

Rabbit Creek Community Council, Minutes for December 10, 2015 (draft)
Goldenview Middle School, Library

Co-Chair Nancy Pease opened the meeting at 7:05pm. Board members current and incoming introduced themselves. Excused: Pat Abney, Joan Diamond, Keith Guyer, David Sterling

20% of members were present and the meeting was declared a general membership meeting.

Minutes: November, 2015 minutes were approved without objection.

Treasurer's Report: none

Agenda changes: Add: upcoming Title 21 amendments, South Goldenview Rural Road Service Area report, and Bird TLC resolution. Changes were approved without objection.

Legislative/Assembly Reports:

Assemblyman Bill Evans updated the Council on potential changes to the city taxes, changes to land use regulations, changes to the MOA Charter allowing 50% of the vote to make changes, marijuana tax, potential sales tax, tax cap recalculation and vote by mail. Evans took questions on the potential appointment of LRSA board members vs. the current election of same. Another question was about a drainage authority plus report that a stretch of Evergreen Ridge is outside of the LRSA and there are now serious drainage issues there.

Senator Cathy Giessel said that we have all read the Governor's potential solutions to the state revenue shortfall in the newspaper. She is also working on the LNG project. Audience comments included not taxing the elderly to a level that would make them leave the state, and wanting taxes to go to pay for services for those who can't pay. Two members spoke up wanting to be taxed to retain needed services.

State House candidate Ross Bieling introduced himself and said he came to listen.

The mayor's chief of staff, Susanne Fleek-Green said the bond package would be unveiled next week. The city is also preparing their wish list for Juneau; there will no CIP projects but will be some general obligations bonds. One comment was the lack of information available on the CIP after the Council sends comments on the early draft CIP to the MOA Budget Office in the spring.

Old/On-going Business:

AWWU/Davidson Park replat update: the Platting Board made their decision on the replat which included our Council's request to locate the driveway to the park out toward RC Rd for more exposure. They placed conditions on the replat to widen Davison Dr to "resolve with the Fire Dep't the need for a fire truck turn-around". Holmes said the neighbors likely do not know of these conditions and probably will not like the apparent requirement to widen their road/driveway.

142nd Rd update—Lees discussed a resolution he drafted regarding the on the design/upgrade of the road to-date plus the frustration of not having access to Public Works officials. Several council members asked Adams to give more specific details about the residents' inability to contact city officials. Advice was given to ensure that the resolution state specific problems and propose specific, constructive responses. The resolution was delayed until another meeting.

Bylaws Amendments: Three amendments have been publicized for over a month—on our Council website, through direct e-mail to members in October and November, and in hard copy at

our last meeting. Hard copies were available at this meeting. Council Board is asking members to change the way a general meeting quorum is calculated—from 20% of members to a flat number of 13. In addition, it is being recommended that instead of a membership contact form that the sign-in sheets will suffice for membership verification.

Motion by Charles Baker and John Isby to increase the quorum to 15. Discussion followed: Mendenhall and Lees shared research on how other Councils set a quorum. About half of the 30-plus Councils specify a quorum, and some set the quorum at 5 up to 13; with 2 councils having a quorum of 15. RCCCC achieved a 13-person attendance at 60% of meetings in the last 12 months. Pease explained the purpose of a moderate quorum instead of a high quorum is to ensure that meetings can be conducted as general membership meetings, with all regular members able to make motions and vote, as often as possible. Otherwise, a Board meeting is declared and just the Board will debate and vote on the issues. .

Motion by Charles Baker and Isby to increase the quorum to 15. Yes=3, No=19, 2=Abstaining. Motion failed.

Motion by Lees and Michaels and others to dispense with reading the Bylaws changes. Passed without objection.

Motion by Judith Michael and Ron Devon to accept the Bylaws amendments as proposed. Yes=20, No=1, Abstaining=2. Motion passed. Chair's note: Bylaws amendments must be submitted for MOA final approval.

New Business:

Bird Treatment and Learning Center presented their flight cage design which will be built on their property on the Old Seward Hwy where the former Rabbit Cr Inn was—above Potter Marsh. It will be 100 x100 ft with 4 sections for different types of birds and surrounded on several sides by a chain-link fence 10 to 12' high. Existing parking will be used. The ultimate plan is for a clinic onsite, but there is no plan and no fund-raising underway: that is very indefinite. Concerns from the members included the fact that the vegetative buffer that is there now is actually DOT's ROW and could be removed at any time the road is upgraded, thus leaving the flight cage structure very exposed. The road currently is thought of as an informal Scenic Byway and RCCC has repeatedly submitted comments to DOT to re-design it as a scenic/rural country road with recreation amenities when this road is rebuilt. Council members expressed the desire to keep a vegetative screen. Bird TLC replied that it is in their best interest to keep a buffer and that they may plant additional trees; they stated the zoning needed to be changed to PLI. *Chair's note: after the meeting the Chair was informed that the re-zone to PLI already took place in 2003, and this effort is to obtain a Conditional Use Permit, not a re-zone.* Other comments included the recommendation to electrify the fence and another noted the design diagram showed one corner of the building to be right against the DOT ROW buffer. Bird TLC said volunteers will construct the building.

Motion by Holmes and Baker to read a resolution submitted by the Bird TLC to see if members want to amend it. Later the motion was withdrawn. Discussion: the resolution mentioned an education center in a second building phase. The resolution did not mention a re-zone. Pease thought the resolution should be based on the current application to P&Z, and address the specifics of the project, whereas this resolution was general. Pease and others also mentioned the lesson learned by the Council when it acted too hastily to endorse a park proposed by the Rugby Foundation, when the neighbors had not yet been adequately heard. The hearing for this P&Z application is not until February: there is time to review the full application at our January meeting.

Motion by Judith Michael and Mendenhall to support the conceptual Bird TLC flight cage project, and to follow up by considering the TLC application (the actual submittal to P&Z) at the January meeting with the intention to provide specific comments. Council can review future developments as they are submitted. Passed with 21 votes.

Retail marijuana stores in downtown—PZC #2015-0119—no business-zoned acreage in our Council area meets the requirements for commercial marijuana enterprises, so the Council decided to take no position

DeArmoun short plat #S-12247—change of lot boundaries at Mosesian Greenhouse site—Pease discussed it with planner assigned to this case. It is a shifting of internal lot lines. No comment.

Title 21 amendment for assisted living facilities, #2016-0014. The PH is Jan 11th before RCCC's next meeting. This came up too recently to get information to the members for discussion, so Charles Baker and Nancy Pease will comprise a committee to look into the case and bring it to the Board electronically.

Motion by Holmes and Schimscheimer to extend the meeting 5 minutes. No objection.

RCCC Vision and Priorities: Pease listed the accomplishments for the year and asked members to think about goals/priorities for 2016.

SGVRRSA's director Mark Schimscheimer said they have left over funds and don't know whether to return funds to residents or reduce future taxes or use the funds to help fix problem areas like Bluebell and GV intersection. He said he opposes the proposed change to appoint road service board members (currently they are voted in).

Adjournment 9:07 pm