

Spenard Community Council Minutes

November 5, 2008 7:00 PM. Spenard Recreation Center

2. Announcements

-No mailed agenda again this month; please pass the word to friends and neighbors to attend the meeting.

-Planning and Zoning Board will be considering the rezone for the proposed Faith Community Church development east of Arctic Blvd on November 18th. Get your comments in before November 15th.

1. Approval of Minutes & Agenda

Discussion of Agenda: Peg Auth asked if Ron Eagley had contacted the Council? (no) The agenda was approved.

Discussion of Minutes: Antonio Anderson commented that the owners of Players House of Rock were not present last month and that he is a member of the Spenard Community Council. The minutes were approved.

3. Legislative Report – none.

5. Local Projects and Issues

a. Moira Smith was not present; the Woodland Park name change matter was again tabled.

b. Steve O'Brien, director of the Montessori School on Northwood, gave a talk about the school, its history and philosophy. Current attendance is up to 200 students from all over town (no busing) age 19 months up through the sixth grade. Tours of the school can be arranged.

6. Committee Reports

a. Planning & Zoning Committee

1. Peggy Auth included an updated status report on the Northwood project in the P&Z report: the clips that were installed on the retaining wall at Aspen Dr. are inadequate to deter skateboarders; more or different clips have been ordered but will probably not be installed until next year. Peggy met onsite with two Muni representatives about the weeds in the projects landscaping. The Muni will return next spring to identify and eradicate. The landscaping was intended to be no maintenance, but thanks go out to volunteers mowing some of the grass. If anyone has any other questions/comments about the project- call Peggy at 248-0258.

2. Ron Eagley gave an update on the Ersun Aygun development. Ron has continued his investigation on the slope of the driveway – it's 7.2%, not the maximum of 5% promised before. Ron contacted Jim Sawhill (Aygun's designer) and Jerry Weaver about this to complain and learned that Jerry Weaver is going to allow the property to be used as a storage lot as soon as the lot is paved. No building or other business is required. Aygun's financing to develop a business was questioned. Allen Choy asked if a building would address Ron's concerns. Ron says he and the community want a business – not a storage lot and that the property increased in value as a result of a rezone based on Aygun's

promises, but there has been no, or different, follow through. Utilities (water and sewer) and a foundation have been installed. Gravel has been put in, but to a grade that will not allow for asphalt, too. Peggy Auth added that the last few years the Municipality has been giving Aygun preferential treatment, against the wishes of the Council and contrary to the 1987 Spenard Commercial District Strategy. It has not been fair to other businesses that have had to follow the rules. A discussion with Ron, Peggy, Antonio Anderson, Robbin La Vine, Kevin Tritt, John Billingsley ensued about why there has not been enforcement, what the actual physical status of the property is, what the zoning is on two different parts of the parcel etc. There have been several years of frustration trying to deal with this.

3. Tom Atkins voiced his concerns about the skateboarders on the Northwood/Aspen retaining wall.

4. Howard Romig of Muni Code Abatement informed the Council of that department's function: they deal with dangerous buildings, tenant/landlord disputes, temporary buildings (permit for six months w/ one six month extension maximum), people living in uninhabitable buildings. Complaints can be entered on the Muni's web site.

Discussion: Peggy asked about the status of 4003 Lois. Howard said that Land Use Enforcement is involved with that; H.R.: Code Abatement's involvement stopped when the owner got a permit to do electrical work. Cora Weaver will be able help.

6a. Conclusion: Peggy and the executive committee will draft a letter and pursue the issue with Harriet Drummond.

b. Public Safety Committee

Sam O'Connor is not present; no report.

c. Membership

No report/action from Matt Burkholder.

d. FCC Delegate Report and e. CIP Committee

Jason Bergerson is out of town; no report.

f. Alcohol Committee

Ann Maria Umholtz reported that she and Sam O'Connor reviewed the list of licenses up for renewal & turned in their report to be forwarded to Jacqueline Duke (Muni Clerk's Office). Once a year the council receives a list of all licenses in the city from Ms. Duke; it's a big chore to go through the whole thing all at once, so if anyone has any complaints during the year, please speak up then.

7. Old and New Business

a. Players House of Rock Complaint Report:

Ron Berger attended the Council meeting for the 3rd month in a row to report on the continuing problems. Players has been putting up roadblocks which has cut down some on traffic and parking on Ron's property but problems continue with the noise and trash. The main problem, though, is the continuing gunshots in the area – all between 2:00 and 5:00 AM: incidents on August 24, August 31, October 26 and November 2. There have been some injuries. Ron submitted three letters from neighbors that couldn't attend tonight's meeting that expressed the same concern: what is going to be done to stop this?

- Questions and Discussion: Barry Blumenthal asked if anything has changed with increased security? (R: There has been some change, but problems continue.) Wasn't the Assembly going to review Player's after hours permit? (Harriet Drummond: no resolution yet; Players was asked to resubmit their application by October 28th, but she has not heard if that has happened.) Ron & Barry: the problems are worst starting at 2:30 AM.

- Allen Choy spoke for about ten minutes as a non-managing partner of Players House of Rock and stated the following: Since the new traffic plan blocking off 33rd Ave a lot of problems had been eliminated and that Players had been calling Ron B. weekly to make sure things were okay. Tony's North Star Security Service has eliminated thefts. "33rd Avenue is totally secure". Disturbances are due to drug activity at the Carousel Lounge; it is not related to Players. There was an incident on 34th by PJ's, but it was not related to PJ's. He met with C.W. Floyd, a military liaison, about problems re-integrating veterans returning from overseas into civilian society; this could be the source of these problems. Players has done everything they can and they have a good operation because Jeff is retired military and doesn't put up with any crap. Antonio was hired for all outside security and he makes sure there are no noise problems. John Bilyeu with the Liquor Board has been by the last two weeks to check on things. He (Allen) has been in the business since '66 without a violation; he believes he has improved the district. Other Spenard businesses started cleaning up their property as a result of Players' example and he is providing a community service so that people don't have to get in their cars and drive drunk. .08 is too drunk to drive, but .2 or .3 might not be too much to drink. Eileen Zaiser had been threatening to shut him down since he and Jeff bought the place from Whitekeys and was the source of the noise complaints and she made racial remarks (**this was definitely not the case**), but now since Tony was running security they have a very good relationship. Allen cited a reciprocal parking arrangement he has with Tom McGrath (Frigid North) as an example of being a good neighbor. Random shooting is city wide and 75-80% of it is related to the military. Allen wants to make everyone happy and Jeff and Tony have done everything to do that. Jeff sells 1200 - 1500 dollars worth of food. The economy sucks for his industry; without selling breakfast he can't pay his mortgage. (Allen and Ron debated whether conditions were better or not. Ron: no gun shots can be allowed. Allen: it's citywide.) He opened the first indoor shooting club and he knows about guns. He doesn't want to be blamed for a city wide problem; it's not fair. Ron & Sharon B., Barry B: there weren't these problems before the breakfast club.

- Antonio Anderson: If you have an alcohol establishment, a non-alcohol establishment or an after hours establishment, you're going to have problems. His goal is to minimize the problems so everyone can be happy. He can't shut down traffic everywhere, but he can work with police to let them know who and where problems are. The problem is from both military and non-military. He's not blaming anyone particular, but he knows who the problems are. His job is to keep the operation going and keep problems to the minimum; he has reduced the problems. Allen C: Denny's and Village Inn have same problems.

- Ann Maria Umholtz expressed concerned about access for emergency vehicles past the barricades. Antonio: the barricades are movable and there is a guard at each end of 33rd to check traffic and move them for police, fire, residents, pizza delivery etc.

- Tom Atkins: It's the Muni's responsibility to strike a balance between residential and business concerns.

- Matt Claman: The Assembly unanimously passed a resolution on October 4th asking Players to apply for a conditional use permit by October 28th; had they submitted the application? Allen C. started to give an explanation... No, because... Matt C.: It sounds as if the answer is no, he's not here for a debate with A.C., return to the Chair.

-John Bilyeu of the ABC Board personally supports the after hours concept. One problem addressed at the meeting with the Chief was that of patrons leaving the after hours restaurant/bar, drinking etc outside and then returning. Players has since started a policy of once you leave, you can't come back in. These are great licensees running a good business and shouldn't be blamed for other problems. Every bar in Spenard has had shootings. There several unlicensed after hours clubs in Spenard that are cause of the problems...gambling, dope, shootings. Unlicensed, not licensed clubs, are the source of the problems. This is John's personal opinion, not the position of the Board.

-Kevin Tritt questioned if the zoning in the area is proper if the business is having such a negative impact on residences. If the residents' concerns can't be adequately addressed, then should the licensing or conditional use permit should be changed.

-Sharon B. asked John B. if he thought most of the after hours patrons were already at the bar or came from elsewhere. (John: probably both. There used to be other restaurants open 24 hours that no longer are because of problems)

-Robin LaVine asked why there are known unlicensed clubs operating, why isn't something done about that? Peggy A. asked that APD respond to that.

- Chair Matt B. gave the floor to Garry Gilliam, Commander of APD's Community Action Policing Team who in turn introduced Lt. Parker, spokesman for APD and Sgt Allen, supervisor of the CAP team and Officer Welch, member of the CAP team.

- Commander Gilliam explained that the CAP team was formed about a year ago and works in partnership with a community to solve problems. There are too many problems and not enough police to do otherwise. So far, the team has been working in Fairview, but now is appearing in Spenard. (Yes, APD knows where after hours clubs are operating, but there is one unit of five or six officers that handle that and they are swamped. Roughly, there are 300 officers and 80 detectives to handle about 250,000 calls a year, probably 50,000 plus felonies.) CAP is a philosophy, not a program, to solve problems with partnership with the community. An example is the recently implemented "nuisance ordinance" AMC 880, where after eight visits to a property the owner is billed \$500 for each subsequent visit. Next year the program will be expanded to commercial properties, too. (Antonio asked about false reports, do they count and what can be done about them? No, they don't count and filing false reports is a crime. Domestic violence and emergency assist calls don't count either. There is a screening process.) Cmdr. G. met w/ Assembly member Harriet Drummond and the Chief; the CAP team was directed to engage Spenard. He has since been in contact with Matt B, will soon be meeting the executive committee about implementing the SARA program – Screening, Analysis, Response and Assessment. This is going to be intensive and a lot of work. Please don't assume that the police know something just because you do; if there's a problem, call it in and keep calling it in. 786-8900 (not 911 unless it's an emergency) Get it logged in the system to document where the problems are. The system is data driven. He will get the

shell casing from Ron Berger tonight. This is the first he's heard of the SUV involved in the shootings. Call it in!

-Ron Eagley complained about lack of police response to his calls in the past. Cmdr. G promised to meet w/ him after the meeting.

-Allen Thornhill related his experiences of the last week: first at a meeting at the mayor's office with Community Council officers and Muni officials regarding 48th Ave traffic control, safety and American Fast Freight trucking company and then this last weekend when he parked a trailer on one side of the street and his truck on the other in front of his house – both legally parked. Within two hours he was visited twice by APD (once an officer, once the supervisor), informed that it was against the law to have a disconnected trailer parked for more than two hours and given a red tag 24 hour impound warning to move his vehicles. Why does this happen to him when AFF uses the street as their own, leaving semi trailers parked for hours or days and nothing ever happens to them? Cmdr. G responded that he didn't know the particulars, but that he would look into it. If anyone ever has a problem with police action, call 786-8500. Response is determined by priority. The CAP partnership will solve more problems.

-Peggy Auth appreciated Cmdr G's presence and what he's been saying tonight, but reiterated the concerns expressed by Allen T and Ron E. For many years the Council has been dealing with various Muni officials up to and including the mayor about the truck traffic and parking problems with little to show for it – except for now preferential and unequal police response and enforcement. Cmdr G. is in another division and so can't speak directly to this situation but acknowledged that some people have more pull than others. Ann Maria U. asked for confirmation that the trucking issue was an appropriate issue to call the 786-8900 number. Cmdr G said absolutely. You get pull by working with the SARA and CAP team to work on problems, not incidents. He cited a recent experience with City Electric. The process will start with him meeting the executive committee. The CAP team will be stretched thin trying to cover both Fairview and now Spenard.

-Matt B stressed that the police can't do everything for us, this is a partnership and we, the community, have to get involved. Please. Get involved.

-Ty Chisholm suggested radio stations will promote Community Council membership.

-Matt B's conclusion: Antonio will continue to work with police, Ron B will continue to monitor the situation; they will report back to the council next month.

-Matt Gray, active duty Air Force security and part time security employee at Players House of Rock spoke in support of after hours clubs in general and Players in particular for all the efforts Allen and Jeff have taken to appease the neighbors. The Air Force and Army have a program that will give drunk military personnel rides so that they don't have to drive drunk.

4. Assembly Report

Matt Claman: The budget has been the main topic for the assembly. Included in the proposed budget is funding for ten more police officers. In response to Barry B's: 10 officers for the CAP program? No, the assembly doesn't tell APD how to allocate, but Matt C supports more support to the program. Federal grant money is involved when possible, too. Electrical transmission issues are in the near future. Matt C. repeated that he wasn't happy that Players didn't apply for the conditional use permit on time. Now it

might be too little, too late. If Allen has objections, put them in the application, but get it in soon.

Harriet Drummond: Part of the budget process is the 2009 – 2014 Capital Improvements Program for District 3: Spenard, Sand Lake and Turnagain. Go to www.muni.org to review the budgets and projects proposed...Fish Creek Trail, McRae St, Arctic Blvd etc.

-Barry B. asked about the proposed Faith Community Christian development's impact on Arctic Blvd traffic. Matt B elaborated about other developments in the area and the cumulative impact. Matt C urged people to attend the Assembly Meeting, not just the P&Z hearings to have an impact.

-Robbin LV asked about the Lois Dr, 36th and Northern Lights project. (now scheduled 2011 - 2013)

-General discussion about different projects, bus stops, public parking on Spenard Rd.

5.c Matt B summarized the results of a meeting at City Hall between the council's officers: Matt B, Jason B, Allen T and Jim B and the Muni's Michael Fox Johnson, Russ Oswald and Bob Kneifel about the Taft/48th Ave project and ongoing problems with American Fast Freight. The Muni is developing a new plan to change the project from two phases to one phase. The soccer field would not be re-aligned. Sourdough will sell land to provide new access for AFF so that AFF's trucks will not be turning from Van Buren between the ball fields and the rec. center onto 48th and driving past residences. AFF will have to sign off on the plan, but the Administration says it is committed to proceeding.

-Barry B asked about clearing snow off the pedestrian walkway on International west of Arctic. Matt B will follow up with Jack Fullerton at DOT M&O.

-Allen T reported there are 26 paid members.

Meeting adjourned at 9:10 PM ~