

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of January 25, 2005

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Fairclough at 5:00 p.m. in the Assembly Chambers, Room 108 of the Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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

PRESENT: Anna Fairclough, Brian Whittle, Dan Sullivan, Dick Tremaine, Dick Traini, Ken Stout, Pamela Jennings, Debbie Osslander, Janice Shamberg and Dan Coffey.

(Clerk's Note: Dick Tremaine and Dick Traini participated telephonically from Juneau)

ABSENT: Allan Tesche, excused

Chair Fairclough stated that Mr. Traini had been detained in Juneau due to weather and that she had been asked to chair the meeting that evening. She called for objections and there were none.

3. PLEDGE OF ALLEGIANCE Assemblymember Coffey led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – October 26, 2004

Mr. Sullivan moved, to approve the Minutes of the Regular Meeting
Mr. Stout seconded, of October 26, 2004, as amended.
and this motion was passed unanimously,

4.B. Regular Meeting – December 14, 2004

Mr. Sullivan moved, to approve the Minutes of the Regular Meeting
Mr. Stout seconded, of December 14, 2004.

Ms. Jennings requested an amendment to change the language, clarifying her intention.

Mr. Sullivan moved, to amend the Minutes of December 14, 2004 on Page 9, Line
Mr. Coffey seconded, 27, *by clarifying* her statement to read: "Ms. Fairclough
and there were no objections, clarified for the record that if they already had an existing
TAMS card that they could provide, that they would not have
to retake the course."

Mr. Coffey concurred with the new language. Ms. Jennings stated that it had been her intention to have all employees retake the course, but she agreed with the new added language.

Mr. Sullivan moved, to approve the Minutes of the Regular Meeting
Mr. Stout seconded, of December 14, 2004, as amended.
and there were no objections,

5. MAYOR'S REPORT

(Clerk's Note: Mayor Begich was absent because he was attending Alaska State Legislative Meetings in Juneau)

6. ASSEMBLY CHAIR'S REPORT None.

7. COMMITTEE REPORTS None.

8. ADDENDUM TO AGENDA

Chair Fairclough called for a motion and read the Addendum items. She called for additional items and AR 2005-21 and AO 2005-15 were added. She assigned to these items Agenda Numbers 9.A.3 and 9.E.2, respectively. She called for a vote to incorporate the Addendum items into the Regular Agenda.

Mr. Coffey moved, to approve the inclusion of the Addendum items into the
Ms. Osslander seconded, Regular Agenda.
and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: None.
ABSENT: Tesche, excused.

Chair Fairclough called for a motion on the Consent Agenda.

Mr. Whittle moved, to approve the Consent Agenda.
Mr. Sullivan seconded,

Mr. Coffey declared a conflict of interest with AM 40-2005 because his law firm represented the Inlet Towers. Chair Fairclough ruled that Mr. Coffey had a conflict and ordered that he abstain from participating with 9.D.5.

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

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS None.

9.A.1. Resolution No. AR 2005-11, a resolution of the Anchorage Municipal Assembly designating January 25, 2005 as **Thank Your Mentor Day**; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. **(Addendum)**

Ms. Jennings requested this item be pulled for review on the Regular Agenda. *(See item 10.A.1)*

9.A.2. Resolution No. AR 2005-13, a resolution of the Anchorage Municipal Assembly recognizing Alaska Communications Systems, Inc. for its long time support of the **Fur Rendezvous Sled Dog Race** and urging continued assistance; Assemblymember Tesche. **(Addendum)**

Mr. Sullivan requested this item be pulled for review on the Regular Agenda. *(See item 10.A.2)*

9.A.3. Resolution No. AR 2005-21, a resolution of the Anchorage Assembly supporting the local Salvation Army in the competitive grant process to procure 'a grant' [~~up to a~~] "approximately" [fifty] "seventy" million dollar (~~\$50,000,000~~) "(\$70,000,000)" from the **Ray and Joan Kroc Foundation** to build a community/recreation center and library on a portion of tract three, Alaska Village Subdivision, in East Anchorage; Assembly Chair Traini, Assemblymembers Stout, Whittle, Fairclough, Ossiander, Jennings, Coffey, Shamberg, Sullivan, Tesche and Tremaine, Office of Economic & Community Development. **(Laid on the Table)**

Mr. Whittle requested this item be pulled for review on the Regular Agenda. *(See item 10.A.3)*

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2005-9, a resolution approving the acceptance and appropriation of State of Alaska grant funds in the amount of \$15,542 from the Department of Environmental Conservation Matching Grants Program to be applied toward the **Chester Creek Pump Station #2 Upgrade Project** (SB 483 - \$6,497; SB 183 - \$9,045); Anchorage Water & Wastewater Utility.

a. Assembly Memorandum No. AM 31-2005.

9.B.2. Resolution No. AR 2005-10, a resolution of the Municipality of Anchorage appropriating \$22,500 from the Department of Military and Veterans' Affairs, Division of Homeland Security and Emergency Management Community Services (ADES), to the State Categorical Grants Fund (231) to support the Anchorage **Local Emergency Planning Committee (LEPC) activities**; Office of Emergency Management.

a. Assembly Memorandum No. AM 32-2005.

9.B.3. Resolution No. AR 2005-14, a resolution of the Anchorage Municipal Assembly stating its temporary non-objection to the transfer of ownership of a restaurant/eating place liquor license operated at the **China Express Restaurant**, 425 W. 5th Avenue, DBA China Express/Sorabel LLC; Assemblymember Tesche. **(Addendum)**

9.C. BID AWARDS None.

9.D. NEW BUSINESS

9.D.1. Assembly Memorandum No. AM 29-2005, **Chugiak-Eagle River Parks and Recreation Board of Supervisors** appointment (Andrew Brewer); Mayor's Office.

9.D.2. Assembly Memorandum No. AM 37-2005, Renewal of **Chilkoot Charlie's** Liquor Licenses: Chilkoot Charlie's #225 – Beverage Dispensary; Chilkoot Charlie's #1724 – Beverage Dispensary-Duplicate; Chilkoot Charlie's #2107 – Beverage Dispensary-Duplicate; Chilkoot Charlie's #3003 – Beverage Dispensary-Duplicate (Spenard, North Star & Midtown Community Councils); Clerk's Office.

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

9.D.3. Assembly Memorandum No. AM 38-2005, **Ray's Place** #4347 – Transfer of Ownership for Restaurant/Eating Place, Restaurant Designation, and Name Change Liquor License (Spenard Community Council); Clerk's Office.

Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.D.3)*

9.D.4. Assembly Memorandum No. AM 39-2005, **Brown Jug** #3478 – Renewal/**NO CURRENT LOCATION**; Previous address 1000 E. Northern Lights Blvd./for a Package Store Liquor License (Rogers Park, Midtown and North Star Community Councils); Clerk's Office.

Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.D.4)*

- 9.D.5. Assembly Memorandum No. AM 40-2005, **Mick's At the Inlet #4283 formerly Bootlegger's Cove Tower LLC** – Renewal of a Beverage Dispensary-Tourism Liquor License and Name Change of Liquor License (South Addition Community Council); Clerk's Office.

(Clerk's Note: Mr. Coffey abstained from participation with this item due to a conflict of interest.)

- 9.D.6. Assembly Memorandum No. AM 41-2005, **Brown Jug #3478** – Renewal/**NO CURRENT LOCATION**; Previous address 1000 E. Northern Lights Blvd./for a Package Store Liquor License; Clerk's Office.
- 9.D.7. Assembly Memorandum No. AM 30-2005, 2005 grant agreement with **Anchorage Economic Development Corporation** (\$490,500), Office of Economic & Community Development.

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

- 9.D.8. Assembly Memorandum No. AM 42-2005, **2005/2006 Liquor License Renewals**: Applebee's II #4173, Bear Tooth Theatrepub #4065, Carlos' Fine Mexican Restaurant #3538, Cheechako Bar #216, Club 210 East #2159, 4th Avenue Theatre #3518, Gallo's Mexican Restaurant #2 #3572, George's Homestead Lounge #321, Sea Galley #1666, T.G.I. Friday's #4279, William A. Egan Civic & Convention Center #3234 – Beverage Dispensary; Bear Tooth Grill #4143 – Beverage Dispensary-Duplicate; Brown Bear Saloon & Motel #1987, Cross Point #1798 – Beverage Dispensary/Tourism; Moose's Tooth Pub Pizzeria #3972 - Brewpub; Petroleum Club of Anchorage #3586, V.F.W. Post #97854 #1204, V.F.W. Post #10252 #1894 – Club; Brown Jug/Eagle River #162, Brown Jug/Whaler #686, Brown Jug/College Mall #57 #4069, George's Homestead Liquor Store #322 – Package Store; George Sullivan Arena #1842 – Recreational Site; Arigato Japanese Restaurant #2662, Ichiban Restaurant #2113, Kobe Teppayaki House #2958, Mexico in Alaska #1907, Sorrento's #1064, Sweet Basil Café #2897, Wings 'N Things #2046, Woodshed Lounge #1244, Yamatoya Restaurant #1617 – Restaurant/Eating Place (Bayshore/Klatt, Fairview, Northeast, Spenard, North Star, Girdwood, Indian, Taku/Campbell, Midtown, Government Hill, Turnagain, Mt. View, Downtown, Eagle River, Eagle River Valley, Tudor Area, Rogers Park Community Councils); Clerk's Office. **(Addendum)**

Mr. Traini requested this item be pulled for review on the Regular Agenda. *(See item 10.D.8)*

- 9.D.9. Assembly Memorandum No. AM 43-2005, **Chiang Mai Ultimate Thai Restaurant #4459** – Transfer of Location for a Restaurant/Eating Place, Restaurant Designation and Name Change Liquor License (Midtown, Tudor Area, Rogers Park Community Councils); Clerk's Office. **(Addendum)**

Mr. Tremaine requested this item be pulled and combined with 14.B. *(See item 14.B)*

- 9.D.10. Assembly Memorandum No. AM 45-2005, recommendation of award to Envirotech Systems Corporation to operate an **Inspection/Maintenance Program Referee Facility** for the Municipality of Anchorage, Health and Human Services (RFP 24-P050)(\$697,948); Purchasing. **(Addendum)**
- 9.D.11. Assembly Memorandum No. AM 46-2005, proprietary purchase with Dimond Center LLC for **security guard services** at the South Anchorage People Mover Transit Center for the Municipality of Anchorage, Public Transportation (\$32,240); Purchasing. **(Addendum)**
- 9.D.12. Assembly Memorandum No. AM 47-2005, **Girdwood Board of Supervisors** appointments (Victor Duncan, Marcus Tingle); Mayor's Office. **(Addendum)**

9.E. INFORMATION AND REPORTS

- 9.E.1. Information Memorandum No. AIM 7-2005, transmittal of the Planning and Zoning Commission record and recommendation of the denial for a rezoning application to rezone approximately two acres from R-1A (Single Family Residential District) to B-3 SL (General Business District with Special Limitations), for **Deborah Subdivision**, Block D, Lots 1, 2, 3, 4, 5 and 10 and a portion of a relinquished right of way (Tract D), generally located at Old Glenn Highway and north of Juanita Loop (Planning and Zoning Commission Case Number 2004-163); Planning Department.

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. *(See item 10.E.1)*

- 9.E.2. Information Memorandum No. AIM 8-2005, transmittal of the Planning and Zoning Commission record and recommendation of denial for a rezoning application to rezone approximately 5.5 acres from R-3 (Multiple Family Residential District) and R-5 (Rural Residential District) to B-3 SL (General Business District with Special Limitations), for **Hillcrest Subdivision**, Block 1, Lots 1 and 2, and Block 5, Lots 1 through 6, and Hillcrest Park Subdivision Number 1, Tracts C and D, generally located on the east side of Old Seward Highway and on the west side of Short Street, south of Abbott Road and north of Lakewood Court (Planning and Zoning Commission Case Number 2004-151); Planning Department.
1. Ordinance No. AO 2005-15, an ordinance amending the zoning map and providing for the rezoning consisting of approximately 5.5 acres from R-3 (Multiple Family Residential District) and R-5 (Rural Residential District) to B-3 SL (General Business District with special limitations), for Hillcrest Subdivision, Block 1, Lots 1 and 2, and Block 5, Lots 1 through 6 and Hillcrest Park Subdivision Number 1, Tracts C and D, generally located on the east side of Old Seward Highway and the west side of Short Street, South of Abbott and north of Lakewood Court. **(Laid on the Table)**

Mr. Traini requested this item be pulled for review on the Regular Agenda. *(See item 10.E.2)*

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

- 9.F.1. Ordinance No. AO 2005-6, an ordinance amending Anchorage Municipal Code Section 3.30.172 to change the name of the Maintenance Operations Manager to **Director, Maintenance & Operations**,

to reclassify the position from Range 22E to Range 23E, and other matters; Employee Relations.
(Public Hearing set for 1-15-05)

a. Assembly Memorandum No. AM 33-2005.

The Administration requested this item be pulled for review on the Regular Agenda. (See item 10.F.1)

9.F.2. Ordinance No. AO 2005-7, an ordinance amending the zoning map and providing for the rezoning of **Lots 9 and 10, Skyview Estates Subdivision** from R-6 (Suburban Residential District, Large Lot) to R-1 SL (Single Family Residential District with Special Limitations), generally located east of Lake Otis Parkway and north of Mona Avenue (Huffman/O'Malley Community Council) (Planning and Zoning Commission Case 2004-158); Planning Department. (Public Hearing set for 3-1-05)

a. Assembly Memorandum No. AM 34-2005.

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.F.2)

9.F.3. Ordinance No. AO 2005-8, an ordinance amending the zoning map and providing for the rezoning of **Government Lot 2, Section 23, T12N, R4E, S.M., AK** from PLI (Public Lands and Institutions) to R-1A (Single-Family Residential), generally located one lot west of Southbluff Circle and one lot south of Bluff Creek Circle (Bayshore-Klatt Community Council) (Planning and Zoning Commission Case 2004-129); Planning Department. (Public Hearing set for 3-1-05)

a. Assembly Memorandum No. AM 35-2005.

9.F.4. Ordinance No. AO 2005-9, an ordinance amending Anchorage Municipal Code Subsection 21.35.020, to revise or add definitions for **Dormitory, Roominghouse, and Lodginghouse**, and to amend Section 21.40.020 regarding conditional uses in the PLI (Public Lands and Institutions) District, Section 21.40.200 regarding conditional uses in the I-1 (Light Industrial) District, and Section 21.45.080 to establish minimum off-street parking requirements for dormitories (Planning and Zoning Commission Case 2004-155), Planning Department. (Public Hearing set for 3-1-05)

a. Assembly Memorandum No. AM 36-2005.

9.F.5. Resolution No. AR 2005-12, a resolution of the Municipality of Anchorage accepting and appropriating \$411,600 as a grant from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management, to the Miscellaneous Capital Pass-Thru Fund (409) for the **Lower Fire Lake Dam Rehabilitation Project**, Project Management & Engineering. (Public Hearing set for 2-1-05) (**Addendum**)

a. Assembly Memorandum No. AM 44-2005.

9.F.6. Ordinance No. AO 2005-10, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$44,500,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **road, storm drainage and related capital improvements** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs in the Anchorage Roads and Drainage Service Area at an election in and for the Municipality of Anchorage on April 5, 2005; Finance. (Public Hearing set for 2-15-05) (**Addendum**)

a. Assembly Memorandum No. AM 49-2005.

9.F.7. Ordinance No. AO 2005-11, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,930,000 of General Obligation Bonds of the Municipality of Anchorage to provide local matching funds required for federal grants and to pay the costs of **Areawide Public Transportation improvements** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 5, 2005; Finance. (Public Hearing set for 2-15-05)

a. Assembly Memorandum No. AM 50-2005. (**Addendum**)

9.F.8. Ordinance No. AO 2005-12, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$480,000 of General Obligation Bonds of the Municipality of Anchorage to pay for **ambulances and related capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 5, 2005; Finance. (Public Hearing set for 2-15-05) (**Addendum**)

a. Assembly Memorandum No. AM 51-2005.

9.F.9. Ordinance No. AO 2005-13, an ordinance amending Anchorage Municipal Code Subsection 26.70.040 to increase rates or **commercial refuse collections service** and amend Section 26.80.005 to increase the special handling fee and revise the unsecured load fee; Solid Waste Services. (Public Hearing set for 3-1-05) (**Addendum**)

a. Assembly Memorandum No. AM 48-2005.

The Administration requested this item be pulled for review on the Regular Agenda. (See item 10.F.9)

Chair Fairclough called for a motion to approve the remainder of Consent Agenda.

Mr. Whittle moved, to approve the amended Consent Agenda.

Mr. Sullivan seconded,

and this motion was unanimously passed,

with Mr. Coffey abstaining on item 9.D.5, due to a conflict of interest,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: None.

ABSENT: Tesche, excused.

Chair Fairclough announced the unanimous approval of the amended Consent Agenda, with the exception of the pulled items and proceeded into discussion of those items.

END OF CONSENT AGENDA

10. **REGULAR AGENDA**

10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

10.A.1. Resolution No. AR 2005-11, a resolution of the Anchorage Municipal Assembly designating January 25, 2005 as **Thank Your Mentor Day**; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. **(Addendum)**

Chair Fairclough called for a motion.

Ms. Jennings moved, to approve AR 2005-11.
Ms. Ossiander seconded,
and this motion was unanimously passed,

Ms. Jennings read the document and Mr. Whittle presented the resolution. Mr. Martin McKay accepted the award and requested each Assemblymember share who had a mentor or mentors in their lives. Assemblymembers shared the people in their lives who had made a difference to them, including; Mr. Sullivan, his father and mother; Ms. Fairclough, her mother and father and grandparents; Mr. Stout, his father and his grandparents; Ms. Jennings, Melinda Taylor; Ms. Ossiander her mother and father and recently Sharon Richards and Bob Crystal; Ms. Shamberg, Pat Abney; Mr. Coffey, Wendell Kay; Mr. Traini, his grandfather, and; Mr. Tremaine, his mother and father, and many others, including Mayor Begich. To Mr. McKay, Mr. Stout offered congratulations and stated all members were pleased to have him before the Assembly. NAACP Program Mentor Facilitator Ms. Newman thanked the Assembly for the recognition and for acknowledging the day.

10.A.2. Resolution No. AR 2005-13, a resolution of the Anchorage Municipal Assembly recognizing Alaska Communications Systems, Inc. for its long time support of the **Fur Rendezvous Sled Dog Race** and urging continued assistance; Assemblymember Tesche. **(Addendum)**

Mr. Sullivan moved, to approve AR 2005-13.
Ms. Jennings seconded,

Mr. Sullivan thanked Alaska Communication Systems (ACS) for the community service they had provided in support of the Fur Rendezvous Sled Dog Race. He thought this local corporate business should be recognized by the community for their efforts, and requested that the Clerk's Office send a copy of the resolution to ACS. Chair Fairclough concurred.

and this motion was unanimously approved,

10.A.3. Resolution No. AR 2005-21, a resolution of the Anchorage Assembly supporting the local Salvation Army in the competitive grant process to procure "a grant of" ~~[up to a]~~ "approximately" ~~[fifty]~~ "seventy" million dollar ~~[\$50,000,000]~~ (\$70,000,000) from the **Ray and Joan Kroc Foundation** to build a community/recreation center and library on a portion of tract three, Alaska Village Subdivision, in East Anchorage; Chair Traini, Assemblymembers Stout, Whittle, Fairclough, Ossiander, Jennings, Coffey, Shamberg, Sullivan, Tesche and Tremaine; Office of Economic & Community Development. **(Laid on the Table)**

Chair Fairclough read this resolution title and called for a motion.

Mr. Whittle moved, to approve AR 2005-21.
Ms. Ossiander seconded,

Mr. Whittle summarized the intent of this grant and stated how fortunate the city was for being involved with this.

Mr. Stout stated the grant amount was to have been \$70 million dollars. Deputy Municipal Manager Michael Abbott responded that the Administration had no objection to changing the language of the resolution to read \$70 million. Mr. Traini moved for changes. Mr. Tremaine and Mr. Sullivan offered friendly amendments, which were accepted by Mr. Traini.

Mr. Tremaine moved, to amend AR 2005-21 *by adding* to the title and to Page 1, Lines 23- 24, to read: ...procure "a grant of" ~~[up to a]~~ "approximately" ~~[fifty]~~ "seventy" million dollar ~~[\$50,000,000]~~ (\$70,000,000) from the...

Mr. Whittle moved, to approve AR 2005-21, as amended.
Ms. Ossiander seconded,
and this was unanimously passed,

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

10.C. BID AWARDS None.

10.D. NEW BUSINESS

10.D.2. Assembly Memorandum No. AM 37-2005, Renewal of **Chilkoot Charlie's** Liquor Licenses: Chilkoot Charlie's #225 – Beverage Dispensary; Chilkoot Charlie's #1724 – Beverage Dispensary-Duplicate; Chilkoot Charlie's #2107 – Beverage Dispensary-Duplicate; Chilkoot Charlie's #3003 – Beverage Dispensary-Duplicate (Spenard, North Star & Midtown Community Councils); Clerk's Office.

Ms. Fairclough called for a motion.

Ms. Shamberg moved, to approve AM 27-2005.
Mr. Coffey seconded,

Ms. Shamberg noted an administrative correction needed on Page 6 of the attached 2003 Summary. She stated that the summary did not indicated if the assaults involved establishment patrons or employees, which was important data for a better understanding of the high numbers of listed assaults. Anchorage Police Chief Walt Monegan responded it was difficult to know the circumstances of each fight and incidents were identified with "Koots" because it was a landmark and such a recognized location. Ms. Shamberg stated that considering the death of a patron last year at Chilkoot Charlie's, it would be helpful to better understand the 32 non-liquor related assaults listed for 2003. Chief Monegan responded the Anchorage Police Department (APD) could supply the details, but generally the reports were currently compiled for general information. Ms. Shamberg stated that the process of refining the information in the reports to Assemblymembers should continue, with consideration of including more pertinent information to review when making decisions of renewing these licenses.

Mr. Coffey stated that the information in the APD reports were virtually useless to assist Assemblymembers making decisions. He stated that Mr. Tesche had proposed an ordinance, enabling the police to include additional information with the reports. Mr. Coffey stated that clarification was also needed to address the legitimate calls coming from the establishment, including the seizure of fake IDs (*identifications*), which actions would be indications of good operations. He agreed with Ms. Shamberg that the reports should include a better description of the incidents so the Assembly could make informed decisions.

Ms. Jennings concurred with Mr. Coffey and stated that there were many bars doing a good job of keeping minors off the premises and seizing false IDs. She stated there were still concerns with the numbers of DUIs and she felt the establishments needed to be encouraged not to over-serve patrons. Ms. Jennings stated there was a worksession scheduled on February 11, 2005, to address liquor process and policy. She stated the process would include getting information and the policy would be addressing liquor license density in Anchorage.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: None.
ABSENT: Tesche, excused.

10.D.3. Assembly Memorandum No. AM 38-2005, Ray's Place #4347 – Transfer of Ownership for Restaurant/Eating Place, Restaurant Designation, and Name Change Liquor License (Spenard Community Council); Clerk's Office.

Mr. Tremaine moved, to approve AM 38-2005.
Mr. Sullivan seconded,

Mr. Tremaine stated this was a protest and wanted the reason for the protest to be included in the memorandum.

Mr. Tremaine moved, to amend AM 38-2005 on Page 1, following the Applicant description, *by adding* to read: Approval of this memorandum will PROTEST the transfer of ownership for a restaurant eating place/restaurant designation liquor license "until successful passing of the location's fire inspection."

Mr. Tremaine moved, to approve AM 38-2005, as amended.
Mr. Sullivan seconded,
and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: None.
ABSENT: Tesche, excused.

10.D.4. Assembly Memorandum No. AM 39-2005, Brown Jug #3478 – Renewal/*NO CURRENT LOCATION*; Previous address 1000 E. Northern Lights Blvd./for a Package Store Liquor License (Rogers Park, Midtown and North Star Community Councils); Clerk's Office.

Mr. Tremaine moved, to postpone indefinitely AM 39-2005.
Ms. Jennings seconded,

Mr. Tremaine stated this needed to be deleted because it was a duplicate of Agenda item 10.D.6. Municipal Clerk Barbara Gruenstein concurred.

and this was approved with no objections,

10.D.7. Assembly Memorandum No. AM 30-2005, 2005 grant agreement with Anchorage Economic Development Corporation (\$490,500); Office of Economic & Community Development.

Mr. Sullivan moved, to approve AM 30-2005.
Mr. Whittle seconded,

To Mr. Sullivan, Anchorage Economic Development Corporation Executive Director Bob Poe responded by summarizing current department projects and activities. Mr. Poe responded they had been helping local businesses expand their businesses and were trying to attract outside companies to consider Anchorage as a strategic location for expanding their businesses. They were working with the Port of Anchorage and the International Airport. To Mr.

Sullivan Mr. Poe responded they had five staff members and were receiving over half of their funding from other sources, including from private sector businesses and the state and federal governments.

To Ms. Jennings, Mr. Poe responded that it involved a perishable logistics center and it would be used for fresh seafood and other perishables being transported. He responded they were developing a logistic policy and were working closely with employees and students from the University of Alaska School of Business and Public Policy.

To Ms. Ossiander, Mr. Poe responded he would be speaking at the Eagle River Chamber of Commerce Luncheon on February 2, 2005, for those who would like more information and details.

and this motion was unanimously passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: None.

ABSENT: Tesche, excused.

10.D.8. Assembly Memorandum No. AM 42-2005, 2005/2006 Liquor License Renewals: Applebee's II #4173, Bear Tooth Theatrepub #4065, Carlos' Fine Mexican Restaurant #3538, Cheechako Bar #216, Club 210 East #2159, 4th Avenue Theatre #3518, Gallo's Mexican Restaurant #2 #3572, George's Homestead Lounge #321, Sea Galley #1666, T.G.I. Friday's #4279, William A. Egan Civic & Convention Center #3234 – Beverage Dispensary; Bear Tooth Grill #4143 – Beverage Dispensary-Duplicate; Brown Bear Saloon & Motel #1987, Cross Point #1798 – Beverage Dispensary/Tourism; Moose's Tooth Pub Pizzeria #3972 - Brewpub; Petroleum Club of Anchorage #3586, V.F.W. Post #97854 #1204, V.F.W. Post #10252 #1894 – Club; Brown Jug/Eagle River #162, Brown Jug/Whaler #686, Brown Jug/College Mall #57 #4069, George's Homestead Liquor Store #322 – Package Store; George Sullivan Arena #1842 – Recreational Site; Arigato Japanese Restaurant #2662, Ichiban Restaurant #2113, Kobe Teppayaki House #2958, Mexico in Alaska #1907, Sorrento's #1064, Sweet Basil Café #2897, Wings 'N Things #2046, Woodshed Lounge #1244, Yamatoya Restaurant #1617 – Restaurant/Eating Place (Bayshore/Klatt, Fairview, Northeast, Spenard, North Star, Girdwood, Indian, Taku/Campbell, Midtown, Government Hill, Turnagain, Mt. View, Downtown, Eagle River, Eagle River Valley, Tudor Area, Rogers Park Community Councils); Clerk's Office. **(Addendum)**

Mr. Traini moved, to approve AM 42-2005.

Mr. Sullivan seconded,

Mr. Traini moved, to bifurcate the Bear Tooth Theatrepub.

Mr. Coffey seconded,

Mr. Traini stated that the owners had come before the Assembly for the past three years, promising to complete landscaping and improvements. He stated those mandates had not been completed and the Assembly needed to decide whether to accept or object the liquor license renewal. Municipal Clerk Barbara Gruenstein stated that she had communicated with Land Use Enforcement Officer Brian Dean, who stated that the Bear Tooth had not completed the improvements, but they had until July 2005 to be in compliance. Mr. Traini repeated his motion for bifurcation and requested the owner come before the Assembly on February 1, 2005.

Mr. Sullivan stated he would not support bifurcation at that time. The Bear Tooth was in his district and he had followed their progress with the improvements. The owners had completed the parking lot requirements but had not completed the landscaping, which could not be done until spring. He stated this was a small business that had not expected such a rapid growth and the owners had done an excellent job of creating additional parking by buying and leasing additional land. He felt the Bear Tooth was making a great effort to comply and thought they were acting responsibly.

Ms. Jennings concurred with Mr. Sullivan and thought the owners had done a good job with the improvements. She stated the parking lot was paved and the owners were waiting until spring to finish the landscaping. She would not support the bifurcation.

Chair Fairclough called the Question.

and this motion failed,

AYES: Tremaine and Traini.

NAYES: Fairclough, Whittle, Sullivan, Stout, Jennings, Ossiander, Shamberg and Coffey.

ABSENT: Tesche, excused.

Mr. Coffey disclosed a possible conflict of interest because two of the listed establishments were represented by his law firm. Chair Fairclough ruled that Mr. Coffey did have a conflict of interest and ordered him to abstain from participating with Applebee's II and T.G.I. Friday's.

Ms. Jennings stated an administrative correction was needed for the spelling of the Buda Corporation Sweet Basil Café.

Chair Fairclough called the Question on the main motion.

and this motion was passed,
with Mr. Coffey abstaining on Applebee's II and T.I.G. Friday's,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: None.

1 ABSENT: Tesche, excused.

2
3 10.D.9. Assembly Memorandum No. AM 43-2005, Chiang Mai Ultimate Thai Restaurant #4459 – Transfer of
4 Location for a Restaurant/Eating Place, Restaurant Designation and Name Change Liquor License
5 (Midtown, Tudor Area, Rogers Park Community Councils); Clerk's Office. **(Addendum)**

6
7 Mr. Tremaine moved, *to postpone* AM 43-2005, to combine with 14.B.
8 Mr. Coffey seconded,
9 and this was approved with no objections,

10
11 *(Clerk's Note: Refer to Agenda Item 14.B for related discussion and action on Chiang Mai Ultimate Thai Restaurant)*

12
13 **10.E. INFORMATION AND REPORTS**

14 10.E.1. Information Memorandum No. AIM 7-2005, transmittal of the Planning and Zoning Commission record
15 and recommendation of the denial for a rezoning application to rezone approximately two acres from
16 R-1A (Single Family Residential District) to B-3 SL (General Business District with Special Limitations),
17 for **Deborah Subdivision**, Block D, Lots 1, 2, 3, 4, 5 and 10 and a portion of a relinquished right of
18 way (Tract D), generally located at Old Glenn Highway and north of Juanita Loop (Planning and
19 Zoning Commission Case Number 2004-163); Planning Department. *(Postponed to 3-08-05)*

20
21 Ms. Ossiander moved, *to postpone* AIM 7-2005 until March 8, 2005.
22 Mr. Coffey seconded,

23
24 Ms. Ossiander stated there had been continued discussion with the owner of the property, who thought he would soon
25 be getting access onto the Glenn Highway, which might make a difference in Assembly consideration of a rezone.

26
27 Ms. Jennings stated she did not oppose postponement and requested a report from the Administration whether the
28 owner had filled in the creek. Chair Fairclough responded that the information could be confirmed on the March 8th
29 date.

30
31 and this was approved with no objections,

32
33 10.E.2. Information Memorandum No. AIM 8-2005, transmittal of the Planning and Zoning Commission record
34 and recommendation of denial for a rezoning application to rezone approximately 5.5 acres from R-3
35 (Multiple Family Residential District) and R-5 (Rural Residential District) to B-3 SL (General Business
36 District with Special Limitations), for **Hillcrest Subdivision**, Block 1, Lots 1 and 2, and Block 5, Lots 1
37 through 6, and Hillcrest Park Subdivision Number 1, Tracts C and D, generally located on the east
38 side of Old Seward Highway and on the west side of Short Street, south of Abbott Road and north of
39 Lakewood Court (Planning and Zoning Commission Case Number 2004-151); Planning Department.

- 40 1. Ordinance No. AO 2005-15, an ordinance of the Municipality of Anchorage amending the
41 zoning map and providing for the rezoning consisting of approximately 5.5 acres from R-3
42 (multiple family residential district) and R-5 (rural residential district) to B-3 SL (General
43 business district with special limitations), for Hillcrest Subdivision, Block 1, Lots 1 and 2, and
44 Block 5, Lots 1 through 6, and Hillcrest Park Subdivision Number 1, Tracts C and D;
45 generally located on the East side of Old Seward Highway and the West side of Short Street,
46 South of Abbott Road and North of Lakewood Court; Assembly Chair Traini. **(Laid on the**
47 **Table)** *(Public Hearing set for 3-8-05)*

48
49 Mr. Traini moved, *to introduce* AO 2004-15, with Public Hearing
50 Mr. Stout seconded, set for March 8, 2005.
51 Ms. Ossiander was the concurring third,
52 and there were no objections,

53
54 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

55 10.F.1. Ordinance No. AO 2005-6, an ordinance amending Anchorage Municipal Code Section 3.30.172 to
56 change the name of the Maintenance Operations Manager to **Director, Maintenance & Operations**,
57 to reclassify the position from Range 22E to Range 23E and other matters; Employee Relations.

58 *(Public Hearing set for 2-15-05)*

- 59 a. Assembly Memorandum No. AM 33-2005.

60
61 Chair Fairclough called for a motion to introduce.

62
63 Mr. Coffey moved, *to introduce* AO 2005-6, with Public Hearing
64 Ms. Ossiander seconded, set for February 15, 2005.
65 Mr. Stout was the concurring third,
66 and there were no objections,

67
68 Deputy Municipal Manager Michael Abbott stated the Administration was responding to Mr. Stout's question
69 concerning the impact of the ordinance. He explained that approval of this ordinance would reclassify the position, but
70 would not affect compensation for the incumbent.

71
72 10.F.2. Ordinance No. AO 2005-7, an ordinance amending the zoning map and providing for the rezoning of
73 **Lots 9 and 10, Skyview Estates Subdivision** from R-6 (Suburban Residential District, Large Lot) to
74 R-1 SL (Single Family Residential District with Special Limitations), generally located east of Lake Otis
75 Parkway and north of Mona Avenue (Huffman/O'Malley Community Council) (Planning and Zoning
76 Commission Case 2004-158); Planning Department. *(Public Hearing set for 3-1-05)*

- 77 a. Assembly Memorandum No. AM 34-2005.

78

Chair Fairclough called for a motion to introduce.

Ms. Ossiander moved, *to introduce* AO 2005-7, with Public Hearing
Mr. Stout seconded, set for March 1, 2005.
Mr. Whittle was the concurring third,
and there were no objections,

Ms. Ossiander stated she wanted the opportunity to address the controversial concern of limiting the width of the garage doors, listed as a special limitation.

Mr. Stout stated he also had concerns with the special limitations, and saw conflicts with increased parking outside of garages. He could not find reference in the 2020 Plan, and wondered if it was really necessary.

Ms. Jennings stated that plans for development of water and sewer also needed to be addressed.

Chair Fairclough requested that Assemblymembers get their specific questions to the Administration, so responses could be prepared.

10.F.9. Ordinance No. AO 2005-13, an ordinance amending Anchorage Municipal Code Subsection 26.70.040 to increase rates or **commercial refuse collections service** and amend Section 26.80.005 to increase the special handling fee and revise the unsecured load fee; Solid Waste Services. (*Public Hearing set for 3-1-05 2-15-05*) (**Addendum**)
a. Assembly Memorandum No. AM 48-2005.

Mr. Coffey moved, *to introduce* AO 2005-13, with Public Hearing set for
Ms. Jennings seconded, [~~March 3, 2005~~] February 15, 2005.
Mr. Stout was the concurring third,
and there were no objections,

Deputy Municipal Manager Michael Abbott requested Public Hearing date set for February 15, 2005. Mr. Coffey so moved, which was accepted by the second and the third, and there were no objections. Mr. Coffey requested that the Administration provide clarification on the charges, listed on Page 3-3, Line 6.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Information Memorandum No. AIM 2-2005, review of **Draft Off-Leash Dog Areas Action Plan**; Parks & Recreation Department. (*Postponed from 1-11-05*)

Mr. Traini moved, to accept AIM 2-2005.
Mr. Tremaine seconded,

Mr. Coffey stated he would not support the memorandum because it was a lot more money than had previously been outlined. Deputy Municipal Manager Michael Abbott responded that the amount included an enforcement position and costs of planning.

Ms. Ossiander stated enforcement was not reflected in the budget and the question of liability had not been addressed. She was also concerned that the University Lake Community Council had requested that their area be closed until a plan was developed. She was concerned with the lack of interest, when the Assembly had indicated an interest on addressing that issue. She stated the site selection matrix was well done and would be helpful.

To Ms. Shamberg, Chair Fairclough responded that a decision had not been reached concerning dog park fees.

Mr. Sullivan responded that he hoped a long range-plan would include more definitive areas with options for a revenue-generating system. He thought they were off to a good start and recommended continued review and discussion. He stated the regulated dog parks across the nation were more successful than the ones that were not defined.

To Mr. Stout, Chair Fairclough responded that the Rasmuson Foundation had \$39,500 in matching funds that would apply to this particular project. To Mr. Stout, Deputy Municipal Manager Michael Abbott responded that special liability had not been addressed in this plan.

Mr. Whittle agreed that changes were needed with the University area and hoped a plan could be implemented soon. He stated that consideration might be given to coordinating a voluntary financial contribution from users when dogs were licensed in the city.

Mr. Coffey urged discussion to determine how to address University property and wondered if it was going to cost \$20,000 for study. Mr. Whittle responded that it was not a simple issue to resolve because the boundaries were confusing. Mr. Whittle responded that the University of Alaska, the Parks Department and the local community council were going to meet in the near future to discuss the issue.

Mr. Traini stated that liability concerns would continue to escalate as additional activities such as skate board parks were created in the Municipality and the issue needed to be addressed. He stated that consideration of cost-causer and cost-payer could to be reviewed for applying to all special use activities.

Mr. Stout concurred with Mr. Traini and thought his comments on liability helped put things into perspective.

Mr. Sullivan stated that off-leash dog activities were relaxing a well-established leash law. He added that statistically loose dogs were difficult to control and recommended reviewing liability concerns and to consider fees and licensing to accommodate control.

Ms. Jennings concurred with Mr. Traini and stated that planning was important, rather than simply studying the issue. Parking, fencing or other matters associated with off-leash dog parks needed to be addressed.

Chair Fairclough called the Question.

and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander and Shamberg.

NAYES: Coffey.

ABSENT: Tesche, excused.

11.B. Information Memorandum No. AIM 5-2005, Employee Relations' organizational criteria for a **Benefits Accountant** (grade 14), **Records Analyst** (grade 12) and **Senior Administrative Officer** (grade 15).
(Carried Over From 1-11-05)

Chair Fairclough called for a motion.

Mr. Traini moved, to accept AIM 5-2005.

Mr. Tremaine seconded,

Ms. Ossiander moved, to postpone AIM 5-2005.

Mr. Coffey seconded,

Ms. Ossiander stated that she had requested an organizational chart to show the new positions and responsibilities within the department. Deputy Municipal Manager Michael Abbott responded that no additional information could be added but the Assembly could either accept or not accept the memorandum. He stated that the requested information was still being prepared and would be presented to the Assembly.

Mr. Traini stated that an informational memorandum (AIM) and was only information being shared by the Administration, and did not require Assembly approval. He stated that this item needed to be accepted and the Administration had noted the Assembly requests.

Ms. Ossiander agreed to withdraw her motion if the Administration understood her request. Mr. Coffey concurred.

Chair Fairclough called the Question.

and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Shamberg and Coffey.

NAYES: Ossiander.

ABSENT: Tesche, excused.

12. APPEARANCE REQUESTS

12.A. **Ken Perry**, regarding financial impacts of recent code amendment concerning remediation.

KEN PERRY, General Manager of Paratex Pied Piper Pest Control, urged Assembly reconsideration of their recently approved ordinance on pesticides. He stated the do-it-yourself applicators operated in the community with increased potential risks to citizens. He stated it was increasingly more difficult to make a profit with increasing costs of insurance, materials and shipping and he was concerned that the pesticide notification mandate would be an undue burden on the businesses. He urged reconsideration of this issue before the summer pest season began. To Mr. Sullivan, Mr. Perry recommended corrections to make the Municipal and the State pest control ordinances more consistent with each other. To Mr. Coffey, Mr. Perry responded his request for consideration of waist-height application dealt primarily with carpenter ants, spiders, earwigs, mites and other outside pests. To Ms. Shamberg he stated the \$40,000 was a reference to the expected impact on the industry (*requiring notification*) and they could not afford the loss. To Mr. Traini, Mr. Perry responded that there was currently a State House Bill being considered but felt it had many flaws and would cast off burdens to the Municipality for enforcement.

12.B. **John Middaugh**, to request to regulate size of gravel used by private contractors and to re-examine existing polices for sanding roads in Anchorage. (**Addendum**)

JOHN MIDDAUGH requested Assembly consideration of sanding practices. He urged regulating the specifications, to reduce and limit the size of gravel to less than one-quarter inch in size, which would reduce the numbers of cracked windshields and headlights. Anchorage currently allowed city and state operations to use three-eighths inch gravel. Dr. Middaugh recommended that a committee be formed to reexamine traffic safety to address road sanding and other road standards. To Ms. Ossiander, Municipal Manager Denis LeBlanc responded the Administration was working with the state, reviewing many of those issues and regulations. Mr. LeBlanc stated that he would take these concerns forward for review and Ms. Ossiander stated that she wanted to be included in those discussions. To Mr. Sullivan, Deputy Municipal Manager Michael Abbott responded that there were no sanding standards and the Municipality did not regulate private sanding operations. The Administration would work with the Assembly to address this issue. Mr. Whittle thanked Dr. Middaugh for addressing this important issue.

Mr. Traini moved, to Change the Order of the Day, to take up Agenda
Mr. Tremaine seconded, Item 15, Special Orders.
and there were no objections,

13. CONTINUED PUBLIC HEARINGS

- 1 13.A. Ordinance No. AO 2004-164, an ordinance of the Municipality of Anchorage creating **Special**
2 **Assessment District 3P04** for reconstruction of streets within the Bayshore West Subdivision Area,
3 and determining to proceed with proposed improvements therein; Project Management & Engineering.
4 1. Assembly Memorandum No. AM 882-2004.
5 *(Continued from 1-11-05)*
6

7 Chair Fairclough read this ordinance title and opened Public Hearing. With no one to testify she closed Public Hearing
8 and called for a motion.

9
10 Mr. Coffey moved, to approve AO 2004-164.
11 Ms. Ossiander seconded,
12 and this motion was unanimously passed,
13

14 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
15 NAYES: None.
16 ABSENT: Tesche, excused.
17

- 18 13.B. Ordinance No. AO 2004-176, an ordinance of the Anchorage Municipal Assembly amending
19 provisions of Title 28, **Elections**; Assemblymembers Tesche and Coffey.
20 1. Assembly Memorandum No. AM 919-2004. *(Continued to 2-1-05)*
21

22 Chair Fairclough explained that one of the makers of this ordinance was not present, and this would be continued to
23 the next Assembly Meeting. She opened Public Hearing and there was no one to testify. She called for a motion.
24

25 Mr. Coffey moved, to Continue Public Hearing on AO 2004-176 to
26 Mr. Sullivan seconded, February 1, 2005.
27 and there were no objections,
28

29 14. NEW PUBLIC HEARINGS

- 30 14.A. Ordinance No. AO 2004-177, an ordinance of the Anchorage Municipal Assembly amending
31 Anchorage Municipal Code Section 3.30.005, Definitions, to add "**Veteran**", to amend Section
32 3.30.031, General Policy, to provide veterans with an opportunity to interview for employment, and to
33 amend Section 3.30.159, Military Leave, to include active military duty; Assembly Chair Traini;
34 Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche,
35 Tremaine, Whittle. *(Continued to 2-1-05)*
36

37 Mr. Traini stated it was his intention to postpone action on this ordinance until February 1, 2005, to allow the
38 Administration time to bring the definition of a "Veteran" consistent with the State of Alaska's definition.
39

40 Chair Fairclough read the ordinance title and opened Public Hearing. There was no one to testify. She called for a
41 motion.
42

43 Mr. Sullivan moved, to Continue Public Hearing on AO 2004-177 to
44 Mr. Whittle seconded, February 1, 2005.
45

46 Mr. Sullivan requested that the Administration review the timeframe of eligibility of a veteran, in addition to the
47 definition of the word, because there were many veterans who qualified, even though they were not honorably
48 discharged, full-service veterans. Deputy Municipal Manager Michael Abbott responded that the current proposal
49 would mesh the municipal program with the existing state veterans hiring preference.
50

51 and there were no objections,
52

- 53 14.B. Resolution No. AR 2005-5, a resolution of the Anchorage Municipal Assembly approving an alcoholic
54 beverages conditional use in the B-3 District for a new restaurant or eating place use per AMC
55 21.40.180 D.8. for **[Chiang] Chiang Mai Ultimate Thai Restaurant**; located on Block 1, Lot 5, Central
56 City Subdivision; site address being 3637 Old Seward Highway, generally located on the northeast
57 corner of East 38th Avenue and the Old Seward Highway (Midtown Community Council) (Case 2005-
58 012); Planning Department.
59 1. Assembly Memorandum No. AM 28-2005.
60 2. Assembly Memorandum No. AM 43-2005, **Chiang Mai Ultimate Thai Restaurant #4459 –**
61 **Transfer of Location for a Restaurant/Eating Place, Restaurant Designation and Name**
62 **Change Liquor License (Midtown, Tudor Area, Rogers Park Community Councils); Clerk's**
63 **Office. (Addendum)**
64

65 Chair Fairclough read the resolution title and explained that Agenda item 9.D.9 had been combined with this 14.B, and
66 both items concerned Chiang Mai Ultimate Restaurant. She opened Public Hearing. There was no one to testify and
67 she closed Public Hearing and called for a motion.
68

69 Mr. Coffey moved, to approve AR 2005-5.
70 Mr. Sullivan seconded,
71

72 Mr. Coffey stated this was a restaurant/eating place license for a new restaurant facility in the old Burger King facility,
73 located in a commercial district, with close residential areas. He stated they had never had any problems with these
74 licenses, as long as they met the statutory requirements. He thought it was obvious that this establishment met the
75 requirements under Title 10, and the standards of the Comprehensive Plan. He supported approval.
76

77 and this motion was unanimously approved,
78

1 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

2 NAYES: None.

3 ABSENT: Tesche, excused.

4
5 Ms. Jennings requested administrative corrections for the spelling of Chiang Mai throughout both documents. Mr.
6 Coffey stated the correct spelling was "Chiang Mai."

7
8 Mr. Coffey moved, to approve AM 43-2005, as an attachment to AR 2005-5.
9 Mr. Tremaine seconded,

10
11 Mr. Tremaine proposed changes to the memorandum.

12
13 Mr. Tremaine moved, to amend AM 43-2005 on Page 1, under the current applicant
14 Mr. Coffey seconded, description, *by changing* to read: Approval of this
15 and this was unanimously approved, memorandum will ~~[PROTEST]~~ "APPROVE," the transfer of
16 location and name change for a restaurant eating
17 place/restaurant designation liquor license ~~[until the~~
18 ~~conditional use permit is in place]~~.

19
20 Mr. Coffey moved, to approve AM 43-2005, as amended.
21 Mr. Tremaine seconded,
22 and this motion was unanimously passed,

23
24 14.C. Ordinance No. AO 2004-178, an ordinance amending the Anchorage Municipal Code of Ordinances
25 Section 21.40.200, I-1, Light and Industrial District, to allow **taxidermy and processing of skins and**
26 **hides** "fur on" for use in Taxidermy as a permitted industrial use with restrictions, Assembly Chair
27 Traini; Assemblymember Tremaine.
28 1. Assembly Memorandum No. AM 922-2004.

29
30 Chair Fairclough read this ordinance title and opened Public Hearing.

31
32 TIM POTTER, with Dowl Engineers, testified that they had brought this request forward in an effort to clarify
33 Anchorage Municipal Code when addressing fur processing and fur dressing, which were different activities that were
34 currently classified as the same and only permitted in the I-3 zoning district. Tanning was a caustic, chemical-based
35 activity to remove hair or tan leather. Fur dressing, including taxidermy or preparation of a fur for a garment, involved
36 a process using a high-quality, already-tanned fur. Mr. Potter explained that there were chemicals used in the fur
37 dressing process, which were similar to the chemicals used in the water treatment plant for purification. He stated
38 there was a fur dressing business that had been misclassified by Planning Code Enforcement as a tanning operation.
39 He stated there was a distinct difference between the two processes which the proposed language clarified. It would
40 make a difference in AWWU permitting. He requested a modification, under Item B.2.O.

41
42 To Ms. Shamberg, Mr. Potter responded that with the difficult interpretation of Title 21, by adding this language and
43 designating the activity for the I-1 district, it may exclude use in other permitted areas. He did not think there were
44 other businesses that would be affected and felt that this could be addressed in the Title 21 rewrite.

45
46 Ms. Ossiander stated she was concerned with the reference to the AWWU permitting, because a large part of her
47 district was not served by municipal sewer. She thought an interpretation might require processing of hides only being
48 allowed within the more urban areas, and not allowed in rural areas. Mr. Potter responded that commercial
49 businesses actively curing or dressing hides might be an issue in rural areas, but was not aware of any instances.

50
51 With no additional public testimony, Chair Fairclough closed Public Hearing and called for a motion.

52
53 Mr. Traini moved, to approve AO 2004-178.
54 Mr. Tremaine seconded,

55
56 Mr. Tremaine moved, to amend AO 2004-178 on Page 1, Line 29, *by adding* to
57 Mr. Coffey seconded, read: Taxidermy and fur processing (*or*) "dressing" of raw
58 and there were no objections, hides and skins ("fur on"), conducted...

59
60 Mr. Tremaine moved, to amend AO 2004-178 on Page 1, Line 32, *by adding* to
61 Mr. Coffey seconded, read: ...for disposal into the Municipal sewer system, "if
62 applicable, or permitted by the Department of Health and
63 Human Services or DEC if sewer is not available."

64
65
66 Mr. Coffey stated that the chemicals must be fairly benign, if allowed in the sewer system. To his question, Jerry
67 Weaver with the Planning Department responded that he thought taxidermists would be allowed in other districts.

68
69 Gary Jacob, owner of Alpha Fur Dressers, stated that his family had operated a fur business in Canada and Alaska
70 and their tanning agent was aluminum sulfate. To Ms. Jennings, he stated that AWWU required permitting and gave
71 an exhaustive list of chemicals that were not allowed in the sewer system. Mr. Jacob's business did not use heavy
72 metals and the chemical balance of their water was maintained at a 6-7 ph level. He stated that his family had been in
73 the business for decades and had always used the public sewer systems. Mr. Potter stated there were not many
74 industrial districts in the Eagle River Chugiak Birchwood area. To Ms. Jennings, Mr. Potter responded that the State
75 Department of Environmental Conservation (*DEC*) was the regulatory entity which oversees on-site septic systems,
76 and consideration might be taken to add language to have approval from the DEC or the Municipal Health and Human
77 Services.

To Ms. Ossiander, Mr. Weaver responded that currently there were no permits required outside the city sewer area. He stated that taxidermy businesses were also allowed in B-3 districts.

Mr. Tremaine amended his Amendment to include DEC permitting.

Chair Fairclough called the Question on the Tremaine Amendment, as amended.

and this was approved with no objections,

To Mr. Sullivan, Mr. Weaver responded this use was listed in the I-3 and B-4 districts as a conditional use, and the majority of manufacturing and processing of goods for sale at retail or wholesale were in B-3 district. He responded that if this issue had been addressed by the Planning and Zoning Commission, many of these questions would have been resolved. To Mr. Sullivan's question, Mr. Weaver responded that the amended document adequately protected the health, safety and welfare of citizens.

To Ms. Shamberg, Mr. Weaver responded that this activity was not permitted in residentially zoned districts. He responded that generally this was not considered a home occupation, but could be if a business was limited to four hundred square feet, if there were appropriate permits and other requirements for home occupation had been met.

To Mr. Traini, Mr. Jacob responded that he employed eight people and was falling behind with his production. Assembly approval of the ordinance would allow him to expand his business to meet the market demands. Mr. Traini responded that the city was working on attracting value-added businesses and he thanked Mr. Jacob for the efforts he was making in the community. Mr. Jacob thanked Mr. Traini for the encouragement and support.

To Ms. Ossiander, Mr. Jacob responded there were other fur businesses in Anchorage that were not located in I-1 districts. Mr. Weaver responded the existing businesses would not be affected by the amended ordinance.

Chair Fairclough called the Question.

Mr. Traini moved, to approve AO 2004-178, as amended.
Mr. Tremaine seconded,
and this motion was unanimously passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: None.

ABSENT: Tesche, excused.

- 14.D. Ordinance No. AO 2004-168, an ordinance amending the zoning map and providing for the rezoning of **Gladys Wood Park Subdivision, Tract 1** from R-1 (Single Family Residential) and R-2M (Multiple Family Residential) to PLI-p (Public Lands and Institutions-Park), generally located north of Strawberry Road and west of Cranberry Street (Sand Lake Community Council) (Planning and Zoning Commission Case 2004-001); Planning Department.
1. Assembly Memorandum No. AM 886-2004.

Chair Fairclough read the ordinance title and opened Public Hearing.

ROY EARHART testified that he and the Sand Lake community had supported this rezone for many years. The Sand Lake Community Council felt that they had much time and money invested and wanted to remain actively involved with all future issues with this real estate. Mr. Sullivan ensured Mr. Earhart that he and Ms. Jennings would make sure that the council and the community would be involved in every step of the way with improvements to the park.

Ms. Jennings thanked Mr. Earhart for his involvement with this issue that had taken so long to happen.

JAY DELANEY, a former resident of Sand Lake who had been involved with the district improvements, testified in full support and was happy to witness the completion of the Gladys Wood Park. Mr. Sullivan stated that Mr. Delaney had provided true public service to the community of Sand Lake.

Ms. Jennings thanked Mr. Delaney for his testimony and involvement with the park.

Chair Fairclough called the Question. Mr. Sullivan urged a YES-vote.

Ms. Ossiander moved, to approve AO 2004-168.
Mr. Stout seconded,
and this motion was unanimously passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: None.

ABSENT: Tesche, excused.

- 14.E. Ordinance No. AO 2004-169, an ordinance amending the zoning map and providing for the rezoning of **Lot 16B, Section 9, T12N, R3W, S.M., AK** from R-2A (Two-Family Residential) to R-2M (Multiple-Family Residential), generally located on the east side of Lake Otis Parkway, between Lore Road and East 80th Avenue (Abbott Loop Community Council) (Planning and Zoning Commission Case 2004-115); Planning Department.
1. Assembly Memorandum No. AM 887-2004.

Chair Fairclough read this ordinance title and opened Public Hearing. With no one to testify she closed Public Hearing and called for a motion.

Mr. Coffey moved, to approve AO 2004-169.
Ms. Ossiander seconded,

Mr. Tremaine requested a legal opinion concerning the vote. Municipal Zoning Administrator Jerry Weaver responded that the petition had failed to get sufficient signatures requiring the super majority vote. Mr. Tremaine stated that there had been a large number of neighbors opposing the rezone but none had chosen to testify. He would listen with interest to Assemblymembers who represented this area.

Mr. Coffey, a representative of this area, was also disappointed he had not received more response from residents and considered this rezone a significant issue for this area, concerning increased density. He stated that considering the surrounding areas to the south and the east, he thought this would be an appropriate rezone for development and he would be a YES-vote.

Chair Fairclough read the submitted petition and stated there were twenty-two signatures opposing the rezone.

Ms. Jennings asked if any member had received comment from residents in the area and there was no response. Mr. Weaver responded that the cul-de-sac below the property was called Daybreak and a majority of the signatures on the petition were from residents in Alpine View Circle, which were single-family residences. Ms. Jennings stated that considering the surrounding development and the Anchorage 2020 Plan, and she would be a YES-vote.

Ms. Shamberg had relayed constituents' concern to Mayor Begich, who had responded that the Administration was continuing to address this area as a high-density transportation corridor, following the Comprehensive Plan, and the proposed development would offer more advantages to the neighborhood. For that reason, she would be a YES-vote.

To Chair Fairclough, Municipal Clerk Barbara Gruenstein responded that the Municipal Clerk's Office had attempted to contact and had left messages for people on the list, to inform them the petition had been denied, and had received no response.

Mr. Sullivan stated that he had received several emails on this subject and he understood the concerns. He thought the proposed development would increase density and would change the character of single family residences. The 2020 Plan called for greater density, which the neighbors opposed. He was concerned with access onto Lake Otis, and without improvements a left turn would be dangerous. He stated that given the comments and ruling from Planning and Zoning, it would be difficult to deny this rezone and he would be cautiously supporting it. It would be the Administration's challenge to make certain the development complied with the Comprehensive Plan and met the highest standards.

Mr. Coffey referred to the map and noted the area was surrounded by residential, and there were limited areas left in the area to comply with density. He stated that as long as it remained in the R-zone, it was an appropriate way to proceed with development and he supported it.

Chair Fairclough called the Question.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: Traini.
ABSENT: Tesche, excused.

- 14.F. Ordinance No. AO 2004-175, an ordinance amending the zoning map and providing for rezoning of **Tract B2, Turnagain View East**, from R-1 SL (Single Family Residential) with Special Limitations to PLI SL (Public Lands and Institutions) with Special Limitations, generally located to the west of Elmore Road, between East 135th Avenue (Extended) and north of DeArmoun Road (Huffman-O'Malley Community Council) (Planning and Zoning Commission Case 2004-130); Planning Department.
1. Assembly Memorandum No. AM 916-2004.

Chair Fairclough read the ordinance title and opened Public Hearing.

KATY NOLAN, representing the Huffman/O'Malley Community Council, wanted to address one associated issue. Last year Anchorage Water and Wastewater Utility (AWWU) had agreed to put a forty-foot vegetation buffer and a fence inside the buffer around this area. She stated the fence was installed at the property line, and she hoped it would be moved after Spring Breakup. To Ms. Jennings, AWWU General Manager Mark Premo responded that if the Assembly made the proposed amendment to the ordinance and it was approved that evening, the improvements would be made.

ANDY WILCOX, who had also testified on September 13, 2004, stated that they had been told at that time the posts were in place and the fence was to be moved. He stated they still wanted the fence moved back to the buffer and would like AWWU to honor their promise.

With no further testimony, Chair Fairclough closed Public Hearing and called for a motion.

Ms. Shamberg moved, to approve AO 2004-175.
Mr. Coffey seconded,

Ms. Shamberg presented the previously drafted amendment, referred and agreed to by Mr. Premo, corrected the problem by proposing to replace Section 2.A.

Ms. Shamberg moved, to amend AO 2004-175 on Page 1, Lines 20-23, *by replacing*

Mr. Tremaine seconded,

Section 2.A. with: Section 2.A. A 40-foot deep, undisturbed vegetative buffer yard "along the eastern property boundary," and a six-foot high "non-" sight obscuring fence "forty (40) feet inside the east property line." and "B. The vegetative buffer and fencing shall be maintained by property owners."

Ms. Shamberg stated that AWWU had been persuaded by the council and residents that making the improvements was important to their community and had agreed with the amendment. To her question, Mr. Premo responded AWWU had purchased that property in the early 1990's, for the purpose of installing a large reservoir for South Anchorage, which had been approved and was included with the Water Master Plan.

Mr. Tremaine stated there had been a misunderstanding on the improvements to this property and the amendment addressed the expectations of the neighbors. He stated the Anchorage School District (ASD) had put a fence through the woods, which was constructed in a very responsible way. He requested AWWU consider a similar fence structure, and limit the number of trees to be removed. Mr. Premo concurred. Mr. Tremaine responded that he would be supporting the amendment and the ordinance.

To Ms. Shamberg, Mr. Premo responded that the department did not see the need to remove additional vegetation when the tank was built, assuming the size of the tank did not change. The estimated size of the tank would be five to ten million gallons, which would require a tank 120-200 feet in diameter, with an estimated 35-40 foot high crown elevation, and it would be decorated similarly to the existing tank near Service High School.

and the amendment was unanimously approved,

Chair Fairclough called the Question on the main motion.

Ms. Shamberg moved, to approve AO 2004-175, as amended.
Mr. Coffey seconded,
and this motion was unanimously passed,

AYES: Fairclough, Whittle, Sullivan, Tremaine, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: None.
ABSENT: Tesche, excused.

- 14.G. Ordinance No. AO 2004-172, an ordinance of the Municipality of Anchorage creating **Special Assessment District 1P04** for reconstruction of streets within the Town and Country Estates Subdivision Area, and determining to proceed with proposed improvements therein; Project Management & Engineering.
1. Assembly Memorandum No. AM 913-2004.

Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing and called for a motion.

Mr. Coffey moved, to approve AO 2005-172.
Ms. Jennings seconded,

To Ms. Jennings, Public Works Project Management and Engineering Coordinator Jim Lamson responded that the petition roll had changed slightly, but did not affect the assessments. He distributed copies of the revised petitions and explained the specifics of the highlighted areas. Mr. Tremaine responded that Page 1, Lines 10-11, 22-23 and 42-43 indicated the lots that were combining assessments.

Chair Fairclough called the Question.

and this motion was unanimously passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: None.
ABSENT: Tesche, excused.

(Clerk's Note: Sullivan was temporarily out of Chambers at the time of the vote.)

- 14.H. Ordinance No. AO 2004-173, an ordinance of the Municipality of Anchorage creating **Special Assessment District 2P04** for reconstruction of Marathon Circle, and determining to proceed with proposed improvements therein; Project Management & Engineering.
1. Assembly Memorandum No. AM 914-2004.

Chair Fairclough read this ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing and called for a motion.

Mr. Coffey moved, to approve AO 2004-173.
Ms. Jennings seconded,
and this motion was unanimously passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: None.
ABSENT: Tesche, excused.

(Clerk's Note: Sullivan was temporarily out of Chambers at the time of the vote.)

- 14.I. Ordinance No. AO 2005-4, an ordinance authorizing the Municipality of Anchorage to grant an **electrical easement** to Chugach Electric Association across a portion of HLB Parcel 3-064, located near East 64th Avenue and Spruce Street; Heritage Land Bank.
1. Assembly Memorandum No. AM 22-2005.

Chair Fairclough read this ordinance title and opened Public Hearing. With no one to testify she closed Public Hearing and called for a motion.

Ms. Jennings moved, to approve AO 2005-4.
Mr. Coffey seconded,
and this motion was unanimously passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: None.

ABSENT: Tesche, excused.

(Clerk's Note: Sullivan was temporarily out of Chambers at the time of the vote.)

- 14.J. Resolution No. AR 2005-2, a resolution of the Municipality of Anchorage accepting and appropriating \$411,600 as a grant from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management, to the Chugiak Birchwood Eagle River Rural Road Service Area Capital Improvement Fund (419), for the **Lower Fire Lake Dam Rehabilitation Project**; Project Management & Engineering.
1. Assembly Memorandum No. AM 19-2005.

Chair Fairclough stated that the public would be allowed to speak on this subject, but that this resolution was to be postponed indefinitely because there were corrections needed in the document. She opened Public Hearing and, there being no one to testify, she closed Public Hearing and called for a motion.

Ms. Ossiander moved, to postpone indefinitely AR 2005-2.
Mr. Coffey seconded,

Ms. Ossiander stated that this document appropriated the money to the Local Road Service Area, and it needed to be appropriated to a specific municipal fund to fix the dam.

and there were no objections,

15. SPECIAL ORDERS

Ms. Jennings read the formal letter from Mayor Begich addressed to Chairman Dick Traini, dated January 25, 2005. The letter stated that on January 24, 2005, Heritage Land Bank Executive Director Robin Ward presented a conditional offer to the owners of the Valley Center in Eagle River on behalf of the Anchorage Community Development Authority. This was the property discussed in the brief Executive Session held on January 18, 2005, concerning investment opportunities available to the Authority. Municipal Attorney Fred Boness' opinion was that since a conditional offer had been made on the property, the confidentiality of the Executive Session was no longer necessary with respect to all but three items discussed. Mr. Boness stated the matters which needed to remain confidential included purchase price, percentage of ownership that the Development Authority would hold and identification of persons who were interested in leasing the property, which could be disclosed if the offer was accepted. In the letter, Mayor Begich requested the Assembly authorize the release of a redacted transcript of the tape of the Executive Session.

Ms. Ossiander moved, to make public a redacted transcript of the meeting held in
Mr. Coffey seconded, Executive Session held on January 18, 2005. Those items redacted from the transcript include the following: 1) all references to proposed or possible purchase prices; 2) a references to private parties that might be interested in becoming tenants; and 3) all references to the percentage of ownership the Development Authority might acquire in the LLC, which would own the property.

Ms. Ossiander stated that there had been a reaction from the community to the Executive Session. She believed it was legitimate to hold Executive Sessions for items which had potential of serious financial impact to the city. She urged a YES-vote for the motion.

Mr. Coffey stated he supported the motion. He stated that the Assembly had gotten criticism from holding the Executive Session, and a review of the transcript would demonstrate that the only things that had been discussed were issues relating to economic considerations of the city, and did not pertain to the ordinance. He stated that when an Assemblymember moved to go into Executive Session and set the justification, members needed to trust the maker of the motion that there was important information which needed to be discussed and the body followed legal criteria of holding an Executive Meeting.

To Mr. Sullivan, Mr. Boness responded that there were copies available for Assemblymembers to review.

To Mr. Sullivan, Mr. Boness responded that any attribution errors in the transcriptions could be corrected. To Ms. Ossiander, Mr. Boness responded that it was his decision that the session was legally justified and appropriate. He added that by releasing the transcriptions it would be a statement that the Assembly had moved on and disclosure was now appropriate. To Mr. Coffey, Mr. Boness responded that a motion had been made to hold the tape and information confidential for a period of ten years, which was normal practice. He added that because the public had indicated an interest in knowing issues discussed in the session, and there was no longer a justified reason for the information to be held confidential and Assembly action could release the information legally.

Mr. Stout stated that Assembly action had made the information of the executive session confidential for a ten-year period and he questioned if interfering with this decision might make Assemblymembers inhibited with their ability to speak open and honestly on the subjects in Executive Sessions.

Ms. Shamberg recommended release of only a summary of the transcripts, describing items that could be disclosed.

Ms. Shamberg moved, to amend the Ossiander motion by deleting [~~release the redacted transcript~~], by substituting "release a summary of the events that occurred and the data of public interest including the location and the things that were not redacted."
Mr. Coffey seconded,

Mr. Tremaine stated that executive sessions were needed to protect finances of the organization. Release of that information was allowed when those finances were no longer in jeopardy. He thought that when Assemblymembers participated in private discussion, it was understood that the information would eventually be made available to the public. He supported release of the transcripts, with the exception of those portions redacted. He thought that by releasing the information it would make clear to the public and especially the media, that the Assembly was trustworthy in making the decision for a justified private session, and all other matters were always discussed in open session. He would vote against the substitute motion and for the main Ossiander motion.

Mr. Whittle understood the public's reaction and stated the reason for the closed-door session was justified, and the Assembly would always be conscious of sharing as much as possible to the public. He stated he would support the release of the transcripts.

Mr. Traini stated he would support full disclosure of information from the Executive Session.

Chair Fairclough called the Question on the substitute motion.

and this motion failed,

AYES: Ossiander, Shamberg and Coffey.
NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout and Jennings.
ABSENT: Tesche, excused.

Chair Fairclough questioned why the Mayor had written a letter, labeling the project, prior to the Assembly's action of releasing the information. Mr. Boness responded that Mayor Begich had not been involved with the Executive Session and had knowledge of this project wholly apart from the session.

Chair Fairclough called the Question on the Ossiander motion for release of the redacted transcripts.

and this motion was unanimously passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
NAYES: None.
ABSENT: Tesche, excused.

(Clerk's Note

Chair Fairclough called for Assemblymembers amendments to the document, to make corrections.

Mr. Sullivan stated that a correction was needed on Page 12 of 12, the third sentence from the top, which should have been his comment. Mr. Coffey concurred.

Mr. Coffey stated that on Page 9 of 12, the fifth line from the bottom, the language should be "say" instead of "lay." On Page 11 of 12, fifth line from the top, and the word needed to be "offeror."

Ms. Ossiander stated that on Page 7 of 12, at the bottom, commas were needed after "amplified" and after "coming up" and the word "retrospective" to be "retrospect."

Mr. Stout stated that on Page 6 of 12, the last part of his sentence should read, "I mean that it is just an offer."

Chair Fairclough called for additional corrections and there were none. She then called for copies of the transcripts to be collected for corrections to be made.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS

Mr. Tremaine, speaking telephonically from Juneau, stated that he and Mr. Traini appreciated the opportunity to participate with the Assembly Meeting. They were calling from Representative Tom Anderson's Office and they appreciated his assistance.

Mr. Traini stated that they had been joined by Representative Mike Hawker. Chair Fairclough welcomed Representative Hawker and stated his comments on the issues being addressed that evening would be allowed.

Ms. Jennings offered congratulations to Mr. Whittle and his new bride, Cindy Williams, who were married the previous Saturday. Ms. Jennings also offered congratulations to the local business, Brown Jug, for being recognized for their efforts of reducing the numbers of minors buying alcohol in the city.

Ms. Ossiander stated she had received questions from the community and the media concerning the road bond that had been introduced that evening. Deputy Municipal Manager Michael Abbott recommended scheduling a worksession on this issue. He stated that all questions could be forwarded to Municipal Engineer Howard Holtan and Public Works Project Management and Engineering Coordinator Jim Lamson. Chair Fairclough requested the Assembly Office schedule a worksession to discuss some of the bond packages. Mr. Traini responded he would assist with the request to review all bond packages.

Mr. Tremaine stated that he and Mr. Traini were in Juneau to discuss legislative issues and had been involved with the Alaska Municipal League and the Council of Mayors. He stated that issues that affected the Municipality included the \$5.2 billion dollar deficit in the State PERS/TERS retirement plan. Other issues included the \$21 million dollar mandated property tax exemptions for senior citizens and certain non-profits and disabled veterans. He stated he would be addressing these issues when he returned to Anchorage.

Mr. Traini thanked Chair Fairclough for chairing the Assembly Meeting that evening in his absence, on short notice when he was unexpectedly stuck in Juneau. He stated that she had done a great job. Ms. Shamberg concurred.

Mr. Coffey announced that West High School basketball team had just beaten Bartlett High School, 90 to 67.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Traini called for a motion to adjourn the meeting.

Mr. Sullivan moved, to adjourn the Regular Assembly Meeting.
Ms. Ossiander seconded,
and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: None.

ABSENT: Tesche, excused.

The Regular Assembly Meeting was adjourned at 9:40 p.m.

DICK TRAINI, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: March 29, 2005.
MC/BG

(Approved Meeting Minutes are available in the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, telephone (907)343-4505, or on the Municipal Web Site at www.Muni.org)

Agenda Published in the ALASKA JOURNAL OF COMMERCE P.O. 514-05

MUNICIPALITY OF ANCHROAGE
ANCHORAGE ASSEMBLY

- 1. REDACTED TRANSCRIPTION OF THE EXECUTIVE SESSION**
Held During the Regular Assembly Meeting of January 18, 2005
Assembly Chambers, Z.J. Loussac Library
3600 Denali Street, Anchorage, Alaska
- 2. MAYOR BEGICH’S LETTER TO CHAIR TRAINI**
Dated January 25, 2005, explaining the
release of parts of the redacted transcription