

Rogers Park CC

May 14th, 2012 Meeting Minutes

I. Call to Order at 7:01 p.m.

Community Council Officers Present: Janet Bidwell, Cheryl Forrest, Iris Matthews, Dave Metheny

Elected officials present: Rep. Berta Gardner, Rep. Les Gara, Elvi Gray-Jackson, Dick Traini

II. Review & Approval of April Meeting Minutes

III. Presentations & Discussions

- A. *Merrill Field Master Plan/Advisory Group*: Alex Jumaos, Director with John McPherson, HDR consultant

Introduction of the master plan, it is redone every 20 years. John gave presentation on upcoming noise study that is going to be done. It will include a 20 year forecast of activity, how many planes will be doing operations, kinds of planes. For a noise study, take layout, patters planes fly, numbers of operations, kinds of planes and model how that affects noise, and where the noise affects residences. Will have specialty noise consultants come and do "Airport Noise Model. Noise measurement is taken in the summer and winter, and they attempt to capture peak activity time. Results of measuring and modeling are expected early next year. Results will go into Airport Master Plan.

Community council members had questions about coordination of JBER activity in noise study. Consultants say that the noise study and measurements should capture the JBER activity

Noise measurements will be taken in a few different places. Noise complaints that have been received since 2004 are analyzed, where complaints have been generated from are likely spots for targets of noise measurements.

Questions about hours of operations and noise rules. There are no rules or policies, summer operation, with the tower manned, from 7:00 a.m.-midnight in summer, 7:00-10:00 pm in winter. Most complaints are about pilots not based at Merrill Field, who are not familiar with rules/hours of operation. Airports cannot restrict access by law, neither airports nor FAA have the ability to restrict. Nor can Merrill Field require pilots to throttle back during landings to be quieter on the approach. They throttle back when they are able to, not keep it at full power. If pilot is fully loaded, the FAA/Airport can't tell them how to fly, they might need all the power to keep aircraft safe.

Operations at Merrill Field have been dropping. Price of fuel, recession are factors but it has been happening for awhile. The Master Plan will include land uses at airport, operations, fuel sales and other fees that support the airport. So, plan will include recommendations to improve financial picture, encourage lease of space, etc.

Question about a State exemption from noise regulations? It is for jet aircraft, Stage 2 aircraft. Doesn't apply to Merrill Field. Occasionally a Russian aircraft or other aircraft takes an advantage of it. Jets

don't operate at Merrill Field. It is not set up for them, the runway is too short. They have better alternates for jets.

B. *Proposed Cell Tower on Northern Lights, Atlas Towers, Michael Powers*

Atlas Towers plans to construct a cell tower later in the summer, next to Don Jose's. Atlas Towers is a Denver company. Atlas has built at least 20 sites in Alaska already. Atlas is an infrastructure and ownership company, works for the cell carriers (Verizon, AT&T, ACS and GCI are the ones that exist in AK). They make the decisions about where they need to change network, expand coverage or upgrade services. Alaska is behind the curve in terms of infrastructure. What's happening now is that wireless telecommunications infrastructure is being improved, because Verizon is coming, this is highlighting the weaknesses. Everyone is feeling pressure to respond to needs of the consumer. Data usage predicted to increase 20 times in next four years.

Why was 2100 E. Northern Lights picked? Not sure exactly why engineer chose that location but the cell phone antennas are getting smaller areas they need to cover. An old tower was 150 feet tall, and would service 10 miles. But because of data usage, equipment now has a smaller radius of service. More locations needed, more antennas needed in smaller locations. That site was chosen because of its commercial zoning, but proximity to residential areas will help meet identified deficiencies. It will cost over \$300,000 to build it.

Questions on height and location were taken from community council members. Atlas Towers did not make the decision on location. There were probably other alternatives discussed but he is not sure what they were or why that location was chosen. If you put a 50 foot tower in that location, there will only be one carrier on there, towers need a certain amount of height to get good coverage. By the zoning, a tall structure like a cell tower is a right in that area, not sure if there is a variance required. Setbacks from residential are controlled by MOA. They can decide what they want to do. Not fair to say that it's a safety issue, it's an aesthetic issue.

Throughout Anchorage there are many one carrier cell towers, the MOA has a request to allow co-locating for companies within one tower, which would reduce overall number of towers required. Many locations have competing one carrier towers in Anchorage, within 300-400 feet of each other. Atlas as a 3rd party vendor, wants more than one carrier per tower because they get more revenue if there are more carriers using their tower.

Questions on safety: The towers are built not to fall over. Like a two story building, it has been constructed by an engineer, meant to be safe. Catastrophic events are what cause them to fall over. They are generally built to crumple not to fall over in a catastrophic event.

On emissions: the tower emits radio waves; that is its function. It sends and receives radio signals. They are similar to radio signals from car radios, TV's in a broad sense. There have been many studies, hearings, etc. guiding the FCC regulatory process make sure it is safe. Tested regularly? All of the equipment is approved by the FCC. Retesting isn't done on each model, but it is all very specific and highly regulated.

According to RPCC resident: Setback is that you are not allowed to build a tower within 250 feet of a residential home, the people who live nearby sign a waiver. Only people who live within 600 feet are allowed to comment on the variance request.

Concerns were expressed about property value, aesthetics, safety, messy looking industrial tower.

Discussion of the tower behind Shriners. Heather Ireland gave an overview of the tower, which was built while she was RPCC President. The tower is maybe 50 feet. A one carrier tower. Probably GCI. That tower was built by a 3rd party builder they did a 50 foot pole b/c of proximity to neighborhood. A rep from Shriners came, to explain that the revenue from the tower helped them out.

More comments about a different one that was almost built at the NW Corner at Lake Otis & NL, and a suggestion that that location should be explored. Other comments about the University as a possible location. There is already a tower at Grant Hall.

Questions about the rescue helicopter at Providence, lands at Merrill field and flies lower than 100 feet? All tall structures are tightly controlled by the FAA, must submit to FAA & they do a study on every structure. This one has been approved.

Comment that Anchorage code is behind the times because other cities require towers to be hidden in church steeples, etc. Costs more on the bills, but nicer for the community. Last revision of tall structure code did ensure Atlas had to make changes in design. Thinks our code is good.

Verizon is the client. But, not building it just for Verizon. This needs to be a multi-carrier tower – better for community too. If this is one carrier tower, zoning will allow for more to be built in the neighborhood. Needs of carrier can be so specific, that the diameter might only be a couple hundred feet with which to choose a location.

Questions about the height. Does tower have to be so tall if it is on a tall building? Not always. Might be possible to have a towerless community but cost is an issue. Las Vegas uses a new technology that Anchorage can't afford, too few subscribers. Cell phone bills would be very high as a result.

The application is at Planning & Zoning, decision to be made on May 22nd. It is not subject to assembly action or full review.

A Motion for a resolution opposing the project as currently proposed was made.

The Motion was proposed by Dave Metheny, 2nd by Beate Zinck.
14 in favor, 3 opposed, 7 abstentions

A Motion was made for a resolution requesting an extension of the comment period to give all RPCC Members ample time for comment, and, requesting a public hearing be held at the end of the comment period.

The Motion was proposed by Dave Metheny, 2nd by Cheryl Forrest.
Discussion: No discussion

18 in favor, 1 opposed, 2 abstentions

- C. *Don Jose's Expansion Project* – Ivan Ramos with Don Jose's, accompanied by their project manager.

Don Jose's has filed for a variance to expand the current building, build behind and up. There is a 25 foot setback. Technically, the setback is in the middle of the alley, where residential & commercial mix. Don Jose's will be making a 10ft. landscaping buffer and 4 ft. sidewalk as part of the expansion. The building will still be about 34 ft. from residential because of Alley. Properties on the side (kinko's, medical facility) don't have the same setbacks for back.

The current bar will become dining, waiting area expanded, new construction will become bar with storage upstairs. Concerns were expressed about the sounds from the bar. Ans: The trees will stop the sound. The walls of the building will be brick, also to keep the sound. No doors/windows on the bottom half, only on the top. There will be a public hearing. When it is scheduled, it will be posted on the property

Ivan assured attendees that Don Jose's has been in business 30 years; Ivan is also a Rogers Park resident. We want to be good neighbors, consider selves a part of the community. Facility is often used for events. Want it to be a nice pleasing façade.

- D. *U-MED District Plan*: Janet gave brief overview of the April 24th meeting, two committees were formed – there have been two volunteers to participate.
- E. *Lake Otis Expansion*: 15th to Lake Otis: Lake Otis safety upgrades, there were questions surrounding the funding. \$100K for each of the overpasses for the elementary schools. The \$2.5 M is just for preliminary design of project (\$32M = total cost of expansion)
- F. *36th Overpass/relief*: \$10Million for design/environmental.
- G. *Chester Creek Realignment Project*: This is a project that is East of Muldoon. Because there is some talk of eminent domain. Janet has requested information from their community council but heard nothing back.
- H. *RPCC survey*: 65 people have done survey to date. It is also posted on the facebook page and maybe on the FCC website. Heather encourages everyone to get it done!

IV. Assembly Reports:

- A. *Elvi Gray-Jackson*:

Election issue –

- At the May 8th Assembly meeting, the Body approved a contract (not to exceed \$35,000) with retired Judge Dan Hensley to provide an independent investigation of the April 3rd election. Work has begun.
- At a special meeting held on May 3rd in the Assembly certified the election after hearing from a hired attorney who provided an opinion on whether to certify election. Assembly members Gray-Jackson, Drummond and Flynn voted no.

Assembly approved 1st quarter budget revisions and set the mill levy.

Assembly approved Amendments included:

- \$250,000 to provide for pre-hiring testing, background checks and ammunitions order in preparation for a February 2013 Police Academy,
- \$40,000 for an Independent Investigation of the April 3rd Election.
- \$30 000 for independent audit of the handling of the Rollins case.
- Deleted Mayor’s proposal to use the additional \$6.1M in Municipal Revenue Sharing for snow removal and to pay down a loan for the new Financial Accounting and Resource Plan Software.
- Assembly approved 9-2 to use the \$6.1M for property tax relief which equates to approximately \$60.00 property tax savings on a \$300,000 home.

Mill Levy

- Anchorage School District = 7.57
- General Government = 8.37 Mills
- TOTAL = 15.94
- Property Taxes on a \$300,000 Home = \$4,782¹
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B. Dick Traini:

The Waldron Lake made the Governor’s budget. It will be maintained by Boys & Girls Club. Elvi & Dick will be introducing a bill to move it into parkland ASAP.

Rawlins Case was a sole source contract for \$30K, contractor came back for an additional \$100K already, more funding requests are anticipated already. Dick/Elvi want this contract to go out for bid.

He plans to pull item 93 off the agenda, for the confirmation of the port director. He wants the new director going through committee hearings to hear how the new director will deal with the port and all of its issues. He pulled the fire chief approval for hearings in public safety committee first. He feels that a blanket approval of the Mayor’s appointments doesn’t serve the public.

Item 13A – Bill Starr & Debbie Ossiander have a bill to allow the Eagles club a waiver from the smoking ordinance. Traini feels this will open a can of worms to all fraternal organizations to apply for exemptions and he supports leaving the ordinance as it is.

Questions included: Whether the Prevo email, will be a part of the scope of work on the election investigation. Ans: Yes, the contract is broad enough to include it.

Other questions: Aren’t tax exemptions a way of cost-shifting? Just passes the burden on to others? Elvi replied yes, but they are mandated by the State, they used to pay for it, now they don’t. Costs MOA \$22 Million. Part of the MOA request to State each year is to fund these mandated exemptions.

V. Legislative Reports:

¹ This amount does not include the Senior Citizen Property Tax Exemption (\$150,000) or the Residential Property Tax Exemption (\$20,000, or the extra \$60 savings from Municipal Revenue Sharing. A senior citizen would pay \$2,012.20 in taxes and others would pay \$4,403.20.

Representative Les Gara: All area legislators worked well together. Session dominated by oil taxes. Area legislators all agreed some changes could be made, need more oil in pipeline. Lots of exploration going on right now, we are hopeful they will find new oil. Governor proposed \$2B in tax cuts to industry, old tax system had that – production declined, investment declined, jobs declined for 0% tax on new fields. IT has never worked before. He had a bill that focused on tax breaks for processing facilities, tax breaks for spending on wells, etc.

Gara also discussed the In-State gas line bill. It sounds good, but it's a small gas line, we need a big gas line with takeoff points in the state. Just an in state gas line is cost inefficient, and would raise the price of gas 20-80% for the next 30 years. Clarification that a small lien would be mostly for in state use, maybe a small amount shipped to Asia. It's too small. Obligated us to high price of gas, also had a provision that they never had to come back to Legislature for approval of a plan.

Some good things came out of the session, bi-partisan. Flat funding for education proposed by Governor, decent budget in end should avoid most layoffs. Gov inflation proofed State agencies budget, but refused to do so for education.

Needs based scholarship bill – Gov. compromised, needs and merit based both made it in. Merit based also made it. Pre-K funding also substantially increased. Alaska ranks low in nation for offering; one of few states without statewide pre-k, much of funding for pilot project was vetoed by Gov. Gov also vetoes funding for Parents as Teachers program.

Sen. Davis foster care bills. Renewable energy fund extended for another 10 years, \$50 Million in grant funds annually, sometimes Governor vetoes.

On Port: Dick is right, been grossly mismanaged. Cost has been staggering. Mayor is vague about his plans. If Director got \$350 M, Leg asked for confirmation they would not be back, and MOA would take care of other phases- never got it.

Questions:

Pete – ADN says we have 100 years of nat. gas. Oil companies are interested as byproduct, may be state's interest to subsidize. Engineers have told him that it would be cheaper if we had gas power plant on North Slope and just transmitted to Southcentral, there would be no loss. Les has heard that there would be too much loss. Believe 20 more years in Cook Inlet.

VI. Treasurer's Report: 1 cent made.

VII. Other: Candidate for US House of Representatives, Matt Moone introduced himself. Promised to bring a new perspective/background to the job.

Heather Ireland encouraged everyone to sign up for the Planning & Zoning notifications.

Adjourned at 9:18 p.m.