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MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for the Regular Meeting of October 13, 2009

1. CALL TO ORDER

The Regular Assembly Meeting of October 13, 2009 was convened by Chair Ossiander at 5:01 p.m.

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

PRESENT: Matt Claman, Elvi Gray-Jackson, Patrick Flynn, Jennifer Johnston, Debbie Ossiander, Harriet Drummond, Chris Birch, Mike Gutierrez, William Starr, Sheila Selkregg and Dan Coffey.
ABSENT: None.

3. PLEDGE OF ALLEGIANCE Assemblymember Claman led the pledge.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – August 11, 2009

Dr. Selkregg moved, to approve the Regular Meeting Minutes of August 11, 2009.
Mr. Coffey seconded,
and this motion was passed, 11-0.

4.B. Regular Meeting – August 25, 2009

Mr. Coffey moved, to approve the Regular Meeting Minutes of August 25, 2009.
Ms. Johnston seconded,
and this motion was passed, 11-0.

4.C. Regular Meeting – September 15, 2009.

Mr. Coffey moved, to approve the Regular Meeting Minutes of September 15, 2009.
Ms. Johnston seconded
and this motion was passed, 11-0.

5. MAYOR'S REPORT

Mayor Dan Sullivan discussed the work session on Friday regarding the 2010 Budget. Municipal Manager George Vakalis discussed the upcoming energy watch program and the education process for energy conservation. He encouraged people to participate in the energy conservation test on October 21 from 6-8pm to measure how successful a decrease in energy will be.

6. ASSEMBLY CHAIR'S REPORT

Chair Ossiander welcomed the AFN conference. She announced upcoming Work Sessions and that the Agenda Item 14.L "Safety Hour" would not be voted on tonight, but the public hearing would still be opened.

7. COMMITTEE REPORTS

Mr. Coffey reported the energy commission meeting the next day, October 14 would hear from Enstar regarding a contract in front of the RCA. Title 21 will continue weekly meetings.

Dr. Selkregg reported that there would be a worksession on Friday to discuss the findings from the Housing Development committee. There would be a glimpse into ECD strategies in the valley and what we are losing concerning citizens and tax base to the valley.

Mr. Gutierrez reported the public safety meeting was cancelled for the next day. Traffic code issues were not ready to be discussed. The next public safety meeting would be rescheduled due to November 11th being Veterans Day.

Mr. Birch had attended the "Make it Monday Forum" where the Mayor's first 100 days were discussed.

Ms. Johnston reported the finance committee would meet on Thursday, and would hear a report from Mr. Rodda on pools and from the School Board on their budget.

Mr. Flynn reported that he and Mr. Coffey attended the ACDA meeting and asked the Assembly to consider the ACDA's operating loss and how to improve their bottom line.

Mr. Claman wanted to make sure the Assembly recognized the Airport Communications Committee which will meet in December.

1 **8. ADDENDUM TO AGENDA**

2
3 Chair Ossiander read the Addendum items. AR 2009-249 and AIM 103-2009 were added and assigned Agenda
4 number(s) 9.A.2. and 14.B.2., respectively.

5
6 Mr. Coffey moved, to approve the inclusion of the Addendum and Laid
7 Ms. Johnston seconded, on the Table items into the Consent Agenda
8 **and this motion was passed, 11-0.**

9
10 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
11 Coffey.
12 NAYS: None.

13
14
15 **9. CONSENT AGENDA**

16
17 Mr. Coffey moved, to approve the Consent Agenda.
18 Ms. Johnston seconded,

19
20 Agenda items 9.A.1, 9.A.2, 9.D.3 and 9.E.2 were pulled for discussion and separate vote.

21
22 **and this motion, as amended, was passed, 11-0.**

23
24 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
25 Coffey.
26 NAYS: None.

27
28 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

- 29 1. Resolution No. AR 2009-248, a resolution of the Anchorage Municipal Assembly recognizing
30 October 2009 as **Domestic Violence Awareness Month** and encouraging the citizens of
31 Anchorage to work together to eliminate domestic violence crimes in our community,
32 Assemblymembers Gray-Jackson, Birch, Claman, Coffey, Drummond, Flynn, Gutierrez,
33 Johnston, Ossiander, Selkregg, and Starr.

34
35 Ms. Gray-Jackson moved, to approve AR 2009-248.
36 Mr. Coffey seconded,
37 **and this motion was passed, 11-0.**

38
39 Mr. Gutierrez read the resolution, Ms. Gray-Jackson presented the resolution.

- 40
41
42 2. Resolution No. AR 2009-249, a resolution of the Anchorage Municipal Assembly and Mayor
43 Dan Sullivan to **welcome Delegates to the 44th Annual Alaska Federation Of Natives**
44 **Convention October 22-24, 2009 and to the First Alaskans Institute's Elders and Youth**
45 **Conference October 19-20** at The Dena'ina Convention Center, Assemblymembers Birch,
46 Claman, Coffey, Drummond, Flynn, Gray-Jackson, Gutierrez, Johnston, Ossiander,
47 Selkregg, Starr and Mayor Dan Sullivan.

48
49 Mr. Flynn moved, to approve AR 2009-249.
50 Ms. Johnston seconded,
51 **and this motion was passed, 11-0.**

52
53 Mr. Flynn read and Ms. Johnston presented the resolution to Nelson Angapak representing the AFN.

54
55 **9.B. RESOLUTIONS FOR ACTION - OTHER**

- 56 1. Resolution No. AR 2009-245, a resolution of the Municipality of Anchorage providing for the
57 appropriation of a grant of \$2,000 from the Alaska State Library, Library Services and
58 Technology Act Fund, to the **Anchorage Public Library, Special Revenue Fund (231)** for
59 continuing education.
60 a. Assembly Memorandum No. AM 545-2009.

61
62
63 **9.C. BID AWARDS**

- 64 1. Assembly Memorandum No. AM 551-2009, recommendation of award to Fleet One LLC for
65 providing **fleet fueling cards and billing services**, and Shoreside Petroleum for providing
66 **on-site delivery and wet hose fueling services** to the Municipality of Anchorage,
67 Maintenance & Operations Department (ITB 29-B034) (\$3,550,000), Purchasing.
68 **(Addendum)**

69
70
71 **9.D. NEW BUSINESS**

- 72 1. Assembly Memorandum No. AM 536-2009, 2009/2010 **Wing 'N Things #4725** - Transfer of
73 a Restaurant Eating Place Liquor License and Application for a Restaurant Designation
74 Permit (Midtown & Spenard Community Councils), Clerk's Office.
75
76 2. Assembly Memorandum No. AM 546-2009, Change Order No. 9 to Purchase Order No.
77 254050 with EES Consulting, Inc. to provide **Engineer-of-Record services** for the
78 Municipality of Anchorage, Municipal Light & Power Utility (\$100,000), Purchasing.
79

- 1 3. Assembly Memorandum No. AM 547-2009, Change Order No. 3 to contract with Point
2 MacKenzie Construction & Management, Inc., **Totem Sports Fields**, Project No. 06-05
3 (\$15,071.02), Project Management & Engineering.
4

5 Mr. Coffey declared a potential conflict of interest. Chair Ossiander addressed Mr. Coffey's potential conflict and
6 ruled that he did have a conflict of interest and ordered that he not participate in the matter.
7

8 Dr. Selkregg moved, to approve AR 2009-249.
9 Mr. Flynn seconded,
10 **and this motion was passed, 10-0.**

11
12 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, and Selkregg.
13 NAYS: None.
14 RECUSE: Coffey

- 15
16 4. Assembly Memorandum No. AM 552-2009, Change Order No. 2 to Purchase Order No.
17 294148 with Cat's Eye Excavating, Inc. for the **Water Service Upgrade Project** for the
18 Municipality of Anchorage, Municipal Light & Power (ML&P) (\$190,969.91), Purchasing.
19 **(Addendum)**
20
21

22 **9.E. INFORMATION AND REPORTS**

- 23
24 1. Information Memorandum No. AIM 100-2009, Internal Audit Report 2009-12 – **Municipal**
25 **Payroll, Finance Department.**
26
27 2. Information Memorandum No. AIM 101-2009, **contracts awarded between \$50,000 and**
28 **\$500,000 through formal competitive processes** for the month of August 2009,
29 Purchasing.
30
31

32 Mr. Gutierrez moved, to accept AIM 2009-249.
33 Ms. Johnston seconded,
34

35 Mr. Gutierrez questioned the purpose of the helicopter mentioned in the AIM. Mr. Vakalis responded that it was a
36 contract negotiated with AWWU and ML&P allowing them to use the helicopter on a "need be" basis, should there be
37 a break in an overhead power line or water line.
38

39 **and this motion was passed, 11-0.**

- 40
41
42 3. Information Memorandum No. AIM 102-2009, **Sole Source Procurement Report** for the
43 month of August 2009, Purchasing.
44
45

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

- 47 1. Ordinance No. AO 2009-116, an ordinance of the Municipality of Anchorage adopting and
48 appropriating funds for the **2010 General Government Operating Budget** for the
49 Municipality of Anchorage, Office of Management and Budget. P.H. 10-27-09 and 11-3-09.
50 a. Assembly Memorandum No. AM 537-2009.
51
52
53 2. Resolution No. AR 2009-242, a resolution of the Municipality of Anchorage approving the
54 **2010-2015 General Government Capital Improvement Program**, Office of Management
55 and Budget. P.H. 10-27-09 and 11-3-09.
56 a. Assembly Memorandum No. AM 538-2009.
57
58
59 3. Ordinance No. AO 2009-117, an ordinance adopting the **2010 General Government**
60 **Capital Improvement Budget**, Office of Management and Budget. P.H. 10-27-09 and 11-3-
61 09.
62 a. Assembly Memorandum No. AM 539-2009.
63
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65
66
67 4. Resolution No. AR 2009-243, a resolution of the Municipality of Anchorage approving the
68 **2010-2015 Municipal Utilities/Enterprise Activities Capital Improvement Program**,
69 Office of Management and Budget. P.H. 10-27-09 and 11-3-09.
70 a. Assembly Memorandum No. AM 540-2009.
71
72
73 5. Ordinance No. AO 2009-118, an ordinance adopting and appropriating funds for the
74 **Municipal Utilities/Enterprise Activities Operating Budget Fiscal Year 2010 Update and**
75 **the 2010 Municipal Utilities/Enterprise Activities Capital Budget**, Office of Management
76 and Budget. P.H. 10-27-09 and 11-3-09.
77 a. Assembly Memorandum No. AM 541-2009.
78
79
80 6. Ordinance No. AO 2009-119, an ordinance adopting and appropriating funds for the **2010**
Operating and Capital Budgets for the Anchorage Community Development Authority
(ACDA), Office of Management and Budget. P.H. 10-27-09 and 11-3-09.

1 a. Assembly Memorandum No. AM 543-2009.

2
3
4 7. Ordinance No. AO 2009-120, an ordinance authorizing a **non-exclusive**
5 **telecommunications and electrical easement within Kincaid Park** (Tax #011-191-01),
6 Section Lots 6 and 7, SE ¼ Section 8, Township 12 North, Range 4 West, Seward Meridian,
7 Alaska, Third Judicial District, State of Alaska, to Chugach Electric Association, Inc., Project
8 Management and Engineering. P.H. 10-27-09.

9 a. Assembly Memorandum No. AM 544-2009.

10
11
12 8. Ordinance No. AO 2009-121, an ordinance of the Municipality of Anchorage, Alaska,
13 providing for, authorizing and approving the issuance of **Electric Revenue Bonds** for the
14 Municipality in one or more series in the aggregate principal amount of Not To Exceed
15 \$130,000,000 for the purpose of providing funds to finance certain capital projects, Finance
16 Department. P.H. 10-27-09.

17 a. Assembly Memorandum No. AM 550-2009.

18
19
20 9. Resolution No. AR 2009-246, a resolution of the Municipality of Anchorage appropriating
21 \$1,519,838 from the Alaska Department of Health and Social Services for the **Child Care**
22 **Licensing Program** in the Department of Health and Human Services. P.H. 10-27-09.

23 a. Assembly Memorandum No. AM 548-2009.

24
25
26 10. Resolution No. AR 2009-247, a resolution of the Municipality of Anchorage appropriating
27 \$227,500 as a donation from the Anchorage Park Foundation to the Municipality of
28 Anchorage Miscellaneous Operational Grants Fund (261) for the purpose of **funding the**
29 **Anchorage Bowl Parks and Recreation Youth Employment in Parks**, Anchorage Bowl
30 Parks & Recreation Department. P.H. 10-27-09.

31 a. Assembly Memorandum No. AM 549-2009.

32
33
34 11. Ordinance No. AO 2009-122, an ordinance amending Anchorage Municipal Code Section
35 8.15.010 and the Fine Table in Section 14.60.030 to add a **civil violation alternative for**
36 **thefts under \$50, excluding alcoholic beverages**, Department of Law. P.H. 10-27-09.
37 **(Addendum)**

38 a. Assembly Memorandum No. AM 561-2009.

39
40
41 12. Assembly Memorandum No. AM 553-2009, **Board of Adjustment** appointment
42 (John Haxby), Mayor's Office. **Public Comment:** 10-27-09. **(Addendum)**

43
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45 13. Assembly Memorandum No. AM 554-2009, **Board of Adjustment (Alternate)** appointment
46 (Robert B. Stewart), Mayor's Office. **Public Comment:** 10-27-09. **(Addendum)**

47
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49 14. Assembly Memorandum No. AM 555-2009, **Planning and Zoning Commission**
50 appointments (Stacey Dean, Bruce Phelps and James Fredrick), Mayor's Office.
51 **Public Comment:** 10-27-09. **(Addendum)**

52
53
54 15. Assembly Memorandum No. AM 556-2009, **Platting Board** appointment (Jody Moses),
55 Mayor's Office. **Public Comment:** 10-27-09. **(Addendum)**

56
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58 16. Assembly Memorandum No. AM 559-2009, **Platting Board** appointments (Steve Abel and
59 Ken Fuller), Mayor's Office. **Public Comment:** 10-27-09. **(Addendum)**

60
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62 17. Assembly Memorandum No. AM 560-2009, **Urban Design Commission** appointments
63 (Jeff Dinwiddie and Andrew Garsha), Mayor's Office. **Public Comment:** 10-27-09.
64 **(Addendum)**

65
66
67 18. Assembly Memorandum No. AM 557-2009, **Anchorage Community Development**
68 **Authority Board of Directors** appointment (Ronald L. Baird), Mayor's Office. **Public**
69 **Comment:** 10-27-09. **(Addendum)**

70
71
72 19. Assembly Memorandum No. AM 558-2009, **Anchorage Community Development**
73 **Authority Board of Directors** appointments (Terry Parks and Dick Stallone), Mayor's
74 Office. **Public Comment:** 10-27-09. **(Addendum)**

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78 **END OF CONSENT AGENDA**
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11. **OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

A. Assembly Memorandum No. AM 515-2009, Anchorage Community Development Authority
appointment (Gregory L. Jones), Mayor's Office.
(POSTPONED FROM 9-15-09 TO PERMIT A 10-DAY PUBLIC COMMENT PERIOD PURSUANT
TO AMC 25.35.030.)

Mr. Coffey moved, to approve AM 515-2009.
Ms. Johnston seconded,

Ms. Drummond moved, to amend AM 515-2009 on Line 8, by changing to
Ms. Johnston seconded, read: [~~School Budget Advisory Commission~~]
Anchorage Community Development Authority.

and this motion was passed, 11-0.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
Coffey.

NAYS: None.

and the main motion, as amended, was passed, 11-0.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
Coffey.

NAYS: None.

B. Assembly Memorandum No. AM 533-2009, Anchorage Community Development Authority
appointment (Lucinda Mahoney), Mayor's Office.
(POSTPONED FROM 9-29-09 TO PERMIT A 10-DAY PUBLIC COMMENT PERIOD PURSUANT
TO AMC 25.35.030.)

Mr. Coffey moved, to approve AM 533-2009.
Ms. Johnston seconded,

and this motion was passed, 11-0.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
Coffey.

NAYS: None.

C. Assembly Memorandum No. AM 534-2009, Platting Board appointment (Daniel R. Young), Mayor's
Office.
(POSTPONED FROM 9-29-09 TO PERMIT A 10-DAY PUBLIC COMMENT PERIOD PURSUANT
TO AMC 21.10.010 B.)

Ms. Johnston moved, to approve AM 534-2009.
Mr. Coffey seconded,

and this motion was passed, 11-0.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
Coffey.

NAYS: None.

12. **APPEARANCE REQUESTS** There were none.

13. **CONTINUED PUBLIC HEARINGS**

Chair Ossiander moved, to combine public hearing on the CONTINUED
Ms. Johnston seconded, PUBLIC HEARING items.
and this motion was passed, 11-0.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
Coffey.

NAYS: None.

A. Ordinance No. AO 2009-98, an ordinance of the Municipality of Anchorage Alaska, authorizing and
providing for the borrowing from the State of Alaska Clean Water Fund an aggregate amount not to
exceed \$27,134,000 for the purpose of financing a portion of the costs of various **AWWU 2009**
Capital Improvement Budget (CIB) Wastewater Improvements Projects and providing for related
matters.

1. Assembly Memorandum No. AM 447-2009.
(CONTINUED FROM 8-25-09 AND 9-15-09)

Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

Ms. Drummond moved, to approve AO 2009-98.
Ms. Gray-Jackson seconded,
and this motion was passed, 11-0.

1
2 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
3 Coffey.
4 NAYS: None.
5
6

- 7 B. Ordinance No. AO 2009-99, an ordinance of the Municipality of Anchorage Alaska, authorizing and
8 providing for the borrowing from the State of Alaska Drinking Water Fund an aggregate amount not
9 to exceed \$28,612,000 for the purpose of financing a portion of the costs of various **AWWU 2009**
10 **Capital Improvement Budget (CIB) Water Improvements Projects** and providing for related
11 matters.
12 1. Assembly Memorandum No. AM 448-2009.
13 (CONTINUED FROM 8-25-09 AND 9-15-09)
14

15 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

16
17 Ms. Johnston moved, to approve AO 2009-99.
18 Mr. Gutierrez seconded,
19 **and this motion was passed, 11-0.**
20

21 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
22 Coffey.
23 NAYS: None.
24

- 25 C. Ordinance No. AO 2009-71, an ordinance repealing and re-enacting Anchorage Municipal Code
26 Chapter 8.80 regarding **fees for excessive police responses**, Department of Law,
27 Assemblymember Selkregg.
28 1. Assembly Memorandum No. AM 311-2009.
29 (CARRIED OVER FROM 6-9-09 AND 6-16-09; CONTINUED FROM 6-16-09, 7-7-09, 9-15-09)
30

31 Chair Ossiander announced she had spoken at the break to the sponsor, who intended to continue for two weeks.
32 Chair Ossiander opened Public Hearing. There was no one to testify.
33

34 Dr. Selkregg moved, to continue Public Hearing to October 27, 2009.
35 Mr. Gutierrez seconded,
36

37 Dr. Selkregg stated that she is currently in conversation with the Anchorage Police Department.

38
39 **and this motion was passed, 11-0.**
40

41 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
42 Coffey.
43 NAYS: None.
44
45

46 14. NEW PUBLIC HEARINGS

- 47
48 A. Ordinance No. AO 2009-112, an ordinance amending Anchorage Municipal Code Sections
49 11.70.020, 11.70.030 and 11.70.040 regarding **Prohibited Acts Aboard a Public Transportation**
50 **Vehicle** and amending Anchorage Municipal Code Section 14.60.030 regarding penalties for
51 violations thereof, Public Transportation Department.
52 1. Assembly Memorandum No. AM 527-2009.
53

54 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

55
56 Ms. Johnston moved, to approve AO 2009-112.
57 Mr. Gutierrez seconded,
58 **and this motion was passed, 11-0.**
59

60 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
61 Coffey.
62 NAYS: None.
63

- 64 B. Ordinance No. AO 2009-114, an ordinance to provisionally adopt new Sections 21.07.060,
65 **Transportation and Connectivity**; 21.07.070, **Neighborhood Protection Standards**; 21.07.080,
66 **Landscaping, Screening, and Fences**; 21.07.090, **Off-Street Parking and Loading**; and
67 21.07.100, **Exterior Lighting**, amending Anchorage Municipal Code Title 21 subject to concurrent
68 final passage and approval of all provisionally adopted chapters of Title 21 (Planning and Zoning
69 Commission Case No. 2007-153), Assemblymember Coffey.
70 1. Assembly Memorandum No. AM 530-2009.
71 2. Information Memorandum No. AIM 103-2009, **Proposed Amendments - Title 21, Chapter**
72 **7, Sections 060, 070 & 080 Pages 1-36 of 9-29-09 DRAFT**, Title 21 Committee Chair
73 Coffey.
74

75 Chair Ossiander opened Public Hearing.

76
77 RALPH GUDITZ, Anchorage Resident, testified about 21.07.090 (M)(9)(D) for Automatic Parking Machines. He did
78 not support operating the Automatic Parking Machines as attendant parking, unless they were open to the public. He
79 testified that there are additional exemptions that should exist regarding these machines. Chair Ossiander invited Mr.

1 Guditz to the Title 21 Committee Meeting on Thursday October 15, 2009. Dr. Selkregg requested written
2 amendments.

3
4 Mr. Coffey stated that at the last Title 21 Committee meeting they only discussed through sections 21.07.060,
5 21.07.070, and 21.07.080.

6
7 CHARLES FIFER, Peter's Creek resident, testified in support of having a dumpster on his property.

8
9 ED NORMAN, Eagle River resident, testified in support of having a dumpster on his property.

10
11 FRANK PEEPER, Eagle River resident, testified in support of an exemption for the Chugiak/Eagle River Area for
12 dumpsters. Mr. Starr anticipated moving an amendment to exempt Eagle River.

13
CODY PARKER, Eagle River resident, testified in support of having a dumpster on his property.

14
15 KAREN VERNON, Chugiak resident, testified in support of having a dumpster on her property. Ms. Vernon testified
16 in support of screening dumpsters and making the dumpsters more visually appealing. Mr. Birch asked what the cost
17 comparison was between trash cans and dumpsters. Ms. Vernon shared with her neighbor and it came out a little
18 less expensive than trash cans.

19
20
21 TIM EBEN, Eagle River Business Owner, testified in favor of screening, but did not support screening on all four
22 sides. Mr. Ebben also did not support moving the dumpsters behind the building.

23
24 KENNETH PITTS, Chugiak resident, testified in support of his landlord's having a dumpster on his property. He
25 suggested that the Municipality create a program to help citizens dispose of larger garbage.

26
27 MASTER YU, Owner of Champ Tae Kwon Do in Anchorage, testified about their new building, and his concerns
28 about Safety Loading Zones and Title 21 code. Chair Ossiander and Mr. Claman requested a representative from the
29 architecture firm to answer questions. CRAIG FREDEEN, Mechanical Engineer, answered Mr. Claman's questions.
30 Mr. Coffey stated that this was a problem with the current Title 21 code and it would be addressed at a later date.

31
32 JERI WALLIN, Eagle River resident, testified in support of having a dumpster on her property.

33
34 MIKE NOLAN, Eagle River resident, testified in support of having a dumpster on his property.

35
36 BRIAN VANDERWOOD, General Foreman for Refuse Collections at Solid Waste Services, testified that the
37 issue was the poor aesthetics of the dumpsters and lack of compliance and enforcement of the property
38 owners who do not have adequate services. Mr. Vanderwood testified that enclosures and new locations will
39 decrease efficiency and increase costs to customers. Mr. Vanderwood answered questions from Mr. Flynn and Ms.
40 Drummond regarding increased costs. Dr. Selkregg and Mr. Coffey asked for written comments.

41
42 JASON MCDONALD, Owner of McDonald Waste Industries, testified that screening and placement of
43 dumpsters would increase cost to the consumer and increased risk and time for the waste company drivers. Mr.
44 McDonald testified that the Municipality should look at enforcement of dumpsters. Mr. McDonald testified in support
45 of an exemption for Eagle River and the rural areas of Anchorage. Mr. Coffey addressed the amendments that will be
46 proposed to address the exemption issue. Mr. McDonald addressed Ms. Johnston's question regarding
47 including hauling companies in the dumpster screening design process. Dr. Selkregg asked for design standards to
48 be brought forward in writing. Mr. McDonald addressed Chair Ossiander's questions regarding problems with
49 screening.

50
51 TEDD GARCIA, Eagle River resident, testified in support of having a dumpster on his property.

52
53 DONNIE HANKS, owner of Freedom Refuse, read a letter from customer JESSIE HAKEN, Eagle River resident,
54 who wrote in support of having a dumpster on her property. Mr. Hanks also testified in support of an Eagle River and
55 Chugiak exemption. Mr. Hanks addressed Mr. Birch's question regarding cost of dumpsters versus trash cans. Mr.
56 Starr and Dr. Selkregg addressed exemptions that would occur for the Eagle River and Chugiak.

57
58 ASA CHANDLER, Peters Creek resident, testified in support of having a dumpster on his property.

59
60 LOLITA SIMPSON, Eagle River Resident, testified in support of having a dumpster on her property. Ms. Simpson
61 also testified in support of small businesses such as Freedom Refuse.

62
63 TERRIE MACDONALD, Chugiak resident, testified in support of having a dumpster on her property.

64
State Representative BILL STOLTZE, Chugiak resident, testified in support of having a dumpster on his property.

65
66 BOBBI WELLS, Chugiak resident, testified in support of having a dumpster on her property. Mr. Starr stated that the
67 exemption for Chugiak-Eagle River area would be addressed in Chapter 10 of Title 21.

68
69 JED WHITAKER, Anchorage resident, testified against dumpster screens in Anchorage.

70
71
72 Mr. Coffey moved, to continue Public Hearing to October 27, 2009.
73 Ms. Johnston seconded,
74 **and this motion was passed, 11-0.**

75
76 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
77 Coffey.

78 NAYS: None.

79

- 1 Mr. Coffey moved, to reconsider continuing Public Hearing to October
2 Ms. Johnston seconded 27, 2009.
3 **and this motion was passed, 11-0.**
4
- 5 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
6 Coffey.
7 NAYS: None.
8
- 9 Mr. Coffey moved, to bifurcate AO 2009-114 to discuss 21.07.060,
10 Ms. Johnston seconded 21.07.070 and 21.07.080 tonight and to hold a
11 **and this motion was passed, 11-0.** Public Hearing for 21.07.090 and 21.07.100 at a
12 later date
13
- 14 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
15 Coffey.
16 NAYS: None.
17
- 18 Mr. Coffey moved, to close Public Hearing on items 21.07.060,
19 Ms. Johnston seconded 21.07.070, and 21.07.080.
20 **and this motion was passed, 11-0.**
21
- 22 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
23 Coffey.
24 NAYS: None.
25
- 26 Mr. Coffey moved, to continue Public Hearing on items 21.07.090 and
27 Ms. Johnston seconded 21.07.100 to November 3, 2009.
28 **and this motion was passed, 11-0.**
29
- 30 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
31 Coffey.
32 NAYS: None.
33
- 34 Mr. Coffey moved, to change order of the day and take up 14.M.
35 Ms. Johnston seconded
36 **and this motion was passed, 11-0.**
37
- 38 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
39 Coffey.
40 NAYS: None.
41
- 42 Mr. Coffey moved, to approve provisionally Sections 21.07.060,
43 Dr. Selkregg seconded 21.07.070, and 21.07.080.
44
- 45 Mr. Coffey moved, to amend AO 2009-114 with Amendment #1 in AIM
46 Dr. Selkregg seconded 103-2009: 21.07.060 A, on page 2, Line 11 by
47 **and this motion was passed, 11-0.** inserting after the word "capacity": "while protecting
48 neighborhood identity and safety."
49
- 50 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
51 Coffey.
52 NAYS: None.
53
- 54
- 55 Mr. Coffey moved, to amend AO 2009-114 with Amendment #2 in AIM
56 Ms. Johnston seconded 103-2009:21.07.060, D.3.b.iv, on page 4, lines 23 &
57 24 by retaining the deleted language as follows "...
58 to the extent reasonably feasible..."
59
- 60 Mr. Starr supported Amendment 2.
61
- 62 Mr. Coffey stated that the term "to the extent reasonably feasible" will be defined in Chapter 14.
63
- 64 **and this motion was passed, 11-0.**
65
- 66 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
67 Coffey.
68 NAYS: None.
69
- 70 Mr. Coffey moved, to amend AO 2009-114 with Amendment #3 in AIM
71 Mr. Starr Seconded 103-2009: 21.07.060 D.3.c.iii, Page 5, lines 17
72 through 20 by deleting: iii. [~~At all locations where
73 streets terminate with no street connection, but a
74 future connection is planned or accommodated, a
75 sign shall be installed at the location with the words
76 "FUTURE ROAD CONNECTION" to inform
77 property owners.]~~
78
- 79 Dr. Selkregg and Mr. Flynn addressed the purpose of the signs.
80

1 Mr. Coffey addressed the cost of maintenance and installation of signs.

2
3 Mr. Starr addressed that signs might be put where roads will never have connect throughs.

4
5 **and this motion was passed, 8-3.**

6
7 AYES: Claman, Gray-Jackson, Johnston, Ossiander, Birch, Gutierrez, Starr, and Coffey.

8 NAYS: Flynn, Drummond and Selkregg.

9
10 Mr. Coffey moved,
11 Ms. Johnston seconded,
12 **and this motion was passed, 11-0.**

to amend AO 2009-114 with Amendment #4 in AIM 103-2009:21.07.060 D.3.d, Page 5, lines 24 & 25 by changing it to read: "... to provide vehicular access to at least four public streets [~~unless such provision is deemed impractical~~]to the extent reasonably feasible as determined by the director and the traffic engineer, due to topography..."

17 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.

18
19 NAYS: None.

20
21 Mr. Coffey moved,
22 Dr. Selkregg seconded,
23 **and this motion was passed, 11-0.**

to amend AO 2009-114 with Amendment #5 in AIM 103-2009: 21.07.060 D.3.e, page 5, line 31 by changing it to read:"...boundary lines of the [area]site of new development, as determined by the director and the traffic engineer..."

27 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.

28
29 NAYS: None.

30
31 Mr. Coffey moved,
32 Ms. Johnston seconded,

to amend AO 2009-114 with Amendment #6 in AIM 103-2009: 21.07.060 E.2.b, E.2.c, and E.2.d, Page 6, lines 12-21, by *changing it to read:*

b. In all class A zoning districts, sidewalks shall be installed on both sides of all new streets (local, collector, arterial, public or private, including loop streets and cul-de-sacs) except as provided in 2 d below. Where indicated in the comprehensive plan, a trail may replace a sidewalk on one side.

c. In class B zoning districts, sidewalks, walkways, and trails shall be provided in accordance with the comprehensive plan. In all cases, pedestrian facilities shall be provided on at least one side of collector and arterial streets.

d. Sidewalks shall be required on only one side of a local street that the traffic engineer estimates will carry less than 500 average daily trips, subject to the following:

i. The street is not the continuation of a street from an abutting subdivision that provides sidewalks on both sides of the street;

ii. The street is not anticipated to connect between other subdivisions or carry traffic from beyond the development site to other street connections;

iii. The street is not located in a multifamily or mixed-use district, or within ¼ mile of a transit supportive development corridor or commercial/mixed-use center designated in the comprehensive plan;

iv. OMITTED FROM THIS AMENDMENT

v. The sidewalk shall be located on the side which maximizes the continuity, safety and convenience of pedestrian access, based on site specific factors including, school walking routes; continuity of sidewalk connections to abutting subdivisions or streets; sidewalk access to community mail box areas and street light illumination; topography and obstructions; and potential

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for vehicle-pedestrian conflicts at street crossings.

Mr. Coffey, Dr. Selkregg and Senior Planner Erika McConnell addressed one sidewalk versus two sidewalks in low traffic areas. Dr. Selkregg does not support this amendment.

Chair Ossiander, Mr. Starr and Ms. McConnell, address differences between Class A and Class B districts.

Mr. Flynn stated that he does not support this amendment, and preferred the Planning Department Amendment.

Mr. Coffey and Dr. Selkregg spoke to the major expense of two sidewalks versus one upgraded sidewalk. Dr. Selkregg stated that safety was an issue when looking at sidewalks.

Ms. McConnell clarified that the seven-foot allowance came out of the right of way allowance. Mr. Coffey, stated that it increased incremental costs.

Ms. Drummond stated that a reason for sidewalks was to decrease the amount of vehicle trips and get people using the sidewalk. She did not support this amendment.

Mr. Flynn stated that the barrier created a place for snow to be piled, and created a safety barrier for pedestrians.

and this motion failed, 5-6.

AYES: Johnston, Ossiander, Birch, Starr and Coffey.

NAYS: Claman, Gray-Jackson, Flynn, Drummond, Gutierrez and Selkregg.

Mr. Flynn moved,
Mr. Coffey seconded,

to amend AO 2009-114 with Amendment #1 in Planning Department Requested Amendments (Dated October 9, 2009): 21.07.060 E.2.b, E.2.c, E.2.d, page 6 lines 12-21, by *changing it to read:*

b. In all class A zoning districts, sidewalks shall be installed on both sides of all new streets (local, collector, arterial, public or private, including loop streets and cul-de-sacs), except as provided in 2.d below. Where indicated in the comprehensive plan, a trail may replace a sidewalk on one side.

c. In class B zoning districts, sidewalks, walkways, and trails shall be provided in accordance with the comprehensive plan. In all cases, pedestrian facilities shall be provided on at least one side of collector and arterial streets.

d. Sidewalks shall be required on only one side of a local street that the traffic engineer estimates will carry less than 500 average daily trips, subject to the following:

i. The street is not the continuation of a street from an abutting subdivision that provides sidewalks on both sides of the street;

ii. The street is not anticipated to connect between other subdivisions or carry traffic from beyond the development site to other street connections;

iii. The street is not located in a multifamily or mixed-use district, or within 1/4 mile of transit-supportive development corridor or commercial/mixed-use center designated in the comprehensive plan;

iv. The sidewalk will incorporate a seven foot wide landscaped separation from the street curb; and

v. The sidewalk is located on the side which maximizes the continuity, safety and convenience of pedestrian access, based on site specific factors including: school walking routes; continuity of sidewalk connections to abutting subdivisions or streets; sidewalk access to community mail box areas and street light illumination; topography and obstructions; and potential for vehicle-pedestrian conflicts at street crossings.

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Dr. Selkregg addressed the cost of two sidewalks versus one sidewalk.

Mr. Starr and Mr. Coffey addressed the maintenance of the sidewalk separation landscaping.

and this motion failed, 5-6.

AYES: Claman, Gray-Jackson, Flynn, Johnston and Coffey.
NAYS: Ossiander, Drummond, Birch, Gutierrez, Starr and Selkregg.

Mr. Coffey moved, to call for the question of Amendment #1 in
Dr. Selkregg seconded. Planning Department Requested Amendments
and this motion was passed, 11-0. (Dated October 9,2009).

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.
NAYS: None.

Dr. Selkregg moved, to amend AO 2009-114 with Amendment #6
Ms. Johnston seconded, 21.07.060 E.2.c. in AIM 103-2009: Page 6, line 19-
and this motion was passed, 11-0. 21 *changing it to read:*

c. In class B zoning districts, sidewalks, walkways, comprehensive plan. In all cases, pedestrian facilities shall be provided on at least one side of collector and arterial streets.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.
NAYS: None.

Mr. Coffey moved, to amend AO 2009-114 with 21.07.060 E.2.c, by
Dr. Selkregg seconded, *inserting* after the words "class B": "[Reserved to establish where class A and class B districts are interspersed, if the class B districts are predominant in the area then class B district provisions shall apply]"
and this motion was passed, 11-0.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.
NAYS: None.

Mr. Coffey moved, to amend AO 2009-114 with Amendment #8 in AIM
Ms. Johnston seconded, 103-2009: 21.07.060 E.3, on page 6, line 33 by
and this motion was passed, 11-0. *changing it to read:*"Within [~~residential and/or nonresidential~~] new developments, pedestrian ways, crosswalks, or.."

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.
NAYS: None.

Ms. Drummond moved, to amend AO 2009-114 Amendment #8 by *inserting*
Mr. Gutierrez seconded, after the word "new": "and redeveloped".

Dr. Selkregg, Ms. Drummond, and Mr. Coffey addressed clarity of adding "and redeveloped" to this amendment.

and this motion failed, 4-7.

AYES: Claman, Gray-Jackson, Drummond and Gutierrez.
NAYS: Flynn, Johnston, Ossiander, Birch, Starr, Selkregg and Coffey.

Mr. Coffey moved, to amend AO 2009-114 with Amendment #9 in AIM
Ms. Johnston seconded, 103-2009: 21.07.060 E.4.b.i, Page 7, Line 6-7 by
changing it to read: "A walkway shall connect the primary [~~entrances with each lot line that abuts a~~ entrance to the abutting primary street frontage. No walkway need be provided if that frontage is a..."

Mr. Starr addressed clarification for section 21.07.060 E.4.b.i. Ms. McConnell clarified that this was not applicable to single or two family development.

and this motion was passed, 11-0.

AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and Coffey.
NAYS: None.

Mr. Coffey moved, to amend AO 2009-114 with Amendment #10 in

1 Ms. Johnston seconded,
2 and this motion was passed, 11-0.

AIM 103-2009: 21.07.060 E.5.a, Page 8, Line 7 by
inserting at the end of the sentence: "... or the park
director as appropriate."

3
4
5 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
6 Coffey.
7 NAYS: None.

8
9 Mr. Coffey moved,
10 Dr. Selkregg seconded,
11 and this motion was passed, 11-0.

to amend AO 2009-114 with Amendment #12 in
AIM 103-2009: 21.07.060 F.4, Page 9, lines 14-17,
by changing it to read: "A primary pedestrian
walkway is [~~designed to be wide enough for two
couples to pass~~] intended to provide an
unobstructed clear width of at least eight feet for
pedestrian movement with additional space
incorporating features along the walkway such as
storefront sidewalk space, room for residential
stoops or building foundation plantings and
peripheral space that accommodates landscaping,
furniture, and utilities. As established generally in
subsection F.1 and F. 2 above, the standards of this
subsection apply only where the specific term
"primary pedestrian walkway" is listed as a
requirement, menu choice or special feature that
counts toward a bonus. Thus subsection is not a
generally applicable requirement for other large
walkways."

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30 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
31 Coffey.
32 NAYS: None.

33
34 Mr. Coffey moved,
35 Ms. Johnston seconded,
36 and this motion was passed, 11-0.

to amend AO 2009-114 with Amendment #13 in
AIM 103-2009: 21.07.070 C, Page 15, Line 1 by
inserting after words "such conditions": "... must be
based on findings which support the imposed
condition as required by 21.07.070 B."

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40 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
41 Coffey.
42 NAYS: None.

43
44 Mr. Coffey moved,
45 Dr. Selkregg seconded,
46 and this motion was passed, 11-0.

to amend AO 2009-114 with Amendment #14 in
AIM 103-2009: Table 21.07-2, Page 21 by inserting:
L-3 landscaping into the table where Arterial,
Expressway abut R-6, R-8, R-9, R-10, and TA
property.

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50 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
51 Coffey.
52 NAYS: None.

53
54 Mr. Coffey moved,
55 Ms. Johnston seconded,

to amend AO 2009-114 with Amendment #15 in
AIM 103-2009: Table 21.07-2, Page 21 by inserting
a new footnote with RO in class B areas:
"[APPLICABILITY OF PREDOMINANT ZONING
PROVISION-RESERVED]"

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60 Chair Ossiander and Ms. McConnell addressed the addition of the footnote.

61
62 and this motion was passed, 11-0.

63
64 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
65 Coffey.
66 NAYS: None.

67
68 Mr. Coffey moved,
69 Ms. Johnston seconded,
70 and this motion was passed, 11-0.

to amend AO 2009-114 with Amendment #16 in
AIM 103-2009: 21.07.080 E.6.d.iii, Page 27, lines
24, 25 and 28 by changing it to read:
iii. More than [20]25 Spaces in a Single Line
Where there are more than [20]25 parking spaces
in a single line, a parking lot interior landscaping
area of at least eight feet in width and at least the
depth of a parking space shall be used to break up
these lines of parking into component parts of no
more than [20]25 parking spaces in a single line.

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79 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
80 Coffey.

1 NAYS: None.

2
3 Mr. Coffey moved,
4 Ms. Johnston seconded,
5 **and this motion was passed, 11-0.**

to amend AO 2009-114 with Amendment #18 in
AIM 103-2009: 21.07.080 F.6.b.i, Page 33, line
18 by *inserting* after the language "approved
permit"...or by a certified irrigation contractor who
certifies that the irrigation system was constructed
to national standards."

10 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
11 Coffey.

12 NAYS: None.

13
Administration moved,
Mr. Coffey seconded,
17 **and this motion was passed, 11-0.**

to amend AO 2009-114: 21.07.080 F.6.b, page 33,
line 16 by *inserting* after the word "waived": "... by
the director..."

19 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
20 Coffey.

21 NAYS: None.

22
23 Mr. Coffey moved,
24 Ms. Johnston seconded,

to amend AO 2009-114 with Amendment #19 in
AIM 103-2009: 21.07.080, page 33, lines 34-35, by
changing it to read:
"... refuse collection receptacles shall be
[adequately]screened from the abutting [streets and
properties] primary street."

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30 Dr. Selkregg, Mr. Coffey and Ms. McConnell addressed concerns regarding this amendment.

31
32 **and this motion was passed, 9-2.**

33
34 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Starr, and Coffey.

35 NAYS: Gutierrez and Selkregg.

36
37 **and the main motion did not come to a vote, and will be continued October 27, 2009.**

38
39 C. Resolution No. AR 2009-225, a resolution of the Anchorage Assembly adopting recommendations to
be forwarded to the Anchorage Metropolitan Area Transportation Solutions (AMATS) Policy
Committee regarding the adoption of the **FFY 2010 – 2013 Transportation Improvement Program
(TIP)**, Traffic Department.

42
43 1. Assembly Memorandum No. AM 514-2009.

44
45 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

46
47 Mr. Flynn moved, to approve AR 2009-225.
48 Ms. Johnston seconded,

49
50 Mr. Flynn moved, to amend AR 2009-225 by substituting new tables.
51 Ms. Johnston seconded.

52 **and this motion was passed, 11-0.**

53
54 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
55 Coffey.

56 NAYS: None.

57
58 Mr. Starr, Chair Ossiander, Mr. Flynn and Mr. Lyon addressed project funding balance for the Eagle River Road
59 Rehabilitation and the Huffman Rd Project.

60
61 Mr. Starr moved, to amend AR 2009-225 Table 3 to move
62 Mr. Coffey seconded, \$12,773,000 from Eagle River Road Rehabilitation
63 2012 budget to 2011, and move equal amount from
64 Huffman Road Reconstruction 2011 to Eagle River
65 Road Rehabilitation 2012.

66
67 Dr. Selkregg addressed upcoming transportation projects. She will be requesting a review of these two projects at
68 the
69 next AMATS committee meeting. She does not support this amendment.

70
71 Mr. Birch addressed safety issues of the Huffman Road project. He does not support this amendment.

72
73 Mr. Flynn addressed Federal funding for the Glenn Highway and Old Glenn Highway projects.

74
75 Ms. Johnston addressed the Municipality's liability to the federal government for transferring funds.

76
77 **and this motion failed, 3-8.**

78
79 AYES: Ossiander, Starr and Coffey.

80 NAYS: Claman, Gray-Jackson, Flynn, Johnston, Drummond, Birch, Gutierrez, and Selkregg.

1
2 **and the main motion, as amended, was passed, 11-0.**

3
4 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
5 Coffey.
6 NAYS: None.

- 7
8
9 D. Resolution No. AR 2009-209, a resolution of the Municipality of Anchorage, Alaska, confirming and
10 levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll**
11 **09-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency,
12 Anchorage Water and Wastewater Utility.
13 1. Assembly Memorandum No. AM 489-2009.

14
15 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

16
17 Ms. Johnston moved, to approve AR 2009-209.
18 Mr. Flynn seconded,
19 **and this motion was passed, 11-0.**

20
21 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
22 Coffey.
23 NAYS: None.

- 24
25 E. Ordinance No. AO 2009-113, an ordinance of the Municipality of Anchorage, Alaska approving
26 submission by the Anchorage Water and Wastewater Utility on behalf of the Anchorage Water Utility
27 (AWU) and the Anchorage Wastewater Utility (ASU) of **proposed rate changes to the Regulatory**
28 **Commission of Alaska.**
29 1. Assembly Memorandum No. AM 528-2009.

30
31 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

32
33 Ms. Johnston moved, to approve AO 2009-113.
34 Ms. Gray-Jackson seconded,

35
36 Mr. Starr stated that costs should be saved by controlling labor and other avenues versus raising rates. Mr. Starr did
37 not support this ordinance.

38
39 Dr. Selkregg asked Mr. Premo to address Mr. Starr's questions and to answer what the implications of not approving
40 the rate increase would be. Mr. Premo stated that in order to comply with the January 1, 2010 RCA regulated rate
41 filing deadline, AWWU must submit their request for permission to raise rates to the Assembly by November 15. Mr.
42 Premo respected and recognized the fact that AWWU needed to control costs. Dr. Selkregg stated that this
43 ordinance would only allow a rate increase by AWWU if the increase was approved in the municipal budget.

44
45 **and the motion passed, 10-1**

46
47 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Selkregg and Coffey.
48 NAYS: Starr.

- 49
50 F. Resolution No. AR 2009-234, a resolution of the Municipality of Anchorage appropriating \$656,929
51 from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice
52 Assistance Grant, and appropriating \$23,790 from the Anchorage Metropolitan Police Service Area
53 Fund (151), Anchorage Police Department 2009 Operating Budget as a contribution to the Federal
54 Categorical Grants Fund (241) Anchorage Police Department, for the purpose of **underwriting**
55 **projects to reduce crime and improve public safety.**
56 1. Assembly Memorandum No. AM 524-2009.

57
58 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

59
60 Ms. Johnston moved, to approve AR 2009-234.
61 Dr. Selkregg seconded,

62
63 Mr. Coffey addressed excess spending in technology. Acting Police Chief Stephen Smith stated that the money
64 would be spent to replace a third of the older computers.

65
66 Mr. Claman addressed that the funding was coming from a federal grant and not local tax dollars.

67
68 Dr. Selkregg inquired on the specifications of the federal grants and whether this grant could be allocated
69 to graffiti. Acting Chief Smith did not know if this could be allocated differently. Mr. Gutierrez also inquired about the
70 specific allocation of the grant. Mr. Claman was involved in the grant writing and stated that it was specific to
71 technology.

72
73 Ms. Gray-Jackson addressed that this grant was for public safety and supported this resolution.

74
75 Mr. Starr suggested leasing the computers and inquired about overtime that was included into the Resolution. Acting
76 Chief Smith responded that the overtime was included in the grant administration.

77
78 **and the motion passed, 11-0.**
79

1 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
2 Coffey.
3 NAYS: None.
4

- 5 G. Resolution No. AR 2009-235, a resolution of the Municipality of Anchorage appropriating \$1,460,676
6 as a grant from the Alaska Department of Health and Social Services to the State Categorical Grants
7 Fund (231) to fund the **Child Care Assistance Program** in the Department of Health and Human
8 Services.
9 1. Assembly Memorandum No. AM 525-2009.

10
11 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

12
13 Dr. Selkregg moved, to approve AR 2009-235.
Ms. Gray-Jackson seconded,

14
15 Mr. Coffey referred to lines 11 and 12 on the AM "Salaries and Wages". He was concerned with the high cost of
16 benefits and asked for clarification. Director of Health and Human Services Diane Ingle responded stating that the
17 employees staffing the Childcare Assistance Program were on a lower pay scale which resulted in a higher
18 proportioned health care benefits than for more highly paid employees.
19

20
21 **and the motion passed, 11-0.**
22

23 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
24 Coffey.
25 NAYS: None.
26

- 27
28 H. Resolution No. AR 2009-236, a resolution of the Municipality of Anchorage appropriating \$1,013,263
29 from the Alaska Department of Health and Social Services to the State Categorical Grants Fund
30 (231) for the provision of **Community Health Nursing Services** in the Department of Health and
31 Human Services.
32 1. Assembly Memorandum No. AM 526-2009.
33

34 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

35
36 Ms. Johnston moved, to approve AR 2009-236
37 Mr. Flynn seconded,
38 **and the motion passed, 11-0.**
39

40
41 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
42 Coffey.
43 NAYS: None.
44

- 45 I. Resolution No. AR 2009-237, a resolution of the Municipality of Anchorage appropriating a
46 supplemental grant award of \$242,178 from the State of Alaska, Department of Transportation and
47 Public Facilities to the State Categorical Grants Fund (231) to fund the **Air Quality Public and
48 Business Awareness Education Campaign** in the Department of Health and Human Services.
49 1. Assembly Memorandum No. AM 529-2009.

50 Chair Ossiander opened Public Hearing.

51
52 TERRIE MACDONALD, inquired about funding for a graffiti buster. Chair Ossiander and Mayor Sullivan stated that
53 this would not create a graffiti buster. Ms. MacDonald urged a no vote.
54

55 There was no additional testimony and Chair Ossiander closed Public Hearing.

56
57 Dr. Selkregg moved, to approve AR 2009-237.
58 Ms. Johnston seconded,
59 **and the motion passed, 11-0.**
60

61 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
62 Coffey.
63 NAYS: None.
64

- 65
66 J. Resolution No. AR 2009-239, a resolution of the Municipality of Anchorage appropriating, when
67 tendered, \$1,438,000 from the Alaska Department of Health and Social Services as a grant to the
68 State Categorical Grants Fund (231), for the provision of **Public Health Preparedness and
69 Response for Bioterrorism** in the Department of Health and Human Services.
70 1. Assembly Memorandum No. AM 519-2009.

71 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

72
73 Mr. Gutierrez moved, to approve AR 2009-239.
74 Ms. Johnston seconded,
75

76 Mr. Gutierrez had spoke with Ms. Ingle and noted that the money would be used to obtain Swine Flu Vaccinations.

77
78 Mr. Coffey suggested everyone look at the salaries, wages and benefits section.
79

80 **and the motion passed, 11-0.**

1
2 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
3 Coffey.

4 NAYS: None.

5
6 K. Resolution No. AR 2009-217, a resolution of the Municipality of Anchorage, Alaska, approving the
7 additional scope of work to **Northern Communities Water Extension Phase I** and providing for
8 assessment of benefitted properties at time of service connection, Anchorage Water and Wastewater
9 Utility.

10 1. Assembly Memorandum No. AM 504-2009.

11
12 Chair Ossiander opened Public Hearing.

13
14 HANK WARREN, Northern Community resident, testified in support of the water extension. Due to a neighbor ruining
15 his well he has had to haul water to his house for the last 11 years.

16
17 There was no additional testimony and Chair Ossiander closed Public Hearing

18
19 Mr. Starr moved, to approve AR 2009-217.
20 Dr. Selkregg seconded,
21 **and the motion passed, 11-0.**

22
23 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
24 Coffey.

25 NAYS: None.

26
27 L. Ordinance No. AO 2009-108, an ordinance amending Anchorage Municipal Code Chapter 10.50,
28 Alcoholic Beverages, providing for an **extended Closing Safety Hour Program** on a limited basis
29 for certain premises licensed by the State Alcoholic Beverage Control Board, setting the registration
30 fee, penalties and corrective action for program violation, Assemblymember Flynn.

31
32
33 Chair Ossiander opened Public Hearing. There was no one to testify and she closed Public Hearing.

34
35 Mr. Flynn moved, to continue Public Hearing to October 27, 2009.
36 Ms. Johnston seconded,
37 **and the motion passed, 11-0.**

38
39 AYES: Claman, Gray-Jackson, Flynn, Johnston, Ossiander, Drummond, Birch, Gutierrez, Starr, Selkregg and
40 Coffey.

41 NAYS: None.

42
43 **CLERK'S NOTE: PUBLIC HEARING TO BE HELD PURSUANT TO AR 2009-226.**

44 M. Resolution No. AR 2009-244, a resolution of the Municipality of Anchorage adopting the **2010-2015**
45 **Six Year Fiscal Program**, Finance Department. (**Addendum**)

46 a. Assembly Memorandum No. AM 542-2009.

47
48 Chair Ossiander opened Public Hearing.

49
50 JOHN BROWER, Chair of the Alaska Arts and Culture Foundation, testified to a study that he passed out to
51 members concerning the positive financial impact the arts has on the City of Anchorage.

52
53 HOLLY HANEY, a student of the Alaska Classic Ballet Academy, testified in support of keeping the arts in the 6 Year
54 Fiscal Program.

55
56 HELEN LINDAMOOD, a dancer at the Alaska Classic Ballet Academy, testified in support of keeping the arts in the 6
57 Year Fiscal Program.

58
59 MORIAH WALKER testified that she had been dancing ballet for 6 years and was in support of keeping the arts in
60 the 6 Year Fiscal Program.

61
62 MIKAELA HAYES testified for the inclusion of the arts in the 6 Year Fiscal Program.

63
64 HEIDI KLOTZ testified in support of keeping the arts in the 6 Year Fiscal Program, she also read a letter on behalf
65 of FRANCOISE JOHNSON who also supported the inclusion of the arts in the 6 Year Fiscal Program. Ms. Klotts
66 answered a question from Ms. Johnston regarding funding by the Municipality of Anchorage. She stated that the
67 Alaska Classical Ballet Academy did receive funding from the Municipality.

68
69 MICHAEL HOSLEN, executive director of About North Arts of Alaska, testified in support of keeping funding of the
70 arts in the 6 Year Fiscal Program. Mr. Birch asked about their overall budget. Mr. Hoslen responded that is was
71 around \$330,000-\$360,000, of which a lot required a match.

72
73 JORGIAN CRUST McKEEVER, testified in support of the inclusion of the arts in the 6 Year Fiscal Program. She also
74 read aloud a letter of support from KATE CAMRY and their band.

75
76 TERRY GOTTSTEIN testified in support of inclusion of the arts in the 6 Year Fiscal Program.

77
78 JOY SHARPE testified in support of keeping the arts in the 6 Year Fiscal Program.

1 KEVIN METIER testified in support of the inclusion of the arts in the 6 Year Fiscal Program. Mr. Coffey asked Mr.
2 Metier if he testified on last year's 6 year fiscal program and Mr. Metier had not
3

4 ED BLAHOUS, Chairman, Municipal Arts Commission, testified that the Municipal Arts Commission awarded the
5 Anchorage Concert Association \$37,000 last year from the funds that were authorized by the Assembly. Mr. Blahous
6 addressed a question from Dr. Selkregg regarding the importance of the arts in the community.
7

8 LETICIA TADINA, Asian Alaskan Culture Center Board Member, testified in support of the inclusion of the arts in the
9 6 Year Fiscal Program.
10

11 TIM PEARSON, testified in support of the inclusion of the arts in the 6 Year Fiscal Program.
12

13 Dr. Selkregg moved, to continue Public Hearing to October 27, 2009.
Mr. Gutierrez seconded,

14 Mr. Gutierrez supported the continuation of this Public Hearing. He addressed that the 6 Year Fiscal Program should
15 include a sentence about the Arts.
16

17 Dr. Selkregg and Mr. Claman supported the continuation of this Public Hearing because it was not noticed long
18 enough.
19

20 Mr. Birch does not support the continuation of this Public Hearing.
21

22 **and this motion was passed, 6-5**
23

24 AYES: Claman, Gray-Jackson, Flynn, Drummond, Gutierrez and Selkregg.
25 NAYS: Johnston, Ossiander, Birch, Starr and Coffey.
26

- 27 15. **SPECIAL ORDERS** There were none.
- 28 16. **UNFINISHED AGENDA** There was none.
- 29 17. **AUDIENCE PARTICIPATION**
- 30 18. **ASSEMBLY COMMENTS** There were none.
- 31 19. **EXECUTIVE SESSIONS** There were none.
- 32 20. **ADJOURNMENT**

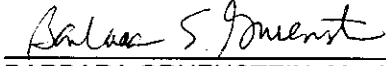
33 Chair Ossiander adjourned the Regular Assembly Meeting at 11:00 p.m.
34

35 Mr. Flynn moved, to adjourn the Regular Meeting of October 13, 2009.
36

37 and this was approved without objection.
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49 DEBBIE OSSIANDER, Assembly Chair

50 ATTEST:
51

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54 
55
56 BARBARA GRUENSTEIN, Municipal Clerk
57 Date Minutes Approved: November 17, 2009.
58 MD/BG
59

60 (View Live and Archived Videos of Assembly Meetings and Approved Meeting Minutes online at the Municipal Web Site, www.muni.org or contact
61 the Minutes Clerk in Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4511.)
62
63
64

