

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Regular Meeting of February 11, 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, George Wuerch, Mark Begich, Kevin Meyer, Fay Von Gemmingen, Cheryl Clementson, Ted Carlson, Joe Murdy.
Absent: Dan Kendall (excused).

3. **PLEDGE OF ALLEGIANCE:**

The pledge was led by Mr. Murdy.

4. **MINUTES OF PREVIOUS MEETING:**

A. Regular Meeting - October 1, 1996

Mr. Murdy moved, to approve the minutes of the
seconded by Mr. Wuerch, regular meeting of October 1,
and it passed without objection, 1996.

5. **MAYOR'S REPORT:**

Mayor Mystrom reported on events of the Samoan community. The Board of Directors of the Samoan Affairs Association came to address the Assembly.

THE PRESIDENT of the Samoan Affairs Association thanked the Mayor for the chance to speak. She described the make-up of the group and introduced some key members. She offered a brief history, and noted the goals of the group were to teach Samoan language and culture to the youth, reduce gang related problems, and provide parent education. They are working with community organizations, including the schools, the police and the United Way to meet their goals.

SOLEI discussed the politics of the organization, noting that there are other groups in the community that serve the same function.

Mr. Wuerch, Ms. Von Gemmingen, Mr. Meyer and Mr. Bell voiced support for the Samoan Affairs Association. Chairmen Begich invited them to attend Assembly Public Safety Committee meetings and the Statewide Youth Court conference.

6. **ADDENDUM TO AGENDA:**

Mr. Murdy moved, to amend the agenda to include
seconded by Ms. Von Gemmingen, 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 Ms. Abney, consent agenda as amended.

A. **BID AWARDS:**

1. Assembly Memorandum No. AM 162-97, recommendation of award to New Flyer Industries Limited for furnishing **low floor passenger buses** to the Municipality of Anchorage, Public Transportation Department (ITB 96-102), Purchasing.

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

1. Ordinance No. AO 97-41, an ordinance amending Anchorage Municipal Code Sections 12.05.050 and 12.05.055 to provide for **termination of appeals to the Board of Equalization** upon approval by the Chief Fiscal Officer of assessed valuations agreed to by the assessor and the appellant property owner of record and constituting such approved agreements as a withdrawal of the appeal, Finance.
public hearing 3-4-97.
 - a. Assembly Memorandum No. AM 136-97.

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

2. Ordinance No. AO 97-42, an ordinance of the Municipality of Anchorage creating Street Reconstruction Special Assessment District 4SR96 - **the North Point Drive, North Point Circle, and Mere Circle Street, Drainage, and Street Light Reconstruction** and determining to proceed with proposed improvements therein, Public Works. public hearing 3-18-97.
 - a. Assembly Memorandum No. AM 137-97.
3. Ordinance No. AO 97-43, an ordinance of the Municipality of Anchorage creating Survey Special Assessment District 1V96 - for the **resurveying and replatting of the Rabbit Creek View Subdivision and the Rabbit Creek Heights Subdivision** and determining to proceed with proposed improvements therein, Public Works.
public hearing ~~3-18-97~~ 3-4-97.
 - a. Assembly Memorandum No. AM 138-97.

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

4. Ordinance No. AO 97-44, an ordinance of the Anchorage Municipal Assembly authorizing the long term lease between the Municipality of Anchorage as lessor and Aero Twin, Inc. as lessee of **Lot 2, Block 4, Merrill Field Replat**, Merrill Field Airport.
public hearing 2-25-97.
 - a. Assembly Memorandum No. AM 163-97.
5. Ordinance No. AO 97-45, an ordinance of the Municipality of Anchorage, Alaska, authorizing the execution by the Municipality of Anchorage of an **equipment lease/purchase agreement** not to exceed \$7,920,000 in principal amount to acquire capital improvements having a value not in excess of \$1,000,000 to fund a reserve fund securing payment of lease participation certificates with respect to said agreement, and to pay costs of issuance of such lease participation certificates; and providing for related matters, Finance. public hearing 2-25-97. **(addendum)**
 - a. Assembly Memorandum No. AM 193-97.
6. Ordinance No. AO 97-46, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$5,075,000 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, Assemblymember Bell.
public hearing 2-25-97. **(addendum)**
 - a. Assembly Memorandum No. AM 195-97.

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

7. Ordinance No. AO 97-~~47~~ 39(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of ~~\$24,845,000~~ \$28,015,000 of 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, Assemblymember Bell. public hearing 2-25-97. **(addendum) (AO 97-47 WAS NOT SUBMITTED)**
 - a. Assembly Memorandum No. AM ~~196-97~~ 198-97.

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

C. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-27, a resolution authorizing the disposal of a municipal interest within **Lot 10 Junction Subdivision** located in the vicinity of Huffman Road and the Old Seward Highway intersection, Anchorage Telephone Utility.
 - a. Assembly Memorandum No. AM 125-97.
2. Resolution No. AR 97-29, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling \$5,000 from the Rasmuson Foundation to the Miscellaneous Operational Grants Fund (0261) for the purchase of **library books for the Loussac Children's Collection**, Cultural and Recreational Services/Library.
 - a. Assembly Memorandum No. AM 139-97.
3. Resolution No. AR 97-30, a resolution of the Municipality of Anchorage for the acceptance and appropriation of a \$10,000 grant to the Federal Categorical Grants Fund (0241) for Girdwood Valley Service Area and appropriating \$10,000 of Girdwood Valley Capital Improvement Program Interest (0406 Fund) as a contribution to the Federal Categorical

Grants Fund (0241) for Girdwood Valley Service Area for **Winner Creek Trail upgrade**, Cultural and Recreational Services.

- a. Assembly Memorandum No. AM 140-97.
4. Resolution No. AR 97-31, a resolution of the Municipality of Anchorage, Alaska, accepting a State of Alaska, Department of Environmental Conservation grant offer in the amount of \$42,300 and appropriating said grant to the Anchorage Water and Wastewater Utility's Capital Improvement Fund for the **Dale Street Water Replacement & Rehabilitation (R&R) project**, Water and Wastewater Utility.
 - a. Assembly Memorandum No. AM 141-97.
5. Resolution No. AR 97-32, a resolution of the Municipality of Anchorage appropriating \$8,000 to the State Categorical Grants Fund (0231) from the Department of Health and Human Services to **conduct a survey to determine how new welfare reform legislation will impact lawful permanent residents** and to enter into a contract with Catholic Social Services, Health and Human Services.
 - a. Assembly Memorandum No. AM 164-97.

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

6. Resolution No. AR 97-33, a resolution of the Anchorage Municipal Assembly **recognizing February 10-16, 1997 as Random Acts of Kindness Week**, Assemblymembers Von Gemmingen, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Wohlforth, and Wuerch. **(addendum)**

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

7. Resolution No. AR 97-34, a resolution of the Anchorage Municipal Assembly **recommending actions to be taken regarding the Marilyn Manson concert** at the Egan Center, March 4th, 1997, Assemblymembers Meyer, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

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

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 151-97, **Bidding Review Board appointments** (Jason Dinneen, Bud Caress), Mayor's Office.
2. Assembly Memorandum No. AM 152-97, **Building Board appointments** (David Cole, Jim McElroy, Robert Nibert, Gregory Johnson), Mayor's Office.
3. Assembly Memorandum No. AM 153-97, **Emergency Medical Services Board appointments** (Jeff Brand, Scott Dull, John Everett), Mayor's Office.
4. Assembly Memorandum No. AM 154-97, **Geotechnical Advisory Commission appointments** (Keith Mobley, Graham McDonald, Howard Thomas), Mayor's Office.
5. Assembly Memorandum No. AM 155-97, **Health and Human Services Commission appointments** (Joseph Hegna, Susan Heuer, Alicia Iden, Arlys Lowe, Thelma Snow Walker), Mayor's Office.
6. Assembly Memorandum No. AM 156-97, **Memorial Park Cemetery Advisory Commission appointments** (Vicki Glenzer, William Kyle, Ernie Hall), Mayor's Office.
7. Assembly Memorandum No. AM 157-97, **Parks and Recreation Commission appointments** (Cheryl Bowers, Parry Grover, Cynthia George, Jim Renkert), Mayor's Office.
8. Assembly Memorandum No. AM 158-97, **Personnel Review Board reappointment** (Jim Jose), Mayor's Office.
9. Assembly Memorandum No. AM 159-97, **Planning and Zoning Commission appointments** (Daphne Brown, Tony DeLucia, Wm. Dwayne Adams, Jr.), Mayor's Office.
10. Assembly Memorandum No. AM 160-97, **Veterans Affairs Commission appointments** (Nona Johnson, James Malone), Mayor's Office.
11. Assembly Memorandum No. AM 161-97, **Zoning Board of Examiners and Appeals appointments** (Buz Hoffman, Mike Marsh, Bernd Guetschow), Mayor's Office.
12. Assembly Memorandum No. AM 165-97, **Arts Advisory Commission appointments** (Stephen Thorpe, James Yeargan, Hal Gage, Mark Simpson, Sherri Weiler, Joseph Zimmerman), Mayor's Office.
13. Assembly Memorandum No. AM 166-97, **Historical & Fine Arts Commission appointment** (Edward Clinton), Mayor's Office.
14. Assembly Memorandum No. AM 167-97, **Light and Power Commission appointment** (Dick Garvin, David Eberle, Randall Stevens), Mayor's Office.
15. Assembly Memorandum No. AM 168-97, **Platting Board appointments** (Paul Farnsworth, Rick Richter, Mark Welker), Mayor's Office.
16. Assembly Memorandum No. AM 169-97, **Public Facilities Advisory Commission appointments** (William Gee, Jack Powers, Chris Sutton, Daniel Rogness), Mayor's Office.
17. Assembly Memorandum No. AM 170-97, **School Budget Advisory Commission appointment** (Penny Haldane), Mayor's Office.

18. Assembly Memorandum No. AM 171-97, **Senior Citizens Advisory Commission appointments** (Stuart Rader, Robert Bezek, Marylou Cacy, Thelma Langdon, Marilyn Stewart), Mayor's Office.
19. Assembly Memorandum No. AM 172-97, **Transit Advisory Board appointments** (J. Steven Kalmes, Dawnia Clements, Russell Cusack, Karen Jennings, Judy Whittaker), Mayor's Office.
20. Assembly Memorandum No. AM 178-97, **Americans with Disabilities Act Advisory Commission appointments** (Jay Bush, Sarah Josephson), Mayor's Office.
21. Assembly Memorandum No. AM 179-97, **Animal Control Advisory Board appointments** (Julia Durych, Ruth New, Cheryl Ploegstra), Mayor's Office.
22. Assembly Memorandum No. AM 180-97, **Animal Control Appeals Board appointments** (Phyllis Castleton, Robert Meyer), Mayor's Office.
23. Assembly Memorandum No. AM 181-97, **Urban Design Commission reappointments** (Judy Bell, Ken Pendleton), Mayor's Office.
24. Assembly Memorandum No. AM 126-97, **Bootlegger's Cove** - Transfer of Ownership of a Package Store Liquor License (Downtown Community Council), Clerk's Office.
25. Assembly Memorandum No. AM 127-97, **ChartRoom** - Transfer of Ownership of a Duplicate Beverage Dispensary Liquor License & Restaurant Designation Permit (Downtown Community Council), Clerk's Office.
26. Assembly Memorandum No. AM 128-97, **The Sports Edition** - Transfer of Ownership of a Beverage Dispensary Liquor License & Restaurant Designation Permit (Downtown Community Council), Clerk's Office.
27. Assembly Memorandum No. AM 129-97, **Top of the World** - Transfer of Ownership of a Duplicate Beverage Dispensary Liquor License & Restaurant Designation Permit (Downtown Community Council), Clerk's Office.
28. Assembly Memorandum No. AM 142-97, 1997-1998 Liquor License Renewal: **Captain's Club** (Beverage Dispensary), Clerk's Office.

Mr. Wuerch asked this item be considered on the regular agenda. See 8.E.

29. Assembly Memorandum No. AM 143-97, **1997-1998 Liquor License Renewals**: Barry's Baranof Lounge, Captain's Galley -Duplicate, Carlo's Fine Mexican Restaurant, Lonestar Steakhouse & Saloon, Rumrunner's Old Towne Bar (Beverage Dispensary); VFW Post 9981 (Club); Eagle River Liquor (Package Store); Alaska Bagel Inc., Double D's Sandwich Shop, Four Corners Deli, Greco's Restaurant, Greek Corner, Pizza Plaza, Tidewater Cafe (Restaurant/Eating Place), Clerk's Office.

Mr. Wuerch asked this item be considered on the regular agenda. See 8.E.

30. Assembly Memorandum No. AM 130-97, Findings and Conclusions - **Appeal S-9880, Goldenview Park Subdivision Addition #2**, Clerk's Office.
31. Assembly Memorandum No. AM 144-97, sole source for **periodical and serial renewals** to University Microfilms International for the Municipality of Anchorage, Department of Cultural and Recreational Services/Purchasing.
32. Assembly Memorandum No. AM 145-97, change order No. 6 to purchase order 54393 with Human Resources Company for the **operation of the Job Training Partnership Act (JTPA) and State Training and Employment (STEP)** in the Matanuska-Susitna Borough for the Municipality of Anchorage, Department of Health and Human Services/Purchasing.
33. Assembly Memorandum No. AM 146-97, proprietary purchase of **computer hardware and software maintenance** from IBM Corporation for the Municipality of Anchorage, Management Information Systems Department/Purchasing.
34. Assembly Memorandum No. AM 147-97, proprietary purchase to West Publishing Company for providing **computer assisted legal research services** to the Municipality of Anchorage, Municipal Attorney's Office/Purchasing.
35. Assembly Memorandum No. AM 148-97, change order No. 1 to purchase order 60792 to exercise the first option period with Ike Carter Janitorial Services for providing **custodial services** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
36. Assembly Memorandum No. AM 149-97, change order No. 5 to purchase order 50525 to exercise the final option period with Ace Building Maintenance for providing **custodial services** to the Municipality of Anchorage, Department of Property and Facility Management/Purchasing.
37. Assembly Memorandum No. AM 150-97, change order No. 1 to exercise the first option period with various vendors for providing **miscellaneous hydraulic, electrical, and shop/maintenance supplies** to the Municipality of Anchorage, Purchasing Department.
38. Assembly Memorandum No. AM 173-97, change order No. 1 to purchase order 62039 to exercise ten first option period with HCG, Inc. dba Hoefler Consulting Group for providing **air quality consulting services** to the Municipality of Anchorage, Municipal Light and Power/Purchasing.
39. Assembly Memorandum No. AM 174-97, recommendation of award to Dowl Engineers and LCMF, Inc. for providing **professional surveying services** to the Municipality of Anchorage, Public Works Department (RFP 63-96), Purchasing.

40. Assembly Memorandum No. AM 175-97, proprietary purchase of **computer hardware maintenance and software license renewal** from Unisys Corporation for the Municipality of Anchorage, Police Department/Purchasing.
41. Assembly Memorandum No. AM 176-97, amendment No. 1 to professional services contract with CRW Engineering Group for the **East 68th Avenue road improvement project (Lake Otis Parkway to Abbott Loop Road)**, File No. 93-14, Public Works.
42. Assembly Memorandum No. AM 177-97, 1997 professional services contract with **Anchorage Economic Development Corporation**, Municipal Manager's Office.

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

43. Assembly Memorandum No. AM 191-97, **Board of Ethics appointments** (Kenneth Atkinson, Jean Sagan), Mayor's Office. **(addendum)**
44. Assembly Memorandum No. AM 194-97, amendment No. 2 to professional engineering services agreement with USKH Inc. for the **Clitheroe Center sewer extension**, Water and Wastewater Utility. **(addendum)**

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 20-97, **1997 grant funding for non-profit arts and recreation organizations**. Correction to AIM 9-97, Cultural and Recreational Services.
2. Information Memorandum No. AIM 21-97, **Retirement Incentive Program (RIP) status**, Employee Relations.
3. Information Memorandum No. AIM 22-97, **unanswered Assembly Information Requests**, Assemblymember Begich. **(addendum)**

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

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

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

Mayor Mystrom noted that several new commission members were approved by the vote. He thanked them for their willingness to serve the community.

8. **REGULAR AGENDA:**

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

1. Ordinance No. AO 97-41, an ordinance amending Anchorage Municipal Code Sections 12.05.050 and 12.05.055 to provide for **termination of appeals to the Board of Equalization** upon approval by the Chief Fiscal Officer of assessed valuations agreed to by the assessor and the appellant property owner of record and constituting such approved agreements as a withdrawal of the appeal, Finance.
public hearing 3-4-97.
a. Assembly Memorandum No. AM 136-97.

Mr. Wuerch, Ms. Von Gemmingen and Mr. Murdy joined in introducing this ordinance. The public hearing was scheduled for March 4, 1997.

Mr. Wuerch noted the deadline for property assessment appeals was rapidly approaching. He also asked for volunteers to serve on the Board of Equalization, noting that new members will be appointed soon.

D. RESOLUTIONS FOR ACTION:

1. Resolution No. AR 97-32, a resolution of the Municipality of Anchorage appropriating \$8,000 to the State Categorical Grants Fund (0231) from the Department of Health and Human Services to **conduct a survey to determine how new welfare reform legislation will impact lawful permanent residents** and to enter into a contract with Catholic Social Services, Health and Human Services.
a. Assembly Memorandum No. AM 164-97.

Ms. Von Gemmingen moved, to approve AR 97-32.
seconded by Mr. Wuerch,

Ms. Von Gemmingen requested frequent updates on this issue. She noted that there are a number of people and organizations concerned about welfare reform.

Question was called on the motion to approve AR 97-32 and it passed without objection.

2. Resolution No. AR 97-33, a resolution of the Anchorage Municipal Assembly **recognizing February 10-16, 1997 as Random Acts of Kindness Week**, Assemblymembers Von Gemmingen, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Wohlforth, and Wuerch. **(addendum)**

Ms. Von Gemmingen moved, to approve AR 97-33.
seconded by Mr. Murdy,

Mr. Meyer read the resolution, and Ms. Von Gemmingen presented it.

Question was called on the motion to approve AR 97-33 and it passed without objection.

3. Resolution No. AR 97-34, a resolution of the Anchorage Municipal Assembly **recommending actions to be taken regarding the Marilyn Manson concert** at the Egan Center, March 4th, 1997, Assemblymembers Meyer, Abney, Begich, Bell, Carlson, Clementson, Kendall, Meyer, Murdy, Von Gemmingen, Wohlforth, and Wuerch. **(addendum)**

Mr. Meyer moved, to approve AR 97-34.
seconded by Mr. Wuerch,

Mr. Meyer stated the band's lyrics were contrary to everything the community is trying to do to promote a healthy, positive environment. He cited song lyrics about suicide, rape, murder and hate as reasons for this resolution. He explained the intent of the resolution, noting it should help parents be aware of the nature of the concert.

Mr. Wohlforth applauded the resolution, noting it protected first amendment rights while increasing community awareness.

Mr. Wohlforth moved, to amend AR 97-34 to delete the second,
seconded by Ms. Abney, third
and fourth WHEREAS clauses and replace them with
one clause to read: "WHEREAS, past performances
have contained offensive, degrading and obscene
material which is in conflict with the community's
standards of decency and good taste, and which
could be damaging to minors; and"

Mr. Meyer explained the reasoning behind the original verbiage. He stated he did not want to soften the language so much that people were not aware of the group's impact.

Question was called on the motion to amend AR 97-34 and it passed:

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

Ms. Von Gemmingen stated there was a section of the Municipal Code relating to "performances harmful to minors." She noted this information would be given to the performers and promoters. The night of the performance is also a weeknight, and the 11:00 p.m. curfew will be enforced.

Ms. Clementson agreed with Mr. Meyer, stating the content is against the community's standards. She also noted the target group is ages 13 to 15. She encouraged people to buy tickets and not use them, so fewer children could attend.

In response to Mr. Murdy, Operations Manager George Vakalis advised the promoter would pay for the extra security and police protection at the concert.

Ms. Abney stated she would like all performers targeting teens to be informed of community standards any time they perform in Anchorage.

Question was called on the motion to approve AR 97-34 as amended and it passed without objection.

4. Ordinance No. AO 97-43, an ordinance of the Municipality of Anchorage creating Survey Special Assessment District 1V96 - for the **resurveying and replatting of the Rabbit Creek View Subdivision and the Rabbit Creek Heights Subdivision** and determining to proceed with proposed improvements therein, Public Works.
public hearing ~~3-18-97~~ 3-4-97.
a. Assembly Memorandum No. AM 138-97.

Mr. Bell, Ms. Abney and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for March 4, 1997.

In response to Mr. Bell, Public Works Director Jim Fero explained the earlier public hearing date was requested to allow completion of the project; the proposed work could not be performed in the winter.

5. Ordinance No. AO 97-46, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$5,075,000 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, Assemblymember Bell.
public hearing 2-25-97. **(addendum)**
 - a. Assembly Memorandum No. AM 195-97.

Ms. Clementson, Mr. Bell and Ms. Wohlforth joined in introducing this ordinance. The public hearing was scheduled for February 25, 1997.

Ms. Clementson asked if the law required the document to be available for public inspection when the title is introduced.

In response, Assistant Municipal Attorney Bill Greene noted the document did not have to be available until the date the notice of public hearing appears in the newspaper.

Mr. Wohlforth asked why the new procedure was established for changing bond issues.

Cindy Cartledge responded representing the Municipality's bond counsel, Wohlforth, Argetsinger et al. She advised that once public notice of the document is published, the principal amount of the bond cannot be increased.

6. Ordinance No. AO 97-47 39(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of ~~\$24,845,000~~ \$28,015,000 of 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, Assemblymember Bell. public hearing 2-25-97. **(addendum) (AO 97-47 WAS NOT SUBMITTED)**
 - a. Assembly Memorandum No. AM ~~196-97~~ 198-97.

Ms. Clementson, Mr. Bell and Ms. Wohlforth joined in introducing AO 97-47. The public hearing was scheduled for February 25, 1997.

Mr. Bell advised the intent was to add \$1 million to the bond proposition.

(Clerk's note: This item was discussed later in the meeting. See after the recess.)

The Assembly then considered item 10, Appearance Requests.

- A. **Tom McGrath**, regarding binding arbitration.

Mr. McGrath read a statement concerning binding arbitration. He noted binding arbitration has hindered the collective bargaining process. Overtime and work rules of police officers were discussed.

- B. **Robert P. Schwartz**, regarding solid waste recycling technology.

Mr. Schwartz discussed manufacturing items from recyclable goods.

Chairman Begich noted a recycling summit was forthcoming and invited Mr. Schwartz to attend.

- E. NEW BUSINESS:

1. Assembly Memorandum No. AM 142-97, 1997-1998 Liquor License Renewal: **Captain's Club** (Beverage Dispensary), Clerk's Office.

Mr. Wuerch moved, to approve AM 142-97.
seconded by Mr. Meyer,

Mr. Wuerch moved, to postpone action on AM 142-97
seconded by Ms. Clementson, until the owner could be present
and it passed without objection, on February 25, 1997.

2. Assembly Memorandum No. AM 143-97, **1997-1998 Liquor License Renewals**: Barry's Baranof Lounge, Captain's Galley -Duplicate, Carlo's Fine Mexican Restaurant, Lonestar Steakhouse & Saloon, Rumrunner's Old Towne Bar (Beverage Dispensary); VFW Post 9981 (Club); Eagle River Liquor (Package Store); Alaska Bagel Inc., Double D's Sandwich Shop, Four Corners Deli, Greco's Restaurant, Greek Corner, Pizza Plaza, Tidewater Cafe (Restaurant/Eating Place), Clerk's Office.

Mr. Wuerch moved, to approve AM 143-97.
seconded by Mr. Murdy,

Mr. Wuerch moved, to divide the question and
seconded by Mr. Murdy, approve all items in AM 143-97
and it passed without except the Captain's Galley.
objection,

Mr. Wuerch moved, to postpone discussion of the
seconded by Ms. Clementson, Captain's Galley until the owner
and it passed without owner could be present on
objection, February 25, 1997.

3. Assembly Memorandum No. AM 177-97, 1997 professional services contract with
Anchorage Economic Development Corporation, Municipal Manager's Office.

Mr. Murdy moved, to approve AM 177-97.
seconded by Mr. Wuerch,
and it passed without
objection,

Mr. Murdy applauded the efforts of the Anchorage Economic Development Corporation's Executive Director.

F. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 22-97, **unanswered Assembly Information Requests**,
Assemblymember Begich. **(addendum)**

Mr. Wuerch moved, to accept AIM 22-97.
seconded by Mr. Wohlforth,

In response to Chairman Begich, Employee Relations Director Tom Tierney explained an answer to outstanding information request #2 was forthcoming. Outstanding request #1 is still being researched by the administration. He expected a response by the end of the week.

Question was called on the motion to accept AIM 22-97 and it passed without objection.

The meeting recessed at 6:30 p.m. and reconvened at 7:05 p.m.

The Assembly then considered a special order.

Mr. Bell moved, to reschedule the public hearing
seconded by Mr. Wuerch, for AO 96-122, regarding the
and it passed without repeal of photo radar, to
objection,
February 25, 1997, and postpone action until
March 18, 1997.

Mr. Bell requested information from the administration, by the time of the public hearing, regarding contract issues.

Mr. Carlson moved, to postpone action on item 9.C,
seconded by Ms. Clementson, AO 96-160 until February 25,
and it passed without 1997.
objection,

The Assembly then returned to item 8.D.6. There was a discussion of whether a substitute bond ordinance with a difference bond amount could be introduced rather than a new ordinance. It was agreed a substitute ordinance could be such a vehicle as long as it was duly introduced and advertised for hearing. AO 97-47 was altered accordingly and introduced as AO 97-39(S).

Ordinance No. AO 97-47 39(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of ~~\$24,845,000~~ \$28,015,000 of 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, Assemblymember Bell. public hearing 2-25-97. **(addendum) (AO 97-47 WAS NOT SUBMITTED)**
a. Assembly Memorandum No. AM ~~196-97~~ 198-97.

Mr. Bell, Mr. Murdy and Ms. Abney joined in introducing AO 97-39(S). The public hearing was scheduled for February 25, 1997.

Ordinance No. AO 97-48, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$19,320,000 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, Assemblymember Wohlforth. **(LAID ON THE TABLE)**

a. Assembly Memorandum No. AM 197-97.

Mr. Wohlforth, Mr. Murdy and Ms. Clementson joined in introducing this ordinance. The public hearing was scheduled for February 25, 1997.

9. **OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:**

- A. Ordinance No. AO 96-85(S), an ordinance amending various sections of Anchorage Municipal Code Title 21 to require **permitted bulk storage and transfer of fuel** in Zoning Districts B-4--Rural Business, I-1--Light Industrial, I-2--Heavy Industrial, I-3--Rural Industrial, T--Transitional, PC--Planned Community District, MC--Marine Commercial, and MI--Marine Industrial to be by conditional use only and to define terms and establish standards and application requirements for such conditional use, Assemblymembers Wohlforth, Begich, Carlson, and Clementson.
1. Information Memorandum No. AIM 134-96, Community Planning and Development.
 2. Information Memorandum No. AIM 145-96, Community Planning and Development.
 3. Ordinance No. AO 96-85(S-1), an ordinance amending various sections of Anchorage Municipal Code Title 21 to require permitted bulk storage and transfer of fuel in Zoning Districts B-4--Rural Business, I-1--Light Industrial, I-2--Heavy Industrial, I-3--Rural Industrial, T--Transitional, PC--Planned Community District, MC--Marine Commercial, and MI--Marine Industrial to be by conditional use only and to define terms and establish standards and application requirements for such conditional use, Assemblymember Wohlforth.
(addendum)
 4. Assembly Memorandum No. AM 192-97.
 5. Ordinance No. AO 96-85(S-2), an ordinance amending various sections of Anchorage Municipal Code Title 21 to require permitted bulk storage and transfer of fuel in Zoning Districts B-4--Rural Business, I-1--Light Industrial, I-2--Heavy Industrial, I-3--Rural Industrial, T--Transitional, PC--Planned Community District, MC--Marine Commercial, and MI--Marine Industrial to be by conditional use only and to define terms and establish standards and application requirements for such conditional use, Assemblymember Begich.
(LAID ON THE TABLE)
(CONTINUED FROM 8-6-96; POSTPONED FROM 9-24-96 AND 10-22-96)

This item was discussed later in the meeting. See item 16, Unfinished Agenda.

- B. 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 WAS GIVEN BY MR. MURDY 1-15-97; RECONSIDERED 1-28-97; POSTPONED FROM 1-28-97)

This item was postponed until March 4, 1997 by a motion passed later in the meeting.

- C. 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.
(CONTINUED FROM 1-28-97; AMENDED AND APPROVED 2-4-97; RECONSIDERED AND POSTPONED FROM 2-4-97)

This item was postponed until February 25, 1997 by a motion passed earlier in the meeting.

- D. Ordinance No. AO 96-96(S-3), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 8 and Title 14 relating to **truancy and daytime loitering by minors** during school hours, Assemblymembers Murdy and Begich.
1. Assembly Memorandum No. AM 1005-96.
- (CONTINUED FROM 11-12-96 AND 11-26-96; POSTPONED FROM 12-3-96 AND 12-17-96)

This item was discussed later in the meeting. See item 16, Unfinished Agenda.

10. **APPEARANCE REQUESTS:**

- A. **Tom McGrath**, regarding binding arbitration.
- B. **Robert P. Schwartz**, regarding solid waste recycling technology.

These persons were heard earlier in the meeting.

11. **CONTINUED PUBLIC HEARINGS:**

- A. 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 AND 1-28-97)

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

Mr. Wohlforth moved, to adopt AO 96-95(S).
seconded by Mr. Meyer,

Mr. Wohlforth offered the history of the ordinance and explained why the single member district should be rotated or all districts should be single member. He recommended passage of both AO 96-95 and item 11.B, AO 96-165.

The Assembly discussed how single member districts would be identified and the inherent problems of the proposal.

Question was called on the motion to adopt AO 96-95(S) and it failed:

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

- B. 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, 1-14-97, AND 1-28-97)

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

Mr. Meyer moved, to adopt AO 96-165.
seconded by Ms. Clementson,

Mr. Meyer noted this ordinance requires Assemblymembers to be accountable to their constituents. He opined that three year terms would be better than two year terms.

Question was called on the motion to adopt AO 96-165 and it failed:

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

12. NEW PUBLIC HEARINGS:

- A. 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.
1. Assembly Memorandum No. AM 90-97.

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 97-19.
seconded by Ms. Abney,

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

- B. 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.
1. Assembly Memorandum No. AM 70-97.

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 97-18.
seconded by Mr. Meyer,

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

- C. 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.
1. Assembly Memorandum No. AM 89-97.

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 97-19.
seconded by Mr. Meyer,

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

- D. Ordinance No. AO 97-1, an ordinance amending the zoning map and providing for the rezoning from R-3 (Multiple-Family Residential District) Zone to R-4/SL (Multiple-Family Residential District with Special Limitations) for **O.H. Fast Subdivision #1, Lot 1**, generally located at the **southeast** southwest corner of Tudor Road and New Seward Highway on the east side of Juneau Street, south of Tudor Road (Campbell Park Community Council) (Planning and Zoning Commission Case 96-155), Community Planning and Development.
1. Assembly Memorandum No. AM 6-97.

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

ROBERT PETER with RJ Services spoke in favor of the ordinance.

ANN BOUDREAU, the petitioner, noted the southwest corner was being rezoned, rather than the southeast corner. She spoke in favor of the ordinance, explaining some history for the petition. In reply to Mr. Wuerch, Ms. Boudreau stated there were no plans to expand the building.

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

Chairman Begich asked if there was a legal problem with changing "southeast" to "southwest."

In response, Assistant Municipal Attorney Bill Greene said there was a correct description in the verbiage and there was not a legal problem.

In response to Ms. Clementson, Don Alspach of Community Planning and Development indicated the proper people received public notice of this ordinance and pending action.

Mr. Murdy moved, to adopt AO 97-1.
seconded by Ms. Von Gemmingen,

Mr. Wuerch moved, to amend AO 97-1 to change
seconded by Ms. Clementson, the word "southeast" to
and it passed without "southwest".
objection,

Question was called on the motion to adopt AO 97-1 as amended and it passed:

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

- E. Ordinance No. AO 97-4, an ordinance providing for the submission of a ballot proposition to qualified voters within a described area at the April 15, 1997 Regular Election, regarding **continuation of the Talus West Limited Road Service Area** and amending Anchorage Municipal Code Title 27, Assemblymembers Abney and Bell.
1. Assembly Memorandum No. AM 41-97.

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

Mr. Bell moved, to adopt AO 97-4.
seconded by Ms. Abney,

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

- F. Ordinance No. AO 97-5, an ordinance providing for the submission of a ballot proposition to qualified voters within a described area at the April 15, 1997 Regular Election, regarding **continuation of the Upper O'Malley Limited Road Service Area** and amending Anchorage Municipal Code Title 27, Assemblymembers Abney and Bell.
1. Assembly Memorandum No. AM 41-97.

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

Mr. Bell moved, to adopt AO 97-5.
seconded by Ms. Abney,

Ms. Von Gemmingen expressed a desire to see road service areas become contributing, rather than limited. She noted residents in these areas do not pay for road service in the Anchorage Bowl area, yet they use the roads.

Question was called on the motion to adopt AO 97-5 and it passed:

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

- G. Ordinance No. AO 97-6, an ordinance providing for the submission of a ballot proposition to qualified voters within a described area at the April 15, 1997 Regular Election, regarding **continuation of the Section 6/Campbell Airstrip Road Limited Road Service Area** and amending Anchorage Municipal Code Title 27, Assemblymembers Begich and Clementson.
1. Assembly Memorandum No. AM 41-97.

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 97-6.
seconded by Ms. Abney,

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

- H. Ordinance No. AO 97-7, an ordinance providing for the submission of a ballot proposition to qualified voters within a described area at the April 15, 1997 Regular Election, regarding **continuation of the Bear Valley Limited Road Service Area** and amending Anchorage Municipal Code Title 27, Assemblymembers Abney and Bell.
1. Assembly Memorandum No. AM 41-97.

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

Ms. Abney moved, to adopt AO 97-7.
seconded by Mr. Murdy,

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

- I. Ordinance No. AO 97-8, an ordinance providing for the submission of a ballot proposition to qualified voters within a described area at the April 15, 1997 Regular Election, regarding **continuation of the Sequoia Estates Limited Road Service Area** and amending Anchorage Municipal Code Title 27, Assemblymembers Abney and Bell.
1. Assembly Memorandum No. AM 41-97.

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

Mr. Bell moved, to adopt AO 97-8.
seconded by Mr. Murdy,

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

- J. Ordinance No. AO 97-9, an ordinance providing for the submission of a ballot proposition to qualified voters within a described area at the April 15, 1997 Regular Election, regarding **continuation of the Villages Scenic Parkway Limited Road Service Area** and amending Anchorage Municipal Code Title 27, Assemblymembers Abney and Bell.
1. Assembly Memorandum No. AM 41-97.

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

Ms. Abney moved, to adopt AO 97-9.
seconded by Mr. Murdy,

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

- K. 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.
1. Assembly Memorandum No. AM 102-97.
 2. Information Memorandum No. AIM 16-97.
 3. Information Memorandum No. AIM 17-97.
 4. Ordinance No. AO 97-20(S), 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.
 5. Assembly Memorandum No. AM 182-97.

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 97-20(S).
seconded by Ms. Abney,

Mr. Bell explained he would vote no because he believed bonds should be used for capital improvement items rather than equipment.

Question was called on the motion to adopt AO 97-20(S) and it passed:

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

- L. 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.
1. Assembly Memorandum No. AM 103-97.
 2. Information Memorandum No. AIM 16-97.
 3. Information Memorandum No. AIM 17-97.
 4. Ordinance No. AO 97-21(S), 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.
 5. Assembly Memorandum No. AM 183-97.

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 97-21(S).
seconded by Ms. Abney,

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

- M. 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.

1. Assembly Memorandum No. AM 104-97.
2. Information Memorandum No. AIM 16-97.
3. Information Memorandum No. AIM 17-97.
4. Ordinance No. AO 97-22(S), 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.
5. Assembly Memorandum No. AM 184-97.

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 97-22(S).
seconded by Ms. Von Gemmingen,

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

- N. 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.

1. Assembly Memorandum No. AM 105-97.
2. Information Memorandum No. AIM 16-97.
3. Information Memorandum No. AIM 17-97.
4. Ordinance No. AO 97-23(S), 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.
5. Assembly Memorandum No. AM 185-97.

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 97-23(S).
seconded by Mr. Wuerch,

Mr. Bell spoke against the ordinance. He questioned the need for these funds, because new revenue is being generated from taxes in the new police service Area.

Municipal Manager Larry Crawford noted those funds were already used to reduce the mill rate for and add new officers to serve the expanded police service area.

In response to Mr. Bell, Mayor Mystrom noted the new revenue reduced the rest of the citizen's tax bills by \$18 per \$100,000.

Question was called on the motion to adopt AO 97-23(S) and it passed:

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

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

- O. 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.

1. Assembly Memorandum No. AM 106-97.
2. Information Memorandum No. AIM 16-97.
3. Information Memorandum No. AIM 17-97.
4. Ordinance No. AO 97-24(S), 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.

5. Assembly Memorandum No. AM 186-97.

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 97-24(S).
seconded by Ms. Clementson,

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

NAYS: None.

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

- P. 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.

1. Assembly Memorandum No. AM 107-97.
2. Information Memorandum No. AIM 16-97.
3. Information Memorandum No. AIM 17-97.
4. Ordinance No. AO 97-25(S), 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.
5. Assembly Memorandum No. AM 187-97.

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

Mr. Bell moved, to continue the public hearing
seconded by Mr. Murdy, for AO 97-25(S) until February
and it passed without 25, 1997.
objection,

- Q. 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.

1. Assembly Memorandum No. AM 108-97.
2. Information Memorandum No. AIM 16-97.
3. Information Memorandum No. AIM 17-97.
4. Ordinance No. AO 97-26(S), 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.
5. Assembly Memorandum No. AM 188-97.

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

Mr. Bell moved, to continue the public hearing
seconded by Mr. Murdy, for AO 97-26(S) until February
and it passed without 25, 1997.
objection,

- R. 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.

1. Assembly Memorandum No. AM 109-97.
2. Information Memorandum No. AIM 16-97.
3. Information Memorandum No. AIM 17-97.
4. Ordinance No. AO 97-27(S), 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.
5. Assembly Memorandum No. AM 189-97.

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 97-27(S).
seconded by Ms. Abney,

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

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

- S. 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.
1. Assembly Memorandum No. AM 56-97.

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

TOM McGRATH spoke against the bond issue. He noted the Anchorage School District (ASD) budget already included \$900,000 for busses. He asked where the money would go if their budget already included the funding. He also asked why the ASD was "in the business of busing" when there was already a contractor ready to provide busing.

Chairman Begich asked if anyone else wished to speak. There was no one.

Mr. Wuerch moved, to continue the public hearing
seconded by Mr. Murdy, for AO 97-14 until February 25,
and it passed without objection, 1997.

- T. 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.
1. Assembly Memorandum No. AM 56-97.
 2. Ordinance No. AO 97-13(S), 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. **(addendum)**
 3. Assembly Memorandum No. AM 190-97.

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

Mr. Bell moved, to continue the public hearing
seconded by Mr. Murdy, for AO 97-13(S) until February 25, 1997.
and it passed without objection,

13. **BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:** None.

14. **SPECIAL ORDERS:**

Special orders were considered earlier in the meeting.

15. **ASSEMBLY COMMENTS:** See item 16, Unfinished Agenda.

16. **UNFINISHED AGENDA:** None.

- A. Mr. Wuerch moved, to recess into executive session
seconded by Mr. Clementson, to discuss photo radar as it is
and it passed without objection, an issue that may adversely
affect the finances of the Municipality.

The meeting recessed at 8:10 p.m. and reconvened at 8:53 p.m.

Mr. Wohlforth moved, to instruct the Clerk not to
 seconded by Mr. Murdy, release the tape of the
 and it passed without executive session regarding
 objection, photo radar for five years, or until the Assembly modifies the
 motion.

- B. Ordinance No. AO 96-85(S), an ordinance amending various sections of Anchorage Municipal Code Title 21 to require **permitted bulk storage and transfer of fuel** in Zoning Districts B-4--Rural Business, I-1--Light Industrial, I-2--Heavy Industrial, I-3--Rural Industrial, T--Transitional, PC--Planned Community District, MC--Marine Commercial, and MI--Marine Industrial to be by conditional use only and to define terms and establish standards and application requirements for such conditional use, Assemblymembers Wohlforth, Begich, Carlson, and Clementson.

1. Information Memorandum No. AIM 134-96, Community Planning and Development.
2. Information Memorandum No. AIM 145-96, Community Planning and Development.
3. Ordinance No. AO 96-85(S-1), an ordinance amending various sections of Anchorage Municipal Code Title 21 to require permitted bulk storage and transfer of fuel in Zoning Districts B-4--Rural Business, I-1--Light Industrial, I-2--Heavy Industrial, I-3--Rural Industrial, T--Transitional, PC--Planned Community District, MC--Marine Commercial, and MI--Marine Industrial to be by conditional use only and to define terms and establish standards and application requirements for such conditional use, Assemblymember Wohlforth.

(addendum)

4. Assembly Memorandum No. AM 192-97.
5. Ordinance No. AO 96-85(S-2), an ordinance amending various sections of Anchorage Municipal Code Title 21 to require permitted bulk storage and transfer of fuel in Zoning Districts B-4--Rural Business, I-1--Light Industrial, I-2--Heavy Industrial, I-3--Rural Industrial, T--Transitional, PC--Planned Community District, MC--Marine Commercial, and MI--Marine Industrial to be by conditional use only and to define terms and establish standards and application requirements for such conditional use, Assemblymember Begich.

(LAID ON THE TABLE)

(CONTINUED FROM 8-6-96; POSTPONED FROM 9-24-96 AND 10-22-96)

Chairman Begich gave the history of the ordinance and noted a motion to adopt AO 96-85(S) was on the floor. He noted the Legal Department staff suggested an executive session to discuss this ordinance.

In response to Ms. Von Gemmingen, Municipal Attorney Mary Hughes said her concerns were documented in writing.

Ms. Clementson moved, to recess into executive session
 seconded by Mr. Wuerch, to discuss AO 96-85, as it is an issue that may adversely affect
 the finances of the Municipality.

Mr. Wohlforth moved, to postpone discussion of
 seconded by Mr. Murdy, AO 96-85 until March 4, 1997 for further negotiations and hold
 the executive session at the conclusion of the
 evening's proceedings.

AYES: Wohlforth, Abney, Begich, Carlson, Murdy.

NAYS: Bell, Wuerch, Meyer, Von Gemmingen, Clementson.

Question was called on the motion to recess into executive session and it passed without objection.

The meeting recessed at 9:05 p.m. and reconvened at 9:40 p.m.

Mr. Wuerch moved, to instruct the Clerk not to
 seconded by Ms. Clementson, release the tape of the
 and it passed without executive session regarding
 objection, AO 97-85 for five years, or until the Assembly modifies the
 motion.

Mr. Wohlforth moved, to substitute AO 96-85(S-2)
 seconded by Ms. Von Gemmingen, for AO 96-85(S).
 and it passed without
 objection,

Mr. Wohlforth moved, to postpone discussion of
 seconded by Mr. Murdy, AO 96-85(S-2) until March 4, 1997.

Ms. Clementson asked if industry felt comfortable with the S-2 version.

DEAN O'HARE with Chevron expressed his appreciation for the Assembly's efforts. He noted that Chevron could not support the version.

MR. COOK of Mapco also expressed concern with the uncertainties. He noted the S-2 version did not support business growth.

In response to Mr. Wohlforth, Mr. Cook stated that industry already meets a number of safety standards. He could not imagine meeting more standards. They do not want a conditional use zone that is vague and uncertain.

Mr. Bell suggested a procedure be established to hold public hearings on the site plans for tank farms.

Mayor Mystrom noted a lot of work had been done on this item. He suggested Assembly members should vote to postpone if they felt differently as a result of the executive session. If they felt the same, then they should take action immediately.

Question was called on the motion to postpone action on AO 96-85(S-2) and it failed:

AYES: Wohlforth, Abney, Begich, Murdy.

NAYS: Bell, Wuerch, Meyer, Von Gemmingen, Clementson, Carlson.

Mr. Wohlforth spoke in favor of the S-2 version. He stated the role of local government was to ensure the safety of citizens, and this proposal would protect the citizenry.

Ms. Clementson discussed a report from the Bulk Fuel Storage Committee. She noted that the citizens of Government Hill expressed some concerns, and the committee addressed those concerns. Ms. Clementson went on to discuss some elements of the ideal ordinance. She lauded the industry's safety efforts.

Mr. Bell spoke against the S-2 version. He felt a balance between protection of homes and protection of the economy must be reached.

In response to Mr. Meyer, Fire Chief Mike Nolan noted residents of Government Hill were at more risk of fire due to proximity to the tanks, but it is not an undue risk because of safety efforts made by industry. He noted that industry has taken reasonable steps to reduce risk to human safety, and the next step would be to increase the capability of the Anchorage Fire Department to respond to fires.

In response to Ms. Clementson, Chief Nolan said the risk of death by fire was greater in northeast Anchorage than on Government Hill.

In response to Mr. Wohlforth, Chief Nolan indicated this statistic was mainly a result of alcohol abuse rather than the fact that many people in northeast Anchorage live in trailer homes.

In response to Ms. Von Gemmingen, Chief Nolan confirmed that fire inspectors had current tank farm training. He noted the tanks are inspected by contractors who report to the Fire Department. The sprinklers, alarms and other systems are inspected by Fire Department staff.

Ms. Von Gemmingen outlined her reasons for voting against the ordinance, noting it was a difficult decision. She applauded the efforts of all parties involved.

Chairman Begich explained why he would vote for the ordinance. He thanked the industry and the community for their work on the issue.

Question was called on the motion to adopt AO 96-85(S-2) and it failed:

AYES: Wohlforth, Abney, Begich, Murdy.

NAYS: Bell, Wuerch, Meyer, Von Gemmingen, Clementson, Carlson.

- C. 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 WAS GIVEN BY MR. MURDY 1-15-97; RECONSIDERED 1-28-97; POSTPONED FROM 1-28-97)

Mr. Bell moved, to postpone discussion of
seconded by Mr. Murdy, AO 96-155 until March 4, 1997.
and it passed without
objection,

- D. Ordinance No. AO 96-96(S-3), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 8 and Title 14 relating to **truancy and daytime loitering by minors** during school hours, Assemblymembers Murdy and Begich.

1. Assembly Memorandum No. AM 1005-96.

Chairman Begich gave the history of the ordinance and noted a motion to adopt AO 96-96(S-3) was on the floor.

Mr. Murdy moved, to amend AO 96-96(S-3) to change
seconded by Ms. Clementson, "minor" to "youth" throughout
and it passed without the document.
objection,

Mr. Murdy offered a history of the ordinance. He noted that a lot of work had gone into it, but it had become so diluted that it may not be effective.

Mr. Wohlforth spoke in favor of the ordinance, thanking Chairman Begich and Mr. Murdy for their efforts.

Ms. Clementson felt the proposed ordinance was not the answer to the truancy problem.

Mr. Bell noted State law already addresses truancy, and encouraged letting the State enforce those laws. He commented the Assembly seemed to be on the road to criminalizing being young, citing recently adopted ordinances on guns, curfew and now truancy.

In response to Mr. Meyer, Chairman Begich noted the Youth Advisory Commission supported the ordinance, with one member voting against, when the loitering section was deleted.

Mr. Meyer felt the ordinance was unnecessary.

Ms. Abney pointed out a truancy problem does exist among a small number of students. It is much less expensive to educate students than deal with the consequences of neglect.

Question was called on the motion to adopt AO 96-96(S-3) as amended and it passed:

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

E. Assembly Comments.

Chairman Begich invited the Assembly to attend the upcoming Youth Court Conference. He also distributed nomination forms for the "Spirit of Youth" Awards.

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:**

Two executive sessions were held earlier in the meeting. See item 16.

19. **ADJOURNMENT:**

The meeting adjourned at 11:00 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: July 1, 1997

LF/kbs

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