002 amending Palmer Municipal Code Chapter 12.24.025.E regarding firearms in city parks, adding 12.24.025. M establishing hours during which parks are closed, 12.24.025.N establishing quiet hours in parks; and amending 12.24.030 to update park use permits process

Introduced by: City Manager Wallace  
Date: January 24, 2017  
Public Hearing: February 14, 2017  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Ordinance No. 17-002**

**An Ordinance of the Palmer City Council Amending Palmer Municipal Code Chapter 12.24.025.E Regarding Firearms in City Parks, Adding 12.24.025.M Establishing Hours During Which Parks are Closed, 12.24.025.N Establishing Quiet Hours in Parks; and Amending 12.24.030 to Update Park Use Permits Process**

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 provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Chapter 12.24.025 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**12.24.025 General rules.**

The following general rules govern the public use of parks:

- A. A person may not cut, pick or damage trees, flowers or other vegetation in a park.
- B. A person may not camp in a park except in an area and at a time designated in a permit issued by the manager or designee.
- C. A person may not light, build, use or maintain an open fire or portable camp stove in a park except in a receptacle or area designated for that use. A person may not leave an open fire or operating portable camp stove unattended. A person may not use a flammable liquid other than charcoal lighting fluid to start or accelerate a fire.
- D. A person may not sell or consume any alcoholic beverage in a park, playground or recreational facility except the clubroom of the Palmer golf course and the Palmer ice arena.

- E. ~~A~~ No person may use or discharge ~~not possess~~ a firearm or similar device in or into a park except:
  - 1. A peace officer acting within the scope and authority of the officer's employment; or
  - 2. ~~A person carrying a concealed handgun in accordance with AS 18.65.700 through 18.65.790, and carrying a valid permit under such statutes; or~~
  - 3. 2. A person participating in a public demonstration under a permit issued for that purpose by the manager or the manager's designee.
- F. A person shall not shoot a bow and arrow in a park except in an area designated for archery activities by the manager or the manager's designee.
- G. A person may not discharge fireworks in a park except in accordance with a permit issued under PMC 8.42.050.
- H. A person may not operate, or stop, stand or park, a motorized vehicle in a park except:
  - 1. In an area designed for the use, and in a manner permitted by the designation;
  - 2. As permitted under a use permit issued under PMC 12.24.030; or
  - 3. Construction, enforcement, maintenance or emergency vehicles operated by the state, the Matanuska-Susitna Borough, the City or their respective contractors.
- I. Where the operation of motor vehicles is permitted in a park, motor vehicles shall be operated in accordance with posted speed limits, in a prudent and safe manner, and at a speed not exceeding 10 miles per hour in parking areas.
- J. A person may not bring an animal into a park except:
  - 1. An animal that is in an area that has been posted for use by domesticated animals;
  - 2. A service animal, guide dog, or signal dog individually trained to provide assistance to an individual with a disability; or
  - 3. An animal that is under the direct control of a peace officer or emergency responder performing official duties, and trained to assist in performing those duties.
- K. A person having control or supervision of an animal that excretes feces in a park shall immediately collect and properly dispose of the feces.
- L. A person may not deposit litter or waste, or water, sewage or effluent from sinks, portable toilets or other plumbing fixtures, directly upon the surface of land or water in a park.
- M. Parks shall be closed at 11:00 p.m. each night until 6:00 a.m. the following morning and no person shall remain therein during said hours.
- N. Between the hours of 10:00 p.m. and 6:00 a.m. no person in a city park shall disturb other persons by making loud noise, including the use of radio or other sound amplifying device or loud voice in violation of Palmer Municipal Code 8.36.020.F or 8.36.025.A.

Section 4. Chapter 12.24.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**12.24.030 Use permits.**

- A. Park use permits for vendors, use of motor vehicles, animals and camping will be issued by the manager or designee and will address such issues as litter, sanitary facilities, damage, crowd control, traffic control, noise, hours of use, insurance and public notice. Permit fees will be established by council and revised from time to time.
- B. User permits for baseball, softball and soccer fields will be issued by the City department of community services to the various organizations using the fields, and will address the user's responsibilities, including insurance, trash removal and sanitary facilities.
- C. All organizations or individuals purchasing ice time from the Palmer ice arena are required to have a use agreement issued by the City department of community services.

Section 5. Effective Date. Ordinance No. 17-002 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved by the City Council of the City of Palmer, Alaska this \_\_\_\_ day of February, 2017.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk

**PARKS, RECREATION & CULTURAL RESOURCES ADVISORY BOARD  
CITY OF PALMER, ALASKA**

**REGULAR MEETING  
THURSDAY, NOVEMBER 3, 2016  
7:00 P.M. - COUNCIL CHAMBERS**

**A. CALL TO ORDER:**

The regular meeting of the City of Palmer Parks, Recreation & Cultural Resources Advisory Board was called to order by Chair Aube-Trammell at 7:00 p.m.

**B. ROLL CALL:**

Present and constituting a quorum were Board Members:

Meggie Aube-Trammell, Chair  
Jan Newman, Vice Chair  
Stephanie Allen  
Jo Ehmann  
Dot Helm  
Shannon Connelly

Absent:

Fran Seager-Boss

Also present were:

Sandra Garley, Community Development Director  
Nathan Wallace, City Manager  
Pam Whitehead, Recording Secretary

**C. PLEDGE OF ALLEGIANCE:** led by Board Member Helm.

**D. APPROVAL OF AGENDA:**

**Main Motion: To approve the agenda as presented.**

Moved by:	Allen
Seconded by:	Newman
Action:	Motion carried unanimously by voice vote.
In favor:	Helm, Ehmann, Allen, Connelly, Newman, Aube-Trammell
Opposed:	None

**E. MINUTES OF PREVIOUS MEETING:**

**Main Motion: To approve the minutes of the October 6, 2016 Regular Meeting as presented.**

Moved by:	Newman
Seconded by:	Ehmann
Action:	Motion carried unanimously by voice vote.
In favor:	Helm, Ehmann, Allen, Connelly, Newman, Aube-Trammell
Opposed:	None



**F. AUDIENCE PARTICIPATION:**

**Main Motion: To suspend the rules to allow City Clerk to administer oath of office.**

Moved by:	Newman
Seconded by:	Allen
Action:	Motion carried unanimously by voice vote.
In favor:	Helm, Ehmann, Allen, Connelly, Newman, Aube-Trammell
Opposed:	None

Rules were suspended at 7:02 p.m. City Clerk, Norma Alley, administered the oath of office to all board members present, marking the beginning of the new term. Formal rules resumed at 7:05 p.m.

**G. REPORTS:**

Director Garley reported:

- The Swiss Stone Pine, planted on in the Arboretum on Arbor Day is acclimating very well;
- UAF buildings on Fireweed have been demolished and ground has been leveled, much improving the entry into the Arboretum;
- Ad to be published next week seeking volunteers for Wayfinding citizens advisory committee; five to seven people will be chosen by the City Council;
- Met with MSB staff to discuss development of Borough Bond trails in the Palmer area (Matanuska Riverfront Trail (North) and Matanuska Riverfront Trail (South).

**H. UNFINISHED BUSINESS:**

1. Develop priority for parks, recreation, and cultural resources capital projects for Palmer Five-Year Capital Improvements Program.

**Main Motion: To enter Committee of the Whole for open discussion on prioritizing potential capital projects.**

Moved by:	Newman
Seconded by:	Allen
Action:	Motion carried unanimously by voice vote.
In favor:	Helm, Ehmann, Allen, Connelly, Newman, Aube-Trammell
Opposed:	None

[The Board entered Committee of the Whole at 7:15 p.m.; exited at 8:04 p.m.]

Utilizing the CIP criteria list (revised per last meeting) and the Potential CIP list identified in city planning documents, the Board discussed and prioritized those projects in order of importance as funds become available. City Manager Wallace provided input concerning budget.

There was consensus that the number one criteria should be creating or improving



connectivity and improving/maintaining what already exists.

Following lengthy discussion, the Board agreed on the following prioritization of projects for the five-year plan beginning in 2018:

- A - Park Signage Program (identify name of every park);
- C - Arctic Avenue path connections;
- G - Resurface & refurbish Ben Herman Tennis courts;
- K - Develop amenities at Babb Arboretum;
- O - Develop path along Inner and Outer Springer Loop;
- U - Add pathway to extension of Industrial Way Commercial Way to Inner Springer;

[The Board exited Committee of the Whole at 8:04 p.m.]

**Main Motion: To approve the potential CIP list for 2018 as identified in Committee of the Whole.**

Moved by:	Ehmann
Seconded by:	Connelly
Action:	Motion carried unanimously by voice vote.
In favor:	Helm, Ehmann, Allen, Connelly, Newman, Aube-Trammell
Opposed:	None

Ms. Garley will provide a revised list at the next meeting.

**I. NEW BUSINESS:**

1. **Resolution 16-002:** Recommending amendments to Park Regulations under Palmer Municipal Code 12.24.

Ms. Garley provided a staff report explaining the purpose of the resolution is 1) to recommend an amendment to bring City parks regulations (12.24.025) into conformance with Alaska State statutes regarding firearms; 2) to recommend establishment of park closing time and quiet hours; and 3) to clarify and delete reference to the department of community services which no longer exists (12.24.030).

Following brief discussion:

**Main Motion: To recommend approval of Resolution 16-002 as presented.**

Moved by:	Allen
Seconded by:	Newman
Action:	Motion carried unanimously by voice vote.
In favor:	Helm, Ehmann, Allen, Connelly, Newman, Aube-Trammell
Opposed:	None

2. Marathon Trails – temporary markers.

Ms. Garley explained and asked for feedback on providing cones to separate the running path and to alert vehicle traffic on the roadways during marathon events.

The consensus was that it would be a great idea. The discussion evolved into how to pay for it or partner with others. It was suggested for the City to charge a rental to the organization sponsoring the run with the City in charge of placing them where appropriate.

Ms. Garley will draft a resolution and provide more particular information at the next meeting.

**J. BOARD MEMBER COMMENTS:**

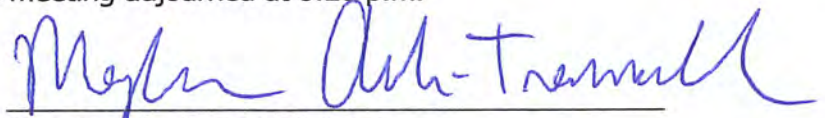
**Chair Aube-Trammell**, on behalf of the Board, welcomed new member Shannon Connelly. She also informed that she is working with staff to bring back Pete LaFrance for further discussion on bike-ability in December or January.

**Board member Newman** commented on the recent Livability presentation by AARP, noting that it encompassed about everything this board has talked about and then some in terms of visioning for the community. She suggested that we invite them to speak to our Board perhaps at a joint meeting with the Board of Economic Development.

**Board member Allen** advised she will be absent from the January meeting. She will be on a trip to South Africa.

**K. ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:20 p.m.

  
\_\_\_\_\_  
Meggie Aube-Trammell, Chair

  
\_\_\_\_\_  
Sandra Garley, Community Development Director





**Attachment(s):**

- Resolution No. 17-001A

**Summary Statement:**

On July 12, 2016, the City of Palmer applied to Alaska Department of Environmental Conservation (ADEC) for a grant in the amount of \$1,000,000.00. This grant was necessary to supplement funding for the improvements required by the Consent Decree (CD) on the Wastewater Treatment Plant (WWTP). The application had a high scoring due to CD requirements. On January 11, 2017, the City was notified by ADEC that there were no grants requested in the FY 2018 budget this year and that we would have to re-apply in 2018 for FY 2019 funds.

The USDA Grant/Loan offer is contingent on additional funding sources to complete the project. The City portion was \$3,100,000.00 (from \$2,500,000.00 State grant and enterprise fund balance), \$145,000.00 from a State Grant for WWTP lab upgrades, and the \$1,000,000 anticipated ADEC grant.

The USDA loan portion maximizes the borrowing authority of the City based on the revenue bond measure that was passed for \$5,000,000 last fall to upgrade water and wastewater systems.

Because these funds are critical for funding the WWTP improvements, it is necessary for the General Fund to provide a no-interest loan of this amount to the Water/Sewer (02) and then a Transfer from the Water/Sewer Fund (02) to the Water/Sewer Capital Projects Fund (24).

This would allow the project to move forward to meet CD timelines for construction and provide time to pursue other grants to replace this funding source and return monies to the general fund upon receipt of additional grants or repay the amount over time from the Water/Sewer Fund (02).

**Administration's Recommendation:**

Approve Resolution No. 17-001A Amending the 2017 City of Palmer Budget



Introduced by: City Manager  
Public Hearing: February 14, 2017  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Resolution No. 17-001A**

**A Resolution of the Palmer City Council Amending the Budget for the City of Palmer, Alaska for the Fiscal Year Ending December 31, 2017, by appropriating \$1,000,000.00 from the General Fund to the Water/Sewer Fund for Wastewater Treatment Plant Upgrades**

WHEREAS, the City of Palmer entered into a negotiated settlement and consent decree with the Department of Justice, Environmental Protection Agency and the State of Alaska to upgrade the City of Palmer Wastewater Treatment Plant (WWTP); and

WHEREAS, the construction estimates for the WWTP upgrade are \$12,610,290.00; and

WHEREAS, the City of Palmer secured a United States Department of Agriculture (USDA) grant and loan for the amount of \$8,334,290.00 to complete the upgrades; and

WHEREAS, the City of Palmer previously secured funding in the amount of \$3,276,000.00 and anticipated an additional \$1,000,000.00 grant funding from a State of Alaska grant that has since not been awarded leaving a \$1,000,000.00 shortfall for the project; and

WHEREAS, at the February 14, 2017, council meeting the manager presented a budget amendment for the General Fund to provide a no-interest loan of \$1,000,000.00 to the Water/Sewer Fund (02) and then transferring this amount to the Water/Sewer Capital Projects Fund (24); and

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council that the City of Palmer appropriates \$1,000,000.00 from the General Fund to the Water/Sewer Fund (02) and then transfers this amount to the Water/Sewer Capital Projects Fund (24) for costs to upgrade the WWTP.

**Approved** by the City Council of the City of Palmer, Alaska, this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



**City of Palmer  
Action Memorandum No. 17-010**

**Subject:** City Council Statement of Non-Objection to the Renewal of Liquor License #5032, for Arkose Brewery, Located at 650 E. Steel Loop Road

**Agenda of:** February 14, 2017

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Denied**


**Originator Information:**

**Originator:**    City Clerk

**Department Review:**

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

**Approved for Presentation By:**

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

**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):**

- Review Form
- Renewal Notice

**Summary Statement:**

Arkose Brewery has applied for renewal of their liquor license. State law requires local governing bodies to review requests pertaining to liquor licenses within their municipalities. The City may voice a non-objection or may file a protest to a request.

**Administration's Recommendation:**

To approve Action Memorandum No. 17-010 directing the city clerk to notify the State of Alaska the City Council makes a statement of non-objection to the renewal of Liquor License #5032 for Arkose Brewery.

# City of Palmer • Liquor License Review Form

**BUSINESS NAME:** Arkose Brewery

**OWNER:** Brew Barons, LLC

**LICENSE TYPE:** Brewery

**LOCATION:** 650 E. Steel Loop Road

*Route to: Department of Finance*

## Department of Finance

Sales Tax Current:  Yes  No

If no, explain:

Utilities Current:  Yes  No

If no, explain:

Special Assessments Current:  N/A Yes  No

If no, explain:

Other Comments:



Finance Director

1/5/17

Date

*Route to: Department of Community Development*

## Department of Community Development

Code Compliant:  Yes  No

If no, explain:

Other Comments:



Community Development Director

1/05/17

Date

*Route to: Police Department*

*Department of Public Safety*

Code Compliant:  $\checkmark$

Yes  No

If no, explain:

\_\_\_\_\_

Other Comments:

\_\_\_\_\_



Chief of Police

1-5-17

Date

*Route to: City Manager's Office*

*City Manager's Office*

Other Comments:

\_\_\_\_\_



City Manager

1/5/17

Date

*Route to: City Clerk's Office*

**FORWARD TO COUNCIL FOR AGENDA OF: February 14, 2017**





December 23, 2016

City of Palmer  
Attn: City Clerk  
Via Email: [cityclerk@palmerak.org](mailto:cityclerk@palmerak.org)  
Cc: [mwhisenhunt@matsugov.us](mailto:mwhisenhunt@matsugov.us)

**Re: Notice of 2017/2018 Liquor License Renewal Application**

<b>License Type:</b>	Brewery	<b>License Number:</b>	5032
<b>Licensee:</b>	Brew Barons, LLC.		
<b>Doing Business As:</b>	Arkose Brewery		

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

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

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Cynthia Franklin, Director  
[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



**City of Palmer  
Action Memorandum No. 17-011**

**Subject:** City Council Statement of Non-Objection to the Renewal of Liquor License #744, for the Loyal Order of the Moose Lodge #793, Located at 1136 S. Cobb Street

**Agenda of:** February 14, 2017

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Denied**


**Originator Information:**

**Originator:**    City Clerk

**Department Review:**

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

**Approved for Presentation By:**

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

**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):**

- Review Form
- Renewal Notice

**Summary Statement:**

The Loyal Order of the Moose Lodge #793 has applied for renewal of their liquor license. State law requires local governing bodies to review requests pertaining to liquor licenses within their municipalities. The City may voice a non-objection or may file a protest to a request.

**Administration's Recommendation:**

To approve Action Memorandum No. 17-011 directing the city clerk to notify the State of Alaska the City Council makes a statement of non-objection to the renewal of Liquor License #793 for the Loyal Order of the Moose Lodge.

# City of Palmer • Liquor License Review Form

**BUSINESS NAME:** Loyal Order of the Moose  
Lodge #793

**OWNER:** Palmer Lodge #793 Loyal Order of  
Moose, Inc.

**LICENSE TYPE:** Club

**LOCATION:** 1136 S. Cobb Street

*Route to: Department of Finance*

## Department of Finance

Sales Tax Current:  Yes  No

If no, explain:

Utilities Current:  Yes  No

If no, explain:

Special Assessments Current:  Yes  No

If no, explain:

Other Comments:



Finance Director

1/30/17

Date

*Route to: Department of Community Development*

## Department of Community Development

Code Compliant:  Yes  No

If no, explain:

Other Comments:



Community Development Director

01/26/17

Date

**Route to: Police Department**

**Department of Public Safety**

Code Compliant:  Yes

Yes

No

If no, explain:

\_\_\_\_\_

\_\_\_\_\_

Other Comments:

\_\_\_\_\_

\_\_\_\_\_



Chief of Police

1-26-17

Date

**Route to: City Manager's Office**

**City Manager's Office**

Other Comments:

\_\_\_\_\_

\_\_\_\_\_



City Manager

1/26/17

Date

**Route to: City Clerk's Office**

**FORWARD TO COUNCIL FOR AGENDA OF: February 28, 2017**





January 25, 2017

City of Palmer  
Attn: City Clerk  
Via Email: [cityclerk@palmerak.org](mailto:cityclerk@palmerak.org)  
Cc: [mwhisenhunt@matsugov.us](mailto:mwhisenhunt@matsugov.us)

**Re: Notice of 2017/2018 Liquor License Renewal Application**

<b>License Type:</b>	Club	<b>License Number:</b>	744
<b>Licensee:</b>	Palmer Lodge #793 Loyal Order of Moose		
<b>Doing Business As:</b>	Loyal Order of Moose Lodge #793		

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

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

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Jedediah Smith, Local Government Specialist  
[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



**City of Palmer  
Information Memorandum No. 17-008  
Resolution No. 17-009**

**Subject:** Establishing a Special Wayfinding Committee

**Agenda of:** February 14, 2017

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Denied**


**Originator Information:**

**Originator:**    Sandra Garley, Community Development Director

**Department Review:**

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

**Approved for Presentation By:**

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

**Certification of Funds:**

Total amount of funds listed in this legislation:    \$ **500.00 (estimated)**

This legislation (√):

- Creates revenue in the amount of:                      \$ \_\_\_\_\_
- Creates expenditure in the amount of:                      \$ 500.00 (estimated)
- 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):**

- Resolution No. 16-009

**Summary Statement:**

On September 27, 2016, the City of Palmer City Council approved AM No. 16-064 authorizing the City Manager to enter into an agreement with Sustainable Design Group to produce the Palmer Wayfinding Signage Guide. The contract allowed for a committee to assist the consultant in studying the issue of wayfinding signs and the creation of a wayfinding signage guide. This action memorandum establishes a special committee to meet that need. The special committee will have an automatic sunset and will dissolve no later than July 31, 2017, unless extended by the City Council.

The Special Committee is recommended to be comprised of five appointed members with three of those members residing within the city limits. Advertisement for this committee started on November 9, 2016, posted on the City's website, posted on Facebook, advertisement in the Frontiersman, applications available at the January 25, 2017 open house, and posted on the City Hall bulletin board. As of January 27, 2017, six applications were received. The Mayor has reviewed the applications and recommends the following people to serve:

1. Sloane Dellafosse – resides in city limits
2. Jim Depasquale – resides outside of city limits
3. Carol Hushower – resides outside of city limits
4. Bonnie Quill – resides in city limits
5. Terry Snyder – resides in city limits

The fiscal impact is calculated at \$500.00 for advertising. There will be an indirect cost for the Community Development Director's time dedicated to coordinate the efforts of the committee.

**Administration's Recommendation:**

Approve Resolution No. 16-009 establishing a Special Wayfinding Committee to dissolve no later than July 31, 2017.

Introduced by: City Manager Wallace  
Date: January 24, 2017  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Resolution No. 17-009**

**A Resolution of the Palmer City Council Establishing a Special Wayfinding Committee**

WHEREAS, the Palmer City Council (Council) has expressed interest in the creation of a Wayfinding Signage Guide; and

WHEREAS, on September 27, 2016, the Council approved AM No. 16-064 authorizing the City Manager to enter into an agreement with Sustainable Design Group to produce the Palmer Wayfinding Signage Guide; and

WHEREAS, the Council may establish a Special Wayfinding Committee to assist the consultant in developing a Palmer Wayfinding Signage Guide; and

WHEREAS, the Special Wayfinding Committee shall sunset on July 31, 2017, unless extended by the City Council.

NOW, THEREFORE, BE IT RESOLVED the Palmer City Council hereby establishes a Special Wayfinding Committee with the task to assist the City of Palmer's consultant in developing a list of recommended terminology and/or design icons for primary and secondary destinations and make recommendations to the Council on three design concepts developed by the consultant; and

THEREFORE, BE IT FURTHER RESOLVED the Palmer City Council hereby establishes the following for the Special Wayfinding Committee (SWC):

1. Member appointments shall be done by nomination of the Mayor and confirmation by the Council.
2. The Committee will consist of five members who are not employees of the City of Palmer. Three members shall be residents of the City of Palmer. Members shall be:
  - a. Sloane Dellafosse – resides in city limits
  - b. Jim Depasquale – resides outside of city limits
  - c. Carol Hushower – resides outside of city limits
  - d. Bonnie Quill – resides in city limits
  - e. Terry Snyder – resides in city limits

3. The SWC will appoint a chair and vice-chair from among the membership at the first meeting of the committee.
4. Meetings shall be conducted under the current edition of Robert's Rules of Order, Newly Revised Edition.
5. The SWC will establish a meeting schedule as needed to accomplish its task. It is anticipated to hold meetings at least twice a month.
6. The Community Development Director will serve as the committee's secretary, but will not have the power to vote. The secretary will maintain a record of committee proceedings and will retain such record in accordance to the City's Records Retention Schedule.
7. The SWC shall follow all laws pertaining to the Open Meeting Act and Palmer Municipal Code and adhere to the same noticing requirements as other City Boards and Commissions.
8. The SWC will serve until it completes its task with the consultant at which time the consultant will make a recommendation to Council on the Wayfinding Signage Guide. The SWC shall sunset on July 31, 2017, unless extended by the Council.
9. The SWC serves on a volunteer basis without compensation.

**Approved** by the City Council of the City of Palmer, Alaska, this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



**City of Palmer  
Information Memorandum No. 17-009  
Resolution No. 17-010**

**Subject:** Authorizing the Sale of a +/-222 Square Foot Easement, for the Amount of \$4,100.00, Located at 231 West Evergreen Avenue to the Alaska Department of Transportation and Public Facilities in Accordance with Palmer Municipal Code 3.20.080.D.

**Agenda of:** February 14, 2017

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Denied**


**Originator Information:**

**Originator:**    City Manager

**Department Review:**

<b>Route to:</b>	<b>Department Director:</b>	<b>Signature:</b>	<b>Date:</b>
<u>√</u>	Community Development		<u>1/12/2017</u>
<u>√</u>	Finance		<u>1/5/2017</u>
_____	Fire	_____	_____
_____	Police	_____	_____
<u>√</u>	Public Works		<u>1/13/2017</u>

**Approved for Presentation By:**

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

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ **4,100.00**

This legislation (√):

- Creates revenue in the amount of:                      \$ 4,100.00
- 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                      01-00-00-3699 Land Sales Revenue

Director of Finance Signature: 

**Attachment(s):**

- Ordinance No. 17-010
- Memorandum of Agreement
- HDL Engineering Consultants Right of Way Agent
- Waiver Valuation by Steve Carlson, MAI General Real Estate Appraiser
- Vicinity Map

**Summary Statement:**

The property is located at 231 W. Evergreen Ave and the easement is at the corner of Cobb St and Evergreen. The City Hall parking lot is located on the parcel affected. The waiver valuation (appraisal) conducted by Steve Carlson, MAI, for Alaska Department of Transportation & Public Facilities sets the current value for this easement at \$4,100.00

This easement is for improvements to the intersection which includes a stoplight and controls.

Palmer Municipal Code permits the sale of city real estate to a state without conducting a public sale. PMC 3.20.080.D.

D. Public and Charitable Conveyances. The council may sell, donate or exchange with the United States, the state, any political subdivision, or a nonprofit organization, city-owned real property without a public sale and for less than the fair market value, whenever in the judgment of the city council it is advantageous to the city to make the conveyance.

All sale of real property requires council action by resolution. PMC 3.20.080.P.

P. Council Action. No action of the council to dispose of any city interest in real property dedicated to public use shall be final until the resolution to do so has been on file in the office of the city clerk for 30 days. Prior to any council action on the sale of real property, the city manager shall make his recommendation to the city council as to any change of use or merits of the sale or disposition of the real property.

**Administration's Recommendation:**

Approve Resolution No. 17-010

Introduced by: City Manager  
Date: February 14, 2017  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Resolution No. 17-010**

**A Resolution of the Palmer City Council Authorizing the Sale of a +/-222 Square Foot Easement, for the Amount of \$4,100.00, Located at 231 West Evergreen Avenue to the Alaska Department of Transportation and Public Facilities in Accordance with Palmer Municipal Code 3.20.080.D.**

WHEREAS, the City of Palmer owns a certain .333 parcel of land located at 231 W. Evergreen Ave described Lot 7, Block 12, A.R.R.C. Subdivision No.1 (Plat #3-124), located in the Palmer Recording District, Third Judicial District, State of Alaska; and

WHEREAS, the Alaska Department of Transportation and Public Facilities plans to reconstruct the Glenn Highway in Palmer which includes a portion of West Evergreen Avenue; and

WHEREAS, in order to accomplish the improvements that are part of the Glenn Highway reconstruction, the Alaska Department of Transportation and Public Facilities will need to acquire an easement of +/-222 square feet of the City's parcel for the Cobb-Evergreen intersection improvement; and

WHEREAS a waiver valuation has been conducted by Steve Carlson, MAI (Estimator) and the AK DOT for the value of this easement to be \$4100.00 which is broken out as \$3,441.00 for the easement and \$617.00 for the improvements; and

WHEREAS, Palmer Municipal Code 3.20.080.D. allows the Council to sell real property to the state without a public sale whenever in the judgement of the city council it is advantageous to the city; and

WHEREAS, the city council finds that it is advantageous to the City to sell this +/- 222 square foot easement to the Alaska Department of Transportation and Public Facilities for the reconstruction of the Glenn Highway in Palmer.

NOW, THEREFORE, BE IT RESOLVED, the Palmer City Council directs the city manager to negotiate and execute an agreement for the sale of this property and to take those steps necessary to sell the easement located at 231 West Evergreen Avenue to the Alaska Department

of Transportation and Public Facilities in accordance with Palmer Municipal Code 3.20.080.D. for the amount of \$4,100.00.

Passed and approved by the City Council of the City of Palmer, Alaska this \_\_\_\_ day of February, 2017.

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Edna B. DeVries, Mayor

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Norma I. Alley, MMC, City Clerk



**STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES  
MEMORANDUM OF AGREEMENT**

**PROJECT NAME: GLENN HIGHWAY MP 34 TO 42  
RECONSTRUCTION**  
  
STATE PROJECT NO.: Z581040000  
  
FEDERAL-AID PROJECT NO.: 0A15024  
  
PARCEL NO.: E-137

AGREEMENT has been reached this \_\_\_\_\_ day of \_\_\_\_\_, 2017, between CITY OF PALMER, the owner of the below designated parcel, and the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES hereinafter (DOT&PF), for the purchase of said parcel. The amounts to be paid, and other considerations to be given, in full satisfaction of this Agreement, are as follows:

Right-of-Way Acquisition Parcel	E-137					
Fixtures and Improvements Purchased:	222 SF of paving and 1 curb stop			\$617.00		
Land Purchased:	N/A	acres	N/A	square feet	N/A	
Utility Easement Parcel	E-137					
	0.005	acres	222	square feet	\$3,441.00	
Temporary Construction Easement (TCE) No.				271	square feet	N/A
Temporary Construction Permit (TCP) No.	N/A			N/A	square feet	N/A
Cost to Cure:	N/A				N/A	

Damages are a consideration:  yes  no Amount of Damages: \$0.00 included in total compensation above.

**TOTAL COMPENSATION \$4,100.00 (RD)**

Other Conditions: Acquisition Incentive Program per the terms of the Addendum to Memorandum of Agreement Regarding Acquisition Incentive Program

- Taxes and Special Assessments, if any, delinquent from former years, and Taxes and Special Assessments for the current year, if due and/or payable, shall be paid by the owner or owners.
- This Memorandum embodies the whole Agreement between the parties hereto as it pertains to the real estate, and there are no promises, terms, conditions or obligations referring to the subject matter hereof, other than as contained herein.
- The owner or owners hereby agree that the compensation herein provided to be paid includes full compensation for their interest and the interests of their life tenants, remaindermen, reversioners, liens and lessees, and any and all other legal and equitable interest that are or may be outstanding and said owner or owners agree to discharge the same.
- THIS AGREEMENT shall be deemed a CONTRACT extending to and binding upon the parties hereto and upon the respective heirs, devisees, executors, administrators, legal representative, successors and assigns of the parties, only when the same shall have been approved by the Regional Chief Right-of-Way Agent on behalf of DOT&PF.

Of the total amount of compensation hereinabove agreed upon, the sum of \$4,100.00 shall be paid upon execution and delivery of a good and sufficient:  Warranty Deeds  Easement  Temporary Const. Easement or  Other, and the balance of the compensation, amounting to \$0.00 shall be paid upon compliance by the owner or owners with the terms hereof.

Disbursement of funds will be made in the following manner:

	Amount of Payment
CITY OF PALMER	\$4,100.00

The Owner or Owners certify that there are no known hazardous materials on the property.

The terms of this Agreement are understood and assented to by us and payment is to be made in accordance with the above.

STATE OF ALASKA DOT&PF

OWNER:

DESIGN PROJECT MANAGER \_\_\_\_\_ Date

CITY OF PALMER by \_\_\_\_\_ Date

NATHAN WALLACE, City Manager

Signature required when construction consideration is involved

RIGHT OF WAY AGENT \_\_\_\_\_ Date

HDL Engineering Consultants, LLC.

**APPROVED FOR PAYMENT AS ABOVE:**

REGIONAL CHIEF RIGHT OF WAY AGENT \_\_\_\_\_ Date

CENTRAL REGION

February 7, 2017

File: 08-016-14

City of Palmer  
Attn: Nathan Wallace  
231 W. Evergreen Avenue  
Palmer, AK 99645

RE: Glenn Highway MP 34-42 Reconstruction  
Project No. Z581040000/0A15024  
Parcel No. E-137

Dear Mr. Wallace:

As you may know, the State of Alaska, Department of Transportation and Public Facilities (DOT&PF) plans to reconstruct the Glenn Highway in Palmer. To accomplish the improvements, easements and properties in the project area will need to be acquired. HDL Engineering Consultants, LLC (HDL) is under contract to complete the right-of-way acquisition phase of this project on behalf of DOT&PF.

To build this project, the DOT&PF needs to acquire an easement on your property located at 231 W. Evergreen Avenue, Palmer, Alaska, described as Lot 7, Block 12, Revised Plat of A.R.R.C. Subdivision No. 1, according to Plat recorded in Book 3 at Page 124, located in the Palmer Recording District, Third Judicial District, State of Alaska, known as project Parcel No. E-137, containing 222 SF.

A Waiver Valuation has been completed, reviewed and approved (copy enclosed) for Parcel No. E-137. Based on the approved Waiver Valuation the Fair Market Value (FMV) has been determined to be **\$4,100.00**. Please consider this an offer to purchase an easement on your property.

**Offer:**

Your purchase offer is calculated as follows:

Parcel No. E-137  
Easement: 222 SF X \$15.50 per SF = \$3,441.00  
Improvements: 222 SF paving and 1 curb stop = \$617.00

**Total just compensation \$4,100.00 (RD)**



As a State agency, the DOT&PF is subject to specific laws and regulations. As a result, the way in which we acquire property differs in several important respects from ordinary real estate transactions. We'd like to explain the most important of these differences in order to assist you in consideration of our offer.

We are required by Federal law and policy to offer no less than appraised Fair Market Value (FMV) for private property and any improvements. The various federal agencies refer to this as "one full fair price offer policy." The law is designed to protect and provide fairness to owners who, after all, may not voluntarily be in the market as sellers. The nature of this type of sale makes the process somewhat different than ordinary private transactions. The enclosed brochure, "Acquiring Real Property for Federal- Aid Programs and Projects", will provide additional information about right of way acquisition procedures.

In the private market, voluntary sellers often ask for a price that is more than what they expect to receive, the buyers routinely offer less than they are eventually willing to pay. Bargaining in the fashion is common in most real estate sales, however, when we acquire property for a project; we make a full, fair price offer. Unlike a private buyer, we do not make a low offer with the expectation that a counteroffer will then be made by the seller.

All the documents necessary to complete the purchase of permanent interest in your property are enclosed and include:

**Memorandum of Agreement.** The Memorandum of Agreement expresses the terms in writing. Please sign and date the document where indicated.

**Easement.** This document describes the E-137 area as shown on the attached parcel plat. This document will be used to convey the needed easement rights on your property. Please sign and date the document where indicated in the presence of a Notary Public. DOT&PF will need a resolution from the City Council that authorizes the acquisition and signature authority.

**Parcel Plat.** The Parcel Plat shows the exact location and size of the areas to be acquired. Please acknowledge the purchase and easement areas by initialing and dating the Parcel Plats where indicated.

**Purchase Voucher.** The Purchase Voucher is needed to order payment. Please sign where indicated.

**IRS Form W-9.** The Internal Revenue Service requires that we report sale proceeds. To help us with that obligation, please include your Social Security Number or Tax Identification Number on the form and sign where indicated. A check cannot be issued without a Social Security Number or Tax Identification Number.

**W-9 Substitution Form.** The State of Alaska Administrative Services Division requires that we provide this form to allow them to process payments through their accounting system. Please provide your tax payer identification number and signature where indicated on the form. *Note:* This form should be filled out and signed in addition to the IRS W-9 form.

All liens, mortgages and encumbrances on the property must be released (title clearing) before we can complete the transaction. Once an agreement is reached for the purchase, you can expect to close the transaction and receive payment in 45 to 60 days. However, if title clearing is extremely complex, it may take longer. Owners whose properties are free and clear of encumbrances can expect to close the transaction and receive payment sooner.

Documents as noted need to be signed in the presence of a Notary Public and all documents need to be returned to HDL's office at your earliest convenience in the attached, stamped envelope. HDL has a Notary Public at our office in Palmer. Please call us for an appointment if that is convenient for you.

After review, if you find everything is order, please execute the enclosed documents and return them to us in the envelope provided. If we can provide additional information, please do not hesitate to call me at (907) 746-5230 or email me at llundin@hdlalaska.com. We look forward to working with you to make this project a success for you, DOT&PF, and the public

Sincerely,

HDL Engineering Consultants, LLC



Laura K. Lundin, PE  
Right of Way Agent

Attachments: As Stated

*Acquiring Real Property for Federal and Federal-Aid Programs*  
Waiver Valuation for Parcel No. E-137

cc: Matthew Walsh, Right of Way Agent, State of Alaska DOT&PF



STATE OF ALASKA  
DEPARTMENT OF  
TRANSPORTATION  
AND PUBLIC FACILITIES  
**WAIVER VALUATION**

**PROJECT NAME:**  
Glenn Highway Reconstruction:  
MP 34-42 Parks Highway to Old Glenn Highway  
**PROJECT #:** NH-OA1-5(24)/58104  
**PARCEL #:** E-137

*For acquisitions of \$25,000 or less for a federal-aid highway project, \$10,000 or less for a federal aviation project, and \$50,000 or less for a state-funded project.*

**Name of Owner:** City of Palmer  
231 W. Evergreen Avenue  
Palmer, Alaska 99645-6952  
**Legal Description:** Lot 7, Block 12, A.R.R.C. Subdivision No. 1 (Plat #3-124)  
**MSB TAX ID #:** 5001B12L007  
**Location of Property:** 231 W. Evergreen Avenue, Palmer, AK  
**Zoning:** CG, Commercial General  
**Present Use:** Palmer City Hall parking lot  
**Highest & Best Use:** As-is

**ACQUISITION AREA:**  Partial  Total

**Fee:**  No 0 SF \*

		<u>Acres</u>	<u>SF</u>
Property Size (before):	<i>net of existing ROW</i>	0.333	14,504
Area to be Acquired:	<i>net of existing ROW &amp; PUE (if any)</i>	<u>*0.005</u>	<u>*222</u>
Area of Remainder:	<i>net of existing ROW &amp; PUE (if any)</i>	0.328	14,282

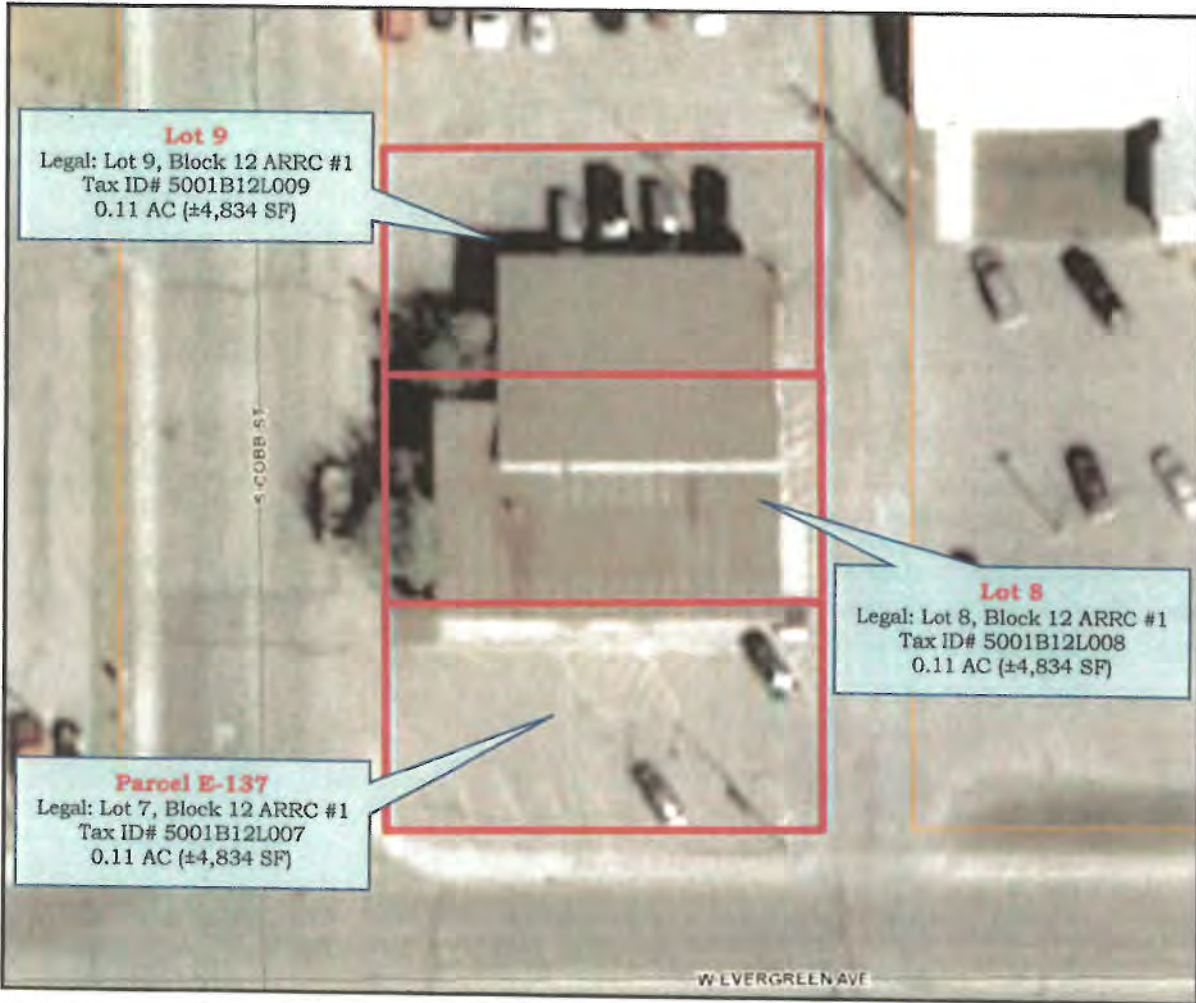
<b>Easement</b>	Yes	222 SF	<i>Right-of-way easement</i>
<b>Temporary Construction Easement (TCE):</b>	No	0 SF	NA
<b>Temporary Construction Permit (TCP):</b>	No	0 SF	NA

\*Note: The usable area of the remainder is effectively reduced by the easement acquisition. Because no utilitarian rights are retained by the grantee, the easement is equivalent to an acquisition of the fee interest.

Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
Project Number: NH-OA1-5(24)/58104  
Parcel Numbers: E-137

**DETERMINATION OF THE LARGER PARCEL**

The property owner, City of Palmer, owns the (2) contiguous properties to the north (see exhibit).




All three are substandard in terms of lot-size<sup>1</sup> but they are legally described and have individual tax identification numbers. Nevertheless, this informal assemblage is improved with Palmer City Hall. Given the unity of use, the assembled site inventoried in the following table is the larger parcel.

Parcel #	MSB Tax ID #	* AC (gross)	* SF (gross)	* AC (net)	* SF (net)
Parcel E-137	5001B12L007	0.111	±4,834.5	0.111	±4,834.5
Lot 8	5001B12L008	0.111	±4,834.5	0.111	±4,834.5
Lot 9	5001B12L009	0.111	±4,834.5	0.111	±4,834.5
<b>TOTAL</b>	<b>Larger Parcel</b>	<b>0.333</b>	<b>±14,504</b>	<b>0.333</b>	<b>±14,504</b>

<sup>1</sup> Minimum lot size is 7,200 SF - Palmer City Code, 17.32.062 Lot area restrictions  
Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
Project Number: NH-OA1-5(24)/58104  
Parcel Numbers: E-137



**PROPERTY DESCRIPTION**

Location	E of MP ±42 Glenn Hwy.; NEC of W. Evergreen Ave. & S. Cobb St.	
Immediate Neighborhood	Palmer central business district	
Size	±14,504 SF	
Shape	Rectangular corner lot; no highway frontage	
Access	Good - access from S. Cobb St. & paved alley.	
Utilities	The site is served by electricity, gas, public water & sewer.	
Topo/Soils	Cleared and level for existing use at street grade; outside classified wetlands and minimal flood risk <sup>2</sup>	
Easements	Typical; do not limit use	
Public Restrictions	CG, Commercial General	
Private Restrictions	None reported	
Environmental	No environmental issues noted	
H & B Use as-vacant	Commercial/retail	
Structural improvements	None noted	
Site improvements	Asphalt paving and concrete curb stops	
H & B Use as-improved	As-is	

**PROPERTY HISTORY**

There have been no known sales or listings of the property during the past 5 years.

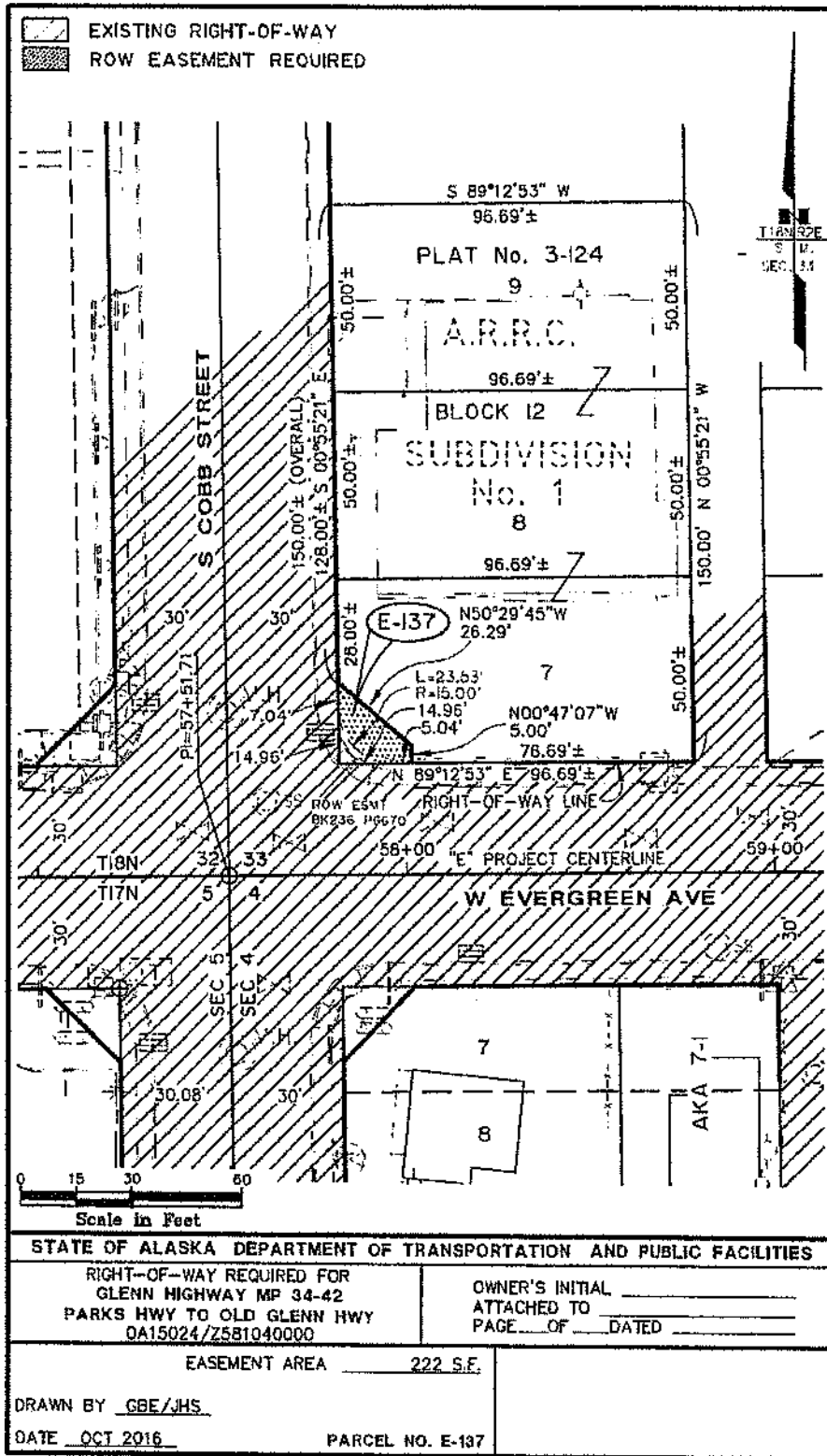
**DESCRIPTION OF ACQUISITION**

**Easement**

The project requires a 222 SF portion from the SWC of the property (see Parcel Plat on the following page). The purpose is for a *ROW easement*. *Because no utilitarian rights are retained by the grantee, the easement is equivalent to an acquisition of the fee interest.* The entirety of the easement area is paved with asphalt. A concrete curb stop is also within the easement area.

<sup>2</sup> The floodway is a channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 0.2% annual chance of flood can be carried without substantial increases in flood heights. FEMA flood rate map (02170C8135E) indicates the subject is located in a minimal flood area Zone X

Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
 Project Number: NH-OA1-5(24)/58104  
 Parcel Numbers: E-137



Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
 Project Number: NH-OA1-5(24)/58104  
 Parcel Numbers: E-137



**EFFECT OF THE ACQUISITION**

Site	Before Condition	After Condition <sup>3</sup>
Size and Shape:	14,504 SF; Rectangular corner lot; Frontage on W. Evergreen Ave. & S. Cobb St	14,282 SF; Rectangular corner lot; Frontage on W. Evergreen Ave. & S. Cobb St
Access	Good - access from S. Cobb St. & paved alley	Same
The site is suitable for the same uses in the after condition as in the before condition		

Structural Improvements	Before Condition	After Condition <sup>4</sup>
Set-back:	Conforming	Same
The existing improvements are suitable for a continuation of the existing use		

Site Plan		
On-site parking <sup>5</sup> :	The available parking exceeds the code requirement.	Loss of 2 parking spaces but the available parking continues to exceed the code requirement.

Site Improvements in Take		Compensation
• Permanent	The entire acquisition area is paved asphalt. One pre-case concrete curb stop	Depreciated replacement cost.
• Relocatable	None	N/A

In summary, the property is suitable for a continuation of the existing use. The effect of the ROW easement is simply a reduction in area. There are no incurable damages. The value of remainder as an independent parcel is at least as much as its value as part of the whole.

The value of the acquisition is measured as the value of the part acquired as a part of the whole, including the contribution of site improvements that can't be relocated and costs-to-cure, if any.

<sup>3</sup> If a condemnation by a governmental agency reduces the area of a lot below the minimum required by this section, the area after condemnation shall be the minimum area required for that lot if that lot met the minimum requirements before the condemnation and the resulting area after the condemnation is not less than 80 percent of the minimum required. Matanuska-Susitna Borough Code: Chapter 43.20.280 ( C )

<sup>4</sup> If a condemnation by a governmental agency reduces the building line setback of a structure below 25 feet, but there remains at least ten feet setback, and the setback reduced by the condemnation met the requirements of this section prior to the condemnation, the resulting setback shall be the setback requirements for the lot. (Ord. 11-159, § 2, 2011; Ord. 11-019, § 2, 2011; Ord. 93-042, § 2 (part), 1993; Ord. 88-190, § 3 (part), 1988)

<sup>5</sup> 1 space per 400 SF of Gross Floor Area Palmer City Code, Chapter 17.64  
Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
Project Number: NH-OA1-5(24)/58104  
Parcel Numbers: E-137

Note: Because the structural improvements are not affected by the acquisition, their contribution to the value of the whole is not essential to the measure of compensation. For the purpose of this appraisal, the value of the whole is represented by the land value plus the contribution of site improvements in the acquisition area that can't be relocated (if any).

#### **VALUATION ANALYSIS (Value of the Whole Property – Land Only)**

The analysis recognizes a price-per-SF unit of comparison. Sales and listings selected for comparison are identified in the following comparison grid. Details are presented in the Project Data Book.

All of the comparables reflect arm's length sales/acquisitions of the fee simple interest (except where noted). Atypical motivations, if any, are recognized in the reconciliation. The indicated unit values are already adjusted to a cash equivalent value (if required) and for expenditures immediately after purchase (e.g. demolition or the cost-to-cure known defects/deficiencies).

The market does not support reliable quantitative adjustments for either market conditions or physical inequalities. I correlated the comparables with qualitative adjustments (superior, inferior, approximately equal) in the following *relative comparison analysis* grid. An overall net adjustment (<, >, ±) is applied to develop value indicators on the bottom line.

Note: The market for commercial sites recognizes a price-per-SF unit of comparison. The comparative analysis recognizes the general trend - unit price (\$/SF) decreases as parcel size increases. In terms of unit price, a 1-acre parcel is generally superior to a 5-acre parcel - all other characteristics being equal

No.	Subject Parcel 137	2275	2277 Parcel 135	2853	2858	2809	2978
Status	---	Sold	Sold	Sold	Sold	Sold	Sold
Address	231 W. Evergreen	NSN S Cobb St	304 W Evergreen	NSN W Evergreen	535 W Evergreen	258-260 S. Alaska	1771 E. Parks Hwy
Sale Price	---	\$195,000	\$367,000	\$315,000	\$5,408,153	\$155,000	\$645,000
Date	---	Nov 2012	Nov 2004	Feb 2014	May 2014	Sep 2015	Mar-2012
Size	0.33 AC 14,504 SF	0.44 AC 19,336 SF	0.54 AC 23,570 SF	0.50 AC 21,780 SF	8.378 AC 364,957 SF	0.28 AC 12,197 SF	0.61 AC 26,470 SF
Indicated \$/SF	---	\$10.09/SF	\$15.57/SF	\$14.46/SF	\$14.82/SF	\$12.71/SF	\$24.37/SF
General Location • To Palmer Core	Palmer Core	Palmer Core	Palmer Core	Palmer Core	Palmer Core	Palmer Core	Wasilla Core
• Neighborhood	Palmer CBD	Palmer CBD	Palmer CBD	Pad-site/out-lot at Safeway	Palmer CBD	Palmer CBD fringe	Pad-site/out-lot anchored by Target
• ADT (2013)	10,860	N/A	10,860	10,860	13,510 & 5,260	5,260	31,693
Access	Adequate; paved	Good; paved <i>approx.=</i>	Good - paved <i>approx.=</i>	Good - paved <i>approx.=</i>	Good - paved <i>approx.=</i>	Good - paved <i>approx.=</i>	Adequate - paved <i>approx.=</i>
Topography	Cleared and leveled at road grade	Wooded and leveled near road grade <i>inferior</i>	Cleared and leveled near road grade <i>approx.=</i>	Cleared and leveled at road grade <i>approx.=</i>	Cleared and leveled at road grade <i>approx.=</i>	Cleared and leveled at road grade <i>approx.=</i>	Cleared and leveled at/near road grade <i>approx.=</i>
Soils	Adequate	Adequate <i>approx.=</i>	Adequate <i>approx.=</i>	Adequate <i>approx.=</i>	Good as prepared	Adequate <i>approx.=</i>	Adequate <i>approx.=</i>
Utility Availability	G, E, public water & sewer on site	G & E, public W & S reportedly adjacent <i>slightly inferior</i>	G, E, public W & S <i>approx.=</i>	G, E & public water reportedly on-site <i>approx.=</i>	G, E, public water & sewer on site <i>approx.=</i>	G, E & public water reportedly on-site <i>approx.=</i>	G, E & public W & S on-site <i>approx.=</i>
Size	0.33 AC 14,504 SF	0.44 AC 19,336 SF <i>approx.=</i>	0.54 AC 23,570 SF <i>approx.=</i>	0.50 AC 21,780 SF <i>approx.=</i>	8.378 AC 364,957 SF <i>inferior</i>	0.28 AC 12,197 SF <i>approx.=</i>	0.61 AC 26,470 SF <i>approx.=</i>
Shape: • Corner/Interior • Frontage to depth	Rectangular corner lot High	Rectangular corner lot High <i>approx.=</i>	Rectangular corner lot High <i>approx.=</i>	Irregular corner lot High <i>approx.=</i>	Irregular strategic corner High <i>superior</i>	Rectangular corner lot Adequate <i>approx.=</i>	Irregular corner lot Adequate <i>slightly inferior</i>
Restrictions • Zoning • Other (plat/CCRs)	Commercial general None reported	Commercial General None reported <i>approx.=</i>	Commercial General None reported <i>approx.=</i>	Commercial general None reported <i>approx.=</i>	Commercial general None reported <i>approx.=</i>	Commercial limited None reported <i>approx.=</i>	Commercial None reported <i>approx.=</i>
Other			N/A			Demolition required <i>inferior</i>	
Indicated \$	---	>\$10.09/SF	±15.57/SF	±\$14.46/SF	±\$14.82/SF	>\$12.71/SF	<\$24.37/SF

Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
Project Number: NH-OA1-5(24)/58104  
Parcel Numbers: E-137

**Reconciliation – Value of the Whole**

The data generates a range of unit values from \$10.08/SF to \$24.37/SF. The relative market position of the subject is isolated in the following table.

Data #	Indicated \$/SF	Reconciliation
2978	▼ \$24.37/SF	Clearly superior given the location
2277	►◀ \$15.57/SF	Most similar in terms of location; dated sale near market peak
<b>Parcel 137</b>	---	
2859	►◀ \$14.82/SF	Recent sale; superior location & shape are arguably offset by larger size
2853	►◀ \$14.46/SF	On the fringe of the CBD but anchored pad-site
2869	▲ \$12.71/SF	Recent sale and similar-size comer lot but generally inferior
2275	▲ \$10.08/SF	Located near the subject but generally inferior

The analysis supports a narrower range from \$14.46/SF to \$15.57/SF. Acknowledging the influence of the new Fred Meyer store under construction and a limited supply of sites in the immediate neighborhood, market value is fairly represented nearer the upper of the narrowed range at \$15.50/SF.

**Contribution on Site Improvements in the Acquisition Area**

The in-place contribution is calculated in the following table.

<u>Item</u>	<u>Quantity</u>	<u>Unit \$ (new)</u>	<u>Extended</u>	<u>Condition</u>	<u>Indicated Contribution</u>
Paving	222 SF	\$2.35/SF <sup>6</sup>	\$522	75%	\$392
Curb-stop	1	\$300.00 <sup>7</sup>	\$300	75%	\$225
					\$617



<sup>6</sup> See Project Data Book

<sup>7</sup> The unit cost is \$75 at the supplier's yard (Valley Block & Concrete, 4492 E. Fairview Loop Road, 907-376-4784). I rounded the replacement cost to \$300 to allow for delivery and installation.

Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
 Project Number: NH-OA1-5(24)/58104  
 Parcel Numbers: E-137

**VALUE OF THE ROW EASEMENT TO BE ACQUIRED**

Note: The usable area of the remainder is effectively reduced by the easement acquisition. Because no utilitarian rights are retained by the grantee, the easement is equivalent to an acquisition of the fee interest.

ROW easement to be acquired		222 SF
Indicated unit value	x	\$15.50/SF
Indicated value of the easement area	**	\$3,441
Add: Contribution of site improvements in the acquisition area		\$617
Indicated value of the ROW easement	**	\$4,100

Note: \*The indicated value of the whole (land only); and the value of the part acquired; reflects the fee value – unallocated for rights previously reserved or conveyed, if any (e.g. subsurface rights, utility easements, leaseholds, etc.).

\*\*Rounded upward to the nearest \$100

**COSTS-TO-CURE**

N/A



**SUMMARY**

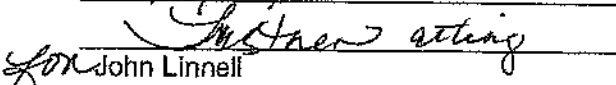
Estimated value of the right-of-way easement	\$4,100
Costs-to-Cure	\$0
Estimate value of the Temporary Construction Easement	\$0
Estimate value of the Temporary Construction Permit	\$0
<b>Estimated value of the Acquisition</b> <i>(rounded up to the nearest \$100)</i>	<b>\$4,100</b>

**Note:** \*The indicated value of the whole (land only); and the value of the acquisition; reflects the fee value – unallocated for rights previously reserved or conveyed, if any (e.g. subsurface rights, utility easements, leaseholds, etc.).

I certify that I have no direct, indirect, present, or prospective interest in this property; that I have no personal interest or bias with respect to any party involved; and that I will not benefit in any way from the acquisition of this property.

Date of Inspection: May 12, 2016  
Date of Value December 16, 2017  
Date of Report December 16, 2017

Estimator:   
Steve Carlson, MAI

Date Approved: 12/20/16  
  
John Linnell  
DOT&PF Central Region  
Chief of ROW



**SUBJECT PHOTOS TAKEN BY JEC 5/12/16**



Looking east along the south boundary from/near the SWC of the property.



Looking west along the south boundary from/near the SEC of the property.



Looking north along the east boundary from/near the SEC of the property.



Looking south along the east boundary from/near the NEC of the property.



Looking east along the north boundary from/near the NWC of the property.



Looking south along the west boundary from/near the NWC of the property.

Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
Project Number: NH-OA1-5(24)/58104  
Parcel Numbers: E-137



The client's Appraisal Procedures and Guidelines indicated that "waiver valuations are not appraisals..." However, I am an appraiser developing and reporting an opinion of value. Intending this assignment to comply with the Uniform Standards of the Professional Appraisal Practice, I described the *nature of the assignment*, summarized the *scope of work*, and included a *certification*.

## NATURE OF THE ASSIGNMENT

### CLIENT

State of Alaska Department of Transportation and Public Facilities  
Statewide Design & Engineering Division  
Central Region – Right of Way Section  
4111 Aviation Avenue  
Anchorage, Alaska 99519-6900

Attn: Ms. Lorraine Kastner, Acquisitions Supervisor

### PURPOSE OF THE APPRAISAL

- 1) The *purpose of the appraisal* is to estimate the market value of the property owner's rights acquired as defined by the Uniform Standards of the Professional Appraisal Practice as follows:

"The most probable price, which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- i) Buyer and seller are typically motivated;
- ii) Both parties are well informed or well advised, and both acting in what they consider their own best interests;
- iii) A reasonable time is allowed for exposure in the open market;
- iv) Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
- v) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

- 2) The *purpose of the appraisal* is to estimate the market value of the property owner's rights acquired as defined by the Alaska Supreme Court, as follows:

The price in (terms of) money that the property could be sold for on the open market under fair conditions between an owner willing to sell and a purchaser willing to buy, with a reasonable time allowed to find a purchaser. State v. 7.026 acres, Sup. Ct. Op. No. 601 (File No. 1106), 466 P.2d 364 (1970). The opinion further reads, in part: The highest and most profitable use for which the property is adaptable is to be considered, to the extent that the prospect of demand for such use affects the market value while the property is privately held." Fair market value is normally based on a parcel's fee simple value.

### INTENDED USE OF THE APPRAISAL

The function of the report (intended use) is to provide a market value estimate for compensating the property owner for the acquisition of property rights acquired according to the Alaska Constitution, Article 1, Section 18, Eminent Domain, which reads, in part, "Private property shall not be taken or damaged for public use without just compensation."

### INTENDED USER(S)

The intended users include the client and appropriate regulatory agencies.

Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
Project Number: NH-OA1-5(24)/58104  
Parcel Numbers: E-137

**PROPERTY DATA**

The client identified the property and provided a title report, project plat and design plans. I obtained a tax history, plat maps, and zoning regulations from the Matanuska Susitna Borough (MSB). Owner contact is not required. I, Steve E. Carlson, MAI, inspected the property on May 12, 2016. I viewed the property on several subsequent occasions and was in the immediate neighborhood on December 5, 2016.

**AREA DATA**

In order to identify significant trends and indicators, I spoke with local property owners, real estate agents, and appraisers. I also reviewed various publications, reports, and surveys including *Alaska Economic Trends*, and the *Anchorage Daily News*.

**MARKET ANALYSIS**

The available data is adequate for purposes of estimating market value. The Appraisal Institute recognizes two categories of market analysis: inferred and fundamental. The lower level of analysis is appropriate for this assignment; demand is inferred from the available data (see project data book).

**MARKET DATA**

Alaska is a non-disclosure state. Comparable data was obtained by searching the local multiple listing service records, surveying real estate agents/brokers, property managers, and other appraisers. Market data was confirmed with the property owners, managers or agents.

**APPRAISAL DEVELOPMENT**

The structural improvements are not affected. I developed my opinion of value by the *sales comparison approach*.

**APPRAISAL REPORTING**

The report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice (2016-2017) for a *restricted appraisal report*. As such, it presents only brief discussions of the data, reasoning, and analyses that were used to develop our opinion of value. Supporting documentation is retained in the appraiser's file. The depth of discussion contained in this report is specific to the need of the client and the intended use stated. The appraiser is not responsible for the unauthorized use of this report.



Name of Appraiser: Steve Carlson, MAI

I CERTIFY THAT:

I personally inspected the property appraised in this report on May 12, 2016. I viewed the property on several subsequent occasions and was in the immediate neighborhood on December 5, 2016. Jeff Carlson provided professional assistance. I limited his services to photography, basic research, general data gathering and the organization of report contents.

I personally verified the facts, prices, terms, and conditions of sales used as comparable data with the parties to each transaction except to the extent otherwise indicated in my report.

I made a personal field inspection of any comparable properties referred to in the report. The narrative analysis and conclusions contained within this appraisal report are my own.

To the best of my knowledge and belief, the statements contained in this appraisal report are true and correct, and the information upon which my opinions are based is accurate, subject only to the assumptions and limiting conditions set out in the report.

My appraisal report is intended to be used by the State of Alaska Department of Transportation and Public Facilities in connection with an acquisition for the above-referenced project to be constructed with the assistance of federal funds.

This appraisal report has been made in conformity with applicable federal standards, State of Alaska statutes, regulations, policies, and procedures and with accepted industry practices applicable to valuation of lands for such purposes. To the best of my knowledge, all values that I have assigned to the property are compensable under the established law of the State of Alaska. Values assigned do not reflect a decrease or increase due to the proposed project.

Neither my employment nor my compensation for making this appraisal report are in any way contingent upon the reporting of a predetermined value that favors the cause of the client, the attainment of a stipulated result, or the occurrence of a subsequent event.

I have no direct, indirect, present, or prospective interest in the subject property; and I have no personal interest or bias with respect to the parties involved, nor will I benefit in any way from the acquisition of this property.

I have not revealed the findings and results of this report to anyone other than the proper officials of the Alaska Department of Transportation and Public Facilities, the Federal Highway Administration, or the Federal Aviation Administration, and I will not do so until so authorized by proper officials, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

I previously developed a waiver valuation for a slightly larger acquisition from the same property, for the same client, as of May 12, 2016.

As of the date of this report, I have completed the continuing education program for Designated Members of the Appraisal Institute and the State of Alaska.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

Based upon my independent, unbiased research and analysis, my professional opinion of market value is **\$4,100** as of December 16, 2016.

December 16, 2016

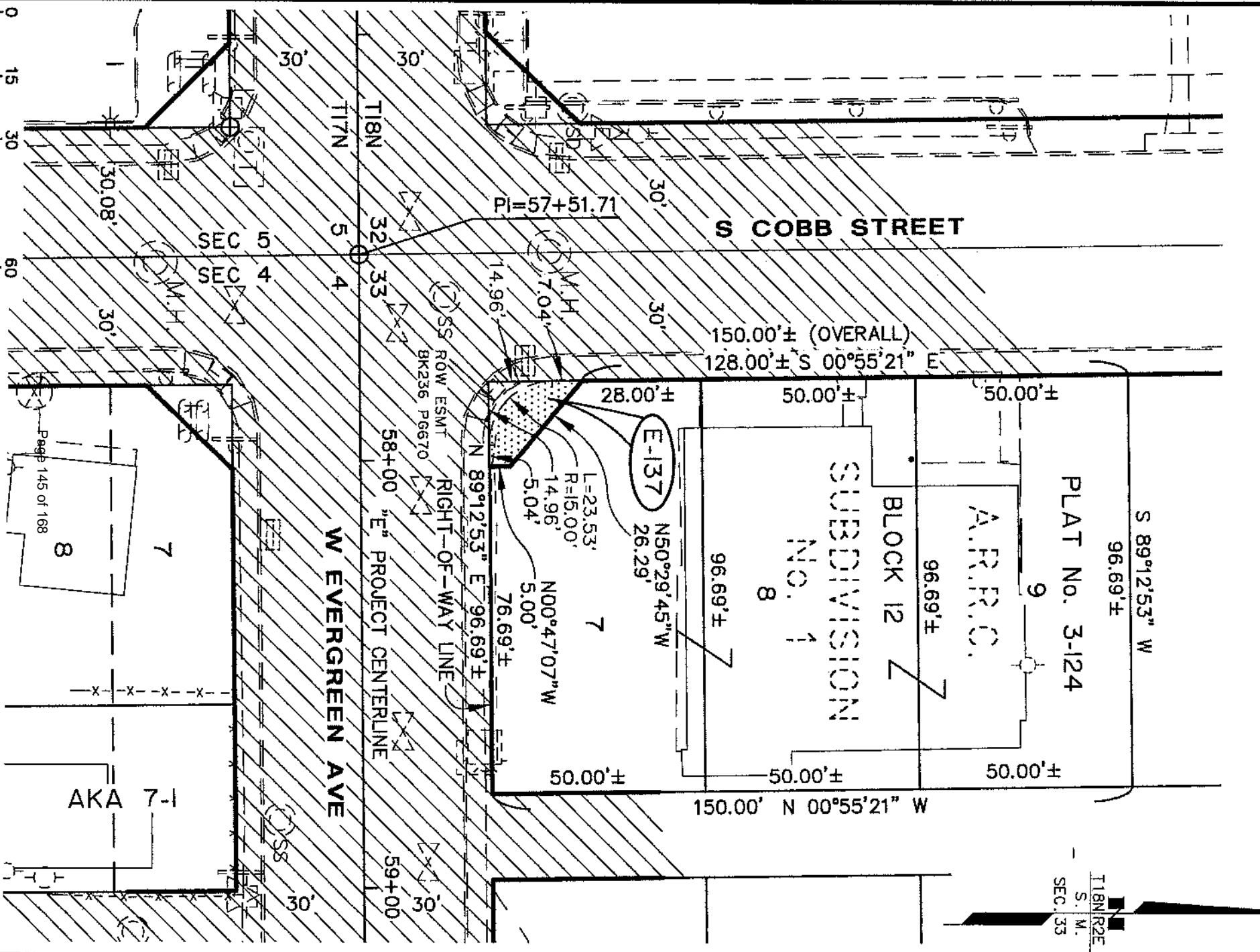


Date

Steve Carlson, MAI  
General Real Estate Appraiser (Cert. #231)

Glenn Highway Reconstruction: MP 34-42; Parks Highway to Old Glenn Highway  
Project Number: NH-OA1-5(24)/58104  
Parcel Numbers: E-137

EXISTING RIGHT-OF-WAY  
 ROW EASEMENT REQUIRED



Page 145 of 168

T18N R2E  
 S. M.  
 SEC. 33







**Attachment(s):**

- Resolution No. 17-011
- AKDOT Agreement No: 1-Z513630000-16-41

**Summary Statement:**

As the State of Alaska looks to complete the Palmer Wasilla Highway Eastern Terminus project, they requested betterments from the City of Palmer be incorporated into their overall design plan. The City requested AKDOT incorporate into its design and specifications installation of a new 8" water line, and replacement/upgrade of an existing water (Existing 1.5" to Proposed 4") and sewer service (Existing 4" to Proposed 6"). The additional cost of construction and incidental items is estimated at \$55,311.00.

This would be funded by the Water/Sewer Enterprise fund.

**Administration's Recommendation:**

Approve Resolution No. 17-011.

Introduced by: City Manager Wallace  
Date: February 14, 2017  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA  
**Resolution No. 17-011**

**A Resolution of the Palmer City Council Authorizing the City Manager to Negotiate and Execute a Utility Reimbursable Services Agreement with the State of Alaska Department of Transportation for Betterments to the Palmer Wasilla Highway Eastern Terminus in the amount of \$55,311.00**

WHEREAS, the Alaska Department of Transportation (AKDOT), in the interest of public safety and convenience proposes to construct, reconstruct or otherwise improve a portion of the AKDOT facility known as the Palmer Wasilla Highway Eastern Terminus, which shall require the adjustment, relocation or removal of City of Palmer facilities along, over, under or within AKDOT facilities; and

WHEREAS, the City of Palmer has requested the AKDOT incorporate into its facility design and specifications installation of a new 8" water line and replacement/upgrade of an existing water service to 4" and sewer service to 6"; and

WHEREAS, the betterments to the City of Palmer will impose additional construction and incidental costs to the AKDOT; and

WHEREAS, it is the intention of both parties that the additional costs of construction and all incidental items to the benefit of the City of Palmer, shall be borne by the City of Palmer, which are shown in Exhibit "A" of the attached state of Alaska Agreement No. 1-Z513630000-16-41, and by this reference incorporated; and

WHEREAS, the AKDOT and the City of Palmer have reviewed the plans for said improvements for the City of Palmer and are in mutual agreement as to the scope of work to be performed as described in Exhibit "B" of the agreement.

NOW, THEREFORE, BE IT RESOLVED the Palmer City Council hereby authorizes the Palmer City Manager to enter into and execute a Utilities Reimbursable Service Agreement with the state of Alaska Department of Transportation (AKDOT) for reimbursable betterments to the Palmer Wasilla Highway Eastern Terminus not to exceed \$55,311.00.

**Approved** by the City Council of the City of Palmer, Alaska, this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk

**STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES**

**UTILITY AGREEMENT**

**UTILITY REIMBURSABLE SERVICES AGREEMENT  
(WORK BY STATE FOR COMPANY)**

Region: **CENTRAL**

Agreement No.: **1-Z513630000-16-41**

Project No.: **Z513630000**

URSA No.: **CRMBS00193**

Utility Work Order No.: **6715**

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by and between the State of Alaska, acting by and through the Department of Transportation and Public Facilities, hereinafter called the DEPARTMENT, and **City of Palmer (CoP)** hereinafter called the COMPANY.

**WITNESSETH:**

WHEREAS, the DEPARTMENT, in the interest of public safety and convenience proposes to construct, reconstruct or otherwise improve a portion of the DEPARTMENT facility known as **Palmer-Wasilla Hwy Eastern Terminus** which shall require the adjustment, relocation or removal of the COMPANY's facilities along, over, under or within said DEPARTMENT facility such adjustment relocation or removal work to hereinafter be described as "relocation work", and

WHEREAS, the COMPANY has requested that the DEPARTMENT incorporate into its facility design and specifications installation of a new 8" water line, and replacement/upgrade of an existing water (Existing 1.5" || Proposed: 4") and sewer service (Existing 4" || Proposed: 6"), and

WHEREAS, the benefits to the COMPANY will impose additional construction and incidental costs upon the DEPARTMENT, and

WHEREAS, it is the intention of both parties that the additional costs of the construction and all incidental items as shown on "Exhibit A" to the benefit of the COMPANY, shall be borne by the COMPANY, and

WHEREAS, the DEPARTMENT and the COMPANY have reviewed the plans for said improvements for the COMPANY and are in mutual agreement as to the scope of work to be performed, as described in the attached "Certificate of Finding", marked "Exhibit B";

NOW THEREFORE, in consideration of the mutual undertaking promises, covenants, and considerations by and between the parties contained herein, do hereby agree as follows:

- A. The DEPARTMENT will incorporate as part of the design plans and specifications the adjustments, relocation, removal, betterments and/or additions as requested by the COMPANY in the final design of the DEPARTMENT's project as shown in "Exhibit C".
- B. The COMPANY will participate in the costs of the construction and incidental items as outlined in "Exhibit A". The COMPANY's cost will be billed using the successful bidder's Unit Prices established in the project contract.
- C. The COMPANY will participate in the DEPARTMENT's preliminary engineering (PE) and contract administration (CE) costs relative to the UTILITY REIMBURSABLE SERVICES AGREEMENT (URSA) work outlined herein to incorporate the COMPANY's requested betterments and/or additions into the DEPARTMENT's contract by one of the following methods:

- X   (1) Actual DEPARTMENT labor costs with additives.
- X   (2) A fixed percentage rate of **5.00%** for Preliminary Engineering.  
A fixed percentage rate of **15.00%** for Construction Engineering.
- (3) A lump sum amount of **\$0** for Preliminary Engineering.  
A lump sum amount of **\$0** for Construction Engineering.
- X   (4) Actual Indirect Cost Allocation Plan (ICAP) as percentage of total costs. The ICAP rate is approved by FHWA, and is assessed at the time of billing.

The total estimated amount of the COMPANY's cost participation for the construction and incidentals as outlined herein is **\$55,311**.

- D. The COMPANY will reimburse the DEPARTMENT within sixty (60) days after receipt of a billing from the DEPARTMENT for that portion of the system construction and incidentals covered under this agreement. Such billing will include the Project, Agreement, and Utility Work Order numbers, the Termini and the cost breakdown as outlined in "Exhibit A". Each billing will contain a recapitulation showing the total cost to date, and the amount of previous billings. Partial billings may be submitted to the COMPANY for the work as completed.
- E. The administration of the construction of the facilities shall be the prerogative and responsibility of the DEPARTMENT. The COMPANY, or its authorized representative, may inspect and obtain appropriate field data to insure proper compliance with COMPANY requirements during construction of the facilities, and secure data for further reference.

- F. During the performance of the work, the COMPANY or its authorized representative will make all construction orders or changes to the contract through the DEPARTMENT'S Project Engineer. Any negotiated changes to the contract between the COMPANY and the Contractor will be made through the DEPARTMENT'S Project Engineer.
  
- G. The COMPANY is allowed to relocate/locate its facilities upon the highway right-of-way, subject to the terms of the required permit and applicable Federal, State and Local Statutes, codes and regulations. The COMPANY shall assume all liability related in any way to the presence, operation and/or maintenance of said facilities.





EXHIBIT "A"  
SUMMARY OF ESTIMATE FOR ADJUSTMENT OF FACILITIES REQUIRED BY ROAD CONSTRUCTION

The City of Palmer (CoP) estimate of work and materials required in connection with Project No.: **Z513630000**,  
Project Name: **Palmer-Wasilla Highway Eastern Terminus**, Utility Work Order No. **6715**, Agreement No. **1-Z513630000-14-143**  
URSA No.: **CRMBS00193**

	FEDERAL PARTICIPATION	STATE PARTICIPATION	CITY OF PALMER URSA	TOTAL
<b>PART I. UTILITY WORK</b>				
Preliminary Engineering (City of Palmer)				-
Preliminary Engineering (HDL)				-
Preliminary Engineering Overhead				-
<b>073 - TOTAL PRELIMINARY ENGINEERING</b>	-	-	-	-
Construction Engineering				-
Construction Engineering Overhead				-
<b>266 - TOTAL CONSTRUCTION ENGINEERING</b>	-	-	-	-
Construction Labor				-
Materials & Supplies				-
Materials Handling Charges				-
Transportation & Equipment				-
Contract Construction				-
Miscellaneous Expenses				-
Construction Subtotal	-	-	-	-
Construction Overhead				-
<b>GROSS CONSTRUCTION COSTS</b>	-	-	-	-
Shared Costs				-
Salvage & Scrap				-
Betterment				-
Non-Reimbursable				-
Other				-
TOTAL CREDITS	-	-	-	-
<b>265 - NET CONSTRUCTION COSTS</b>	-	-	-	-
<b>TOTAL UTILITY WORK</b>	-	-	-	-
<b>PART II. STATE WORK FOR UTILITY</b>				
Preliminary Engineering @ 5%	-	-	1,593	1,593
Preliminary Engineering (HDL)			14,440	14,440
Construction Engineering @ 15%	-	-	4,780	4,780
Shared Costs			2,834	2,834
Contract Construction			29,035	29,035
State Work Subtotal	-	-	52,682	52,682
ICAP (State 4.96%); (CIP Projects 4.99%)	-	-	2,629	2,629
<b>TOTAL STATE WORK FOR UTILITY</b>	-	-	55,311	55,311
<b>TOTAL ESTIMATED RELOCATION COSTS (Parts I &amp; II)</b>	-	-	55,311	55,311

UTILITY CONCURRENCE, BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

SUBMITTED BY: *J.P. Butts*  
TITLE: *Billings Officer*

**EXHIBIT "A"**  
**BILLING FORMAT**

**Utility Reimbursable Service Agreement (URSA) No. CRMBS00193**

1. CoP has elected to use the Department's Project to install a new 8-inch ductile iron main for future development, and upgrade an existing water and sanitary sewer service.

CoP agrees to reimburse the Department for Preliminary and Construction engineering costs associated with the development and execution of this agreement, as well as all work supplied by or through the Department or other utility companies. See below

- Shared construction costs as detailed in Exhibit "A" Page(s) 6.
- The Department's Preliminary Engineering at five percent (5%).
- The Department's Construction Engineering at fifteen percent (15%).
- The Department's ICAP for URSA work is currently estimated 4.99% of total costs.

The Department will recalculate the estimate after bid opening and fix the cost owed the Department by CoP.

**2. DOLWD FILING REQUIREMENTS:**

UTILITY COMPANIES NOT OWNED/OPERATED BY A GOVERNMENT AGENCY:

On public construction projects, if any portion of the utility work is reimbursable by the Department, the Company is required to file the following:

1. Notice of Work
2. Certified Payroll OR a sworn affidavit containing the following information:
  - a. All work classifications and wage rates and fringe benefit rates to be paid for all workers on the project, and
  - b. A statement that the combined total of the wage and fringe benefit amount shall meet or exceed the total prevailing wage and fringe benefits for the specified classification of the worker as listed in the applicable *Laborers' and Mechanics' Minimum Rates of Pay* pamphlet.
3. Notice of Completion

The Department will file the Notice of Award (NOA) with DOLWD prior to beginning utility relocation work. A DOLWD project number will be provided to the Department and to the Company upon approval of the NOA.

**UTILITY COMPANIES OWNED/OPERATED BY A GOVERNMENT AGENCY:**

On public construction projects, the Company is required to file the NOA with DOLWD if any portion of the utility work is contracted out. The Department will provide the project name required for filing the NOA. After the Company files the NOA, the Company's contractor will file the following:

1. Notice of Work
2. Certified Payroll
3. Notice of Completion

**DOLWD FILING FEE:**

DOLWD assesses a 1% filing fee on the sum of all construction contracts issued for a Department project and this fee is capped at \$5,000. The Department's prime construction contractor will pay the full cap amount, therefore a DOL filing fee will not be assessed on the utility relocation contract.

3. **BUY AMERICA:** The Company is required to meet the Buy America requirements as set forth in 23 US Code 313 and 23 Code of Federal Regulations, Part 635.410.

4. **NON-REIMBURSABLE PERCENTAGE:**

The CoP work to be completed under this project is covered under two separate agreements; this Utility Reimbursable Services Agreement (URSA 1-Z513630000-16-41) and a Reimbursable agreement (1-Z513630000-14-143). Non-reimbursable costs for this project result from engineering, labor, and materials associated with the proposed 8-inch ductile iron water main extension and upgrade of the existing 1.25-inch water service and 4-inch sanitary sewer service to a 4-inch and 6-inch respectively (described in more detail in Exhibit "B"). The non-reimbursable percentage was calculated using the reimbursable Contract Construction costs covered under 1-Z513630000-14-143 (Totaling: \$58,070), and the non-reimbursable Contract Construction costs covered under this URSA (Totaling: \$29,035).

**NON-REIMBURSABLE PERCENTAGE COMPUTATION**

$$\frac{URSA (Contract Construction Costs)}{Reimb (State Contract Const.) + URSA (State Contract Const.)} = \%$$

$$\frac{URSA(\$29,035)}{Reimb(\$58,070) + URSA(\$29,035)} = 33.33\%$$



5. **EXPLANATION OF COSTS:**

For the purposes of this Exhibit the following terms are defined:

**Kinney Engineering** – Kinney Engineering, LLC is the Roadway Design Consultant for the Department.

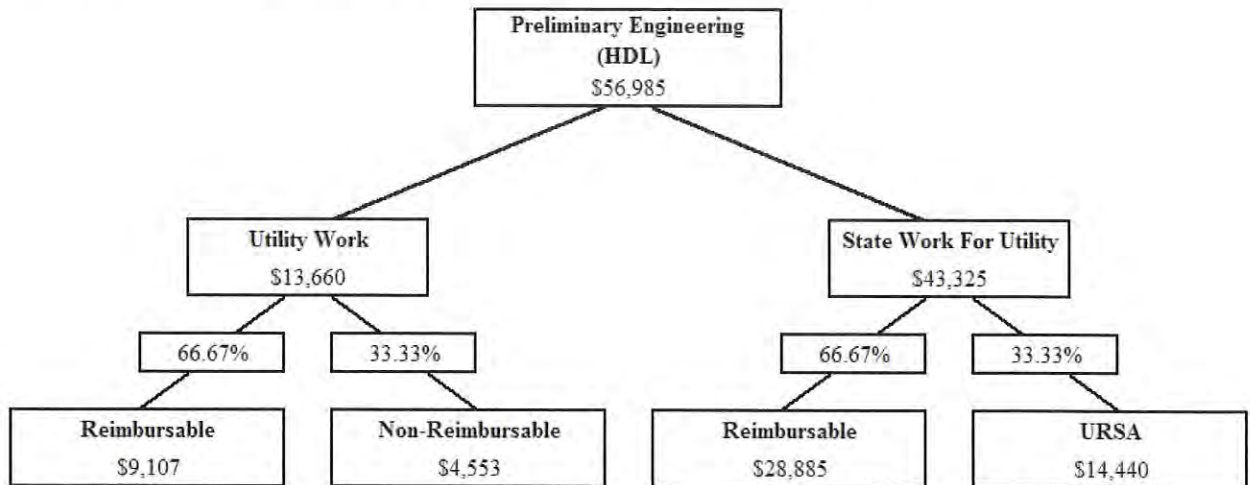
**HDL** – HDL Engineering Consultants, LLC is the utility design consultant to CoP and sub-consultant to Kinney Engineering, LLC.

**Utility Work** – Category covering design and construction costs incurred by the utility or its subcontractor.

**State Work for Utility** – Category covering design and construction costs incurred by the Department.

**Preliminary Engineering (HDL)** – This is a subcategory under both *Utility Work* and *State Work For Utility* that covers HDL’s design costs associated with this project.

- The Department, using the HDL cost summary (Page 8 of Exhibit "A"), separated the total contract preliminary engineering into two categories: *Utility Work* and *State Work for Utility*. As there is a non-reimbursable component to the work, the Department, applying the Non-Reimbursable Percentage (See No. 4), further separated the costs in each category between Reimbursable and Non-Reimbursable/URSA.



6. **Shared Costs:**

This is a cost assessed to the Company for Department expenses incurred in support of betterment and non-reimbursable utility work associated with the project (see Page 6 of Exhibit "A" - *Shared Costs*). These costs will be recalculated and fixed at general construction contract bid opening.

ESTIMATE OF STATE WORK FOR UTILITY (URSA)  
City of Palmer (CoP)  
Palmer-Wasilla Highway Eastern Terminus  
Project No. Z513630000

ITEM NO.	PAY ITEM	PAY UNIT	UNIT PRICE	QTY	TOTAL COST
627 (9-4)	Install 4-Inch Gate Valve	Each	\$1,500.00	1	\$1,500.00
627 (1)	8-Inch Ductile Iron Water Conduit, Class 52	Linear Foot	\$135.00	58	\$7,830.00
626 (2)	Sewer Service Connection	Each	\$2,000.00	1	\$2,000.00
626 (1)	Sanitary Sewer Conduit, 6-Inch	Linear Foot	\$155.00	67	\$10,385.00
627 (9-8)	Install 8-Inch Gate Valve	Each	\$3,000.00	1	\$3,000.00
627 (11)	4-Inch Ductile Iron Fire Line, Class 52	Linear Foot	\$95.00	50	\$4,750.00
627 (1A)	8-Inch Insulated Ductile Iron Water Conduit, Class 52	Linear Foot	\$215.00	18	\$3,870.00

**TOTAL ESTIMATED CONSTRUCTION COSTS: \$33,335.00**

REPLACEMENT IN-KIND CREDIT: (\$4,300.00)

SHARED COSTS: \$2,833.78

**SUBTOTAL: \$31,868.78**

PRELIM. ENGINEERING @ 5%: \$1,593.44

PRELIM. ENGINEERING (HDL): \$14,440.00

CONST. ENGINEERING @ 15%: \$4,780.32

**SUBTOTAL: \$52,682.54**

ICAP @ 4.99%: \$2,628.86

**TOTAL ESTIMATED COSTS: \$55,311.39**



**SHARED COSTS**

BASIC DOT&PF CONTRACT ESTIMATE	\$ 6,196,318.55
TOTAL UTILITY CONSTRUCTION COSTS	\$ 427,748.00
<b>SUBTOTAL</b>	<b>\$ 6,624,066.55</b>

ITEM	CONSTRUCTION UNITS	UNIT	UNIT PRICE	ENG. EST. QUANTITY	AMOUNT
641 (2)	TEMPORARY EROSION, SEDIMENT, AND POLLUTION CONTROL	C.S.	\$ 100,000.00	ALL REQ'D	\$ 100,000.00
641 (7)	SWPPP MANAGER	L.S.	\$ 50,000.00	ALL REQ'D	\$ 50,000.00
642 (1)	CONSTRUCTION SURVEYING	L.S.	\$ 246,000.00	ALL REQ'D	\$ 246,000.00
642 (3)	THREE PERSON SURVEY PARTY	HR	\$ 350.00	50.00	\$ 17,500.00
643 (25)	TRAFFIC CONTROL	C.S.	\$ 215,000.00	ALL REQ'D	\$ 215,000.00
682 (1)	VAC-TRUCK POTHOLE	C.S.	\$ 18,000.00	ALL REQ'D	\$ 18,000.00
<b>SUBTOTAL:</b>					<b>\$ 646,500.00</b>

$$\frac{\text{CoP (Non - Reimb(Const.))}}{\text{DOT\&PF(Contract Construction)}} \times \text{Construction Units} = \text{Shared Costs}$$

$$\frac{\$29,035.00}{\$6,624,066.55} \times \$646,500.00 = \$ 2,833.78$$

Notes:

**COST ESTIAMTE FOR REPLACEMENT OF EXISTING  
WATER AND SANITARY SEWER WITH CURRENT STANDARD**

**REPLACE EXISTING 1.25-INCH WATER SERVICE WITH 1.5-INCH SERVICE**

<b>TRENCH EXCAVATION &amp; BACKFILL</b>	<b>UNIT PRICE</b>	<b>QTY</b>	<b>TOTAL COST</b>
EQUIPMENT	\$90.00/hr	6 hr	\$540.00
OPERATOR	\$62.00/hr	6 hr	\$372.00
LABORER	\$60.00/hr	6 hr	\$360.00
<b>1.5-INCH WATER SERVICE</b>			
1.5-INCH COPPER	\$12.00	50 lf	\$600.00
CURB STOP	\$100.00	1	\$100.00
CORP STOP	\$75.00	1	\$75.00
SADDLE	\$300.00	1	\$300.00
THAW WIRE	\$2.00	50 lf	\$100.00
KEY BOX	\$80.00	1	\$80.00
<b>TOTAL (ROUNDED UP TO NEAREST \$100.00):</b>			<b>\$2,600.00</b>

**EXTEND EXISTING 4-INCH SANITARY SEWER SERVICE TO PROPERTY LINE**

<b>TRENCH EXCAVATION &amp; BACKFILL</b>	<b>UNIT PRICE</b>	<b>QTY</b>	<b>TOTAL COST</b>
EQUIPMENT	\$90.00/hr	4 hr	\$360.00
OPERATOR	\$62.00/hr	4 hr	\$248.00
LABORER	\$60.00/hr	4 hr	\$240.00
<b>4-INCH SANITARY SEWER SERVICE</b>			
4-INCH DUCTILE IRON PIPE (LF)	\$16.00	15	\$240.00
POLY WRAP (LF)	\$0.50	15	\$7.50
END CAP (EA)	\$150.00	1	\$150.00
ROMAC COUPLER (EA)	\$220.00	1	\$220.00
CLASS E PIPE BEDDING (LF)	\$12.00	15	\$180.00
<b>TOTAL (ROUNDED UP TO NEAREST \$100.00):</b>			<b>\$1,700.00</b>

**DOT SUMMARY OF HDL DESIGN COSTS**

<b>Client</b>	<b>HDL Job No.</b>	<b>Invoice No.</b>	<b>Invoice Date</b>	<b>Total</b>	<b>Notes</b>
<b>PRELIMINARY ENGINEERING (UTILITY WORK)</b>					
City	12-028	10017	Oct-12	\$ 2,460.00	
		10212	Nov-12	\$ 2,040.00	
City	15-037	16198	Aug-15	\$ 1,960.00	
		17114	Sep-15	\$ 2,890.00	
		18074	Feb-16	\$ 40.00	
		18015	Feb-16	\$ 4,270.00	
				<b>\$ 13,660.00</b>	

<b>PRELIMINARY ENGINEERING (STATE WORK FOR UTILITY)</b>					
Kinney	09-003	18484	May-16	\$ 19,372.98	
		18485	May-16	\$ 3,579.45	
		18647	Jun-16	\$ 6,638.40	
		18648	Jun-16	\$ 874.69	
		18806	Jul-16	\$ 882.91	
		18976	Aug-16	\$ 2,849.65	
		19141	Sep-16	\$ 3,035.65	
		19499	Nov-16	\$ 2,814.35	
		19500	Nov-16	\$ 217.50	
		TBD	TBD	\$ 3,060.00	Anticipated costs to finish design.
				<b>\$ 43,325.58</b>	

Total Preliminary Engineering Costs: \$ **56,985.58**

**EXHIBIT "B"**  
**Certificate of Finding**

**PROJECT:** Z513630000

**TERMINI:** Palmer-Wasilla Highway Eastern Terminus

**UTILITY TYPE:** Water and Sanitary Sewer

**UTILITY NAME  
AND ADDRESS:** City of Palmer (CoP)  
1316 South Bonanza Street  
Palmer, Alaska 99645

**UTILITY CONTACT:** Chris Nall, Public Works Director  
(907) 745-3400 (o)  
E-mail: cnall@palmerak.org

**UTILITY WORK  
ORDER NUMBER:** 6715

**UTILITY LOCATION OF  
ACCOUNTS AND RECORDS:** 1316 South Bonanza Street  
Palmer, Alaska 99645

**UTILITY BILLINGS:** Billings will be submitted on a periodic basis

**TYPE OF FACILITY:** Water and Sanitary Sewer

**ELIGIBILITY:** These facilities are not eligible for reimbursement.

**PROPERTY INTEREST:** The proposed facilities will be installed within State of Alaska and/or City of Palmer right of way by right of Utility Permit.

**BETTERMENT:** The Department's Construction Contractor will upgrade the existing water and sanitary sewer service to the lot in the northeast quadrant of the Palmer-Wasilla Highway/S. Felton Street intersection.

**NON-REIMBURSABLE:** The Department's Construction Contractor will install a new 8-inch ductile iron waterline off of the existing main paralleling S. Felton Street.

**SALVAGE/SCRAP:** All salvageable materials retired as a result of this relocation and returned to CoP stock or sold as scrap shall be credited to the Department in accordance with 17 AAC 15.351 (e) and (f).

## SCOPE OF WORK

### PART I: GENERAL

The State of Alaska Department of Transportation & Public Facilities (Department) proposes to reconstruct and widen the Palmer-Wasilla Highway between Hemmer Road and Rowland Memorial Way. This work includes constructing or reconstructing road, pathway, and sidewalk structural sections, installing signal, improving drainage, and modifying signing and striping to fit new traffic pattern. City of Palmer (CoP) owns and operates water and sanitary sewer facilities within the project limits.

**RELOCATION DESIGN:** The City of Palmer's relocation design provides for installation of a new 8-inch waterline, and replacement/upgrade of the existing 1.25-inch water and 4-inch sanitary sewer lines to the property on the northeast corner of the Palmer-Wasilla Highway and Felton Street (Parcel ID 42481) to a 4-inch and 6-inch respectively.

**EASEMENTS:** The Department has obtained the necessary Right of Way to accommodate CoP's utility relocations for this project.

**UTILITY CONTRACTORS AND ENGINEERING CONSULTANT CONTRACTS:** CoP shall submit contract documents to the Department for review and approval for the use of engineering consultants and/or utility contractors, including work to be accomplished under continuing or existing contract.

**DAILY/WEEKLY WORK RECORDS:** During construction CoP will be required on either a daily or weekly basis to supply the Department's utility inspector with a project report listing employee names, hours worked, applicable equipment and materials installed.

**WEEKLY UTILITY COORDINATION MEETINGS:** Utility scheduling and coordination meetings will be held weekly through the duration of highway construction. Attendance at the meetings by person(s) with scheduling authority is encouraged.

**CONSTRUCTION STAKING:** The Department's contractor will provide construction staking of clearing limits, road cuts, fills and improvements to facilitate utility relocations. CoP will perform all required construction surveying for relocation of their facilities.

**PROTECTION AND PRESERVATION OF DEPARTMENT CONSTRUCTION STAKING:** CoP will reimburse the Department for replacement of right-of-way or construction stakes removed or destroyed by CoP during relocation. It shall be CoP's responsibility to schedule a site review with the Department's inspector before and after relocation activities to verify that staking has been preserved and the site has been left in a neat and clean condition.

**TRAFFIC CONTROL:** The Contractor will provide all traffic control required for the work described in this agreement, unless CoP starts and/or completes the agreed work before the project is awarded, then CoP shall provide adequate signing, barricades, and traffic control devices during relocation of their facilities. All traffic control shall conform to the latest revision of the Alaska Traffic Manual as directed by the Department's Project Engineer and/or the Traffic Safety Section.

**CLEANUP RESPONSIBILITY:** CoP will remove all equipment, dispose of all waste material, and shall leave the site in a neat and clean condition, satisfactory to the Department's inspector. CoP will



notify the Department's inspector of any damages to existing signs, traffic markings or drainage structures that occur during construction activities.

**CHANGE ORDERS:** Changes to the CoP design, either in scope or location, must be reviewed and approved by the Department prior to implementation. This will allow for:

1. A joint determination as to the most acceptable solution to accomplish the work; and
2. A joint determination of the level of Department and Utility participation.

Change order work initiated by CoP without Department concurrence will jeopardize the Department's participation with the change order.

**STORM WATER POLLUTION PREVENTION PLAN (SWPPP):** Compliance with the APDES Construction General Permit (CGP) is required. If the utility relocation is concurrent with activities of the Department's prime contractor, then all work is covered by the Contractor's SWPPP. If utility relocation occurs in advance or subsequent to construction then preparation and implementation of SWPPP is required. If relocation is continuing when the Department's contractor has filed a NOI, the Company shall file a NOT and terminate their SWPPP. All subsequent relocation will proceed under the Contractor's SWPPP.

The Company's relocation, material storage, fueling and service locations, and any other activity that requires Temporary Erosion & Pollution Control (TEPC) measures during relocation activities shall be coordinated with the Contractor.

The Company shall assign a CESCL certified inspector, either a company employee or contract employee, to participate in the weekly event inspections of the relocation work sites.

## **PART II: DETAILED SCOPE OF WORK**

The Department is currently in the process of finalizing the plans and specs to properly reflect the work as described below. The scope and costs of this agreement will not be affected by these changes. The Department's plans are attached and made part of this agreement as Exhibit "C".

### **Exhibit "C" Pages 27, 33, 35, & 37**

The existing 1.25-inch copper water service at S. Felton Street station 21+91 is in conflict with the removal of the existing structure from Parcel ID 42481 and will be replaced. The Department's Construction Contractor will cap the existing service at the water main and install a new 4-inch ductile iron water service from the existing main to the right of way line.

### **Exhibit "C" Pages 27, 33, 35, & 37**

The existing 4-inch sanitary sewer service at S. Felton Street station 22+03 is in conflict with the removal of the existing structure from Parcel ID 42481 and will be replaced. The Department's Construction Contractor will cut and cap the existing sanitary sewer service near the sewer main and install a new 6-inch ductile iron sewer service. The new service will tap into the existing main at S. Felton Street station 22+46.7 (10 feet north of the existing sanitary sewer manhole) and extend east to the right of way line.



**Exhibit "C" Pages 27, 33, 34, & 37**

The Department's Construction Contractor will tap the existing water main at S. Felton Street station 21+94.8, 14.9' RT and install an 8-inch gate valve as well as 76 feet of 8-inch ductile iron waterline extending to the west.

*Unless approved by the Engineer, traffic is not allowed to be restricted Monday through Friday, 0530 to 0800 and 1630 to 1900 hrs, or as described in section 643-3.08 of the Project Specifications.*

\*\*\*\*\*

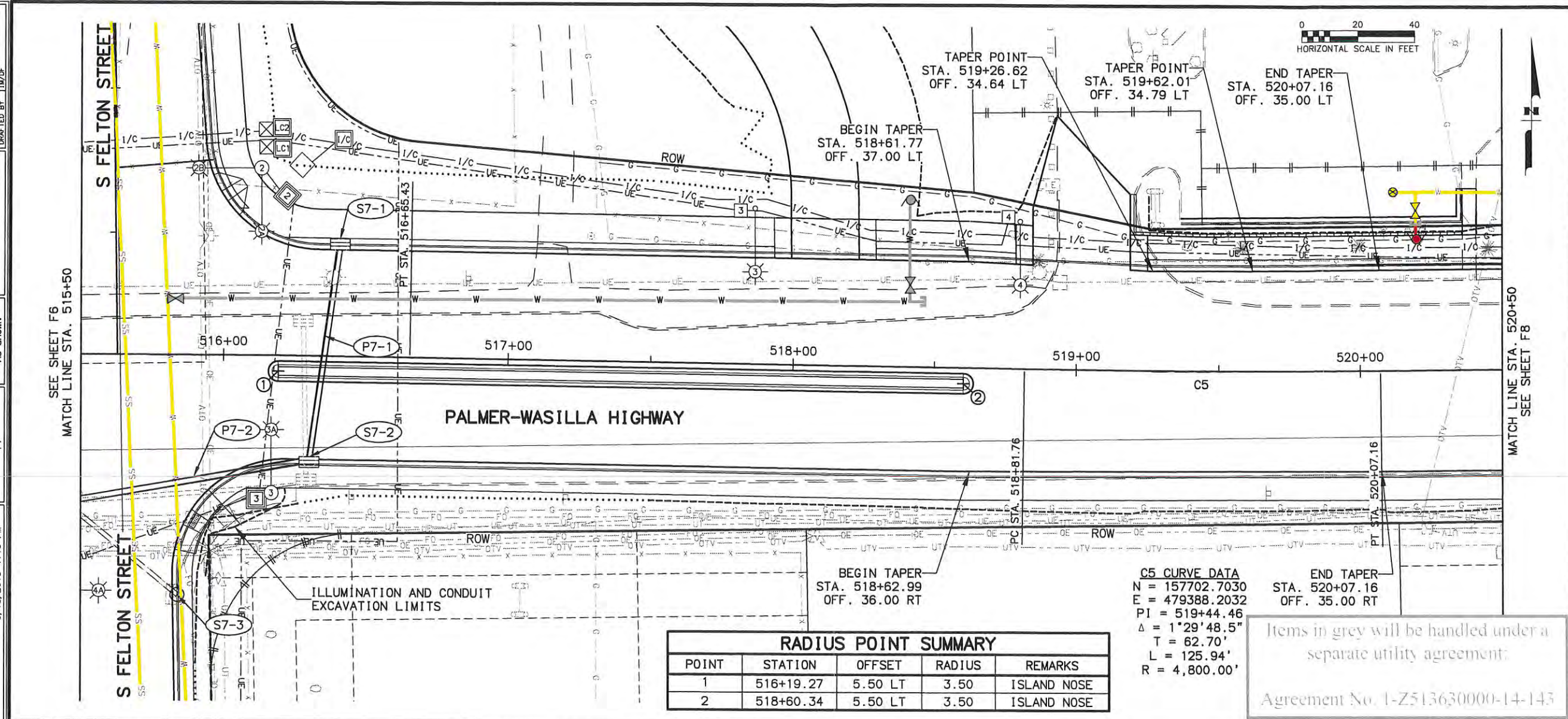
PREPARED BY: John Phillips DATE: 1/5/2017

CERTIFICATION: I, Melanie St DATE: 01/06/2017

for the Department of Transportation certify the findings of facts as presented in this Exhibit and in Exhibit "A".



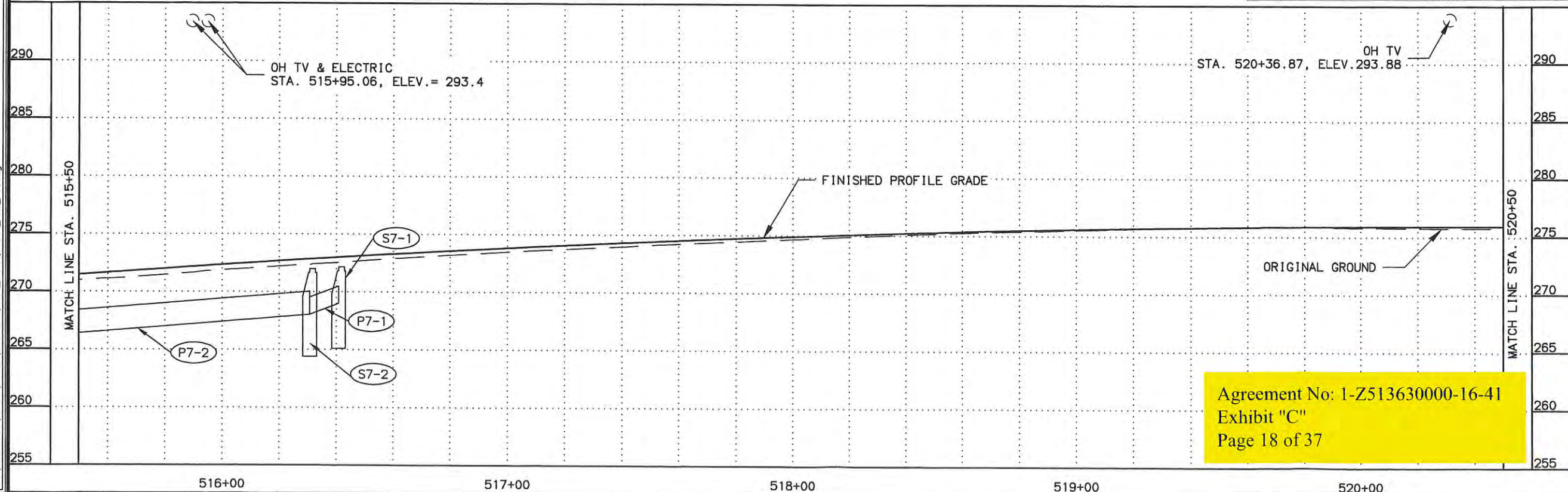
PLANS PREPARED BY: KINNEY ENGINEERING, LLC 3909 ARCTIC BLVD. SUITE 400 ANCHORAGE, AK 99503 : COA# AECL 1102 : PROJECT LOCATION: PALMER-WASILLA  
 DESIGNED BY: JLV/BRP CHECKED BY: JLV/URP DRAFTED BY: JLV/DF  
 SCALE AS SHOWN LAYOUT F7 DATE TIME 6/13/2016 4:16 PM XREFS  
 DRAWING LOCATION Z:\PROJECTS\001\PF\PH\ET\1\130\DWGS\_PH\1\51363\_PHI\_F1.dwg



RADIUS POINT SUMMARY				
POINT	STATION	OFFSET	RADIUS	REMARKS
1	516+19.27	5.50 LT	3.50	ISLAND NOSE
2	518+60.34	5.50 LT	3.50	ISLAND NOSE

**C5 CURVE DATA**  
 N = 157702.7030  
 E = 479388.2032  
 PI = 519+44.46  
 Δ = 1°29'48.5"  
 T = 62.70'  
 L = 125.94'  
 R = 4,800.00'

Items in grey will be handled under a separate utility agreement.  
 Agreement No. 1-Z513630000-14-143

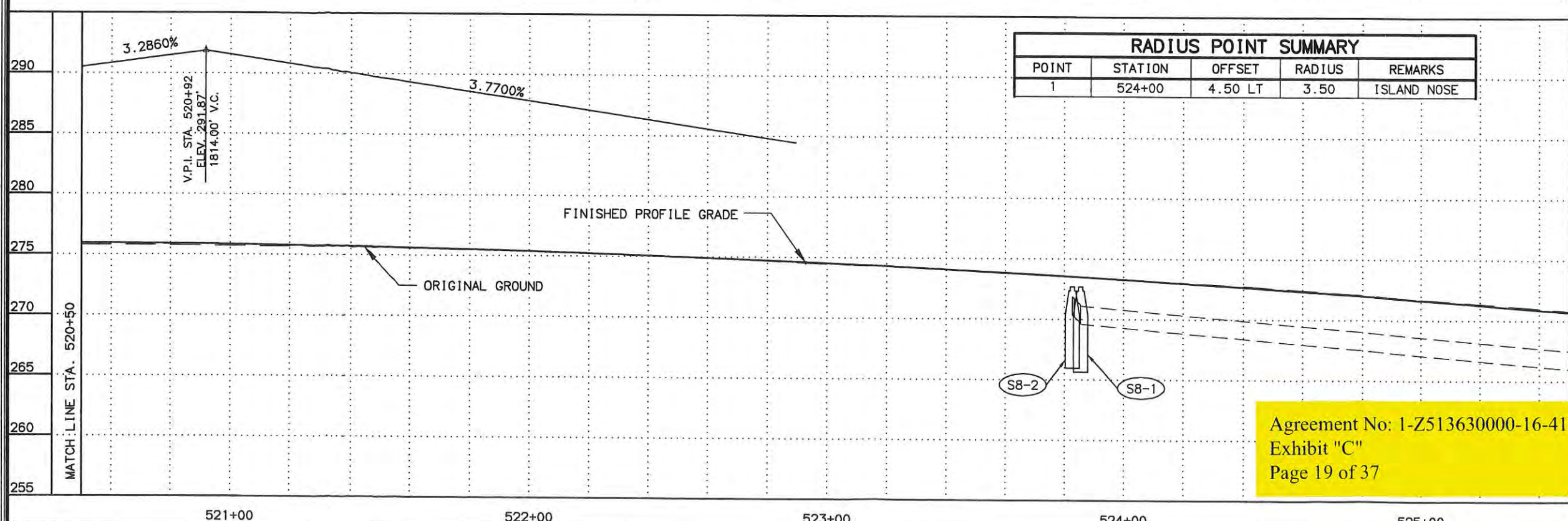
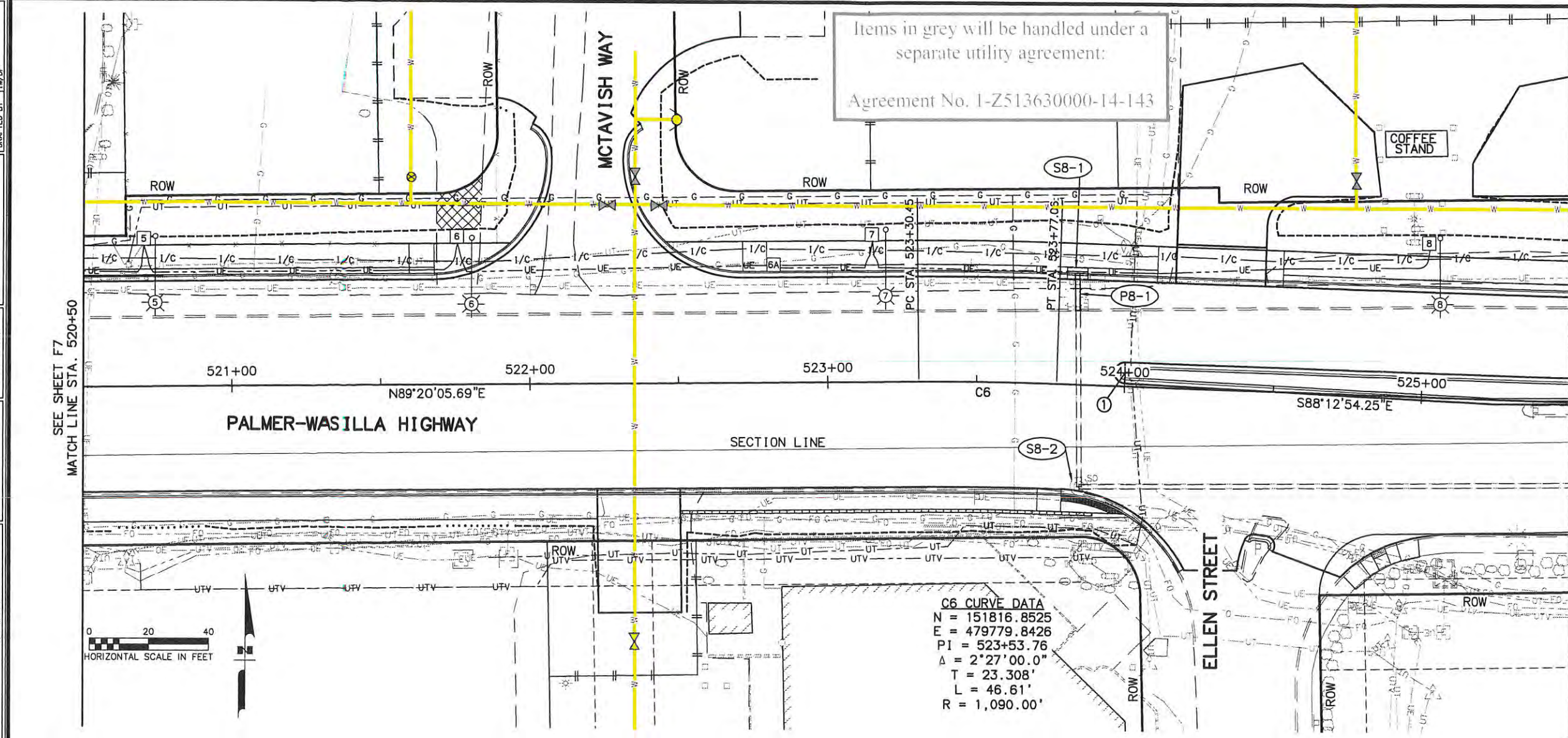


Agreement No: 1-Z513630000-16-41  
 Exhibit "C"  
 Page 18 of 37

SHEET NO.	TOTAL SHEETS	
F7	F21	
STATE	YEAR	
ALASKA	2016	
PROJECT DESIGNATION		
Z513630000		
ADDENDUM NO.		
ATTACHMENT NO.		
REVISIONS		
NO.	DATE	DESCRIPTION
<p><b>NOTE:</b>                  DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED</p> <p>PLANS DEVELOPED BY:                  KINNEY ENGINEERING, LLC</p> <p>                   John B. Pekar                  CE NO. 10591                  6/13/16</p> <p>STATE OF ALASKA                  DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES                  PALMER-WASILLA HIGHWAY                  EASTERN TERMINUS                  PROJECT PHASE I</p> <p>PLAN AND PROFILE                  PALMER WASILLA HIGHWAY                  STATION 515+50 TO 520+50</p>		



PLANS PREPARED BY: KINNEY ENGINEERING, LLC 3909 ARCTIC BLVD. SUITE 400 ANCHORAGE, AK 99503 : COA# AECL 1102 : PROJECT LOCATION: PALMER-WASILLA  
 DESIGNED BY: JMW/JRP CHECKED BY: JMW/JRP DRAFTED BY: JMW/JRP  
 SCALE AS SHOWN LAYOUT FB DATE TIME 6/14/2016 1:41 PM  
 XREFS  
 DRAWING LOCATION Z:\PROJECTS\DOT\PP\PHMET\Civil\3D\DWGS\_PH\151363\_PH1\_F1.dwg



Items in grey will be handled under a separate utility agreement:  
 Agreement No. 1-Z513630000-14-143

**C6 CURVE DATA**  
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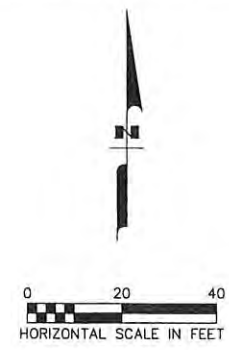
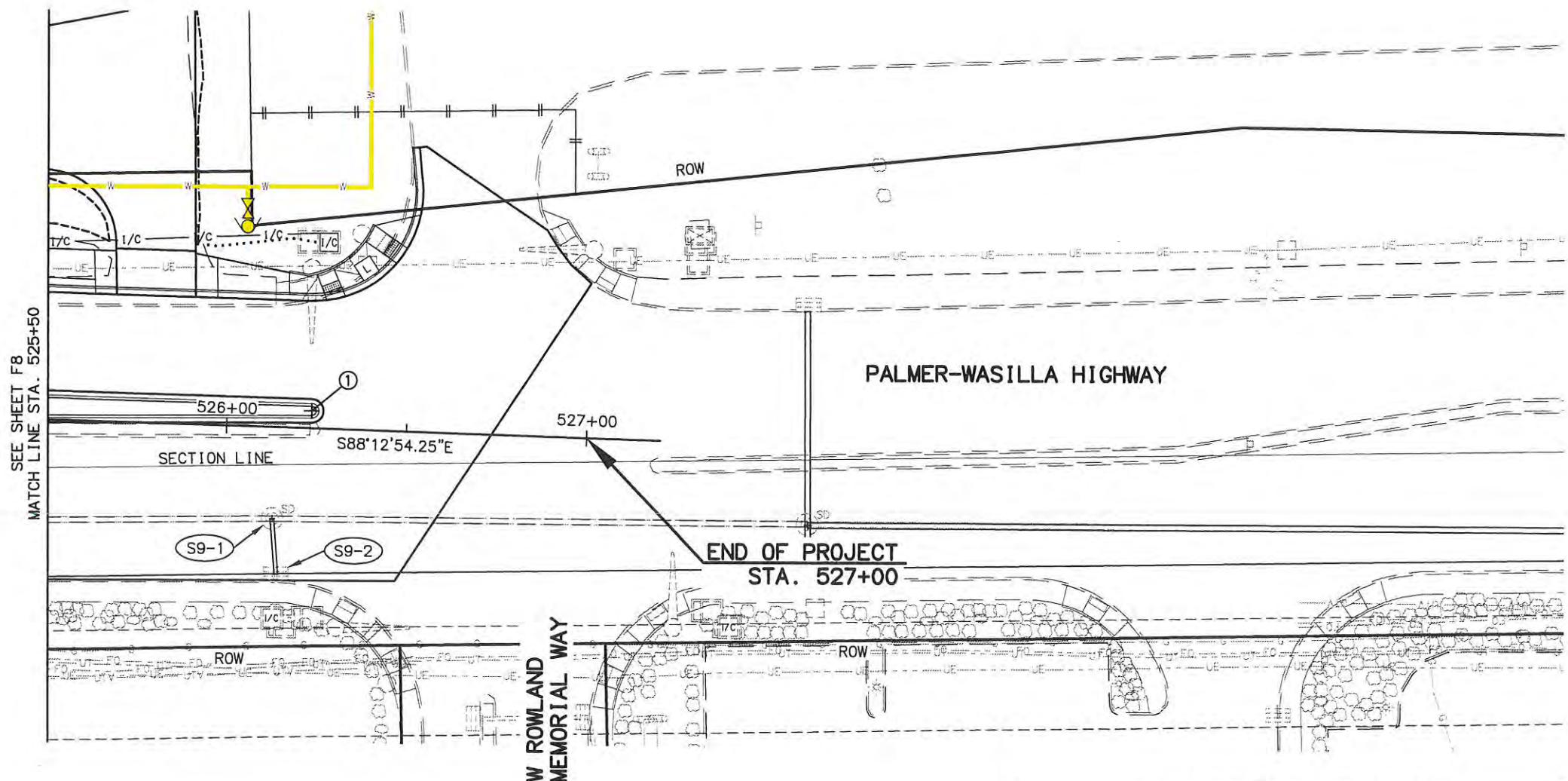
RADIUS POINT SUMMARY				
POINT	STATION	OFFSET	RADIUS	REMARKS
1	524+00	4.50 LT	3.50	ISLAND NOSE

SHEET NO.	TOTAL SHEETS	
<b>F8</b>	<b>F21</b>	
STATE	YEAR	
ALASKA	2016	
PROJECT DESIGNATION		
<b>Z513630000</b>		
ADDENDUM NO.		
ATTACHMENT NO.		
REVISIONS		
NO.	DATE	DESCRIPTION
<p><b>NOTE:</b>                  DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED</p>		
PLANS DEVELOPED BY: KINNEY ENGINEERING, LLC		
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES <b>PALMER-WASILLA HIGHWAY EASTERN TERMINUS PROJECT PHASE I</b> PLAN AND PROFILE PALMER WASILLA HIGHWAY STATION 520+50 TO 525+50		

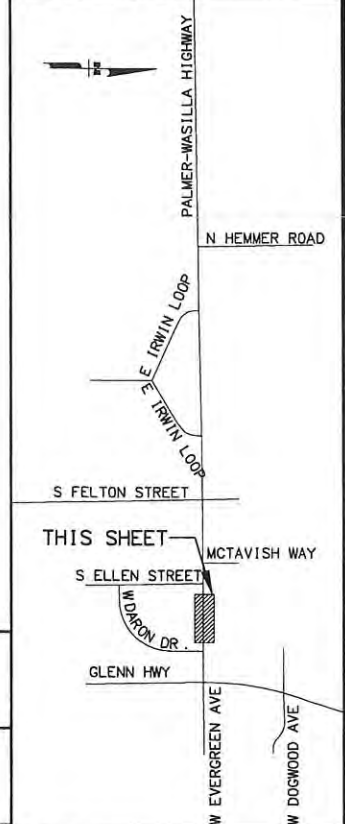


PLANS PREPARED BY: KINNEY ENGINEERING, LLC 3909 ARCTIC BLVD. SUITE 400 ANCHORAGE, AK 99503 : COA# AECL 1102 : PROJECT LOCATION: PALMER-WASILLA

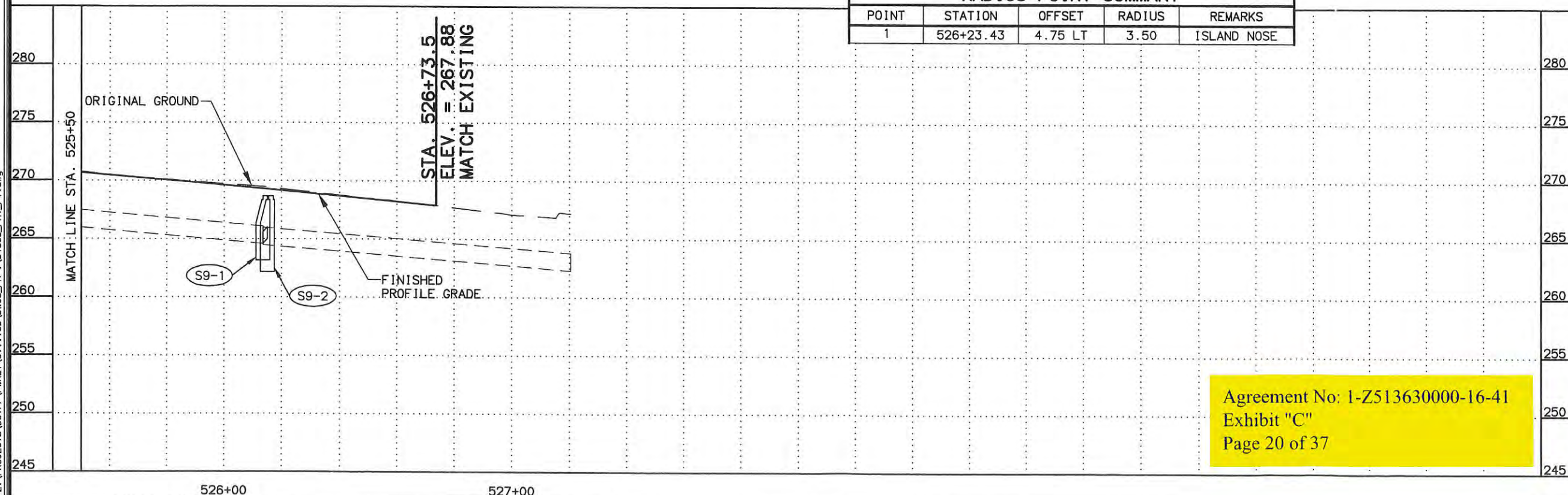
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 CHECKED BY: JMW/BLP  
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 LAYOUT: F9  
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SHEET NO.	TOTAL SHEETS	
F9	F21	
STATE	YEAR	
ALASKA	2016	
PROJECT DESIGNATION		
Z513630000		
ADDENDUM NO.		
ATTACHMENT NO.		
REVISIONS		
NO.	DATE	DESCRIPTION



POINT	STATION	OFFSET	RADIUS	REMARKS
1	526+23.43	4.75 LT	3.50	ISLAND NOSE



Agreement No: 1-Z513630000-16-41  
 Exhibit "C"  
 Page 20 of 37

**NOTE:**  
 DIMENSIONS ARE IN FEET  
 UNLESS OTHERWISE NOTED

PLANS DEVELOPED BY:  
 KINNEY ENGINEERING, LLC



STATE OF ALASKA  
 DEPARTMENT OF TRANSPORTATION  
 AND PUBLIC FACILITIES  
 PALMER-WASILLA HIGHWAY  
 EASTERN TERMINUS  
 PROJECT PHASE I  
 PLAN AND PROFILE  
 PALMER WASILLA HIGHWAY  
 STATION 525+50 TO 527+00