

THE CITY AND BOROUGH OF JUNEAU, ALASKA

MAY 20, 1976

Meeting No: 295; The regular meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers of the Municipal Building and was called to order at 8:00 p.m. by Mayor Kline.

I. Flag Salute was led by Mayor Kline.

II. Roll Call:

Assembly Present: Assemblymen Aase, Chitwood, Freer, Madsen, Morrison, Overstreet (arrived 9:38 p.m.), Stitt, and Mayor Kline.

Assembly Excused: Assemblyman Thomas.

Staff Present: Mar Winegar, Manager; Lee Sharp, Attorney; E. J. Emery, Clerk; Art Hartenberger, Planning Director; John Coffee, School Superintendent; Jim Kennedy, Finance Director.

III. Approval of Minutes: None.

Special Order of Business:

(a) 1976-77 Budget and Levy:

Mayor Kline stated that this item would be combined with Item (d) under Ordinances - Ordinance 76-13, AN ORDINANCE APPROPRIATING MONEY OUT OF THE TREASURY AND LEVYING A PROPERTY TAX.

Assemblyman Chitwood moved for suspension of the rules to allow amendments to the Ordinance set for public hearing so the audience would know what the public hearing was about.

There being no objection, it was so ordered.

Assemblyman Chitwood stated that to do this, a motion for adoption of Ordinance 76-13 was required and he so moved. In addition, he moved for amendment of the Ordinance effecting a change from the Ordinance as originally presented to the form presented by the Finance Committee and asked unanimous consent.

Mr. Winegar commented that the proposed millage rates should be entered into the Ordinance as follows: Areawide, 11.20; Juneau Service Area #1, 2.25; Douglas Service Area #2, 1.26; Rural Non-Areawide Service Area #3, 0.99; Auke Bay Service Area #4, 0; Glacier Valley Service Area #5, 1.06; North Douglas Service Area #6, 0.42; Salmon Creek Service Area #7, 0; Lynn Canal Service Area #8, 0.57. He stated that assessed valuation utilized for these figures took into consideration the maximum allowing for appeals and/or reductions.

Assemblyman Chitwood agreed to include the mill levy amounts in his proposed amendment.

There being no objections, it was so ordered.

Assemblyman Aase requested clarification from Mr. Winegar regarding support for the school system in the Ordinance and was told that \$1,200,000 of the \$2,905,000 allotted to "Support of Other Operations" was presently for schools as indicated by previous Assembly action. Assemblyman Aase asked if the amount were changed from \$1,200,000 to \$2,000,000, the mill levy for the coming year would remain the same as it is now. Mr. Winegar answered that it would, remembering that "that's the areawide component."

Assemblyman Chitwood asked if the \$10,004,000 for School Operations under 'Special Operations' on Page 2 of the Ordinance included the 1.2 local monies and was told that it included local support plus that anticipated from other sources. Assemblyman Chitwood questioned where the remainder of the 1.2 million was reflected. Mr. Winegar stated that it was part of the 2.9 for "Support of Other Operations" on Page 1.

Assemblyman Chitwood moved for public hearing.

Assemblyman Aase asked where in the Ordinance the allocation to the University appeared and was told that it appeared as a separate item reflecting \$65,000 to the Community College.

Mayor Kline then opened the meeting for public hearing, stating that the hearing was on the total budget which included schools. She stated that a public hearing had already been held on the school portion of the budget but any new or additional comments were invited at this time.

Public Participation:

Judy Crondahl spoke saying she had not heard anyone saying to cut the school budget and urging the Assembly to take into account the testimony given at the previous hearing and to take action based on the comments of the public.

John Coffee, School Superintendent, stated that he hoped the Assembly would consider all the hearings when it made its final vote. He pointed out that work on this had started in October and during that eight months no one had urged big cuts in the budget and that the Citizens Review Committee had concluded it was really a "lean" budget except for some necessary salary increases. He further stated that the Board had passed the budget unanimously before forwarding it to the Assembly. He indicated a hope that in addition to looking at the tax rate, the Assembly would consider what the community wants and the fact that there had not been an uprising of citizens objecting to the school budget. He said it didn't make sense to operate in Juneau any cheaper than in other areas of the State and compared Ketchikan which passed a \$2.1 million local effort. He asked if in other years, the Assembly could consider arriving at the budget amount earlier to enable forecasting of employment security, new hires, etc. He urged the Assembly to support the school budget at or close to the level requested.

Assemblyman Chitwood asked Mr. Coffee if he had seen the list of capital improvements the Assembly had approved and Mr. Coffee answered that he had gotten a total rather than a listing.

Assemblyman Aase stated that the Assembly had funded at least \$217,000 in capital improvements and asked Mr. Coffee if he would rather have \$117,000 in school operations money or in capital improvements. Mr. Coffee replied that he would rather not have to do either and that he felt it would be unfair of the Assembly to present the schools with this kind of choice.

There was general discussion concerning "Capital Projects" in the budget.

Gerald Williams, District Judge, spoke on behalf of the Alcohol program and commented on its services to the court and to the community. He stated that 85% of the cases which come into the

District Court are matters which are alcohol related and that for the past year and a half the court had utilized the services of the Alcohol Center to a very significant extent. He said that the rate of recidivism for alcohol related offenses in Alaska is extremely high and that an alcohol program with the impetus of court referral is quite effective reducing recidivism to about 1/10th of the rate of unreferred cases. He stated that in the last 18 months, the court had referred at least 350 persons to the Alcohol Information School and that the courts were recognizing the importance of utilizing community resources. He added the feeling that this particular resource was very important and indicated that the court intended to utilize it to the fullest extent possible. He stated that the Center had been useful in providing services for long range intensive programs (i.e., Veterans, BIA, programs in Anchorage, etc.), and the court was, and would be making, effective and consistent use of it. He stated that the District Court was very concerned with the continuation of a viable resource in the community.

Assemblyman Chitwood asked whether the court system had approached the Legislature on behalf of a Statewide funded program rather than a locally funded program. Judge Williams replied that he had not been very close to the program on a Statewide level but he knew there had been a change in the justice systems regarding alcohol and its treatment. He said it has been considered as a major justice problem which had not been the case in the past.

George Barril, with the Alaska Native Commission on Alcohol and Drug Abuse, spoke in support of the Juneau Alcohol program. He stated that what the program would receive looked like a substantial drop compared to what they had requested. He indicated that programs of this type are frequently evaluated quantitatively rather than qualitatively and he felt this could not be effective in measuring success. He said Juneau had what is known as a "comprehensive" program providing a full range of services and a substantial cut would affect a major portion of this program, particularly intake and referral, resulting in a high rate of recidivism and reduction in terms of the number of persons helped. He stated that, in his experience, the slack could not be taken up by putting intake and referral into someone's basement and that hiding a drunk does not make him a productive citizen.

Assemblyman Morrison asked Mr. Barril if the Crisis Center had any possibilities for relocation and Mr. Barril replied that he was not aware of any and that he was concerned with the Native people, a large portion of whom were represented in the concerns of the Alcohol program. He stated that the Crisis Center was a vital part of any comprehensive program.

Bill Kerrigan spoke on behalf of the Alcohol program stating that it was due to the efforts of such programs that he was rehabilitated and is now the Director of the Wrangell Council on Alcoholism. He stated that without such a program and the help of people, he might be dead by now.

Tom Stewart, Superior Court Judge, stated that he felt the Alcohol program was a critical element of the attempt to resolve crime problems in the community. He indicated that 80 to 90% of the cases appearing in Superior Court were alcohol related and he felt that a meaningful reduction would only occur by addressing the alcohol problem. He stated that it goes beyond crime, to the area of family relationships, divorces, children in trouble and children with alcohol problems, neglected children, etc. He stated that he could not stress too much the need for maintaining the program at a maximum level and that it certainly should not be reduced. He urged favorable consideration of the requested amount.

Skip Barber, of the Alcohol Advisory Board, stated that the community of Juneau was aware that it was having problems with its youth and that ignoring the problems would only result in their continuation. He stated that we have to start caring about our young people and that we have a responsibility to our fellow human beings and if we lose sight of that, we're no longer public servants. He further stated that beautiful monuments to mankind are worthless without people to enjoy them. He also addressed the drug situation in Juneau indicating that drugs are more prevalent in the area than most people realize. He felt the Alcohol program was moving ahead in a positive direction and expressed the hope that the Assembly would replace the funds for the program. He further stated that there were four alternatives for location of the Crisis Center which would come before the Assembly at a future time.

Assemblyman Freer asked Mr. Barber if he felt there was a chance for relocation of the Crisis Center to continue the program and perhaps provide a better quality service. Mr. Barber said "yes," he felt there were some very strong proposals.

Romada Green, representing the Mental Health Clinic, spoke in support of Mr. Barber's comments and of the Alcohol program and stated that she based her comments on the association of one service agency with another. She indicated a conviction that the existing program is quite effective and much better than previous programs and that cutting the budget would certainly not increase its effectiveness. She urged Assembly support of the program.

Laurie Eakan, Project Director of the Alcohol program in Kotzebue, stated that when the Assembly cuts its budget and its support, other monies are also cut. She said Assembly support is a 25% basis for the State and that alcohol is the number one health problem, social problem, and economic problem in the State.

Mike Kemmlinger, a student at JD High School, stated that he was very active in sports at school and felt that sports would be the first to suffer if the budget was cut. He indicated that such programs were important to him, to other students and to parents.

Bill Pelto, a Senior at JD High School, said that there were a lot of students to benefit from the educational programs in school but for a lot of students alternatives are provided to becoming alcoholics and criminals - such alternatives being the athletics program, the outdoor education program, etc.

Louise Bigley indicated that school programs are very important to students who may not take into consideration monetary aspects and that many parents are willing to have their taxes increased to provide the programs their children value. She asked the Assembly to support the schools to the best of its ability.

George Mundell, of the Alcohol Board, discussed citizen involvement in this program and ways the assembly could encourage public participation by offering "in kind" support.

Jim Wilson spoke requesting the Assembly to consider "bureaucracy" budget cuts by utilizing local expertise, sharing secretaries, etc. He stated that he did not want to see the school programs cut but did not think the City could afford a bigger budget.

Gavin Rogers, a Junior at JD High School, addressed the Assembly, saying that he would like his younger brother and sister to have the same opportunities in school that he had.

There being no further public participation, Mayor Kline requested deferring action on the budget until the arrival of Assemblyman Overstreet and a recess was called at 9:20 p.m.

Appeal of Chilkat Fuel, Inc., An action of Adjustment on April 12, 1976. Administrative Report: For the last few years Chilkat Fuel has been building in a RML residential district. The Board of Adjustment, by a seven-to-one vote denied the application for a renewal. This matter has been appealed to you and the time of the hearing was set for this meeting.

Public Participation:

Bud Saylors, the Director of Administration for the State Department of Public Works, told the Assembly he was not representing Chilkat Fuel but that the State owned a trailer located on the property in question which has been occupied continuously since 1973 on a temporary permit. He stated that at the time of the denial, the State had not been prepared to testify. He further stated that at present five employees occupy the trailer and that he hoped the Assembly would allow them to remain at least another six months, due to lack of other facilities and the problems encountered by moving at this time. He said that at the end of six months, weather permitting, the trailer would be moved from the premises.

Assembly Action: Assemblyman Chitwood moved to grant the appeal.

Assemblyman Madsen moved to amend the motion to a six months extension.

Assemblyman Freer moved to amend the amendment to indicate the six month extension as being final with no assurance of continuance beyond that time.

Assemblyman Stitt objected to the amendment and a roll call vote was taken.

Yeas: Aase, Chitwood, Freer, Madsen, Morrison, and Kline.

Nays: Stitt.

Motion carried 6-1.

Assemblyman Stitt objected to the motion and a roll call vote was taken.

Yeas: Aase, Chitwood, Freer, Madsen, Morrison and Kline.

Nays: Stitt.

Motion carried 6-1.

IV. Ordinances for Public Hearing:

- (a) Ordinance 75-10(oo): AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$35,000 AS THE CITY AND BOROUGH SHARE OF THE COST OF THE ALASKA ELECTRIC LIGHT AND POWER COMPANY CONSTRUCTION OF THE TELEPHONE HILL PEDESTRIAN TUNNEL, SUCH AMOUNT BEING A JUNEAU SERVICE AREA (NO.1) UNAPPROPRIATED FUND BALANCE. Administrative Report: This supplemental budget Ordinance would take \$35,000 from the Juneau Service Area No. 1 unappropriated fund balance to be used to share in the costs of constructing a tunnel on the alignment of Second through Telephone Hill. A subsequent appropriation will be needed to actually prepare a complete walking surface, smooth the interior, and to provide lighting. If this Ordinance is adopted, appropriate modifications will have to be made in the Manager's draft of the Juneau Service Area No. 1 1976-77 budget.

Public Participation:

Norma Peterson told the Assembly that she was in favor of spending \$35,000 to put in a tunnel and she felt it was about time to start moving ahead and putting out a little money to get things going in Juneau.

Assembly Action: Assemblyman Madsen commented that the tunnel would probably benefit the State capital complex and questioned whether the possibility of State assistance had been investigated. Mr. Winegar replied that it had not. Mayor Kline asked whether that was a possibility. (Assemblyman

Overstreet arrived at this time.) Mr. Winegar told Mayor Kline that anything was a possibility but that he felt it wasn't too likely.

Assemblyman Freer moved to adopt Ordinance 75-10(oo) and asked unanimous consent. Assemblyman Madsen objected and a roll call vote was taken.

Yeas: Aase, Chitwood, Freer, Overstreet, and Kline.

Nays: Madsen, Morrison, and Stitt.

Motion carried 5-3.

Mayor Kline called for a return to Ordinance 76-13.

Assemblyman Chitwood moved to amend "Support to Outside Agencies" by adding \$500,000 to it and adding \$500,000 to "School Operations."

Mr. Winegar made the following corrections to the Ordinance: addition in Service Area #2, Douglas Fire Contract Services, lowered by \$4,500; in Service Area #1, Police Administration, there was a reduction in overtime in the amount of \$1,000. He stated that the total figures shown were still correct. On Page 4, he added Federal Revenue Sharing at \$432,000 and the Community Development Block Grant Program at \$1,595,000, and again stated that the total figures were correct.

Mayor Kline called for objections to the amendment to increase the "School Operations" from local funding from \$1.2 million to \$1.7 million.

There was an objection and Assemblyman Overstreet moved for a five minute recess. There was an objection to the motion and a roll call vote was taken.

Yeas: Aase, Freer, Morrison, Overstreet, and Kline.

Nays: Chitwood, Madsen, and Stitt.

Motion carried 5-3.

Assemblyman Freer moved to amend the amendment made by Assemblyman Chitwood to provide the School System with \$2.4 million of local tax support and requested a roll call vote.

Yeas: Freer, Morrison, and Overstreet.

Nays: Aase, Chitwood, Madsen, Stitt, and
Kline.

Motion failed 3-5.

Assemblyman Morrison moved to amend the amount to the School System to \$2.2 million and a roll call vote was taken.

Yeas: Freer, Morrison, and Overstreet.

Nays: Aase, Chitwood, Madsen, Stitt, and
Kline.

Motion failed 3-5.

Assemblyman Aase commented on the reduction of support to the Community College.

Assemblyman Morrison stated that on the Assembly there were at least five votes for \$2.1 million which was the majority of the Assembly but that it wasn't a majority of the present Assembly.

Assemblyman Aase stated that if the Assembly could not vote for \$2.1 million now, he would provide a notice of reconsideration on any vote for the purpose of allowing Mr. Thomas to vote.

Assemblyman Freer stated that he and Mr. Thomas had discussed the level of funding for the school budget on several occasions and were in concert with the \$2.4 million figure and that it was unfortunate that Mr. Thomas was not present to support the present amendment.

Assemblyman Aase moved to establish local funding at \$2.1 million and eliminate the \$65,000 to the Community College and vote on them as separate issues and added that it was his understanding that if the Assembly did not increase the budget by more than \$200,000 the mill rate would remain substantially the same. A roll call vote was taken on the motion to fund the School system at \$2.1 million.

Yeas: Aase, Freer, Morrison, and Overstreet.

Nays: Chitwood, Madsen, Stitt, and Kline.

Motion failed 4-4.

Assemblyman Chitwood moved to amend the amount of funding to \$2 million and asked unanimous consent.

Assemblyman Stitt objected and Mayor Kline called for a roll call vote.

Assemblyman Morrison stated that he was going to vote against the amendment. He said that it was grossly unfair that the will of the majority of the Assembly should be thwarted by four people and he didn't see any reason for making a decision now.

Assemblyman Aase stated that he didn't think the will of the majority was being thwarted and that he would vote against anything under \$2.1 million and for anything over \$2.1 million and that he felt it was clear that nothing would be accomplished at this time.

Assemblyman Overstreet asked if there was any problem with reconsideration on the budget and Mayor Kline replied that if it wasn't adopted by the 31st of May, the Manager's budget was automatically adopted. Mr. Sharp told the Assembly that if the Ordinance was adopted, notice of reconsideration is still effective. For clarification, Mayor Kline stated that those who approved the Manager's budget rather than that of the Finance Committee would vote against and if five votes in favor could not be cast between now and the 31st, the Manager's budget would automatically go into effect.

Assemblyman Morrison stated that, upon careful deliberation, he would vote for the amendment at \$2 million. Mayor Kline called for a roll call vote.

Yeas: Chitwood, Freer, Morrison, Overstreet, and Kline.

Nays: Aase, Madsen, and Stitt.

Motion carried 5-3.

Assemblyman Aase moved to delete \$65,000 from the allocation to the Community College and transfer the funds to "Support of Other Operations" as part of the school system fund.

Assemblyman Freer commented that the funding for the Community College started at about \$102,000 or \$103,000 which was the request of the College Director. He stated that he felt it would be out of order to not support a Community College system in this community and that he objected to taking the money away from the organization.

Assemblyman Overstreet stated that he felt the student-teacher ratio at the Community College was low (approximately 10:1) and that in the public schools the ratio is more than doubled, the work load is more than doubled, and the salary is something less. He said he could not contribute to that kind of operation.

Assemblyman Aase said that the Assembly was down to the point where it had to make judgements on programs and that his motion was not made against the Community College.

Assemblyman Madsen asked if the motion would be in addition to or included in the \$2 million and was told that it would be an addition to it.

A roll call vote was taken on Assemblyman Aase's motion to transfer \$65,000 from the Community College to funds to "Support of Other Operation" for the school system.

Yeas: Aase, Morrison, Overstreet, and Stitt.

Nays: Chitwood, Freer, Madsen, and Kline.

Motion failed 4-4.

The question was asked whether notice of reconsideration was required on each item or only on the total action. Mr. Sharp replied that after the Ordinance is adopted, assuming that it is, notice of reconsideration would encompass the entire Ordinance including any amendments. He stated that amendments as such would stand but that any slight variation could serve to alter intent and content.

Mr. Winegar clarified the content of "Support to Outside Agencies" as follows: Teenage Club, \$28,000, Alaska Homemakers, \$2,000; Arts and Humanities Council, \$4,000; Receiving Home, \$16,000; Chamber of Commerce, \$21,000.

Assemblyman Freer spoke to restore the amount of funding to the Alcoholism Program in the amount of \$30,000 and he commented on the previous public testimony, particularly that of the District and Superior Court Judges who supported the program. He stated that the program, and a lot of human resource programs, could not be measured quantitatively by the nature of the services provided and he expressed doubt that a cut of any kind from a maintenance level budget is justified. He moved for restoration of \$30,000 to the Alcohol Rehabilitation Program.

Assemblyman Aase asked if Assemblyman Freer was adding \$30,000 to the budget or transferring from another item.

Assemblyman Freer said that he was asking that the cut of \$30,000 be restored.

Assemblyman Chitwood commented that the Alcohol budget as proposed has increased from \$330,000 this year to \$374,8000 for next year, nearly a \$50,000 increase.

Assemblyman Aase moved to amend the motion changing the amount from \$30,000 to \$10,000 which would return it to its level for the current fiscal year and that the "Terminal Leave" item of \$20,000 be changed to \$10,000 thereby retaining the original balance. This action would increase the allotment for Alcohol Rehabilitation by \$10,000 more.

There was an objection to the Amendment and a roll call vote was taken.

Yeas: Aase, Madsen, and Kline.

Nays: Chitwood, Freer, Morrison, Overstreet, and Stitt.

Motion failed 3-5.

A roll call vote was taken on the original motion.

Yeas: Freer and Morrison.

Nays: Aase, Chitwood, Madsen, Overstreet, Stitt, and Kline.

Motion failed 2-6.

Assemblyman Morrison moved to add \$20,000 to the funds for the Alcohol Program and reduce "Terminal Leave" by \$10,000, and a roll call vote was taken.

Yeas: Freer, Morrison, and Overstreet.

Nays: Aase, Chitwood, Madsen, Stitt, and Kline.

Motion failed 3-5.

Assemblyman Madsen moved to cut the general operations of the City by 10% overall.

Mayor Kline asked for clarification of the motion and was told that it was intended to reduce the areawide general operations, except for the schools, by 10%.

Assemblyman Morrison asked what the dollar effect of this would be. Assemblyman Madsen said that added up, there was approximately two mills.

Assemblyman Madsen said that he would like to see the budget cut by approximately two mils. Mr. Winegar asked if 10% of the total budget would include all sources and Assemblyman Madsen said that it only included local contributions which applied to the property tax levy. Mr. Winegar stated that you might say local contributions also included sales tax and Assemblyman Madsen said this was not intended to be included, that it applied to the millage rate resulting in apportionment to all affected departments.

There was general discussion regarding the possible effects of the foregoing motion.

A roll call vote was taken on the motion.

Yeas: Chitwood, Madsen, and Stitt.

Nays: Aase, Freer, Morrison, Overstreet, and Kline.

Motion failed 3-5.

Assemblyman Madsen moved to cut the Mayor's and Assembly's budget by \$20,000 from \$199,800 to \$179,800.

Assemblyman Aase objected and a roll call vote was taken.

Yeas: Chitwood, Freer, Madsen, Morrison, Stitt, and Kline.

Nays: Aase.

Motion carried 7-1.

Assemblyman Chitwood moved to reduce "Support to Outside Agencies" to \$44,000 leaving in the \$16,000 for the Receiving Home and \$28,000 to the Teenage Club. This motion would eliminate the Alaska Homemakers, Arts and Humanities and the Chamber of Commerce.

A roll call vote was taken on the motion.

Yeas: Chitwood, Madsen, and Stitt.

Nays: Aase, Freer, Morrison, Overstreet, and Kline.

Motion failed 3-5.

Assemblyman Madsen moved to cut by 5% the general operations of the City in the same manner as his previous motion concerning reduction of the area-wide mill levy and a roll call vote was taken.

Yeas: Chitwood, Madsen, Overstreet, Stitt, and Kline.

Nays: Aase, Freer, and Morrison.

Motion carried 5-3.

Assemblyman Madsen moved to reduce the capital improvement budget from \$217,000 to \$100,000.

An objection was made and a roll call vote was taken.

Yeas: Aase, Chitwood, Madsen, and Stitt.

Nays: Freer, Morrison, Overstreet, and Kline.

Motion failed 4-4.

The question was called on Ordinance 76-13 to adopt the Ordinance as amended by the Finance Committee and a roll call vote was taken.

Yeas: Chitwood, Freer, Madsen, Stitt, and Kline.

Nays: Aase, Morrison, and Overstreet.

Motion carried 5-3.

Assemblyman Aase gave notice of reconsideration and asked for a special meeting for consideration on Monday, May 24, 1976, at 8:00 p.m. The request for a special meeting was supported by Assemblymen Freer and Overstreet.

- (b) Ordinance 75-10(pp): AN ORDINANCE APPROPRIATING TO THE MANAGER THE SUM OF \$20,300 FOR COMPREHENSIVE EMPLOYMENT TRAINING ACT PURPOSES, SUCH AMOUNT BEING ADDITIONAL FUNDS TO BE RECEIVED UNDER A MODIFICATION TO A STATE ADMINISTERED GRANT.
Administrative Report: This supplemental budget Ordinance, if adopted, will provide additional supplemental funds for our CETA program. These funds will provide eight additional positions from April through June. They are being assigned as follows: (1) Laborer - Public Works; (1) Litter Enforcement Officer; (2) ACA Crisis Aides; (4) Park Maintenance workers.

Public Participation: None.

Assembly Action: Assemblyman Freer moved for adoption of Ordinance 75-10(pp) and asked unanimous consent.

There being no objections, it was so ordered.

Mar Winegar requested that Ordinance 76-11 be referred to a Committee of the Whole meeting. There was no objection.

- (e) Ordinance 76-14: AN ORDINANCE AUTHORIZING THE SALE OF LOT 3, BLOCK O, IN PINWOOD PARK SUBDIVISION NO. 2, ON WHICH THE VOCATIONAL DEPARTMENT OF THE JUNEAU-DOUGLAS HIGH SCHOOL HAS BUILT A DWELLING.
Administrative Report: This Ordinance would authorize the sale of the home recently completed by the City/Borough School Vocational Education class. The minimum price provided in the draft Ordinance is \$72,400. Also, as discussed in previous years, a 1% sales tax charge is added.

Public Participation: None.

Assembly Action: Assemblyman Freer moved to adopt Ordinance 76-14 and asked unanimous consent.

Assemblyman Morrison moved to amend the minimal acceptable bid to \$69,000.

Assemblymen Freer and Madsen objected to the amendment and a roll call vote was taken.

Yeas: Morrison and Kline.

Nays: Aase, Chitwood, Freer, Madsen, Overstreet, and Stitt.

Amendment failed 2-6.

There being no objection to the motion, it was so ordered.

V. Unfinished Business:

HUD/Corps of Engineers Flood Plain Study: Administrative Report: As a result of an Assembly inquiry, staff requested supplemental information from HUD/Corps of Engineers relative to proceeding with the study. In essence, a particular area could be deleted from the study if formally requested by the Assembly and concurrence is given by the appropriate Federal people.

Public Participation: None.

Assembly Action: Assemblyman Chitwood moved to defer action on this item and Assemblyman Morrison expressed doubt regarding what action would be appropriate.

There being no objections, it was so ordered.

VI. New Business:

(a) Resolution 368: A RESOLUTION AMENDING RESOLUTION SERIAL NO. 348 TO REDUCE THE AMOUNT OF PROPERTY TO BE ACQUIRED AND APPROVING THE UPDATED APPRAISAL FOR THE PROPERTY TO BE ACQUIRED. Administrative Report: Mr. Winegar stated that the Assembly might want to consider this resolution in Executive Session after the Assembly meeting.

Assemblyman Freer moved to defer action on this resolution until after an Executive Session to which there was no objection.

(b) Resolution 369: A RESOLUTION AUTHORIZING THE MANAGER TO ACQUIRE A PORTION OF PINWOOD PARK SUBDIVISION NEAR SWITZER CREEK FOR RECREATION AND OPEN SPACE PURPOSES. Administrative Report: Heretofore you indicated a desire to acquire certain property in the Switzer Creek area utilizing Community Development Block Grant money reserved for open space. This Resolution authorizes the Manager to proceed with the steps necessary to acquire.

Mr. Winegar also stated that this item, with another later item on the agenda - the one concerning Georgia Pacific Property - and possible obligations on the Twin Lakes settlement - could affect the \$100,000 but at this point the Assembly should remember that there may already be substantial commitments on the \$100,000. Mr. Sharp stated that, in the description, the number of lots had been reduced so that the property description reads as follows:

Lots 1 through 3 of Block A, Lots 1 and 2 and
Lots 12 through 16 of Block L, Lots 1, 2, 11
and 12 of Block X, and all of Blocks C, G, K,
V and W, of the Pinewood Park Subdivision No. 2
in U.S. Survey 204, City and Borough of Juneau,
First Judicial District, State of Alaska.

Public Participation: None.

Assembly Action: Assemblyman Morrison moved for adoption of Resolution 369 and clarification of the previous description amendments was requested. Mr. Sharp reiterated the changes: to delete the word "through" and the number 3 in the second line, to delete the numbers 3 and 10 from the third line, and to insert in place of "through 3" "and 2" in the legal description.

Assemblyman Freer moved to so amend the resolution.

Assemblyman Madsen asked how much difference in dollars would the three lots make stating that if they were not too much out of reason, they may be worth acquiring and was told by Mr. Winegar that the \$100,000 should be taken into consideration in that it would only go so far. Assemblyman Madsen stated that he would like to see Lots 3 and 10 acquired if there was enough money. Assemblyman Morrison said that he would like to see those lots appraised. Assemblyman Stitt asked if the lots were currently being taxed and Mr. Winegar replied that they were.

Mayor Kline stated that there had been no objection to the amendment of the legal description involved but getting an alternate appraisal of Lots 3 and 10 would require another amendment.

Assemblyman Madsen moved for approval of the amendment and the motion to adopt including Lots 3 and 10 and a roll call vote was taken.

Yeas: Aase, Chitwood, Freer, Madsen, Morrison, Overstreet, and Kline.

Nays: Stitt.

Motion carried 7-1.

(c) Legal Services for Self-insured Retention Program: Administrative Report: Mr. Winegar declined to report on this item on the basis that the Assembly had previously referred this to one of its members for review and that the Assembly would probably want to consider it at its next meeting of the Committee of the Whole.

Assemblyman Chitwood moved to defer action.

There being no objection, it was so ordered.

(d) Mt. Juneau Aerial Tram Lease Requests: Administrative Report: You have with this agenda a recommendation from the Planning Commission relating to the request of Chuck Keen to lease certain City-Borough land. The necessary leases have not yet been prepared. However, at this time I would appreciate a conceptual decision prior to finalizing documents for your consideration.

Public Participation:

Vivian Lovaas spoke to the Assembly wanting to know exactly what parcels of land would be used for the tramway project. Mr. Hartenberger referred to a map of the area stating that one area was on Gastineau Peak and that the other area was in the Gold Creek Basin on City/Borough property. He stated that the lease would be for a temporary period. Ms. Lovaas asked if Gastineau Peak was near the Star Hill area and how close the tower would be located to the homes on Star Hill. Mr. Hartenberger replied that he thought it would be about 1600 feet and that, to his knowledge, there would not be a tower closer than that.

Ms. Lovaas stated that there was some information on the subject on the radio and she would like clarification on the proximity of the tower to Star Hill. She asked

if property would be leased where the line would go over and was told that the question of air rights had not arisen and was not up for discussion at this meeting.

Assemblyman Morrison asked why the Assembly should grant concept approval rather than wait until the leases come before it.

Assemblyman Chitwood expressed an opinion that the Manager had an extremely heavy workload and if the Assembly could save some work and time, it should do so.

Eugene Dau, a Star Hill property owner, spoke in support of the proposed aerial tramway stating that the community needed it as a tourist attraction. He said that as a property owner, he would have no objection to the cable or tram traveling near his property and that he would like to go on record as being in favor of the tramway.

Assembly Action: Assemblyman Madsen stated that he had attended the Planning & Zoning meeting at which this project was discussed and at which concerned citizens had expressed their views. He said that at this meeting Mr. Keen's proposals had received unanimous support and he moved for the Assembly's unanimous backing.

Assemblyman Morrison asked if the lessor of City owned property had to pay property taxes on the assessed value of the property and was told that this was correct.

Assemblyman Aase commented on the responsibility of the City to ensure that proper safety standards were observed and Mr. Winegar stated that the International Building Officials would have to review and approve the project.

Chuck Keen told the Assembly that tramways in America were controlled by the American Standard Institute of Tramways codes - B77-1 - which is available and that the tramway would be built accordingly and that where the Swiss codes are more stringent, they would be adhered to. He stated that it would be inspected on the day of completion.

There being no objection to the motion to approve the preparation of leases, it was so ordered.

Mr. Sharp requested clarification of Assembly intent. He was told that Assembly approval implied no intent of the Assembly to lease the property at this time, that any expenditures made by Mr. Keen based on this action would be strictly at his own risk, and that there is no commitment by the Assembly to grant any variances, conditional uses, or zone changes which may be necessary to installation.

Assemblyman Chitwood moved to suspend the rules and go to public participation on nonagenda items and recess the meeting until 8:00 o'clock, May 24, 1976.

There being no objection, it was so ordered.

Public Participation on non-agenda items: None.

Mayor Kline asked if there was anyone who wished to speak on an item on the agenda that would be deferred until Monday night. There was none.

Assemblyman Chitwood moved to recess until Monday night at 8:00 p.m., May 24, 1976, and asked unanimous consent.

Assemblyman Aase asked that before voting on the motion to recess, the Attorney clarify the implications of recessing versus adjourning prior to the special meeting called for May 24. Mr. Sharp stated that there was a notice of reconsideration before the Assembly, which should be taken into consideration.

Assemblyman Overstreet moved to adjourn.

There was an objection, and a roll call vote was taken.

Yeas: Aase, Freer, Morrison, and Overstreet.

Nays: Chitwood, Madsen, Stitt, and Kline.

Motion failed 4-4.

Assemblyman Chitwood moved to recess and asked unanimous consent.

There was an objection and a roll call vote was taken.

Yeas: Chitwood, Madsen, Stitt, and Kline.

Nays: Aase, Freer, Morrison and Overstreet.

Motion failed 4-4.

Mayor Kline asked Mr. Sharp if the Assembly could have a recess to finish the agenda and a special meeting in the same evening. Mr. Sharp stated that there wouldn't be anything wrong with having a special meeting in the same night except that the meeting was called for review of an item on the current agenda. He said that

if this item were removed from the agenda, the recess would still present a problem. Mr. Winegar stated his opinion that the Assembly could adjourn this meeting and in the special meeting take up the balance of the agenda.

Assemblyman Chitwood moved to adjourn.

There was an objection and a roll call vote was taken.

Yeas: Aase, Chitwood, Freer, Morrison, Overstreet, and Kline.

Nays: Madsen and Stitt.

Motion carried 6-2.

The meeting adjourned at 11:29 p.m.

By

Elmer J. Emery
Clerk

Countersigned

Virginia E. Kline
Mayor