

ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE

September 16, 2005

12:03 p.m.

MEMBERS PRESENT

Representative Carl Gatto, Co-Chair
Representative Mark Neuman

MEMBERS ABSENT

Representative Jim Elkins, Co-Chair
Representative Vic Kohring
Representative Bill Thomas
Representative Mary Kapsner
Representative Woodie Salmon

OTHER LEGISLATORS PRESENT

Representative Bill Stoltze
Senator Charlie Huggins

COMMITTEE CALENDAR

BUSINESS ACCESS DURING TIMES OF CONSTRUCTION

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

HEATHER WILKINS
Creekside Plaza
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

CRAIG THORN, Manager
First National Bank Alaska
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

JOHN WAISANEN
Department of Transportation & Public Facilities
POSITION STATEMENT: Answered questions and provided clarifications.

NONG HASTANAND
Sabai Restaurant
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

GORDON KEITH, Regional Director
Department of Transportation & Public Facilities
(No address provided)
POSITION STATEMENT: Answered questions.

HANK HARTMAN
Matanuska Music
Creekside Plaza
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

JEFF POTTS, Engineer
(No address provided)
POSITION STATEMENT: Offered to answer questions.

STU GRAHAM, Employee
Alaska Club
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

DIANE KELLER, Mayor
City of Wasilla
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

PAUL GARDNER
Ivanti Inc.
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

SHARRI SMITH, Owner
Cold Stone Creamery
Wasilla, Alaska
POSITION STATEMENT: Expressed concerns.

ACTION NARRATIVE

CO-CHAIR CARL GATTO called the House Transportation Standing Committee meeting to order at [12:03:59 PM](#). Representatives

Gatto and Neuman were present at the call to order. Also in attendance were Representative Stoltze and Senator Huggins.

Business Access During Times Of Construction

[Audio begins shortly after the meeting actually began.]

HEATHER WILKINS, Creekside Plaza, informed the committee that businesses have experienced losses ranging from 5-50 percent. She related that the average loss in both of her buildings is 30 percent. Businesses can't survive that, she opined. Ms. Wilkins highlighted that businesses in the area weren't warned in advance of entrance closures. Furthermore, there were no signs informing the public that other entrances were available. Therefore, summer revenue was lost and people have to be convinced to return to the mall to shop. In response to Co-Chair Gatto, Ms. Wilkins opined that the perfect solution would be to perform all the work at night. However, she acknowledged that it's not possible. Therefore, she suggested better communication, specifically having two weeks notice for schedules while understanding the possibility of change. Ms. Wilkins said that if she received such information she would be willing to pass it out to her tenants.

CO-CHAIR GATTO asked if the best manner in which to address this is for department personnel to go door-to-door to inform, by providing a document, those businesses that will be impacted.

MS. WILKINS replied yes. She further suggested erecting signs specifying the location of business access in a location that allows motorists time to turn. Ms. Wilkins informed the committee that businesses can't make their own signs because they have to be approved by Department of Transportation & Public Facilities (DOT&PF) and located where the department specifies. However, the department won't provide them.

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REPRESENTATIVE NEUMAN surmised then that a reader board specifying the entrance locations of businesses would be helpful. Representative Neuman said he was struck by the fact that businesses can't provide their own signs. He opined that such should be allowed to occur in cooperation with DOT&PF.

CO-CHAIR GATTO noted that he had difficulty getting to First National Bank for a few days.

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CRAIG THORN, Manager, First National Bank Alaska, said he knew there would be problems during construction. However, he said he was upset that no one took the time to inform him of his entrance closures. He said he was sure that this has impacted his business. Mr. Thorn then related that the double turn lane in Wasilla has served the area well. However, now there is a median that won't allow a left turn into and out of the bank, which isn't adequate. After discussions with DOT&PF, he said he would suggest eliminating 250 feet of median and returning to the double center turn lane. In response to Chair Gatto, Mr. Thorn said that to his knowledge there will be no service road to access the bank. At this point, to enter and exit the bank, it's a right turn.

JOHN WAISANEN, Department of Transportation & Public Facilities, interjected that a U-turn at Cruising will be allowed.

MR. THORN related that the feedback he received regarding whether there would be U-turn signage was that if it's not forbidden, then it's permitted. However, Mr. Thorn specified his preference for signage noting that U-turns are allowed.

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MR. WAISANEN indicated that DOT&PF would look into the issue of the median and [placing a sign] regarding U-turns.

CO-CHAIR GATTO opined that U-turn signage would be especially helpful at large volume traffic areas.

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NONG HASTANAND, Sabai Restaurant, expressed difficulty with those making lefts. He informed the committee that the restaurant is losing almost 40 percent of its revenue. He related similar difficulties with regard to the lack of communication as to entrance closures. In response to Co-Chair Gatto, Mr. Hastanand said that business is down now.

GORDON KEITH, Regional Director, Department of Transportation & Public Facilities, in response to Co-Chair Gatto, said he expected the project to be in its final configuration in a [few weeks].

CO-CHAIR GATTO inquired as to whether there will be barricades for the winter.

MR. WAISANEN said he didn't see the need for barricades. In response to a question, he confirmed under the final configuration there is going to be a left turn for those traveling from Wasilla to Anchorage.

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CO-CHAIR GATTO asked if the final configuration will cause businesses to go out of business. He asked if all businesses will have reasonable access.

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HANK HARTMAN, Matanuska Music, Creekside Plaza, informed everyone that under final configuration the highway returns to a five-lane road in front of Creekside Plaza, which allows access to a mall that isn't built yet. Mr. Hartman, in an attempt to get the City of Wasilla interested in completing these projects in a timely manner, suggested that the businesses in a construction zone should be tax-free. The aforementioned, he said, would result in the City of Wasilla having a vested interest in completing these projects. Mr. Hartman expressed concern with regard to the safety aspect during construction because all three major intersections were closed, and therefore an accident would've been extremely difficult to access.

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CO-CHAIR GATTO related that Pat, [the owner] of the Cheesecake Factory, testified at a prior meeting on this matter. During that meeting she related that had she had notice of the entrance closures, she would've let her patrons know. Co-Chair Gatto related that business for the Cheesecake Factory was down 75 percent, which is devastating.

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MR. THORN, in response to Representative Neuman, said that he was unaware of anyone [besides Mr. Hartman] borrowing funds or requesting modifications due to the impact the construction has had. He acknowledged that such is a possibility for the future.

MS. WILKINS inquired as to who is liable for traffic routed through a mall parking lot during construction. She expressed

concern with the routed traffic speeding through the mall parking lot.

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CO-CHAIR GATTO asked if the [owner of the] mall can put up a sign designating the speed limit within the mall parking lot.

MR. KEITH said that [DOT&PF] needs to look at the appropriate signage for the new road.

MS. WILKINS pointed out that part of the frontage road now goes through a school zone.

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SENATOR CHARLIE HUGGINS, Alaska State Legislature, asked if there is a streamlined system [that could be implemented] for business owners wanting to put up new signage for the new routing.

MR. KEITH said that it could be made a priority. He reminded the committee that last session the law relative to signs was changed.

SENATOR HUGGINS highlighted that there will be more construction in the Mat-Su Valley, and therefore he expressed the need to be more proactive.

MS. WILKINS asked what businesses will be impacted by construction next year. She opined that if that knowledge is provided now, many of the problems could be addressed prior to construction such as making signs before construction.

MR. KEITH addressed the current project for which the work next year will only be to lay another layer of asphalt, which he indicated is a slow process. Therefore, he opined that there will be minimal impacts on any geographical location. He agreed that communication is key in order to establish detours and such. Next year's project, repaving and one signal at Lucille, is an easier project that will have much less impact.

MR. WAISANEN indicated that perhaps some of the work for next year's project could be done at night.

MR. KEITH agreed.

MR. THORN noted that he has an ownership interest in a building that could be impacted by next year's construction. He requested being on a list to review the plans, specifically in regard to median locations.

MR. WAISANEN indicated that there will be some medians, but he opined that there won't be any major median work. He suggested that prior to construction, there should be an open house to inform everyone of the plans.

MR. KEITH, in response to Co-Chair Gatto, specified that an open house would be advertised on the radio and in the newspaper. He recalled that there was a public hearing on the design, which specified the medians, for the current project.

MR. THORN noted that if there is a platting action in the borough, landowners within a certain distance receive written notification. He indicated that such notification would be [helpful] with these road projects.

MR. KEITH highlighted the difficulty in getting folks interested in the design of a project four to five years prior to its construction. However, once a contractor is on board and the construction is about to occur, people come out.

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CO-CHAIR GATTO suggested that the Chamber meetings draw a lot of business owners and would be a great way to inform the business community of construction in the immediate future.

MR. KEITH indicated that there will be meetings with the Chamber of Commerce regarding the project next year.

MR. THORN pointed out the need for flexibility to adjust when there are things, such as the median, that don't work.

MR. KEITH related that the theory is that there are cars queuing up for the left turn at intersections. Therefore, it's a reasonable expectation that someone won't pull out into the lane of a left-turn pocket. He wasn't sure how much the median could be shortened, but he offered to review it.

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MR. KEITH noted that the local government schedules weekly meetings at the project site. Those are good avenues from which to gain an understanding of what's being done, he noted.

[12:38:40 PM](#)

JEFF POTTS, Engineer, informed the committee that he will be involved with the next phase of construction. He offered to answer any questions.

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STU GRAHAM, Employee, Alaska Club, opined that the primary concern for businesses is what is happening today and this week. The department, legislature, and mayor should be very interested in communicating what's going on from week to week, he further opined. He expressed interest in what section of road will be under construction and the timeline for that construction. Therefore, he recommended placing construction schedule notices in the newspaper.

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MS. WILKINS related that she had set up a carnival to attract people to the mall, but unknown to her the access to the mall was closed and thus the carnival was a loss. She expressed hope that businesses in the future won't suffer as they have during this construction project.

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DIANE KELLER, Mayor, City of Wasilla, opined that part of the problem is that DOT&PF has to plan so far ahead, but the needs of the community change. Therefore, DOT&PF, she opined, could focus on having more flexibility to address the change in the community occurring between the initial plan and construction. Mayor Keller then pointed out that these businesses provide opportunities in the community beyond just the ability to purchase items. The impact of this construction not only impacts the bottom line of businesses but it also hampers their ability to give back to the community in the manner in which they are accustomed. She echoed earlier testimony regarding the issue of communication.

MAYOR KELLER expressed concern that the Wasilla business community is now looking impacted these businesses. In fact, much of the city's budget is based on the sales along the Parks

Highway. Mayor Keller suggested that perhaps DOT&PF should help by having a business impact loan in order to ensure the minimum impact on the business community and to force DOT&PF to be more accountable. Mayor Keller also expressed concern with regard to the negative impacts on the neighborhoods, specifically regarding high traffic zones. Since the city partners with the state for enforcement in construction zones, Mayor Keller expressed the desire for enforcement to be beyond the construction zone because the overflow [of traffic] impacts other areas. Perhaps, the city could be allowed overtime to patrol in the nearby neighborhoods.

MAYOR KELLER returned to earlier testimony regarding who is liable for accidents in parking lots [through which traffic is routed]. Although she has been told that flaggers don't instruct motorists to go across private property, she recalled be instructed to do just that. Mayor Keller echoed earlier sentiments regarding the need for [road projects] to be done at night.

MAYOR KELLER highlighted that the main issue is that the Parks Highway has conflicting uses. There are pass through drivers and residents who want to shop. She opined that the aforementioned highlights the need for the alternative transportation corridor and the need to expedite it. She suggested that perhaps DOT&PF could review the possibility of having acceleration lanes to allow drivers to safely enter the flow of traffic from the local businesses. She then expressed concern with regard to the amount of mileage that detours cause, especially in the face of rising gas prices. Furthermore, detours can take precious time of emergency responders. Mayor Keller returned to her suggestion that DOT&PF should take responsibility for impacts to local businesses. She informed the committee that after DOT&PF makes capital improvements, it's left to the city to maintain the roads. However, the city can't continue to agree to maintain these roads when its revenue is based on the sales tax.

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CO-CHAIR GATTO asked if DOT&PF takes into consideration the type of road to which it diverts traffic, such as when traffic was diverted to the curvy Trunk Road.

MR. KEITH replied yes.

CO-CHAIR GATTO suggested the possibility of a caution sign. He then thanked DOT&PF for the early striping it did on Trunk Road.

MR. KEITH pointed out that in situations [when traffic is diverted] striping is a priority, such that the major roads are striped first.

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PAUL GARDNER, Ivanti Inc., commented that when he has talked with DOT&PF about design, it has been receptive to addressing concerns. Therefore, he suggested determining how to proceed such that individuals designing the project work on that same project. Furthermore, he suggested allowing the city to have more of a voice in the project. Mr. Gardner related that he spoke with DOT&PF regarding trying to slow traffic, although he has been told several times that much of the design and planning of the Parks Highway is an effort to move traffic as fast as possible. This corridor should be viewed as a business zone, he opined. Mr. Gardner addressed the suggestion of newspaper notices with regard to construction, and opined that it isn't adequate. He suggested sending notices to those impacted.

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MR. KEITH, in response to comments and questions, explained that the location of signal lights are based on an equation that takes into consideration the volume of traffic in an area and the number of accidents.

[1:02:15 PM](#)

SHARRI SMITH, Owner, Cold Stone Creamery, recalled a DOT&PF project on the Old Seward Highway about six years ago, during which a very similar forum as today was utilized. Ms. Smith said that she has no confidence that DOT&PF will fix the problem of communication/notice because it has existed for over six years. Therefore, she said that she is looking to the legislature to address this situation such that DOT&PF is required to provide notice and reimburse businesses for losses.

MAYOR KELLER interjected that she would like the speed limit within the city limits of the City of Wasilla reduced to 35 miles per hour.

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CO-CHAIR GATTO inquired as to how the speed limits are determined.

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MR. KEITH agreed that the community of Wasilla needs an alternate access. He also agreed that there are competing uses of the Parks Highway that don't match, which is why there is the need for a bypass. With regard to traffic signals and reducing the speed limit, he said those are counterproductive to relieving traffic congestion and moving more traffic through an area. He noted that the alternative to a bypass route is an eight-lane road through Wasilla, which he characterized as "scary."

MAYOR KELLER opined that the City of Wasilla wants a corridor around the city and the speed limit reduced within the city.

MR. KEITH said with that scenario, the traffic has been separated by use. However, first an alternate route has to be constructed.

MAYOR KELLER disagreed, and reiterated the need to reduce the speed limit. She emphasized that public safety should be the highest priority.

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CO-CHAIR GATTO noted that the discussion had strayed from the original agenda of the meeting. Drawing it back to the specified topic, he determined that no one else wished to testify.

1:10:06 PM

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:10 p.m.