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**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEETING**

**Assembly Chambers, Z. J. Loussac Library
3600 Denali Street, Anchorage, Alaska**

Minutes for Regular Meeting of August 19, 2003, as amended

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1. CALL TO ORDER

17 The Assembly Meeting was called to order by Chair Traini at 5:00 p.m.

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2. ROLL CALL A Quorum was achieved with Assemblymembers present.

21 PRESENT: Allan Tesche, Brian Whittle, Melinda Taylor, Fay Von Gemmingen, Dick Traini, Anna Fairclough, Doug
22 Van Etten, Janice Shamberg, Dick Tremaine and Dan Sullivan.

23 ABSENT: Dan Kendall, excused.
24

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26

3. PLEDGE OF ALLEGANCE Mr. Van Etten led the pledge.

27
28

4. MINUTES OF PREVIOUS MEETING

29 Mr. Sullivan moved for the approval of the Minutes be postponed until they had an opportunity to review what had just
30 been presented in their packets. Mr. Tesche provided the second and the motion was approved without objection.
31 Chair Traini returned to the Minutes later in the evening and each was approved unanimously, with the exception of
32 Mr. Kendall, who had an excused absence.

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34

4.A. Regular Meeting of May 20, 2003

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36 Mr. Sullivan moved, to approve Minutes of Regular Meeting of May 20, 2003.
37 Mr. Tremaine seconded,
38 and this motion was passed unanimously,
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41

4.B. Special Meeting of August 5, 2003

42 Mr. Sullivan moved, to approve Minutes of Special Meeting of August 5, 2003.
43 Mr. Tesche seconded,
44 and this motion was passed unanimously,
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4.C. Regular Meeting of June 24, 2003

48 Mr. Sullivan moved, to approve Minutes of Regular Meeting of June 24, 2003.
49 Ms. Tesche seconded,
50 and this motion was passed unanimously,
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4.D. Regular Meeting of July 15, 2003

54 Mr. Tesche moved, to approve Minutes of Regular Meeting of July 15, 2003.
55 Ms. Fairclough seconded,
56 and this motion was passed unanimously,
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59

5. MAYOR'S REPORT None.

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61

6. ASSEMBLY CHAIR'S REPORT None.

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63

7. COMMITTEE REPORTS None.

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65

8. ADDENDUM TO AGENDA

66 Chair Traini read the Addendum items. He then called for additional Addendum items. The Administration requested
67 to add items AR 2003-270, AO 2003-62(S-1) and AO 2003-89. Chair Traini assigned these items to the Agenda as
68 numbers 9.B.7, 11.D.4 and 13.A, respectively, and called for a motion to incorporate the Addendum items into the
69 Regular Agenda.

70
71 Mr. Tesche moved, to approve the inclusion of the Addendum items
72 Ms. Taylor seconded, into the Regular Agenda.
73 and this motion was passed,
74

75 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine and
76 Sullivan.

77 NAYES: None.

78 ABSENT: Kendall, excused.
79

80 Chair Traini called for a motion on the Consent Agenda.

1
2 Ms. Fairclough moved, to approve the Consent Agenda.
3 Ms. Taylor seconded,
4

5 Chair Traini called for Assemblymembers to request items be pulled and moved to the Regular Agenda for discussion.
6

7 **9. CONSENT AGENDA**

8 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

9 9.A.1. Resolution No. AR 2003-254, a resolution of the Anchorage Municipal Assembly recognizing and
10 honoring **Robert W. Heartwell, Jr.** for his positive impact on the Anchorage community through his
11 music ministry. Assemblymember Taylor.
12

13 Mr. Whittle requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)
14

15 9.A.2. Resolution No. AR 2003-260, a resolution of the Anchorage Municipal Assembly recognizing and
16 honoring **Samantha Furnace, Maria Hartz, Denise Knox, Dawn Skeete, Theresa Welch** for their
17 service to the community as employees of the Child and Adult Care Program.
18

19 Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (*See item 10.A.2*)
20

21 9.A.3. Resolution No. AR 2003-269, a resolution of the Anchorage Municipal Assembly recognizing and
22 congratulating **KSKA Radio and Alaska Public Radio Network** for 25 years of outstanding
23 community service through public broadcasting, Mayor Begich, Assemblymembers Van Etten,
24 Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Von Gemmingen and
25 Whittle. (**Addendum**)
26

27 Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (*See item 10.A.3*)
28

29 **9.B. RESOLUTIONS FOR ACTION - OTHER**

30 9.B.1. Resolution No. AR 2003-255, a resolution of the Municipality of Anchorage appropriating fifty
31 thousand dollars (\$50,000) from **Section 6/Campbell Airstrip Limited Road Service Area** (LRSA)
32 fund balance (Fund 112) to Section 6/Campbell Airstrip LRSA BY2003 Operating Budget (Fund 112)
33 for year round road maintenance services, Maintenance & Operations.
34 a. Assembly Memorandum AM 675-2003

35 9.B.2. Resolution No. AR 2003-258, a resolution of the Municipality of Anchorage appropriating twelve
36 thousand dollars (\$12,000) from **Villages Scenic Parkway Limited Road Service Area** (LRSA) fund
37 balance (Fund 146) to Villages Scenic Parkway LRSA BY2003 Operating Budget (Fund 146) for
38 summer road maintenance services, Maintenance & Operations.
39 a. Assembly Memorandum AM 673-2003

40 9.B.3. Resolution No. AR 2003-259, a resolution of the Anchorage Municipal Assembly revising the 2003
41 General Government Operating Budget by appropriating Ninety-Eight Thousand Eight Hundred
42 Dollars (\$98,800) from Areawide General Fund Balance (101) to the Department of Assembly to cover
43 the **cost of the April 1, 2003 election** and subsequent recount, Assembly Chair Traini.
44 a. Assembly Memorandum AM 684-2003

45 9.B.4. Resolution No. AR 2003-266, a resolution of the Municipality of Anchorage Homeland Security to the
46 State Categorical Grants Fund (231) for the development of the **Community Emergency Response**
47 **Teams** (CERTS) through the Office of the Municipal Manager on behalf of the MOA Office of
48 Emergency Management, Municipal Manager. (**Addendum**)
49 a. Assembly Memorandum No. AM 691-2003.

50 9.B.5. Resolution No. AR 2003-267, a resolution of the Anchorage Municipal Assembly supporting Mayor
51 Begich's **request to the Regulatory Commission of Alaska** (RCA) for an extension of time until
52 December 15, 2003 to file its notice of intent with respect to franchising residential refuse collection,
53 Assemblymember Tesche. (**Addendum**)

54 9.B.6. Resolution No. AR 2003-268, a resolution appropriating \$30,000 of revenue from the State of Alaska
55 Department of Military and Veterans Affairs Division of Emergency Services to the State Categorical
56 Grants Fund (231) to the Project Management & Engineering Department for preparation of a draft
57 **Community Hazard Mitigation Plan**, Project Management & Engineering. (**Addendum**)
58 a. Assembly Memorandum No. AM 692-2003.

59 9.B.7. Resolution No. AR 2003-270, a resolution of the Anchorage Municipal Assembly consenting to the
60 location of, and approving, the **Providence Health System Project No. 2** of the Alaska Industrial
61 Development and Export Authority, Finance Department. (**Laid on the Table**)
62

63 **9.C. BID AWARDS**

64 9.C.1. Assembly Memorandum No. AM 668-2003, recommendation of award to VECO Alaska Inc. for the
65 **Eagle River Wastewater Treatment Facility Supervisory Control and Data Acquisition** (SCADA)
66 System Upgrade for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 23-
67 C050) \$1,127,393, Purchasing.

68 9.C.2. Assembly Memorandum No. AM 693-2003, recommendation of award to SeaCoast Construction Co.,
69 Inc. for 2002/2003 Miscellaneous **Americans with Disabilities Act sidewalk improvements** for the
70 Municipality of Anchorage, Project Management & Engineering (ITB 23-C061) (\$351,761), Purchasing.
71 (**Addendum**)

72 9.C.3. Assembly Memorandum No. AM 694-2003, recommendation of award to Pacific Construction Inc. for
73 **72nd Avenue/Abbott Loop Road Area Storm Drain** for the Municipality of Anchorage, Project
74 Management & Engineering (ITB 23-C059) (\$203,919), Purchasing. (**Addendum**)

75 9.C.4. Assembly Memorandum No. AM 695-2003, recommendation of award to Schetky Northwest Sales,
76 Inc. for furnishing **30' low floor transit buses** for the Municipality of Anchorage, Public Transportation
77 Department (ITB 23-B038) (\$1,392,015), Purchasing. (**Addendum**)

- 1 9.C.5. Assembly Memorandum No. AM 698-2003, cooperative purchase agreement with Ater Wynne, LLP to
2 provide services for a **Railbelt Energy Study** for the Municipality of Anchorage, Municipal Light and
3 Power (\$51,282), Purchasing. (**Addendum**)
4

5 **9.D. NEW BUSINESS**

- 6 9.D.1. Assembly Memorandum No. AM 657-2003, Renewal of **4th Avenue Theatre (#3518)**, Beverage
7 Dispensary Liquor License, (Downtown and Government Hill Community Councils), Clerk's Office.
8 9.D.2. Assembly Memorandum No. AM 658-2003, **BPO Elk's Lodge #1351 (#4322)** transfer of location and
9 name change for a Club Liquor License (Huffman/O'Malley, Bayshore Klatt, Old Seward, Rabbit
10 Creek, Abbott Loop Community Councils), Clerk's Office.
11

12 Mr. Tremaine requested this item be pulled and considered on the Regular Agenda. (*See item 10.D.2*)
13

- 14 9.D.3. Assembly Memorandum No. AM 685-2003, Renewal of **JJ's Restaurant (#3558)** (Restaurant/Eating
15 Place); **Bear Tooth Theaterpub (#4065)**, **Bear Tooth Grill duplicate** (Beverage Dispensary) Liquor
16 Licenses. (Spenard, Downtown, Government Hill, Girdwood, Portage and Indian Community
17 Councils), Clerk's Office.
18

19 Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (*See item 10.D.3*)
20

- 21 9.D.4. Assembly Memorandum No. AM 660-2003, **Spirits (#1011)** transfer of ownership and name change of
22 a Package Store Liquor License, (Eagle River and Chugiak Community Councils), Clerk's Office.
23 9.D.5. Assembly Memorandum No. AM 678-2003, **Hot Rods (#3165)** transfer of ownership for a Beverage
24 Dispensary Liquor License, (Campbell Park, Spenard, Taku/Campbell Community Councils), Clerk's
25 Office.
26

27 Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (*See item 10.D.5*)
28

- 29 9.D.6. Assembly Memorandum No. AM 679-2003, **Anchorage Billiard Palace (#2472)** transfer of
30 ownership of a Beverage Dispensary Liquor License. (Campbell Park, Spenard, Taku/Campbell
31 Community Councils), Clerk's Office.
32 9.D.7. Assembly Memorandum No. AM 680-2003, **Fred Meyer (#2884)**, transfer of ownership, location and
33 name change for a Package Store Liquor License (Huffman/O'Malley Community Council), Clerk's
34 Office.
35

36 Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (*See item 10.D.7*)
37

- 38 9.D.8. Assembly Memorandum No. AM 661-2003, amendment No. 6 to **Professional Legal Services**
39 contract with the law firm of Foster Pepper Rubini & Reeves, LLC regarding environmental matters,
40 Municipal Attorney.
41 9.D.9. Assembly Memorandum No. AM 662-2003, proprietary contract with the University of Washington to
42 provide **Indoor Air Quality Study** with the Municipality of Anchorage, Department of Health & Human
43 Services (\$99,734), Purchasing.
44 9.D.10. Assembly Memorandum No. AM 669-2003, proprietary contract to Premera Blue Cross Blue Shield of
45 Alaska for providing Health and Medical Insurance and to States West Life for providing
46 Life/Accidental Death and Dismemberment (AD&D) **Coverage for the Chugiak Volunteer Fire &**
47 **Rescue, Inc.** for the Municipality of Anchorage, Fire Department (\$160,000), Purchasing.
48 9.D.11. Assembly Memorandum No. AM 671-2003, subdivision agreement time extension for **Tudor Centre**
49 **Subdivision**, Subdivision agreement number 93-003, Community Planning and Development.
50

51 Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (*See item 10.D.11*)
52

- 53 9.D.12. Assembly Memorandum No. AM 672-2003, proprietary purchase from Somera Communications for
54 providing **technical services, labor, replacement parts and repair services** to the Municipality of
55 Anchorage, Municipal Light and Power (\$45,000), Purchasing.
56 9.D.13. Assembly Memorandum No. AM 681-2003, request to file late appellate brief in **Appeal Case**
57 **S-10965**, Denali View Subdivision, Clerk's Office.
58 9.D.14. Assembly Memorandum No. AM 682-2003, **Chinese Seafood Restaurant (#4328)** New
59 Restaurant/Eating Place Liquor License. (Spenard, Downtown, South Addition Community Councils),
60 Clerk's Office.
61 9.D.15. Assembly Memorandum No. AM 683-2003, **Assembly meeting schedule revisions** (September-
62 December 2003), Assembly Chair Traini.
63 9.D.16. Assembly Memorandum No. AM 686-2003, Internal Audit Department **Audit Plan Revisions**, Internal
64 Audit.
65 9.D.17. Assembly Memorandum No. AM 690-2003, change order No. 3 to purchase order 21PWK108 with
66 Reid Middleton, Inc. for providing **third-party review services** for the Municipality of Anchorage,
67 Development Services Department (\$75,000), Purchasing. (**Addendum**)
68 9.D.18. Assembly Memorandum No. AM 680-2003(A), **Fred Meyer (#2884)** – Transfer of Ownership, Transfer
69 of Location (*No Premise*) and Name Change for a Package Store Liquor License, Clerk's Office.
70 (**Addendum**)
71

72 Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (*See item 10.D.18*)
73

- 74 9.D.19. Assembly Memorandum No. AM 696-2003, change order No. 3 to purchase order 20EMP382 with
75 Law Enforcement Psychological Services, Inc. providing **psychological testing services** for the
76 Municipality of Anchorage, Employee Relations (\$92,776), Purchasing. (**Addendum**)
77 9.D.20. Assembly Memorandum No. AM 697-2003, proprietary services contract award to Liburdi
78 Engineering, Inc. for providing **specialized software support and consulting services** for the
79 Municipality of Anchorage, Municipal Light and Power (\$50,000), Purchasing. (**Addendum**)

- 1 9.D.21. Assembly Memorandum No. AM 699-2003, change order No. 1 to Contracts 22MIS105 and 22MIS117
2 with the Alaska Communications Systems, Inc. and AT&T Wireless Services for **local telephone and**
3 **cellular services** to the Municipality of Anchorage, Information Technology Department (\$875,000),
4 Purchasing. (**Addendum**)
5

6 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. (*See item 10.D.21*)
7

8 **9.E. INFORMATION AND REPORTS**

- 9 9. E.1. Assembly Informational Memorandum No. AIM 78-2003, **Sole source procurement report** for the
10 month of July, 2003, Purchasing.
11 9.E.2. Assembly Informational Memorandum No. AIM 79-2003, **contracts awarded** between \$50,000 and
12 \$100,000 through formal competitive processes for the month of July 2003, Purchasing.
13 9.E.3. Information Memorandum No. AIM 81-2003, **Monthly Financial Report** – June 2003, Finance.
14 (**Addendum**)
15

16 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 17 9.F.1. Ordinance No. AO 2003-118, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
18 providing for the borrowing from the State of Alaska Clean Water Fund of an amount not to exceed
19 \$1,000,000 for the purpose of financing a portion of the costs of the **Pump Station 2 Project** in the
20 Municipality and providing for related matters, Anchorage Water & Wastewater Utility. (*Public Hearing*
21 *set for 9-9-03*)
22 a. Assembly Memorandum No. AM 663-2003.
23 9.F.2. Ordinance No. AO 2003-119, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
24 providing for the borrowing from the State of Alaska Clean Water Fund of an amount not to exceed
25 \$4,000,000 for the purpose of financing a portion of the costs of the **SCADA Sewer Project** in the
26 Municipality, and providing for related matters, Anchorage Water & Wastewater Utility. (*Public*
27 *Hearing set for 9-9-03*)
28 a. Assembly Memorandum No. AM 664-2003.
29 9.F.3. Ordinance No. AO 2003-120, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
30 providing for the borrowing from the State of Alaska Clean Water Fund of an amount not to exceed
31 \$1,000,000 for the purpose of financing a portion of the costs of the **AWWU Operations Facility**
32 **Phase III Project** in the Municipality, and providing for related matters, Anchorage Water &
33 Wastewater Utility. (*Public Hearing set for 9-9-03*)
34 a. Assembly Memorandum No. AM 665-2003.
35 9.F.4. Ordinance No. AO 2003-121, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
36 providing for the borrowing from the State of Alaska Clean Water Fund of an amount not to exceed
37 \$500,000 for the purpose of financing a portion of the costs of the **Septage Receiving Station**
38 **Upgrade Project** in the Municipality, and providing for related matters, Anchorage Water &
39 Wastewater Utility. (*Public Hearing set for 9-9-03*)
40 a. Assembly Memorandum No. AM 666-2003.
41 9.F.5. Ordinance No. AO 2003-122, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
42 providing for the borrowing from the State of Alaska Clean Water Fund of an amount not to exceed
43 \$1,000,000 for the purpose of financing a portion of the costs of the **Old Glenn Highway Interceptor**
44 **Project** in the Municipality, and providing for related matters, Anchorage Water & Wastewater Utility.
45 (*Public Hearing set for 9-9-03*)
46 a. Assembly Memorandum No. AM 667-2003.
47 9.F.6. Ordinance No. AO 2003-123, an ordinance of the Anchorage Municipal Assembly amending the
48 zoning map and providing for the rezoning of approximately 1.75 acres from R-7 (Intermediate Rural
49 Residential) to R-O (Residential Office District) for a portion of the SE ¼ of the SE ¼ of Section 24,
50 Township 16 North, Range 1 West, Seward Meridian, AK, generally located along the **western side of**
51 **the New Glenn Highway north of Rusticate Drive in Eklutna**, Planning Department. (*Public Hearing*
52 *set for 9-9-03*)
53 a. Assembly Memorandum No. AM 674-2003.
54 9.F.7. Resolution No. AR 2003-256, a resolution of the Municipality of Anchorage appropriating \$265,000
55 from the Heritage Land Bank fund (221) to the **Heritage Land Bank Capital Improvement Fund**
56 (421) for approved HLB Capital Improvement Program Projects, Heritage Land Bank. (*Public Hearing*
57 *set for 9-9-03*)
58 a. Assembly Memorandum No. AM 676-2003.
59 9.F.8. Ordinance No. AO 2003-124, an ordinance of the Anchorage Municipal Assembly amending
60 Anchorage Municipal Code Sections 21.35.020 and 21.40.060 to change the definition of **gross floor**
61 **area and floor area ratio** to exclude underground parking and access to underground parking,
62 Assemblymember Tesche. (*Public Hearing set for 9-9-03*)
63 a. Assembly Memorandum No. AM 687-2003.
64 9.F.9. Ordinance No. AO 2003-125, an ordinance of the Anchorage Assembly amending Anchorage
65 Municipal Code Section 21.35.020 relating to the definition of **housing for the elderly**, amending
66 provisions of Chapter 21.40 by adding senior housing as a permitted use in the R-2M, R-3, R-4, R-5,
67 R-6, R-7, R-11, R-O, B-1B, B-2A, B-2B, B-2C, and B-3 Districts, and amending Anchorage Municipal
68 Code 21.45.080(b) relating to parking requirements for senior housing, Assemblymember Tesche.
69 (*Public Hearing set for 9-9-03*) (**Addendum**)
70 a. Assembly Memorandum No. AM 688-2003.
71 9.F.10. Resolution No. AR 2003-265, a resolution adopting the **amended 2003 Action Plan**, awarding
72 contracts for the additional projects listed in Table 5-1 of the amended 2003 Action Plan, appropriating
73 annual program income from the U.S. Department of Housing and Urban Development Community
74 Development Block Grant (CDBG) in the amount of \$121,817 to the Federal Categorical Grants Fund
75 (241), Community and Economic Development. (*Public Hearing was set for 9-9-03 8-27-03*)
76 (**Addendum**) (*Special Meeting*)
77 a. Assembly Memorandum No. AM 689-2003.
78

1 (Clerk's Note: This resolution was approved by the Assembly on the Consent Agenda and later recalled by the
2 Administration for Reconsideration. Refer to item 10.F.10)

3
4 Chair Traini called for a motion to approve the remainder of Consent Agenda.

5
6 Mr. Tesche moved, to approve the Consent Agenda, as amended.
7 Ms. Fairclough seconded,
8 and this motion was passed,
9

10 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
11 and Sullivan.

12 NAYES: None.

13 ABSENT: Kendall, excused.
14

15 Chair Traini announced the approval of the amended Consent Agenda, with the exception of the pulled items and
16 proceeded into discussion of those items.
17

18 END OF CONSENT AGENDA

21 10. REGULAR AGENDA

22 10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

23 10.A.1. Resolution No. AR 2003-254, a resolution of the Anchorage Municipal Assembly recognizing and
24 honoring **Robert W. Heartwell, Jr.** for his positive impact on the Anchorage community through his
25 music ministry. Assemblymember Taylor.
26

27 Chair Traini read this resolution title and called for a motion from Mr. Whittle.

28
29 Mr. Whittle moved, to approve AR 2003-254.
30 Ms. Taylor seconded,
31 and this motion was passed,
32

33 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
34 and Sullivan.

35 NAYES: None.

36 ABSENT: Kendall, excused.
37

38 Mr. Whittle read the resolution and Ms. Taylor presented the honorarium, recognizing Mr. Heartwell for his positive
39 impact on the Anchorage community through his music ministry at Shiloh Missionary Baptist Church. As the Minister
40 of Worship and Art, he had been responsible for building a youth ministry at the church. Mr. Hartwell had served in
41 various music and leadership capacities at the church and throughout the city and he was preparing to leave
42 Anchorage at the end of August.
43

44 10.A.2. Resolution No. AR 2003-260, a resolution of the Anchorage Municipal Assembly recognizing and
45 honoring **Samantha Furnace, Maria Hartz, Denise Knox, Dawn Skeete, Theresa Welch** for their
46 service to the community as employees of the Child and Adult Care Program.
47

48 Chair Traini read this resolution title and called for a motion from Ms. Shamberg.

49
50 Ms. Shamberg moved, to approve AR 2003-260.
51 Ms. Von Gemmingen seconded,
52 and this motion was passed,
53

54 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
55 and Sullivan.

56 NAYES: None.

57 ABSENT: Kendall, excused.
58

59 Ms. Shamberg read the resolution and Ms. Von Gemmingen presented the proclamation, recognizing these women for
60 their work and dedicated services for the Municipality of Anchorage Child Care and Adult Care Programs. By state
61 action, these local program services had been transferred to the State of Alaska, Department of Health and Social
62 Services, under the new state Workforce Development Program.
63

64 10.A.3. Resolution No. AR 2003-269, a resolution of the Anchorage Municipal Assembly recognizing and
65 congratulating **KSKA Radio and Alaska Public Radio Network** for 25 years of outstanding
66 community service through public broadcasting, Mayor Begich, Assemblymembers Van Etten,
67 Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Von Gemmingen and
68 Whittle. (**Addendum**)
69

70 Chair Traini read this resolution title and called for a motion from Ms. Von Gemmingen.

71
72 Ms. Von Gemmingen moved, to approve AR 2003-269.
73 Ms. Shamberg seconded,
74 and this motion was passed,
75

76 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
77 and Sullivan.

78 NAYES: None.

79 ABSENT: Kendall, excused.

1
2 Ms. Von Gemmingen read this resolution and Mr. Van Etten presented the proclamation, honoring KSKA and the
3 Alaska Public Radio Network for 25 years of community public broadcasting. Since 1978, this local radio station and
4 statewide network had enriched and inspired listeners by providing steady, balanced and in-depth news coverage.
5 KSKA had broadcast to sixty percent of the state's population, and APRN reached ninety percent of the state's
6 population in association with other radio networks.

7
8 **10.B. RESOLUTIONS FOR ACTION - OTHER** None were pulled for review.

9
10 **10.C. BID AWARDS** None were pulled for review.

11
12 **10.D. NEW BUSINESS**

13 10.D.2. Assembly Memorandum No. AM 658-2003, BPO Elk's Lodge #1351 (#4322) transfer of location and
14 name change for a Club Liquor License (Huffman/O'Malley, Bayshore Klatt, Old Seward, Rabbit
15 Creek, Abbott Loop Community Councils), Clerk's Office.

16
17 Chair Traini read this memorandum and called for a motion from Mr. Tremaine.

18
19 Mr. Tremaine moved, to approve AM 658-2003.
20 Ms. Von Gemmingen seconded,

21
22 Mr. Tremaine questioned, on Line 32, the existing conditional use permit allowing a golf course with this license. He
23 wanted clarification of this conditional use, permitted on PLI property, listed as a non-profit organization. The
24 Administration responded that they were not aware of the conditional use for a golf course.

25
26 Attorney Dan Coffey, representing the Elk's Lodge, explained this was an accessory use provided under the provisions
27 of Title 21 and the PLI zoning, as long as the Elk's Club and the golf course used the facility. He explained that he had
28 worked with the Administration on this arrangement at the time they had arranged a transfer of location. To Mr.
29 Tremaine's question, Mr. Coffey responded that there was a large parcel which included the golf course and the club
30 house now leased to the Elk's Club. He explained that the Elk's Club planned to subdivide and purchase this property
31 and this issue would have to come before the Assembly for a new conditional use permit. Mr. Tremaine added this
32 might also involve a replat of the parcel with a separation of the club house from the golf course. Mr. Coffey thought
33 that the Elk's Club was not a permitted use on PLI property and there was no intention of using a liquor license in the
34 new dome building. He stated that they had a club license, limited to Elks Lodge members and guests of members.

35
36 To Mr. Coffey, Chair Traini responded that the modification to the conditional use was approved by the Assembly and
37 would clearly be part of the approval of the liquor license.

38
39 Mr. Tremaine moved, to approve AM 658-2003, as amended, including a
40 Ms. Von Gemmingen seconded, modification to the conditional use permit.
41 and this motion was passed,

42
43 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
44 and Sullivan.

45 NAYES: None.

46 ABSENT: Kendall, excused.

47
48 10.D.3. Assembly Memorandum No. AM 685-2003, Renewal of JJ's Restaurant (#3558) (Restaurant/Eating
49 Place); **Bear Tooth Theaterpub (#4065), Bear Tooth Grill duplicate** (Beverage Dispensary) Liquor
50 Licenses. (Spenard, Downtown, Government Hill, Girdwood, Portage and Indian Community
51 Councils), Clerk's Office. (*Bear Tooth Grill portion of AM was postponed until September 9, 2003*)

52
53 Chair Traini read this memorandum title and called for a motion from Ms. Von Gemmingen.

54
55 Ms. Von Gemmingen moved, to approve AM 685-2003.
56 Ms. Fairclough seconded,

57
58 Ms. Von Gemmingen stated there was a question from the Spenard Community Council on the status of the parking
59 and landscaping at the Bear Tooth that were required to be completed. The Administration responded that an
60 inspection indicated that the parking lot remained unpaved and the landscaping was incomplete. Ms. Von Gemmingen
61 requested that the owners be notified by the Municipal Clerk to come before the Assembly to explain why these
62 improvements had not been finished.

63
64 Ms. Von Gemmingen moved, to bifurcate JJ's Restaurant and Bear Tooth Grill, to separate
65 Mr. Sullivan seconded, discussion and action on each item.
66 and this motion was unanimously approved,

67
68 Ms. Von Gemmingen moved, to approve JJ's Restaurant portion of AM 685-2003.
69 Ms. Fairclough seconded,
70 and this motion was unanimously approved,

71
72 Ms. Von Gemmingen proposed to postpone the discussion and action of the Bear Tooth Grill section of the
73 memorandum, until the next Assembly Meeting. She requested the Clerk contact the owners to come before the
74 Assembly to explain their failure to complete their promised improvements.

75
76 Mr. Sullivan had also heard complaints from Spenard neighbors about the lack of completion of improvements,
77 including landscaping, parking and drainage. Chair Traini added that he recalled the deadline for the improvements
78 had been September 9, 2003.

1 Ms. Von Gemmingen moved, *to postpone* discussion and action of *Bear Tooth Grill*, AM
2 Mr. Sullivan seconded, 685-2003 until the next Assembly Meeting on September 9,
3 and this motion was passed, 2003.

4
5 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
6 and Sullivan.
7 NAYES: None.
8 ABSENT: Kendall, excused.

9
10 10.D.5. Assembly Memorandum No. AM 678-2003, Hot Rods (#3165) transfer of ownership for a Beverage
11 Dispensary Liquor License, (Campbell Park, Spenard, Taku/Campbell Community Councils), Clerk's
12 Office.

13
14 Chair Traini read this memorandum title and called for a motion from Ms. Von Gemmingen.

15
16 Ms. Von Gemmingen moved, to approve AM 678-2003.
17 Mr. Whittle seconded,

18
19 Ms. Von Gemmingen hoped the records of police incidents would improve, and referred to the five liquor violations and
20 six DUIs for that location.

21
22 and this motion was passed,

23
24 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
25 and Sullivan.
26 NAYES: None.
27 ABSENT: Kendall, excused.

28
29 10.D.7. Assembly Memorandum No. AM 680-2003, Fred Meyer (#2884), transfer of ownership, location and
30 name change for a Package Store Liquor License (Huffman/O'Malley Community Council), Clerk's
31 Office. (*Clerk's Note: See Agenda Item D.18, AM 680-2003(A)*)

32
33 Chair Traini read this memorandum title. Ms. Von Gemmingen stated that the Clerk's Office indicated the protest had
34 been corrected with Assembly approval AM 680-2003(A), Agenda item number D.18, and this memorandum was not
35 necessary.

36
37 Ms. Von Gemmingen moved, *to postpone indefinitely* AM 680-2003.
38 Mr. Sullivan seconded,
39 and this motion was passed,

40
41 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
42 and Sullivan.
43 NAYES: None.
44 ABSENT: Kendall, excused.

45
46 10.D.11. Assembly Memorandum No. AM 671-2003, subdivision agreement time extension for **Tudor Centre**
47 **Subdivision**, Subdivision agreement number 93-003, Community Planning and Development.

48
49 Chair Traini read this memorandum title and called for a motion from Ms. Von Gemmingen.

50
51 Ms. Von Gemmingen moved, to approve AM 671-2003.
52 Mr. Sullivan seconded,

53
54 Ms. Von Gemmingen was concerned, referring to Line 6, that the Administration may grant additional time extensions.
55 She pointed out that it was the end of the eighth extension year and wondered how this could continue. Ms. Fison
56 stated that the Platting Board could extend for 60 months, but there was no time limit for extensions from the
57 Assembly. She understood that the Tudor Centre Subdivision was continuing to landscape as they developed the
58 various buildings and improvements being added to the property. Ms. Von Gemmingen objected to the time
59 extensions.

60
61 and this motion was passed,

62
63 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
64 and Sullivan.
65 NAYES: None.
66 ABSENT: Kendall, excused.

67
68 10.D.18 Assembly Memorandum No. AM 680-2003(A), Fred Meyer (#2884) – Transfer of Ownership, Transfer
69 of Location (*No Premise*) and Name Change for a Package Store Liquor License, Clerk's Office.
70 (**Addendum**)

71
72 Chair Traini read this memorandum title and called for a motion from Ms. Von Gemmingen.

73
74 Ms. Von Gemmingen moved, to approve AM 680-2003(A).
75 Mr. Whittle seconded,

76
77 Ms. Von Gemmingen pointed out that this was the second part of their liquor license to be approved.

78
79 and this motion was passed,

1
2 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
3 and Sullivan.
4 NAYES: None.
5 ABSENT: Kendall, excused.

6
7 10.D.21 Assembly Memorandum No. AM 699-2003, change order No. 1 to Contracts 22MIS105 and
8 22MIS117 with the Alaska Communications Systems, Inc. and AT&T Wireless Services for **local**
9 **telephone and cellular services** to the Municipality of Anchorage, Information Technology
10 Department (\$875,000), Purchasing. (**Addendum**)

11
12 Chair Traini read this memorandum title and called for a motion from Mr. Tremaine.

13
14 Mr. Tremaine moved, *to postpone* AM 699-2003 until September 9, 2003.
15 Mr. Sullivan seconded,

16
17 Mr. Tremaine stated that he had received many critical comments from municipal employees concerning this contract.
18 He encouraged postponement of this memorandum to allow time for Assemblymembers and the Administration to
19 review and discuss the details of this contract. The Administration responded they had no objection to the delay.

20
21 and this motion was approved,

22
23 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
24 and Sullivan.
25 NAYES: None.
26 ABSENT: Kendall, excused.

27
28 **10.E. INFORMATION AND REPORTS** None were pulled for review.

29
30 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

31 10.F.10 Resolution No. AR 2003-265, a resolution adopting the **amended 2003 Action Plan**, awarding
32 contracts for the additional projects listed in Table 5-1 of the amended 2003 Action Plan, appropriating
33 annual program income from the U.S. Department of Housing and Urban Development Community
34 Development Block Grant (CDBG) in the amount of \$121,817 to the Federal Categorical Grants Fund
35 (241), Community and Economic Development. (**Addendum**) (*Public Hearing was set for 9-9-03*
36 *8-27-03*) (*Special Meeting*)
37 a. Assembly Memorandum No. AM 689-2003.

38
39 Mr. Tesche was granted personal privilege to request item 9.F.10 be reconsidered, at the request of the
40 Administration.

41
42 Mr. Tesche moved, *for immediate reconsideration* of AO 2003-265, with
43 Ms. Fairclough seconded, *Public Hearing rescheduled for August 27, 2003.*
44 and this motion was passed unanimously,

45
46 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

47 11.A Ordinance No. AO 2003-78, an ordinance of the Anchorage Municipal Assembly amending the **Utility**
48 **Corridor Plan** to add a new electrical transmission line corridor alignment, Planning Department.
49 1. Assembly Memorandum No. AM 375-2003. (*Continued from 5-20-03, Postponed from 7-15-03*)

50
51 Chair Traini read this ordinance title and called for a motion.

52
53 Mr. Tesche moved, *to approve* AO 2003-78.
54 Mr. Sullivan seconded,

55
56 To Mr. Van Etten, Mr. Michael Ness, Chugach Electric Director of Engineering, responded that there were issues that
57 were still being negotiated. They had met with this group and were working towards a satisfactory agreement.

58
59 To Mr. Sullivan, Mr. Ness responded that Chugach Electric would begin right-of-way negotiations upon Assembly
60 approval of this ordinance of the Utility Corridor Plan. He explained that negotiations would involve title searches of
61 property, securing property appraisals and negotiations for easements.

62
63 To Mr. Tesche, Mr. Ness responded that Chugach Electric would pursue additional undergrounding of utility systems.
64 Mr. Tesche thought the memorandum before the Assembly should be approved, with the understanding the utility
65 would progress with undergrounding.

66
67 Chair Traini congratulated Chugach Electric on their often difficult negotiations in completing the Corridor Project and
68 called for a vote.

69
70 and this motion was passed,

71
72 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Tremaine
73 and Sullivan.
74 NAYES: None.
75 ABSENT: Kendall, excused.

76
77 11.B. Resolution No. AR 2003-184, a resolution approving the transition of eligible municipal employees
78 represented by the **International Union of Operating Engineers-Local 302** from PERS (Public

1 Employees Retirement System) to the Local 302/612 International Union of Operating Engineers and
2 Employers Construction Industry Retirement Plan (Union Retirement Plan), Employee Relations.
3 1. Assembly Memorandum No. AM 538-2003. (*Postponed from 7-15-03*)

4
5 Chair Traini read the resolution title and reviewed Assembly action on this item. He called for a motion.

6
7 Mr. Tesche moved, to approve AR 2003-184.
8 Ms. Fairclough seconded,

9
10 Ms. Fairclough stated that she, Ms. Shamberg and Mr. Kendall had been attending Local 302 meetings and explained
11 there were twenty employees who would be affected by this agreement. She felt the Local 302 Union and the
12 employees had tried to reach a solution on this matter.

13
14 To Ms. Fairclough, Mr. Ackermann responded that they had tried to allow this group of employees to transfer
15 retirement programs and had been informed by the State of Alaska PERS that this action would be discriminatory. He
16 stated they had also proposed to exempt employees in Solid Waste Services from transferring. Mr. Ackermann stated
17 they had been pursuing state relief for those who wanted to remain in PERS.

18
19 Ms. Fairclough proposed an amendment to the resolution and urged a YES-vote with a date change.

20
21 Ms. Fairclough moved, to amend AR 2003-184, *by striking* on Page 1, Line 34,
22 Mr. Sullivan seconded, August 11, 2003, and inserting July 4, 2004.

23
24 To Ms. Fairclough, Mr. Ackermann responded that they were proposing that the people at Solid Waste be designated
25 as a stand-alone bargaining unit, which would entitled them to remain with PERS. Mayor Begich stated that the
26 Administration understood the issue and was willing to discuss it, but they were not certain of the outcome.

27
28 Ms. Frank added that one of the goals was for the employees to be able to maintain the jobs they had held for the past
29 twenty five years. She stated that Local 302 had agreed, as had PERS, to the arrangement and they had not heard
30 any negativity until now. Ms. Fairclough stated the Administration was new and needed time to review the contract.

31
32 and this motion was approved,

33
34 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
35 Sullivan.

36 NAYES: None.

37 ABSENT: Kendall, excused.

38
39 Ms. Fairclough moved for immediate reconsideration and urged a NO-vote.

40
41 Ms. Fairclough moved, to *immediate reconsideration* on her amendment.
42 Mr. Tremaine seconded,
43 and this motion failed,

44
45 AYES: None.

46 NAYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
47 Sullivan.

48
49 To Chair Traini, Mr. Otto, Municipal Employee Relation Manager, responded they understood that regardless whether
50 changes were made, the implementation date would now be July 4, 2004. Chair Traini called for a vote on the main
51 motion.

52
53 Ms. Tesche moved, to approve AR 2003-184, as amended.
54 Ms. Fairclough seconded,
55 and this motion was passed,

56
57 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
58 Sullivan.

59 NAYES: None.

60 ABSENT: Kendall, excused.

61
62 11.C. Resolution No. AR 2003-157, a resolution of the Anchorage Municipal Assembly ratifying Executive
63 Order 2003-03, an Executive Order naming an un-named right of way, from Dennis Way north to
64 Sunview Drive, **Aleut Way**, Municipal Clerk.

65 1. Assembly Memorandum No. AM 456-2003.

66 (*Carried Over from 6-24-03; Postponed from 7-8-03 (Special Meeting)*)

67
68 Chair Traini read this resolution title and called for a motion.

69
70 Mr. Tremaine moved, to approve AR 2003-157.
71 Ms. Shamberg seconded,

72
73 Mr. Tremaine explained there had been a request for a name change from the residents of this street. Municipal
74 Planning Department Director Ms. Fison explained the Planning Department was attempting to complete the 911
75 process for upgrading all of Anchorage streets to have identifying names for emergency response purposes.

76
77 To Ms. Von Gemmingen, Ms. Fison responded that the Department had sent out letters to these property owners
78 assigning the new name of "Clover Meadow Way." She explained that under the new 911 revision process they were
79 reviewing some 200 streets in the Municipality that had duplicate names, or did not have names.

1
2 Mr. Tremaine asked if a name substitution could be made in the text of this resolution. Assembly Attorney Michael
3 Gatti responded that to follow the required public process, consideration of a new name should involve a new and
4 different process.

5
6 Mr. Tesche moved, *to postpone indefinitely* AR 2003-157.
7 Mr. Tremaine seconded,
8 and this passed unanimously,
9

10 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
11 Sullivan.

12 NAYES: None.

13 ABSENT: Kendall, excused.
14

15 11.D. Ordinance No. AO 2003-62(S-1), an ordinance of the Anchorage Municipal Assembly amending Title
16 21 by repealing Anchorage Municipal Code 21.45.160, Signs, and enacting a new Chapter 21.47,
17 pertaining to **sign standards** for the Municipality of Anchorage, Assemblymembers Tremaine and
18 Tesche. **(Laid on the Table)**

19 1. Assembly Memorandum No. AM 260-2003.

20 2. Ordinance No. AO 2003-62(S), an ordinance of the Anchorage Municipal Assembly amending
21 Title 21 by repealing Anchorage Municipal Code 21.45.160, Signs, and enacting a new Chapter 21.47,
22 pertaining to **sign standards** for the Municipality of Anchorage, Assemblymember Tremaine.

23 3. Assembly Memorandum No. AM 655-2003. *(Continued from 8-12-03)*

24 4. Ordinance No. AO 2003-62, an ordinance of the Anchorage Municipal Assembly
25 amending Title 21 by repealing Anchorage Municipal Code 21.45.160, Signs, and enacting a new
26 Chapter 21.47, pertaining to **sign standards** for the Municipality of Anchorage, Assemblymembers
27 Tremaine and Tesche.
28

29 Chair Traini explained that a new, Substitute Version had been Laid on the Table that evening and called for a motion.

30
31 Mr. Tesche moved, *to substitute* AO 2003-62(S-1).
32 Mr. Tremaine seconded,
33 and this motion was approved,
34

35 Mr. Tesche moved, *to approve* AO 2003-62(S-1).
36 Mr. Tremaine seconded,
37

38 Deputy Municipal Manager Michael Abbott explained there were eight basic changes in the substitute version which
39 were primarily editorial, clerical and technical corrections. He stated it also addressed the nonconformities with the
40 Anchorage School District signs, with the exception of the Polaris School sign, which would remain nonconforming in
41 the S-1 Version. The Administration proposed exemptions, including product dispensers and trash receptacles,
42 holiday and community event special decorations, mascots for academic schools and signs on athletic fields that were
43 for on-premises viewing. He stated the S-1 Version also included exemptions for construction signs up to 32 square
44 feet in area, commonly located in residential areas and temporary signs of six square feet or less in area. There would
45 be allowances of roof-top flagpoles. There would be allowances of twenty feet surrounding sign areas for lighting to be
46 used for signs with dark letters on lighter, contrasting backgrounds. There would be changes for lighted signs in
47 residential areas, and the Administration was prepared to offer an amendment to make those corrections in the code
48 for allowances for the entire sign area to be used for changeable copy, with discretion left to the sign owner. Mr.
49 Abbott stated that the S-1 Version also exempted temporary signs of six feet or less, including portable signs.
50

51 Chair Traini set a two-hour time limit on debate and action on this issue. He asked for prepared amendments from
52 Assemblymembers and stated that he would like to save the issues of grandfathering and amortization for the end of
53 the debate. He opened discussion.
54

55 Mr. Tremaine proposed an amendment, which was seconded by Mr. Tesche. Chair Traini called for a motion to
56 separate into different amendments. Mr. Sullivan moved to bifurcate Mr. Tremaine's amendment, which was
57 seconded by Mr. Whittle and approved with no objections. Chair Traini called for a vote on the first amendment.
58

59 Mr. Tremaine moved, *to amend* AO 2003-62(S-1), Chapter 21.47, on Page 4,
60 Mr. Tesche seconded, *Line 8, by changing [60 degrees] to "30 degrees."*
61 and this motion was approved,
62

63 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
64 Sullivan.

65 NAYES: None.

66 ABSENT: Kendall, excused.
67

68 Mr. Tremaine moved, *to amend* AO 2003-62(S-1), on Page 16, Line 54, referring
69 Mr. Tesche seconded, *to AMC 21.47.050.C.3.B. by changing "Changeable Copy" to*
70 *read: "The changeable copy which is changed electronically*
71 *or mechanically shall not be changed more than one time per*
72 *[5] 20 second period."*
73

74 Mr. Sullivan stated this amendment, concerning the changeable copy, involved a change not to exceed one time per
75 20 seconds, a change from one time per 5 seconds. He preferred the Planning & Zoning recommendation on
76 changeable copy of the one time per 5 seconds. To Mr. Sullivan, Mr. Abbott responded that this amendment clearly
77 changed the function of electronic or mechanic signs, but he could not reply for P&Z.
78

1 Ms. Fairclough thought this change would not allow time for the passing traffic to see the message. She considered it
2 to be a hardship to business owners. She felt the five seconds, previously set by P&Z, was adequate.

3
4 Mr. Tesche did not see the hardship to the business community, because there was no data or statistics that could
5 measure the difference, and he would support the 20 seconds.

6
7 Mayor Begich clarified that the Tremaine amendment proposed for Page 16, item B, would only affect residential land
8 and not business land. Mr. Tremaine acknowledged that RO districts would have offices and PLI districts would have
9 hospitals and schools.

10
11 Mr. Van Etten stated that because there was no data for comparisons, he would be supporting the 20 second
12 allowance in the PLI and RO.

13
14 Mr. Sullivan stated that there were many small businesses within an RO and PLI, and could not see the justification to
15 put restrictions on signs that would only be able to broadcast one message to moving traffic. He would not support the
16 amendment.

17
18 Ms. Von Gemmingen preferred the 5 second allowance because the traffic was moving too fast.

19
20 Ms. Shamberg stated that she would support the 20 seconds, and Mr. Tremaine's allowances were appropriate for a
21 residential area.

22
23 and this motion was approved,

24
25 AYES: Tesche, Whittle, Taylor, Traini, Van Etten, Shamberg and Tremaine.

26 NAYES: Von Gemmingen, Fairclough and Sullivan.

27 ABSENT: Kendall, excused.

28
29 Mr. Tremaine moved to amend AO 2003-62(S-1) *by amending* Chapter 21.47, on
30 Mr. Tesche seconded, Page 22, Line 34, referring to AMC 21.47.060., a footnote to
31 read: "The maximum allowable area shall not be less than 70
32 square feet nor greater than [400] 200 square feet."
33

34 Mr. Sullivan thought that the current allowance had been 450 square feet and P&Z had proposed to reduce it to 250
35 square feet. He thought the Tremaine proposal was too much of an additional change. He thought the P&Z
36 recommendation was adequate.

37
38 Mr. Tremaine reminded the body that the Municipality had spent a great deal of money on consultants, who had given
39 recommendations for maximizing allowable sign size. The figure they concluded was 200 square feet and it was his
40 suggestion to follow their recommendation.

41
42 M. Tesche stated that the final review from the consultants, if implemented, would improve the community and he
43 would support this amendment.

44
45 Chair Traini called for a vote on the third Tremaine amendment.

46
47 and this motion was approved,

48
49 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Fairclough, Van Etten, Shamberg and Tremaine.

50 NAYES: Traini and Sullivan.

51 ABSENT: Kendall, excused.

52
53 Chair Traini called for a motion on the forth Tremaine amendment.

54
55 Mr. Tremaine moved, to amend AO 2003-62(S-1), on Page22, Line 50, referring
56 Mr. Tesche seconded, to AMC 21.47.060.C.2.A, to read: "The changeable copy
57 shall not change more than one time per [~~two~~] five second
58 period."
59

60 Mr. Tremaine stated this was a change from the one time per 2 second period, allowed by P&Z, which he thought
61 would cause distractions and be unsafe.

62
63 To Mr. Sullivan, the Planning Department responded they did not have data or statistics to compare time change
64 comparisons.

65
66 and this motion was approved,

67
68 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Van Etten, Shamberg and Tremaine.

69 NAYES: Fairclough and Sullivan.

70 ABSENT: Kendall, excused.

71
72 Mr. Tremaine moved, to amend AO 2003-62(S-1), Title 21, on Page 29, Line 6,
73 Mr. Tesche seconded, AMC 21.47.080.A 11 to read: "If a registered trademark or
74 logo was not in compliance with the illumination requirements
75 of the Section, then such area of non-compliance shall be
76 limited to a maximum of thirty (30) percent of the sign area."
77

78 Mr. Tremaine stated that registered trade marks were federally protected and many of them had light-colored
79 backgrounds with dark lettering. He did not think the Assembly should attempt to regulate the use of logos,

1 trademarks or the aesthetics used in a sign. He agreed with the consultants that the use of trademarks or logos
2 should be limited to 30% of the sign area.

3
4 Mr. Tesche stated that these changes were well thought out, following recommendations from the consultants and he
5 would support the amendment.

6
7 To Ms. Fairclough, Mr. Abbott responded that the Administration approved of Mr. Tremaine's language and they also
8 approved of the P&Z language. To Chair Traini, Mr. Abbott responded that the Tremaine amendment on Page 29
9 would cause many signs to be out of compliance.

10
11 Ms. Fairclough stated that franchises invested much money in their signs and it would not be easy for them to make
12 changes. She supported the P&Z's recommendation and would be a NO-vote on this amendment.

13
14 Mr. Sullivan clarified that if the registered trademark or logo was not in compliance with the illumination requirements,
15 the area of non-compliance shall be limited to a maximum of 30% of the sign area. To Mr. Sullivan, the Administration
16 responded that the size of the logo was being restricted, and if the logo covered the entire sign, as in the Taco Bell
17 signs, it would be in non-compliance with this amendment. The Administration responded that light-colored logos
18 would have to be smaller and be on a dark-colored background. Mr. Sullivan thought that dark-colored logos would
19 then be in non-compliance, as in the Taco Bell signs, and he would not support this amendment.

20
21 Ms. Shamberg stated that she would rely on the consultant's recommendations and would support the amendment.

22
23 To Mr. Van Etten, the Administration responded that the Taco Bell sign could remain at 200 square feet with the white
24 area around the logo changed to a dark background and would be in compliance.

25
26 and this motion was approved,

27
28 AYES: Tesche, Taylor, Von Gemmingen, Van Etten, Shamberg and Tremaine.

29 NAYES: Whittle, Traini, Fairclough and Sullivan.

30 ABSENT: Kendall, excused.

31
32 Mr. Tesche proposed an amendment, adding new text to the ordinance, allowing for a process allowing downtown
33 residents to consider a zoning overlay district to address unique features of signage in their area. This process would
34 allow residents to propose changes, to be heard before the Planning and Zoning Commission and the Assembly.

35
36 Mr. Tesche moved,

37 Mr. Tremaine seconded,

38 to amend AO 2003-62(S-1), Chapter 21.47, *by adding* a new
39 Section 4 in the ordinance to read: "Within thirty days after
40 enactment of this ordinance, the Mayor shall appoint a
41 Special Downtown Sign Committee who will prepare and
42 recommend an overlay district for signs and other outdoor
43 commercial advertising in downtown Anchorage. The
44 committee shall consist of seven persons, of which at least
45 two shall be appointed from persons recommended by the
46 Anchorage Downtown partnership and two from the
47 Downtown Community Council. The remaining members
48 shall be downtown residents or operators of businesses
49 located in the downtown area. The Committee shall complete
50 its work and present written recommendations to the Mayor
51 within ninety days after its last member is appointed. The
52 area encompassed by the proposed Overlay District shall be
53 identical to that area currently contained within the
54 boundaries of the Downtown Business Improvement District.
55 The Committee's recommendations shall be presented to the
56 Planning and Zoning Commission and to the Assembly as
57 allowed under AMC 21.20.140.

58 Mr. Tesche stated that this would set precedents that would allow a neighborhood to maintain uniqueness to their area
59 by providing a process to review development before the P&Z and the Assembly.

60 Ms. Fairclough said she would support the Tesche amendment and thought that Eagle River residents should be
61 allowed to have this process also. She thought other neighborhoods would band together and have their own
62 recommendations for their areas.

63
64 Mayor Begich stated the Administration did not object to this amendment. He understood that areas, like Eagle River
65 would be also be requesting unique criteria they wanted for their downtown area. He stated that the Administration
66 would not object to neighborhoods wanting special requirements for their areas.

67
68 Mr. Whittle stated that he supported the Tesche amendment and thought his district would support unique
69 characteristics for their neighborhoods.

70
71 Mr. Tremaine stated that the city was car-oriented, as was the sign ordinance. He saw the downtown area as being
72 pedestrian-oriented, and felt different signage was appropriate. He supported the Tesche amendment. He stated that
73 the sentence, "identical to the area currently contained within the boundaries of the Business Improvement District"
74 should have some reference to the boundaries of that district. Mr. Tesche agreed with Mr. Tremaine's suggestion of
75 removing the work "currently."

76
77 Mr. Tesche moved,

to amend the Tesche amendment, *by omitting* "...shall be

1 Mr. Tremaine seconded,

identical to that area [~~currently~~] contained within the
boundaries of the Downtown Business Improvement
District..."

2
3
4
5 Mr. Van Etten approved of the amendment and hoped it did not conflict with the Downtown Framework Plan and the
6 American Sign Ordinance, which addressed unique signage districts. He felt the Downtown Business District and
7 Girdwood would be the only areas in the city that would qualify as unique, and felt the rest of Anchorage was vehicle-
8 oriented.

9
10 Ms. Taylor agreed that the downtown area and Girdwood were unique and this amendment would allow special
11 attention to these areas to make it distinctive. She hoped that this amendment would allow the historic signage in
12 downtown to be preserved.

13
14 Mr. Whittle stated that his district was in the process of adding town centers, which would change the nature of that
15 area and become more pedestrian-oriented. He felt this amendment should not be limited to downtown and Girdwood.

16
17 and this motion was approved,

18
19 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
20 Sullivan.

21 NAYES: None.

22 ABSENT: Kendall, excused.

23
24 Mr. Tesche proposed his seconded amendment to AMC 21.47.020 C.3 by reinserting of language omitted in the
25 Mayor's recommendation.

26
27 Mr. Tesche moved,
28 Mr. Tremaine seconded,

to amend AO 2003-62(S-1) on Page 2, *by amending* AMC
21.47.020 C.3, *by reinstating* language to read: "Any sign
inside a building that is not attached to a window or door and
is not legible from a distance of more than three feet beyond
the lot on which the sign is located."

29
30
31
32
33 Mr. Tesche stated that this addressed signs which were attached to windows inside of buildings, which had been
34 omitted by the Administration in their draft. His intentions were to allow window signs, that were inside of a building
35 and visible from the outside, be required to comply with the sign ordinance.

36
37 and this motion was approved,

38
39 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Van Etten, Shamberg, Tremaine, and Sullivan.

40 NAYES: Fairclough.

41 ABSENT: Kendall, excused.

42
43 Mr. Tesche proposed an amendment to AMC 21.40.070.C.1. He stated this change would allow restrictions on size.

44
45 Mr. Tesche moved,
46 Ms. Shamberg seconded,

to amend AO 2003-62(S-1) *by adding* in AMC 21.40.070.C.1,
language to read: "...but in any event do not exceed six
square feet in area."

47
48
49 Mr. Van Etten questioned whether the Tesche amendment might conflict with AMC 21.40.070 C.2, referring to the
50 number of instructional signs located on the site. He thought if Subsection One was changed, Subsection Two needed
51 to also be changed. Mr. Tesche stated that he had originally proposed that change, but it had not been supported by
52 the Administration. Mr. Van Etten stated he would support the Tesche amendment.

53
54 and this motion was approved,

55
56 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine, and
57 Sullivan.

58 NAYES: None.

59 ABSENT: Kendall, excused.

60
61 Mr. Tesche proposed a series of amendments to the Table for Residential District Signs, on Page 11, which referred to
62 the existing standards recommended by the Planning and Zoning Commission. He combined the first two, to create a
63 uniform standard.

64
65 Mr. Tesche moved,
66 Mr. Tremaine seconded,
67 and this motion was later withdrawn,

to amend AO 2003-62(S-1) Chapter 21.47.040, Page 11, *by
adding*, to read: "create a uniform standard of 20 square
feet and six feet in height, and clarification of free-standing
allowances of one per development entrance or per 500 feet
of public street frontage, whichever is less," and the same for
free-standing signs, *by adding* "allowing one per 500 feet of
public street frontage or one per development entrance,
whichever is less."

68
69
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71
72
73
74 Mr. Tesche stated his intention with this amendment was to perfect the ordinance, by reducing the overall effect of
75 signs in residential neighborhoods. He understood it deviated from the Consultant's and P&Z's recommendations by
76 setting a higher standard.

77
78 Mr. Abbott stated the Administration recommended the Planning and Zoning language remain in place.

79

1 To Mr. Van Etten's question, Mr. Tesche responded there were allowances for two signs per subdivision entrance,
2 twenty square feet per sign. Mr. Van Etten did not concur with the 20% sign size decrease in comparison with what
3 was allowed by the Planning and Zoning Commission or the Consultant. He referred to signage in South Anchorage
4 residential neighborhoods that was attractive and conformed with good sign standards. Mr. Tesche responded that
5 "permitted, nonresidential free standing signs," referred to a size of 20 square feet. He stated that the Consultant
6 wanted to raise that to 40 square feet. Mr. Van Etten wanted to keep the standard as it original was. He proposed an
7 amendment to the Tesche amendment, to adopt the existing standards in Title 21, allowing the maximum area and
8 height for signs in residential subdivisions. Mr. Tesche accepted this change as a friendly amendment.

9
10 Mr. Van Etten moved,
11 Mr. Tesche seconded,
12 and this motion was withdrawn,

to amend the Tesche amendment *by changing text*, to read:
"create a uniform standard of [20 square feet and six feet in
height] the maximum area and height, and clarification of
free-standing allowances of one per development entrance or
per 500 feet of public street frontage, whichever is less," and
the same for free-standing signs, *by adding* "allowing one per
500 feet of public street frontage or one per development
entrance, whichever is less."

13
14
15
16
17
18
19 Mr. Tesche clarified this changed in the Table's last two columns, instead of the 20, it would now be 30 square feet, as
20 recommended by the Planning and Zoning Commission.

21
22 Mr. Van Etten argued that in the existing standards, there were two signs allowed per development, with a maximum
23 area of 50 feet. His interpretation was the allowance of two signs, but the development could choose to have one 50-
24 foot sign. The Administration responded that the current code would allow a subdivision to have two signs, each
25 having fifty square feet in area.

26
27 Mr. Van Etten stated he did not agree with that, and withdrew his amendment.

28
29 Mr. Tesche withdrew his amendment.

30
31 Mr. Sullivan commended the Administration for changing the 30% to the 100%, but was concerned with the requests of
32 the church community, and their desire for electronic, changeable signs. He stated that he supported changeable
33 signs and proposed a change to accommodate churches.

34
35 Mr. Sullivan moved,
36 Ms. Fairclough seconded,

to amend AO 2003-62(S-1), Chapter 21.47, *by adding text*
in B.1.A, to read: "... with the exception of church signs,
electronic changeable copy is prohibited."

37
38
39 Mr. Tesche asked why churches were singled out. Mr. Sullivan responded that churches typically used signage
40 advertising activities and thought churches were communicating directly to the local residents and agreed there may
41 be other local businesses that directly served the local community. Mr. Tesche thought there was an equal protection
42 problem with the Sullivan Amendment, and would oppose it.

43
44 The Administration responded that they had discussed this issue at length, and the Planning and Zoning Commission
45 had determined that electronic, changeable copy to signs in residential areas would be too commercial. The
46 consultants recognized technology was changing and made the recommendation that electronic signage be allowed,
47 but the Commission did not feel residents were ready. If the electronic changeable copy signs were permitted, then
48 the time intervals to change the copy would have to be addressed. Mr. Sullivan proposed to amend his amendment.

49
50 Mr. Sullivan moved
51 Ms. Fairclough seconded,

to amend his amendment *by striking* B.1.A, and *inserting a*
new B.1.A to read: "... with the exception of church signs,
electronic changeable copy is prohibited, with the changeable
copy not changing more than one time per 60 second period."
and *by moving* the existing B.1.B to make a new B.1.C, and
by adding a new B.1.B to read: "Changeably copy may only
be changed electronically, mechanically or manually."

52
53
54
55
56
57
58 Mr. Sullivan stated that he would accept any amendments, dealing with time. Mr. Traini proposed a friendly
59 amendment to allow changing one time per day.

60
61 Mr. Traini moved,
62 Mr. Sullivan seconded,

to amend a portion of the Sullivan amendment *by changing*
B.1.A, to read: "... with the exception of church signs,
electronic changeable copy is prohibited, with the changeable
copy not changing more than one time [per 60 second period]
per day." and *by moving* the existing "B.1.B to make a new
B.1.C," and *by adding* a new B.1.B to read: "Changeably
copy may only be changed electronically, mechanically or
manually."

63
64
65
66
67
68
69
70 Mayor Begich thought allowing changeable copy might conflict with day care centers, apartment complexes, B&Bs and
71 other businesses in residential areas. He advised if the body was going to move forward with this idea he
72 recommended they not allow it in property that was zoned single and multi-family residential.

73
74 Mr. Tesche thought the recommendations of the Planning and Zoning Commission should be honored, not allowing
75 electronic, changeable copy, flashing signs. He found the amendment confusing and recommended a NO-vote.

76
77 Mr. Tremaine agreed that he did not want to have lit-up signs in residential areas, and would not support this
78 amendment.

1 Mr. Sullivan stated that this amendment had only to do with signs already in existence, that they could be illuminated
2 and have electronic copy. He urged a YES-vote.

3
4 and this motion failed,

5
6 AYES: Traini, Fairclough and Sullivan.

7 NAYES: Tesche, Whittle, Taylor, Von Gemmingen, Van Etten, Shamberg and Tremaine.

8 ABSENT: Kendall, excused.

9
10 Chair Traini referred back to Page 31, Line 10, dealing with amortization of permanent signs, and stated the current
11 allowance was seven years.

12
13 Ms. Fairclough moved, to amend AO 2003-62(S-1), Chapter 21.47.090.A, Page 32
14 Mr. Sullivan seconded, by changing the amortization to ~~seven~~ fifteen years.

15
16 Ms. Fairclough's proposed fifteen years was higher than recommended by IRS code, but felt that the high costs of
17 signage were an investment to businesses and thought fifteen years was a fair time period to make changes and
18 would go by fast. She urged a YES-vote.

19
20 and this motion failed,

21
22 AYES: Fairclough and Sullivan.

23 NAYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Van Etten, Shamberg and Tremaine.

24 ABSENT: Kendall, excused.

25
26 Ms. Fairclough moved, to amend AO 2003-62(S-1), Chapter 21.47.090.A, Page 32,
27 Mr. Sullivan seconded, by changing the amortization to ~~seven~~ twelve years.
28 and this motion failed,

29
30 AYES: Fairclough and Sullivan.

31 NAYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Van Etten, Shamberg and Tremaine.

32 ABSENT: Kendall, excused.

33
34 Ms. Fairclough moved, to amend AO 2003-62(S-1), Chapter 21.47.090.A, Page 32,
35 Mr. Sullivan seconded, by changing the amortization to ~~seven~~ ten years.

36
37 Mr. Sullivan understood that the expense of changing signage to some of the small businesses would create a
38 hardship, and he thought they could show respect by allowing at least ten years. He was sorry that a summary of
39 economic effects was not included with the report.

40
41 Mr. Tremaine stated there were surveys that indicated that as many as one-third of the city's signs were out of
42 compliance but most of those were due to height restrictions. He thought height would be easier to change than
43 signage face. He knew of a large, aluminum sign at the Dimond Center which would be out of compliance. The
44 business was planning to change it out with the same sign, and they would have ten years to make the compliance
45 changes. He did not think that was what the Assembly was trying to achieve. Mr. Tremaine stated that the Planning
46 and Zoning Commission had recommended a length of seven years for amortization but he cited a study conducted by
47 Ivan Moore Research Associates which indicated that 80% of the voters unanimously supported a length of three-
48 years or less for amortization. He felt Assemblymembers should represent the majority and would compromise with
49 seven years, and he would not support the ten-year time period. He urged the Assembly to support an amendment to
50 amortize the sign height at a different rate than that of sign face.

51
52 and this motion passed,

53
54 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough and Sullivan.

55 NAYES: Van Etten, Shamberg and Tremaine.

56 ABSENT: Kendall, excused.

57
58 Mr. Tesche proposed changes to AO 2003-62(S-1) and AMC 21.47 with effective dates.

59
60 Mr. Tesche moved, to amend AO 2003-62(S-1), by adding to Section 5,
61 Mr. Van Etten seconded, Page 1, to read: "Upon its passage and approval by
62 and this was unanimously approved, the Assembly, this ordinance shall become effective on
63 October 1, 2003."

64
65 Mr. Tesche moved, to amend AO 2003-62(S-1), AMC 21.47.090, by adding
66 Ms. Fairclough seconded, to Section A, Page 32, "October 1, ~~2010~~ 2013."
67 and this was unanimously approved,

68
69 Mr. Tesche moved, to amend AO 2003-62(S-1), AMC 21.47.090, by adding
70 Mr. Sullivan seconded, to Section E, on Page 32, "October 1," 2003.
71 and this was unanimously approved,

72
73 Mr. Tesche moved, to amend AO 2003-62(S-1), AMC 21.47.090, by adding
74 Mr. Sullivan seconded, Subsection F, on Page 32, "October 1," 2006.
75 and this was unanimously approved,

76
77 Mr. Tesche added that if there were additional dates that needed to be added, the Assembly should allow the reviser
78 of ordinances be given authority to insert those dates and make corrections approved by the body.
79

1 Mr. Tremaine proposed ~~am~~ an amendment concerning amortization of pole signs.

2
3 Mr. Tremaine moved, to amend AO 2003-62(S-1) *by amending* Title 21, on Page
4 Mr. Tesche seconded, 32, *by renumbering*, Item D. to D.1, and Subsection D
5 would read: "Any sign which does not meet the height
6 requirements of schedules ~~[21.47.040 B-3]~~ 21.47.050.C [3] 2
7 or 21.47.060 C [3] 4, shall be altered to comply with
8 requirements of this chapter within seven (7) years from the
9 date of adoption of this Chapter."

10
11 Mr. Tremaine stated that this amendment would allow seven years to make the proper changes addressing sign
12 height.

13
14 To Ms. Fairclough, Mr. Tremaine stated that wrapping of pole signs had to be addressed in three years, but not the
15 height. She felt this would affect costs to businesses. She thought that the 30% of the signs out of compliance would
16 have to be replaced, and it was not simply lowering the sign, and she favored the ten-year allowance.

17
18 Mr. Van Etten and the Administration agreed with Ms. Fairclough.

19
20 and this motion failed,

21
22 AYES: Tesche and Shamberg
23 NAYES: Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten and Sullivan.
24 ABSENT: Kendall, excused.

25
26 Mayor Begich acknowledged his staff for the hard work on the sign ordinance and changes to Title 21, and mention
27 special recognition of the Assembly and of Mr. Tom Nelson, with the Municipal Planning Department.

28
29 Mr. Sullivan moved, to amend AO 2003-62(S-1) *by amending* Title 21, 21.47.040,
30 Ms. Fairclough seconded, Page 10, *by changing* B.1.B to B.1.C, and *adding a new*
31 and this motion was passed, B.1.B, to read: "Electronic changeable copy is permitted on
32 parcels that are ten (10) acres or greater bordering on a
33 Class II Street and having a minimum of 500 feet of frontage.
34 Electronic copy cannot be changed more than once per day."

35
36 AYES: Whittle, Taylor, Von Gemmingen, Traini, Fairclough and Sullivan.
37 NAYES: Tesche, Van Etten, Shamberg and Tremaine.
38 ABSENT: Kendall, excused.

39
40 Mr. Tesche moved, to approve AO 2003-62(S-1), as amended.
41 Mr. Tremaine seconded,

42
43 To Ms. Von Gemmingen, the Administration responded that copies of final draft with amendments would be completed
44 by Friday.

45
46 Mr. Tesche felt there were many more things that he wanted out of this ordinance but felt it was balanced for the city
47 and urged the Administration to implement the ordinance and move on to other parts of Title 21. He would agree to
48 return to this ordinance to make additional amendments in the future, if necessary. He would be supporting the
49 ordinance.

50
51 Ms. Von Gemmingen agreed with Mr. Tesche. She was glad the Assembly was finally addressing signs regulations
52 and felt the temporary signs needed to be addressed in the future.

53
54 Chair Traini thanked the many people who worked on this issue for the past few years, to the citizens who testified and
55 the Planning Department employees who worked on it. He thanked the Planning and Zoning Commission, who held
56 many Public Hearings, and had accomplished the bulk of the work on the sign ordinance.

57
58 Mr. Whittle stated that this ordinance would make Anchorage a better place, and he would support it.

59
60 Chair Traini called for a vote on the main motion of AO 2003-62(S-1), as amended.

61
62 and this motion was passed,

63
64 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
65 Sullivan.
66 NAYES: None.
67 ABSENT: Kendall, excused.

68
69 Mr. Tesche moved for immediate reconsideration and urged a NO-vote.

70
71 Mr. Tesche moved, for *immediate reconsideration* of AO 2003-62(S-1),
72 Mr. Van Etten seconded, as amended.
73 and this motion unanimously failed,

74
75 AYES: None.
76 NAYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
77 Sullivan.
78 ABSENT: Kendall, excused.

79

1 **12. APPEARANCE REQUESTS**

2 12.A. **Ted & Dr. Francoise Gianoutsos**, regarding Anchorage stand-alone Veterans' Home construction
3 and operation funding mechanism to replace tax dollars.
4

5 TED and DR. FRANCOISE GIANOUTSOS appeared before the Assembly to speak on the proposed Veterans' Home.
6 He thanked Mayor Begich for supporting their efforts to build a Veterans' Home in Anchorage. He thanked the
7 Administration for creating the Anchorage Veterans' Home Building and Endowment Fund.
8

9 12.B. **Melinda Piakowski**, regarding Title 21 definition of "harboring and keeping" animals for facility license
10 application.
11

12 MELINDA PIAKOWSKI, owner of four dogs, had applied to continue her facility license and was denied this year. She
13 thought the change of personnel in the Planning and Zoning Department was responsible. Her interpretation of the
14 Title 21 code stated "livestock," and "outdoor housing and keeping," and did not address domestic pets like her dogs.
15 To Ms. Fairclough, Ms. Piakowski responded that she had given the application to the Animal Control but had not gone
16 before the Animal Control Advisory Board. To Mr. Tesche, Ms. Piakowski responded that she would like the Assembly
17 to ask for clarification of keeping and harboring domestic animals. She felt there was a difference between livestock
18 and dogs. She responded that the wording "outdoor keeping" should be defined as an animal living outside all the
19 time. Mr. Tesche recommended that Ms. Piakowski meet with someone in the Planning Department and work on
20 proposed text amending Title 21, pertaining to the R-3 zoning. Mr. Tesche assured her that they would hear her case,
21 and recommended she contact Ms. Sue Fison with the Planning Department. Chair Traini stated there was confusion
22 with this issue as it pertained to Title 17 and Title 21. To Chair Traini, the Administration responded that they would
23 have Ms. Fison and the MOA Legal Staff look into the possibility of allowing Title 17 to cover her case while Title 21
24 was being rewritten. To Mr. Sullivan, Ms. Piakowski responded that a neighbor had continually complained about the
25 noise her dogs made. She stated she had never been found in violation.
26

27 12.C. **Luda Gashenko**, regarding rental companies keeping 1% of 8% vehicle rental tax.
28

29 LUDA GASHENKO testified that she thought the taxes were too high for rental car companies. She commented that
30 the Municipality collected taxes, and she had recently received a notice from the State of Alaska, requesting an
31 additional 3% tax, which would total 11% tax. She asked the Assembly to consider allowing rental companies to keep
32 1% tax, to help cover costs of the additional expense needed to calculate and collect these taxes.
33

34 12.D. **Gary A. Zipkin**, regarding Oxford House.
35

36 GARY ZIPKIN, a neighbor of Oxford House on Cottonwood Street, spoke of his concern with the zoning requirements
37 regarding this house, used for alcohol and drug recovery. He argued that his neighborhood was zoned R-1 and this
38 home for recovery had nine people in residence. He had addressed this issue before the Rogers Park Community
39 Council and had reviewed the Fair Housing Amendment Act. It was illegal to discriminate against Oxford Houses,
40 which qualified as single family homes for disabilities, and included persons recovering from alcohol or substance
41 abuse. Mr. Zipkin was concerned how many residents would be allowed in these homes and the changes in quality
42 and demeanor of a single family home in an R-1 zoned neighborhood. To Ms. Shamberg, Mr. Zipkin responded that
43 this house was quiet and well mannered, but there were traffic and vehicle problems. He said that it would help if the
44 house could limit the numbers of vehicles. To Mr. Tesche, Mr. Zipkin responded that he thought that the zoning
45 ordinances should make reasonable accommodations to comply with the Federal Fair Housing Amendment Act. With
46 Mr. Tesche's, Chair Traini's, Mr. Van Etten's, Mr. Whittle and Mr. Sullivan's suggestions, he stated he would do more
47 research and make proposals of zoning restrictions and limitations to the Administration as they rewrite Title 21.
48

49 12.E. **Theresa Nangle Obermeyer**, regarding the conversion of Premera Blue Cross, Blue Shield to profit-
50 making status.
51

52 DR. THERESA NANGLE OBERMEYER spoke of her concerns with the conversion of Premera Blue Cross and Blue
53 Shield Health Insurance Companies from non-profit to profit status. She spoke of the difficulty of finding information
54 regarding this status change and spoke of a deadline for citizens filing complaints by the following Monday. She gave
55 the Premera phone number and their location and urged Assemblymembers and citizens to question their intents. Ms.
56 Von Gemmingen thought Dr. Obermeyer was correct with her concern and urged the Administration to research the
57 ramifications of the status change.
58

59 **13. CONTINUED PUBLIC HEARINGS**

60 13.A. Ordinance No. AO 2003-89, an ordinance amending the Anchorage Municipal Code Title 12 sections
61 relating to the **Board of Equalization** and specified processes, procedures and requirements
62 applicable to appeals of assessed valuations of property for tax purposes to provide for multiple panels
63 of the Board of Equalization consisting of five members with a four member quorum; compensation of
64 the members of the Board of Equalization; the required submission of evidence by property owners;
65 and the confidentiality of specified evidence of commercial property values affecting confidentiality.
66 **(To be Submitted)** (Clerk's Note: AO 2003-89 was not submitted) (Carried Over from 6-10-03;
67 Continued From 6-24-03 and 7-15-03)
68

69 Chair Traini read this ordinance title and explained it was the wish of the Administration that this ordinance be
70 postponed indefinitely while they made corrections. Chair Traini opened Public Hearing. There being no public
71 testimony, he closed Public Hearing and called for a motion.
72

73 Ms. Fairclough moved, to postpone indefinitely AO 2003-89.
74 Mr. Tesche seconded,
75 and this motion was passed unanimously,
76

77 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
78 Sullivan.
79

NAYES: None.

1 ABSENT: Kendall, excused.

2
3 **14. NEW PUBLIC HEARINGS**

- 4 14.A. Ordinance No. AO 2003-110, an ordinance creating **NC Monastery Water Special Assessment**
5 **14.District 1386**, and determining to proceed with the proposed improvements therein, Anchorage
6 Water and Wastewater Utility.
7 1. Assembly Memorandum No. AM 588-2003.

8
9 Chair Traini read ordinance titles of AO 2003-110 and AO 2003-111 and called to combine Public Hearing for these
10 items and there were no objections.

11
12 MARGARET GRACEY spoke of both ordinances AO 2003-110 and AO 2003-111, concerning suggestions of property
13 improvements on Monastery Drive. She made recommendations for the water and sewer lines proposed for
14 Monastery Drive and Darby Street.

15
16 JOSEPH AUDIERE, property owner, questioned the proposed improvements. He spoke of the concerns of neighbors
17 being affected by these improvements. He thought this project would harm many residents and the additional costs
18 may cause some to lose their properties. He thought the costs were too high and the property owners would not be
19 able to pay for the assessments.

20
21 With no additional public testimony, Chair Traini closed Public Hearing and called for a motion on AO 2003-110.

22
23 Ms. Fairclough moved, to approve AO 2003-110.
24 Ms. Shamberg seconded,

25
26 To Mr. Sullivan, AWWU General Manager Mark Premo, responded that the code required approval of "50%+ one" of
27 residents to make improvements. In the cases of residents not being able to afford the new tax levy, he responded
28 that liens could be placed against the affected properties. To Ms. Fairclough, Mr. Premo responded that residents had
29 agreed their vote would be of a one-lot, one-vote basis. He added that 53% of the residents had approved of the
30 improvements.

31
32 Ms. Fairclough moved, to approve AO 2003-110.
33 Ms. Shamberg seconded,
34 and this motion was passed,

35
36 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
37 Sullivan.

38 NAYES: None.

39 ABSENT: Kendall, excused.

40
41 Ms. Von Gemmingen stated for the record that Mr. Kendall, who was absent from the Assembly Meeting that evening,
42 owned property in that area.

- 43
44 14.B. Ordinance No. AO 2003-111, an ordinance creating **NC Monastery Lateral Sanitary Sewer Special**
45 **Assessment District 1387**, and determining to proceed with the proposed improvements therein,
46 Anchorage Water and Wastewater Utility.
47 1. Assembly Memorandum No. AM 589-2003.
48 *(Clerk's Note: See combined Public Hearing for this item, summarized in Agenda item 14.A)*

49
50 Chair Traini called for a motion.

51
52 Ms. Fairclough moved, to approve AO 2003-111.
53 Ms. Shamberg seconded,
54 and this motion was passed,

55
56 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
57 Sullivan.

58 NAYES: None.

59 ABSENT: Kendall, excused.

- 60
61 14.C. Assembly Resolution No. AR 2003-250, a resolution of the Municipality of Anchorage accepting when
62 tendered seven hundred fifty thousand dollars (\$750,000) from the Federal Aviation Administration
63 Airport Improvement program grant, and twenty five thousand dollars (\$25,000) from the Alaska State
64 Department of Transportation and Public facilities grant; and appropriating said grants and twenty five
65 thousand dollars (\$25,000) from airport unrestricted net assets to Merrill Field's capital improvement
66 fund for the **2003 Merrill Field Security Improvements Phase A-1**. Merrill Field Airport.
67 1. Assembly Memorandum No. AM 649-2003.

68
69 Chair Traini opened Public Hearing. With no one to testify, he closed Public Hearing and called for a motion.

70
71 Ms. Fairclough moved, to approve AR 2003-250.
72 Mr. Tremaine seconded,

73
74 To Mr. Sullivan, Mr. Dave Lundebj responded that this project involved security improvements, including installation of
75 security cameras, creating a new trail system for pedestrians and a review of signage and lighting at the airport.

76
77 Ms. Fairclough moved, to approve AR 2003-250.
78 Mr. Tremaine seconded,
79 and this motion was passed,

1
2 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
3 Sullivan.
4 NAYES: None.
5 ABSENT: Kendall, excused.
6

- 7 14.D. Assembly Resolution No. AR 2003-252, a resolution of the Municipality of Anchorage appropriating a
8 contract award of one hundred fifty thousand dollars (\$150,000) to the State Categorical Grants Fund
9 (231) from the **Alaska Department of Labor and Workforce Development** for the program year (PY)
10 2003/fiscal year (FY) 2004 Close-out contract within the Planning Department. Community Planning
11 and Development.
12 1. Assembly Memorandum No. AM 652-2003.
13

14 Chair Traini opened Public Hearing. With no one to testify, he closed Public Hearing and called for a motion.

15 Ms. Fairclough moved, to approve AR 2003-252.
16 Mr. Tremaine seconded,
17

18
19 Chair Traini stated this was an action that would take Workforce Development away from the Municipality which was
20 unnecessarily displacing many employees. He stated that by approving this resolution it would be closing it out.
21

22 and this motion was passed,
23

24 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Tremaine and
25 Sullivan.
26 NAYES: None.
27 ABSENT: Kendall, excused.
28

29 **15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS**

30 A. **Appeal S-10999**, Preliminary Plat of the **Park West Subdivision**, Municipal Clerk.
31 (*Postponed from 6-24-03 and 7-15-03*) (*Clerk's Note: Carried Over*)
32

33 **16. SPECIAL ORDERS** None.
34

35 **17. UNFINISHED AGENDA** None.
36

37 **18. AUDIENCE PARTICIPATION** None.
38

39 **19. ASSEMBLY COMMENTS** None.
40

41 **20. EXECUTIVE SESSIONS** None.
42

43 **21. ADJOURNMENT**
44

45 Mr. Tremaine moved, to adjourn the Regular Assembly Meeting.
46 Mr. Van Etten seconded,
47 and this motion was passed,
48

49 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten,
50 Tremaine and Sullivan.
51 NAYES: None.
52 ABSENT: Kendall, excused.
53
54
55
56
57
58
59
60

61 _____
62 DICK TRAINI, Assembly Chair

63 ATTEST:
64
65
66
67
68
69

70 _____
71 BARBARA GRUENSTEIN, Municipal Clerk
72 Date Minutes Approved: August 3, 2004.
73 MC/BG