

City of Palmer Regular City Council Meeting

7 pm, Tuesday, July 26, 2016
Palmer City Council Chambers
231 W. Evergreen Avenue, Palmer

Clerk's Office: 907-761-1301
www.cityofpalmer.org



Mayor DeLena Johnson
Deputy Mayor Brad Hanson
Council Member Richard Best
Council Member Steve Carrington
Council Member Linda Combs
Council Member Edna DeVries
Council Member Pete LaFrance

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

City of Palmer, Alaska
Regular City Council Meeting
7 pm Tuesday, July 26, 2016
City Council Chambers
231 W. Evergreen Avenue, Palmer
www.cityofpalmer.org

Agenda

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Agenda
 - 1. Approval of Consent Agenda
 - a. **Action Memorandum No. 16-051:** Authorizing the City Manager to Enter into a Sole Source Procurement and Execute a Contract with Badger, Meter, Inc. for Badger Water Meters and Supplies in the Amount of \$16,223.50Page 9
 - b. **Action Memorandum No. 16-053:** Authorize the City Manager to Negotiate and Execute an Agricultural Lease with Ben Vanderweele for a Parcel of Land Containing Approximately 5 Acres of Airport Land Located on Outer Springer LoopPage 13
 - 2. Minutes of Previous Meetings
 - a. June 14, 2016, Regular MeetingPage 23
 - b. July 12, 2016, Regular MeetingPage 33
- E. Communication and Appearance Requests
- F. Reports
 - 1. City Manager's Report.....Page 41
 - 2. City Clerk's Report
 - 3. Mayor's Report
 - 4. City Attorney's Report
- G. Audience Participation
- H. Public Hearings
 - 1. **Resolution No. 16-020:** Submitting the Question of Amending Charter Section 3.2, Terms of Office to Limit Mayor and Councilmember Terms to Two Three Year Terms, to the City's Qualified Voters at the October 4, 2016, City of Palmer Election (IM 16-033) (1st Public Hearing)Page 51
 - 2. **Ordinance No. 16-016-Z-1:** Amending the Zoning Map to Revise the Designation of Tract A-1 ASLS 96-004 Located in Section 33, Township 18 North, Range 2 East, Seward Meridian, from CG – General Commercial to I – Industrial with Special Limitations (IM 16-028).....Page 55

3. **Resolution No. 16-018:** Authorizing the City of Palmer to Issue Utility Revenue Bonds in the Principal Amount Not to Exceed \$5,000,000 to Finance Water and Wastewater Utility and Related Capital Improvements, and to Submit the Question of the Issuance of Such Bonds to the Qualified Voters of the City at the October 4, 2016, City Election (IM 16-031) (2nd Public Hearing)Page 121
4. **Resolution No. 16-001-B:** Amending the Budget for the City of Palmer, Alaska for the Fiscal Year Ending December 31, 2016 (IM 16-030) (2nd Public Hearing) ..Page 129

- I. Action Memoranda
- J. Unfinished Business
- K. New Business
- L. Record of Items Placed on the Table
- M. Audience Participation
- N. Council Member Comments
- O. Adjournment

Tentative 2016 Palmer City Council Meetings:

Meeting Date	Meeting Type	Time	Notes
August 9	Special	6 pm	2017 Budget Planning Priorities
August 9	Regular	7 pm	
August 23	Special	6 pm	Audit Report
August 23	Regular	7 pm	
September 13	Special	6 pm	City Manager Review
September 13	Regular	7 pm	
September 27	Regular	7 pm	
October 10	Special	6 pm	Election Certification
October 11	Regular	7 pm	
October 18	Special	6 pm	2017 Budget
October 25	Special	6 pm	2017 Budget
October 25	Regular	7 pm	
November 1	Special	6 pm	2017 Budget
November 8	Special	6 pm	2017 Budget
November 8	Regular	7 pm	
November 22	Special	6 pm	2017 Budget

November 22	Regular	7 pm	
December 6	Special	6 pm	2017 Budget
December 13	Regular	7 pm	
December 27	Regular	7 pm	

consent agenda



**City of Palmer
Action Memorandum No. 16-051**

Subject: Authorizing the City Manager to Enter into a Sole Source Procurement and Execute a Contract with Badger, Meter, Inc. for Badger Water Meters and Supplies in the Amount of \$16,223.50.

Agenda of: July 26, 2016

Council Action: _____

Originator Information:

Originator: Greg Wickham – PW Superintendent
Date: 6/28/2016 **Requested agenda date:** 7/26/2016

Department Information √:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
<u>X</u>	Finance	<u><i>E. Greene</i></u>	<u>7/6/2016</u>
_____	Fire Department	_____	_____
_____	Police Department	_____	_____
<u>X</u>	Public Works	<u><i>W. Wall</i></u>	<u>7/6/2016</u>

Approved for presentation by:

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

Certification of Funds:

Total amount of funds listed in this legislation: \$ 16,223.50

This legislation (√):

- Has no fiscal impact Creates a positive impact in the amount of: \$ _____
 Creates a negative impact in the amount of: \$ 16,223.50

Funds are (√):

- Budgeted Line item(s): 02-01-10-6053 - Equipment
 Not budgeted Affected line item(s): _____

General fund unassigned balance (after requested budget modification): \$ _____

Enterprise unrestricted net position (after requested budget modification): \$ _____

Director of Finance Signature: *E. Greene*

Attachment(s):

- Badger Meter, Inc. Price Quote

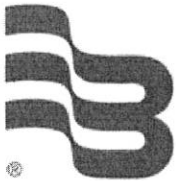
Summary statement: Action Memorandum 16-051 requests approval to purchase new repair parts to rebuild meters, meter heads, and new meters from Badger Meter, Inc. PMC 3.21.230 allows for governmental and proprietary purchases.

The City has approximately 2,100 Badger water meters in service throughout Palmer. On an annual basis, the City purchases water meters and accessories from Badger Meter, Inc. to issue to new customers and replace old, failing meters.

In this case, it is in the City's best interest to limit the source of water meters and meter parts to Badger Meter, Inc. to maintain a consistent inventory of meter equipment and to insure water meters are compatible with meter reading equipment.

The Department of Public Works budgets annually for the maintenance and replacement of water meters and system components.

Administration recommendation: Authorize Action Memorandum 16-051.



Badger Meter

Quotation No. 257459

4545 W Brown Deer Road Milwaukee WI 53223
PO Box 245036 Milwaukee WI 53224-9536
Phone: 800-876-3837 Fax: 888-371-5982
Customer Service Rep: NHodgson@badgermeter.com

April 25, 2016

TO Rick Pittman
CITY OF PALMER
231 WEST EVERGREEN

CUSTOMER ID: 00500187

PALMER Alaska 996456952

Phone:

\$16,223.50

Fax:

E-mail:

EFFECTIVE DATES: 4/15/2016-12/31/2016

SALESPERSON	PROPOSAL SUBJECT	SHIPPING TERMS/INCO TERMS	PAYMENT TERMS
007521 Douglas McClintic	Meters, Registrations, Connections	PREPAY/NO CHARGE For SHIPMENTS > \$15,000 FCA FACTORY	NET 30 DAYS

LINE #	DESCRIPTION	QTY	UNIT NET PRICE USD	LINE TOTALS USD
1	M2000 -Flanged Mag Meter, 3" (DN 80), Hard Rubber Liner, 150 lb Cast Steel Flanges, Standard Lay Length, Alloy C Electrodes, 316SS Grounding Rings, Meter Mounted Amplifier, Badger Certified Test, MG1-0000-2492	1	\$1,396.50	\$1,396.50
2	No Register, ORION Data Profiling, FHSS, Indoor-Outdoor, Pig-Tail (gel-cap), 10 ft Wire, UM1-0012-3812	1	\$75.00	\$75.00
3	RCDL M25 LL Disc Meter (NSF 61-G), 5/8" X 3/4-3/4 Bore (3/4 X 7 1/2), Cast Iron Bottom, NL Straight Connections, Bare Meter UM1-0007-1446	60	\$60.00	\$3,600.00
4	Registration for, RCDL M25 Disc Meter, 5/8", RTR, Gallon, Plastic Shroud / Plastic Lid (Black) ORION Data Profiling, FHSS, Indoor-Outdoor, Factory Pre-Wired, 10 ft Wire, UM1-0013-9019	60	\$133.00	\$7,980.00

THANK YOU FOR YOUR BUSINESS!

This quotation is an offer, made subject to the terms & conditions found on our website: www.badgermeter.com/Company/Legal/Sales-Terms.aspx
Quoted prices are firm for acceptance, via an order, within the effective dates provided, shipping within 60 calendar days past the expiration of this quotation.



Badger Meter

QUOTATION

Quotation No. 257459

LINE #	DESCRIPTION	QTY	UNIT NET PRICE USD	LINE TOTALS USD
5	RCDL M70 LL Disc Meter (NSF 61-G), 1" (1 X 10 3/4), Cast Iron Bottom, NL Straight Connections, Bare Meter UM1-0007-4882	4	\$166.00	\$664.00
6	Registration for, RCDL M70 Disc Meter, 1", RTR, Gallon, Plastic Shroud / Plastic Lid (Black) ORION Data Profiling, FHSS, Indoor-Outdoor, Factory Pre-Wired, 10 ft Wire, UM1-0013-9020	6	\$133.00	\$798.00
7	RCDL M170 LL Disc Meter (NSF 61-G), 2", Elliptical Long Drilled, NL Elliptical 316 SS hw. Connections, Bare Meter UM1-0007-5784	2	\$589.00	\$1,178.00
8	Registration for, RCDL M170 Disc Meter, 2", RTR, Gallon, Plastic Shroud / Plastic Lid (Black) ORION Data Profiling, FHSS, Indoor-Outdoor, Factory Pre-Wired, 10 ft Wire, UM1-0013-9022	4	\$133.00	\$532.00

Notes and Assumptions:

Badger Meter provides certification files to help manage meter and endpoint inventory and to maintain meter accuracy data. The standard method of delivery for this format is via electronic mail. Any deviations from our standard format, or any custom file formats, will be considered on a time and material basis. Please contact your Account Manager if you require more information. Badger Meter continues to improve and redesign our products to provide our customers with state-of-the-art technology solutions. Therefore, Badger Meter reserves the right to provide our newest product solutions as an alternative to the proposed products, provided the replacement products meet the following requirements: are substantially similar to and are at least of equal quality and performance to, are in conformance with the requirements in the applicable specifications, meet the actual needs or are otherwise suitable for the intended use, and are priced at an amount that does not exceed the price of the quoted products.

If applicable, sales tax and freight charges will be added at time of invoice.

Actual lead time to be provided at time of order.

If you have any questions concerning this quotation, please contact: Douglas McClintic, 800-876-3837
x15721, dmcclintic@badgermeter.com

To place an order, please contact: Nicole Hodgson, 414-371-5984, NHodgson@badgermeter.com

Official authorized quote of Badger Meter Inc.
Douglas McClintic, Account Manager - West

THANK YOU FOR YOUR BUSINESS!

This quotation is an offer, made subject to the terms & conditions found on our website: www.badgermeter.com/Company/Legal/Sales-Terms.aspx

Quoted prices are firm for acceptance, via an order, within the effective dates provided, shipping within 60 calendar days past the expiration of this quotation.

**City of Palmer
Action Memorandum No. 16-053**

Subject: Authorize the City Manager to Negotiate and Execute an Agricultural Lease with Ben Vanderweele for a Parcel of Land Containing Approximately 5 Acres of Airport Land Located on Outer Springer Loop.

Agenda of: July 26, 2016

Council Action: _____

Originator Information:

Originator: Frank Kelly, Airport Superintendent
Date: July 11, 2016 **Requested agenda date:** July 26, 2016

Department Information √:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
<u>X</u>	Finance	<u><i>E. Sheene</i></u>	<u>7/12/16</u>
_____	Fire Department	_____	_____
_____	Police Department	_____	_____
_____	Public Works	_____	_____

Approved for presentation by:

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

Certification of Funds:

Total amount of funds listed in this legislation: \$ 271.28

This legislation (√):

- Has no fiscal impact Creates a positive impact in the amount of: \$ 271.28
 Creates a negative impact in the amount of: \$ _____

Funds are (√):

- Budgeted Line item(s): 03-00-00-3432
 Not budgeted Affected line item(s): _____

General fund unassigned balance (after requested budget modification): \$ _____

Enterprise unrestricted net position (after requested budget modification): \$ _____

Director of Finance Signature: *E. Sheene*

Attachment(s):

- Proposed Lease Agreement

Summary statement: Ben Vanderweele has been farming on approximately 5 acres of agricultural land owned by the City of Palmer, located off the Outer Springer Loop across from the Golf Course. The lease expired on April 10, 2016 but was not renewed prior to the previous Airport Superintendents departure. This legislation authorizes the City Manager to negotiate and execute an agricultural lease with Ben Vanderweele to perform agricultural operations on five acres of airport land.

The lease rate of \$54.26 per acre is based upon the Fair Market Rent for agricultural properties at the airport, as determined by the real estate appraisal completed by Follett & Associates, July 2010 with an increase in rate determined by the Consumer Price Index for Anchorage of 11.0% from year end annual(s) 2011 through 2015.

The agricultural leases at the airport are recognized in the Palmer Airport Master Plan (2009) as a source of airport revenue and thus are in agreement with the Federal Aviation Administration Sponsor Assurance # 6, "Consistent with Local Plans".

PMC 3.20.090 allows for two years or less without notice requirement. The term of this lease is for two years.

Administration recommendation: Authorize Action Memorandum 16-053.

AGRICULTURAL LEASE AGREEMENT

This is a lease between Ben Vanderweele, hereinafter "Lessee", whose address is PO Box 461, Palmer, AK. 99645, and CITY OF PALMER, an Alaska Municipal Corporation, hereinafter, "Lessor", whose address is 231 W. Evergreen, Palmer, Alaska 99645.

1. Property and Rent. The property leased hereby is described in Exhibit A attached hereto and incorporated herein. The rent shall be \$54.26 per acre per year, or \$271.28. This shall be paid in semi-annual payments of \$135.64, per the following schedule: Lessee agrees to pay one-half (1/2) of the annual rent upon written notification of award by the City. The second one-half (1/2) of the annual rent is due on or before December 1, 2016. This lease rate is based upon the Fair Market Rent for agricultural properties at the airport, as determined by the real estate appraisal completed by Follett & Associates, July 2010 with an increase in rate determined by the Consumer Price Index for Anchorage of 11.0% from year end annual(s) 2011 to 2015.
2. Term. The term of this lease is from April 10, 2016 until April 09, 2018.
3. Use of Property. The Property shall be used only for **the growing and harvesting of agricultural products or hay that are not considered bird attractants.** The Property shall not be used for any other purpose.
4. Operations on Property. All operations conducted on the Property by the Lessee as incidents of use specified in paragraph 3 of this lease shall be conducted by the Lessee in accordance with the best agricultural practices. Should the Lessee fail to take any action required by agricultural best practices or should the Lessee fail to conduct any operation undertaken by him on the Property in accordance with agricultural best practices, the Lessor may, after serving ten (10) days written notice of such failure on the Lessee in the manner provided for service of notices in this lease, terminate this lease.
5. Waste or Nuisance. The Lessee shall not commit or permit the commission by others any waste, petroleum products, or the release of any hazardous material on the Property; the Lessee shall not maintain, commit, or permit the maintenance or commission of any nuisance on the Property; and the Lessee shall not use or permit the use of the Property for any unlawful purpose. The Lessee shall not maintain any equipment or conduct any repairs on the Property.
6. Insurance Hazards. The Lessee shall not commit or permit the commission of any hazardous acts on the Property nor use or permit the use of the Property in any manner that will increase the existing rates for or cause the cancellation of any insurance policy insuring the Property. The Lessee shall, at his own cost and expense, comply with any and all requirements of Lessor's insurance carriers necessary for the continued maintenance at reasonable rates of reasonable insurance on the Property.

7. Maintenance. The Lessee shall, at his own cost and expense, keep and maintain the Property in good order and in as safe and clean a condition as they were when received by him from the Lessor.
8. Alterations and Liens. The Lessee shall not make or permit any other person to make any alterations to the Property or to any improvement thereon or facility appurtenant thereto without the written consent of the Lessor first had and obtained. The Lessee shall keep the premises free and clear from any and all liens, claims, and demands for work performed, materials furnished, or operations conducted thereon at the instance or request of Lessee.
9. Inspection by Lessor. The Lessee shall permit the Lessor or Lessor's agents, representatives, or employees to enter the Property at all times for the purpose of inspecting the Property to determine whether the Lessee is complying with the terms of this lease and for the purpose of doing other lawful acts that may be necessary to protect the Lessor's interest in the Property.
10. Acceptance by Lessee. The Lessee accepts the Property in its present condition. The Lessee agrees with, and represents to the Lessor, that the Property has been inspected by him and that he has been assured by means independent of the Lessor or any agent of the Lessor of the truth of all facts material to this lease and that the Property is being leased by the Lessee as a result of his inspection and investigation and not as a result of any representations made by the Lessor or any agent of the Lessor.
11. Hold Harmless. The Lessee agrees to indemnify and hold the Lessor and the Property free and harmless from any and all claims, liability, loss, damage, or expense resulting from the Lessee's occupation and use of the Property, specifically including without limitations any claim, liability, loss, or damage arising:
 - (a) By reason of the injury to person or property, from whatever cause, while in or on the Property or in any way connected with the property or with the personal property in or on the Property including any liability for injury to the persons or personal property of the Lessee, his agents, officers, or employees:
 - (b) By reason of any work performed on the Property or materials furnished to the Property at the instance or request of the Lessee, his agents, or employee:
 - (c) By reason of the Lessee's failure to perform any provision of this lease Or to comply with any requirement imposed on him or on the Property by any duly authorized governmental agency or political Subdivisions; Because of the Lessee's failure or inability to pay as they become due any obligations incurred by him in the agricultural operations to be conducted by him on the Property.

12. Subleasing and Assigning. The Lessee shall not encumber, assign, sublet, or otherwise transfer this lease, any right or interest in this lease, or any right or interest in the Property, and any such transfer, whether voluntary or involuntary, by operation of law or otherwise, is void and shall, at the option of Lessor, terminate this lease. Neither shall the Lessee allow any other persons, other than the Lessee's agents, family and employees, to use the Property or any part thereof.
13. Abandonment by Lessee. Should the Lessee breach any provision of this lease or abandon the Property prior to the natural termination of the term of this lease, the Lessor may:
- (a) Continue this lease in effect by not terminating the Lessee's right to possession of the Property, in which event the Lessor shall be entitled to enforce all his rights and remedies under this lease, including the right to recover the rent specified in this lease as it becomes due under this lease: or
 - (b) Terminate this lease and recover from the Lessee:
 - (1) All rents that would come due under this lease;
 - (2) Any other amounts necessary to compensate the Lessor for all detriment proximately caused by the Lessee's failure to perform his obligations under this lease.
14. Default by Lessee. All covenants and agreements contained in this lease are declared to be conditions to this lease and to the term hereby demised to the Lessee. Should the Lessee default in the performance of any covenant, condition, or agreement contained in this lease the Lessor may terminate this lease and re-enter and regain possession of the Property in the manner then provided by the laws of unlawful detainer of the State of Alaska then in effect.
15. Insolvency of Lessee. The insolvency of the Lessee as evidenced by a receiver being appointed to take possession of all or substantially all of the property of the Lessee, the making of a general assignment for the benefit of creditors by the Lessee, or the adjudication of the Lessee as a bankrupt under the Federal Bankruptcy Act shall terminate this lease and entitle the Lessor to reenter and regain possession of the Property.
16. Attorney's Fees. Should any litigation be commenced between the parties to this lease concerning the Property, this lease, or the rights and duties in relation thereto, the Lessor shall be entitled to reasonable attorney fees pursuant to Alaska Rule of Civil Procedure 82.
17. Notices. Except as otherwise expressly provided by law, any and all notices or other communications required or permitted by this lease or by law to be served on or given to either party hereto by the other party hereto shall be in writing and shall be deemed

duly served and given when personally delivered to the party to whom it is directed, or, in lieu of such personal service, when deposited in the United States mail, first-class postage prepaid, addressed to the Lessee or to the Lessor at their above specified addresses. Either party, the Lessee or the Lessor, may change their address for the purpose of this paragraph by giving written notice of such change to the party in the manner provided in this paragraph.

18. Heirs and Successors. This lease shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties hereto, but nothing in this paragraph contained shall be construed as a consent by the Lessor to any assignment of this lease or any interest therein by the Lessee.

19. Miscellaneous.

(a) This instrument contains all of the agreements and conditions made between the parties to this lease and may not be modified orally or in any other manner than by an agreement in writing signed by all parties to this lease or their respective successors in interest, or assigns.

(b) Time is of the essence of each term and provision of this lease.

(c) The titles of the paragraphs of this lease shall not be considered to be part of the lease for purposes of construction and interpretation.

(d) If any terms or provisions of this lease or the application thereof to any person or circumstance shall to any extent be invalid or Unenforceable, the remainder of this lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this lease shall be valid and be enforced to the fullest extent permitted by law.

20. Waiver. The waiver of any breach or any of the provisions of this lease by the Lessor shall not constitute a continuing waiver or a waiver of any subsequent breach by the Lessee either of the same or of another provision of this lease.

21. Cancellation/Reduction. Any mortgage or statute notwithstanding, Lessor may cancel this lease at any time between and including November 1 and March 31 by so notifying Lessee and paying Lessee an amount equal to one-fourth (1/4) of the rent paid by Lessee for the previous year. Lessor may cancel the lease at any time between and including April 1 and October 31 by so notifying Lessee and paying Lessee an amount equal to (a) one-fourth (1/4) the previous year's rent payment plus (b) one and 2/10 (1.2) times the price of the fertilizer spread (if any) on the Property for the then current growing season, minus (c) 75/100 (.75) times (b), if the first hay crop has been removed. Lessor may exercise these rights to cancel the lease or reduce acreage with

or without cause. In addition to Lessor's right to cancel, from time to time Lessor may reduce the acreage. The above formula shall be used on a prorated basis for such reductions in acreage.

- 22. Lessee agrees to apply a minimum rate of 200 pounds of fertilizer per acre annually. More than 200 pounds per acre will be at Lessee's discretion. Verification of fertilizer application shall be the responsibility of Lessee.
- 23. Lessee agrees that any time that he will be working equipment around runways or taxiways he will first notify Palmer Flight Service Station operator, or the City of Palmer Airport Manager in the event contact cannot be made with the Flight Service Station.
- 24. Lessee shall, each year this agreement is in effect, give notice in writing on or before January 30th that he intends to operate and harvest the crop according to the agreement. Failure to do so shall be termination of the agreement and the Lessor may immediately seek a new tenant.

LESSOR:

CITY OF PALMER

DATE: _____

BY: _____
Nathan Wallace, City Manager

LESSEE:

DATE: _____

BY: _____
Ben Vanderweele

EXHIBIT A

Property:

The property hereby is described as: That portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 17 North, Range 2 East, Seward Meridian, Palmer Recording District, Alaska: Commencing at the Northeast corner of said Section 9; thence South along the Section line common to Sections 9 and 10 a distance of 495.00 feet; thence West a distance of 40.00 feet to the Westerly right of way line of Outer Springer Loop which is the Point of Beginning; thence West a distance of 425.39 feet; thence South a distance of 512.00 feet; thence East to the highway right of way a distance of 425.39 feet; thence North along said right of way line a distance of 512.00 feet to the Point of Beginning, containing 5.00 acres, more or less.

minutes



A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on June 14, 2016, at 7 pm in the council chambers, Palmer, Alaska.

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

B. ROLL CALL

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

Richard Best	Brad Hanson
Steve Carrington	DeLena Johnson
Linda Combs	
Edna DeVries	

Council Member LaFrance was absent and excused.

Also in attendance were the following:

Nathan Wallace, City Manager
Norma Alley, City Clerk
Pamela Whitehead, Minutes Recorder
Michael Gatti, City Attorney

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deputy Mayor Hanson.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction of **Ordinance No. 16-014**: An Ordinance of the Palmer City Council Amending Palmer Municipal Code Sections 3.22.020 (A), 3.22.045 (B), and 3.22.060 Regarding Disposal of Abandoned, Stolen or Found Property (IM 16-024)
2. Minutes of Previous Meetings
 - a. May 24, 2016, Regular Meeting

Main Motion: To approve consent agenda and minutes

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

E. COMMUNICATION AND APPEARANCE REQUESTS

Item 1- MTA Presentation of a Capital Credit Check

Michael C. Burke, CEO of Matanuska Telephone Association:

- Presented a capital credit check to the City of Palmer in the amount of \$11,650.12; and
- Expressed appreciation for the City's patronage of MTA.

The Council thanked Mr. Burke for the personal presentation.

Item 2 – Tom Healy, Director – Department of Public Works

- Spoke briefly to his retirement and the transition of the new Public Works Director;
- Highlighted and updated his written report distributed at the table;
- Spoke to the status of Compression Brake Signage;
- Expressed a special thank you to the Public Works crew and employees; and
- Shared the following recommendations and observations while looking to the future:
 - Establishment of a dedicated fund for maintenance and prevention from decline for Palmer paved and gravel streets due to the growing reduction of Federal and State funding;
 - Development of a plan to close off Evergreen on the other side of the tracks during big events in order to alleviate growing traffic and congestion points;
 - Creation of a possible Dogwood crossing over the railroad tracks, to allow for another daily access to the Courthouse, State Office Building, as well as options during special events.

The Council thanked Mr. Healy for his tenure with the City over many years.

F. REPORTS

Item 1 – City Manager's Report

City Manager Nathan Wallace:

- Thanked Mr. Healy for his long-time service to the City and wished him well;
- Highlighted his written report which was distributed on the table; and
- Fielded questions from the Council.

Council Member Combs commented on Palmer becoming known as an event destination for both large and small events. She was extremely unhappy at the most recent event because the handicap parking signs were still not posted. She pointed out there is a great need for this, and there was no excuse for it not being done. City Manager Wallace responded he will work to get it fixed.

Mayor Johnson requested Fairfield Park status be brought back to the Council at the next meeting.

Item 2 – City Clerk's Report

City Clerk Norma Alley:

- Provided an overview of handouts distributed on the table;

- Stated one member of the Airport Advisory Commission had missed six regular meetings, and requested instructions on how the Council wished to proceed;
- Shared that Bernadette was attending training for two weeks, and Pam Whitehead was filling in for the meeting with Ailis would be filling in at the next meeting;
- Noted the Special Meeting agenda for June 21 was in Council's inboxes; and
- Provided an update of work done by Bernadette, Ailis, and herself on the Blackboard Connect Account to reduce the contact list from 3,332 to 1,220 and provided substantial cost savings to the City; and
- Announced she will be out of the office on June 23.

Council Member Combs requested that the City Clerk bring back, to the next meeting, legislation addressing Consideration of Removal of Mr. Tuttle from the Airport Advisory Commission for number of absences. Council Member Best offered support.

Attorney Gatti spoke to the removal process verifying current code.

Council Member Best pointed out it may be better to send a letter informing the individual of his being subject to removal based on absences and giving the opportunity for resignation prior to action needing to be taken by the Council.

Item 3 – Mayor's Report

Mayor Johnson:

- Commented on greeting the Aviation Society from England on Memorial Day and seeing the historic airplanes at the Airport;
- Reported on her attendance at the Fly-In, and suggested the City help with promotion efforts in the future;
- Commented on the grand success of Colony Days;
- Commented on her attendance of the Alaska State Chamber of Commerce meet and greet to hear their priorities for the year and discussed partnering with others on priorities going forward as money gets tighter;
- Spoke in agreement concerning the handicap spaces; and
- Talked about foot traffic and crosswalks that may be beneficial in reducing congestion.

Item 4 – City Attorney's Report

Michael Gatti:

- Spoke to the second round of appeals for the VOA/VRS issue;
- Stated he spoke at the last P&Z Public Hearing, at the request of Council, to remind the public that the appeal is a quazi-judicial decision of the P&Z Commission and is not within the City Council's jurisdiction;
- Reported the City prevailed in the Beeson case, including attorney's fees;
- Commented that Tom Healy has been a great asset to Palmer as a City Manager and Public Works Director, and he thanked Tom for helping him to help the City.

Mayor Johnson asked for Council approval to change the Agenda.

Main Motion: To move item 17, Action Memorandum 16-044, and item 18, Action Memorandum 16-042, to immediately follow Audience Participation

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

G. AUDIENCE PARTICIPATION

Eugene Carl Haberman:

- Addressed the establishment of advisory boards and their need to hold public hearings;
- Spoke to prejudicial situations where opinions/decisions had been made prior to hearing from the public within other local governing bodies; and
- Called attention to a discrepancy on page number references on the Council's agenda between the website and the printed copy.

Mayor Johnson also noted the discrepancy in the online version, to which the City Clerk apologized for the error and posted the corrected version to the viewing screen.

Andrea Fuller:

- Spoke to 100-plus skydivers being welcomed to the Palmer Airport and connected with the Downtown area; and
- Applauded the work of the City of Palmer, the Visitor's Center, and the Chamber of Commerce, who made about 100 welcome bags containing Palmer historical information and coupons by which the skydivers could visit, shop, and eat in Downtown Palmer.

Brittany Jurasek – Valor Corporation:

- Addressed the Council concerning a local family in Palmer who had requested an ADA ramp for a World War II veteran who was recovering from a stroke; and
- Mentioned that the materials had been procured, but they were looking for help to participate in the construction on June 29.

I. ACTION MEMORANDA [per Amended Agenda]

Item 7 – Action Memorandum 16-044: Approve a Council Community Grant in the amount of \$500 to the Valor Corporation to support Tiny Homes for Vets.

An error in the requested grant amount was acknowledged. The published Agenda stated the amount of \$500 and the published AM 16-044 document stated \$2,500. Following discussion, advice from counsel on curing the error, and further discussion concerning the balance in the Council Community Grant Fund, the following action was taken.

Main Motion: To approve Action Memorandum 16-044 as amended

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

Primary Amendment #1: To change the amount to \$500.

Moved by:	DeVries
Seconded by:	Best
Action:	Motion carried by voice vote.
In favor:	Best, Carrington, Combs, DeVries, Hanson
Opposed:	Johnson

Item 8 – Action Memorandum 16-042: Approve a Council Community Grant in the amount of \$3,000 to the Palmer Museum of History and Art to support Midsummer Garden and Art Faire

Main Motion: To approve Action Memorandum 16-042, as amended.

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

Primary Amendment #1: To reduce the amount to \$2,000.

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

H. PUBLIC HEARINGS

Item 1 – Ordinance No. 16-012: Amending Palmer Municipal Code Section 4.15.020 (I)(5) (Eligibility List) (IM 16-020)

Mayor Johnson opened the public hearing.

Eugene Carl Haberman:

- Criticized packet documents and how the Council closes public hearings; and
- Requested the documents be reader-friendly.

Mayor Johnson closed the public hearing. There were no objections.

Main Motion: To approve Ordinance No. 16-012

Moved by:	Combs
Seconded by:	Carrington
Action:	Motion carried unanimously by voice vote.
In favor:	Best, Carrington, Combs, DeVries, Hanson, Johnson
Opposed:	None

I. ACTION MEMORANDA

Item 1 – Action Memorandum 16-039: Authorize the City Manager to Purchase Firefighting Equipment from Alaska Safety - Wasilla in the Amount of \$26,552.00 Using the Governmental and Proprietary Purchases Municipal Code Section 3.21.230

Main Motion: To authorize Action Memorandum 16-039

Moved by:	Combs
Seconded by:	DeVries
Action:	Motion carried unanimously by voice vote.
In favor:	Best, Carrington, Combs, DeVries, Hanson, Johnson
Opposed:	None

Item 2 – Action Memorandum 16-040: Authorize the City Manager to Purchase Firefighting Equipment from L.N. Curtis & Sons Inc. in the Amount of \$17,362.00 Using the Governmental and Proprietary Purchases Municipal Code Section 3.21.230

Main Motion: To authorize Action Memorandum 16-040

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

Item 3 – Action Memorandum 16-046: Authorize the City Manager to Negotiate and Execute Amendment No. 9 to the Professional Service Agreement with HDL Engineering Consultants for Construction Phase Services for Phase 4 of the Sherrod Area Water and Street Improvement Project in a Not-to-Exceed Amount of \$192,390

Main Motion: To authorize Action Memorandum 16-046

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

Item 4 – Action Memorandum 16-043: Authorize the City Manager to Negotiate and Execute a Purchase Agreement with Western Peterbilt, Inc. for a Solid Waste Collection Vehicle in the Amount of \$330,500 Using the Governmental and Proprietary Procurement Process.

Main Motion: To authorize Action Memorandum 16-043

Moved by:	DeVries
Seconded by:	Combs
Action:	Motion carried unanimously by voice vote.
In favor:	Best, Carrington, Combs, DeVries, Hanson, Johnson
Opposed:	None

Council Member Hanson requested a Staff Report.

Public Works Director Healy provided the staff report addressing the history behind the purchase, and noted the action item was for the purchase of a new garbage truck (2016 Peterbilt 320) to replace the 2003 Peterbilt 320 (see photos) in the handout.

Item 5 – Action Memorandum 16-045: Authorize the City Manager to Dispose of Surplus Solid Waste Equipment Valued at More than \$10,000

Main Motion: To authorize Action Memorandum 16-045

Moved by:	Best
Seconded by:	Hanson
Action:	Motion carried unanimously by voice vote.
In favor:	Best, Carrington, Combs, DeVries, Hanson, Johnson
Opposed:	None

Council Member DeVries asked that the word “dispose” be defined. The City Manager explained, in this case, dispose meant it would be set up for auction.

Council Member Hanson asked about the approach that would be taken to sell the property. The City Manager responded the City would use an official government source to dispose of the truck and attempt to get the highest value possible.

Item 6 – Action Memorandum 16-038: Authorize the City Manager to Negotiate and Execute a Contract with Ferguson Enterprises, Inc. for the Material Procurement for Sherrod Area Water and Street Improvements, Phase 4, in the Amount of \$71,229.60

Main Motion: To authorize Action Memorandum 16-038

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

J. UNFINISHED BUSINESS

K. NEW BUSINESS

Item 1 – Discussion on Appraisal of City Property Formerly Granite Inc. Property

City Manager Wallace:

- Reviewed the status of the Granite Church property and the “as is” appraisal of \$375,000 done by Valley Appraisal Analysis;
- Noted that Valor Corporation had approached the City to purchase the property;
- Discussed the background on the valuation of the property;
- Presented current options: A) sell at current appraised value, B) sell after an open bid process, C) sell at less than appraisal (nonprofits), or D) maintain the property as a City asset, and discussed the advantages and disadvantages of each option; and
- Asked for the Council’s direction on the next step.

Discussion by the Council ensued. The following points were addressed:

- More time was required to consider the information and options presented;
- The property is the gateway to Palmer, and it is important to encourage homes there;
- The property is a liability to the City of Palmer, and it is time to sell it and move on;
- Legal ramification of a 25% veteran’s discount; and
- The performance bond, set to expire in October of 2017, requires utilities to be installed.

Following the discussion, the City Manager clarified direction. In one month’s time, he will provide financial and other history on the project, to include: what was gained, spent, performance bond status, and any additional questions presented by the Council within the next few weeks.

L. RECORD OF ITEMS PLACED ON THE TABLE

City of Palmer Construction Projects in Progress by Director Healy

City Manager’s Report

City Clerk’s Report

Solid Waste Collection Fleet Handout by Director Healy

Memo of City Manager – Discussion on Appraisal of City Property formerly Granite Inc. Property Numbers provided by Brittany Jurasek

M. AUDIENCE PARTICIPATION

Brittany Jurasek, Valor Corporation:

- Stated that though this property is owned by the City, it does not reside within city limits;
- Noted that liability issues for the City would end once the property was purchased;
- Stated Valor Corp was pre-approved to purchase the property and build a four-plex;
- Inquired about submission of an offer for the Council to vote on at the next meeting;
- Noted she understood the problems associated with other nonprofits because of the strings attached to government money; and
- Reiterated that Valor Corp would pay for the property with a lump sum of cash.

Eugene Carl Haberman:

- Addressed concerns regarding Mat-Su Borough Assembly Commissions and the public hearing process.

Andrea Fuller, Board member of the Palmer Museum of History and Art, and member of the Planning Committee for the Palmer Midsummer Garden and Art Faire;

- Expressed appreciation for the community grant approved at the meeting.

N. COUNCIL MEMBER COMMENTS

Council Member Combs:

- Commented that Palmer had never looked better, and expressed appreciation to the community and to Public Works;
- Spoke in favor of the completion of Valor Corporation's plan as the gateway to Palmer;
- Spoke to the dedication of the members of the Board of Economic Development;
- Commented on attending Colony Days for 30 years, with this being her first time in the parade; and
- Noted it was good to hear the Beeson issue was finalized.

Deputy Mayor Hanson:

- Commented on Mr. Healy's commitment and dedication to the City of Palmer, and he indeed will be missed; and
- Clarified that his earlier comments were made based on a 25 percent reduction in the purchase price, and if there was something different, he would be interested in seeing it.

Council Member Best:

- Commented on his attendance with Tony Nolin, Nancy Wyatt, Bill Kennedy, and Commander Domeier at the American Legion Post 15 Memorial Day Services. These included: an aerial drop of a wreath at the Palmer Pioneer Cemetery showing support of the Air Force, a wreath drop into the water at the George Palmer Memorial Bridge to represent the Navy, and the service at the Valley Memorial Cemetery at the Butte for an Army and Marine Memorial. It was very well attended and very humbling;
- Wished former Mayor Combs well, while recovering from a recent surgery, and noted his recent election to the Palmer Senior Center Board of Directors; and
- Expressed appreciation to Mr. Healy.

Council Member Carrington:

- Expressed kudos to Andrea Fuller for her paper bag project; and
- Thanked Mr. Healy for all his effort and service to the City.

Mayor Johnson:

- Added her thanks to Mr. Healy for his service to Palmer;
- Noted a big thank you to MTA for coming in to deliver the capital credits check; and
- Pointed out the Scottish Highland Games and the Memorial Service for Pat Berberich were both scheduled for June 25 at the fairgrounds.

O. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:43 p.m.

Approved this 12th day of July, 2016.

Norma I. Alley, MMC, City Clerk

DeLena Johnson, Mayor

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on July 12, 2016, at 7:00 pm in the council chambers, Palmer, Alaska.

Mayor Johnson called the meeting to order at 7:02 pm.

B. ROLL CALL

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

Steve Carrington	Brad Hanson
Linda Combs	DeLena Johnson
Edna DeVries	Peter LaFrance

Council Member Best participated telephonically.

Also in attendance were the following:

Nathan Wallace, City Manager	Bernadette Packa, Deputy City Clerk
Norma Alley, City Clerk	Michael Gatti, City Attorney

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member LaFrance.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 1. Introduction of **Ordinance No. 16-016-Z-1**: Amending the Zoning Map to Revise the Designation of Tract A-1 ASLS 96-004 Located in Section 33, Township 18 North, Range 2 East, Seward Meridian, from CG – General Commercial to I – Industrial with Special Limitations (IM 16-028)
 2. Minutes of Previous Meetings
 1. June 21, 2016, Special Meeting
 2. June 28, 2016, Regular Meeting

Main Motion: To approve the minutes of previous meetings and consent agenda as amended

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

Primary Amendment #1: To remove Ordinance No. 16-016-Z-1 from the consent agenda and place it in position E. on the agenda

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

E. Introduction of Ordinance No. 16-016-Z-1: Amending the Zoning Map to Revise the Designation of Tract A-1 ASLS 96-004 Located in Section 33, Township 18 North, Range 2 East, Seward Meridian, from CG – General Commercial to I – Industrial with Special Limitations (IM 16-028)

Mayor Johnson asked the Council to take a vote to determine whether a potential conflict of interest existed for her concerning the ordinance. Discussion by the Council ensued. The Council determined a potential conflict of interest existed through a 5-1, with 1 recused, roll call vote (Opposed – LaFrance, Recused – Johnson).

Due to a family emergency, Mayor Johnson turned the chair over to Deputy Mayor Hanson and left the chambers at 7:18 pm.

Main Motion: To introduce Ordinance No. 16-016-Z-1

Moved by:	Best
Seconded by:	Combs
Action:	Motion passed by 6-1 roll call vote.
In favor:	Best, Carrington, Combs, DeVries, Hanson, LaFrance
Opposed:	None

F. COMMUNICATION AND APPEARANCE REQUESTS

Item 1 – Planning and Zoning Commission Chair, Dan Lucas

- Highlighted his written report;
- Fielded questions from the Council; and
- Asked for the Council’s continued support.

G. REPORTS

Item 1 – City Manager’s Report

City Manager Nathan Wallace:

- Highlighted his written report; and
- Commented on the governor’s vetoes and the effects on the borough budget;
- Addressed the freeze on capital expenditures;
- Commented on status of the Dispatch RFP;
- Reported on the City informational booth at the Garden and Art Faire;
- Provided an update on the RV parking problem; and
- Fielded questions from the Council.

Council Member Combs thanked the City Manager and his Assistant for manning the informational booth at the Garden and Art Faire.

Item 2 – City Clerk’s Report

City Clerk Norma Alley:

- Highlighted her written report distributed at the table;
- Addressed nominating petitions and reminded the Council of the July 29 due date;
- Provided an update on the search for a voting system; and
- Commented on progress with the Boards & Commissions Recruitment process review.

Item 3 – Mayor’s Report

Item 4 – City Attorney’s Report

Michael Gatti:

- Provided supplemental information to the Manager’s report, concerning the Bonanza Street issue, noting a complaint had already been filed with the court and an affidavit is forthcoming.

H. AUDIENCE PARTICIPATION

Dan Lucas:

- Spoke to the planned expansion of the Glenn Highway, the need for water and sewer service on the west side of the highway between Glacier View and More Road, and the potential growth opportunity for the City of Palmer.

Eugene Carl Haberman:

- Spoke to conflict of interest; and
- Addressed an oversight in the printed Manager’s Report in the packet.

Parker Smith, Boy Scout:

- Introduced himself; and
- Commented on his attendance of the meeting as part of fulfilling requirements for the Citizenship and Community Merit badge.

Jerrold Hawkings, Boy Scout:

- Introduced himself;
- Commented on working toward the Citizenship and Community Merit badge; and
- Expressed a desire to speak with a council member following the meeting.

I. PUBLIC HEARINGS

Item 1 – Resolution No. 16-018: Authorizing the City of Palmer to Issue Utility Revenue Bonds in the Principal Amount Not to Exceed \$5,000,000 to Finance Water and Wastewater Utility and Related Capital Improvements, and to Submit the Question of the Issuance of Such Bonds to the Qualified Voters of the City at the October 4, 2016, City Election (IM 16-031) (1st Public Hearing)

Deputy Mayor Hanson requested a staff report. City Manager Wallace provided an overview of the resolution and the plan for construction of the new Waste Water Treatment facility.

Council Member DeVries requested a copy of the information presented by Manager Wallace be placed in the packet for the next meeting.
Deputy Mayor Hanson opened the public hearing.

Eugene Carl Haberman:

- Complemented the Council on the use of two public hearings; and
- Expressed a desire for more information to be made available to the public on the issue.

Deputy Mayor Hanson closed the public hearing.

Item 2 – Resolution No. 16-001-B: Amending the Budget for the City of Palmer, Alaska for the Fiscal Year Ending December 31, 2016 (IM 16-030) (1st Public Hearing)

Deputy Mayor Hanson requested a staff report. City Manager Wallace provided commentary on the thought processes utilized in making the budget amendment.

Deputy Mayor Hanson opened the public hearing.

Eugene Carl Haberman:

- Cautioned the amendment of the budget in light of state budget cuts.

Deputy Mayor Hanson closed the public hearing with no objection from the Council.

Item 3 – Ordinance No. 16-015: An Ordinance of the Palmer City Council Amending Palmer Municipal Code 17.64.050 Central Business District Boundary and Amending the Zoning Map to Show the Expanded Boundary as Recommended by the Planning and Zoning Commission (IM 16-027)

Deputy Mayor Hanson opened the public hearing. As no one came forward, Deputy Mayor Hanson closed the public hearing with no objection from the Council.

Community Development Director, Sandra Garley, provided an ordinance history, addressed reasoning behind map development, and fielded questions from the Council.

Main Motion: To adopt Ordinance No. 16-015

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

J. ACTION MEMORANDA

K. UNFINISHED BUSINESS

L. NEW BUSINESS

Item 1 – Resolution No. 16-019: Supplementing Resolution No. 16-012, Authorizing the City Manager to Accept and Appropriate Additional Funding, in the Amount of \$11,400.00, from the

Federal Aviation Administration (FAA) Airport Improvement Program Grant No. 3-02-0211-020-2016, and to Provide for the Development of an Obstacle Action Plan (IM 16-032)
 Deputy Mayor Hanson requested a staff report. City Manager Wallace provided a history of the grant filing and the Federal Aviation Administration's recommendation to include an Obstacle Action Plan with the grant request.

Main Motion: To approve Resolution No. 16-019

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

M. RECORD OF ITEMS PLACED ON THE TABLE

Memorandum from Planning & Zoning Commission Chairman, Dan Lucas
 Written Report provided by the City Clerk

N. AUDIENCE PARTICIPATION

Eugene Carl Haberman:

- Commented on need for borough committees to resign; and
- Requested the meeting day be changed so as not to conflict with the Borough Assembly.

O. COUNCIL MEMBER COMMENTS

Council Member Carrington:

- Commented on ways to handle potential conflict of interest situations.

Council Member LaFrance:

- Expressed appreciation to the City Manager and Public Works for the improvements to Blueberry Street; and
- Encouraged everyone to drive safely.

Council Member Combs:

- Thanked Mr. Lucas for his presentation;
- Spoke to the Chamber of Commerce Golf Tournament, Friday Fling, and Palmer Midsummer Garden & Art Faire Wine Walk and
- Highlighted the Midsummer Garden & Art Faire;
- Reminded everyone of the Palmer Pride Picnic and 65th Birthday Bash to be held on June 22 from 4-7 at the Palmer Depot; and
- Asked Council Members to submit residence addresses and the names of the residents to Mayor Johnson to be considered for the Residential Beautification Awards.

Council Member DeVries:

- Expressed thanks to the Boards and Commissions and all the time they put in; and
- Requested a report from the City Manager regarding water and sewer availability on the west side of the Glenn Highway. Deputy Mayor Hanson offered support.

Deputy Mayor Hanson:

- Wished the Mayor and her family the best.

Council Member Best:

- Echoed well wishes to the Mayor's family; and
- Expressed appreciation to the boards and commissions for their tireless efforts.

P. EXECUTIVE SESSION

Item 1 – Potential litigation; matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City concerning the Wastewater Treatment Facility (Note: council action may be taken following the executive session)

Main Motion: To enter into executive session to discuss potential litigation; matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City concerning the Wastewater Treatment Facility (Note: council action may be taken following the executive session)

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

The Council entered into Executive Session at 8:54 pm and exited at 9:49 pm.

Council Member Best left the teleconference when the executive session started. After coming out of executive session, the following action was taken.

Main Motion: To authorize the City Manager and the City Attorney to negotiate and execute a Federal Consent Decree for the Wastewater Treatment Plant

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

Q. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 9:51 pm.

Approved this 26th day of July, 2016.

Norma I. Alley, MMC, City Clerk

DeLena Johnson, Mayor

reports





Staff Update and analysis (June 2016):

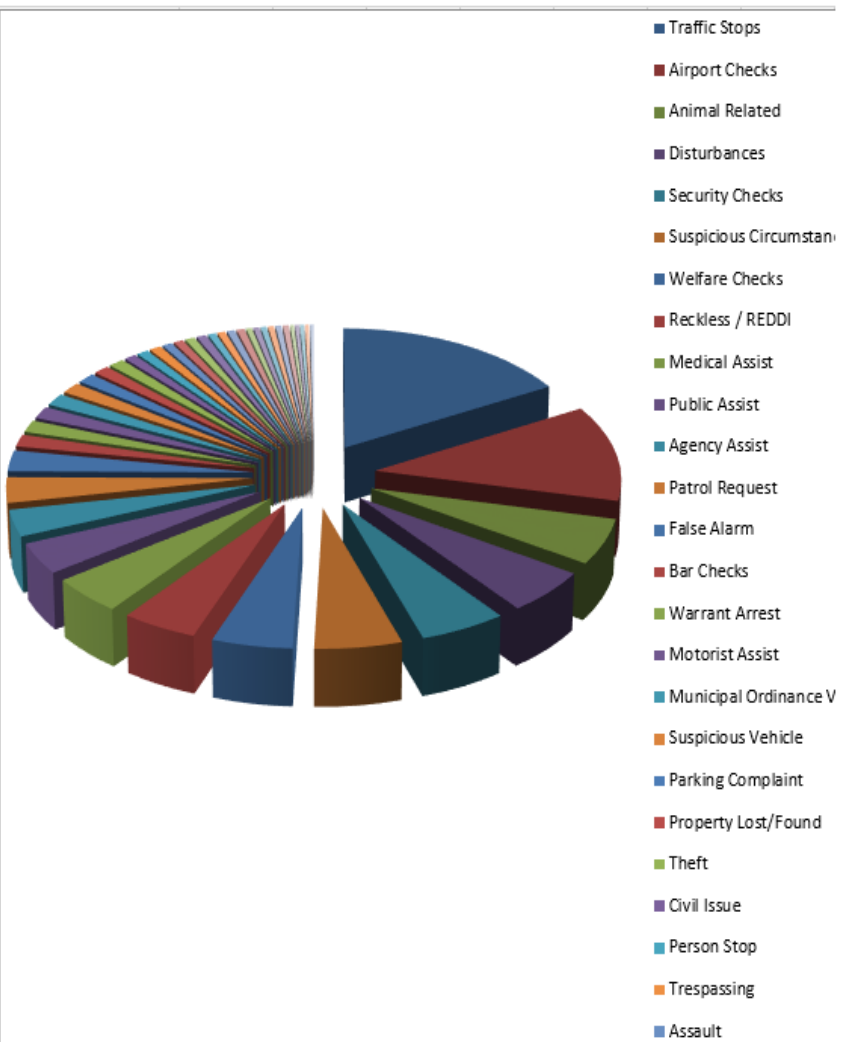
Police Department:

Total calls: 742 down from 762 in May

Call breakdown - 33%(May - 34%) traffic/vehicle related, 24%(May - 23%) checks (welfare/property), 31%(May - 31%) citizen assistance, 12% (May - 12%) other.

**Patrol Calls
 June, 2016**

Traffic Stops	121
Airport Checks	87
Animal Related	41
Disturbances	39
Security Checks	39
Suspicious Circumstances	39
Welfare Checks	36
Reckless / REDDI	34
Medical Assist	33
Public Assist	28
Agency Assist	24
Patrol Request	23
False Alarm	19
Bar Checks	11
Warrant Arrest	11
Motorist Assist	11
Municipal Ordinance Violation	11
Suspicious Vehicle	10
Parking Complaint	9
Property Lost/Found	8
Theft	8
Civil Issue	6
Person Stop	6
Trespassing	6
Assault	5
Motor Vehicle Accident	5
Noise Complaint	5
Property Damage	5
Attempt to Locate	4
Drugs	4
Driving While License Revoked/Suspended	4
Warrant Arrest Attempt	4
Abandoned Vehicle	3
Criminal Mischief	3
DUI	3
Leaving the Scene	3
Public Appearance	3
Runaway Juvenile	3
Counterfeiting	2
DUI - Drugs	2
Harassment	2
Intoxicated	2
Driving Without Valid License	2
Traffic Offense	2
Burglary	1
Conditions of Release	1



Other: Completed annual business visit/survey



Fire Department:

Calls: calls 53 (54- May) in June 2016, down by 2% from last month, down by 38% from last year.
 Fire: 11(14-May), Recue: 16(21- May), Hazard: 4 (1- May), Good intents: 13(18- May)

Community Development:

Library:

Patrons:	May	June
Total Registered Patrons	12,097	12,257
Total Mat-Su Borough Resident Patrons	9,323	9,445
Total City of Palmer Resident Patrons	2,774	2,812
New Library Users	108	160

Usage:	May	June
Patron Visits/Count	8,497	11,015
Reference Questions	1,098	1,543
Library Computer Sessions	1,662	2,178
WIFI Sessions	1,268	1,159
Circulation (PPL items)	10,679	14,513
Magazine circulation	539	802
Take Home Paperbacks	234	286

Programs:	May		June	
Children's Programs	19 Events	600 Participants	28 Events	1,025 Participants
Class Visits	19 Events	600 Participants	8 Events	127 Participants
Young Adult Programs	4 Events	100 Participants	3 Events	35 Participants
Adult Programs	4 Events	21 Participants	4 Events	17 Participants
Total Library Programs	46 Events	1,321 Participants	43 Events	1,204 Participants
Community Events	13 Events	304 Participants	10 Events	302 Participants
Total Events	59 Events	1,625 Participants	59 Events	1,506 Participants

Building and Compliance:

Compliance Letters dispatched: 4 (3- May) (unsightly premise), 1 (0-clean up follow up), and 4 (5- May) (permit follow ups).

Permits: Sign permits continue to be up compared to last few years, building permits are picking up and are closer to previous years than earlier this year. Dollar amount is higher due to Fred Meyers construction.



Report to Council
 City Manager Nathan Wallace
 July 13-26, 2016

Building Department Report
JUNE 2016

PermitType	Count	Total Valuation	Fees Collected
Building Permit	10	\$5,956,477.00	\$32,869.75
Fence Permit	3	\$7,000.00	\$78.00
Sign Permit	2	\$0.00	\$0.00
Totals	15	\$5,963,477.00	\$32,947.75

TYPE OF PERMITS:

Applicant	Valuation	Type Of Work:	Permit Fee
DOWNEY, KENNETH	\$2,000.00	Fence	\$26.00
MICHAELSON, RAY	\$0.00	Temporary Sign	\$0.00
HUNT, JAMES	\$309,116.00	RES Multi Family	\$2,411.50
CRUM, ADAM	\$0.00	Temporary Sign	\$0.00
KONYOT, BILL	\$1,000.00	RES Alteration	\$0.00
FOX, NEIL	\$1,000.00	Fence	\$26.00
RAMSEY, JOHN CARL	\$4,000.00	Fence	\$26.00
MATANUSKA-SUSITNA BOROUGH	\$977,235.00	COM Alteration	\$6,122.50
SPINELL HOMES, INC.	\$289,295.00	RES Single Family	\$2,287.75
POWELL, WESLEY	\$500.00	COM Alteration	\$26.00
PALMER, CITY OF	\$2,880.00	COM Alteration	\$0.00
SPINELL HOMES, INC.	\$292,221.00	RES Single Family	\$2,306.00
CPD ALASKA LLC	\$3,969,480.00	COM New	\$18,298.75
MATANUSKA ELECTRIC ASSOC.	\$17,400.00	COM Alteration	\$326.25
JOHNSON, JEFF	\$97,350.00	COM Addition	\$1,091.00



Report to Council
 City Manager Nathan Wallace
 July 13-26, 2016

TYPE OF PERMITS:

<i>Applicant</i>	<i>Valuation</i>	<i>Type Of Work:</i>	<i>Permit Fee</i>
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YEAR TO DATE COMPARISON:

Year	Building Permits	Sign Permits	Fence Permits	Year to Date Valuation	Year to Date Permit Fees
2007	67	11	19	\$9,998,870.00	\$63,821.25
2008	50	17	15	\$2,071,704.00	\$22,537.75
2009	37	6	20	\$1,676,516.00	\$16,423.00
2010	48	14	9	\$12,456,210.00	\$64,666.25
2011	58	14	12	\$3,595,886.00	\$34,170.25
2012	56	16	4	\$15,713,232.00	\$92,678.50
2013	34	7	11	\$7,495,176.00	\$52,703.75
2014	55	18	5	\$12,174,315.00	\$79,968.25
2015	61	12	9	\$7,904,367.00	\$64,947.25
2016	46	19	12	\$30,087,035.00	\$149,242.25

Golf Course:

	June	May
Operational Days:	30	31
Number of Rounds:	2,737	2,495
Green Fees:	58,508.50	75,178.50
Car Rental:	21,911.00	16,377.00
Club Rental:	1,210.00	1,060.00
Driving Range:	6,717.00	5,838.00
Merchandise Sales:	28,261.00	21,042.50
Snack Bar:	13,724.25	10,878.00
Beer & Wine:	9,816.50	9,021.60

SPECIAL ASSESSMENT QUARTERLY REPORT

June 30, 2016

ARRC #1 (Established LID through Resolution No. 1228)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
01-01-ST	8,825.41	8,825.41	0.00	0.00	0 of 5

SNODGRASS-NEWCOMB #2 (Established Resolution No. 1268; Confirmation: Resolution No. 06-015)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
02-1-ST	45,318.36	34,774.90	10,543.46	0.00	5 of 15

NORTH VALLEY WAY (Established: Resolution No. 1298; Confirmation: Resolution No. 05-030)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
03-1-ST	98,135.79	90,674.21	7,461.58	1,431.52	4 of 17

N GULKANA/EAGLE ST (Established: Resolution No. 1299; Confirmation: Resolution No. 05-031)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
03-2-ST	161,758.02	161,758.02	0.00	0.00	0 of 11

S CHUGACH STREET (Established: Resolution No. 1302; Confirmation: Resolution No. 06-016)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
03-3-ST	13,256.73	13,256.73	0.00	0.00	0 of 2

EAST & WEST EAGLE (Established: Resolution No. 1339; Confirmation: Resolution No. 06-017)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
04-1-ST	97,887.21	87,197.77	10,689.44	4,250.49	7 of 27

PALMER WEST/HELEN DR (Established LID through Resolution No. 05-011)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
05-1-ST	276,873.66	259,193.67	17,679.99	8,404.20	12 of 63

SPECIAL ASSESSMENT QUARTERLY REPORT

June 30, 2016

LUCAS AREA (Established: Resolution No. 08-004; Confirmation: Resolution NO. 10-011)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
08-1-ST	178,826.31	141,942.86	36,883.45	9,073.35	21 of 42

BLUEBERRY AREA (Established: Resolution No. 09-006; Confirmation: Resolution No 10-012)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
09-1-ST	208,923.10	139,977.43	68,945.67	1,764.75	19 of 54

GULKANA AREA (Established: Resolution No. 09-050; Confirmation: Resolution No. 13-019)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
09-2-ST	144,393.00	31,115.66	113,277.34	11,542.82	1 of 15

SOUTH BONANZA (Established: Resolution No. 09-054; Confirmation: Resolution No. 14-007)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
09-3-ST	61,756.05	61,154.99	601.06	670.60	1 of 26

W DOLPHIN & CARIBOU (Established: Resolution No. 09-055; Confirmation: Resolution No. 14-008)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
09-4-ST	38,832.00	30,530.09	8,301.91	16.00	7 of 16

ST JOHN LUTHERAN CHURCH (Established LID through Resolution No. 616)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
84-2 ST	11,595.56	11,595.56	0.00	0.00	0 of 1

COPE (Established: Resolution No. 648; Confirmation: Resolution No. 680)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
85-2-ST	10,573.43	7,261.87	3,311.56	0.00	2 of 2

SPECIAL ASSESSMENT QUARTERLY REPORT

June 30, 2016

MAT-MAID PROPERTY (Established LID through Resolution No. 688)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
86-1-ST	51,134.64	51,134.64	0.00	0.00	0 of 4

BEAVER STREET (Established: Resolution No. 748; Confirmation: Resolution No. 757)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
87-1-S	17,690.08	6,486.01	11,204.07	0.00	3 of 6

BAILEY HEIGHTS (Established: Resolution No. 1143; Confirmation: Resolution No. 1158)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
98-1-ST	11,337.27	11,337.27	0.00	0.00	0 of 4

HIGHLANDS (Established: Resolution No. 1183; Confirmation: Resolution No. 1252)

DISTRICT	ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
99-1-ST	94,110.92	86,273.44	7,837.48	7,320.32	2 of 15

TOTAL SPECIAL ASSESSMENTS:

ORIGINAL AMOUNT	PRINCIPAL PAID	O/S PRINCIPAL BALANCE	AMOUNT DELINQUENT	ACTIVE ACCOUNTS
1,531,227.54	1,234,490.53	296,737.01	44,474.05	84 of 325

public hearings



City of Palmer
Information Memorandum No. 16-033
Resolution No. 16-020



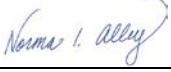
Subject: Submitting the Question of Amending Charter Section 3.2 Terms of Office to the City's Qualified Voters at the October 4, 2016 City of Palmer Elections.

Agenda of:

- July 26, 2016 – 1st Public Hearing
- August 9, 2016 – 2nd Public Hearing

Council Action: _____

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 (√):


- Has no fiscal impact Creates a positive impact in the amount of: \$ _____
 Creates a negative impact in the amount of: \$ _____

Funds are (√):

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

General fund unassigned balance (after requested budget modification): \$ _____

Enterprise unrestricted net position (after requested budget modification): \$ _____

Director of Finance Signature: 

Attachment(s):

- Resolution No. 16-020

Summary Statement: Resolution No. 16-020, places a charter amendment on the October 4, 2016, regular city ballot limiting the terms of the mayor and city councilmembers to two three year terms commencing in October, 2017.

Introduced by: City Manager Wallace
1st Public Hearing: July 26, 2016
2nd Public Hearing: August 9, 2016
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

RESOLUTION NO. 16-020

A Resolution of Palmer City Council Submitting the Question of Amending Charter Section 3.2, Terms of Office to Limit Mayor and Councilmember Terms to Two Three Year Terms, to the City’s Qualified Voters at the October 4, 2016, City of Palmer Election

WHEREAS, Section 14.2 of the Charter of the City of Palmer provides that the Charter may be amended by proceedings commenced by the vote of four members of the Council, and

WHEREAS, Section 14.3 of the Charter of the City of Palmer provides that when an amendment to the Charter is proposed by the Council, it shall be submitted to the qualified voters of the City at any election to be held in the City not less than 60 days after its proposal by the Council; and

WHEREAS, the language of Charter Section 3.2, if approved by the city’s qualified voters will limit the terms of Mayor and Councilmembers to two three year terms applicable to the Mayor and Council members first elected in 2017 and elected thereafter; and

WHEREAS, at least four members of the Council for the City of Palmer have determined that it is in the best interests of the City and its residents that the Charter of the City of Palmer amendment should go before the qualified voters as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALMER, ALASKA, that:

Section 1. At the City of Palmer election to be held on October 4, 2016, the following proposition shall be submitted to the qualified City of Palmer voters in substantially the following form:

PROPOSITION NO. P-2

AMENDMENT OF THE PALMER CITY CHARTER, CHAPTER III,
SECTION 3.2 Terms of Office

Shall Chapter III, Section 3.2 of the Charter of the City of Palmer be amended to read as follows (new language is **underlined** and **bolded** and deleted language is ~~stricken~~ and [bracketed]):

Section 3.2 Terms of office.

The terms of two councilmen shall expire each year, except that in each third year, counting from 1963, the terms of the Mayor and of two Councilmen shall expire. When appointments are made to fill vacancies in the manner provided by Section 2.13(a) of this Charter, appointees shall qualify for and assume the duties of office within ten days after appointment, unless such time be extended for not more than sixty days by the Council. **A person serving as the Mayor or Councilmen may not serve on the council for more than two consecutive, full terms without a break in service for at least one full year. Years of service of an appointee filling a vacated seat does not count toward the six year term limit.**

PROPOSITION NO. 2 Yes ()
 No ()

Section 2. This Resolution shall take effect immediately upon its adoption. The amendment set forth in Section 1 shall become effective for terms served after the October 3, 2017 regular election upon its approval by a majority of the qualified voters voting on the question at the election of October 4, 2016, and the filing of the amendment as provided in Section 3.2 of the Charter of the City of Palmer, provided that the filing may be made with the Lieutenant Governor in lieu of the Secretary of State of Alaska.

PASSED AND APPROVED by the City Council of the City of Palmer, Alaska this ____ day of July, 2016.

CITY OF PALMER

DeLena Johnson, Mayor

ATTEST:

Norma I. Alley, MMC, City Clerk

**City of Palmer
Information Memorandum No. 16-028
Ordinance No. 16-016-Z-1**

Subject: Ordinance No. 16-016-Z-1: Amending the Zoning Map to Revise the Designation of Tract A-1 ASLS 96-004 Located in Section 33, Township 18 North, Range 2 East, Seward Meridian, from CG – General Commercial to I – Industrial with Special Limitations

Agenda of:

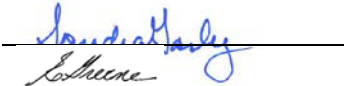

- July 12, 2016 – Introduction
- July 26, 2016 – Public Hearing

Council Action: _____


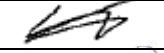

Originator Information:

Originator: Sandra Garley
Date: June 20, 2016 **Requested agenda date:** _____

Department Information √:

Route to:	Department Director:	Signature:	Date:
<u>X</u>	Community Development		<u>06/20/2016</u>
<u>X</u>	Finance		<u>06/20/2016</u>
_____	Fire Department	_____	_____
_____	Police Department	_____	_____
_____	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: \$ 0

This legislation (√):


- Has no fiscal impact Creates a positive impact in the amount of: \$ 0 for 2016/undetermined for 2017 for potential revenue
 Creates a negative impact in the amount of: \$ _____

Funds are (√):

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

General fund unassigned balance (after requested budget modification): \$ _____

Enterprise unrestricted net position (after requested budget modification): \$ _____

Director of Finance Signature: 

Attachment(s):

- Ordinance No. 16-016-Z-1
- Planning and Zoning Commission Resolution No. 16-004 with Findings of Facts
- Staff Report
- Public Notice and Vicinity Map for Commission Hearing of June 16, 2016
- Zoning Map Amendment Application
- Written Comments Received for Commission Hearing

Summary statement: If approved, Ordinance No. 16-016-Z-1 will rezone Tract A-1 ASLS 96-004 from CG – General Commercial to I – Industrial with Special Limitations; these special limitations will restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses.

Background: The subject parcel is part of the block known as the Mat-Maid properties and has historically been used for a bottling plant and creamery (Mat-Maid). The Mat-Maid Creamery building has been vacant for several years.

The applicant is requesting a rezone to Industrial with special limitations to restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses consistent with the former use of this parcel as a bottling/milk production facility. The parcel is contiguous to Industrial zoned property and is surrounded by a mix of commercial and public uses with some nearby high density residential use. The proposed change with special limitations is compatible with the existing surrounding uses and will help to encourage and support more economic development in this area.

At the public hearing, the Planning and Zoning Commission discussed the portion of the Palmer Comprehensive Plan regarding the phasing out of industrial areas to other parts of town. The points were made that this rezone request is with Special Limitations to limit the Industrial uses to brewing and bottling plant, this property is contiguous with Industrially zoned property and the existing building will be used in the same capacity as its former use as a beverage/bottling plant.

On June 16, 2016 the Planning and Zoning Commission voted 4 in favor and 2 opposed to recommend amending the Zoning Map to revise the zoning designation of Tract A-1 ASLS 96-004, located in Section 33, Township 18 North, Range 2 East, Seward Meridian from CG - General Commercial to I – Industrial with Special Limitations and made written findings in Commission Resolution 16-004 that the proposed zone change meets the requirements of PMC 17.80.036.

Administration recommendation: Adopt Ordinance No. 16-016-Z-1.

Commission Information:

Initiated by: Planning and Zoning Commission
First on Agenda: June 16, 2016
Action: Passed
Vote: 4-in favor; 2-opposed

Council Information:

Introduced by: City Manager Wallace
Introduced: July 12, 2016
Public Hearing: July 26, 2016
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

ORDINANCE NO. 16-016-Z-1

An Ordinance of the Palmer City Council amending the Zoning Map to revise the designation of Tract A-1 ASLS 96-004 located in Section 33, Township 18 North, Range 2 East, Seward Meridian, from CG - General Commercial to I - Industrial with special limitations

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. Authority and legislative findings. Pursuant to 17.80.040, the City Council hereby adopts the following zoning map amendment in accordance with the legislative findings set below:

WHEREAS, the City of Palmer Planning and Zoning Commission (the Commission) received an application on June 3, 2016 from applicant, Matt Tomter of Matanuska Brewing Company, LLC and Alaska Department of Natural Resources, Department of Agriculture, owner of Tract A-1 ASLS 96-004 located in Section 33, Township 18 North, Range 2 East, Seward

Meridian, Alaska to rezone the subject property from being zoned CG - General Commercial to I – Industrial with Special Limitations; and

WHEREAS, the Special Limitations request as to restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses; and

WHEREAS, the Commission duly gave required notices, held its required public hearing on June 16, 2016, made a written report of its decision as to such need, justification and effect of the change of zoning in Commission Resolution 16-004, and voted 4 in favor and 2 opposed to recommend that such amendment to the zoning map be approved; and

WHEREAS, the Commission adopted finding of fact in Commission Resolution 16-004 as to the need, justification and effect of the change of zoning on June 16, 2016; and

WHEREAS, the City Council duly gave required notices, held its required public hearing on this date, and has duly considered the request to rezone the property, all evidence and testimony presented including any comments of the persons attending the public hearing, the findings of fact set forth in Planning and Zoning Commission Resolution 16-004, and the recommendation of the Commission; and

Section 4. The City of Palmer Zoning Districts map dated December 2014 is hereby amended to revise the zoning designation of Tract A-1 ASLS 96-004, located in Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska from being zoned CG - General Commercial to I – Industrial with the following Special Limitations:

1. Restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses.

Section 5. Effective Date. Ordinance 16-016-Z-1 shall take effect upon adoption by the Palmer City Council.

Passed and approved this _____ day of _____, 2016.

Delena Johnson, Mayor

Norma I. Alley, MMC, City Clerk

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 16-004

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION RECOMMENDING CITY COUNCIL APPROVE A ZONING MAP AMENDMENT FOR TRACT A-1 ASLS 96-004 WITH A SITE ADDRESS OF 513 S. VALLEY WAY, PALMER TO BE REZONED FROM CG, GENERAL COMMERCIAL TO I, INDUSTRIAL WITH SPECIAL LIMITATIONS; THESE SPECIAL LIMITATIONS RESTRICT THE INDUSTRIAL USES TO BREWING AND BOTTLING PLANT WITH RELATED ACTIVITIES AND CUSTOMARY ACCESSORY USES, LOCATED IN SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA

WHEREAS, Matt Tomter of Matanuska Brewing Company, LLC and Alaska Department of Natural Resources, Department of Agriculture have initiated a zoning map amendment application to change the zoning designation for Tract A-1 ASLS 96-004 with a site address of 513 S. Valley Way located in Section 33, Township 18 North, Range 2 East, Seward Meridian, from CG – General Commercial to I – Industrial with Special Limitations to restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses; and

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

WHEREAS, on June 8, 2016, 165 public hearing notices were mailed to property owners within 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on June 10, 2016. A total of 0 written comments were received in response, with 0 in favor of, 0 opposed and 0 no objection; and

WHEREAS, Goal 3 of Chapter 6 of the City of Palmer Comprehensive Plan states, "Support the continuation of institutional and appropriate industrial uses." In Objective B of Goal 3, the Plan mentions support of continued industrial use consistent with other plan goals and the need for industrial uses to be located and managed so they are good neighbors to adjoining uses. The Plan recognized the need for the re-development of the Mat-Maid block.

The proposed change supports the re-development of this parcel and restricts the Industrial uses to brewing and bottling plant with related activities and customary accessory uses to maintain harmony with the existing neighbors and compatibility with adjoining uses. The property has historically been used for a bottling plant and creamery (Mat-Maid). This brewery and bottling plant will be an appropriate industrial use for this property; and

WHEREAS, the parcel's location is surrounded by a mix of Industrial, General Commercial, Public, Limited Commercial and High Density Residential uses. Located to the west and contiguous to the subject parcel is Crowley Petroleum; to the south of this parcel are the old Colony power plant building, the remaining footings for the Colony warehouse and a mini storage facility; to the east is commercial and across the street are Denali Square office buildings and multi-family housing; and to the north are State Troopers and Palmer Police Department offices.

If rezoned to Industrial with Special Limitations restricting the Industrial use to brewing and bottling plant with related activities and customary accessory uses this parcel would continue to be

compatible with surrounding zoning districts and is compatible with the prior use of this parcel as a milk production facility; and

WHEREAS, this parcel is adjacent to Crowley Petroleum which frequently receives large loading trucks utilizing South Valley Way which is adequate to support the traffic generated by the proposed change. There are existing utilities and structures on the subject parcel from the previous use as a milk production facility which would be adequate to support the proposed change; and

WHEREAS, the Mat-Maid Creamery building has been vacant for several years. Originally, this was part of the Matanuska Colony Industrial area. The surrounding neighborhood consists of industrial, commercial and public uses. The proposed change with the special limitations will help to encourage and support more economic development in this area; and

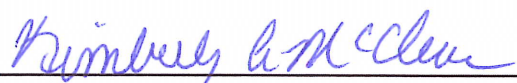
WHEREAS, the proposed zone change is consistent with the public welfare by encouraging the use of this abandoned building as a beverage production facility as it was in the past. The proposed zone change does not grant the owner any special privilege as the requested zone change is consistent with contiguously zoned Industrial property.

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby recommend the City Council approve the Zoning Map Amendment for Tract A-1 ASLS 96-004 with a site address of 513 S. Valley Way located in Section 33, Township 18 North, Range 2 East, Seward Meridian to I – Industrial with Special Limitations to restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses.

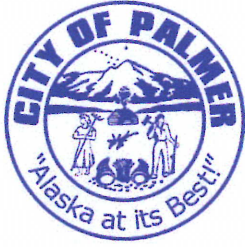
Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this 16th day of June, 2016.



Dan Lucas, Chairman



Kimberly A. McClure
Planning & Code Compliance Technician



City of Palmer

Community Development

Zone Change Application

Staff Report to Commission

PART I. GENERAL INFORMATION

Location: **513 S. Valley Way**
Tract A-1 ASLS 96-004

Permit Request: Rezone from CG - General Commercial to I – Industrial with Special Limitations

Applicant & Owner: Matt Tomter of Matanuska Brewing Company, LLC and Alaska Department of Natural Resources, Department of Agriculture

Public Hearing Date: June 16, 2016

Notification Requirements: On June 8, 2016, 165 public hearing notices were mailed to property owners within 1,200’ of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on June 10, 2016. A total of 2 written comments were received in response, with 2 in favor of, 0 opposed and 0 no objection.

PART II. BACKGROUND

Site Information: Tract A-1 has access from South Valley Way. This parcel is adjacent to Crowley Petroleum and across from the Police Department and Mat-Su Pre-Trial Facility. This parcel is part of the Mat-Maid properties and was previously used as a dairy/milk production facility.

Parcel Size: 3.03 gross acres

Existing Zoning: CG - General Commercial

Surrounding Land Uses:

	Zoning	Land Use for surrounding areas
North	P	State Trooper offices & Palmer Police offices
South	CG	Mat-Maid Buildings & mini storage
East	C-L & R-4	Denali Square Office building & multi-family housing
West	I	Crowley Petroleum

Considerations: The intent of the CG - General Commercial district is to establish a district in which the principal use of land is for commercial enterprises to provide for commercial enterprises which serve the

needs of a large population and a large land area, and to provide a centralization of service by allowing heavier uses. The applicant is requesting a rezone to Industrial with Special Limitations to restrict the Industrial uses of this parcel to brewing and bottling plant with related activities and customary accessory uses.

Code Requirements:

The intent of the I – Industrial District is to apply to areas where land is best used for industrial purposes and to provide for use of the land for heavy commercial or moderate industrial uses. The subject parcel exceeds the required minimum lot width of 60 feet and the required minimum lot area of 7,200 square feet for the Industrial District. The request to rezone this parcel to Industrial with Special Limitations would be compatible with the existing nearby industrial, public and commercial uses.

PART III. FINDINGS OF FACT

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

Fact 1) The proposed change is in accordance with the borough and city comprehensive plans;
Applicant's response: Yes.

Staff finds the following facts support this finding: Goal 3 of Chapter 6 of the City of Palmer Comprehensive Plan states, "Support the continuation of institutional and appropriate industrial uses." In Objective B of Goal 3, the Plan mentions support of continued industrial use consistent with other plan goals and the need for industrial uses to be located and managed so they are good neighbors to adjoining uses. The Plan recognized the need for the re-development of the Mat-Maid block.

The proposed change supports the re-development of this parcel and restricts the Industrial uses to brewing and bottling plant with related activities and customary accessory uses to maintain harmony with the existing neighbors and compatibility with adjoining uses. The property has historically been used for a bottling plant and creamery (Mat-Maid). This brewery and bottling plant will be an appropriate industrial use for this property.

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

Applicant's response: The property was previously used as a dairy/milk production facility (Matanuska Maid). It will still be used as a beverage production facility as a brewery.

Finding: The parcel's location is surrounded by a mix of Industrial, General Commercial, Public, Limited Commercial and High Density Residential uses. Located to the west and contiguous to the subject parcel is Crowley Petroleum; to the south of this parcel are the old Colony power plant building, the remaining footings for the Colony warehouse and a mini storage facility; to the east is commercial and across the street are Denali Square office buildings and multi-family housing; and to the north are State Troopers and Palmer Police Department offices.

If rezoned to Industrial with Special Limitations restricting the Industrial use to brewing and bottling plant with related activities and customary accessory uses this parcel would continue to be compatible with surrounding zoning districts and is compatible with the prior use of this parcel as a milk production facility.

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

Applicant's response: Yes.

Finding: This parcel is adjacent to Crowley Petroleum which frequently receives large loading trucks utilizing South Valley Way which is adequate to support the traffic generated by the proposed change. There are existing utilities and structures on the subject parcel from the previous use as a milk production facility which would be adequate to support the proposed change.

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

Applicant's response: Yes.

Finding: The Mat-Maid Creamery building has been vacant for several years. Originally, this was part of the Matanuska Colony Industrial area. The surrounding neighborhood consists of industrial, commercial and public uses. The proposed change with the special limitations will help to encourage and support more economic development in this area.

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

Applicant's response: It is consistent with the public welfare. In fact, the now dilapidated property will be refurbished. No special privilege will be granted to the owner.

Finding: The proposed zone change is consistent with the public welfare by encouraging the use of this abandoned building as a beverage production facility as it was in the past. The proposed zone change does not grant the owner any special privilege as the requested zone change is consistent with contiguously zoned Industrial property.

PART III. STAFF RECOMMENDATION

Based on the information provided by the applicant, staff finds this proposal to rezone Tract A-1 ASLS 96-004 with a site address of 513 S. Valley Way, from CG - General Commercial to I – Industrial with Special Limitations to restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses is consistent with and in conformance with the Palmer Comprehensive Plan for the I - Industrial district.

If following the Public Hearing, Commission finds that the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve this request for rezoning Tract A-1 ASLS 96-004 with a site address of 513 S. Valley Way, from CG - General Commercial to I – Industrial with Special Limitations to restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses and forward a recommendation for approval to the City Council.



DEPARTMENT OF COMMUNITY DEVELOPMENT

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

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

June 8, 2016

Dear Property Owner:

The Palmer Planning and Zoning Commission will consider a re-zone of Tract A-1 ASLS 96-004 in Section 33, Township 18 North, Range 2 East, Seward Meridian, initiated by Matt Tomter of Matanuska Brewing Company, LLC on behalf of State of Alaska, Department of Natural Resources, Department of Agriculture, owner. The street address for the site is 513 S. Valley Way, Palmer, Alaska. This property is currently zoned CG - General Commercial. The request is to rezone the property to I - Industrial with Special Limitations; these special limitations restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses. The map on the reverse side of this notice indicates the location of the subject parcel. For additional information on the Industrial District, please refer to Palmer Municipal Code Chapter 17.36 - Industrial District, located online at: www.cityofpalmer.org.

The Commission will hold a Public Hearing to consider this application and to allow for public comments as well. The meeting will be held on June 16, 2016 at 7:00 p.m., in the City Council Chambers located at 231 West Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comments to the Planning and Zoning Commission by June 15, 2016. Written comments may be mailed to Department of Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to 745-5443 or emailed to me at: kmclure@palmerak.org.

Sincerely,

Handwritten signature of Kimberly McClure

Kimberly McClure
Planning & Code Compliance Technician



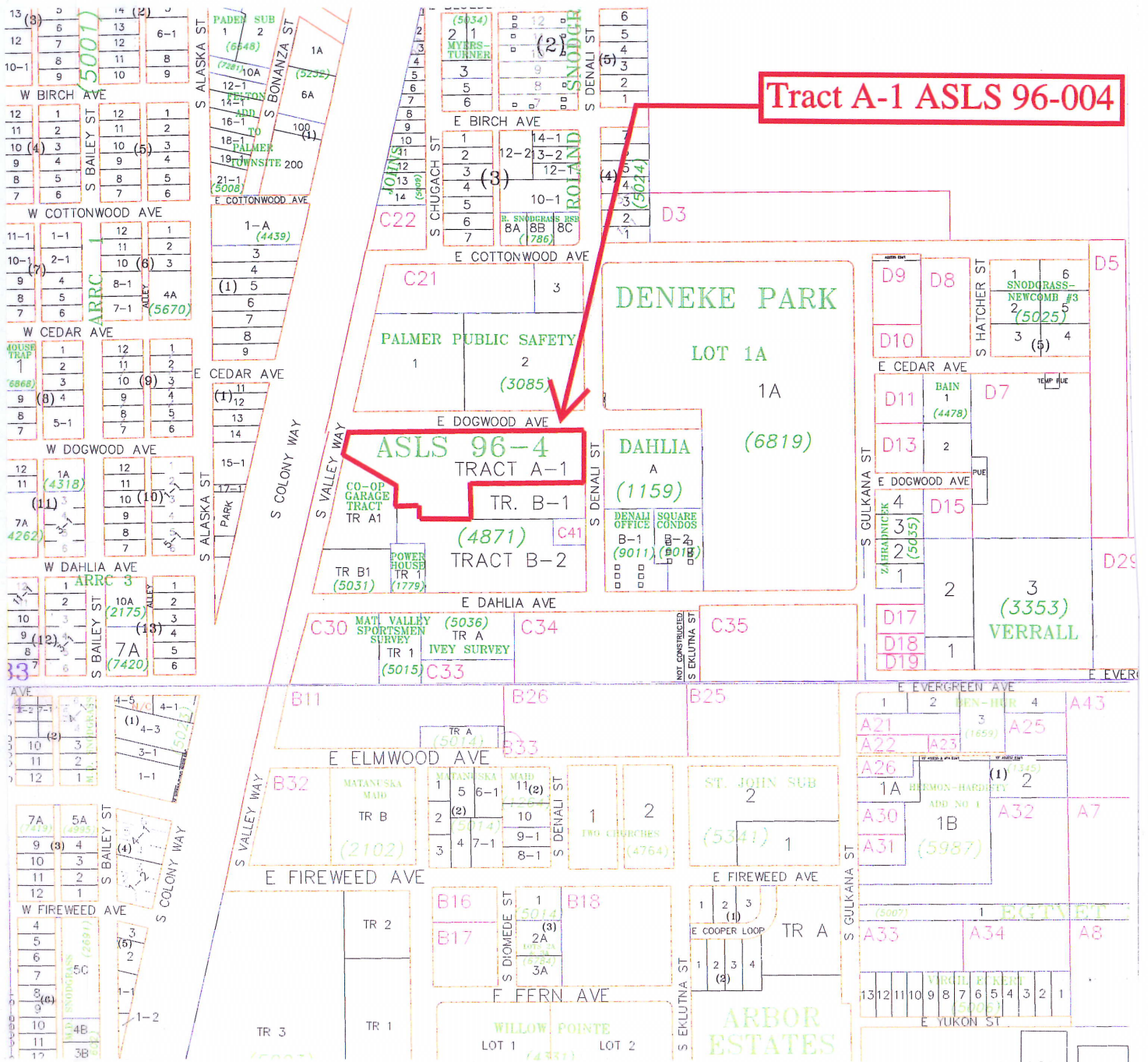
For the following reason, I am (please circle) (in favor of), (NOT in favor of), (have no objection to) the issuance of the proposed re-zone from CG to I with Special Limitations.

Three horizontal lines for providing a reason for the response.

Name: _____

Address: _____

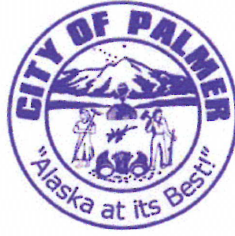
VICINITY MAP



Tract A-1 ASLS 96-004



Request for Rezone from CG (General Commercial) to I (Industrial) with Special Limitations for Tract A-1 ASLS 96-004 in Section 33, Township 18 North, Range 2 East, Seward Meridian, located at 513 S. Valley Way in Palmer, Alaska.



Received
JUN 03 2016
City of Palmer

**City of Palmer
Department of Community Development**

645 E. Cope Industrial Way, Palmer, Alaska 99645
Telephone: (907) 745-3709 * Fax: (907) 745-5443

Zoning Map Amendment Application

Applicant: Alaska Department of Natural Resources, Department of Agriculture (DNR)

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

Tract A-1, Alaska State Land Survey No. 96-4; according to Plat No. 99-62, located in the
Palmer Recording District, Third Judicial District, State of Alaska; and located at
513 South Valley Way, Palmer, Alaska 99645

Requested District Change (i.e., from - to): CG to I-Industrial with Special Limitations

Reason for request: For Brewery and related activities by Matanuska Brewing Company, LLC who is purchasing the property from DNR. See attached letter.

Please provide a written narrative explaining the following:

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

2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern?
The property was previously used as a dairy/milk production facility (Matanuska Maid).
It will still be used as a beverage production facility as a brewery.

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

Yes

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

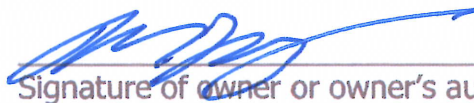
Yes

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

It is consistent with the public welfare. In fact, the now dilapidated property will be refurbished. No special privilege will be granted to the owner.

Date of application: June 3, 2016

\$250.00 Filing fee paid: _____



Signature of owner or owner's authorized representative

19341 UPPER Skyline Drive, Eagle River, AK.
Address 99577


907-854-8248
Phone/contact number

Matt Tomter
1-907-854-8248

City of Palmer
231 W. Evergreen Avenue
Palmer, Alaska 99645

In requesting a zoning map amendment from CG - Commercial General to I – Industrial with special limitations for the property at 513 S. Valley Way, I am requesting special limitations to restrict the use of structures, or the use of the land or structures, to a degree greater than otherwise provided by the I-Industrial zoning district as permitted under PMC 17.80.015 limiting the permitted Industrial uses listed in PMC 17.36.020 to the following:

Brewing and bottling plant, related activities, and customary accessory uses.

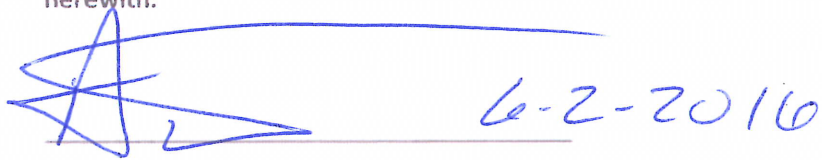


Matt Tomer
Matanuska Brewing Company, LLC

Dear City of Palmer, Department of Community Development:

Matanuska Brewing Company, LLC (MBC) is purchasing the subject property from the State of Alaska, Department of Natural Resources, Department of Agriculture (DNR) for the purpose of operating a brewery on the property. The property is currently zoned Commercial General, in a dilapidated state, and was previously used as a dairy/milk production plant by Matanuska Maid. MBC's purchase of the property is contingent upon zoning allowing brewery operations which require Industrial zoning. Essentially, MBC plans to continue using the property as a beverage production facility - as it has been used over past decades.

The DNR would like this zoning change to take effect upon completion of the sale of the property to MBC. The sale is contemplated to be completed in August 2016. MBC will pay the \$250.00 filing fee herewith.

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke, is written over a thin red horizontal line. To the right of the signature, the date "6-2-2016" is handwritten in blue ink.

Director

State of Alaska, Department of Natural Resources, Department of Agriculture



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Natural Resources

DIVISION OF AGRICULTURE

Central Office

1800 Glenn Highway, Suite 12
Palmer, Alaska 99645-6736
Main: 907.745.7200
Fax: 907.745.7112

Northern Region Office

3700 Airport Way
Fairbanks, AK 99709
Main: 907.374-3716
Fax: 907.328-1951

June 3, 2016

City of Palmer
Department of Community Development
645 E. Cope Industrial Way
Palmer, AK 99645

Matanuska Brewing Company, LLC (MBC) is purchasing the subject property from the State of Alaska, Department of Natural Resources (DNR), Division of Agriculture for the purpose of operating a brewery on the property. The property is currently zoned Commercial General, in a dilapidated state, and was previously used as a dairy/milk production plant by Matanuska Maid. MBC's purchase of the property is contingent upon zoning allowing brewery operations which require Industrial zoning. Essentially, MBC plans to continue using the property as a beverage production facility – as it has been used over past decades.

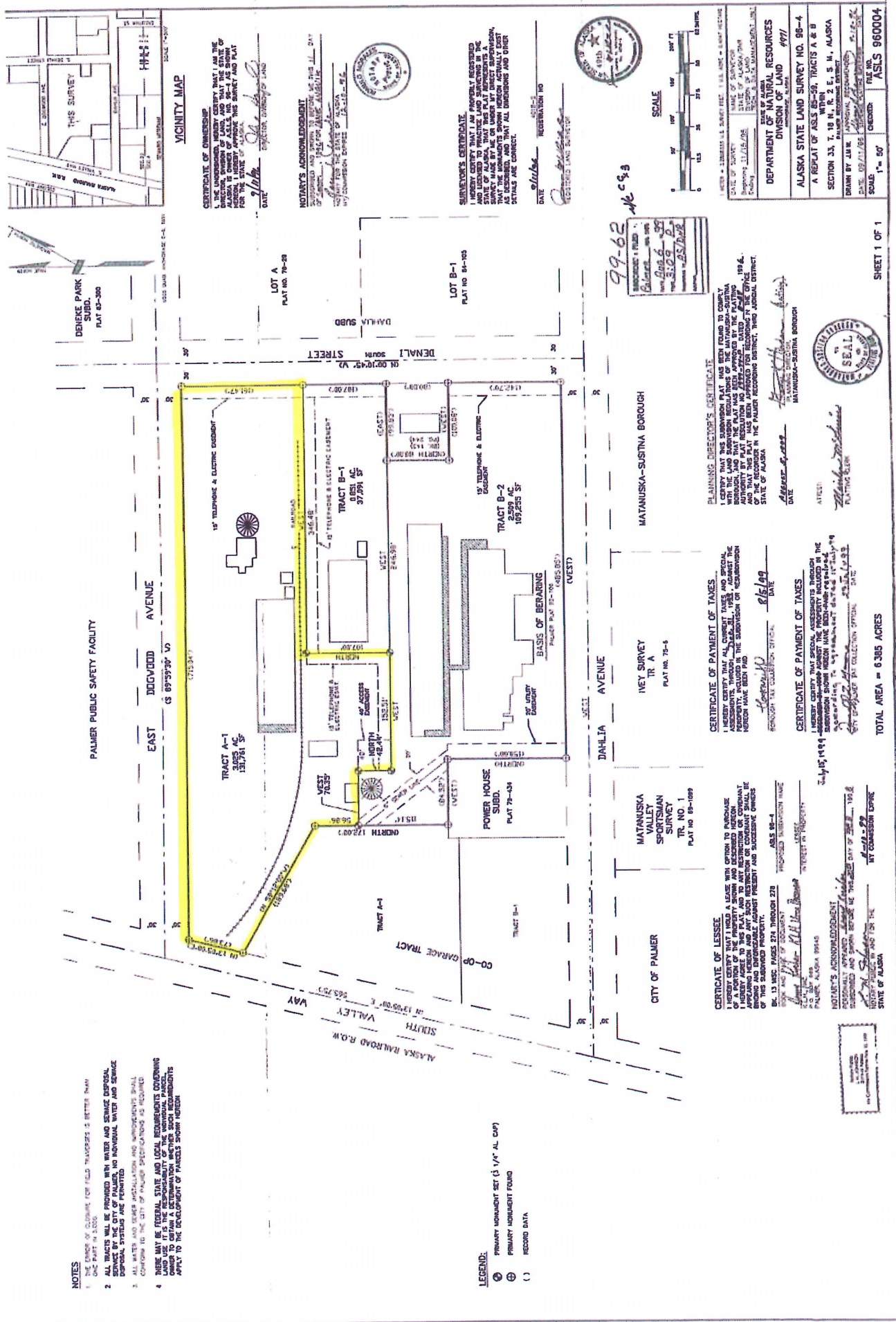
The Division of Agriculture would like this zoning change to take effect upon completion of the sale of the property to MBC. The sale is contemplated to be completed in August 2016. MBC will pay the \$250.00 filing fee herewith.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arthur J. Keyes IV".

Arthur J. Keyes IV
Director

AK/lh



NOTES

1. THE KIND OF CURBING FOR FIELD TRIANGLES IS BETTER THAN ONE PART IN 1,000.
2. ALL TRACTS WILL BE PROVIDED WITH WATER AND SEWAGE DISPOSAL SERVICE BY THE CITY OF PALMER, NO INDIVIDUAL WATER AND SEWAGE DISPOSAL SYSTEMS ARE PERMITTED.
3. ALL WATER AND SEWER INSTALLATION AND IMPROVEMENTS SHALL CONFORM TO THE CITY OF PALMER SPECIFICATIONS AS REQUIRED.
4. THERE MAY BE FEDERAL STATE AND LOCAL REQUIREMENTS CONCERNING THE INSTALLATION AND MAINTENANCE OF SUCH IMPROVEMENTS. THE OWNER TO OBTAIN A DETERMINATION WHETHER SUCH REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN HEREON.

LEGEND:

- ⊙ PRIMARY MONUMENT SET (3/17/14 AL CAP)
- ⊙ PRIMARY MONUMENT FOUND
- () RECORD DATA

CERTIFICATE OF LESSEE
 I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. I HAVE PERSONALLY SUPERVISED THE SURVEY AND THAT THE SURVEY HAS BEEN MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE INSTRUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
 DATE 9/18/14 REGISTERED NO. 4977
 ELECTRONIC LAND SURVEYOR

CERTIFICATE OF OWNERSHIP
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE ORIGINAL DONOR OF ALLS 88-59, TRACTS A & B WITHIN SECTION 33, T. 18 N., R. 2 E., S. 14, ALASKA. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE DATE OF 9/18/14.
 DATE 9/18/14 REGISTERED NO. 4977
 ELECTRONIC LAND SURVEYOR

NOTARY'S ACKNOWLEDGMENT
 I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. I HAVE PERSONALLY SUPERVISED THE SURVEY AND THAT THE SURVEY HAS BEEN MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE INSTRUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
 DATE 9/18/14 REGISTERED NO. 4977
 ELECTRONIC LAND SURVEYOR

CERTIFICATE OF PAYMENT OF TAXES
 I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS, THROUGH 12/31, 1988, AGAINST THE PARCELS SHOWN AND DESCRIBED HEREON HAVE BEEN PAID.
 REGISTERED TAX COLLECTION OFFICIAL
 DATE 6/15/14

CERTIFICATE OF PAYMENT OF TAXES
 I HEREBY CERTIFY THAT SPECIAL ASSESSMENTS THROUGH 12/31, 1988, AGAINST THE PARCELS SHOWN AND DESCRIBED HEREON HAVE BEEN PAID.
 REGISTERED TAX COLLECTION OFFICIAL
 DATE 6/15/14

NOTARY'S ACKNOWLEDGMENT
 I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. I HAVE PERSONALLY SUPERVISED THE SURVEY AND THAT THE SURVEY HAS BEEN MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE INSTRUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
 DATE 9/18/14 REGISTERED NO. 4977
 ELECTRONIC LAND SURVEYOR

NOTARY'S ACKNOWLEDGMENT
 I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. I HAVE PERSONALLY SUPERVISED THE SURVEY AND THAT THE SURVEY HAS BEEN MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE INSTRUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
 DATE 9/18/14 REGISTERED NO. 4977
 ELECTRONIC LAND SURVEYOR

DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF LAND
 ALASKA STATE LAND SURVEY NO. 98-4
 A REPEAT OF ALLS 88-59, TRACTS A & B WITHIN SECTION 33, T. 18 N., R. 2 E., S. 14, ALASKA
 DRAWN BY LAURENCE L. HARRISON, REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSE NO. 4977
 DATE 09/18/14
 SHEET 1 OF 1

PLANNING DIRECTOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ACT AND THAT THE PLAT HAS BEEN APPROVED BY THE PLANNING DIRECTOR. AUTHORITY BY PLAT RESOLUTION NO. 2014-06, DATED 6/24/14, OF THE CITY OF PALMER, MATANUSKA-SUSTINA BOROUGH, STATE OF ALASKA.
 REGISTERED PLANNING DIRECTOR
 DATE 6/24/14

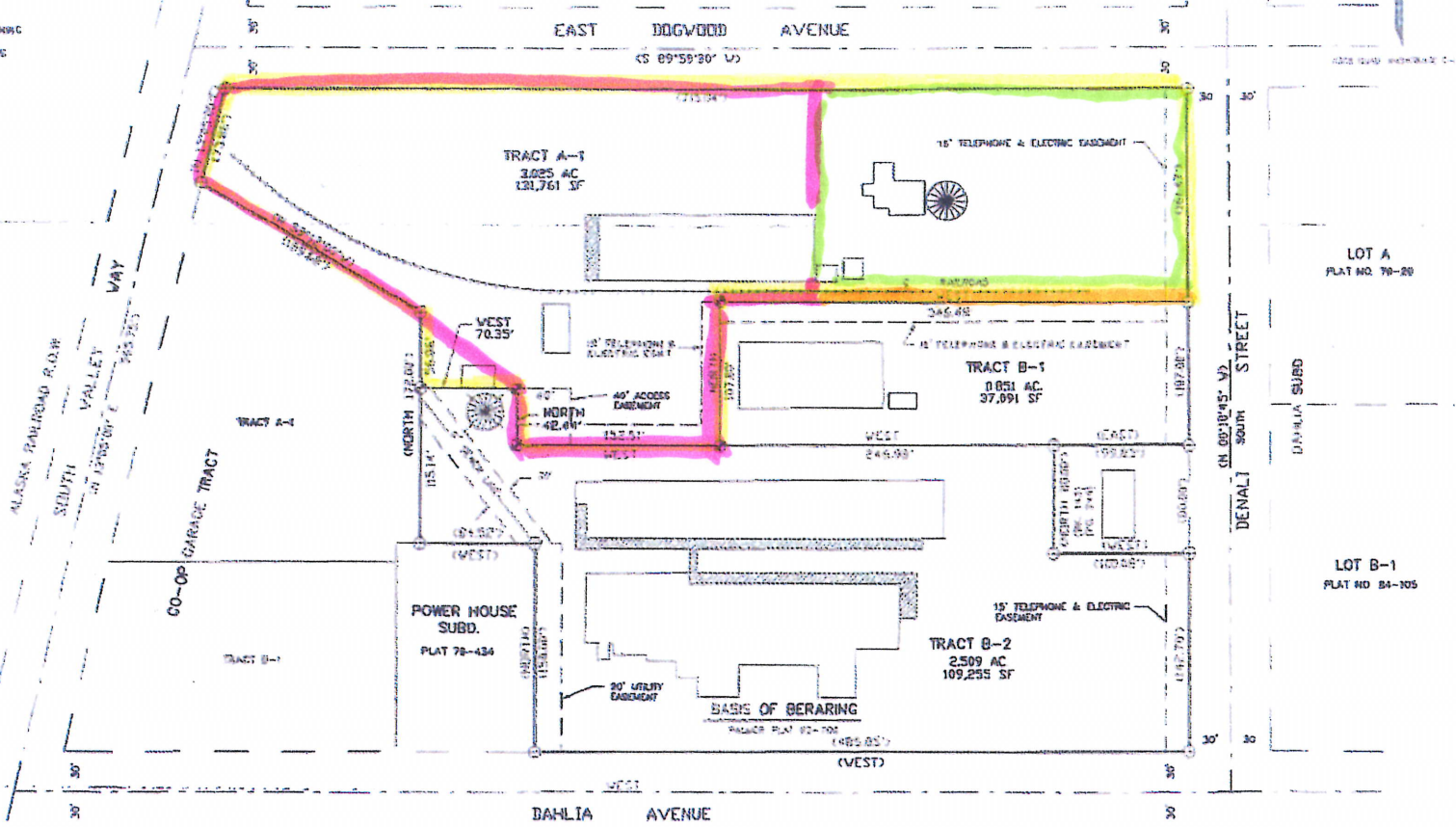
SEAL
 MATANUSKA-SUSTINA BOROUGH
 REGISTERED PLANNING DIRECTOR
 DATE 6/24/14

TOTAL AREA = 6.385 ACRES

6' CROWN LINE 1 1/2" - 1 3/4" ...
6' CEDAR FENCE
GRASSY AREA - LAWN

- 1. SHALL SHOW
- 2. DISPOSAL AND SEWAGE
- 3. SHALL SHOW
- 4. SHOWING PARCELS, SURVEYS AND

DEVEKE PARK SUBD. PLAT 43-300



LOT A PLAT NO. 70-20

LOT B-1 PLAT NO. 84-105

CITY OF PALMER

MATANUSKA VALLEY SPORTSMAN SURVEY TR. NO. 1 PLAT NO. 68-1009

IVEY SURVEY TR. A PLAT NO. 75-6

MATANUSKA-SUSITNA BOROUGH

99-66
 REGISTERED: FILED
 PALMER, ALASKA
 DATE: AUG 6 1999
 TIME: 3:09 P
 BY: AS/DA

CERTIFICATE OF LESSEE
 I HEREBY CERTIFY THAT I HOLD A LEASE WITH OPTION TO PURCHASE OF A PORTION OF THE PROPERTY SHOWN AND DESCRIBED HEREON. I HEREBY AGREE TO THIS PLAT, AND TO ANY RESTRICTION OR COVENANT APPEARING HEREON AND ANY SUCH RESTRICTION OR COVENANT SHALL BE BINDING AND ENFORCEABLE AGAINST PRESENT AND SUCCESSIVE OWNERS OF THIS SUBDIVIDED PROPERTY.
 BK. 13 MISC. PAGES 274 THROUGH 270
 BOOK AND PAGE OF DOCUMENT: ASLS 86-4
 PROPOSED SUBDIVISION NAME:
 LESSOR: James Fisher - K.W. Van Buren
 LESSEE: K.L.H. INC.
 P.O. BOX 988
 PALMER, ALASKA 99645

CERTIFICATE OF PAYMENT OF TAXES
 I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS THROUGH 1998 AGAINST THE PROPERTY INCLUDED IN THE SUBDIVISION OR RESUBDIVISION HEREON HAVE BEEN PAID.
 Signature: Robert W. ... DATE: 8/5/99
 BOROUGH TAX COLLECTION OFFICIAL

PLANNING DIRECTOR'S CERTIFICATE
 I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH AND THAT THE PLAT HAS BEEN APPROVED BY THE PLANNING AUTHORITY BY PLAT RESOLUTION NO. 99-22, DATED 8-05, 1999. AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT STATE OF ALASKA.
 Signature: Robert ...
 DATE: AUGUST 6, 1999
 PLANNING DIRECTOR
 MATANUSKA-SUSITNA BOROUGH

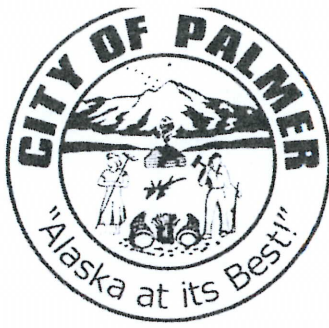
NOTARY'S ACKNOWLEDGEMENT
 PERSONALLY APPEARED James Fisher
 SUBSCRIBED AND SWORN BEFORE ME THIS 5th DAY OF AUG, 1999.
 Signature: ...
 MY COMMISSION EXPIRES: 8-18-99
 NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE OF PAYMENT OF TAXES
 I HEREBY CERTIFY THAT SPECIAL ASSESSMENTS THROUGH 1998 AGAINST THE PROPERTY INCLUDED IN THE SUBDIVISION SHOWN HEREON HAVE BEEN PAID AS REQUIRED BY AGREEMENT DATED 10 JULY 99.
 Signature: ... DATE: 8/5/99
 CITY OF PALMER TAX COLLECTION OFFICIAL

PLANNING DIRECTOR
 Signature: ...
 PLANNING DIRECTOR



TOTAL AREA = 6385 ACRES



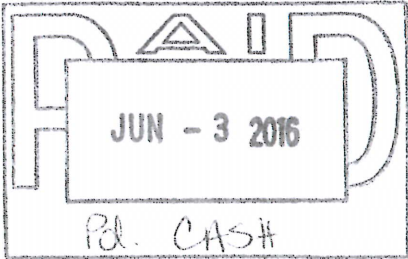
PALMER COMMUNITY DEVELOPMENT

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

Invoice No.: CD16-061

Invoice Date: 06/03/2016

Sold To: MATT TOMTER

Qty	Description	Price
1	REQUEST FOR ZONING MAP AMENDMENT ASLS 96-4, TRACT A-1 513 S. VALLEY WAY 	\$250.00

01-00-00-3427

TOTAL

\$250.00

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

File copy.



Received

DEPARTMENT OF COMMUNITY DEVELOPMENT

JUN 10 2016

City of Palmer

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

June 8, 2016

JUN 09 2016

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

Dear Property Owner:

The Palmer Planning and Zoning Commission will consider a re-zone of Tract A-1 ASLS 96-004 in Section 33, Township 18 North, Range 2 East, Seward Meridian, initiated by Matt Tomter of Matanuska Brewing Company, LLC on behalf of State of Alaska, Department of Natural Resources, Department of Agriculture, owner. The street address for the site is 513 S. Valley Way, Palmer, Alaska. This property is currently zoned CG - General Commercial. The request is to rezone the property to I - Industrial with Special Limitations; these special limitations restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses. The map on the reverse side of this notice indicates the location of the subject parcel. For additional information on the Industrial District, please refer to Palmer Municipal Code Chapter 17.36 - Industrial District, located online at: www.cityofpalmer.org.

The Commission will hold a Public Hearing to consider this application and to allow for public comments as well. The meeting will be held on June 16, 2016 at 7:00 p.m., in the City Council Chambers located at 231 West Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comments to the Planning and Zoning Commission by June 15, 2016. Written comments may be mailed to Department of Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to 745-5443 or emailed to me at: kmccclure@palmerak.org.

Sincerely,

Kimberly A. McClure
Kimberly McClure
Planning & Code Compliance Technician

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆

For the following reason, I am (please circle) (in favor of) (NOT in favor of),
(have no objection to) the issuance of the proposed re-zone from CG to I with Special Limitations.

Happy to see the property being made use of - esp.
if they keep some of the historical landmarks intact.
(Siloh)

Name: Katie Sunderland - Manager ARRC

Address: 278 E Dahlia Ave.

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

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

Received

JUN 14 2016

City of Palmer



June 8, 2016

Dear Property Owner:

The Palmer Planning and Zoning Commission will consider a re-zone of Tract A-1 ASLS 96-004 in Section 33, Township 18 North, Range 2 East, Seward Meridian, initiated by Matt Tomter of Matanuska Brewing Company, LLC on behalf of State of Alaska, Department of Natural Resources, Department of Agriculture, owner. The street address for the site is 513 S. Valley Way, Palmer, Alaska. This property is currently zoned CG - General Commercial. The request is to rezone the property to I - Industrial with Special Limitations; these special limitations restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses. The map on the reverse side of this notice indicates the location of the subject parcel. For additional information on the Industrial District, please refer to Palmer Municipal Code Chapter 17.36 - Industrial District, located online at: www.cityofpalmer.org.

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Sincerely,

Kimberly McClure
Planning & Code Compliance Technician

☆☆

For the following reason, I am (please circle) (in favor of) (NOT in favor of),
(have no objection to) the issuance of the proposed re-zone from CG to I with Special Limitations.

Name: 125 West Evergreen LLC
Address: 3852 W. Clark Wolverine Rd Palmer, Ak 99645

Norma Alley

From: Kimberly McClure
Sent: Tuesday, July 05, 2016 10:06 AM
To: Linda A.Olson
Cc: Norma Alley
Subject: RE: Rezoning request for Matanuska Brewing

Good morning Linda,

I received your email reply this morning.

The public hearing for the proposed rezone of Tract A-1 ASLS 96-004 was held on June 16 and was approved by the Planning and Zoning Commission. The proposed rezone has been forwarded to City Council for their public hearing and decision. The proposed rezone is tentatively schedule to be introduced at the July 12 City Council meeting and public hearing at the July 26 City Council meeting.

I am forwarding your public comment to our City Clerk to be included with the City Council packet for the July 26 public hearing.

Thank you,

Kimberly McClure

Planning & Code Compliance Technician
City of Palmer
Department of Community Development
645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone (907) 761-1306
Fax (907) 745-5443
<mailto:kmclure@palmerak.org>

From: Linda A.Olson [mailto:lao@mtaonline.net]
Sent: Saturday, June 11, 2016 6:16 PM
To: Kimberly McClure <kmclure@palmerak.org>
Subject: Rezoning request for Matanuska Brewing

My husband and I would like to write in support of this rezoning request as an opportunity for Palmer for job creation and tax revenue. Microbreweries have proved good partners in many communities and we would welcome them as our neighbor.

Linda and Grant Olson
319 E. Fireweed Avenue
Palmer Alaska 99645
907-745-5831

Linda A. Olson
lao@mtaonline.net

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

**REGULAR MEETING
THURSDAY, JUNE 16, 2016
7:00 P.M. - COUNCIL CHAMBERS**

- 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
 William Kerslake, Sr.
 Michael Kircher
 Merry Maxwell
 David Fuller
Excused absence(s):
 Douglas Cruthers
Also present were:
 Sandra S. Garley, Community Development Director
 Kimberly A. McClure, Planning and Code Compliance Technician
- C. PLEDGE OF ALLEGIANCE: The Pledge was led by Commissioner Petty.
- D. APPROVAL OF AGENDA: The agenda was approved as presented.
- E. MINUTES OF PREVIOUS MEETING(S):
The minutes of the May 19, 2016 Regular Meeting were approved as amended, to correctly spell Dr. Don Dinkel's name (page 3).
- F. PERSONS TO BE HEARD:
There were no persons wishing to speak on a topic not on the agenda.
- G. PUBLIC HEARING(S):
1. **Resolution No. 16-004:** A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Tract A-1 ASLS 96-004 with a site address of 513 S. Valley Way, Palmer, to be Rezoned from CG-General Commercial to I-Industrial with Special Limitations; these special limitations restrict the Industrial uses to brewing and bottling plant with related activities and customary accessory uses, located in Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska.

Chairman Lucas called for the motion.

Commissioner Kerlake moved, seconded by **Commissioner Fuller**, to recommend approval to the City Council of subject zoning map amendment for Tract A-1, more particularly described in Resolution 16-004, from CG-General Commercial to I-Industrial with Special Limitations.

Staff Report: Ms. Garley reported background and surrounding zoning information on the proposed zoning map amendment. The applicants are Matt Tomter of Matanuska Brewing Company, LLC and Alaska Department of Natural Resources, Department of Agriculture. Public notice and publishing requirements pursuant to code have been met. A total of 2 written comments (on the table) were received in response, both in favor.

Staff recommends approval based on the following findings if the Commission concurs:

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

Finding: Goal 3 of Chapter 6 of the City of Palmer Comprehensive Plan states: "Support the continuation of institutional and appropriate industrial uses." In Objective B, Goal 3, the Plan mentions support of continued industrial use consistent with other plan goals and the need for industrial uses to be located and managed so they are good neighbors to adjoining uses. The Plan recognized the need for the re-development of the Mat-Maid block.

The proposed change supports the re-development of this parcel and restricts the Industrial uses to brewing and bottling plant with related activities and customary accessory uses to maintain harmony with the existing neighbors and compatibility with adjoining uses. The property has historically been used for a bottling plant and creamery (Mat-Maid). This brewery and bottling plant will be an appropriate industrial use for this property.

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

Finding: The parcel's location is surrounded by a mix of Industrial, General Commercial, Public, Limited Commercial and High Density Residential uses. Located to the west and contiguous to subject parcel is Crowley Petroleum; to the south of this parcel are the old Colony power plant building, the remaining footings for the Colony warehouse and a mini-storage facility; to the east is commercial and across the street are Denali Square Office buildings and multi-family housing; and to the north are State Troopers and Palmer Police Department offices.

If rezoned to Industrial with Special Limitations restricting the Industrial use to brewing and bottling plant with related activities and customary accessory uses this parcel would continue to be compatible with surrounding zoning districts and is compatible with the prior use of this parcel as a milk production facility.

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

Finding: This parcel is adjacent to Crowley Petroleum which frequently receives

large loading trucks utilizing South Valley Way which is adequate to support the traffic generated by the proposed change. There are existing utilities and structures on subject parcel from the previous use as a milk production facility which would be adequate to support the proposed change.

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

Finding: The Mat-Maid Creamery building has been vacant for several years. Originally, this was part of the Matanuska Colony Industrial area. The surrounding neighborhood consists of industrial, commercial and public uses. The proposed change with the special limitations will help to encourage and support more economic development in this area.

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

Finding: The proposed zone change is consistent with the public welfare by encouraging the use of this abandoned building as a beverage production facility as it was in the past. The proposed zone change does not grant the owner any special privilege as the requested zone change is consistent with contiguously zoned Industrial property.

Public Hearing:

Applicant's Presentation:

Matt Tomter, Matanuska Brewing Company, LLC, outlined plans for improvements to the property including removing all the vegetation and replacing with lawn/landscaping. The silo itself would be used as the brewery tasting room and retail store, emphasizing there would be no bar or restaurant; it will primarily be a large production facility. The grain elevator will remain in place. Fencing will surround the property. There will be some tractor/trailer activity by Odom Corporation three or four times a week early in the morning to pick up the beer; not a lot of traffic will be created. There is very little waste created by brewing beer, no contaminants; the only by-product is spent grain which the Reindeer Farm has already agreed to take. Mr. Tomter asked the Commission to approve the rezoning request. Brief questions followed with regard to parking and number of employees.

[Chairman Lucas opened the public hearing at 7:16 p.m.]

Samuel Pelant reminded of his previous discussions with Director Garley and former City Manager Joe Hannon concerning plans for the adjacent Tract B-2, directly south of A-1, which plans included a brewery among other businesses to support Palmer. They were told at the time that just a brewery would have to be built in an Industrial zone location. They took that to heart and over the last few years he and the owner have been working on putting together a plan beyond just a brewery to build a commercial general application for A-2; the owner is now concerned that an Industrial designation for Tract A-1 would lower the property value of A-2. Mr. Pelant emphasized that he is not opposed to a brewery. He proposed a delay in the decision to allow the parties to talk and explore any mutual interests concerning the two properties.

Ms. Garley addressed Mr. Pelant's concerns and there was brief procedural discussion.

Andrea Noble-Pelant spoke in support of her husband's concept for Tract A-2, noting that her work and field of business is art and culture; she is the acting Executive Director of the Alaska State Council on the Arts. She talked about how a community is affected by something new and what takes a community to the next step through art and culture. She commented that when the Commission hears from them next time, it can expect to hear some of these things that will make their plan distinctly different than the one being entertained this evening.

[There being no others coming forward to speak, the public hearing was closed at 7:22 p.m.]

Discussion on motion:

Commissioner Kerslake spoke in appreciation of private industry being involved in development of this property. The discussion right now is not whether two different operations can cohabitate, but pursuant to the information before us and in a practical stance, if the owner of the other property were to proceed with General Commercial, it wouldn't necessarily be a bad fit because of Crowley and Industrial zoning on the opposite side of the lot. Although he would like to hear other comments, he is generally excited about this development.

Commissioner Fuller spoke reluctantly in opposition and is somewhat torn; thinks it is a great idea and would love to see this area cleaned up from the blight that it has been for years. In review of the Comprehensive Plan, however, goal 3, he cited the last paragraph that says Palmer should also make an effort to phase out Industrial areas in other parts of town over the next 20 years, specifically referring to Crowley Fuel and the Borough facilities on E. Auklet. And Goal 4, Objective A, expand commercial and mixed use areas in Downtown east of the Alaska Railroad. He believes the proposal is a great idea and would love to see it developed, but doesn't think it follows the guidance of the Comp Plan. He cited concerns about parking and cautioned about making one exception to the standards that have been set, then having to do the same for the next one that comes along. It would be great if we could fit breweries into Commercial.

Commissioner Petty spoke in favor, commenting that it is a great idea; pointed out that it is a brewery but it is small, will not be employing a lot of people, and does not think traffic would be impacted; that it would look 100 percent better; does not think the owner would be receiving any special privileges as a result and it will benefit Palmer. He thinks it is a good idea and encouraged a vote in favor.

Commissioner Maxwell commented in favor, noting some concerns about access from Valley Way and Arctic which are busy roads; likes that the early morning hours will be utilized for the tractor-trailer traffic; likes that it is a small brewery with an area to sell growlers and tee shirts, etc.; likes the mix of commercial and industry if it's small; applauded the idea of repurposing the existing facilities and making use of what could be considered historic; that it is great to see a brewery going into an old creamery.

Commissioner Kircher agreed with Commissioner Fuller in opposition, commenting that it is so tempting to put something in there because it is so run down and ratty-looking and the City could use the income, but thinks it is the wrong use in the wrong place as Industrial; that there have been designs for integrating the use of the entire complex which he thinks needs to be done. He thinks the City should take the lead in requiring a comprehensive plan for the Mat-Maid facility.

Chairman Lucas spoke very much in favor, pointing out with regard to the Industrial aspect that the Special Limitations imposed would restrict the activities to only brewing and bottling and thus eliminate the possibility of it turning into another fuel bulk plant or waste produce facility. He thinks it would be an excellent location for several facilities of this nature and if he were the owner of the adjacent lot, he would be pleased that anything at all would be happening north of them considering how it currently appears; noted that he seriously doubts there would be any property devaluation as a result of this proposed development. The City has talked about various comprehensive plans and there have been a whole lot of ideas expressed, but there are always enough people complaining that nothing ever really happens; he encouraged that we should take advantage of this rare instance of letting the private sector take the lead and do some good here.

Commissioner Kerslake seconded Chairman Lucas' comments reiterating that the Special Limitations will protect from other heavy or objectionable industrial uses; pointed out that the more development that takes place on this lot, development on other lots will follow and people will make the investment. He is ecstatic that private money is taking the lead on this and not government; encouraged a vote in favor.

ROLL CALL VOTE: [recommending approval of Resolution 16-004]: **PASSED**
[In favor: Kerslake, Petty, Lucas, Maxwell]
[Opposed: Kircher, Fuller]

H. UNFINISHED BUSINESS: None.

I. NEW BUSINESS: None.

J. PLAT REVIEWS: None.

K. PUBLIC COMMENTS:
There were no persons wishing to speak on a topic not on the agenda.

L. STAFF REPORT:
Ms. Garley reported that the Resolution on expanding the boundaries of the Central Business District will be moving forward to the City Council; she will notify of the public hearing date.

M. COMMISSIONER COMMENTS: None.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:36 p.m.

Dan Lucas, Chairman

Kimberly A. McClure
Planning and Code Compliance Technician

**Attached is
Supplemental Material
for the July 26, 2016,
City Council Meeting**

Pertaining to:

**Ordinance No. 16-016-Z-1
Add**

Land Use Notice from City Clerk

Material from Applicant for Applicant Presentation



Norma I. Alley, MMC
City Clerk

July 13, 2016

Phone: (907) 745-3271
Direct: (907) 761-1301
Fax: (907) 745-0930
Email: nalley@palmerak.org

231 W. Evergreen Ave.
Palmer, Alaska 99645-6952
www.cityofpalmer.org

Dear Property Owner:

During the July 26, 2016, regular Palmer City Council meeting, the Palmer City Council will hold a public hearing on Ordinance No. 16-016-Z-1: Amending the Zoning Map to revise the designation of Tract A-1 ASLS 96-004 located in Section 33, Township 18 North, Range 2 East, Seward Meridian, from CG - General Commercial to I - Industrial with special limitations.

The purpose of the public hearing is to receive testimony on the proposed re-zoning of the above tax parcel from its present CG – General Commercial to I – Industrial with special limitations. The affected area is shown on the accompanying map.

The meeting will begin at 7 p.m. in the City Council chambers located at 231 W. Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comment to the City Council by July 19, 2016. Written comments may be dropped off or mailed to the attention of the City Clerk at City Hall or emailed to cityclerk@palmerak.org. If you have any questions regarding the council meeting process, please call 761-1301. If you have any questions regarding the rezone, please call 761-1322.

Sincerely,

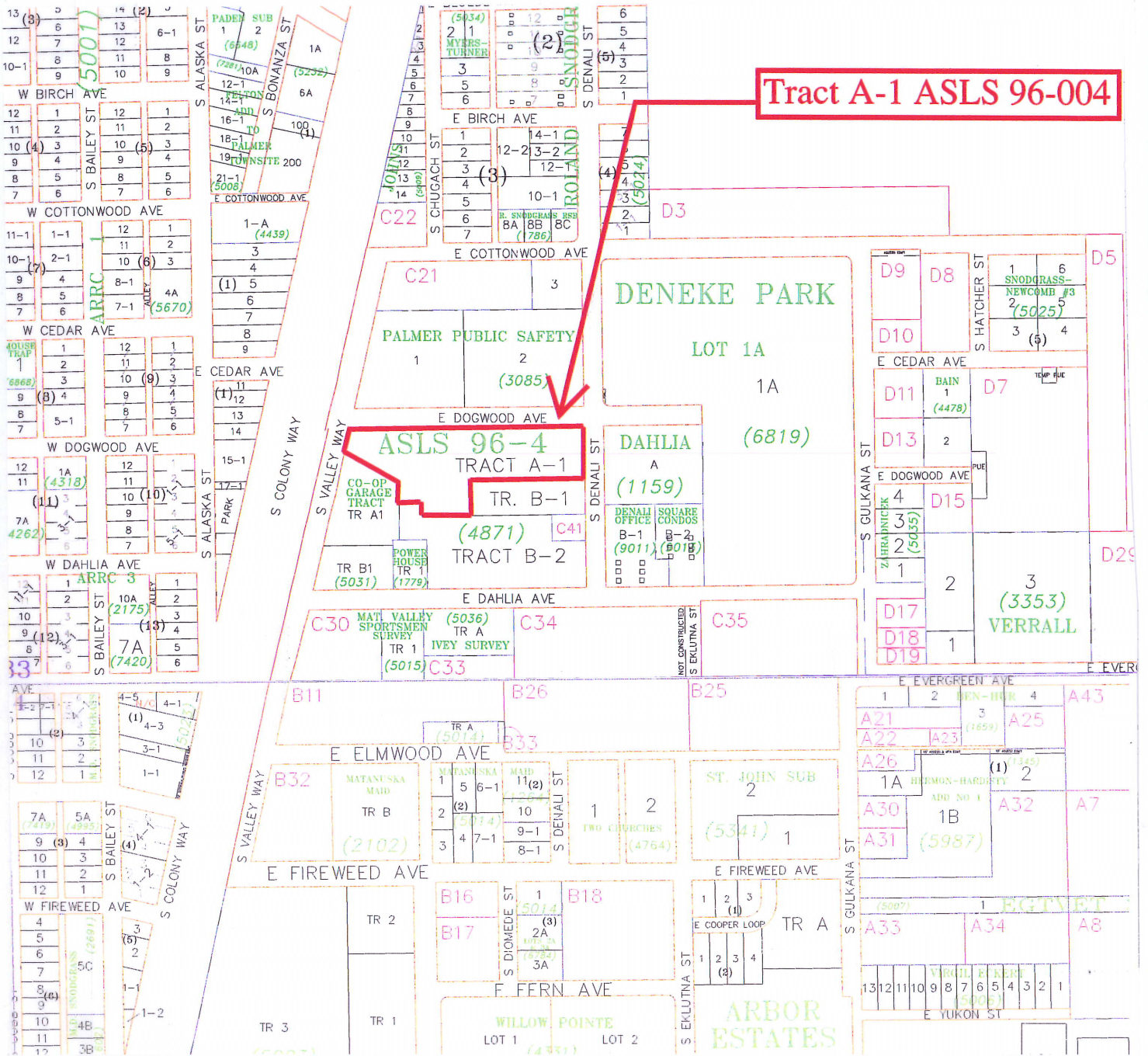
Norma I. Alley, MMC
City Clerk

For the following reason, I am
o In favor of (proponent)
o NOT in favor of (opponent)
o Have no objections to
the proposed re-zoning:

NAME: _____

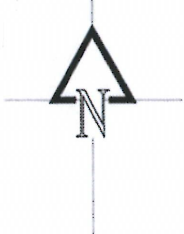
ADDRESS: _____

VICINITY MAP

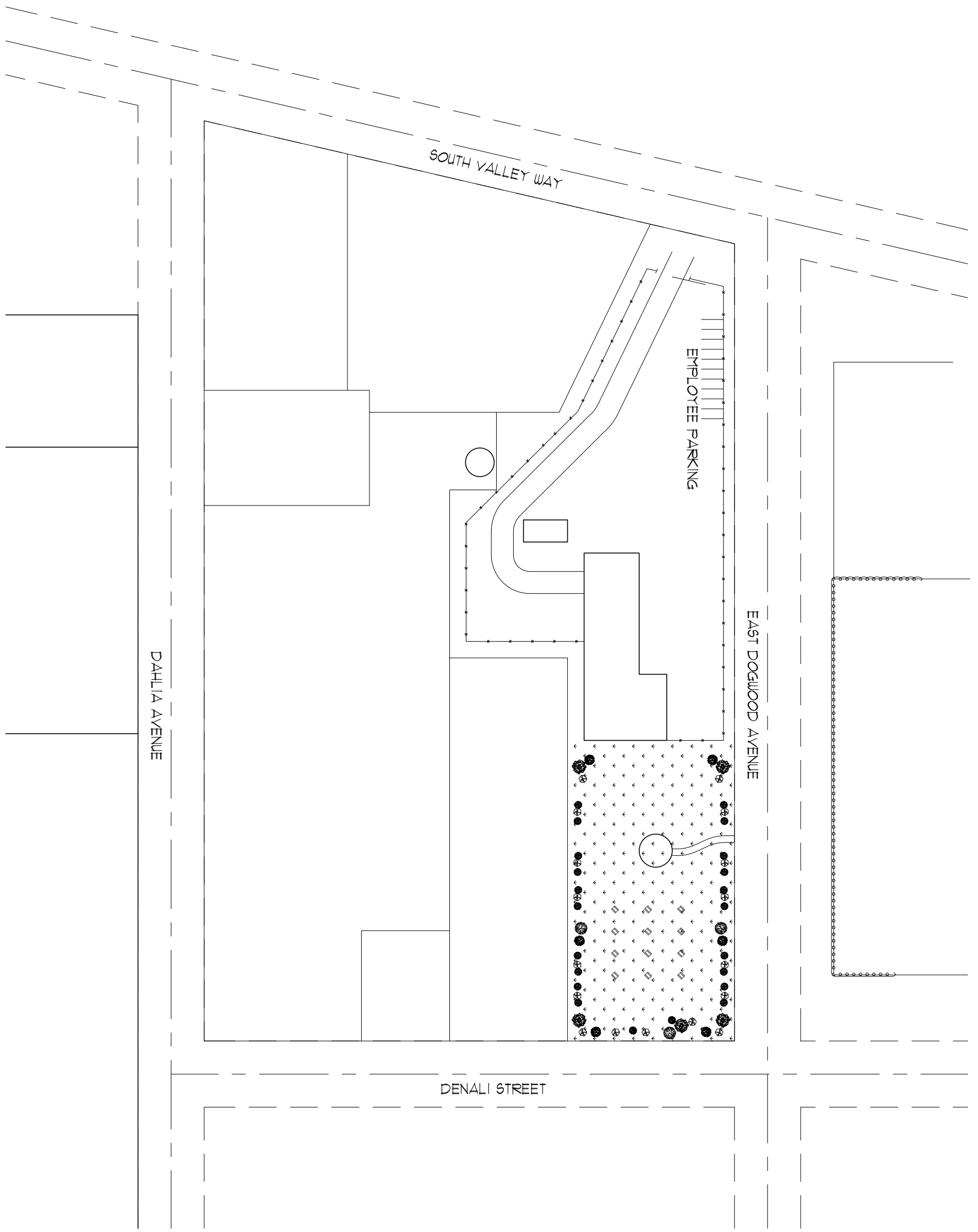


Tract A-1 ASLS 96-004

ASLS 96-4
TRACT A-1
TR. B-1
(4871)
TRACT B-2
(5031)



Request for Rezone from CG (General Commercial) to I (Industrial) with Special Limitations for Tract A-1 ASLS 96-004 in Section 33, Township 18 North, Range 2 East, Seward Meridian, located at 513 S. Valley Way in Palmer, Alaska.









CITY OF PALMER, ALASKA
ORDINANCE NO. 106

AN ORDINANCE ESTABLISHING ZONING IN THE
CITY OF PALMER, ALASKA

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Title

- A. This ordinance shall be known and may be cited as the "Zoning Ordinance of the City of Palmer".

Section 2. Use Districts and Map

- A. The City of Palmer is hereby divided into the following use districts:

A	Agricultural
R-1	Low Density Residence District
R-2	Medium Density Residence District
C-L	Limited Commercial District
C-G	General Commercial District
C-H	Highway Commercial District
I	Industrial District
P	Public Use District

- B. The use districts are bounded and defined as shown on a map entitled, "Zoning Map of the City of Palmer", a certified copy of which is on file in the office of the City Clerk and which, with all explanatory matter thereon, is hereby made a part of this ordinance.

Section 3. Application

- A. It shall be unlawful for any person to erect, construct, establish, alter, add to or enlarge, or to cause or permit to be erected, constructed, established, altered or enlarged, or to use, occupy or permit to be used or occupied, any land, building or premises for any purpose or in any manner contrary to the provisions of this ordinance as to uses permitted or excluded, building height limit or lot area, open spaces around or between buildings or building setbacks required in the particular use district in which such land, building or premises is located.

Section 4. (A) Agricultural District Regulations

A. Uses Permitted

1. One-family dwellings.
2. Two-family dwellings if an apartment unit is the dwelling for one of the families.
3. Mobile homes as one-family dwelling subject to provisions of existing Ordinances of the City of Palmer.
4. Farming, including all types of agriculture and horticulture, kennels, small animals farming, poultry raising and similar uses, but excluding:
 - a. Commercial dairies.
 - b. Commercial livestock and hog raising or feeding.
5. Home occupations.

6. Temporary stand for sale of agricultural products grown or produced on the premises, provided:
 - a. That the floor area does not exceed 100 square feet.
 - b. That the stand shall be of wood frame construction.
 - c. That the stand shall be removed when not in use.
 - d. That the stand shall be at least 25 feet from any street or road right-of-way line.
7. Agricultural buildings.
8. Accessory buildings and uses.
9. Churches, provided that no part of any building be located nearer than 50 feet to any adjoining street or property line.

B. Building Height Limit

1. The maximum building height shall be 35 feet, provided, that agricultural buildings may be erected to a height not to exceed 50 feet.

C. Lot Area

1. The minimum lot area for each one-family dwelling shall be 20,000 square feet and the minimum lot width shall be 100 .

D. Front Yard

1. There shall be a front yard of not less than 25 feet.

E. Side Yard

1. There shall be a side yard of not less than 10% of the width of the lot but such side yard need not exceed 25 feet. The minimum side yard on the street side of a corner lot shall be 25 feet.

F. Rear Yard

1. There shall be a rear yard of not less than 25% of the depth of the lot but such yard need not exceed 40 feet.

G. Off Street Parking Requirements -- (See Section 14)

Section 5. (R-1) Low Density Residence District Regulations

A. Uses Permitted

1. One family dwellings or an existing one-family dwelling altered to a two-family dwelling upon approval of the Commission after a review of the plans and a canvass of the neighborhood. The intent of this provision is to allow the incidental use of basement or attic space of a one-family dwelling for an apartment.
2. Mobile homes as one-family dwelling subject to provisions of existing ordinances of the City of Palmer.
3. Truck gardening, the raising of bush and tree crops, flower gardening and the use of greenhouse when incidental to the residential use of property and not for commercial purposes.
4. Home occupations.
5. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters. The parking of heavy equipment such as buses, tractors, graders, or trucks shall not be considered an accessory use.
6. Churches, provided that no part of any building be located nearer than 30 feet to any adjoining lot or street line.

B. Building Height Limit

1. The maximum building height shall be 25 feet above grade line.

C. Lot Area

1. The minimum lot area for each one-family dwelling shall be 7200 square feet and minimum lot width shall be 60 feet.

D. Front Yard and Building Line

1. There shall be a front yard of not less than 25 feet.
2. The front building line shall be no less than 25 feet plus one-half the future street width (See Sec. 17) from the center line.

E. Side Yard

1. There shall be a side yard of not less than six feet. The minimum side yard on the street side of a corner lot shall be 10 feet.

F. Rear Yard

1. There shall be a rear yard of not less than 25 feet.

G. Off Street Parking Requirements. (See Section 14)Section 6. R-2 Medium Density Residence District RegulationsA. Uses Permitted

1. One-family dwellings.
2. Two-family dwellings.
3. Multiple-family dwellings.
4. Boarding House.
5. Mobile homes subject to existing ordinances of the City of Palmer.
6. Truck gardening, the raising of bush and tree crops, flower gardening and the use of greenhouses when incidental to the residential use of property and not for commercial purposes.
7. Home occupations.
8. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters. The parking of heavy equipment such as buses, tractors, graders, or trucks shall not be considered an accessory use.
9. Churches, provided that no part of any building be located nearer than 30 feet to any adjoining lot or street line.
10. Required off street parking. (See Section 14)

B. Building Height Limit

1. The maximum building height shall be 35 feet above the grade line.

C. Lot Area

1. The minimum lot area shall be 7200 square feet and the minimum lot width shall be 60 feet.
2. The minimum lot area for dwellings shall be:
 - a. For a one-family dwelling - 7200 square feet per dwelling unit.
 - b. For a two-family dwelling - 3600 square feet per dwelling unit.
 - c. For a multiple-family dwelling with three or four dwelling units - 2400 square feet per dwelling unit.
 - d. For a multiple-family dwelling with five, six or seven dwelling units - 2000 square feet per dwelling unit.
 - e. For a multiple-family dwelling with eight or more dwelling units - 1600 square feet per dwelling unit.

D. Front Yard and Front Building Line

1. There shall be a front yard of not less than 25 feet.
2. The front building line shall be no less than 25 feet plus one-half the future street width (See Section 17) from the center line.

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E. Side Yard

1. There shall be a side yard of not less than six feet. The minimum side yard on the street side of a corner lot shall be 10 feet.
2. The following additional requirements shall apply to two-family and multiple family dwellings along the side of every lot which is not bounded by an alley and which is bordering on property in any "R" districts.
 - a. In case the building is so located on the lot that the rear thereof abuts one side yard and front abuts the other, the side yard along the rear of the building shall have a minimum width of 12 feet and the side yard along the front of the building shall have a minimum width of 18 feet.
 - b. For multiple-family dwellings the minimum side yards required shall be increased one foot for each dwelling unit over four.

F. Rear Yard

1. There shall be a rear yard of not less than 25 feet.

G. Off Street Parking Requirements (See Section 14)Section 7. (C-L) Limited Commercial District RegulationsA. Uses Permitted

1. One-family dwellings.
2. Two-family dwellings.
3. Multiple-family dwellings.
4. Boarding house.
5. Mobile homes subject to existing Ordinances of the City of Palmer.
6. Truck gardening, the raising of bush and tree crops, flower gardening and the use of greenhouses when incidental to the residential use of property and not for commercial purposes.
7. Home occupations.
8. Accessory buildings and uses, not used or operated for gain and not including guest houses or accessory living quarters. The parking of heavy equipment such as buses, tractors, gradars, or trucks shall not be considered an accessory use.
9. Churches, provided that no part of any building be located nearer than 30 feet to any adjoining lot or street line.
10. Bakery shop, candy or ice cream store or delicatessen.
11. Bank
12. Barber or beauty shop.
13. Business and bill paying service, stock broker, detective agency, real estate and insurance office, escrow and land title business.
14. Cafe or restaurant.
15. Clothing, dress, millinery or shoe store.
16. Dentist, doctor, optometrist and medical or dental clinics.
17. Drug store, dry goods, grocery or meat market.
18. Dry cleaning agency or shoe repair shop.
19. Florist, gift shop, music store, stationery or variety store, or hobby and model shop.
20. Hardware store.
21. Launderette (not more than 10 machines).
22. Office building and professional offices.
23. Accessory uses customarily incidental to any of the above uses.
24. Required off-street parking (See Section 14).

B. General Conditions

1. The above specified stores, shops or businesses shall be retail establishments selling new merchandise exclusively and shall be conducted wholly within an enclosed building. In no case shall any merchandise be displayed nor shall any business be conducted between the street line and any building line.

ORDINANCE NO. 106 (Cont'd) ZONINGC. Building Height

1. The maximum building height shall be 35 feet above grade line.

D. Lot Area

1. Buildings hereafter erected and used wholly or partly for dwelling purposes shall comply with the lot area requirements of the R-2 district.

E. Yards Required

None except:

1. No building shall be erected nor shall any use of land be conducted so that the same will be closer to the right-of-way line of any street than any future width line provided by Section 17 of this ordinance.
2. Every building or portion thereof which is designed, intended or used for any purpose permitted in an "R" district or for any other residential or dwelling purpose shall provide yards as required in the R-2 district, provided that when the ground floor of any such building is used for any commercial purpose, no side yard shall be required except that there shall be a side yard of no less than 6 feet along the side of every lot which is not bounded by an alley and which is bordering on property in any "R" Districts.

Section 8. (C-G) General Commercial District Regulations.A. Uses Permitted

1. One-family dwellings.
2. Two-family dwellings.
3. Multiple family dwellings.
4. Boarding house.
5. Mobile homes subject to existing ordinances of the City of Palmer.
6. Truck gardening, the raising of bush and tree crops, flower gardening and the use of greenhouses when incidental to the residential use of property and not for commercial purposes.
7. Home occupations.
8. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters. The parking of heavy equipment such as buses, tractors, graders, or trucks shall not be considered an accessory use.
9. Churches, provided that no part of any building be located nearer than 30 feet to any adjoining lot or street line.
10. Bakery shop, candy or ice cream store or delicatessen.
11. Bank
12. Barber or beauty shop
13. Business and bill paying service, stock broker, detective agency, real estate and insurance office, escrow and land title business.
14. Cafe or restaurant.
15. Clothing, dress, millinery or shoe store.
16. Dentist, doctor, optometrist and medical or dental clinic.
17. Drug store, dry goods, grocery or meat market.
18. Dry cleaning agency or shoe repair shop.
19. Florist, gift shop, music store, stationery or variety store, or hobby and model shop.
20. Hardware store.
21. Laundrette (not more than 10 machines).
22. Office building and professional offices.
23. Accessory uses customarily incidental to any of the above uses.
24. Hotels.
25. Home appliance, electrical equipment, instrument, medical appliance, office equipment, plumbing equipment and store fixture sales, service and repair.
26. Automobile, motorcycle, motor scooter, boat and bicycle sales, parts and service.

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27. Bar, cocktail lounge, liquor and beer sales.
28. Beauty or business college and studio or school of art, design, dancing, drama, modelling or photography.
29. Billiard hall, bowling alley or theatre.
30. Blue printing and photostating, engraving, photodeveloping, print shop, publishing, rubber stamp or sign painting business.
31. Book, camera, luggage, surplus or second hand store, toys or jewelry sales or stores and pawnshop, pet shop or gunsmith.
32. Private club or fraternal, religious or philanthropic associations and union hall.
33. Collection or employment agency, janitor service, taxi or vending machine business.
34. Dental laboratory, funeral parlor, mattress repairing, taxidermy, or upholstering business.
35. Department store, furniture and household goods sales and repairing, glass and mirror sales or paint store.
36. Dry cleaning business or tailor shop.
37. Telegraph or telephone office or travel agency.
38. Service station.
39. Automobile, trailer and farm machinery sales not in building, provided;
 - a. That such area is located and developed as required in Section 14.
 - b. That any area used for the incidental repair of automobiles, trailers or farm machinery is located not less than 70 feet from the front lot line nor less than 25 feet from any other street line, unless such incidental repair is conducted and confined wholly within a building.
40. Public garage including automobile repairing, painting or upholstering if all operations are conducted wholly within a completely enclosed building but not including as a general or primary use automobile body and fender repairing, provided, however, that where a public garage is located on a lot which does not abut an alley and is within 50 feet of a lot in an "R" district, the garage wall which parallels the nearest line to such district shall have no openings other than stationary windows.
41. Accessory uses customarily incidental to any of the above uses and accessory buildings.
42. Required off-street parking (see Section 14)

B. General Conditions

1. All selling, dealing in or displaying of goods or merchandise by shops, stores or business shall be entirely conducted and located within a permanent building unless otherwise specifically excepted.
2. No stores or businesses shall involve any kind of manufacture, compounding, processing or treatment of products except that which is clearly incidental and essential to a retail or wholesale store or business and provided that:
 - a. All products are sold at retail or wholesale on the premises.
 - b. No more than two persons are engaged in the manufacture, compounding, processing or treatment of products or servicing and repairing appliances, equipment, etc.
 - c. No more than 20% of the ground floor area of any building shall be used for such purposes.
 - d. Such operations or products are not objectionable due to odor, dust, smoke, noise, vibrations or other similar nuisances.
3. All exterior walls of buildings hereafter erected, extended or structurally altered which face a street or property in an "R" district shall be designed, treated and finished in a uniform and satisfactory manner approved by the Planning Commission.

C. Building Height Limit

1. The maximum building height shall be 50 feet above grade line.

D. Lot Area

1. Buildings hereafter erected and used wholly or partly for dwelling purposes shall comply with the lot area requirements of the R-2 district, except that for multiple dwellings, the minimum lot area per dwelling unit may be reduced to 1200 square feet for a multiple dwelling with less than seven dwelling units and to 1000 square feet for a multiple dwelling with seven or more units.

E. Yard Required

1. No building shall be erected nor shall any use of land be conducted so that the same will be closer to the right-of-way line of any street than any future width line provided by Section 17.
2. Every building or portion thereof which is designed, intended or used for any purpose permitted in an "R" district or for any other residential or dwelling purpose shall provide yards as required in the R-2 district; provided that when the ground floor of any such building is used for any commercial purpose, no side yard shall be required except that there shall be a side yard of no less than 6 feet along the side of every lot which is not bounded by an alley and which is bordering on property in any "R" district.

Section 9. (C-H) Highway Commercial District Regulations

A. Uses Permitted.

1. One-family dwellings.
2. Two-family dwellings.
3. Multiple-family dwellings.
4. Boarding house.
5. Mobile homes subject to existing ordinances of the City of Palmer.
6. Truck gardening, the raising of bush and tree crops, flower gardening and the use of greenhouses when incidental to the residential use of property and not for commercial purposes.
7. Home occupations.
8. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters. The parking of heavy equipment such as buses, tractors, graders, or trucks shall not be considered an accessory use.
9. Churches, provided that no part of any building be located nearer than 30 feet to any adjoining lot or street line.
10. Automobile repairing (no body and fender work).
11. Bar, only in conjunction with an eating establishment.
12. Battery sales and service.
13. Cafe.
14. Nursery and christmas tree sales.
15. Cocktail lounge, only in conjunction with eating establishment.
16. Drive-in cafe or restaurant.
17. Farm products sales.
18. Ice vending machine.
19. Grocery stores.
20. Motels and hotels.
21. Propane or butane service.
22. Real estate office with incidental insurance business.
23. Restaurant.
24. Service station.
25. Tire sales and service.
26. Accessory uses incidental to any of the above uses and accessory buildings.
27. Mobile homes subject to existing ordinances of the City of Palmer.
28. Farm implement sales.
29. Required off-street parking (See Section 14).

B. General Conditions.

1. The above specified businesses shall be permitted only under the following conditions:
 - a. Such businesses shall be conducted wholly within an enclosed building except for uses customarily considered open uses such as service stations and Christmas tree sales.
 - b. Plans for any drive-in type business, service station, or propane or butane service station shall be approved by the Planning Commission prior to application for a building permit and shall show the following:
 - (1) Location of all structures.
 - (2) Area of plot.
 - (3) Location and width of entrance, exits, driveways and curb cuts.

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C. Building Height Limit

1. The maximum building height shall be 35 feet above grade line.

D. Lot Area

1. Buildings hereafter erected and used wholly or partly for dwelling purposes shall comply with the lot area requirements of the R-2 districts.

E. Yards Required

None except:

1. No building shall be erected or located nor shall any use of land be conducted so that the same will be closer to the right-of-way line of any street than any future width line provided by Section 17.
2. Every building or portion thereof which is designed, intended or used for any purpose permitted in an "R" district or for any other residential or dwelling purpose shall provide yards as required in the R-2 district; provided, that when the ground floor of any such building is used for any commercial purpose, no side yard shall be required except that there shall be a side yard along the side of every lot which is not bounded by an alley and which is bordering on property in any "R" district.

Section 10. (1) Industrial District RegulationsA. Uses Permitted

1. Any use, except a residential use, permitted in the C-G district.
2. Airplane repairing or reconditioning and automobile painting, upholstering, rebuilding, reconditioning, motor exchange and body and fender work.
3. Assaying, cabinet shop, chemical laboratory, sash and door mill or assembly of music, candy and vending machines.
4. Auction business.
5. Battery manufacture, boat building, iron work (ornamental), machine shop, dye casting or electroplating.
6. Bottling plant, brewery, packing house (vegetable or fruit) or wholesale business.
7. Petroleum products storage, service and distribution station or paint storage.
8. Dry cleaning and dyeing plant, laundry, linen supply business and rug and carpet cleaning.
9. Cold storage lockers.
10. Egg candling and grading, feed, grain and hay sales and grain storage.
11. Refrigeration maintenance and repair, steam cleaning and welding service and supplies.
12. Pipe and pole storage and radio or TV transmitter.
13. Tire retreading.
14. Tool, equipment, truck and trailer rental business.
15. Assembly of electrical appliances, electronic instruments and devices, radio and phonographs, including the manufacture of small parts such as coils, condensers, transformers, crystal holders and the like.
16. The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, drugs, perfumes, perfumed toilet soap, toiletries and food products, excepting sauerkraut, vinegar, yeast, fish and meat products and the rendering or refining of fats and oils.
17. The manufacture of pottery, figurines or other ceramic products.
18. The manufacture and maintenance of electric and neon signs and light sheet metal products, including heating and ventilating ducts and equipment, drain pipes, eaves and the like.
19. The manufacture of music and scientific instruments, optical goods, cameras, jewelry, small auto accessories, toys, novelties and metal stamps.
20. The following uses are permitted only when conducted wholly within an area enclosed on all sides by a solid wall or painted wood fence not less than six feet in height:
 - a. Automobile or machinery wrecking yard.
 - b. Building material manufacture or sales yard.
 - c. Cesspool pumping business.
 - d. Concrete and concrete products manufacture.
 - e. Coal yard.
 - f. Contractor's equipment yard.
 - g. Draying, freighting, transportation or trucking yard or terminal.
 - h. House moving business.

- i. Lumber yard.
- j. Salvage or junk yard.
- k. Truck or road equipment maintenance, repair and storage.
- 21. Accessory uses customarily incidental to any of the above uses.
- 22. Required off-street parking and loading areas (See Section 14).

B. Building Height Limit

- 1. The maximum building height shall be three stories or 50 feet. Additional height may be permitted as provided in the height regulations for the C-G district.

C. Yards Required

None except:

- 1. No building shall hereafter be erected nor shall any use of land be conducted, except for agricultural purposes or other open uses not requiring building or structure, so that the same will be closer to the right-of-way line of any street than any future width line provided in Section 17.
- 2. When a lot or parcel of land in the "I" district is located partly in or abuts upon any "R" or "C" district then such lot or parcel of land shall have a yard or yards as required in such "R" or "C" district.

Section 11. (P) Public Use District Regulations

A. Uses Permitted

- 1. Buildings, structures and the use of land for public purposes such as government offices and uses, schools, civic and cultural buildings and park and recreation areas.

B. Building Height Limit

- 1. The maximum building height shall be 50 feet above grade line.

C. Planning Commission approval

- 1. No building, or structure shall be erected, altered or moved in the Public Use district unless the building and plot plans shall first be approved by the Planning Commission to insure that proper consideration has been given to architectural design, open space, landscaping, off-street parking, building arrangements and similar features so that such public structures conform to the Comprehensive Plan.

Section 12. Definitions

For the purpose of this ordinance, certain words and terms are defined as follows:

Accessory Building A detached building, the use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot as the main building or use. An accessory building shall be considered to be a part of the main building when joined to the main building by a common wall not less than four feet long or when an accessory building and the main buildings are connected by a breezeway which shall not be less than eight feet in width.

Accessory Use - A use customarily incidental and subordinate to the principal use of the land, building or structure and located on the same lot or parcel of land.

Agricultural Building - A building located in the agricultural district and used to shelter farm implements, hay, grain, poultry, livestock, or other farm produce, in which there is no human habitation and which is not used by the public.

Alley - A public way designed and intended to provide only a secondary means of access to any property abutting thereon.

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Alteration - Any change, addition or modification in the construction, location or use classification.

Apartment House - See Dwelling, Multiple

Area, Building - The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of steps.

Automobile Wrecking - The dismantling of used motor vehicles or trailers or the storage or sale of parts from dismantled or partially dismantled, obsolete or wrecked vehicles.

Boarding House - A building other than a hotel with not more than five sleeping rooms where lodging, with or without meals, is provided for compensation for three or more persons, but not exceeding 15 persons, on other than day-to-day basis and which is not open to transient guests.

Building - Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Building Existing - A building erected prior to the adoption of this ordinance or one for which a legal building permit has been issued.

Building Height - The vertical distance from the "Grade" to the highest point of the roof.

Building Line - An imaginary line set by Ordinance establishing minimum distance from the street.

Building Official - The officer charged with the administration and enforcement of this ordinance.

Building, principal or main - A building in which is conducted the principal or main use of the lot on which said building is situated.

Coverage - That percentage of the total lot area covered by the building area.

Dwelling - A building or any portion thereof designed or used exclusively for residential occupancy including one-family, two-family and multiple family dwellings, but not including any other building wherein human beings may be housed.

Dwelling Unit - One or more rooms and a single kitchen in a dwelling designed as a unit for occupancy by not more than one family for living or sleeping purposes, and in which not more than two persons are lodged for hire.

Dwelling, One-family - Any detached building containing only one dwelling unit.

Dwelling, Two-family - Any building containing only two dwelling units.

Dwelling, Multiple Family - Any building containing three or more dwelling units.

Family - Any number of individuals related by blood or marriage or an unrelated group of not more than five persons living together as a single housekeeping unit in a dwelling unit.

Fence, Height - The vertical distance between the ground, either natural or filled, directly under the fence and the highest point of the fence.

Floor Area - The total of each floor of a building within the surrounding outer walls but excluding vent shafts and courts.

Frontage - All the property fronting on one side of a street between intersecting streets or between a street and right-of-way, end of street or city boundary.

Garage, Private - An accessory building or any portion of a main building used in connection with residential purposes for the storage of passenger motor vehicles.

Garage, Public - Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, or adjusting or equipping of automobiles or other vehicles.

Garage, Storage - Any building or portion thereof, other than a private garage, used for the storage of motor vehicles and the incidental service of vehicles stored therein.

Grade (Ground Level) - The average level of the finished ground at the center of all walls to a building. In case walls are parallel to and within five feet of a public sidewalk, the ground level shall be measured at the sidewalk.

Guest Room - Any room in a hotel, dormitory, boarding or lodging house used and maintained to provide sleeping accommodations for not more than two persons. Each 100 square feet or fraction thereof, of floor area used for sleeping purposes shall be considered to be a separate guest room.

Home Occupation - An accessory use of a service character customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate and in connection therewith there is not involved the keeping of a stock in trade. The office of a physician, surgeon, dentist or other professional person, including an instructor in violin, piano or other individual musical instrument limited to a single pupil at a time, who offers skilled services to clients and is not professionally engaged in the purchase or sale of economic goods, shall be deemed to be a Home Occupation; and the occupations of dressmakers, milliner or seamstress, each with not more than one paid assistant shall be deemed to be Home Occupations. Dancing instruction, band instrument instruction given to groups, tea rooms, tourist homes, beauty parlors, real estate offices, convalescent homes, mortuary establishment, and stores and trades or business of any kind not herein excepted shall not be deemed to be Home Occupations.

Hotel - Any building or group of buildings in which there are six or more guest rooms used, designed or intended to be used for the purpose of offering to the general public food or lodging, or both, on a day-to-day basis.

Junk Yard - Any space 100 sq. ft. or more of any lot or parcel of land used for the storage, keeping or abandonment of junk or waste material, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or any parts thereof.

Loading Space - An off-street space or berth on the same lot with a building or structure to be used for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

Lot - A parcel of land occupied or to be occupied by a use, building or unit group of buildings, and accessory buildings and uses, together with such yards, open spaces, lot widths and lot area as are required by this ordinance and having frontage on a public street.

Lot - Corner -- A lot situated at the junction of, and bordering on, two intersecting streets.

Lot, Line Front - Corner Lot -- The shortest street line of a corner lot.

Lot Line, Front - Interior Lot -- A line separating the lot from the street.

Lot Line - Rear -- Line that is opposite and most distant from the front lot line, and in the case of irregular, triangular or gore shaped lot, a line not less than 10 feet in length, within a lot, parallel to and at the maximum distance from the front lot line.

Lot Line - Side -- Any lot boundary line not a front lot line or a rear lot line.

Lot Depth -- The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

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Lot Width -- The mean horizontal distance separating the side lot lines of a lot and at right angles to its depth.

Motel -- A group of one or more detached or semi-detached buildings containing two or more individual dwelling units and/or guest rooms, designed for or used temporarily by automobile tourists or transients, with a garage attached or parking space conveniently located to each unit, including groups designated as auto courts, motor lodges, or tourist courts.

Non-Conforming Building -- Any building or structure or any portion thereof, lawfully existing at the time this ordinance became effective, which was designed, erected, or structurally altered for a use that does not conform to the use regulations of the zone in which it is located, or a building or structure that does not conform to all the height and area regulations of the zone in which it is located.

Non-conforming use -- Any use which lawfully occupied a building or land at the time this ordinance became effective and which does not conform to the use regulations of the zone in which it is located.

Nursery, Children's -- Any home or institution used and maintained to provide day care for more than four children not more than 7 years of age.

Parking Space, Private -- Any automobile parking space not less than 10 feet wide and 20 feet long.

Parking Space, Public -- An area of not less than 250 square feet inclusive of drives or aisles giving access thereto, accessible from streets and alleys or from private driveways leading to streets and alleys and being designed and arranged so as to be useable, practicable and safe for the storage of passenger motor vehicles operated by individual drivers.

Person -- A natural person, his heirs, executors, administrators, or assigns, and also including firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

Service Station -- Any building, structure, premises or other space used primarily for the retail sale and dispensing of motor fuels, tires, batteries and other small accessories; the installation of servicing of such lubricants, tires, batteries and other small accessories, and such other services which do not customarily or usually require the services of a qualified automotive mechanic.

When the retail sale and dispensing of motor fuels, lubricants and accessories is incidental to the conduct of a public garage, the premises shall be classified as a public garage.

Sign -- Any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trade marks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which are visible from any public street or highway and used to attract attention.

Street -- A public right-of-way used as a thoroughfare and which is designed and intended to provide the primary means of access to property abutting thereon.

Street Line -- The line of demarcation between a street and the lot or land abutting thereon.

Structure -- That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Trailer Camp, Park or Lot -- Any area or premises where space for two or more trailers is rented, held out for rent or for which free occupancy or camping for such number is permitted to trailers or users for the purpose of securing their trade, herein referred to as a trailer camp but not including automobile or trailer sales lots on which unoccupied house trailers are parked for inspection and sales.

Trailer -- Any vehicle used or intended to be used as living or sleeping quarters for humans and which may be driven, towed, or propelled from one location to another without change in structure or design, whether or not the same be supported by wheels and including trailers, trailer coaches and house cars.

Use -- The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

Yard -- An open unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this ordinance, on the same lot which a building is situated.

Yard, Front -- A yard extending across the full width of a lot measured between the front lot line of the lot or a future street width line as specified in Section 17 and the nearest exterior wall of the building, front of a bay window or the front of a covered porch or other similar projection, whichever is the nearest to the front lot line.

Yard, Rear -- A yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

Yard, Side -- A yard six feet or more in width on each side of a main building extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of a side lot line to the nearest part of the main building.

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Section 13. General Provisions and Exceptions

A. Boundaries of Districts

1. Where uncertainty exists as to the boundaries of any district shown on the map, the following rules shall apply:
 - a. Where district boundaries are indicated as approximately following or paralleling street lines, alley lines, lot or property lines, such lines shall be construed to be such boundaries.
 - b. In unsubdivided property or where the district boundaries divide a lot, the location of such boundary, unless the same is indicated by specific dimensions, shall be determined by use of the scale appearing on the map.
 - c. In case of any further uncertainty existing, the Planning Commission shall interpret the intent of the map as to the location of such boundaries.
2. Where any public street or alley is officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
3. Any land included within the corporate boundaries of the city subsequent to the adoption of this ordinance shall be automatically classified in the R-1 district until otherwise classified by amendment.

B. Uses

1. The express enumeration and authorization of a particular class of building, structure, premise or use in a designated district shall be deemed a prohibition of such building, structure, premises or use in all other districts unless otherwise specified.
2. Uses other than those specifically permitted in each of the districts may be permitted therein, provided that such uses are similar to those mentioned and are determined by the Planning Commission to be not more obnoxious or detrimental to the welfare of the community than the permitted uses.
3. Uses other than those specifically excluded from each of the districts may be excluded therefrom, provided that such uses are determined by the Planning Commission to be not less obnoxious or detrimental to the welfare of the community than those uses specifically excluded.
4. The use of buildings and property publicly owned and engaged in the performance of a public function may be permitted in any district provided that such use is not, in the opinion of the Planning Commission obnoxious or detrimental to the welfare of the community.

C. Height of Buildings

1. The permitted height of buildings shall be exclusive of roof structures as defined in the Building Code of the city.
2. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building: fire or parapet walls, skylights, towers, roof signs, flagpoles, chimneys, smokestacks, wireless masts or similar structures and necessary mechanical appurtenances, may be erected above the height limits prescribed; but no penthouses, roof structure or any space above the permitted height limit of buildings shall be for the purpose of providing additional floor space.

D. Lots and Lot Areas

1. The requirements as to minimum lot area shall not be construed to prevent the use for a one-family dwelling of any lot or parcel of land, other than in the "I" district, in the event that such lot or parcel of land was, on the effective date of this ordinance, legally subdivided and separately owned, deeded by a deed of record, or subject to a recorded contract of sale in full force and effect.
2. No portion of any lot or parcel of land which has been designated or used as any part of a required open area or yard for a building shall be included as a portion or yard for another building if such inclusion will reduce the lot area or yard required for the original lot or parcel of land to less than the minimum lot area or dimension of yard required for the land use district in which such property is located,
3. No lot or parcel of land held under separate ownership at the time this ordinance became effective shall be reduced in any manner below the required minimum lot area or width.
4. No lot area shall be so reduced, diminished or maintained that the yards or other open spaces or total lot area shall be smaller than prescribed nor shall the density of population be increased in any manner except in conformity with these regulations.
5. Every building hereafter erected shall be located on a lot as herein defined. If it is located on two or more platted lots, the building location must conform to the side area width from any lot line as required in Section 5-E, or it may straddle an interior lot line of such a parcel of lots. In no case shall there be more than one main residential building and its accessory buildings on one lot, unless specifically provided otherwise.
6. No building permit shall be issued for a building or structure on a lot which abuts a street dedicated to a portion of its required width and located on that side thereof from which no dedication was secured, unless the yards provided on such lot include both that portion of the lot lying within the future street and the required yards.

E. Yards

1. Where yards are required they shall not be less in depth or width than the minimum dimensions in any part and they shall be at every point, open and unobstructed from the ground to the sky, except as follows:
 - a. Outside stairways, fire escapes, porches, or landing places, if unroofed and unenclosed, may extend into a required side yard for a distance not to exceed three feet or into a required rear yard for a distance not to exceed four feet.
 - b. Cornices, canopies, eaves or other similar architectural features not providing additional floor space within the building may extend into a required yard not to exceed two feet.
 - c. One covered but unenclosed passenger landing or carport not more than one story in height may extend into either side yard, but such structure shall not be closer than three feet to an adjoining lot.
 - d. A detached accessory building not exceeding 14 feet in height may be permitted to occupy a rear yard, provided that not more than one-third of the total area of such rear yard shall be so occupied.
2. On any corner lot in any "R" district, there shall be no planting, structure, fence, shrubbery or other obstruction to vision more than three and one-half feet higher than the curb level within 25 feet of the intersection of the adjacent street lines, except that shade trees or other plants or vegetation of sufficient height to permit sight distances from one street to the other under the lowest branches or foliage may be permitted.

- 3. In any "R" district, no building shall be erected, reconstructed or altered nearer to the street line on which it faces than the average setback observed by 75% of the buildings on the same frontage. Where there are buildings on only one side of a street within the block, the setback line for the unoccupied side shall be the same as that established on the occupied side.

F. Distance Between Buildings

- 1. No detached dwelling or other main building shall be less than 20 feet from any other detached dwelling or main building on the same building site.

G. Accessory Buildings

- 1. No accessory building shall exceed one story or 14 feet in height, except agricultural buildings which shall not exceed 50 feet in height.
- 2. No accessory building shall be erected, constructed or moved on any lot in any "R" district prior to the construction of the main building; except that this shall not be construed to prohibit the construction of an accessory building prior to the construction of the main building when a building permit has been issued for the concurrent construction of such buildings, or for an accessory building incidental to the use of the land.

H. Fences and Walls

- 1. Fences and walls not exceeding six feet in height may occupy any portion of a side or rear yard in any "R" district provided that where such fence or wall projects beyond the front yard line or setback line toward the front property line, the following further restrictions shall apply:
 - a. Such fence or wall shall not exceed four feet in height, and shall be constructed so that not more than 50% of the vertical surface thereof above a height of two feet is solid wall.
 - b. Planted hedges projecting beyond the front yard line shall not exceed the maximum heights permitted for fences or walls.
 - c. No fence, wall or hedge shall be erected or maintained on the public property beyond the front property line of any lot or parcel of land, except masonry or concrete retaining walls, and then only to a height not to exceed six inches above the grade of the earth such wall is constructed to retain. A permit shall first be secured from the building official approving the necessity for and type of such retaining wall.

Section 14. Off-Street Parking and Loading Area Regulations

A. Off-street parking

- 1. There shall be provided at the time of the construction of any main building or at the time of the alteration, enlargement or any change in use of any main building, permanently maintained free off-street parking facilities for the use of occupants, employees or patrons of such building, and it shall be the joint and several responsibility of the owner and/or occupant of any main building or structure to provide, and thereafter maintain, the following minimum free off-street parking facilities:
 - a. Dwellings:
 - (1) For each single family dwelling, two family dwelling or multiple family dwelling, one private parking space for each dwelling unit.
 - b. Buildings other than dwellings:
 - (1) Motel or boarding house, one private parking space for each dwelling unit or guest room.
 - (2) Hotel, one private parking space for each dwelling unit and one public parking space for every three guest rooms.
 - (3) Church, general auditorium, high school or college auditorium, stadium, theatre, meeting hall or eating and drinking establishment-- one public parking space for each five seats based on maximum seating capacity.

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- (4) Dance hall, skating rink, exhibition hall, labor union hall, or lodge hall -- one public parking space for each 200 square feet of floor area.
- (5) Hospital - one public parking space for each four beds based on the maximum capacity.
- (6) Bank, office building, professional office, funeral parlor or clinic - one public parking space for each 250 square feet of floor area.
- (7) Business office (not generally patronized by public) - one parking place plus one additional public parking space for each three employees.
- (8) Retail store or business - one public parking space for each 500 square feet of floor area except that a retail store or business occupying a building which has less than 1,000 square feet of floor area need not provide such parking space.
- (9) Food market, grocery store or shopping center - one public parking space for each 125 square feet of floor area.
- (10) Laundrette - one public parking space for each two machines.
- (11) Bowling alley -- four public parking spaces for each alley or lane.
- (12) Trailer park -- one private parking space for each trailer space.
- (13) Wholesale stores, warehouses and storage buildings - one public parking space for each three employees, but not less than two parking spaces.
- (14) Industrial and manufacturing establishments in which there are more than five employees and officers - one public parking space for each 400 square feet of gross floor area or for every three employees, whichever results in the maximum number of parking spaces.
- (15) Garage, Public - four parking spaces for each service stall or facility; provided, that all vehicles in the custody of the operator or the business for service, repair, storage, sale or other purposes shall be stored on the premises or on a separate vehicle parking lot and shall not be parked on a public right-of-way.

B. General Conditions

1. Every lot or parcel of land used as a public parking area shall be developed as follows, subject to the approval of the plans by the Planning Commission:
 - a. Such area shall be paved or otherwise adequately and satisfactorily surfaced and shall have appropriate bumper guards where needed.
 - b. Where such area adjoins the side of a lot in an "R" district, it shall be separated from such lot by a fence or hedge not less than four feet or more than six feet in height. Such fence or hedge shall be maintained in good condition and shall not extend beyond the front yard line required in such "R" district.
 - c. Any lights provided to illuminate such parking area shall be so arranged as to reflect the light away from adjoining premises and streets.
2. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be the same as the above mentioned use which in the opinion of the building official shall be deemed most similar.
3. In the case of mixed uses, the total requirement for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required facilities for any other use.
4. Any public or semi-public automobile parking or storage area used for or incidental to automobile or trailer sales, storage or service, any type of drive-in business or service or in connection with any use in any "R", "C" or "I" district shall be paved or otherwise adequately and satisfactorily surfaced so as to be dustproof, and provided further that all such areas existing at the effective date of this ordinance shall comply with this requirement within one year.
5. Any land or premises used for public or semi-public automobile parking, storage, sales or service, public garage or any type of drive-in business or service or similar use where vehicles regularly and customarily require access to such premises from any public street or alley shall be so designed that entrance and exit drives, openings or approaches for such vehicles will provide the safest and most desirable ingress and egress with relation to vehicular and pedestrian traffic in the streets upon which such use abuts.

Such entrance and exit openings and driveways shall not exceed 32 feet in width, and in no case shall any such "drive-in" service be permitted to use the entire street frontage upon which such use abuts for entrance or exit facilities.

6. Detailed plans for driveways, openings or curb cuts shall be submitted to the Planning Commission for approval with regard to the location and relation of same to the public street or highway. All such lands or premises devoted to the uses herein described, and existing at the effective date of this ordinance shall comply with these requirements within one year.
7. All parking spaces provided pursuant to this section shall be on the same lot with the main use it serves or on an adjoining lot, except that the Planning Commission may permit parking spaces to be on any lot within 300 feet of the use if it determines that it is impractical to provide parking on the same lot.
8. No existing parking area, and no parking area provided for the purpose of complying with the provisions of this ordinance, shall hereafter be relinquished or reduced in any manner below the requirements herein established.
9. Detailed plans for all parking and loading areas shall accompany the building plans when the application for building permit is made. Such plans shall show the following:
 - a. Area of the plot involved.
 - b. Layout and dimensions of each parking space.
 - c. Entrance and exit to the parking area and the direction of traffic.
 - d. Widths of all curb cuts, entrances, exits and driveways serving each parking or loading area.

C. Loading Areas

1. On the same lot or premises with every building, structure or part thereof erected and occupied for commercial, manufacturing or industrial use, or other uses similarly involving the receipt of or distribution of materials or merchandise by vehicles, there shall be provided and permanently maintained adequate space for standing of vehicles and loading and unloading services in such manner as not to obstruct the freedom of traffic movement upon public streets or alleys. Such space shall not be less than 15 feet wide by 25 feet long with 14 feet height clearance and shall have access to an alley or street.

Section 15. Sign Regulations

- A. A permit shall be obtained from the building official prior to the installation of any type of sign, name plate, advertising sign, or advertising structure excepting those less than one square foot in area.
- B. No sign shall be permitted in any district except as follows:
 1. In an "A" or "R" district:
 - a. One sign on a dwelling unit not exceeding one square foot giving the name of the occupant and a home occupation.
 - b. One sign not exceeding six square feet in area for the purpose of advertising the sale or lease of a building or premises.
 - c. One sign not exceeding 20 square feet in area to identify multiple dwellings, hotels, clubs, lodges, public and semi-public institutions and similar uses.
 - d. One sign not exceeding six square feet in area to identify non-conforming commercial uses.
 - e. The above signs shall be mounted flat against the building or more than 25 feet from any lot line.
 2. In an "A" or "R" district one announcement sign or bulletin board not exceeding 20 square feet for a church or public or charitable institution. Such sign shall be located at least five feet back from the front lot line and on the same lot as the principal building.
 3. In an "A" or "R" district one sign not exceeding 100 square feet in area to advertise a tract development or housing project of at least two acres in area. Such sign must be located at least 30 feet from any street line and on the property being developed, and shall not be maintained for more than one year.

4. In the "C-L" district one sign not exceeding 50 square feet in area and in the "C-G", "C-H", or "I" districts one sign not exceeding 100 square feet in area on any one face of a building, provided:
 - a. That it shall be attached to a wall of the building and parallel thereto.
 - b. That it face the principal street or an adjoining parking area, except that on a corner building a sign may be placed on that portion of the street side wall within 40 feet of the principal street.
 - c. That in no case shall any sign project above the roof line of a building to exceed the building height for that district.
 - d. That in the event of more than one business enterprise being housed in the same building, additional signs not exceeding 50 square feet in area may be permitted by the Planning Commission.
5. In the "C-H" district, one sign not exceeding 100 square feet on the same lot with a main building or use, provided:
 - a. That it shall be at least three feet and extend not more than 14 feet above the ground.
 - b. That it shall be 30 feet or more from any street or future width lines.
6. No sign illuminated with flashing or intermittent lighting shall be permitted in an "A", "R", "C-L" or "I" district.

Section 16. Existing Uses

- A. Any otherwise lawful use of land, structure, building or premises existing at the time this ordinance became effective, but not conforming to the provisions hereof, may be continued, provided:
 1. That if such nonconforming use is discontinued for a period of over 90 days or is abandoned, the use of such land thereafter shall be subject to the provisions of this ordinance.
 2. That no building used for such nonconforming use shall be added to, structurally altered or enlarged in any manner, except as required by another ordinance of the city or by state law, or in order to bring the building and its use into full conformity with the provisions of this ordinance; nor shall anything be done that would influence the longevity or perpetuation of such non-conforming use or building beyond the normal or reasonable period of time that the same would exist under the conditions prevailing at the effective date of this ordinance.
 3. That no nonconforming use occupying a conforming building or portion thereof, or occupying any land, shall be enlarged or extended into any other portion of such building or land not actually so occupied at the effective date of this ordinance.
- B. Any building or portion thereof in existence prior to the effective date of this ordinance which is specifically designed or arranged to be lawfully occupied or used in a manner not conforming to the provisions of this ordinance, may thereafter be so occupied or used, subject to the limitations set forth above for existing nonconforming uses. The term "in existence" shall include, for the purposes of this section only, any building under actual construction at such date, provided that such building be completed within one year therefrom.
- C. No building which has been damaged or partially destroyed to the extent of more than 50% of its assessed value shall be repaired, moved or altered except in conformity with the provisions of this ordinance.
- D. The provisions of this section shall apply to uses which become nonconforming by reason of any amendment to this ordinance, as of the effective date of such amendment.
- E. Regardless of any other provision of this ordinance, any junk yard as defined herein, which, after the adoption of this ordinance exists as a nonconforming use, is hereby declared to be a public nuisance and shall be abated, removed or changed to a conforming use within one year thereafter.

Section 17. Future Street Width Lines

- A. For the purpose of measuring yard dimensions and determining building locations with respect to future street widths as provided in this ordinance, minimum future width lines are hereby established for certain streets and highways based upon the Street and Highway Plan of the Comprehensive Plan. No building or structure, or portion thereof, shall hereafter be erected, nor shall any portion of a building extending into any front or street side yard be altered, nor shall any use of land be conducted, except the use of land for agricultural purposes or other open use not requiring a building or structure, so that the same will be closer to the right-of-way line of any street than any future width line.
- B. Future width lines for the following streets and highways are hereby established and shall be determined by measuring one-half the prescribed distance from the centerline of such street:

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<u>Street or Road</u>	<u>Future Width</u>
Glenn Highway	100 feet
Valley Street - Glenn Highway to Wasilla Road	86 feet
Wasilla Road	86 feet
Wasilla Road	86 feet
Colony Street - south of Wasilla Road	86 feet
Fairview Avenue - Colony Street to Springer Road	86 feet
Springer Road	86 feet
Bailey Hill Street	60 feet
Valley Street - north of Glenn Highway	60 feet
Snodgrass Street	60 feet
Swanson Street	60 feet
Fairview Avenue - Springer Road to Snodgrass Street	60 feet
Airport Road	60 feet
Co-op Avenue	60 feet
Park Avenue - east from Snodgrass Street	60 feet
First Avenue	60 feet
Matanuska Street - South from Eklutna Avenue	60 feet
Eklutna Avenue and Susitna Avenue	60 feet
Bailey Hill Street to Valley Street	60 feet
Pioneer Peak Avenue and Lazy Mountain Avenue - Bailey Hill Street to Colony Street	60 feet

- C. Future street width lines for the following streets are hereby established and shall be determined by measuring the prescribed distance from the nearest Alaska Railroad right-of-way line:

Railroad Street - Fairview Avenue to Park Avenue	60 feet
Railroad Street - Park Avenue to Glenn Highway	40 feet
Both sides of railroad right-of-way north of Glenn Highway	40 feet

Section 18. Approval by Planning Commission

- A. Whenever it is stated herein that certain buildings, structures and uses are permitted subject to approval by the Planning Commission, application for such approval shall be made in writing and accompanied by the required plans or data.
- B. The Planning Commission shall make its findings and determination within 21 days from the date of filing an application and shall notify the applicant in writing of their decision. If approval is denied, the Commission shall state their reasons therefor and under what conditions, if any, the application will be approved.
- C. Failure of the Planning Commission to make a determination within the time specified shall constitute approval of the application.

Section 19. Building Permits

- A. A building permit shall be required for the erection, construction, establishment, moving, alteration, enlargement, repair or conversion of any building or structure in any district established by this ordinance subject to the following provisions:
1. Provisions of the Building Code relating to the application for, form of, and issuance of building permits under such building code shall apply to the application for, form of and issuance of building permits under the provisions of this section.
 2. In all cases where the Planning Commission or the Board of Adjustment has allowed a variance or an exception, the Building Official shall issue a building permit sufficient to allow such building or work to be done in accordance with that decision; provided, that no permit shall be issued pursuant to any decision until the time for rehearing or for appeal shall have expired and then only in the event that no appeal or application for rehearing shall have been filed within such time.
 3. No building permit shall be issued by the Building Official unless it shall appear from the application and coincident application for certificate of occupancy that the building for which such permit is granted shall conform to all of the applicable regulations of this ordinance and is to be occupied for a use in conformity with the provisions thereof. Any permit issued in conflict with this Ordinance shall be null and void.

Section 20. Certificates of Occupancy

- A. A certificate of occupancy shall be required for any of the following:
1. Occupancy and use of a building or structure erected or structurally altered.
 2. Change in use of an existing building or structure to a use of a different classification.
 3. Occupancy and use of vacant land.
 4. Change in use of land to a use of a different classification.
 5. Any change in the use of a nonconforming use.
- B. Written application for a certificate of occupancy for a new building or structure, or for an existing building or structure to be altered, shall be made at the same time as the application for the building permit.
- C. Written application for a certificate of occupancy for the use of vacant land, a change in the use of land, building or structure, or for a change in a non-conforming use is in conformity with the provisions of this ordinance, the certificate of occupancy therefor shall be issued within ten days after the application for same has been made.
- D. Such certificate shall describe the lot or parcel of land, the present and proposed use of land, building or structure; the number, size and location of any new building or structure; and alterations proposed to be made on any existing building or structure.
- E. No vacant land in any district shall hereafter be occupied or used except as specified or for agricultural uses as permitted, and no building or structure hereafter erected or structurally altered in any district shall be occupied or used until a certificate of occupancy shall have been issued.
- F. Falsification of a certificate of occupancy for a use of property or a building not in conformity with such certificate shall be deemed a violation of this ordinance as set forth in Section 21.

Section 21. Enforcement and Penalties

- A. It shall be the duty of the Building Official to enforce the provisions of this ordinance pertaining to erection, construction, reconstruction, moving, conversion or alteration of buildings, or to the occupancy of land or any building or structure or any addition thereto. It shall be the duty of the City Clerk to enforce the provisions of this ordinance pertaining to the use of land or building for which any license is required by any other ordinance of the city.

- B. Whenever a violation occurs, any person may file a complaint in regard thereto. All such complaints shall be brought to the attention of the Building Official who shall properly record such complaint and immediately investigate and report thereon.
- C. For any and every violation of the provisions of this ordinance, the owner, agent, or contractor of a building or premise where such violations have been committed or shall exist; the owner, agent or contractor, lessee or tenant of any part of a building or premise in which such violation has been committed or shall exist; and the agent, contractor or any other person who commits, takes part or assists in such violations or who maintains any building or premises in which any violation shall exist, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than three hundred dollars or imprisoned in the city jail not to exceed thirty days, or both such fine and imprisonment. Each and every day that such violation continues shall be deemed a separate and distinct violation.
- D. Any building or structure set up, erected, built, moved or maintained or any use of property contrary to the provisions of this ordinance shall be and the same is hereby declared to be unlawful and a public nuisance and the City Attorney shall, upon order of the City Council, immediately commence action or actions, proceeding or proceedings, for the abatement, removal and enjoinder thereof, in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building, structure or use, and restrain and enjoin any person from setting up, erecting, moving or maintaining any such building or structure, or using any property contrary to the provisions of this article.
- E. All remedies provided for herein shall be cumulative and not exclusive.
- F. The issuance or granting of a building permit or approval of plans or specifications under the authority of the Building Code shall not be deemed or construed to be a permit for or an approval of any violation of any of the provisions of this ordinance or any amendment thereto. No permit presuming to give authority to violate or cancel any of the provisions of this article shall be valid except insofar as the work or use which is authorized is lawful and permitted.

Section 22. Exceptions, Variances and Appeals from Decision of Any Administrative Official.

- A. The Planning Commission shall administer this Ordinance and in so doing may grant exceptions for additional uses in the various districts as specifically provided; shall hear and decide appeals where it is alleged there is an error in ordinance interpretation; and may vary the strict application of these regulations in the case of an exceptionally irregular, narrow, shallow or sloping lot or other exceptional physical condition where strict application would result in practical difficulty or unnecessary hardship that would deprive the property concerned of rights possessed by other properties in the same district, but in no other case.
1. Exceptions
- a. An application for an exception shall be filed in writing by the owner of the property concerned and may be issued for any of the following:
 - (1) Public utility or public service uses or public buildings in any district when found to be necessary for the public health, safety, convenience or welfare;
 - (2) Removal of minerals and natural materials, including building and construction materials, when incidental to a permitted use or improvement of the land, but not solely for commercial or industrial purposes.
 - b. The Planning Commission shall cause to be made by its own members, or by its authorized representative, an investigation to determine that such uses will not be injurious to public health, safety or welfare or detrimental to other properties or uses in the vicinity.

- c. Within 21 days after the receipt of an application, the Planning Commission shall render its decision. If it is the opinion of the Commission, after consideration of the report of such investigation, that the use as proposed in the application, or under appropriate restrictions or conditions, will not endanger the public health, safety or general welfare, or be inconsistent with the general purposes and intent of this ordinance, the Commission shall approve the application either with or without conditions. If the proposed use will tend, in the opinion of the Commission, to endanger in any way the public health, safety or general welfare or produce results inconsistent with the general purposes and intent of this ordinance, the Commission shall deny the application.
- d. When deemed necessary, the Commission may hold a public hearing upon any application for an exception and if such public hearing is to be held, notice thereof shall be given in the manner prescribed in paragraph C-2 of this section, except that such procedure shall specifically refer to an exception and further, that the area considered by the Commission to be affected by the intended use of land as described in such application may be extended in such application to a distance greater than 300 feet of the exterior boundary of such land and the owners thereof notified of such hearing.

B. Appeals from Interpretation of Ordinance

1. An appeal from any action of the Building Official, or other administrative official in the enforcement of the regulations established by this ordinance may be taken by any person aggrieved or by any other officer, department, commission or board of the city. Such appeal shall be filed within ten days of such action by a notice in writing, specifying the grounds thereof.
2. The filing of an appeal shall stay all proceedings in the matter until ten days after a decision has been rendered by the Planning Commission.
3. When an appeal has been filed, the building official or city clerk shall forthwith transmit to the Planning Commission all data pertaining to the application or action appealed from.
4. The Commission shall render a decision on the appeal within 21 days after the filing thereof.

C. Variances

1. An application for a variance shall be filed in writing and verified by the owner of the property concerned.
 - a. The application shall contain the following data with respect to the property and the applicant:
 - (1) A legal description of the property involved.
 - (2) Plot plans showing the location of all existing and proposed buildings or alterations, elevations of such buildings or alterations, and such other data as may be required.
 - (3) Evidence of the ability and intention of the applicant to proceed in accordance with the plans within six months after the effective date of the variance.
 - b. The application shall contain a statement and adequate evidence showing the following conditions, all four of which must exist before a variance may be granted:
 - (1) That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same land use district.
 - (2) That the strict application of the provisions of this ordinance would result in practical difficulties or unnecessary hardship.
 - (3) That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.
 - (4) That the granting of the variance will not be contrary to the objectives of the Comprehensive Plan.
2. The Planning Commission shall hold a public hearing upon each properly submitted application. Such hearing shall be held not less than ten days nor later than 30 days following the date of filing of such application

and the applicant shall be notified of the date of such hearing. The commission shall cause to be sent to each owner of property within a distance of 300 feet of the exterior boundary of the lot or parcel of land described in such application notice of the time and place of the hearing, a description of the property involved and the provisions of this ordinance from which a variance is sought. For the purposes of this section, "property owner" shall mean that owner shown upon the latest tax assessment roll.



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3. From the time of filing such application until the time of such hearing, the application, together with all plans and data submitted, shall be available for public inspection in the office of the City Clerk.
4. The Commission shall cause to be made by its own members, or its authorized agent, an investigation of facts bearing on any application sufficient to assure that the action taken is consistent with the intent and purpose of this ordinance.
5. The Planning Commission shall hear and consider evidence and facts from any person at the public hearing or written communication from any person relative to the matter. The right of any person to present evidence shall not be denied for the reason that any such person was not required to be informed of such public hearing.
6. Within 30 days from the conclusion of the public hearing, the Planning Commission shall render its decision unless such time limit be extended by common consent and agreement signed by both applicant and the Commission. If, in the opinion of the Commission, the necessary facts and conditions as set forth in this section apply in fact to the property referred to, and that the same comes within the purview of the Planning Commission, it may grant the variance. If, however, such facts and conditions do not prevail nor apply, or if the granting of the variance will adversely affect the property of persons in the vicinity of the applicant's property, or for any other valid reason, the Commission shall deny the application.
7. The Commission, in granting the variance, may establish conditions under which a lot or parcel of land may be used or a building constructed or altered; make requirements as to architecture, height of building, or structure, open spaces or parking areas; require conditions of operation of any enterprise; or may make any other conditions, requirements or safeguards that it may consider necessary to prevent damage or prejudice to adjacent properties or detriment to the city. When necessary, the Commission may require guarantees in such form as deemed proper under the circumstances to insure that the conditions designated will be complied with.
8. The decision of the Planning Commission, either for the granting, with or without conditions, or the denials of an application for variance, shall become final and effective ten days following such decision.
9. Any variance approved by the Planning Commission shall be conditional upon the privilege granted being utilized within six months after the effective date of the variance. In the event some construction work is involved, it must actually commence within the stated period and must be diligently prosecuted to completion, otherwise the variance is automatically voided. In such cases the Planning Commission may extend the time of construction start if satisfactory evidence of planning progress is presented.
10. In order to defray the expenses of making maps, sending out notices and incidental administration costs involved in any application for a variance, the person filing such application shall pay to the City Clerk a fee of Twenty Dollars. One copy of the receipt for such fee shall be attached to the application. Regardless of the action taken on the application, the required fee shall not be returned.

D. Appeal from Actions of the Planning Commission

1. An appeal from any action or decision of the Planning Commission may be taken by any person or party aggrieved. Such appeal shall be taken within ten days of the date of such action or decision by filing with the Board of Adjustment through the City Clerk a written notice of appeal specifying the grounds thereof.
2. A report concerning each case appealed to the Board of Adjustment shall be prepared by the Planning Commission and filed with the City Clerk. Such report shall state the decision and recommendations of the Commission together with the reasons for each decision and recommendation. All data pertaining to the case shall accompany the report.

3. The filing of an appeal shall stay all proceedings in the matter until a determination is made by the Board of Adjustment.

Section 23. Board of Adjustment

A. Organization

1. The City Council shall constitute a Board of Adjustment pursuant to Title 16, Chapter 1, Sec. 35, par. Twenty-Fourth ACLA 1949.
2. The chairman, or in his absence the acting chairman, may administer oaths and compel attendance of witnesses by subpoena.
3. All meetings of the board shall be open to the public.

B. Powers of the Board

1. Appeals The Board of Adjustment shall hear and decide appeals taken from the Planning Commission when it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the regulations established by this ordinance.
2. Variances The Board of Adjustment may, upon appeal taken from the Planning Commission and after due notice and public hearing, authorize such variance from the terms of this ordinance as will not be contrary to the public interest where it is found that all four of the conditions set forth in Section 22-C exist.
3. Use Permit The Board of Adjustment may, upon appeal from the Planning Commission, grant a Use Permit whenever it is provided in this Ordinance that the approval of the Planning Commission is required.
4. In exercising the above mentioned powers, the Board of Adjustment may, in conformity with the provisions of Title 16-1-35, 24th ACLA 1949, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken; provided, however, that the concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Planning Commission.

C. Procedure of the Board of Adjustment in Appeals

1. The Board of Adjustment shall fix a reasonable time for hearing on any appeal taken from the Planning Commission if a public hearing is required or desirable.
2. The Board shall give public notice of such hearing by publishing notice thereof in a newspaper of general circulation within the city at least five days nor not more than fifteen days prior to the date of hearing. The Board shall also mail notices to the appellant and to the owners of all property affected by any appeal at least five days prior to the date of the hearing if such notice by mail was given to the Planning Commission. For the purpose of such notice, the affected property shall be deemed to be that area within three hundred feet from the exterior boundary of the area covered by the appeal. Notices may be sent to cover a greater area if it is deemed that the appeal affects a greater area.
3. Upon the hearing, any party may appear in person or by agent or by attorney.
4. The Board of Adjustment shall decide appeals within a reasonable time and shall give due consideration to the findings and recommendations of the Planning Commission.

D. Appeal to District Court

1. An appeal from any action, decision, ruling, judgment or order of the Board of Adjustment may be taken by any person or persons, jointly or severally aggrieved, any taxpayer or any officer, department, board or bureau of the city to the District Court by filing with the City Clerk and with the Board of Adjustment, within 30 days from the action appealed from, a notice of appeal which shall specify the grounds of such appeal.

Failure to file said notice of appeal in the manner and time specified shall forfeit any right to appeal.

Section 24. Force of Conditions

- A. Any restriction or condition required by the Planning Commission or the Board of Adjustment in the granting of any use, variance or exception under the provisions of this ordinance must be complied with. Violation of any condition or requirement shall result in revocation of the permission granted, and further use of the property or maintenance of any building thereon shall constitute a violation of this ordinance and shall be punishable in the manner set forth in Section 21 of this ordinance.

Section 25. Amendments and Changes

- A. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the City Council may, by ordinance and after report thereon by the Planning Commission and public hearing as required by law, amend, supplement, modify, repeal or otherwise change these regulations and the boundaries of the districts.
- B. The Planning Commission shall report in writing to the City Council on any proposed change or amendment regardless of the manner in which such change is initiated and such report shall include:
 - a. Findings as to need and justification for a change or amendment.
 - b. Findings as to the effect a change or amendment would have on the objectives of the Comprehensive Plan.
 - c. Recommendations as to the approval or disapproval of the change or amendment.
- C. Changes in the ordinance may be initiated in the following manner:
 - 1. The City Council upon its own motion.
 - 2. The Planning Commission upon its own motion.
 - 3. By petition of one or more owners of property within an area proposed to be rezoned.
 - a. A petition shall be in the form of an application for a change in the boundary of a district, shall be filed in the office of the Planning Commission, be accompanied by such data and information as may be necessary to assure the fullest practicable presentation of facts and shall set forth reasons and justification for proposing such change.
- D. When deemed necessary, the Planning Commission may hold a public hearing before considering any change in the boundaries of a district. If such hearing is to be held, notice thereof shall be given in the manner prescribed in Section 22-C, except that such procedure shall specifically refer to an application for change in the boundary of a district. Where property within an area proposed to be changed is not under the same ownership, all owners of property within the area shall be notified of such hearing. Within 60 days after the date of the meeting at which the Planning Commission set the time and place for the hearing or within 60 days after the filing of an application when no hearing is called, the Planning Commission shall report its findings to the City Council. If such change was initiated by petition, the signers shall be notified by the Commission of its recommendation, such notice sent by registered mail not more than five days after the Commission has filed the report with the City Council.
- E. When Planning Commission deems it necessary or expedient, it may consider other property for change or amendment in addition to the property described in an application for change in the boundary of a district, and may include such additional property in the notices of hearing and consider amendments relating to such property at the public hearing.
- F. The City Council shall consider an application or Planning Commission recommendation for change in the boundary of a district or any other Planning Commission recommendation proposing a change in this ordinance, and the report of the Planning Commission at its next regular meeting after receipt of such report. If, from the facts presented, and by the findings of the report of the Planning Commission, it is determined that the public necessity, convenience, general welfare or good zoning practice required the change or amendment, of any portion thereof, the Council by Ordinance shall effect such amendment, supplement, change or reclassification.

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ORDINANCE NO. 106 (Cont'd) ZONING

- G. Any ordinance of the City Council affecting an amendment, supplement, change or classification, repeal of regulations or restrictions, the boundaries of districts or classifications of property shall be accomplished by first conducting a public hearing. At least 15 days notice of the time and place of such hearing shall be published in a paper of general circulation in the City of Palmer. When the proposed amendment covers a change in the boundaries of a district, notice as to owners of property shall be given in the manner prescribed in Section 22-C.
- H. In case of a protest against a change in zoning district classification signed by the owners of 20% or more, either of the area of the lots included in such proposed change, or of the area of the lots immediately abutting the area included in such proposed change, or separated therefrom only by an alley or street, such amendment shall not become effective except by the favorable vote of five members of the Council.
- I. All ordinances changing zoning district boundaries shall be numbered consecutively. All such changes of district boundaries shall be filed with and indexed in the office of the City Clerk and shall be noted on the zoning map.
- J. Any application for change of land use classification initiated by a property owner shall be accompanied by a fee payable to the City Clerk which shall be in the sum of \$20.00 for any one lot plus \$1.00 for each additional lot included within such petition. All costs of maps, publication and notice to property owner and other administrative expenses involved shall be covered by such a fee.

Section 26. Severability

- A. In the event any portion, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 27. Effective Date.

This ordinance shall be effective upon its passage, approval and publication. Publication of this ordinance shall be by posting a copy hereof on the City Hall bulletin board for a period of ten days following its passage and approval.

First reading: (complete text)

July 3, 1962

Second Reading: - title only

April 2, 1963

Passed and approved this 9th day of April, 1963 at Palmer, Alaska.

ATTEST:

Emilie St. Pierre
Emilie St. Pierre, City Clerk

Ralph C. Moore
Ralph C. Moore, Mayor

City of Palmer
Information Memorandum No. 16-031
Resolution No. 16-018

Subject: Resolution No. 16-018 Authorizing the City of Palmer to Issue Utility Revenue Bonds in the Principal Amount Not to Exceed \$5,000,000 to Finance Water and Wastewater Utility and Related Capital Improvements, and to Submit the Question of the Issuance of Such Bonds to the Qualified Voters of the City at the October 4, 2016, City Election

Agenda of:


- July 12, 2016 – 1st Public Hearing
- July 26, 2016 – 2nd Public Hearing

Council Action: _____



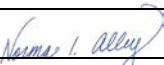
Originator Information:

Originator: Nathan Wallace, City Manager
Date: June 20, 2016 **Requested agenda date:** _____

Department Information :

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
X	Finance		6/21/16
_____	Fire Department	_____	_____
_____	Police Department	_____	_____
_____	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 (✓):


- Has no fiscal impact Creates a positive impact in the amount of: \$ No effect for 2016
 Creates a negative impact in the amount of: \$ _____

Funds are (✓):

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

General fund unassigned balance (after requested budget modification): \$ _____

Enterprise unrestricted net position (after requested budget modification): \$ _____

Director of Finance Signature: 

Attachment(s):

- Resolution No. 16-018

Summary statement: Resolution No. 16-018 will authorize the City to issue utility revenue bonds in an amount not to exceed \$5,000,000 to finance certain improvements to the City's water and wastewater utility and related capital improvements.

Background: The City has identified several water and wastewater utility projects which could be completed over the next several years. Potential projects include upgrades to the Wastewater Treatment Plant.

Resolution No. 16-018 authorizes the City to ask the voters whether it should issue utility revenue bonds in the principal amount not to exceed \$5,000,000 to finance water and wastewater utility and related capital improvements for the benefit of the citizens of Palmer and all those who reside in the City's water and wastewater service area.

Conceivably, proceeds derived from the issuance of utility revenue bonds could be used to match State or federal funding sources.

Administration recommendation: Authorize Resolution No. 16-018.

Introduced by: City Manager Wallace
1st Public Hearing: July 12, 2016
2nd Public Hearing: July 26, 2016
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

RESOLUTION NO. 16-018

A Resolution of the City Council of the City of Palmer, Alaska, Authorizing the City of Palmer to Issue Utility Revenue Bonds in the Principal Amount of Not to Exceed \$5,000,000 to Finance Water and Wastewater Utility and Related Capital Improvements, and to Submit the Question of the Issuance of Such Bonds to the Qualified Voters of the City at the October 4, 2016 City Election

WHEREAS, the City of Palmer, Alaska (the "City") is a home rule city and under Section 11 of Article X of the Alaska Constitution may exercise all legislative power not prohibited by law or the charter of the City, and the City has determined that the matters set forth in this resolution are not prohibited by law or the charter; and

WHEREAS, Section 11.1(a)(2) of the Palmer City Charter authorizes the City to issue revenue bonds which are secured only by the revenue producing public utilities and do not constitute a general obligation or debt of the City, provided that such revenue bonds shall be authorized by the council and ratified by a majority of the qualified voters of the City; and

WHEREAS, it is necessary and in the best interest of the City to authorize the issuance of utility revenue bonds for the purposes described in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALMER, ALASKA, that:

Section 1. It is hereby determined to be for a public purpose and in the public interest of the City to incur utility revenue bonded indebtedness in an amount not to exceed Five Million Dollars (\$5,000,000), for the purpose of financing capital improvements to the City's water and wastewater utility facilities and related capital improvements and to pay costs of issuance of such bonds.

Section 2. The City is authorized to borrow the sum of not to exceed Five Million Dollars (\$5,000,000) to finance the capital improvements described in Section 1, and the borrowing shall be evidenced by the issuance of utility revenue bonds of the City. The revenues of the City water and wastewater utility shall be pledged for payment of the principal of and interest on the bonds. The bonds shall not be a general obligation of the City, and neither the full faith

and credit nor the taxing power of the City shall be pledged to the payment of the principal of or interest on the bonds.

Section 3. The City shall submit the following proposition to the qualified voters of the City at the October 4, 2016, regular City election. The proposition must receive an affirmative vote from a majority of the qualified voters voting on the question to be approved.

PROPOSITION NO. ___

UTILITY REVENUE BONDS FOR WATER AND WASTEWATER
UTILITY
AND RELATED CAPITAL IMPROVEMENTS

Shall the City of Palmer incur utility revenue bonded indebtedness and issue utility revenue bonds in the principal amount of not to exceed Five Million Dollars (\$5,000,000) to finance capital improvements to the City's water and wastewater utility facilities and related capital improvements and pay costs of issuance of such bonds?

The bonds shall be paid from water and wastewater utility revenues. The bonds shall not be a general obligation of the City, and neither the full faith or credit nor the taxing power of the City shall be pledged to the payment of the principal of or interest on the bonds.

PROPOSITION NO. ___ Yes ()
 No ()

Section 4. Section 2 of this Resolution shall become effective only if the proposition described in Section 3 is approved by a majority of the qualified voters voting on the proposition at the regular election on October 4, 2016. The remaining sections of this Resolution shall become effective upon passage and approval.

PASSED AND APPROVED by the City Council of the City of Palmer, Alaska this _____ day of July, 2016.

CITY OF PALMER

DeLena Johnson, Mayor

ATTEST:

Norma I. Alley, MMC, City Clerk

**Attached is
Supplemental Material
for the July 26, 2016,
City Council Meeting**

Pertaining to:

**Resolution No. 16-018
Add**

**City Manager's Verbal Report from the July 12,
2016, Council meeting**

**Please bring your WWTP Facilities Plan Provided to
Council at the May 24, 2016, Council Meeting
Plan is also available electronically on the City's
website at**

http://www.cityofpalmer.org/index.asp?Type=B_BASIC&SEC={3629CA9D-F5FF-40F5-8D1C-EC51C39D59B1}

City Manager's Verbal Staff Report at the July 12, 2016, Council Meeting

Bond Proposition:

This is a request for the council to submit to the voters a revenue bond for water and wastewater improvements, primarily wastewater.

Previous bonds have been for both, but used primarily for water improvements. For wastewater projects, this bond is a little ahead of the Wasterwater treatment facility masterplan, which will be available for public comment later this month and finalized in August. We have been working on updating and upgrading our facility for years and our intent is to get started with construction next season as we line up the plan, engineering, agency approval, financing and finally construction.

Our intent for the bond is to leverage borrowing to match grants from various organizations. We are submitting this week a grant request for \$1 million to ADEC (that's the current maximum), and we intend to request the same the following years. Along with applications for low interest loans. We are working with USDA on another grant with matching loan later this month once we complete some additional environmental assessments.

The plan is to use this borrowing authority in parts. Potentially 2 million in the 12 months following voter approval, then 1 million the following year, and the final 2 million if necessary the year after that if needed.

Rates would experience an increase over a projected 6 year period if the entire amount is borrowed, likely a 19% increase the first year, then

up to 9.5% thru 2022. This would be an increase over the previous rate study, which projected 7.5% for the next 3 years. Our rates are currently the lowest in the region, but our system hasn't been significantly upgraded in a long time. With the projected increase to sewer rates we would still remain the lowest in the region. (anchorage 41, Wasilla 51, Soldotna 43, and Unalaska 98.)

Even with the economic uncertainty, we are in a position where we can and should continue to improve infrastructure, this will also provide a future construction project in our own yard when projects are dwindling.

My recommendation is that this action be authorized and we consider future action to inform and advocate for this proposition as appropriate if approved tonight.

**City of Palmer
Information Memorandum No. 16-030
Resolution No. 16-001-B**

Subject: Resolution No. 16-001-B: Amending the 2016 City of Palmer Budget for Fiscal Year Ending December 31, 2016.

Agenda of:

- July 12, 2016 – 1st Public Hearing
- July 26, 2016 – 2nd Public Hearing

Council Action: _____


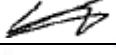

Originator Information:

Originator: Esther Greene – Finance Director
Date: 6/22/2016 **Requested agenda date:** 7/12/16 & 7/26/16

Department Information √:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance		6/22/16
_____	Fire Department	_____	_____
_____	Police Department	_____	_____
_____	Public Works	_____	_____

Approved for presentation by:

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


Certification of Funds:

(46,110) All Funds
 \$ (25,459) Gen Fund; \$ (8,223) W/S Fund;
 Total amount of funds listed in this legislation: \$ **\$ (12,428) Airport Fund**

This legislation (√):
 Has no fiscal impact Creates a positive impact in the amount of: \$ _____
 Creates a negative impact in the amount of: \$ (46,110) All Funds

Funds are (√):
 Budgeted Line item(s): _____
 Not budgeted Affected line item(s): Various Line Items; Refer to Resolution

General fund unassigned balance (after requested budget modification): \$ 2,123,539
Enterprise unrestricted net position (after requested budget modification): \$ 58,174

Director of Finance Signature: 

Attachment(s):

- Resolution No. 16-001-B

Summary statement: The mid-year budget amendment adjusts revenues and expenditures/expenses to more accurately reflect mid-year balances.

The General Fund (01) revenues for adjustment include the following:

- Increase to Liquor License revenue to actual.
- Increase in Planning & Zoning revenue to actual.
- Increase in Interest /Investment Earnings to actual.
- Increase in Transfer from Other Funds for funding from the Road Fund for replacing curb, cutter and new asphalt on various roadways.
- Increase to Misc. Revenue Grow Palmer for grants received from the Rasmuson Foundation, Mat Su Trails & Parks Foundation, Mat Su Health Foundation.
- Increase in Misc. Revenue PW UPS insurance claim at City Hall, extra Depot cleaning, MEA refund.
- Increase in Misc. Income Community Services for Library USACE E-Rate Funds.
- Increase in Misc. Income Public Safety for evidence forfeit and APEI Fire Equipment & Training Grant.
- Increase in Misc. Income for NSF check fees, postage, MTA Capital Credit Return.
- Increase in Insurance Reimbursement for property damage reimbursement for light pole.
- Increase in Restitution Revenue for Police.

Amendments to the General Fund (01) expenditures include the following:

- Decrease in Finance Unemployment taxes to cover Unemployment taxes for Community Development; Mayor, Council, Clerk; and MTA Event Center.
- Increase to City Hall Repair & Maintenance for repairs to wall damaged by UPS.
- Increase to Grow Palmer Grant Expenditures for grants received by Grow Palmer.
- Increase to Regular Overtime in the Communication Center due to being short staffed.
- Increase in Fire Small Tools & Equipment for APEI Fire Equipment & Training Grant.
- Increase in Public Works salary and benefits budget for new director.
- Increase in PW Roads Contractual Services for Standard Spec Drawings city roads, street lights, sidewalks, etc. Last updated 1998.
- Increase in PW Roads Repair & Maintenance to replace curb, cutter and new asphalt for various roadways.
- Increase in PW Street Lights Power for extra Bogard Road Street Lights.
- Increase in Street Lights Repair & Maintenance for damaged street light pole reimbursed by insurance.
- Increase in Library operating supplies for USACE E Rate Funds.
- Increase in Library Grant Operating Supplies for remaining funds from 2015-2016 PLA grant.

The Water/Sewer Fund (02) revenues for adjustment include the following:

- Increase in Insurance Reimbursement for satisfaction of judgement Beeson case.
- Increase in Credit Card Fee revenue for online credit card fees not budgeted in original 2016 budget.
- Increase in Misc. Income for State reimbursement for Palmer-Wasilla Highway East Terminus utility relocation.
- Increase in Disconnect Fees.

Amendments to the Water/Sewer Fund (02) expenses include the following:

- Increase in Operating Supplies for AM 16-029 reimburse Alaska State Fair oversizing 1,928 feet of sewer pipe main.

The Airport Fund (03) revenues for adjustment include the following:

- Increase in Misc. Income for Enstar main extension deposit refund checks.

Amendments to the Airport Fund (03) expenses include the following:

- Increase in regular salaries and benefits for increase salary for Airport Superintendent.
- Increase to transfer out to move funds for Randy Thom Flight Services Center Resolution 16-001-A to Airport Capital Projects Fund 30.
- Decrease to Repairs and Maintenance to move Randy Thom Flight Services Center Repairs, Resolution 16-001-A.
- Increase to Aeronautical Study Phase 2 of Airport Master Plan for City share of expense for shortfall of estimated budget for start of 2016.

Amendments to Road Fund (10) to transfer funds to General Fund to fund Road Repairs & Maintenance.

Amendments to Airport Capital Projects Fund (30) for the Capital Improvements to Randy Thom Flight Services Center Resolution 16-001-A.

General Fund Unassigned Fund Balance: The General Fund unassigned fund balance after Resolution 16-001-B, will be \$2,123,539 (based on year end 2015 prior to year-end audit). This brings the unassigned fund balance to 19.70% of total budgeted general fund expenditures. This is above the 16.67% best practices recommendation by the Government Finance Officers Association for unassigned fund balance.

Administration recommendation: Adopt Resolution No. 16-001-B

Introduced by: City Manager Wallace
First Public Hearing: July 12, 2016
Second Public Hearing: July 26, 2016
Action:
Vote:

Yes:	No:

City of Palmer, Alaska

Resolution No. 16-001-B

A Resolution of the Palmer City Council Amending the Budget for the City of Palmer, Alaska for the Fiscal Year Ending December 31, 2016

WHEREAS, at the July 26, 2016, council meeting the manager presented budget amendments and the City Council approved increasing General Fund (01) revenues \$116,170 and increasing General Fund (01) expenditures by \$141,629 for a net decrease of \$25,459; and

WHEREAS, at the July 26, 2016, council meeting the manager presented budget amendments and the City Council approved increasing Water/Sewer Fund (02) revenues \$34,000 and increasing Water/Sewer Fund (02) expenses \$42,223 for a net decrease of \$8,223; and

WHEREAS, at the July 26, 2016, council meeting the manager presented budget amendments and the City Council approved increasing Airport Fund (03) revenues \$1,792 and increasing Airport Fund (03) expenses \$14,220 for a net decrease of \$12,428; and

WHEREAS, at the July 26, 2016, council meeting the manager presented budget amendments and the City Council approved decreasing the General Road Projects Fund (10) expenditures by \$19,100; and

WHEREAS, at the July 26, 2016, council meeting the manager presented budget amendments and the City Council approved increasing the Airport Capital Projects Fund (30) revenues by \$54,500 and increasing the Airport Capital Projects Fund (30) expenses by \$54,500; and

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council to amend the 2016 budget as follows:

Line item description	Current 2016 Budget	Proposed Amendment	Amended 2016 Budget
GENERAL FUND (01)			
General Fund (01) Revenues:			
01-00-00-3351 Liquor License	\$ 12,000	\$ 2,800	\$ 14,800
01-00-00-3427 Planning & Zoning	\$ 1,500	\$ 5,500	\$ 7,000
01-00-00-3610 Interest/Inv Earnings	\$ 15,000	\$ 15,000	\$ 30,000
01-00-00-3673 Transfers from Other Funds	\$ 102,016	\$ 19,100	\$ 121,116
01-00-00-3686 Misc. Rev Grow Palmer	\$ 0	\$ 48,000	\$ 48,000
01-00-00-3687 Misc. Rev – PW	\$ 0	\$ 1,200	\$ 1,200
01-00-00-3688 Misc. Income-Comm Services	\$ 0	\$ 1,000	\$ 1,000
01-00-00-3689 Misc. Income-Public Safety	\$ 0	\$ 4,000	\$ 4,000
01-00-00-3690 Misc. Income	\$ 0	\$ 12,650	\$ 12,650
01-00-00-3693 Insurance Reimbursement	\$ 0	\$ 6,820	\$ 6,820
01-00-00-3700 Restitution Revenue – Police	\$ 0	\$ 100	\$ 100
TOTAL GENERAL FUND REVENUE AMENDMENTS		\$ 116,170	
General Fund (01) Expenditures:			
Finance:			
01-01-10-6072 Unemployment Taxes	\$ 30,000	\$ (1,000)	\$ 29,000
Total Finance Amendments		\$ (1,000)	
Community Development:			
01-01-12-6072 Unemployment Taxes	\$ 0	\$ 100	\$ 100
Total Community Dev Amendments		\$ 100	
City Hall			
01-01-30-6045 Repairs & Maintenance	\$ 10,000	\$ 120	\$ 10,120
Total Community Center (Depot) Amendments		\$ 120	
Non-Departmental:			
01-01-70-6686 GrowPalmer Grant Expenditures	\$ 0	\$ 48,000	\$ 48,000
Total Non-Departmental Amendments		\$ 48,000	
Mayor/Council/Clerk:			
01-02-10-6072 Unemployment Taxes	\$ 0	\$ 200	\$ 200
Total Mayor/Council/Clerk Amendments		\$ 200	
Communication Center:			
01-12-70-6015 Regular Overtime	\$ 95,000	\$ 25,000	\$ 120,000
Total Communication Center Amendments		\$ 25,000	
Fire:			
01-13-10-6046 Small Tools & Equipment	\$ 10,000	\$ 1,000	\$ 11,000
Total Fire Amendments		\$ 1,000	

Line item description	Current 2016 Budget	Proposed Amendment	Amended 2016 Budget
Public Works Admin:			
01-17-10-6011 Regular Salaries	\$ 383,625	\$ 8,795	\$ 392,420
01-17-10-6012 Regular Benefits	\$ 324,979	\$ 2,850	\$ 327,829
Total PW Admin Amendments		\$ 11,645	
Public Works Roads:			
01-17-40-6030 Roads Contractual Services	\$ 40,000	\$ 14,090	\$ 54,090
01-17-40-6045 Roads Repair & Maintenance	\$ 15,000	\$ 19,100	\$ 34,100
Total PW Roads Amendments		\$ 33,190	
Public Works Street Lights:			
01-17-60-6032 Street Lights Power	\$ 110,000	\$ 15,000	\$ 125,000
01-17-60-6045 Street Lights Repair & Maint.	\$ 34,000	\$ 6,820	\$ 40,820
Total PW Street Lights		\$ 21,820	
Library:			
01-19-10-6044 Operating Supplies	\$ 10,000	\$ 704	\$ 10,704
Total Library Amendments		\$ 704	
Library Grants:			
01-19-23-6044 Operating Supplies	\$ 6,650	\$ 150	\$ 6,800
Total Library Other Grants Amendments		\$ 150	
MTA Events Center:			
01-19-40-6072 Unemployment Taxes	\$ 0	\$ 700	\$ 700
Total MTA Events Center Amendments		\$ 700	
TOTAL GENERAL FUND EXPENDITURE AMENDMENTS		\$ 141,629	
WATER/SEWER FUND (02)			
Revenues:			
02-00-00-3615 Insurance Reimbursement	\$ 0	\$ 25,000	\$ 25,000
02-00-00-3640 Credit Card Fee Revenue	\$ 0	\$ 2,500	\$ 2,500
02-00-00-3690 Misc. Income	\$ 0	\$ 5,500	\$ 5,500
02-00-00-3696 Disconnect Fees	\$ 0	\$ 1,000	\$ 1,000
TOTAL WATER/SEWER REVENUE AMENDMENTS		\$ 34,000	
Expenses:			
02-01-50-6044 Operating Supplies	\$ 15,000	\$ 42,223	\$ 57,223
TOTAL WATER/SEWER EXPENSE AMENDMENTS		\$ 42,223	
AIRPORT FUND (03)			
Revenues:			
03-00-00-3690 Misc. Income	\$ 0	\$ 1,792	\$ 1,792
TOTAL AIRPORT REVENUE AMENDMENTS		\$ 1,792	
Expenses:			
03-01-10-6011 Regular Salaries	\$ 57,951	\$ 8,951	\$ 66,902
03-01-10-6012 Regular Benefits	\$ 44,360	\$ 4,807	\$ 49,167
03-01-10-6045 Repair & Maintenance	\$ 74,500	\$ (54,500)	\$ 20,000
03-01-10-6078 Transfers Out	\$ 0	\$ 54,500	\$ 54,500
03-01-10-7126 Aeronautical Survey Ph 2, MP	\$ 8,592	\$ 462	\$ 9,054
TOTAL AIRPORT EXPENSE AMENDMENTS		\$ 14,220	

Line item description	Current 2016 Budget	Proposed Amendment	Amended 2016 Budget
ROAD FUND (10)			
Expenditures			
10-01-10-6078 Transfers Out	\$ 0	\$ 19,100	\$ 19,100
10-01-03-6301 West Dolphin/Caribou	\$ 23,930	\$ (19,100)	\$ 4,830
TOTAL ROAD FUND EXPENDITURES AMENDMENTS		\$ 0	
AIRPORT CAPITAL PROJECTS FUND (30)			
Revenues			
30-00-00-3673 Transfers from Other funds	\$ 0	\$ 54,500	\$ 54,500
TOTAL AIRPORT CAPITAL PROJECTS REVENUE AMENDMENTS		\$ 54,500	
Expenses			
30-03-10-6045 Randy Thom Flight Ctr Repairs	\$ 0	\$ 54,500	\$ 54,500
TOTAL AIRPORT CAPITAL PROJECTS EXPENSES AMENDMENTS		\$ 54,500	

Passed and approved by the City Council of the City of Palmer, Alaska, this ____ day of July, 2016.

DeLena Johnson, Mayor

Norma I. Alley, MMC, City Clerk