

Turnagain Community Council
Meeting Minutes September 3, 2009

Breck Tostevin, TCC President, called the meeting to order at 7:05 pm.

I. *Announcements*

Cathy Gleason (TCC Board member) made the announcements:

- **Celebration on E Street.** 9/4 from 12:00 noon to 6:30. Celebrating the re-opening of E Street will include an art fair, farmer's market on F Street and BBQ on Town Square.
- **Last Neighborhood Park Fix-it event.** 9/14 at Woodland Park. Call 343-4288 for more information.
- **Highway-to-Highway (H2H) open house.** 9/22 5-8pm, no location set. This is the project that will connect the Seward and Glenn highways
- **Planning and Zoning: sign ordinance.** 10/5. Hearing on variance appeals on the sign ordinance.
- **Planning and Zoning: Wendy's Way deck encroachment hearing.** 10/16. Variance for encroachment of 0.07 inches
- **Recycling Center is now accepting plastic bags at the Dowling location.**
- **Legislative Hearing on Airport Issues.** 9/26, no time or location set yet. Senate Transportation Committee Chairman Sen. Albert Kookesh will chair.
- **United Way Day of Caring.** 9/9. Contact Dan Gleason for more information.
- **Paint the Town.** Taking nominations for houses to paint and looking for volunteers to paint. Contact Breck Tostevin for more information.

II. *Legislative Report*

James Waldo, a representative for Lindsey Holmes provided the Legislative Report. The Legislature is currently out of session, but things are starting to move again.

- **Safety on the Seward Highway.** The Judiciary and Transportation committees have been meeting on ways to make the Seward Highway safer. Public Safety has also been involved.
- **Ensuring adequate Cook Inlet natural gas supplies.** Chugach Electric and Enstar are developing plans to minimize deliverability issues. Enstar is trying to get new gas supply contracts through the regulatory system.
- **Staying in contact with the Legislature.** Contact either Sen. Holmes' or Sen. French's office if you want something. You can sign up to be on Sen. French's e-mail distribution list to keep informed. Contact information is on the TCC agenda.

III. *Cell Tower Replacement*

Dale Patrick and Kelly Ward from Alaska Telecommunications Systems (ACS) introduced preliminary plans for a cell tower replacement that would increase the height

of the tower by 15 feet to 95 feet at the existing cell tower site at the Turnagain Methodist Church on 3300 West Northern Lights.

This led to much discussion and finally to a resolution by the TCC opposing this proposal by ACS, but thanking ACS for bringing the proposal to the TCC for review and encouraging ACS to keep the TCC informed on this project as it develops.

The issues raised by TCC members included:

1. The representative of Turnagain Methodist Church, the landlord of this site, was present and stated this is the first he has heard of ACS's plans.
2. The Turnagain Methodist Church has a contract with AT&T to operate and manage this cell site and that agreement states AT&T won't increase this tower height.
3. The Turnagain Methodist Church, the site landlord, opposes increasing tower alteration until they know more about the ACS plan and until the plan has support from the community.
4. ACS stated this tower is operated by Global and the site landlord has never heard of Global, nor is there any agreement between the landlord and Global.
5. This cell tower is in a busy general aviation flight pattern for Lake Hood, Lake Hood strip and Anchorage International Airport, and the FAA restricted the original tower height not to exceed 80 feet.
6. Other possible site locations for an ACS cell antenna and/or a shorter tower were suggested as alternatives to putting up a higher tower at the church location.

The resolution was put forth by TCC member Steve Strait stating that TCC opposed the proposal for a new, higher cell tower based on the above stated reasons. After some discussion, Cathy Gleason called the question. Thirteen TCC members voted for the resolution and three opposed; the resolution passed.

IV. *Marston-Foraker and Pump Station 10 update*

Jeff Colman provided a written update that was read by Breck Tostevin: Construction is winding down. The new AWWU pump station is now operating. Landscaping will be complete by September 15. Jeff will attend the October TCC meeting to give a summary of the projects.

A discussion about the landscaping around the pump station ensued. Breck reported that Clark Rush, one of the private land owners in the Marston-Foraker development, was concerned that the aspens that are being planted will get too tall and cut into the lot's view. Other members were worried about inadequate screening of the pump station. The

general sentiment expressed was that the landscaping plans were approved by the TCC, the Planning & Zoning Commission and Urban Design Commission and that changing them now did not seem appropriate. Breck passed out a sign-up sheet for people interested in walking through the construction site with the landscaping plans to verify that the plans were followed and that they are adequate.

V. *West Anchorage District Plan*

Breck Tostevin and Cathy Gleason, who represent the TCC on the West Anchorage District Plan planning group, provided an update.

The plan is designed to steer land use planning and a big part of the plan will address the community-airport issues. Plan is moving slowly – so far the only thing accomplished is a draft description of the area. Consultants will review comments next in preparation for the final draft. Due to municipal budget shortfalls, funding for the WADP has been cut by 20 percent. Please contact Breck Tostevin to be kept informed and he will put information on the TCC Website. Also contact Breck if you have municipality funding issues you'd like addressed.

VI. *East end of West Marston Road landowners lawsuit against the municipality*

Municipal attorney Bob Owens provided an update on the lawsuit initiated by the five lot owners on the north side of the street on the east end of West Marston Road, against the Municipality claiming that the land, which was purchased by the Municipality in 1996, is theirs. The land at issue runs 500 feet west and 150 feet deep.

Originally, the Municipality filed a motion to dismiss the owners' quiet title action because the municipality held a deed to the property. That motion was granted by the Superior Court. The Municipality then filed a motion for summary judgment stating that because it has had possession of the land for over ten years it is too late for the plaintiffs to claim the land.

The plaintiffs recently asked for a settlement conference where they proposed to buy the land from the Municipality. The Mayor's office decided that it will not support such a sale. (Mayor Sullivan did not participate in the decision because of his business partnership with one of the plaintiffs and assigned the Chief of Staff to make the determination). The proposal could still go before the Assembly for approval, but without the Mayor's office support, such approval would be unlikely. Because no settlement was reached, the case is going to trial and the trial date is set for November 2.

A clarification was made regarding designated parkland and dedicated parkland. When the Municipality acquired the land in 1996, it was not designated parkland. After the case had been resolved, the Assembly needs to pass an ordinance dedicating this parkland.

VII. *Lyn Ary Park Master Plan*

Suzanne Little from Parks and Recreation and Peter Briggs, a parks consultant with Corvus Design, provided an update on the ball field reorientation. The project is nearing the end and will be completed by the end of the month. Reseeded grass and moved Conex yesterday. Bollards and signage are still to go.

A TCC member aired her feelings that the bottom of the hill was dangerous for people traveling down the hill on the path because the path crosses the parking lot entrance. Ms. Little said that additional signage is still to be installed that might help mitigate for this issue.

Some discussion ensued regarding the re-installation of the gate. It was unclear where the gate was supposed to be reinstalled – Ms. Little was going to investigate. There was a general consensus that the gate should be reinstalled and that it should be locked by municipal staff at the end of each day to keep night partying in check.

Peter Briggs presented the Lyn Ary Park Master Plan with the following highlights:

- Draft will come out soon
- Committee meeting will be on September 18 and amendments can be incorporated then.
- Plan will be presented at the October TCC meeting
- Final plan will be presented to Parks and Recreation in November.

Some discussion on the planting of trees in the northeast corner of the baseball fields to screen the new house ensued. Some members thought this was appropriate while others felt it was not. A tree buffer will be discussed at the committee meeting on the 18th.

VIII. *Assembly Report*

Assembly members Matt Claman and Harriet Drummond provided the report

- **Antidiscrimination ordinance** – have until Tuesday to override Mayoral veto
- **Knik Arm Bridge** – the cities of Houston and Wasilla successfully sued to keep it on the short-term AMATS project list
- **Illegal camp site ordinance** – Provides more enforcement powers – police need to provide 12 hour notice and after 12 hours, allow an additional 20 minutes before forced removal.
- **Chapter 7, section 1 of Title 21** – Design standards for housing and commercial buildings and exterior lighting has been approved by the Assembly
- **Spenard Road reconstruction** - approved in July – only included the section from Hillcrest Dr. to Chester Creek
- **Natural gas supplies** – Municipal Light and Power has been directed to line up adequate gas supplies for the winter.
- **Federal stimulus funding**- Anchorage School District receiving money that much be used on 2-year projects only

- **Approved appointments for the Mayor** – Including the fire chief where personnel rules for nepotism issues surfaced.
- **MLP Power Plant in Muldoon**-looking for grants for proposal that could include large greenhouse that would use waste heat from plant
- **Airport-West Anchorage Communications Committee established** – First meeting is September 23 at 12 noon at the Airport – need two representatives from the TCC.

Questions from TCC members:

- Pat Redmond asked about an **ordinance to change the nepotism rules**. Assemblyman Coffey has proposed a less restrictive rule that is more in line with the State.
- Mark Wiggin asked who is setting the agenda for the **Airport-West Anchorage Communications Committee** – Claman said that he would set the agenda with coordination of an airport representative. This is envisioned to be a communication group (two way) and not a decision-making group.
- Cathy Gleason asked about **lake and creek setback requirements in Title 21** – Drummond said that she could not remember, but would get back with that information.

IX. *Balto-Seppala -- Lloyd Steele Parks Connection*

Peter Briggs, Corvus Design, provided this report.

- Original plan to put in a boardwalk with pilings was opposed by AWWU because of a need to access buried pipe.
- The new plan is to put in a combination of compacted gravel and short sections of no-foundation boardwalk.
- There will be a walk-through with the Corps of Engineers on September 4 at 10 am to get their input because the area contains wetlands.
- Project is paid for by the Anchorage Park Foundation, which provides a lot of flexibility in design and installation timing.
- Cathy Gleason was concerned that this project planning has been going on for years with little movement, but now different design ideas are being brought up with little time to evaluate the alternatives if the project is going to be built this season– suggested that the project be slowed down. Suzanne Little from the Municipality said that they are doing this project at the request of the community and they will follow community desires for timing and design.

X. *End of meeting*

Adjourn 9:20 pm

Respectfully submitted,

Chris Habicht, Secretary-Treasurer