

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

Regular Meeting of January 28, 1997

1. **CALL TO ORDER:**

The meeting was convened at 5:20 p.m. by Chairman Mark Begich in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. **ROLL CALL:**

Present: Charles Wohlforth, Bob Bell, Pat Abney, Dan Kendall, George Wuerch, Mark Begich, Kevin Meyer, Fay Von Gemmingen, Cheryl Clementson, Ted Carlson, Joe Murdy.
Absent: None.

3. **PLEDGE OF ALLEGIANCE:**

The pledge was led by Mr. Carlson.

4. **MINUTES OF PREVIOUS MEETING:**

- A. Regular Meeting - August 13, 1996
- B. Regular Meeting - September 10, 1996

Mr. Wuerch moved, to approve the minutes of the
seconded by Mr. Kendall, regular meetings of August 13
and it passed without objection, and September 10, 1996.

5. **MAYOR'S REPORT:**

Mayor Mystrom reported on the Bridge Builders concept. He explained the concept was an effort to bring members of ethnic groups together, to improve relations between these groups and develop a community of friends. He said a steering committee had been formed to turn the program into a non-profit corporation.

Paul Davis, chair of the Bridge Builders steering committee, described the first event of the group. He said over a hundred people from fifteen ethnic groups attended a barbecue. Mr. Davis said there was great excitement to meet new people and embark on a program of uniting Anchorage's ethnic groups. He noted there is a profound need in the community which he felt the program would meet successfully.

Manju Bhargava, a member of the steering committee, thanked all the participants of the group. She congratulated Mayor Mystrom for initiating a wonderful program to foster caring between people of all ethnic communities. She described dinner at her house with the family she had been matched with, and said she was looking forward to the next gathering to continue the experience of discovering new friends. She hoped the bridge builders program would be expanded to a national level.

6. **ADDENDUM TO AGENDA:**

Mr. Murdy moved, to amend the agenda to include
seconded by Mr. Kendall, the addendum items.

Chairman Begich read the addendum items.

Question was called on the motion to amend the agenda and it passed without objection.

7. **CONSENT AGENDA:**

Mr. Murdy moved, to approve all items on the
seconded by Mr. Wuerch, consent agenda as amended.

A. **BID AWARDS:**

- 1. Assembly Memorandum No. AM 59-97, recommendation of award to Amtech Emergency Products for furnishing **heavy duty modular ambulances** to the Municipality of Anchorage, Fire Department (ITB 96-120), Purchasing.

B. **ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:**

1. Ordinance No. AO 97-13, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$23,845,000 for General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 15, 1997, Anchorage School District. public hearing 2-11-97.
 - a. Assembly Memorandum No. AM 56-97.

Mr. Wohlforth asked this item be considered on the regular agenda. See 8.C.

2. Ordinance No. AO 97-14, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$935,000 of General Obligation Bonds of the Municipality of Anchorage to pay the **costs of school buses for the Anchorage School District** at an election in and for the Municipality of Anchorage on April 15, 1997, Anchorage School District. public hearing 2-11-97.
 - a. Assembly Memorandum No. AM 56-97.
3. Ordinance No. AO 97-15, an ordinance amending the zoning map and providing for the rezoning from I-1 (Light Industrial) to PLI (Public Lands and Institutions) that portion of Orca Street between East 12th Avenue and East 14th Avenue; which is being vacated (eliminated) per Plat Case S-9952, running along the east boundary of proposed Lot 1, Fairview School Subdivision, Addition 1, (S-9952) and to rezone from R-3 (Multiple Family Residential) to I-1, (Light Industrial District) the proposed Lot 4 (per Plat Case S-9952) which is located on the east side of Orca Street and just north of East 15th Avenue, generally located within the **SE 1/4, SW 1/4, Section 17, and the NE 1/4, NW 1/4, Section 20, T13N, R3W, S.M., AK** (Fairview Community Council) (Planning and Zoning Commission Case 96-171), Community Planning and Development. public hearing 3-4-97.
 - a. Assembly Memorandum No. AM 60-97.
4. Ordinance No. AO 97-16, an ordinance amending the zoning map and providing for the rezoning from PC-SL (Planned Community) with Special Limitations to I-2 (Heavy Industrial) for those BLM Lots 112, 113, 114, 115, 116, 120, 121, 123, and 124 lying west of the centerline of the Parkside Estates access road, located within the **S 1/2 of Section 14, T14N, R2W, S.M., AK** (South Fork Eagle River Community Council) (Planning and Zoning Commission Case 96-172), Community Planning and Development. public hearing 3-4-97.
 - a. Assembly Memorandum No. AM 61-97.
5. Ordinance No. AO 97-17, an ordinance amending the zoning map and providing for the rezoning from R-2M (Multiple Family Residential) Zone to R-1A (Single Family Residential) Zone for 2.8 acres out of an existing 14.63 acres Kimberly Terrace Subdivision, First Addition, Tract B1 (a portion of), generally located on the **east side of New Seward Highway and South of St. Gotthard Avenue** (Tudor Area Community Council) (Planning and Zoning Commission Case 96-173), Community Planning and Development. public hearing 3-4-97.
 - a. Assembly Memorandum No. AM 62-97.
6. Ordinance No. AO 97-18, an ordinance amending Anchorage Municipal Code Section 28.40.010B **reducing the amount of ballot stock ordered by the Municipal Clerk**, Assemblymember Begich. public hearing 2-11-97.
 - a. Assembly Memorandum No. AM 70-97.
7. Ordinance No. AO 97-19, an ordinance amending Anchorage Municipal Code Section 6.10.050 to **specify the next regular meeting of the Assembly as the date for the Assembly's public hearing on the Anchorage School District budget** in the event a regular assembly meeting is not scheduled on the second Tuesday after the first Monday in March and affirming the repeal of Section 3. of Anchorage Ordinance 96-22(S), Assemblymember Wohlforth. public hearing 2-11-97.
 - a. Assembly Memorandum No. AM 89-97.
8. Resolution No. AR 97-19, a resolution of the Municipality of Anchorage appropriating \$123,300 of Intragovernmental Charges to various capital improvement and General Obligation Bond funded projects to the Miscellaneous Operational Grants Fund (0261) for the **salary and benefits of the project manager and two temporary maintenance employees**, Property and Facility Management. public hearing 2-11-97.
 - a. Assembly Memorandum No. AM 90-97.
9. Ordinance No. AO 97-20, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$750,000 of general obligation bonds of the Municipality of Anchorage to pay the **costs of public transportation and related capital improvements** at an election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
 - a. Assembly Memorandum No. AM 102-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**
10. Ordinance No. AO 97-21, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$425,000 of general obligation bonds for the Municipality of Anchorage to pay the **costs of ambulances, emergency medical service facility and related capital improvements** in the Municipality of Anchorage at an

- election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
- a. Assembly Memorandum No. AM 103-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**
11. Ordinance No. AO 97-22, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, at an election in and for the Municipality of Anchorage on April 15, 1997, the question of the redirection of not to exceed \$500,000 of bond proceeds authorized by Ordinance No. AO 96-28 and approved by the voters on April 16, 1996, to pay the **costs of upgrading and relocating an emergency operations center and related capital improvements** in the Municipality of Anchorage, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
- a. Assembly Memorandum No. AM 104-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**
12. Ordinance No. AO 97-23, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$2,215,000 of general obligation bonds of the Municipality of Anchorage to pay the **costs of public safety (police protection services) and related capital improvements in the new Anchorage Police Service Area (consisting of all areas of the Municipality north of McHugh Creek)** at an election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
- a. Assembly Memorandum No. AM 105-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**
13. Ordinance No. AO 97-24, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,460,000 of general obligation bonds of the Municipality of Anchorage to pay the **costs of fire protection and related capital improvements in the Anchorage Fire Service Area** at an election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
- a. Assembly Memorandum No. AM 106-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**
14. Ordinance No. AO 97-25, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$18,920,000 of general obligation bonds of the Municipality of Anchorage to pay the **costs of road, storm drainage and related capital improvements in the Anchorage Roads and Drainage Service Area** at an election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
- a. Assembly Memorandum No. AM 107-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**
15. Ordinance No. AO 97-26, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,975,000 of general obligation bonds of the Municipality of Anchorage to pay the **costs of parks and recreation and related capital improvements in the Anchorage Parks and Recreation Service Area** at an election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
- a. Assembly Memorandum No. AM 108-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**

Ms. Clementson asked this item be considered on the regular agenda. See 8.C.

16. Ordinance No. AO 97-27, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$370,000 of general obligation bonds of the Municipality of Anchorage to pay the **costs of fire protection and related capital improvements in the Girdwood Valley Service Area** at an election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
- a. Assembly Memorandum No. AM 109-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-16, a resolution authorizing the disposal of a municipal interest within **Lot 1, Block 2 and Lots 7, 8 & 9, Stuckagain Manor Subdivision** located adjacent to Farpoint Circle, Anchorage Telephone Utility.
 - a. Assembly Memorandum No. AM 58-97.

2. Resolution No. AR 97-17, a resolution authorizing the Municipality to **acquire Lots 7 and 8, Block 2, Elmore Subdivision** as part of the approved Rabbit Creek Greenbelt Plan, Cultural and Recreational Services.
 - a. Assembly Memorandum No. AM 63-97.
3. Resolution No. AR 97-18, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lt. Robert Andrews for his 21 years with the Anchorage Police Department** and to the Anchorage community upon his retirement, Assemblymembers Murdy, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Von Gemmingen, Wohlforth, and Wuerch.

Mr. Murdy asked this item be considered on the regular agenda. See 8.D.

4. Resolution No. AR 97-22, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Chief Kevin O'Leary for his 23 years of service with the Anchorage Police Department** and to the Anchorage community upon his retirement, Assemblymember Murdy.

Ms. Clementson asked this item be considered on the regular agenda. See 8.D.

5. Resolution No. AR 97-20, a resolution of the Municipality of Anchorage providing for the appropriation of \$5,000 donated from the Friends of the Library for the BP Wish List 1997 Program and \$1,608 to the Miscellaneous Operational Grants Fund (0261) for the **purchase of library books and materials**, Cultural and Recreational Services/Library.
 - a. Assembly Memorandum No. AM 91-97.
6. Resolution No. AR 97-21, a resolution of the Municipality of Anchorage amending the application for matching grant funds through the **Municipal Capital Project Matching Grant Program** - AS 37.06 - for State Fiscal Year 1998, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 92-97.

Ms. Clementson asked this item be considered on the regular agenda. See 8.D.

7. Resolution No. AR 97-23, a resolution of the Anchorage Municipal Assembly **expressing appreciation to Neil R. Koeniger for his 23 years of service** to the Municipality of Anchorage upon his retirement, Assemblymembers Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Wohlforth asked this item be considered on the regular agenda. See 8.D.

8. Resolution No. AR 97-24, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Lejane Ferguson for her 20 years of service** to the Municipality of Anchorage, Assembly Chairman Begich. **(addendum)**

Mr. Wohlforth asked this item be considered on the regular agenda. See 8.D.

9. Resolution No. AR 97-25, a resolution of the Anchorage Municipal Assembly **recognizing and thanking George Newsham for his accomplishments** during his tenure with the Municipality of Anchorage, Assemblymembers Carlson, Abney, Begich, Bell, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Carlson asked this item be considered on the regular agenda. See 8.D.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 71-97, **Airport Aviation Advisory Commission appointments** (Ted Marcinek, Tim Karlovich, Earl Korynta), Mayor's Office.
2. Assembly Memorandum No. AM 72-97, **Budget Advisory Commission appointments** (Thomas Wilson II, Dorothy Anagick, Tom Boyle, Eric Petersen), Mayor's Office.
3. Assembly Memorandum No. AM 73-97, **Election Commission reappointments** (Joan Haug, Phyllis Walker), Mayor's Office.
4. Assembly Memorandum No. AM 74-97, **Equal Rights Commission appointments** (Bonnie Lynn Carroll, William Fowler, Lisa Murkowsi), Mayor's Office.
5. Assembly Memorandum No. AM 75-97, **Heritage Land Bank Commission appointments** (Becky Gay, Bill Inscho), Mayor's Office.

Ms. Abney asked this item be considered on the regular agenda. See 8.E.

6. Assembly Memorandum No. AM 76-97, **Historic Preservation Board appointment** (Mark Ivy), Mayor's Office.
7. Assembly Memorandum No. AM 77-97, **Historical & Fine Arts Commission appointments** (Jeffrey Barnes, Patricia Partnow, Patricia Petrivelli), Mayor's Office.
8. Assembly Memorandum No. AM 78-97, **Investment Advisory Commission appointments** (Michael Jalone, Stephen Tolton), Mayor's Office.

9. Assembly Memorandum No. AM 79-97, **Library Advisory Board appointments** (Laurie Eller, Steve Jensen, Craig Lyon), Mayor's Office.
10. Assembly Memorandum No. AM 80-97, **On-Site Wastewater System Technical Review Board appointments** (Sharon Minsch, Craig Woolard), Mayor's Office.
11. Assembly Memorandum No. AM 81-97, **Parking Authority Board of Directors appointments** (Jerry Anderson, Tim Rogers, John Stallone, Robert Southall), Mayor's Office.
12. Assembly Memorandum No. AM 82-97, **Port Commission appointment** (Brad Kroon), Mayor's Office.
13. Assembly Memorandum No. AM 83-97, **Public Safety Advisory Commission reappointments** (Mayfield Evans, Les Nyman, Ralph Samuels), Mayor's Office.
14. Assembly Memorandum No. AM 84-97, **Sequoia Estates Limited Road Service Area Board of Supervisors appointment** (Sam Fortier), Mayor's Office.
15. Assembly Memorandum No. AM 85-97, **Sister City Commission appointments** (Dorothea Lovejoy, Susan Churchill, George Haugen, Sun Kim), Mayor's Office.
16. Assembly Memorandum No. AM 86-97, **Solid Waste Advisory Commission appointments** (Marcia Davis, Ted Hawley, David Wigglesworth), Mayor's Office.
17. Assembly Memorandum No. AM 87-97, **Transportation Commission appointment** (Sterling Taylor, Charles Becker), Mayor's Office.
18. Assembly Memorandum No. AM 88-97, **Water and Wastewater Utility Commission appointments** (Eric Marchegiani, Robert Reiman, William Stokes, Patricia Curl), Mayor's Office.
19. Assembly Memorandum No. AM 93-97, **Women's Commission appointments** (Marjorie Kaiser, Carol Carlson, Kathryn Werdal), Mayor's Office.
20. Assembly Memorandum No. AM 94-97, **appointment to the Executive Staff** (Duane Udland, Police Chief), Mayor's Office.

Ms. Von Gemmingen asked this item be considered on the regular agenda. See after item 8.F.

21. Assembly Memorandum No. AM 64-97, change order No. Two (2) to construction contract with Wilder Construction for **Tony Knowles Coastal Trail Rehabilitation Project**, Cultural and Recreation Services.
22. Assembly Memorandum No. AM 65-97, contract amendment No. 1 to the professional services contract with DOWL Engineers for the **Medfra Street pavement and water line replacement**, File No. 94-28, Public Works.
23. Assembly Memorandum No. AM 66-97, change orders to purchase orders 43689 and 53423 with Alaska Pollution Control, Inc. for **year round road maintenance services** for the Municipality of Anchorage, Public Works Department/Purchasing.
24. Assembly Memorandum No. AM 67-97, change order No. 2 to purchase order 50677 to exercise the option with Six-G Enterprises for providing **building maintenance and fire fighting/medical vehicle and equipment maintenance** to the Municipality of Anchorage, Fire Department/Purchasing.
25. Assembly Memorandum No. AM 68-97, change order No. 2 to purchase order 50516 to exercise the renewal option with A Good Kids Enterprise to provide **bus shelter maintenance** for the Municipality of Anchorage, Public Transportation Department/Purchasing.
26. Assembly Memorandum No. AM 69-97, change order No. 4 to purchase order 31202 with Stusser Electric Company for furnishing **electric lamps** to the Municipality of Anchorage, Purchasing Department.
27. Assembly Memorandum No. AM 95-97, proprietary purchase of **software products for Year 2000 (Y2K) conversion** from COMPUWARE and Microage Infosystems for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

Municipal Manager Larry Crawford asked this item be considered on the regular agenda. See 8.E.

28. Assembly Memorandum No. AM 96-97, sole source agreement with Comtec Business Systems, Inc. to provide **PBX telephone services** for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
29. Assembly Memorandum No. AM 97-97, amendment number one (1) to professional services contract with Land Design North for **Town Square & Kincaid Parks Improvements Package**, Cultural and Recreational Services.
30. Assembly Memorandum No. AM 98-97, grant agreement with Greater Anchorage, Inc. to support the **1997 Fur Rendezvous Winter Festival**, Municipal Manager's Office.
31. Assembly Memorandum No. AM 101-97, **Board of Adjustment Appeal 95-179A&B - Eklutna**, Clerk's Office. (addendum)

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 10-97, **Bar Violations/Quarterly Report**, Anchorage Police Department.

Mr. Wohlforth asked this item be considered on the regular agenda. See 8.F.

2. Information Memorandum No. AIM 11-97, Anchorage Water and Wastewater Utility construction contract change orders for **Manor/Harvard & Brown/Boyd Woodstave R&R, Hideaway Hills LID #106, Chester Creek Trunk Emergency Replacement, Carroll WID #425, and South Airpark Water Extension/Aviation II Water and Sewer Improvements**, Water and Wastewater Utility.
3. Information Memorandum No. AIM 12-97, **report of Public Works construction contract amendments**, Public Works.
4. Information Memorandum No. AIM 13-97, **The 515 Club** - Review of conditions approved October 29, 1996, a beverage dispensary liquor license at 515 W. Fourth Avenue (Downtown Community Council), Clerk's Office.

(Clerk's Note: This item was reconsidered later in the meeting. See item 8.F.)

5. Information Memorandum No. AIM 14-97, Internal Audit Report 97-01 - **Private Development Program, Anchorage Water and Wastewater Utility**, Assemblymember Begich.
6. Information Memorandum No. AIM 15-97, administrative correction to Assembly Memorandum 46-97 (Change Order No. 4 to Purchase Order 44405 with Partnow Sharrock & Tindall for providing **legal services** for the Municipality of Anchorage, Employee Relations Department), Employee Relations/Purchasing. **(addendum)**

Question was called on the motion to approve the remaining items on the consent agenda as amended and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
 NAYS: None.

8. **REGULAR AGENDA:**

- A. TIME CRITICAL ITEMS: None.
- B. BID AWARDS: None.
- C. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 97-13, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$23,845,000 for General Obligation Bonds of the Municipality of Anchorage to pay the **costs of educational capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 15, 1997, Anchorage School District. public hearing 2-11-97.
 - a. Assembly Memorandum No. AM 56-97.

Mr. Wohlforth, Ms. Abney and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for February 11, 1997.

Mr. Wohlforth noted the Assembly had approved a resolution requiring summaries for ballot propositions, unless bond counsel recommended otherwise. He asked the Municipal Clerk to notify the Anchorage School District so the summary could be presented by the time of the public hearing. He noted bond counsel had written a letter stating that the propositions are already in plain language, so summaries are not necessary. He outlined his vision of plain language.

Cindy Cartledge spoke representing the Municipality's bond counsel, Wohlforth, Argetsinger, Johnson and Brecht. She explained they were concerned that voters would read only the summaries, and disregard important text in the proposition. She agreed to provide summaries for the propositions prior to the public hearings.

2. Ordinance No. AO 97-26, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,975,000 of general obligation bonds of the Municipality of Anchorage to pay the **costs of parks and recreation and related capital improvements in the Anchorage Parks and Recreation Service Area** at an election in and for the Municipality of Anchorage on April 15, 1997, Office of Management and Budget. public hearing 2-11-97. **(addendum)**
 - a. Assembly Memorandum No. AM 108-97.
 - b. Information Memorandum No. AIM 16-97. **(addendum)**
 - c. Information Memorandum No. AIM 17-97. **(addendum)**

Ms. Clementson, Ms. Von Gemmingen and Mr. Meyer joined in introducing this ordinance. The public hearing was scheduled for February 11, 1997.

At the request of Ms. Clementson a work session was scheduled for February 11, 1997 to discuss this bond, specifically a comparison of the projects in the bond to the list approved in the Capital Improvement Program.

Mr. Wohlforth requested a memorandum to compare, with respect to all bond issues, any variances between the Capital Improvement Program and the bond items.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-18, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lt. Robert Andrews for his 21 years with the Anchorage Police Department** and to the Anchorage community upon his retirement, Assemblymembers Murdy, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Von Gemmingen, Wohlforth, and Wuerch.

Mr. Murdy moved, to approve AR 97-18.
 seconded by Ms. Clementson,
 and it passed without
 objection,

Mr. Meyer read the resolution and Mr. Murdy presented it to Lieutenant Andrews.

Lieutenant Andrews described the life of a police officer. He said he was privileged to serve the community and thanked the Assembly for its recognition.

Mayor Mystrom thanked Lieutenant Andrews for his help developing the Community Action Plan (CAP) on Crime program.

2. Resolution No. AR 97-22, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Chief Kevin O'Leary for his 23 years of service with the Anchorage Police Department** and to the Anchorage community upon his retirement, Assemblymember Murdy.

Ms. Clementson moved, to approve AR 97-22.
 seconded by Mr. Murdy,
 and it passed without
 objection,

Mr. Murdy read the resolution and Ms. Clementson presented it to Chief O'Leary. Ms. Clementson also presented him with a gift from the Assembly Department.

Chief O'Leary thanked the Assembly for the honor. He said he had enjoyed serving the Anchorage Police Department, which he categorized as one of the finest in the country. He thanked the Assembly and their predecessors for support of the Department. Chief O'Leary also thanked the Mayor for allowing him to place more officers on the streets. He felt that was one of the most important factors in making Anchorage a safer community. He thanked Operations Manager George Vakalis, Municipal Manager Larry Crawford and members of his executive staff. Lastly, he discussed the imperative nature of control and discipline in his profession. He pointed out police departments across the country and in Alaska budget millions of dollars toward resolving unjustified shootings. He urged the Assembly to consider the value of a disciplined work force versus paying large monetary judgements. He said he or his deputy chief were present at all special weapons call-out incidents; there have been no "bad" shootings and there are no judgements on file against the city.

Mayor Mystrom felt the success of APD was due in great measure to Chief O'Leary's leadership. On behalf of himself, his executive staff and the citizens of Anchorage, he thanked Chief O'Leary for a job well done.

Mr. Murdy and Ms. Abney thanked and congratulated Chief O'Leary.

3. Resolution No. AR 97-21, a resolution of the Municipality of Anchorage amending the application for matching grant funds through the **Municipal Capital Project Matching Grant Program** - AS 37.06 - for State Fiscal Year 1998, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 92-97.

Ms. Clementson moved, to approve AR 97-21.
 seconded by Mr. Meyer,

Ms. Clementson moved, to postpone action on AR 97-21 until
 seconded by Ms. Abney,
 February 11, 1997, to allow consideration of all
 bond issues together.

Mayor Mystrom noted he had forgotten his commitment to include the Midtown Park when originally compiling the matching grant program. He explained this amendment included the project on the list; there was no change in any items on the list. Funding for the park was transferred from the administration's building maintenance project.

Mr. Wuerch suggested consideration of this item be postponed until later in the meeting, after action on a resolution regarding the Midtown Park. There was no objection.

(Clerk's Note: See further action after item 12.D, AR 97-15.)

4. Resolution No. AR 97-23, a resolution of the Anchorage Municipal Assembly **expressing appreciation to Neil R. Koeniger for his 23 years of service** to the Municipality of Anchorage upon his retirement, Assemblymembers Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Wohlforth moved, to approve AR 97-23.
seconded by Ms. Clementson,
and it passed without
objection,

Mr. Wohlforth read the resolution and Mayor Mystrom presented it to Mr. Koeniger.

Mr. Koeniger thanked the Assembly and the Mayor. He said he had greatly enjoyed his service to the Municipality, most especially during the current administration. He also thanked Employee Relations Director Tom Tierney and Municipal Manager Larry Crawford.

5. Resolution No. AR 97-24, a resolution of the Anchorage Municipal Assembly **recognizing and thanking Lejane Ferguson for her 20 years of service** to the Municipality of Anchorage, Assembly Chairman Begich. **(addendum)**

Mr. Wohlforth moved, to approve AR 97-24.
seconded by Mr. Wuerch,
and it passed without
objection,

Mr. Wuerch read the resolution and Chairman Begich presented it to Municipal Clerk Lejane Ferguson.

Ms. Ferguson thanked the Assembly. She said performing the duties of Municipal Clerk was a valuable experience. She noted she had enjoyed working with Assembly members and hoped to continue for many years.

6. Resolution No. AR 97-25, a resolution of the Anchorage Municipal Assembly **recognizing and thanking George Newsham for his accomplishments** during his tenure with the Municipality of Anchorage, Assemblymembers Carlson, Abney, Begich, Bell, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Carlson moved, to approve AR 97-25.
seconded by Mr. Murdy,
and it passed without
objection,

Mr. Wuerch read the resolution, and Mr. Carlson presented it to Mr. Newsham.

Mr. Newsham thanked the Assembly. He said it was a privilege to work with members and the administration.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 75-97, **Heritage Land Bank Commission appointments** (Becky Gay, Bill Inscho), Mayor's Office.

Ms. Abney moved, to approve AM 75-97.
seconded by Mr. Kendall,

Ms. Abney indicated her questions on this item had been answered.

Question was called on the motion to approve AM 75-97 and it passed without objection.

Mr. Wohlforth moved, to reconsider action on item
seconded by Mr. Meyer, 7.E.4, AIM 13-97, regarding
and it passed without The 515 Club.
objection,

(Clerk's Note: For further action on AIM 13-97 see after item 8.F.)

2. Assembly Memorandum No. AM 95-97, proprietary purchase of **software products for Year 2000 (Y2K) conversion** from COMPUWARE and Microage Infosystems for the Municipality of Anchorage, Management Information Systems Department/ Purchasing.

Mr. Kendall moved, to approve AM 95-97.
seconded by Mr. Wuerch,

Municipal Manager Larry Crawford requested this item be considered after item 12.B, AR 97-9.

Mr. Kendall moved, to postpone action on AM 95-97
 seconded by Mr. Wuerch, until after action on item
 and it passed without 12.B, AR 97-9.
 objection,

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 10-97, Bar Violations/Quarterly Report, Anchorage Police Department.

Mr. Wohlforth moved, to accept AIM 10-97.
 seconded by Ms. Clementson,

Mr. Wohlforth asked for an explanation of why this 1996 third quarter report was delayed in reaching the Assembly.

Municipal Manager Larry Crawford said he would return a response to the Assembly in memorandum form.

Ms. Clementson asked that this memorandum include information on whether there were responses to the ABC Board regarding the violations.

Question was called on the motion to accept AIM 10-97 and it passed without objection.

The Assembly then returned to item 7.E.4, AIM 13-97.

Information Memorandum No. AIM 13-97, The 515 Club - Review of conditions approved October 29, 1996, a beverage dispensary liquor license at 515 W. Fourth Avenue (Downtown Community Council), Clerk's Office.

Mr. Wohlforth moved, to accept AIM 13-97.
 seconded by Ms. Abney,

Mr. Bell requested a personal privilege. He welcomed Scout Troop 25 from the Hillside, present to observe the Assembly meeting. One member of the Troop introduced himself to the Assembly. Others members of the troop introduced themselves later in the meeting.

Mr. Wohlforth moved, to postpone action on AIM 13-97
 seconded by Ms. Clementson, until later in the meeting so the
 and it passed without status of the license could be
 objection,
 verified.

(Clerk's Note: See after the recess for further action.)

The meeting recessed at 6:40 p.m. and reconvened at 6:55 p.m.

Chairman Begich presented a five-year service pin to Assembly Policy and Budget Director Greg Moyer.

Question was called on the motion to accept AIM 13-97 and it passed with Ms. Clementson objecting.

The Assembly then considered item 7.D.20, AM 94-97.

Assembly Memorandum No. AM 94-97, appointment to the Executive Staff
 (Duane Udland, Police Chief), Mayor's Office.

Ms. Von Gemmingen moved, to approve AM 94-97.
 seconded by Ms. Clementson,

Ms. Von Gemmingen urged support for the memorandum.

Ms. Abney also spoke in support.

Mr. Wohlforth noted that despite criticism, he felt the Assembly made the proper choice to delay the vote on Mr. Udland's appointment. He stated there was no evidence supporting claims that Mr. Udland is racially biased. He felt that the new Deputy Chief should have different views and style than the Chief, to create a management structure that is flexible and diverse. He stated he would support the appointment.

Mr. Carlson said contrary to media reports, he was not troubled that Mayor Mystrom had not consulted with the Assembly regarding Mr. Udland's appointment. He discussed problems within the Anchorage Police Department (APD), including employee morale, noting that these problems were not due solely to schedules being changed from four ten-hour days to five eight-hour days. He discussed some of these issues with Mr. Udland and looked forward to working with him.

10. **APPEARANCE REQUESTS:** None.

11. **CONTINUED PUBLIC HEARINGS:**

- A. Ordinance No. AO 96-153, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code 21.85 repealing and reenacting AMC 21.85 Table A concerning **Urban Residential Streets minimum standards**, Assemblymembers Clementson, Begich, Carlson, and Murdy.
1. Assembly Memorandum No. AM 1034-96, Community Planning and Development.
(CONTINUED FROM 11-26-96)

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Ms. Clementson moved, to adopt AO 96-153.
seconded by Mr. Murdy,

Ms. Clementson offered a history of the ordinance, noting that the action is in accordance with suggestions made by the administration.

Mr. Wuerch clarified that the ordinance only affected new construction and was not retroactive. The administration concurred.

In response to Mr. Wohlforth, Don Alspach of Community Planning and Development advised the Platting Board currently may approve 50-foot rights-of-way plus 5-foot snow storage easements on either side.

Mr. Bell noted the sixty-foot right-of-way required the additional 5' of utilities to become the Municipality's responsibility. He stated the ordinance reduces the number of lots per acre that can be developed.

Ms. Clementson stated the issue was whether or not the Municipality wished to store snow from public streets on the public right-of-way or citizens' private property. Instead of a twenty-foot setback, people will only have a fifteen-foot setback. Ornamental shrubbery, landscaping structures and fences placed in the snow storage area are at risk from snow removal equipment.

Question was called on the motion to adopt AO 96-153 and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.
NAYS: None.

- B. Ordinance No. AO 96-95(S), an ordinance amending Anchorage Municipal Code Chapter 2.25 by adding a new Section 2.25.020 to **limit multi-member Assembly election districts to two-member districts** and to require and provide procedures for random re-assignment of any single-member election district to a different geographical area of the Municipality with each reapportionment of the Assembly, Assemblymember Wohlforth.
1. Assembly Memorandum No. AM 747-96.
(FAILED 8-6-96; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. VON GEMMINGEN 8-7-96; RECONSIDERED 8-13-96; POSTPONED FROM 8-13-96; CARRIED OVER FROM 9-24-96; POSTPONED FROM 10-1-96; CARRIED OVER FROM 1-7-97; THE PUBLIC HEARING WAS REOPENED 1-14-97; CONTINUED FROM 1-14-97)
- C. Ordinance No. AO 96-165, an ordinance of the Anchorage Municipal Assembly submitting to the qualified voters of the Municipality at its next Regular Election on April 15, 1997, a ballot proposition to amend the Anchorage Home Rule Charter Section 4.02(A) to **increase the term of an assemblymember in a single member district to three years** in the event that the Anchorage Municipal Code is amended to establish single member districts, Assemblymember Meyer.
1. Assembly Memorandum No. AM 1091-96.
(CONTINUED FROM 1-7-97 AND 1-14-97)

Chairman Begich opened the public hearing for AO 96-95(S) and AO 96-165 and asked if anyone wished to speak. There was no one.

Mr. Wohlforth moved, to continue the public hearing
seconded by Mr. Meyer, for AO 96-95(S) and AO 96-165
and it passed without until February 11, 1997.
objection,

12. **NEW PUBLIC HEARINGS:**

- A. Ordinance No. AO 97-10, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the borrowing of a total amount not to exceed \$10,950,000 from the State of Alaska Clean Water Fund for the purpose of paying a portion of the **costs of wastewater capital improvements** in the Municipality, and providing for related matters, Water and Wastewater Utility.
1. Assembly Memorandum No. AM 43-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to adopt AO 97-10.
seconded by Mr. Wuerch,

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.

NAYS: None.

- B. Resolution No. AR 97-9, a resolution of the Municipality of Anchorage appropriating up to \$3,000,000 to the Management Information Systems Department Capital Budget (Fund 0608) as a loan from the Areawide General Fund (Fund 0101) for the required **Year 2000 Project**, Finance.

1. Assembly Memorandum No. AM 52-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to approve AR 97-9.
seconded by Ms. Von Gemmingen,

In response to Mr. Bell, Management Information Systems Director Bill Rasmussen stated that the proposed software could be used by the Anchorage School District (ASD). He was unsure of the amount of savings that would result if ASD shared the software. He noted ASD had issued a Request For Proposal to purchase new equipment that will not require the software.

In response to Mr. Wuerch, Mr. Rasmussen said the site license included ASD and Anchorage Telephone Utility (ATU).

Ms. Clementson asked if the appropriation included labor to service ATU and the other utilities. Mr. Rasmussen replied the platforms are different among Municipal utilities and this funding will not apply to any of the utilities using non-IBM platforms.

Question was called on the motion to approve AR 97-9 and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.

NAYS: None.

The Assembly then returned to item 8.E.2, AM 95-97.

Assembly Memorandum No. AM 95-97, proprietary purchase of **software products for Year 2000 (Y2K) conversion** from COMPUWARE and Microage Infosystems for the Municipality of Anchorage, Management Information Systems Department/Purchasing.

Mr. Wuerch moved, to approve AM 95-97.
seconded by Mr Kendall,

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.

NAYS: None.

- C. Resolution No. AR 97-10, a resolution of the Municipality of Anchorage appropriating \$105,561 of released reserve requirements from the 1994 **sale of COPs (Certificates of Participation)** per AO 94-60, Management Information Systems.

1. Assembly Memorandum No. AM 53-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to adopt AO 97-10.
seconded by Ms. Clementson,

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Clementson, Carlson, Murdy.

NAYS: None.

- D. Resolution No. AR 97-15, a resolution of the Anchorage Municipal Assembly requesting that the Administration amend the 1997 Capital Improvement Budget and the 1997 State grant request to include funding in the amount of \$331,000 for the **Midtown Park land acquisition and development**, Assemblymembers Meyer and Wuerch.

1. Assembly Memorandum No. AM 100-97, Cultural and Recreational Services. (**addendum**)

Chairman Begich opened the public hearing and asked if anyone wished to speak.

ART GEUSS urged the Municipality to approve this resolution tonight. He stated this is not a new issue, but had been passed by a prior Assembly.

In response to Mr. Wuerch, Mr. Geuss stated that the proposed park would not extend south of 40th Avenue.

Chairman Begich asked if anyone else wished to testify. There was no one and he closed the public hearing.
Mr. Murdy moved, to approve AR 97-15.
seconded by Mr. Wuerch,

Mr. Meyer spoke in support of the resolution.

Mr. Meyer moved,	to amend AR 97-15 on line 16 to
seconded by Mr. Wuerch,	read: "...for \$598,000 land
and it passed without	acquisition..."; on line 19 to
objection,	read: "...\$254,000 of this grant..."; on line 34 to read: "...amount
	of \$344,000..." and on line 12 to read: "...\$344,000 for
	the..."
Mr. Wohlforth moved,	to amend AR 97-15 in the title to read:
seconded by Mr. Meyer,	"A RESOLUTION OF THE ANCHORAGE
and it passed without	MUNICIPAL ASSEMBLY AMENDING THE 1997
	objection,
	CAPITAL..." and in Section 1 to read: "That the
	1997 Capital Improvement Budget is amended to
	include..."

Ms. Clementson noted she would vote against the resolution, though she does support the Midtown Park Project. She stated the project has become politically popular and receives funding from sources other park projects do not. She felt other regional parks need equal attention.

Question was called on the motion to approve AR 97-15 as amended and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Carlson, Murdy.
NAYS: Clementson.

The Assembly then returned to item 8.D.3, AR 97-21.

Resolution No. AR 97-21, a resolution of the Municipality of Anchorage amending the application for matching grant funds through the **Municipal Capital Project Matching Grant Program - AS 37.06** - for State Fiscal Year 1998, Office of Management and Budget.
a. Assembly Memorandum No. AM 92-97.

Chairman Begich gave the history of the resolution and noted a motion to postpone was on the floor.

Ms. Clementson withdrew her motion to postpone.

Mr. Kendall moved,	to amend AR 97-21 in the attached
seconded by Ms. Clementson,	grant request list to move item #8, Midtown Park, to item #16,
	renumbering #16 to #17 and the remainder of the list
	accordingly.

In response to Mr. Meyer, Mayor Mystrom explained the importance of the Midtown Park and why it was recommended to be #8 on the list.

Mr. Meyer spoke in favor of the project and said he felt it should retain the priority status recommended by the administration.

In response to Mr. Wohlforth, Municipal Manager Larry Crawford stated funding was expected for items through #14. Based on a \$4.5 million projection, #16 will likely not be funded.

Mr. Wohlforth spoke against the amendment.

Ms. Clementson pointed out that prioritizing the park as item #8 would give it more importance than a number of other projects that address life and safety issues.

Ms. Abney expressed concern that District 18 Limited Road Serve Area projects were moved to #20.

Mr. Wuerch moved,	to amend the amendment to move item #8
	seconded by Mr. Kendall, to
	#15, below Mountain View Recreation Center and
	above Girdwood Fire Station.

Mr. Bell argued against placing the park ahead of fire station projects, which he felt had higher priority.

Question was called on Mr. Wuerch's motion to amend the amendment and it passed:

AYES: Wohlforth, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Murdy.
NAYS: Bell, Abney, Clementson, Carlson.

Question was called on Mr. Kendall's motion to amend as amended and it passed without objection.

Mr. Wohlforth requested copies of the final list be forwarded to all Assembly members.

Ms. Clementson outlined her concerns about the matching grant program. She said she would vote "no" because she felt it was inappropriate to request State funding for major facility upgrades. She felt these items should be funded by the Municipality.

Mr. Meyer thanked the volunteers, the administration, and the Assembly for their support of the Midtown Park.

Question was called on the motion to approve AR 97-21 as amended and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Carlson, Murdy.
NAYS: Clementson.

- E. Ordinance No. AO 97-2, an ordinance amending Anchorage Municipal Code Chapters 23.05 and 23.30 to **adopt by reference the 1996 National Electrical Code** covering electrical installations, construction, repair, maintenance and service connections in the building industry and making local amendments thereto, Public Works.
1. Assembly Memorandum No. AM 19-97.

Chairman Begich opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Murdy moved, to adopt AO 97-2.
seconded by Ms. Von Gemmingen,

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Von Gemmingen, Carlson, Murdy.
NAYS: None.

(Clerk's Note: Ms. Clementson was out of the room at the time of the vote.)

Mr. Murdy moved, to combine public hearings for
seconded by Ms. Clementson, AO 97-3 and AO 97-12.
and it passed without
objection,

- F. Ordinance No. AO 97-3, an ordinance amending Anchorage Municipal Code Chapter 12.20 as enacted by Anchorage Ordinance 96-103 to **re-enact the prior exemptions for specified bed and breakfast businesses**, Assemblymembers Kendall, Abney, Begich, Bell, Carlson, Wohlforth, and Wuerch.
1. Assembly Memorandum No. AM 36-97.
- G. Ordinance No. AO 97-12, an ordinance amending Anchorage Municipal Code Section 12.20.025 as enacted by Anchorage Ordinance No. 96-103, to provide a **temporary exemption for hotel-motel operators** renting or offering to rent three or less rooms from obtaining a registration certificate, collecting the tax and filing tax returns under Anchorage Municipal Code Chapter 12.20, Finance.
1. Assembly Memorandum No. AM 55-97.

Chairman Begich opened the public hearing for AO 97-3 and AO 97-12 and asked if anyone wished to speak.

JOAN BUDAI spoke as the only duly elected person speaking for the Bed & Breakfast Association of Alaska, Anchorage Chapter. She read a statement by the Chapter, noting that the Association membership was 80% opposed to the tax. They were against B&B's being compared to and taxed as hotels. The association felt there was no advantage to having taxes collected from B&B's.

TOM McGRATH stated it appeared that whoever complained the loudest did not have to pay taxes. He cited examples from the past. He stated that only 6,200 of 26,000 businesses pay business personal property taxes. He felt the taxing system should be overhauled to make it fair.

BILL MATTSON, operator of the Spenard Hostel, requested the Assembly amend the ordinance to exempt for-profit hostels or clarify the definition of hostel.

CINDY HEINRICH, a B&B Operator, noted she was upset that the B&B industry was not involved in the original decision.

PHYLLIS JOSE, owner of the Greenbell Bed & Breakfast and founding member of the B&B Organization, stated that the tax should be applied equally to all B&B's.

MIKE MULANE, owner of rental property in Bayshore, spoke as an individual, although he works for the Municipal Finance Department. He supported imposition of the bed tax equally on all B&B's. He noted that the tax is not levied against the B&B's, but against the B&B guests.

NELSON PAGE, owner of Moosewood Manor B&B, spoke against the tax.

CINDY MAY STIVER, owner of All the Comforts of Home B&B offered a history of the bed tax. She spoke against the tax.

ANN RIDDLE, owner of Lakeside B&B, thanked Ms. Von Gemmingen and Mr. Murdy for their support of the repeal. She expressed her concern that she got no notice of the proposed tax.

JAMES MONTGOMERY, owner of the Aurora Winds B&B, a five-room B&B, noted that he was going to Court regarding this issue. He spoke in favor of the exemption for the small B&B owner, noting that the tax required preparation of eleven pieces of documentation for each guest. He asked for a clear definition of "Bed & Breakfast."

MERCY DENNIS, owner of Alaska Private Lodgings, a reservation service for B&Bs, spoke against the exemption. She felt B&B owners should share in the promotion of tourism.

TONY PETRONE, owner of the Poppy Seed B&B, spoke in support of AO 97-3.

CATHY OLSEN, owner of Missy's B&B, spoke in favor of the exemption. Her business is a Medicaid provider, and she questioned how she could add a bed tax to the voucher. A letter she received from the Municipality stated she fell into the same category as hotels/motels. The Administration states the hotel/motel tax did not classify the business, but only levies the tax.

DENISE KNAPP, owner of the Rabbit Creek B&B, noted that a B&B with three rooms or less could be included on homeowner's insurance, but those with four or more rooms required a commercial policy. She also noted that AAA only rates B&B's that have four rooms or more.

DEE HANSON, owner of a B&B on the park strip, expressed her concern that the extra administrative costs will drive her out of business.

CRAIG SYRIS, owner of Susie's Lakeview Bed & Breakfast, spoke against the tax. His wife puts a lot of time into the B&B, and there is no more time for administrative work. He also noted that the Code Enforcement Division of the Municipality stated they did not plan to enforce.

LEONARD DIEHL, a local five-room B&B owner, did not speak for or against that tax, he simply stated that it should be equitable.

Chairman Begich asked if anyone else wished to speak. There was no one and he closed the public hearing.

Mr. Bell moved, to adopt AO 97-3.
seconded by Ms. Abney,

Mr. Bell encouraged adoption of AO 97-3. This would allow the administration to sort through the issue of licensed versus unlicensed B&B's and make an appropriate recommendation.

Ms. Clementson felt the tax should not be implemented at this time. She advocated starting a working group to reach resolution.

Mr. Carlson and Mr. Murdy expressed a desire to get accurate information about the B&B's in Anchorage before taxes are levied.

Mr. Kendall noted that the B&B owners needed to help the administration work through this issue.

Mr. Wohlforth reviewed the reasons he will vote for the repeal.

Ms. Von Gemmingen requested the Assembly staff research bed taxes in other cities. She suggested postponement of a decision on the issue.

Mr. Meyer spoke against the tax. He felt the collection cost was not worth the return.

Mr. Carlson moved, to amend AO 97-3 to change line
and it died for lack 17 to read: "...more than four."
of a second,

Mr. Wohlforth noted that the Municipal Attorney reviewed his proposed amendments regarding hostels; the opinion was that they were outside the scope of the notice.

Ms. Abney moved, to amend AO 97-3 to change line
seconded by Mr. Carlson, 17 to read: "...five..."

Chairman Begich ruled this motion out of order, under advice from the Legal Department, because the amendment exceeded the scope of the noticed hearing.

Question was called on the motion to adopt AO 97-3 and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, Wuerch, Begich, Meyer, Clementson, Carlson, Murdy.
NAYS: Von Gemmingen.

Mr. Wuerch moved, to table AO 97-12.
seconded by Mr. Kendall,
and it passed without
objection,

Mr. Murdy moved, to extend the meeting time to
seconded by Mr. Wuerch, consider old business.
and it passed without
objection,

- H. Ordinance No. AO 96-162, an ordinance amending the zoning map and providing for the rezoning from B-1A (Local and Neighborhood District) to B-3 (General Business District) for **Campbell Creek Greenbelt Subdivision, Lot 79 A-1A**, generally located on the west side of "C" Street and north of West Dimond Boulevard (Taku-Campbell Community Council) (Planning and Zoning Commission Case 96-142), Community Planning and Development.
 - 1. Assembly Memorandum No. AM 1077-96.
- I. Ordinance No. AO 96-163, an ordinance amending the zoning map and providing for the rezoning from R-6 (Suburban Residential District) to R-1A, (Single Family Residential District) for **Bruin Park Subdivision, Block 1, Lot 10, and Block 1, South 75', of the North 400' of the East 1/2 and Block 1, South 142' of the East 1/2**, generally located on the west side of Lake Otis Road and south of O'Malley Road (Huffman-O'Malley Community Council) (Planning and Zoning Commission Case 96-141), Community Planning and Development.
 - 1. Assembly Memorandum No. AM 1078-96.
- J. Ordinance No. AO 96-164, an ordinance amending the zoning map and providing for the rezoning from I-1, (Light Industrial District) to PLI (Public Lands and Institutions) for **Seventh Subdivision, Tract A**, generally located on the south side of Lore Road and east of Hartzell Road (Abbott Loop Community Council) (Planning and Zoning Commission Case 96-144), Community Planning and Development.
 - 1. Assembly Memorandum No. AM 1079-96.
- K. Ordinance No. AO 96-160, an ordinance amending the zoning map and providing for the rezoning from B-3 (General Business District) to R-3 (Multiple-Family Residential District) for a 16-acre portion of **Tract B-8, Eagle Glenn South Subdivision**; generally located east of the New Glenn Highway and south of Farm Avenue (Eagle River Community Council) (Planning and Zoning Commission Case 96-187), Community Planning and Development.
 - 1. Assembly Memorandum No. AM 1055-96.
- L. Ordinance No. AO 97-11, an ordinance adopting a **final report concerning and designating a sole joint-use access corridor over public lands for land transportation and utilities** from the northern terminus of Arlberg Road in the Girdwood Valley Service Area to Glacier-Winner Creek Resort base area in the Upper Girdwood Valley, Legal Department.
 - 1. Assembly Memorandum No. AM 44-97.

Items 12.H. through 12.L. were continued until February 4, 1997.

13. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:

- A. Assembly Memorandum No. AM 714-96, Board of Adjustment Appeal 96-179 - Eklutna - The Appellant Reply Brief on **Eklutna Village vs. National Bank of Alaska** Natural Resource Extraction Conditional Use Permit, Municipal Clerk.
 - 1. Appeal 95-179A&B, Native Village of Eklutna, Clerk's Office.

This item was postponed until March 4, 1997. See item 7.D.3, AM 101-97.

14. **SPECIAL ORDERS:** None.

15. **ASSEMBLY COMMENTS:** None.

16. UNFINISHED AGENDA:

- A. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 96-155, an ordinance providing for **converting to public vehicular ways the private street easements and rights-of-way within the subdivisions adjacent to Potter Valley Road** commonly known and referred to collectively as Potter Valley as described herein, Assemblymember Wohlforth.

1. Assembly Memorandum No. AM 997-96.
2. Assembly Memorandum No. AM 1039-96, Public Works.
(CONTINUED FROM 11-26-96 AND 12-17-96; AMENDED 1-14-97; FAILED 1-14-97; NOTICE OF RECONSIDERATION GIVEN BY MR. MURDY 1-15-97)

Mr. Bell spoke in favor of reconsideration.

Ms. Von Gemmingen declared a potential conflict of interest. She stated that her husband is contracted to provide accounting services to the Potter Valley Homeowner's Association. She noted the amount of the contract is not "substantial" given the gross income of their household.

Mr. Wohlforth moved, the question "does Ms. Von Gemmingen
seconded by Mr. Murdy, have a substantial financial interest in the issue before the
Assembly?"

AYES: Kendall, Wuerch, Carlson, Murdy.
NAYS: Wohlforth, Bell, Abney, Begich, Meyer, Clementson.
ABSTAIN: Von Gemmingen.

Question was called on the motion to reconsider action on AO 96-155 and it passed:

AYES: Wohlforth, Bell, Abney, Kendall, Begich, Murdy.
NAYS: Wuerch, Meyer, Von Gemmingen, Clementson, Carlson.

Mr. Murdy moved, to postpone further action on
seconded by Mr. Wuerch, AO 96-155 until February 11, 1997.

AYES: Wuerch, Von Gemmingen, Clementson, Murdy.
NAYS: Wohlforth, Bell, Abney, Kendall, Begich, Meyer.

(Clerk's Note: Mr. Carlson was out of the room at the time of the vote.)

Mr. Bell spoke in support of adoption. He cited current conditions for different parts of the Municipality and related them to the situation in Potter Valley. He felt the current situation was unfair.

Ms. Clementson pointed out homeowners knew the situation they were moving into at the time they purchased their homes.

Mr. Murdy suggested postponement of the issue, stating a vote tonight would most likely fail.

Mr. Bell stated residents have already tried working with the administration, and those efforts have failed. He noted that he was open to postponement if a compromise could be worked out.

Mr. Bell moved, to postpone action on AO 96-155
seconded by Ms. Abney, until February 11, 1997.
and it passed with
Ms. Clementson objecting,

- B. Resolution No. AR 97-7, a resolution of the Anchorage Municipal Assembly reaffirming its support for Assembly Resolution 96-186 and re-emphasizing the need to develop **sports and recreation facilities within South Anchorage**, Assemblymembers Bell, Abney, Begich, Carlson, Clementson, Kendall, Meyer, and Murdy.

Chairman Begich gave the history of the resolution and noted a motion to approve was on the floor.

Mr. Bell discussed how definitions of "south Anchorage" differed. He spoke in favor of the resolution, arguing voters passed bonds based on a specific site. He felt the requirement to have four fields in one facility was unnecessary. He argued the proposal to build a facility near Tudor road violated the intent of locating more recreation facilities in south Anchorage.

In response to Mr. Carlson, Municipal Manager Larry Crawford noted that Bond Counsel had reviewed the issue, and their opinion was the bonds were not dedicated to a particular site. He said the administration's definition of south Anchorage, as south of Tudor Road, had remained consistent.

Mr. Wuerch stated he would vote against the resolution. He felt approval would present a choice of building south of Dimond Boulevard or not building at all. Since the cost of developing south of Dimond was so high, chances are a facility could not be built this year. There are proposals to build facilities this year with available funds, but not in the location mandated by the proposed resolution.

Mayor Mystrom stated this was the first time he has heard the definition of south Anchorage described as the south Anchorage Assembly District. He pointed out he had defined south Anchorage as south of Tudor Road in many public discussions about the bond proposal, including discussions with the Assembly.

Question was called on the motion to approve AR 97-7 and it passed:

AYES: Bell, Abney, Kendall, Begich, Meyer, Clementson, Murdy.
NAYS: Wohlforth, Wuerch, Von Gemmingen, Carlson.

17. AUDIENCE PARTICIPATION:

DAVID WALLACE spoke regarding Anchorage Telephone Utility (ATU). He noted that ATU has a monopoly on the Yellow Pages. He is a professional photographer, and felt that ATU censored his advertisements. He has a signed contract with the Berry Company, but they canceled his advertisements. He felt he was treated poorly and suggested the ATU Board of Directors be replaced if his ad is not placed in the Yellow Pages according to his contract.

In response to Ms. Clementson, Mr. Wallace showed the Assembly his censored ad, a photo of a woman wearing lingerie. Mr. Wallace stated he altered the ad photograph, but it was still not allowed to run.

Mr. Begich asked Assembly Policy and Budget Director Greg Moyer to follow up on the issue. He explained the Assembly has limited authority to interfere with ATU operations, and cannot make a motion to remove the ATU Board of Directors. He noted that ATU Board of Directors' appointments are made after public hearing and Mr. Wallace is allowed to testify at those hearings. He also suggested Mr. Wallace approach the ATU Board of Directors.

BILL COOK, a 50-year Alaska resident, said he donated six acres of land to the Municipality in the area of 36th Avenue and Denali Street for construction of 40th Avenue. He noted Municipal officials are trying to take more of his property by eminent domain; he was opposed to this, especially since there is not an improved road accessing the property. He asked the Assembly for help in this situation.

In response to Mr. Wuerch, Mr. Cook clarified he wanted 40th Avenue between Denali and B Street to be completed.

18. EXECUTIVE SESSIONS: None.

19. ADJOURNMENT:

The meeting adjourned at 11:45 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: July 1, 1997

LF/kbs

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