

**MINUTES
OF THE
ANCHORAGE CITY COUNCIL**

July 13, 2015
6:00 p.m.
City Hall

The Council members in attendance were Diane Cook, Connie O’Connell, Neil Ramsey, Brian Rublein, and Bill Wetherton. Mayor Tommy Hewitt presided. Also in attendance were City Administrative Officer Reneé Major, Public Works Director Erwin Booth, Police Chief Dean Hayes, Police Lieutenant Mark Hoskins, Clerk/Receptionist Sandra Kunzler, and guests Andrea Hanlon, Lucy Spickard, Laura Popovich, Markus Winkler, Ron Wolford, and Scot Dawson.

The meeting was called to order by Mayor Hewitt at 6:04 p.m.

MINUTES

Minutes from the May 8, 2015, Regular Meeting of City Council were reviewed. Ramsey motioned to accept the minutes as presented, and O’Connell seconded. The motion was unanimously approved. Minutes from the May 11, 2015 Special Meeting of City Council were presented. Cook made a motion to accept the minutes. O’Connell seconded the motion, a vote was taken, and the motion carried.

TREASURER’S REPORT

The June 2015 Check Register and Financial Report were presented. There were no questions for Major.

Due to schedule conflicts, Mayor Hewitt indicated that the rest of tonight’s business would be taken out of order so that those who needed to leave could do so.

NEW BUSINESS – Part I

Appeal of Fine, 11711 Hazelwood Road, Creative Interiors, LLC

Popovich indicated there had been miscommunication between herself, the homeowner Winkler, and her sub-contractors. She elected to appeal the fine of \$2,000 that was assessed for not having protective fencing in place, construction vehicles parked in non-designated parking areas, and rock and soil stockpiles not shown on the Tree Preservation Plan. Popovich told Council that she’s been doing work in the City for 10 years without a violation, and believes there should have been advance notice of the violations before the fines were assessed. City Forester Hanlon then addressed Council. Hanlon stated that she has been working for the City since 1988, and had never seen so many violations at one time on a site. Council was provided a copy of the original Tree Preservation Plan of November 24, 2014, where areas for parking, protective fencing, soil stockpiling, material storage, and dumpster placement were clearly designated. Hanlon stated she always clarifies with the contractor and homeowner that, if any changes or variances to the Plan are required, a new

appointment must be scheduled so she can meet with them to discuss the changes. Council members also received photos of the violations. Winkler stated he took the fencing down to mow and admitted he failed to put it back up. He also said that the stockpiles of stone were to be used that day in a trench to connect the sewer, water, and utility lines. (No Trenching Permit on file at that time.) He stated the initial excavated-soil stockpile had been moved to an adjacent property, and that he had new fill brought in. He acknowledged that it was not placed in the single location as the original stockpile. Hanlon said the amount of soil delivered was excessive and placed throughout the property. She noted that City Engineer Greg Smith, who met with them on site the morning of June 8, 2015, commented on the amount of soil there. She said that at that meeting, with all parties present, she told them fines would be coming. Major pointed out that each violation took several days to correct, and although the fines could have been assessed for each day the violations existed, each fine was only assessed once for the first offense. Ramsey stated that Council must support the City's Tree Ordinance or not have an Ordinance at all. He knows residents don't intentionally violate the Ordinance, but when violations occur they must accept responsibility for their actions. Mayor Hewitt informed Popovich and Winkler that Council can let the fine stand or reduce it. Ramsey entered a motion to retain the fines for the fencing, parking, and stone piles, but mitigate some of the fine for the eight soil stockpiles. Cook seconded the motion and it was opened for discussion. It was agreed that the mitigated fine would be assessed based solely on the soil stockpiled under the trees, reducing the total by \$600. The final fine was reduced from \$2,000 to \$1,400.

Appeal of Fine, 11703 Hazelwood Road, Wolford Building and Remodeling, LLC

Property owner Dawson said that Winkler offered him the soil excavated from his property. He had the soil placed in several spots on and near where the soil excavated from his construction project was to be placed per the Tree Preservation Plan. He thought he was okay in doing so. Council reviewed both the original Tree Preservation Plan of December 22, 2014, and photographs of the 10 soil stockpiles noted in the \$1,500 fine. Hanlon stated this was a variance from the approved Tree Preservation Plan as there was no discussion about bringing in additional soil. She asked Dawson where the soil from his excavation would go now since there was no place to put it. Wolford said, with his experience, he has never had enough soil for proper grading after new construction on a one acre lot, and felt they would need a fair amount of added soil. He saw no reason for the fine. Once the additional soil was there, and he learned of the violation, he had no way to remove it because the driveway was not in. Major stated that Landscape Design & Development, who was on site the morning of June 8th to discuss grading with Smith, Booth, Major, Dawson, and Wolford was surprised by the volume of stockpiled soil. Cook said that the soil compounds the grading and drainage, leaving a lot of unknowns. Booth required the soil be contained with silt fencing to prevent erosion onto the adjacent properties, and that was completed. Ramsey stated that only one inch of soil placed on tree roots will kill the trees, and that the site has many large trees to be preserved. Cook said she can see both sides, and entered a motion to mitigate the fine to \$1,050, assessing the fine on seven of the ten stockpiles. O'Connell agreed fines are appropriate and seconded the motion. A vote was taken and all approved a fine of \$1,050.

POLICE REPORT

The June Police Activity Report was presented. Hayes notified Council that \$8,000 was received from the sale of surplus items, or about \$7,300 net after GovDeal fees are paid. Ramsey inquired if Hayes had made any changes to policies since he was appointed Chief. Hayes stated that some procedures have changed, but no policies. He noted that Hoskins pointed out some areas for improvement that they are addressing. Cook said she met with Hayes to brainstorm about ways to communicate emergencies and security issues to residents, similar to the weather alerts received on cell phones. She pointed out that not all residents are on City email, and not everyone accesses their emails during the day to receive timely alerts. They will continue to look into what systems are available.

HISTORIC PRESERVATION COMMISSION

Minutes from the June 16, 2015 meeting were shared with Council. Wetherton had nothing to add, and there were no questions for him.

FORESTRY BOARD

There was no quorum for the July meeting. Lucy Spickard, on behalf of Chair McAllister who could not attend tonight, thanked City Council for upholding the City's Tree Ordinance and for the reasonable fines that were assessed.

NEW BUSINESS – Part II

First Reading of an Ordinance Closing a Portion of Public Way – Cherry Lane

Ramsey introduced and Council held the first reading of the Ordinance.

Ramsey was absent for the remainder of the meeting.

OLD BUSINESS

Evergreen Road/Nutwood Road Bridge Construction Project

Booth reported that the project is moving forward. He is currently waiting for the committee to finalize the stone selection. Dry weather is also needed to complete the project.

Cell Tower Update

Major reported that T-Mobile and the City of Anchorage issued Notices to Proceed to AT&T for the guy wire installation. AT&T agreed to pay for the entire cost of the installation. Major stated that work should start on the guy wires this week, weather permitting.

NEW BUSINESS – Part III

Solicitation for Bids – Business District Street Signage

Cook advised Council that the bids for the street signage will move forward despite the roundabout project being delayed. She suggested the City secure bids for the signage so that a vendor can be selected. A newspaper ad will be placed in the coming weeks.

Dump Truck Bed Bids

Booth presented Council with two bids to replace the bed on the F-450 dump truck. The 1999 model's bed is rotting out and must be replaced to remain functional. He recommended accepting the low bid of \$9,226.00 submitted by Manning Equipment. No vote was required.

Police Station Partial Roof Replacement Bids

Booth advised Council that last year the back section of roof was replaced. This year the front section (over the old section of the building) must be addressed. He recommended the City accept the low bid of \$28,312.00 submitted by American Roofing. City Council unanimously agreed.

OTHER BUSINESS

Bellewood Walking Path Bridge

Booth reported that last night's torrential rains and flooding collapsed and took out the walking bridge in the 900 block of Bellewood Road. It must be replaced in its entirety. He contacted Flynn Brothers for a quick quote, and requested Council declare this as emergency repairs so replacement work can begin. School starts in less than one month, and this path is used by children to avoid walking in the busy street.

Fire House Painting

Wetheron noted that the paint on the fire station has streaks. He and others from the City and Fire Department met with Sherwin Williams and the painting contractor. Sherwin Williams felt the streaking was due to painting in too hot of weather. Wetheron said that nothing in their specifications says anything about painting in the sun or hot weather, and he wanted Sherwin Williams to accept responsibility. The south side and rear of the building need to be repainted. The cost including labor to complete the project would be \$2,400. Sherwin Williams agreed to pay \$1,800 towards repainting. Wetheron entered a motion that the City pay up to \$300 and the Fire Department pay \$300 to make up the difference. Cook seconded, and the motion was opened for discussion. Major suggested the \$600 be split three ways, \$200 from the City, \$200 from the Fire Department, and \$200 from the EMS/Ambulance Board. Wetheron asked that Major negotiate those terms. Since the latter option would fall within the motion, a vote was taken and all those present approved.

Preservation Leaders Nominations

Preservation Kentucky announced they are accepting nominations for their Annual Preservation Leader Awards, established to honor those who have excelled at preserving the Commonwealth's rich heritage. Wetheron nominated the homes owned and restored by Neil and Ann Ramsey (The Anchorage), and Markus and Stacie Winkler (Wagner House). Wetheron indicated that the City could sponsor the nominations, and pay the \$25 fee for each submission. There were no objections. Kunzler volunteered to assist with collecting photographs and writing up the required supporting documentation.

Wagner Park Landscape Plan

Cook shared LD&D's concept drawings with Council, showing placement of fencing, signage, and shrubbery to define the park from the adjacent properties. At this stage it is all

preliminary, as cost estimates will determine what actual components will be recommended in the final plan.

A motion was entered by O'Connell to move to Executive Session to discuss pending litigation, seconded by Cook. Council went into Executive Session at 7:27 p.m. and returned to Regular Session at 7:35 p.m. No action was taken and the meeting was adjourned.

W. Thomas Hewitt
Mayor

Reneé M. Major
City Clerk