

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of November 3, 1998

1. CALL TO ORDER:

Chair Fay Von Gemmingen convened the meeting at 5:17 p.m. in the Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

2. ROLL CALL:

Present: Bob Bell, Ted Carlson, George Wuerch, Melinda Taylor, Charles Wohlforth, Fay Von Gemmingen, Cheryl Clementson, Kevin Meyer, Pat Abney, Dan Kendall, Joe Murdy (8:25 p.m.)  
Absent: None.

3. PLEDGE OF ALLEGIANCE: Boy Scout Troop 214 led the pledge.

4. MINUTES OF PREVIOUS MEETING: None.

5. MAYOR'S REPORT:

Mayor Mystrom read letters from students of Airports Heights Elementary School regarding police and fire protection.

6. ADDENDUM TO AGENDA: None.

7. CONSENT AGENDA:

Ms. Clementson moved, to approve all items  
seconded by Ms. Taylor, on the consent agenda.

A. BID AWARDS:

- 1. Assembly Memorandum No. AM 1023-98, recommendation of award to Western Peterbilt of Alaska for furnishing **frontload refuse trucks** to the Municipality of Anchorage, Solid Waste Services (ITB 98-119), Purchasing.

B. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

- 1. Ordinance No. AO 98-174, an ordinance amending the zoning map and providing for the rezoning from R-4 (Multiple Family Residential District) and B-3 SL (General Business District with Special Limitations) to PLI-SL (Public Lands and Institutions with Special Limitations) for **Australaska Subdivision portion of Tract B-10, and Block 1, Lots 17, 18, 19 and 20**, generally located between Bragaw Street and San Fernando Street and on the south side of San Ernesto Avenue (Russian Jack Community Council) (Planning and Zoning Commission Case 98-129), Community Planning and Development. public hearing 12-8-98.
  - a. Assembly Memorandum No. AM 1012-98.
- 2. Ordinance No. AO 98-175, an ordinance amending the zoning map and providing for the rezoning from R-9 (Rural Residential District) to R-1A (One Family Residential District) **Brendlwood Subdivision, Tract D**, generally located at the north end of Kaskanak Drive and to the east of Skyline Drive (Eagle River Valley Community Council) (Planning and Zoning Commission Case 98-114), Community Planning and Development. public hearing 12-8-98.
  - a. Assembly Memorandum No. AM 1013-98.
- 3. Ordinance No. AO 98-176, an ordinance amending Section 21.05.030S Anchorage Municipal Code, regarding the **Girdwood Area Plan**, to change the land use classification on the western half of Lot 5, US Survey 3042, generally located between Sproat Road and Alyeska Highway and north of Gunnysack Mine Road in Girdwood, from Commercial to Single-Family Residential (Girdwood Board of Supervisors) (Planning and Zoning Commission Case 98-156), Community Planning and Development. public hearing 11-24-98.
  - a. Assembly Memorandum No. AM 1019-98.
- 4. Ordinance No. AO 98-177, an ordinance approving an agreement to issue municipal revenue bonds and enter into a ground lease of municipal lands with the State of Alaska for the purpose of facilitating the **financing, construction and operation of a new Municipal Jail Facility**, Legal Department. public hearing 11-17-98.
  - a. Assembly Memorandum No. AM 1024-98.
  - b. Information Memorandum No. AIM 133-98, replacement jail and inebriate drop-off center status, Property and Facility Management.
- 5. Resolution No. AR 98-351, a resolution of the Anchorage Assembly appropriating \$56,000,000 from the sale of revenue bonds to the Anchorage Metropolitan Police Service Capital Improvement Program Fund (0451), authorizing a temporary internal loan from the construction cash pool in an amount not to exceed \$3,500,000 to the Anchorage Metropolitan Police Service Area Capital Improvement Program Fund (0451), and amending the revised 1998 General Government Capital Improvement Budget and 1998-2003 Capital Improvement Program for **costs**

**related to the design and construction of a replacement jail**, Office of Management and Budget. public hearing 11-17-98.

- a. Assembly Memorandum No. AM 1025-98.
- b. Information Memorandum No. AIM 133-98.

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

- 6. Ordinance No. AO 98-178, an ordinance repealing and reenacting Title 23 of the Anchorage Municipal Code, adopting the 1997 editions of the following **Uniform Codes** and enacting local amendments thereto: Administrative, Building, Mechanical, Plumbing, Sign, Fire, Swimming Pool, Spa and Hot Tub, Abatement of Dangerous Buildings, Security Building Construction Contractor Requirements, Fire Protection Service Outside Service Areas, Energy Conservation in New Building Design, Anchorage School District Relocatables; and the 1996 Safety Code for Elevators and Escalators, 1996 National Electrical Code, 1995 CABO One and Two Family Dwelling Code, Public Works. public hearing 12-15-98.
  - a. Assembly Memorandum No. AM 1026-98.
- 7. Resolution No. AR 98-349, a resolution appropriating \$55,376 current year special assessment and interest collections and \$318,074 prior year special assessment and interest collections within the Special Assessment Bond Redemption Fund (0899) for **1998 Special Assessment Bond Debt Service**, Finance. public hearing 11-17-98.
  - a. Assembly Memorandum No. AM 1014-98.

C. RESOLUTIONS FOR ACTION:

- 1. Resolution No. AR 98-350, a resolution of the Municipality of Anchorage appropriating \$36,300 from the Heritage Land Bank Fund (0221) Balance to the Heritage Land Bank Operating Budget for **closing costs and bank fees related to the Zodiak Manor - Klatt Subdivision Land Exchange**, Heritage Land Bank.
  - a. Assembly Memorandum No. AM 1020-98.

D. NEW BUSINESS:

- 1. Assembly Memorandum No. AM 1015-98, amendment No. 1 to professional services contract with HDR Alaska, Inc. for **south extension of the Coastal Trail - Kincaid Park to Potter Weigh Station**, Cultural and Recreational Services.

Mr. Bell asked this item be considered on the Regular Agenda. See 8.E.

- 2. Assembly Memorandum No. AM 1016-98, change order No. 2 to purchase order 62063 with American Pest Management for providing **insecticide and fungicide application** to the Municipality of Anchorage, Department of Cultural and Recreational Services/Purchasing.
- 3. Assembly Memorandum No. AM 1021-98, change order No. 3 to purchase order 71188 with Graybar Electric for furnishing **miscellaneous electrical supplies** to the Municipality of Anchorage, Purchasing Department.
- 4. Assembly Memorandum No. AM 1028-98, **Egan Center Skybridge & F Street improvements** contract No. C-70365, change order, Property and Facility Management.

Ms. Clementson asked the record reflect her "no" vote on this item.

E. INFORMATION AND REPORTS:

- 1. Information Memorandum No. AIM 132-98, **Executive Appointment Report** for the period of July 1998 to September 1998 (George Vakalis, Municipal Manager; Elaine Christian, Executive Manager; William A. Greene, Deputy Municipal Attorney; Paul J. Jones, Municipal Attorney II; Bruce C. Robson, Utility Division Manager II-AWWU; Kurt H. Vause, Utility Division Manager II-AWWU; Kathleen A. Kingston, Director-Cultural and Recreational Services; Charles E. Barnwell, GIS Technical Manager-MISD; Steven E. Nelson, Assistant Municipal Prosecutor (Temporary); Stuart B. Greydanus, Special Administrative Assistant-Port; Donald B. Warden, Cemetery Director-PW), Employee Relations.

Question was called on the motion to approve the remaining items on the Consent Agenda and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall.  
NAYS: None.

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

8. **REGULAR AGENDA:**

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

1. Resolution No. AR 98-351, a resolution of the Anchorage Assembly appropriating \$56,000,000 from the sale of revenue bonds to the Anchorage Metropolitan Police Service Capital Improvement Program Fund (0451), authorizing a temporary internal loan from the construction cash pool in an amount not to exceed \$3,500,000 to the Anchorage Metropolitan Police Service Area Capital Improvement Program Fund (0451), and amending the revised 1998 General Government Capital Improvement Budget and 1998-2003 Capital Improvement Program for **costs related to the design and construction of a replacement jail**, Office of Management and Budget. public hearing 11-17-98.
  - a. Assembly Memorandum No. AM 1025-98.
  - b. Information Memorandum No. AIM 133-98.

Mr. Bell, Mr. Meyer and Ms. Clementson agreed to introduce AR 98-351 for hearing on November 17, 1998. There was no objection.

Mr. Bell was concerned that the net gain in new beds would not meet Anchorage's need to house misdemeanants. He asked that the composition of the prisoner population be analyzed to confirm the space will be adequate.

D. RESOLUTIONS FOR ACTION: None.

E. NEW BUSINESS:

1. Assembly Memorandum No. AM 1015-98, amendment No. 1 to professional services contract with HDR Alaska, Inc. for **south extension of the Coastal Trail - Kincaid Park to Potter Weigh Station**, Cultural and Recreational Services.

Mr. Bell moved, to approve AM 1015-98.  
seconded by Mr. Wuerch,

Mr. Bell stated affected neighbors did not have an opportunity to speak on the contract at the earlier work session. He invited three people to comment on the topic.

LAVELLE SHIELDS, 2140 Shore Drive, relayed the feelings of the Bayshore/Klatt Community Council members that HDR representatives were biased toward locating the trail in the coastal wildlife refuge. An unscientific survey was used to advance the idea that the trail should be constructed. In public presentations, HDR used a video that depicted a trail routed through the wildlife refuge but offered no alternate routes. Objections from the State Fish and Game Department were omitted from reports. HDR has not collected data on the use of the existing coastal trail. Of special concern is the lack of analysis on wind speeds along the bluff route. He objected to continuing the contract with HDR.

MARY WHITMORE, South Anchorage Regional Trail Advocates, opposed continuation of the contract with HDR. Although HDR was instructed to consider inland routes, the study excludes any serious consideration of inland routes. HDR seems to be taking instruction from state agencies which oppose an inland route. She recommended an audit be done to assess what has been received for money already spent on this contract. No hard data has been supplied to support the Purpose and Needs Study. HDR's bias toward a "marsh" route jeopardizes support for much needed projects to connect inland trails.

DAVE ADAMS, vice president of Bayshore/Klatt Community Council, agreed trails were needed in south Anchorage. However, a trail along the "marsh" route will not meet the needs of trail users in south Anchorage. He was concerned the route for the south coastal trail would become so controversial that south Anchorage could lose trails. Constructing a trail along the "marsh" route will be very expensive. If the coastal trail is built as planned, Anchorage residents will have to sell bonds to construct connecting inland trails. He believed all of HDR's efforts were directed toward building the trail through the marsh.

In response to Ms. Clementson, Department of Cultural and Recreational Services Director Kathy Kingston stressed that no trail route had been selected. A two-mile-wide corridor will be studied. Phase two of the contract will analyze various routes and solicit public comment.

Mark Felton, HDR-Alaska, added that Fish and Game had not precluded all coastal routes. However, they have identified difficulties with the route from Spyglass Circle to Potter Marsh. Phase two of the contract is to identify inland routes. HDR has committed to revising the Purpose and Needs statement to reflect concerns voiced tonight. The State Department of Transportation directed HDR not to release the preliminary report, which provided background information for the Purpose and Needs statement. Public confusion has been the result. In phase two, HDR will work with various agencies and the public to address concerns about the Purpose and Needs statement.

In response to Mr. Wohlforth, Mr. Felton outlined the work done to date and what work was planned for future phases.

Mr. Bell commented that the public has lost confidence in the process because they perceive this contractor to be biased. If the route becomes highly controversial, a trail, which south Anchorage residents want, may be lost. He opposed amending the contract and recommended a new solicitation to be issued for the remaining work.

Ms. Clementson was concerned about the wisdom of terminating the contract at this point. She felt that additional evaluation and another work session were needed.

Ms. Clementson moved, to postpone action  
seconded by Ms. Taylor, until November 17, 1998.

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

Question was called on the motion to approve AM 1015-98 and it failed:

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

Clerk's Note: Ms. Clementson filed a Notice of reconsideration the following day. See minutes of November 17, 1998.)

F. INFORMATION AND REPORTS: None.

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

- A. Ordinance No. AO 98-153, an ordinance adopting the **1999 General Government Capital Improvement Budget**, Office of Management and Budget.
  - 1. Assembly Memorandum No. AM 948-98.
  - 2. Ordinance No. AO 98-153(S), an ordinance adopting the 1999 General Government Capital Improvement Budget, Office of Management and Budget.
  - 3. Assembly Memorandum No. AM 1011-98.  
(POSTPONED FROM 10-27-98)
- B. Resolution No. AR 98-284, a resolution of the Municipality of Anchorage **adopting the 1999-2004 General Government Capital Improvement Program**, Office of Management and Budget.
  - 1. Assembly Memorandum No. AM 948-98.
  - 2. Resolution No. AR 98-284(S), a resolution of the Municipality of Anchorage adopting the 1999-2004 General Government Capital Improvement Program, Office of Management and Budget.
  - 3. Assembly Memorandum No. AM 1011-98.  
(POSTPONED FROM 10-27-98)
- C. Ordinance No. AO 98-95, an ordinance of the Municipality of Anchorage amending Title 21 of the Anchorage Municipal Code of Ordinances by **amending 21.40.150 B-2A Central Business District Core, 21.40.160 B-2B Central Business District, Intermediate, and 21.40.170 B-2C Central Business District, Periphery to add public, private and parochial academic schools, business colleges and universities as permitted principal uses**, Assemblymember Wohlforth.
  - 1. Information Memorandum No. AIM 86-98, Community Planning and Development.
  - 2. Information Memorandum No. AIM 125-98, Community Planning and Development.  
(CARRIED OVER FROM 7-21-98; CONTINUED FROM 8-18-98; POSTPONED FROM 10-20-98)

Items 9.A, B and C were considered later in the meeting. See after item 12.L.

10. **APPEARANCE REQUESTS:**

- A. **Ralph Kermit Winterrowd 2nd**, regarding Charter, Finances.

MR. WINTERROWD served notice that he intended to have the Municipal Charter revoked, place liens on municipal assets, and remove elected officials, if the municipality persisted in taxing his private property. He contended the municipality could only tax property it owned.

- B. **Chuck Davis**, regarding search and seizure.

MR. DAVIS complained he and his family were subjected to unlawful search and seizure by Anchorage Police and Animal Control officials. Everyday residents' pets are taken by Animal Control and held for ransom. When he tried to see the Mayor at City Hall to discuss his complaints, he was arrested.

The meeting recessed at 6:18 p.m. and reconvened at 6:50 p.m.

11. **CONTINUED PUBLIC HEARINGS:**

- A. Resolution No. AR 98-287, a resolution of the Anchorage Municipal Assembly **adopting the capital grants section of the 1999 Legislative Program** for the Municipality of Anchorage, Office of Management and Budget.
  - 1. Assembly Memorandum No. AM 994-98.  
(CONTINUED FROM 10-27-98)

This item was considered later in the meeting. See after item 12.L.

12. **NEW PUBLIC HEARINGS:**

- A. Resolution No. AR 98-344, a resolution of the Municipality of Anchorage appropriating \$423,653 from the State of Alaska, Dept. of Health and Social Services, Division of Alcoholism and Drug Abuse, and \$47,073 from the General Government Operating Budget for the State Categorical Funds (0231) for detoxification services, by the Salvation Army Clitheroe Center, and related **emergency alcohol services**, to be administered by the Municipal Dept. of Health and Human Services.
  - 1. Assembly Memorandum No. AM 1003-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one and she closed the public hearing.

Ms. Clementson moved, to approve AR 98-344.  
seconded by Mr. Wuerch,

AYES: Bell, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer, Kendall.  
NAYS: None.

(Clerk’s Note: Mr. Carlson and Ms. Abney were out of the room at the time of the vote.)

- B. Resolution No. AR 98-345, a resolution of the Municipality of Anchorage authorizing the acceptance of a Federal Transit Administration Section 5307 grant and appropriating \$1,412,000 from the Federal Transit Administration to the Public Transportation Capital Improvement Fund (0485) for the **purchase of capital items**, Public Transportation Department.
1. Assembly Memorandum No. AM 1004-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Ms. Clementson moved, to approve AR 98-345.  
seconded by Ms. Taylor,

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

- C. Ordinance No. AO 98-171, an ordinance amending Anchorage Municipal Code Sections 9.04.010, 9.32.070 and 9.30.030 to **prohibit vehicles other than municipal buses from standing, stopping or parking in Municipal Transit bus stop zone**, Public Transportation Department.
1. Assembly Memorandum No. AM 970-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Ms. Clementson moved, to postpone action on AO 98-171  
seconded by Ms. Taylor, to November 17, 1998.  
and it passed without  
objection,

Mr. Bell asked whether official People Mover cars would be ticketed for parking at bus stops.

- D. Ordinance No. AO 98-170, an ordinance amending the zoning map and providing for the rezoning from R-4 (Multi-Family Residential) Zone to B-3SL (General Business District) Zone with Special Limitations for **Calais Subdivision, Block 6, Lot 1, Lot 2 and the South 1/2 of Lot 3, and Lot 4 and the North 1/2 of Lot 3**, generally located on the east side of Eide Street and between 31st Avenue and West 32nd Avenue (Spenard Community Council) (Planning and Zoning Commission Case 98-132), Assemblymembers Wuerch, Meyer, and Wohlforth.
1. Ordinance No. AO 98-170(S), an ordinance amending the zoning map and providing for the rezoning from R-4 (Multi-Family Residential) Zone to B-3SL (General Business District with Special Limitations) Calais Subdivision, Block 6, Lot 1, Lot 2 and the South 1/2 of Lot 3, and Lot 4 and the North 1/2 of Lot 3, generally located on the east side of Eide Street and between 31st Avenue and West 32nd Avenue (Spenard Community Council) (Planning and Zoning Commission Case 98-132), Community Planning and Development.
2. Assembly Memorandum No. AM 1027-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak.

TIM POTTER, DOWL Engineers, representing the petitioner, explained the location of the property to be rezoned. The plan is to convert the Magnum Electronics building into office space, which will require more parking. Tenants of the office building and adjacent apartment complex will share a portion of the rezoned property for parking. The special limitations attempt to provide for mixed uses of the property. In response to Mr. Wuerch, he stated that the petitioner agreed with the stipulations contained in the substitute version of the ordinance, but requested that the layout and number of parking spaces be resolved with the Traffic Engineer rather than Public Works.

Municipal Manager George Vakalis noted that both Zoning Enforcement and Traffic Engineering were divisions of Public Works. Since it is unclear which division should resolve the parking issue, he recommended the substitute not be amended.

In response to Ms. Clementson, Mr. Potter indicated there would be no access from the parking lot to Eide Street.

VICKIE SIMONIS, representing Mt. Vernon Commons residents, objected to the design of the parking lot and its ingress/egress on 32<sup>nd</sup> Street. Residents feel that the rezoning is an encroachment of commercial development into an existing residential area. The Spenard Community Council will soon consider whether to support a moratorium on more commercial development in residential areas until a comprehensive plan has been adopted. She asked for the ordinance to be delayed.

MARY TASSPER, Mt. Vernon Commons resident, confirmed statements made by Ms. Simonis. Several children live in the multi-family units adjacent to the Magnum building. Increasing traffic in the area will pose additional risk to them. She asked for the proposal to be rejected.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one, and she closed the public hearing.

Mr. Meyer moved, to adopt AO 98-170(S).  
seconded by Mr. Kendall,

In response to Mr. Meyer, Community Planning Deputy Director Don Alspach stated that the Planning and Zoning Commission will consider the traffic issue when the final site plan is submitted.

Ms. Clementson opposed eliminating housing to provide parking spaces for a commercial venture. Approval of the rezone represents erosion of residential uses and a drastic change in the nature of the area surrounding these homes.

In response to Chair Von Gemmingen, Mr. Potter advised the that State Archival Library will remain until the lease expires. The rest of the building will be converted to office space. Transient parking will be on the C Street side of the building and employee parking will be in the back and on the side of the building. The location is conducive to mixed commercial/residential uses because it is close to transit routes, shopping and other amenities.

Mr. Wuerch complimented the owners of Mt. Vernon Commons on the recent remodeling. He opined if capital investment was not attracted to neighborhoods surrounded by commercial properties, the value of such residential areas would decline.

In response to Mr. Wohlforth, Mr. Potter stated that the timing of Assembly action was important because the owners of Magnum Electronics needed to know whether to rent alternative space for the Christmas season.

Mr. Wuerch asked the Administration to coordinate a study of the 32<sup>nd</sup> and C Street intersection with the State Department of Transportation to determine the need for signalization.

Question was called on the motion to adopt AO 98-170(S) and it passed:

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

- E. Ordinance No. AO 98-172, an ordinance of the Municipality of Anchorage amending Title 21 of the Anchorage Municipal Code of Ordinances by **amending 21.40.150 B-2A Central Business District Core, 21.40.160 B-2B Central Business District, Intermediate, 21.40.170 B-2C Central Business District, Periphery, 21.40.145 B-1B Community Business District and 21.40.200 I-1 Light Industrial District to add public, private and parochial academic schools, business colleges and universities as conditional uses**, Assemblymember Wuerch.
- F. Ordinance No. AO 98-173, an ordinance of the Municipality of Anchorage amending Title 21 of the Anchorage Municipal Code of Ordinances by **amending 21.40.145 B-1B Community Business District to add public, private and parochial academic schools, business colleges and universities as a permitted use and 21.40.150 B-2A Central Business District Core, 21.40.160 B-2B Central Business District, Intermediate, 21.40.170 B-2C Central Business District, Periphery, and 21.40.200 I-1 Light Industrial District to add public, private and parochial academic schools, business colleges and universities as conditional uses**, Assemblymember Wohlforth.

Chair Von Gemmingen opened the public hearing on AO 98-172 and AO 98-173, and asked if anyone wished to speak.

Fairview resident RUTH MOULTON expressed concerns about the impact the ordinances would have on existing businesses. Placing schools in business areas can dramatically alter how a zone can be used. She suggested action be delayed until members could discuss with state legislators the proximity of schools to premises licensed to sell alcohol. She pointed out that neither ordinance provided for traffic control so there was no reason to believe congestion, similar to what occurs around the neighborhood now, would not occur in the central business core and industrial zones.

KENNETH BREWSTER urged the Assembly to allow charter schools, by right, in B-2C and B-1B business zones. He felt that the potential conflict between school sites and licensed premises was less in these zones. Traffic congestion will be minimized in these zones because of People Mover service for students' use. Obtaining a conditional use permit takes time and money. Few landlords are willing to wait, and charter schools do not have funds for the application fees. Consequently, requiring a conditional use permit to locate a charter school in any business zone will seriously endanger their ability to operate.

ROD PFLEIGER stated that the Downtown Partnership supported residential development downtown; residential development brings schools. At the same time, the Downtown Partnership supports tourism development downtown. There are approximately two licensed premises per block in the downtown core. Locating schools in the central business core will impact licensed premises under current laws. He urged the Assembly to proceed cautiously.

KENT AIRES, representing Carr Gottstein Properties, supported approval of AO 98-173 so that charter schools could be located in B-1B zones. He pointed out that only two properties in Anchorage were zoned B-1B and either would be an appropriate location for a charter school.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one, and she closed the public hearing.

Mr. Wohlforth moved, to adopt AO 98-173.  
seconded by Ms. Taylor,

In reply to Mr. Wohlforth, Deputy Director of Community Planning and Development Don Alspach advised there was no requirement for uses in downtown business zones to provide parking. Parking can only be required for uses governed by a conditional use permit.

Mr. Wohlforth expressed sympathy for the plight of charter schools but felt that it was a mistake to allow schools as a "by right" use in the downtown core business zones because there are no provisions to require parking. However, schools and businesses might be compatible uses in peripheral business zones.

Mr. Wohlforth moved, to amend AO 98-173 by deleting Section 2  
seconded by Ms. Clementson, and Section 3.

Mr. Wuerch pointed out that siting of a public school was usually a highly debated issue. As proposed, AO 98-173 would eliminate the public process for schools located in business or industrial zones.

Ms. Clementson asked for clarification on whether charter schools, because they are public schools, had to follow the site selection process contained in the code.

Mr. Kendall commented that local school students frequently take field trips to visit attractions in the downtown core. He felt that eliminating schools from the area would limit educational options.

Question was called on Mr. Wohlforth's motion to amend and it passed:

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

Question was called on the motion to adopt AO 98-173 as amended and it passed:

AYES: Bell, Carlson, Wuerch, Taylor, Wohlforth, Von Gemmingen, Clementson, Meyer.  
NAYS: Kendall.

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

Ms. Clementson moved, to postpone action on AO 98-172  
seconded by Mr. Wuerch, indefinitely.  
and it passed without  
objection,

- G. Resolution No. AR 98-339, a resolution of the Assembly adopting an amendment to the AMATS 1997 Long-Range Transportation Plan to add the **Anchorage International Airport Landside Access Improvement Project**, Community Planning and Development.  
1. Assembly Memorandum No. AM 996-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Ms. Clementson moved, to approve AR 98-339.  
seconded by Ms. Taylor,

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

(Clerk's Note: Mr. Wohlforth and Mr. Kendall were out of the room at the time of the vote.)

- H. Ordinance No. AO 98-155, an ordinance **adopting and appropriating funds for the Municipality's 1999 Anchorage Telephone Utility Operating and Capital Budgets**, Anchorage Telephone Utility.  
1. Assembly Memorandum No. AM 991-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing. She announced the second public hearing would be held November 17, 1998.

- I. Resolution No. AR 98-337, a resolution **adopting the 1999-2004 Anchorage Telephone Utility Capital Improvement Program**, Anchorage Telephone Utility.  
1. Assembly Memorandum No. AM 992-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing. She announced the second public hearing would be held November 17, 1998.

- J. Ordinance No. AO 98-154, an ordinance adopting and appropriating funds for the **1999 Public Utilities Operating and Capital Budgets** for the Municipality of Anchorage, Office of Management and Budget.  
1. Assembly Memorandum No. AM 956-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing. She announced a second public hearing would be held November 17, 1998.

- K. Resolution No. AR 98-286, a resolution adopting the **1999-2004 Public Utilities Capital Improvement Program**, Office of Management and Budget.  
1. Assembly Memorandum No. AM 964-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing. She announced a second public hearing would be held November 17, 1998.

- L. Ordinance No. AO 98-166, an ordinance of the Municipality of Anchorage **adopting and appropriating funds for the 1999 General Government Operating Budget for the Municipality of Anchorage**, Office of Management and Budget.
  - 1. Assembly Memorandum No. AM 957-98.

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak.

CAROLYN ELLINGWOOD, representing the Anchorage Arts Advisory Commission, advised that the Commission’s funding recommendations had been forwarded to Mayor Mystrom. She encouraged the Assembly’s continued support of arts programs in Anchorage.

WILDA MARSTON, Chair of the Anchorage Historical and Fine Arts Commission, endorsed the Museum’s proposed budget and requested additional funding of \$88,000 for a history curator and computer specialist. The cost of the history curator is expected to be offset by increased visitor fees. The accreditation team, who reviewed the Anchorage Museum, recommended more professional staff be added.

MIKE PURODY, Anchorage paramedic, discussed elements of the B-110 Integration Plan. He requested phase two of the plan be funded.

WARD HEPPER, Anchorage paramedic, stated that about 30 times a month no ambulances were available to respond to 911 calls. Only one ambulance is designated to serve 94,000 people in south Anchorage. He suggested two more ambulances, one at Huffman Station and one at Tudor Station, be added to serve south Anchorage. Currently, there are only five ambulances to serve the Anchorage bowl area.

In response to Mr. Kendall, Mr. Purody stated cross training of paramedics and firefighters worked well and improved emergency medical services in Anchorage. However, budget increases in recent years have not kept pace with the increasing volume of calls and medical advances.

Ms. Abney noted that the issue came before the Assembly’s Public Safety committee some time ago. Another presentation to the committee is scheduled on November 17, 1998.

JUDY FRIENDSLY, a retired fire dispatcher, said she was very glad paramedics were available when she had a heart attack. In the last three years of her active employment, holding emergency calls and juggling ambulance resources was a common occurrence. There are not enough ambulances for emergency transport.

RICHARD PERRY, a firefighter, indicated the Fire Department did not have enough emergency medical technicians and ambulances to respond to community needs.

JOE ALBRECHT, president of IAFF Local 1264, thanked the Municipal Administration for supporting the Fire Department. The situation under discussion tonight came up in the course of recent contract negotiations. There was no intent to drop the issue on the Assembly at the last minute. He voiced support for reopening the Government Hill fire station and increasing the ratio of firefighters to residents to 1.5 firefighters per 1,000 people.

Chair Von Gemmingen asked if anyone else wished to speak. There was no one, and she closed the public hearing. She announced a second public hearing would be held November 17, 1998.

Responding to firefighters’ comments, Municipal Manager Vakalis noted a prior study recommended cross training EMTs and firefighters, and increasing the number of paramedics and ambulances. Those recommendations are being implemented. The Administration has closely followed instances where ambulances were not available. The number of those instances significantly declined from 1994 to 1997 but increased in 1998. He questioned whether ambulance fee collection could be improved enough to offset the increased expense of this proposal. The 1999 budget includes funding for an additional Advanced Life Support (ALS) unit. The Administration will present its recommendation before budget adoption or during the first-quarter budget revision process. He suggested the Assembly delay action on this matter until the Administration completes its analysis.

(Clerk’s Note: Mr. Murdy arrived.)

- |                        |                                     |
|------------------------|-------------------------------------|
| Mr. Wohlforth moved,   | to change the orders of the day     |
| seconded by Ms. Abney, | and take up AO 98-153 (9.A),        |
| and it passed without  | AR 98-284 (9.B) and AO 98-95 (9.C). |
| objection,             |                                     |

- Ordinance No. AO 98-153, an ordinance adopting the **1999 General Government Capital Improvement Budget**, Office of Management and Budget.
    - 1. Assembly Memorandum No. AM 948-98.
    - 2. Ordinance No. AO 98-153(S), an ordinance adopting the 1999 General Government Capital Improvement Budget, Office of Management and Budget.
    - 3. Assembly Memorandum No. AM 1011-98.
- (POSTPONED FROM 10-27-98)

Chair Von Gemmingen stated no motion was pending on the ordinance.



- Mr. Wuerch moved,  
seconded by Mr. Wohlforth,

to adopt AO 98-153(S).
- Ms. Taylor moved,  
seconded by Mr. Wohlforth,  
and it passed without  
objection,

to amend AO 98-153(S) by adding projects to 1) install a weatherport to store equipment at the Rabbit Creek fire station, 2) conduct a feasibility study of providing a boat launch at 20 Mile Creek-Seward Highway, and 3) conduct a design study for a noise barrier along Northern Lights from Lake Otis to Seward Highway and on Benson Boulevard from LaTouche to Lake Otis.
- Mr. Wohlforth moved,  
seconded by Ms. Abney,

to amend AO 98-153(S) by adding \$315,630 for the Government Hill fire station building upgrades and \$44,000 for the Government Hill fire station equipment.

Mr. Wohlforth outlined the reasons why this was a good idea for Government Hill and the community at large.

Question was called on Mr. Wohlforth’s motion to amend and it failed:

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

- Ms. Abney moved,  
seconded by Mr. Wohlforth,

to amend AO 98-153(S) by adding bond funding for two mobile intensive care units south of Tudor Road, at station numbers 4 and 9.
- Ms. Abney moved,  
seconded by Mr. Meyer,  
and it passed without  
objection,

to amend the amendment by reducing the number of ambulances to one and the amount of bond funds to \$160,000.

Question was called on Ms. Abney’s motion to amend as amended and it passed:

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

- Ms. Abney moved,  
seconded by Mr. Wohlforth,

to amend AO 98-153(S) by adding a request for the State to build and acquire right-of-way for Rockridge Road between O’Malley Road and O’Malley Elementary School, and enter into a TORA with the municipality to maintain the road.

At the request of Mr. Bell, three people were allowed to comment on the proposed amendment.

- BOB PRICE, Anchorage School District Maintenance Department, noted that the district did not have adequate equipment to properly maintain the road. It is currently maintained with funds allocated for education. The road is narrow and needs to be upgraded.
- PAULA ARTS, a school bus driver, stated that lack of maintenance made the road hazardous year around. The road is too narrow for cars and buses to pass easily. In the winter, stuck cars and minor traffic accidents block access to the school.
- The O’Malley Elementary School Principal described a serious accident caused by the winter traffic conditions on Rockridge Road. The surrounding residents have contributed by filling pot holes on Rockridge.

Question was called on Ms. Abney’s motion to amend and it passed:

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

(Clerk’s Note: Ms. Taylor was out of the room at the time of the vote. Mr. Murdy was excused from the meeting.)

- Mr. Wohlforth moved,  
seconded by Ms. Clementson,

to amend AO 98-153(S) by adding \$55,000 for construction of a safe and ADA barrier-free playground at Nulbay Park, to be funded by bonds.
- AYES: Bell, Wuerch, Wohlforth, Von Gemmingen, Clementson, Meyer, Abney.

NAYS: Kendall.

(Clerk’s Note: Mr. Carlson and Ms. Taylor were out of the room at the time of the vote. Mr. Murdy was excused from the meeting.)

- Mr. Wohlforth moved,  
seconded by Mr. Kendall,

to amend AO 98-153(S) by adding \$25,000 for landscaping of Susan Nightingale Park, to be funded by bonds.
- AYES: Wohlforth, Von Gemmingen, Clementson, Meyer, Abney, Kendall.

NAYS: Bell, Wuerch.

(Clerk’s Note: Mr. Carlson and Ms. Taylor were out of the room at the time of the vote. Mr. Murdy was excused from the meeting.)

Mr. Wohlforth moved, to amend AO 98-153(S) to add \$36,000 to construct a path  
seconded by Ms. Abney, on the western edge of Alderwood Park, to be funded by  
bonds.

Mr. Wohlforth moved, to amend the amendment by reducing  
seconded by Mr. Meyer, the bond amount to \$18,000.  
and it passed without  
objection,

Question was called on Mr. Wohlforth’s motion to amend as amended and it failed:

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

(Clerk’s Note: Mr. Carlson was out of the room at the time of the vote. Mr. Murdy was excused from the meeting.)

Mr. Wohlforth moved, to amend AO 98-153(S) by adding \$200,000 to construct access  
seconded by Ms. Abney, from 9<sup>th</sup> Avenue to the Coastal Trail, to be funded by bonds.

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

(Clerk’s Note: This motion failed for lack of six affirmative votes. Mr. Murdy was excused from the meeting.)

Mr. Wohlforth moved, to amend AO 98-153(S) by deleting 1999 facility upgrade  
seconded by Ms. Taylor, projects from the capital budget.

Mr. Wohlforth argued that funding for low-cost maintenance projects should be moved from the capital to the operating budget. State matching grants could then be used to fund major projects for which bonding is difficult.

Question was called on Mr. Wohlforth’s motion to amend and it failed:

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

Mr. Meyer moved, to amend AO 98-153(S) by deleting the reference to Benson  
seconded by Ms. Clementson, Boulevard, LaTouche to Lake Otis, from the noise  
and it passed without barrier design study.  
objection,

Mr. Wuerch moved, to amend AO 98-153(S) by changing the budget year for the  
seconded by Mr. Kendall, Chester Creek -Tudor Road Trail connection from 1999 to  
2000.

Ms. Clementson noted that earlier in the year the Assembly removed the project from the AMATS list and agreed to include it in the 1999 Parks and Recreation bond package.

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

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

Ms. Abney moved, to amend AO 98-153(S) by adding a design study for a noise  
seconded by Mr. Wohlforth, barrier along New Seward Highway between Dimond  
Boulevard and O’Malley Road.

Mr. Wuerch moved, to amend the amendment by extending the study north to  
seconded by Mr. Bell, Tudor Road, moving the project to 2000 and increasing  
and it passed without funding to \$500,000 in state funds.  
objection,

Question was called on Ms. Abney’s motion to amend as amended and it passed:

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

Mr. Wohlforth moved, to amend AO 98-153(S) by adding \$18,500 to construct a path  
seconded by Ms. Taylor, on the western edge of Alderwood Park, to be funded by  
bonds.

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

Ms. Clementson moved, to amend AO 98-153(S) by changing funding for Eagle River  
seconded by Ms. Taylor, Commons to \$500,000 from the Heritage Land Bank and  
\$1,770,000 from bonds.

Ms. Clementson pointed out that, as proposed, the expenditure represented a significant portion of the funds remaining in the Heritage Land Bank.

Mr. Kendall explained the purpose was to provide a central park in the business area to serve surrounding residents.

Question was called on Ms. Clementson's motion to amend and it failed:

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

Question was called on the motion to adopt AO 98-153(S) as amended and it passed:

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

(Clerk's Note: Mr. Murdy was excused from the meeting. A motion to reconsider this item was made after the following item.)

Resolution No. AR 98-284, a resolution of the Municipality of Anchorage **adopting the 1999-2004 General Government Capital Improvement Program**, Office of Management and Budget.  
1. Assembly Memorandum No. AM 948-98.  
2. Resolution No. AR 98-284(S), a resolution of the Municipality of Anchorage adopting the 1999-2004 General Government Capital Improvement Program, Office of Management and Budget.  
3. Assembly Memorandum No. AM 1011-98.  
(POSTPONED FROM 10-27-98)

Mr. Wuerch moved, to approve AR 98-284(S) as amended of changes to  
seconded by Mr. Carlson, AO 98-153(S).

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

(Clerk's Note: Mr. Murdy was excused from the meeting. A motion to reconsider this action was made after the following action.)

Mr. Wuerch moved, immediate reconsideration of  
seconded by Mr. Kendall, adoption of AO 98-153(S) as amended.

AYES: Wohlforth.  
NAYS: Bell, Carlson, Wuerch, Taylor, Von Gemmingen, Meyer, Abney, Kendall.

(Clerk's Note: Ms. Clementson was out of the room at the time of the vote. Mr. Murdy was excused from the meeting.)

Mr. Wuerch moved, to suspend the rules and extend  
seconded by Mr. Kendall, the meeting to 11:15 p.m.  
and it passed without  
objection,

Mr. Wuerch moved, immediate reconsideration of  
seconded by Mr. Kendall, approval of AR 98-284(S) as amended.

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

Chair Von Gemmingen directed the members to AR 98-287, item 11.A.

Resolution No. AR 98-287, a resolution of the Anchorage Municipal Assembly **adopting the capital grants section of the 1999 Legislative Program** for the Municipality of Anchorage, Office of Management and Budget.

- 1. Assembly Memorandum No. AM 994-98.  
(CONTINUED FROM 10-27-98)

Chair Von Gemmingen opened the public hearing and asked if anyone wished to speak. There was no one, and she closed the public hearing.

Mr. Wohlforth moved,  
seconded by Mr. Wuerch,

to approve AR 98-287 and direct the Administration to  
make all adjustments necessary to bring the capital grants  
section of the 1999 legislative program in line with the 1999 to  
2004 CIP, as amended.

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

Mr. Wuerch moved,  
seconded by Mr. Kendall,

immediate reconsideration  
of the approval of AR 98-287, as amended.

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

The Assembly then continued with item 9.C, AO 98-95.

Ordinance No. AO 98-95, an ordinance of the Municipality of Anchorage amending Title 21 of the Anchorage Municipal Code of Ordinances by **amending 21.40.150 B-2A Central Business District Core, 21.40.160 B-2B Central Business District, Intermediate, and 21.40.170 B-2C Central Business District, Periphery to add public, private and parochial academic schools, business colleges and universities as permitted principal uses**, Assemblymember Wohlforth.

- 1. Information Memorandum No. AIM 86-98, Community Planning and Development.
- 2. Information Memorandum No. AIM 125-98, Community Planning and Development.

(CARRIED OVER FROM 7-21-98; CONTINUED FROM 8-18-98; POSTPONED FROM 10-20-98)

Chair Von Gemmingen noted no motions were pending on this item.

Mr. Kendall moved,  
seconded by Mr. Wohlforth,

to postpone action on AO 98-95  
indefinitely.

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

(Clerk's Note: Mr. Murdy was excused from the meeting.)

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

14. **SPECIAL ORDERS:**

Mr. Wohlforth confirmed with fellow members that it was not necessary for ATU to submit quarterly financial reports during the ownership transition period. He clarified the Assembly would continue to receive monthly financial statements.

15. **ASSEMBLY COMMENTS:** None.

16. **UNFINISHED AGENDA:** None.

17. **AUDIENCE PARTICIPATION:** None.

18. **EXECUTIVE SESSIONS:** None.

19. ADJOURNMENT:

Mr. Kendall moved, to adjourn.  
seconded by Ms. Clementson,  
and it passed without  
objection,

The meeting adjourned at 11:10 p.m.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk

Date Minutes Approved: February 23, 1999

LF/ry

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