

Rabbit Creek Community Council Meeting Minutes for Thursday, June 9, 2016

FINAL DRAFT

Location: Holy Spirit Center, Building B – 10900 Hillside Dr.

Board Roll Call - Present: Adam Lees as Chairs– Pat Abney, Keith Guyer, Nancy Pease, Janie Dusel, John Isby

Excused: Ron Devon, David Sterling, Joan Diamond, Vivian Mendenhall, Phil Fortner, Mindy Willis - alternate

Board Chair Adam Lees opened the meeting at 7:10 pm

- Minutes: May 12, 2016 minutes copy placed on line.
 - **Motion by Keith Guyer & 2nd Pat Abney**- To approve today's agenda as is. Unanimous consent.
 - **Motion by Pat Abney & 2nd Keith Guyer** - To approve May minutes. Unanimous consent.
- Attendance - Total 15 people in attendance. 14 members, 11 voting vs 13 quorum, so meeting classified as Board meeting.

Announcements & Legislative Reports:

- **Assembly Members** - Bill Evans – Not present tonight.
 - **John Weddleton**: Cell tower rules will be taken up a week from Tuesday (June 21). Edits include moving a footnote to the text to make it clearer. Portion stating “none within one-half mile next to each other” – JW working to remove or amend to fit Hillside. Demboski's Title 21 amendments coming back due to inconsistencies, loopholes. It will go through the full process. 4-6 weeks until Planning Committee. Looking to take up parks dedication in area, get it back on track.
- **State Representatives** - Cathy Giessel and Mike Hawker not present tonight.
- **General Announcement**: None

Reports

- **Chair's Report – Adam Lees** – RCCC will be meeting at Holy Spirit Center for June, July, and August meetings due to unavailability of any space in Council area (and every opportunity was checked). Only one that did not mandate payment, request was \$50 for each month as donation if possible. Please donate (**note: \$60 collected after meeting**, given to Treasurer). All letters were sent, heard back from LUPM folks – waiting for full Public Comment Draft and response to all comments, word that some of RCCC's were included. Issue brought to attention of campaign signs appearing in public rights of way, on or abutting public property such as parks, and being placed without property owners' permission on their property under pretense of being in right of way. Chair asked opinion from membership. Generally in agreement, stated ROW for maintenance/expansion of utilities and roads, not signs. Owners pay taxes on land where signs are.
 - **Motion by Keith Guyer & 2nd Nancy Pease** to send letter to AKDOT, CE, and campaigns stating campaign signs do not belong in public spaces, including ROW's, or abutting public facilities and that no signs should be placed anywhere on private property without the express consent of the landowners. Signs will be removed as appropriate. Unanimous consent.
- **Treasurer's Report** - For May bank amounts are: Checking \$228.55 + Savings \$295.09 = \$523.64.
- **FCC Meeting – Mindy Willis** – Representatives not present. No June meeting.
- **HALO – Pat Abney** – HALO had annual meeting; nothing beyond that.

Ongoing Business

- **Communication Lists Request from FCC:**
 - **Motion by Nancy Pease & 2nd Pat Abney** to request email lists, bounce list, and all other pertinent information from FCC. Unanimous consent.
- **Pedestrian Easements Update – Pease:** Lori Schanche, non-motorized coordinator at MOA, out of office until 6/20. Wants to determine when construction will begin on hard-pack trail next to new Potter Valley paving (part of deal for paving). On signage next to Chugach walk-in, on hold (infrastructure needs, don't want issues like at Stewart Rd). On mapping, need volunteers (Boy Scouts/Girl Scouts esp) and time to open up.
- **Stewart Homestead Road:**
 - **Motion by Nancy Pease & 2nd Janie Dusel** to take discussion from table (tabled May 2016). Unanimous consent.

Update: MOA has sent letter to Mr. Pugh telling him to restore road to original condition (pedestrian, non-motorized). Discussion proceeded to what RCCC was going to do.

Nancy Pease: RCCC has for past 2 decades pursued permanent public access – no legal access/trailhead in council area, one in Potter Valley not developed; reliance on informal access. Legal, permanent access, including pedestrian, to Chugach State Park still desired.

Jerry Lewanski: Residents want legal access – issue is for access and for residents not to provide infrastructure. Where available, exert easements for local use (150 subdivisions by CSP, no access)

- Recommendation to send Muni attorney letter to support pedestrian public access and fast – statement to understand this is major community concern and action is needed.
- Send to mayor's office, Parks & Recreation to help resolve issue.

Question on Potter Creek trail – outside park, access; addendum: Parks & Rec must have expertise
Question (Pat Abney): Is Stewart Road in APRSA [Anchorage Parks & Recreation Service Area]? Answer (Pease): per HDP, possibly. Most is not in SA [service area], but the beginning looks to be.

Participant: Road has been public access since 1970's, hikers mainly; such horrific barrier, one has expectation of exit and won't be able to (thinking of bears).

Participant: Does not seem legally valid that it could only be for neighbors, it'd be for public. Public access needs to be maintained, neighbors not subject to burdens (cars blocking driveways, etc.)

Jerry Lewanski: Someone in MOA should be able to help with this, maybe with HLB land – delegate access.

Participant: Solve public access, parking issue appears; solve parking by ending public access – neither great. As 2nd landowner over from gate, 5-7 years has asked for 5 parking spaces similar to Grand View

River: Yes public access, does not affect personally as homeowner, but to get to access there is a ripple effect of pedestrians

Participant: Statement by Mr. Falsey [Muni Attorney] declaring that public use has created a public-use easement
Nancy Pease: Follow Up on HLB question

- o HLB land possible, but no access for roads, etc. (all w/ public land)
- o Discussed this with Mayor, not high the administration's list
- o No HLB land near the Stewart Homestead Road

Further discussion on HLB option – option put forward in letter to HLB and “buried” by HLB board

Janie Dusel: noted that property owners from May not present. Perhaps a taskforce, something with stakeholders for good solution for all parties – especially good for contentious issue (Chair comments that this is especially appropriate considering that RCCC should avoid taking sides when the sides in question are all represented by Council). John

Weddleton added that the City Manager has mentioned a similar approach and may be supportive of this concept.

- **Motion by Nancy Pease (8:12pm):** Letter to Mayor, appropriate staff to: 1) urge Muni to secure permanent public access; 2) establish taskforce of stakeholders to resolve issues, impacts; 3) this issue should be given urgent attention from MOA & Mayor; 4) look at permanent public access via Bear Valley and/or Potter Valley

Question on taskforce, shareholders. Who to include? MOA/state, users (local, general beyond Council area), RCCC, BVCC, HLB, Mayor's office – do not want too large, but need at least the local input and most important governmental units

Jerry Lewanski – language should emphasize mutual agreement – solutions to bring community together

- **Motion seconded by Keith Guyer (8:27pm)**

Ensure access for all is included.

- **Motion approved unanimously**
- **Motion by Pat Abney & 2nd Janie Dusel** – Assembly representatives should bring forward an ordinance to waive liability for property owners who voluntarily give their easements for public access. **Unanimous consent**
- Unanimous motion to reconsider in order for **Motion by Nancy Pease & 2nd Keith Guyer** to strike “voluntarily” due to myriad issues and otherwise accept original motion. **Unanimous consent**; original motion modified.

New Business

- No new business on agenda

Wrap up assignments

- As stated above.
- July meeting set for July 14, will meet at Holy Spirit Center

Motion to adjourn by Keith Guyer & 2nd Janie Dusel - Passed unanimously. Meeting adjourned at 8:35 pm.