

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of April 23, 2002

1. CALL TO ORDER:

The meeting was convened at 5:05 p.m. by Assembly Chairman Dick Traini in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Anna Fairclough, Dan Sullivan, Fay Von Gemmingen, Melinda Taylor, Doug Van Etten, Dick Traini, Dan Kendall, Allan Tesche, Janice Shamberg, Dick Tremaine.
Absent: Cheryl Clementson, (excused).

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Ms. Melinda Taylor.

4. MINUTES OF PREVIOUS MEETING:

There were no minutes of the previous meeting.

5. MAYOR'S REPORT:

Municipal Manager, Mr. Harry Kieling gave the Mayor's report in Mayor Wuerch's absence. Mr. Kieling congratulated People Mover and Planning Manager, Jody Karcz for being honored by the Alaska Center for the Book with a 2002 contribution of Literacy in Alaska (CLIA Award). Books on Buses project was the one chosen for this award and Jody Karcz was the founder.

Mr. Kieling participated in the first lateral class of Police graduates. We graduated five and the lateral academy is simply people who have been through a recognized police academy. They were put through a shortened 8-week course and we are able to take advantage of their experience and at the same time we appreciate the new ideas they bring to the department.

Mr. Kieling congratulated members of the police department and the fire department for a great exercise on the Hillside on Saturday as part of the ongoing fire prevention training.

6. ASSEMBLY CHAIR'S REPORT:

Chairman Traini presented retiring Municipal Deputy Clerk Vickie Cantrell with a plaque of appreciation and gratitude recognizing her dedicated service to the Municipality from August 1991 to April 2002.

7. COMMITTEE REPORTS:

Ms. Von Gemmingen reported that House Bill 317, which had to do with stalking, has passed the House and is now on its way to the Senate.

8. ADDENDUM TO AGENDA:

The Chairman read the addendum items.

Mr. Tremaine moved, to incorporate the addendum into the agenda.
Seconded by Ms. Taylor,
And it passed without
Objection,

9. CONSENT AGENDA:

Mr. Kendall moved, to change the order of the day to take up 9A8.
Seconded by Ms. Fairclough,
And it passed without
Objection,

Resolution No. AR 2002-136, a resolution of the Anchorage Municipal Assembly **recognizing the honors received by the Chugiak High School Choirs** at the Anaheim Heritage Regional Festival April 12-13, 2002, Assemblymembers Fairclough, Clementson, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**Addendum**)

Moved by Mr. Kendall, to approve AR 2002-136.
Seconded by Ms. Fairclough,
And it was approved without
Objection,

Mr. Lang and the Chugiak High School Swing Choir performed vocal arrangements for the Assemblymembers and guests.

Mr. Kendall presented a Resolution honoring and congratulating to the Choir and Mr. Lang for their outstanding performance at the Anaheim Heritage Regional Festival and their first place finish. Mr. Lang and the choirs will be attending the national championship in Washington, D. C. next year.

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

1. Resolution No. AR 2002-116, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Rosemarie Johnston for her 21 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Mr. Tremaine requested this item be considered on the Regular Agenda. See item 10 A.

2. Resolution No. AR 2002-117, a resolution of the Anchorage Municipal Assembly **commending Lynn S. Coad for his dedication and service** to the people of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Fairclough requested this item be considered on the Regular Agenda. See item 10A.

3. Resolution No. AR 2002-125, a resolution of the Anchorage Municipal Assembly **recognizing and honoring James E. D. Carter for his 23 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Shamberg requested this item be considered on the Regular Agenda. See item 10A.

4. Resolution No. AR 2002-128, a resolution of the Anchorage Municipal Assembly **recognizing National Youth Service Day** and applauding young people who have contributed their time and efforts to local community youth programs and school service programs, Assemblymembers Traini, Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. (**Addendum**)

Ms. Fairclough requested this item be considered on the Regular Agenda. See item 10A.

5. Resolution No. AR 2002-133, a resolution of the Anchorage Municipal Assembly recognizing May 10, 2002 as **“Police Memorial Day”** and remembering and honoring those who have given their lives in the line of duty, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**Addendum**)
6. Resolution No. AR 2002-134, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Eric C. Lindboe for his 22 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten and Von Gemmingen. (**Addendum**)

Mr. Sullivan requested this item be considered on the Regular Agenda. See item 10A.

7. Resolution No. AR 2002-135, a resolution of the Anchorage Municipal Assembly **recognizing and supporting Father Michael Shields for his efforts** in promoting mutually beneficial activities to benefit peoples in both Anchorage and Magadan, Assemblymembers Taylor, Clementson, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**Addendum**)

Mr. Tesche requested this item be considered on the Regular Agenda. See item 10A.

8. Resolution No. AR 2002-136, a resolution of the Anchorage Municipal Assembly **recognizing the honors received by the Chugiak High School Choirs** at the Anaheim Heritage Regional Festival April 12-13, 2002, Assemblymembers Fairclough, Clementson, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**Addendum**)

Mr. Kendall requested this item be considered earlier in the Agenda. See item before 9A.

B. RESOLUTIONS FOR ACTION – OTHER

1. Resolution No. AR 2002-73, a resolution **appointing election officials for the Municipal Runoff Election of May 7, 2002**, Municipal Clerk.
2. Resolution No. AR 2002-94, a resolution of the Anchorage Municipal Assembly approving the revised (schematic) design for the **Service High School Renewal Project Phase 2A**, Anchorage School District.
 - a. Assembly Memorandum No. AM 316-2002.
3. Resolution No. AR 2002-120, a resolution establishing the delinquent dates for the first and second half of **yearly real property tax payments** for Tax Year 2002, Finance.

- a. Assembly Memorandum No. AM 372-2002.
- 4. Resolution No. AR 2002-126, a resolution of the Anchorage Municipal Assembly appropriating \$1,800 from Area wide General Fund (101) Balance to the Mayor's Office to be used as a grant to assist in the costs for the **2002 Grade Blast Events in Anchorage and Eagle River**, Assemblymembers Fairclough, Shamberg, Tremaine, Van Etten, and Von Gemmingen.
 - a. Assembly Memorandum No. AM 388-2002.

Mr. Sullivan requested this item be considered later in the Agenda. See item 10B.

- 5. Resolution No. AR 2002-127, a resolution of the Anchorage Municipal Assembly recommending **selection of a new Municipal Librarian** based on professional qualifications and establishing a selection committee to assist in the process, Assemblymembers Tesche and Taylor.

Mr. Kendall requested this item be considered later in the Agenda. See item 10B.

- 6. Resolution No. AR 2002-129, a resolution of the Anchorage Municipal Assembly appropriating \$1,300 from the Anchorage Metropolitan Police Service Area Fund (151) Balance and \$500 from the Eagle River/Chugiak Parks and Recreation Service Area Fund (162) Balance to provide for **security at the Anchorage Grad Blast and room rental fee expenses for the Chugiak High School Grad Blast**, Assemblymembers Fairclough, Shamberg, Tremaine, Van Etten, Von Gemmingen, and Tesche. (**Addendum**)
 - a. Assembly Memorandum No. AM 395-2002.

C. BID AWARDS

- 1. Assembly Memorandum No. AM 371-2002, recommendation of award to CEF, Inc. dba Sonshine Enterprises for **AWWU 2002 miscellaneous construction services** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 22-C004) (\$450,000), Purchasing.
- 2. Assembly Memorandum No. AM 384-2002, recommendation of award to Applied Microsystems, Inc. for furnishing **network appliance or equal storage network system** to the Municipality of Anchorage, Anchorage Water and Wastewater Utility (AWWU) (ITB 22-B004) (\$118,382.20), Purchasing.
- 3. Assembly Memorandum No. AM 389-2002, recommendation of award to Western Peterbilt for furnishing a **frontload refuse truck** to the Municipality of Anchorage, Solid Waste Services (ITB 22-B018) (\$158,466), Purchasing. (**Addendum**)

D. NEW BUSINESS

- 1. Assembly Memorandum No. AM 382-2002, **Planning and Zoning Commission appointment** (William Starr), Mayor's Office.

Mr. Tremaine requested this item be considered on the Regular Agenda. See item 10D.

- 2. Assembly Memorandum No. AM 375-2002, **Budget Advisory Commission appointment** (Philip Okeson) Mayor's Office.
- 3. Assembly Memorandum No. AM 376-2002, **Investment Advisory Commission appointment** (Mark Copeland) Mayor's Office.
- 4. Assembly Memorandum No. AM 377-2002, **Public Transit Advisory Board appointment** (Lonnie Jackson) Mayor's Office.
- 5. Assembly Memorandum No. AM 378-2002, **Senior Citizens Advisory Commission appointment** (William Nugent) Mayor's Office.
- 6. Assembly Memorandum No. AM 379-2002, **Health and Human Services Commission appointment** (Edward Lamb) Mayor's Office.
- 7. Assembly Memorandum No. AM 346-2002, proprietary purchase for professional **2002 Federal lobbying services** with Birch, Horton, Bittner and Cherot by William P. Horn for the Municipality of Anchorage, Municipal Manager's Office (\$24,000), Purchasing.

Mr. Van Etten requested this item be considered on the Regular Agenda. See Item 10D.

- 8. Assembly Memorandum No. AM 381-2002, **Human Resources Advisory Board appointment** (Todd Allen), Mayor's Office.
- 9. Assembly Memorandum No. AM 385-2002, recommendation of award to Safety-Kleen for providing professional services for **hazardous waste collection facility operations** for the Municipality of Anchorage, Solid Waste Services Department (RFP 22-P005) (\$607,519), Purchasing.

10. Assembly Memorandum No. AM 386-2002, amendment No. 2 to the professional services agreement with Steph Engineering, LLC 2000 term contract for professional **civil engineering services** in the amount of \$141,523, Water and Wastewater Utility.
11. Assembly Memorandum No. AM 390-2002, 2002-2003 Liquor License Renewal: **New Party Time II** (#2984) – Package Store (University Area Community Council), Clerk’s Office. **(Addendum)**
12. Assembly Memorandum No. AM 391-2002, **Value Liquor #6** (#660) – Transfer of Ownership for a Package Store Liquor License (Northeast Community Council), Clerk’s Office. **(Addendum)**

Ms. Taylor requested this item be considered on the Regular Agenda. See item 10D.

13. Assembly Memorandum No. AM 392-2002, 2002-2003 Liquor License Renewal: **The Alley** (#4163) – Beverage Dispensary (Downtown Community Council), Clerk’s Office. **(Addendum)**
14. Assembly Memorandum No. AM 393-2002, 2002-2003 Liquor License Renewal: **Crow Creek Mercantile** (#287) – Package Store (Girdwood Community Council), Clerk’s Office. **(Addendum)**
15. Assembly Memorandum No. AM 394-2002, 2002-2003 Liquor License Renewal: **Hooters Restaurant** (#3591) – Restaurant/Eating Place (Spenard Community Council), Clerk’s Office. **(Addendum)**

E. INFORMATION AND REPORTS

1. Information Memorandum No. AIM 39-2002, **contracts awarded between \$50,000 and \$100,000 through formal competitive processes** for the month of March 2002, Purchasing.

Mr. Van Etten requested this item be considered on the Regular Agenda. See Item 10E.

2. Information Memorandum No. AIM 40-2002, **Sole Source Procurement Report** for the month of March 2002, Purchasing.
3. Information Memorandum No. AIM 41-2002, **Monthly Financial Report** – February 2002, Finance.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

1. Ordinance No. AO 2002-69, an ordinance amending Anchorage Municipal Code and Anchorage Municipal Code of Regulations to change the name of the Department of Management Information Systems to the **Information Technology Department**. P.H. 5-14-02.
 - a. Assembly Memorandum No. AM 373-2002.
2. Ordinance No. AO 2002-70, an ordinance of the Anchorage Municipal Assembly extending and amending the **lease of Lots 8B & 8C, Port of Anchorage Subdivision**, to Anchorage Fueling and Service Company, Port of Anchorage. P.H. 5-14-02.
 - a. Assembly Memorandum No. AM 387-2002.
3. Ordinance No. AO 2002-71, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$54,365,000 in aggregate principal amount of General Obligation General Purpose Bonds** of the Municipality for the purpose of raising funds to pay costs related to ambulances, emergency service improvements, road and drainage improvements, fire protection improvements, public transit improvements, cemetery improvements, Senior Center improvements, and related capital improvements; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance. P.H. 5-14-02.
4. Ordinance No. AO 2002-72, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of General Obligation Refunding General Purpose Bonds of the Municipality in the amount of not to exceed \$50,000,000** to provide funds required to refund certain outstanding general obligation general purpose bonds of the Municipality; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance. P.H. 5-14-02.

Mr. Harry Kieling, Municipal Manager, requested both AO 2002-71 and AO 2002-72 be combined and both items be considered on the Regular Agenda. See item 10F.

5. Ordinance No. AO 2002-73, an ordinance authorizing the **expansion of the “Permit and Development Center”** located south of Tudor and Bragaw and the amendment of the terms of the existing land and building leases to provide for the building expansion. P.H. 5-14-02.
 - a. Assembly Memorandum No. AM 398-2002.

6. Resolution No. AR 2002-118, a resolution adopting the **2002 Action Plan** of the Municipality of Anchorage, which constitutes the application to the U.S. Department of Housing and Urban Development for the Community Development Block Grant, the HOME Investment Partnership Grant and the Emergency Shelter Grant, Planning Department. P.H. 5-14-02.
a. Assembly Memorandum No. AM 347-2002.

Ms. Fairclough moved, to approve all items on the consent agenda as amended.
Seconded by Mr. Kendall,

Question was called on the motion to approve the remaining items on the consent agenda as amended and it passed:

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused).

10. REGULAR AGENDA:

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

1. Resolution No. AR 2002-116, a resolution of the Anchorage Municipal Assembly **Recognizing and honoring Rosemarie Johnston for her 21 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Moved by Mr. Tremaine, move to approve AR 2002-116.
Seconded by Mr. Kendall,
And it passed without
Objection,

Mr. Tremaine presented a resolution of the Anchorage Municipal Assembly recognizing and honoring Rosemarie Johnson for her 21 years of service. Ms. Johnston thanked the Municipality for the recognition.

2. Resolution No. AR 2002-117, a resolution of the Anchorage Municipal Assembly **commending Lynn S. Coad for his dedication and service** to the people of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Moved by Ms. Fairclough, move to approve AR 3003-117.
Seconded by Ms. Von Gemmingen,
And it passed without
Objection,

Ms. Von Gemmingen presented a resolution of the Anchorage Municipal Assembly commending Lynn S. Coad for his dedication and service to the people of Anchorage. Mr. Coad thanked the Municipality for the recognition.

3. Resolution No. AR 2002-125, a resolution of the Anchorage Municipal Assembly **recognizing and honoring James E. D. Carter for his 23 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Moved by Ms. Shamberg, move to approve AR 2002-125.
Seconded by Mr. Van Etten,
And it passed without
Objection,

Ms. Shamberg presented a resolution of the Anchorage Municipal Assembly commending James D. Carter for his dedication and service to the people of Anchorage. Mr. Carter thanked the Municipality for the recognition.

4. Resolution No. AR 2002-128, a resolution of the Anchorage Municipal Assembly **recognizing National Youth Service Day** and applauding young people who have contributed their time and efforts to local community youth programs and school service programs, Assemblymembers Traini, Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Tremaine, Van Etten, and Von Gemmingen. **(Addendum)**

Moved by Ms. Fairclough, move to approve AR 2002-128.
Seconded by Mr. Tesche,
And it passed without
Objection,

Chairman Traini read the resolution of the Anchorage Municipal Assembly recognizing National Youth Service Day and applauding young people who have contributed their time and efforts to local community youth programs and school service programs. Clerk Greg Moyer presented the resolution to the Youth and special thanks was given for their involvement and assistance in the April 2, 2002 Municipal Election.

Mr. Beau Bassett accepted the resolution on behalf of the assembled youth and they presented gifts on behalf of Clifford the Dog to the assemblymembers as Mr. Bassett listed the future activities scheduled for the youth to participate in upcoming community events. On behalf of the youth, Mr. Bassett thanked the Municipality for the recognition.

5. Resolution No. AR 2002-134, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Eric C. Lindboe for his 22 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten and Von Gemmingen. (**Addendum**)

Mr. Sullivan moved, move to approve AR 2002-134.
 Seconded by Mr. Van Etten,
 And it passed without
 Objection,

Mr. Sullivan read the resolution of the Anchorage Municipal Assembly recognizing and honoring Eric C. Lindboe for his 22 years of service with the Municipality of Anchorage. Mr. Lindboe thanked the Municipality for the recognition.

6. Resolution No. AR 2002-135, a resolution of the Anchorage Municipal Assembly **recognizing and supporting Father Michael Shields for his efforts** in promoting mutually beneficial activities to benefit peoples in both Anchorage and Magadan, Assemblymembers Taylor, Clementson, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. (**Addendum**)

Moved by Mr. Tesche, move to approve AR 2002-135.
 Seconded by Ms. Taylor,
 And it passed without Objection,

Mr. Tesche read the resolution of the Anchorage Municipal Assembly recognizing and supporting Father Michael Shields for his efforts in promoting mutually beneficial activities to benefit peoples in both Anchorage and Magadan. Father Shields shared his early experiences growing up in Alaska and expressed his appreciation for the recognition.

B. RESOLUTIONS FOR ACTION – OTHER

1. Resolution No. AR 2002-126, a resolution of the Anchorage Municipal Assembly appropriating \$1,800 from Area wide General Fund (101) Balance to the Mayor's Office to be used as a grant to assist in the costs for the **2002 Grade Blast Events in Anchorage and Eagle River**, Assemblymembers Fairclough, Shamberg, Tremaine, Van Etten, and Von Gemmingen.
 - b. Assembly Memorandum No. AM 388-2002.

Moved by Mr. Sullivan, move to postpone indefinitely AR 2002-126.
 Seconded by Ms. Fairclough,
 And it passed without
 Objection,

2. Resolution No. AR 2002-127, a resolution of the Anchorage Municipal Assembly recommending **selection of a new Municipal Librarian** based on professional qualifications and establishing a selection committee to assist in the process, Assemblymembers Tesche and Taylor.

Moved by Mr. Tesche, move to approve AR 2002-127.
 Seconded by Ms. Shamberg,

Mr. Tesche discussed the resolution and suggested an advisory committee to assist the Mayor in the selection process of a new Municipal Librarian. In response to Mr. Tesche, Mr. Kendall stated the Mayor was responsible and capable of proceeding with the selection process and did not need the assembly to involve itself in recommendation process. Mr. Sullivan concurred with Mr. Kendall. In response to Mr. Tesche's question of the Assembly making a recommendation, Mr. Harry Kieling, Municipal Manager, advised the Librarian was an Executive position and it was the Mayor's prerogative to evaluate and appoint candidates and was a function of the chief executive. The selection of the Municipal Librarian did not require the Assembly's confirmation, however the assembly could request to review the selection. Ms. Taylor requested she be added as a co-sponsor of the resolution.

Question was called on the motion to approve AR 2002-127.

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Fairclough, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting)

- C. BID AWARDS
- D. NEW BUSINESS

1. Assembly Memorandum No. AM 382-2002, Planning and Zoning Commission appointment (William Starr), Mayor's Office.

Mr. Tremaine moved, move to introduce and postpone decision until May 14, 2002.
 Seconded by Mr. Sullivan,
 And it passed without
 Objection,

2. Assembly Memorandum No. AM 346-2002, proprietary purchase for professional **2002 Federal lobbying services** with Birch, Horton, Bittner and Cherot by William P. Horn for the Municipality of Anchorage, Municipal Manager's Office (\$24,000), Purchasing.

Mr. Van Etten moved, move to approve AM 346-2002.
 Seconded by Mr. Tesche,
 And it passed without
 Objection,

In response to Mr. Van Etten's question as to when the Municipality's lobbyist would be in town, Mr. Kieling said he did not know, however, he would provide the information to Mr. Van Etten.

3. Assembly Memorandum No. AM 391-2002, **Value Liquor #6** (#660) – Transfer of Ownership for a Package Store Liquor License (Northeast Community Council), Clerk's Office. (**Addendum**)

Ms. Taylor moved, to approve and postpone action until 8:00 p.m. time certain.
 Seconded by Mr. Tesche,
 And it passed without
 Objection.

See after item 14A for continuation of AM 391-2002.

E. INFORMATION AND REPORTS

1. Information Memorandum No. AIM 39-2002, **contracts awarded between \$50,000 and \$100,000 through formal competitive processes** for the month of March 2002, Purchasing.

Mr. Van Etten moved, move to accept AIM 39-2002.
 Seconded by Mr. Tesche,
 And it passed without
 Objection,

Mr. Van Etten requested information about the purchase of solo enforcement motorcycles and training motorcycles for the P & F M Department. In response to Mr. Van Etten, Mr. Fred Kaltenbach, Deputy Purchasing Officer, responded that the Property and Facility Management Department does purchase vehicles and these are for the Police Department. Mr. Kieling noted training was occurring at the Port.

Chairman Traini asked Mr. Kieling to announce the new members being added to Boards and Commissions. The Assembly members formally welcomed Mr. William Starr, Mr. Philip Okeson, Mr. Mark Copeland, Ms. Lonnie Jackson, Mr. William Nugent and Mr. Edward Lamb.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

1. Ordinance No. AO 2002-71, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of not to exceed \$54,365,000 in aggregate principal amount of General Obligation General Purpose Bonds** of the Municipality for the purpose of raising funds to pay costs related to ambulances, emergency service improvements, road and drainage improvements, fire protection improvements, public transit improvements, cemetery improvements, Senior Center improvements, and related capital improvements; fixing certain details of said bonds; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance. P.H. 5-14-02.

Mr. Tesche moved, move to postpone AO 2002-71 indefinitely.
 Seconded by Mr. Tremaine,
 And it passed without
 Objection,

2. Ordinance No. AO 2002-72, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the **issuance of General Obligation Refunding General Purpose Bonds of the Municipality in the amount of not to exceed \$50,000,000** to provide funds required to refund certain outstanding general obligation general purpose bonds of the Municipality; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters, Finance. P.H. 5-14-02.

Mr. Tesche moved, move to postpone AO 2002-72 indefinitely.
 Seconded by Mr. Tremaine,
 And it passed without
 Objection,

Ms. Kate Giard, Chief Fiscal Officer, explained the reason for postponement would allow the administration to go forward with a combined offering with the Anchorage School District and would bring it to the Assembly in May as a larger offering.

3. Ordinance No. AO 2002-74, an ordinance authorizing the Municipality of Anchorage to waive claims against and indemnify, defend and hold harmless the State of Alaska, its officers,

employees, and contractors from claims for personal injury, loss and property damage resulting from Anchorage citizen volunteers planting, beautifying and maintaining beds of flowers and decorative shrubs within State of Alaska road rights-of-way within the Municipality and authorizing the municipality to make application to the State of Alaska, Department of Transportation for rights-of-way encroachment permits for such flower planting.
P.H. 5-14-02.

Mr. Tesche moved, to introduce AO 2002-74 for public hearing 5-14-02
Seconded by Ms. Shamberg,
And it passed without
Objection,

Mr. Tremaine moved, to call an Executive Session to deal with pending litigation
Seconded by Mr. Sullivan, and with judicial judgments and decisions.

Mr. Kendall requested a listing of items to be discussed in the Executive Session. Chairman Traini advised Legal would not give a listing until they were in Executive Session.

Mr. Van Etten moved, to call for an Executive Session
Seconded by Ms. Fairclough,
And it passed without Objection,

The Assembly called Executive Session at 6:27 p.m. The Assembly reconvened at 7:05 p.m.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:

- A. Ordinance No. AO 2001-158(S-3), an ordinance amending all of Title 17, regulating the **care and control of animals** within the Municipality, including but not limited to adoption, impound, euthanasia, licensing, immunization, quarantine, administration, fees, fines and penalties, and other matters, Assembly member Tremaine.

No action was taken on this item.

- B. **NOTICE OF RECONSIDERATION:** Resolution No. AR 2002-123, a resolution of the Anchorage Assembly making a site available on public lands to the **Simonian Little League** for youth baseball in 2004, Assembly members Tesche, Shamberg, Taylor, Traini, Tremaine, Van Etten, and Von Gemmingen. (APPROVED 4-16-02; NOTICE OF RECONSIDERATION WAS GIVEN BY MS. CLEMENTSON 4-16-02)

No action was taken on this item.

- C. **NOTICE OF RECONSIDERATION:** Resolution No. AR 2002-110, a resolution of the Municipality of Anchorage requesting the U.S. Department of Transportation to require commercial airlines to publish **bereavement policies** and to implement procedures and designate an agency to investigate, mediate, and resolve consumer complaints involving commercial airlines, including application of bereavement policies, Assembly member Clementson. (APPROVED 4-16-02; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TRAINI 4-17-02)

No action was taken on this item.

12. APPEARANCE REQUESTS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND NO LATER THAN 7:00 P.M.) None.

13. CONTINUED PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND NO LATER THAN 7:00 P.M.)

- A. Ordinance No. AO 2002-34, an ordinance authorizing an equal value land exchange between Heritage Land Bank (HLB) and the State of Alaska, Department of Environmental Conservation (DEC) of 3.995 acres within HLB Parcel 3-032 and 6.00 acres of DEC land, both located in Section 34, Township 13 North, Range 3 West, to the immediate south and west of the intersection of Tudor Road and Boniface Parkway in Anchorage, to facilitate **DEC construction of a seafood and food safety laboratory**, Heritage Land Bank.
1. Assembly Memorandum No. AM 188-2002.
2. Information Memorandum No. AIM 32-2002.
(CARRIED OVER FROM 3-19-02; CONTINUED FROM 4-9-02)

Chairman Traini opened the public hearing and asked if anyone wished to speak. Chairman Traini stated the ground rules for testifying. Each speaker had three minutes to speak and could only speak once on this issue. There was no one, and he closed the public hearing.

Mr. Van Etten moved, to approve AO 2002-34
Seconded by Ms. Fairclough,

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYS: None.

(Clerk's note: Ms. Clementson was excused from the meeting).

Mr. Tesche moved,
Seconded by Mr. Tremaine,

the official record of the Executive Session is kept
confidential for 10 years from today's date.

Mr. Kendall offered a friendly amendment,
And it passed without
Objection,

“or until all cases are settled”.

Chairman Traini noted the tape would be released once the final litigation on all those cases that were discussed was settled or whichever comes first.

14. NEW PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND END NO LATER THAN 10:30 P.M.)

- A. Resolution No. AR 2002-101, a resolution of the Municipality of Anchorage providing a **revision of the 2002 General Government Operating Budget**, Office of Management and Budget.
1. Assembly Memorandum No. AM 342-2002.
 2. Resolution No. AR 2002-101(S), a resolution of the Municipality of Anchorage providing a revision of the 2002 General Government Operating Budget, Office of Management and Budget.
(Addendum)
 3. Assembly Memorandum No. AM 396-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. Chairman Traini stated the ground rules for testifying. Each speaker had three minutes to speak and could only speak once on this issue.

WILDA MARSTON, Chairman of the Anchorage Historical and Fine Arts Commission, spoke in support of funding for the Museum.

ELAYNE JANIAC, Transit Works for Anchorage, spoke in support of funding for the transit system. She provided a handout to Assembly members.

CAROLINE GILL, a site director at the Muldoon Job Center working for Nine Star Enterprises, a non-profit company educating and developing the Anchorage work force, especially at the airport. She spoke in support of funding for the transit system and inquired if additional transit service could be provided to the airport for use by work force employees. In response to Mr. Van Etten, Ms. Gill offered to do research on additional funding sources for the transit system and advise Mr. Van Etten.

MARK BUTLER, community relation's manager for Ted Stevens Anchorage International Airport, spoke in support of funding for the transit system and noted the airport was the largest source of employment in the Anchorage area. He had been asked by co-workers if a bus might be added to shuttle workers to and from the airport to connect with Bus #7 on Jewel Lake Road. In response to Mr. Van Etten and Ms. Shamberg, Mr. Butler said he would introduce the idea of utilizing airport shuttle busses, currently used between parking lots and the terminal, to include shuttle of employees to the edge of the airport property, which is approximately 100 yards from Bus route #7 to the airport.

MARK HALL, with the Anchorage Firefighters, spoke in support of funding for the Fire Department for dispatching and mechanical maintenance support personnel.

DARRYL NELSON spoke in support of transit route restructuring for the Hillside and extending service to Girdwood.

BOB GREUN from Campbell Airstrip/Section 6 LRSA, spoke in support of Ms. Taylor's proposal to have monies spent on potholes be refunded to LRSA. In response to Ms. Taylor, he stated there was substantial traffic on the road and the LRSA was responsible for road maintenance.

JEFF MANTEL, a member of the Public Transit Advisory Board, spoke in support of the transit system and the five-year Transit Plan.

JEFF LOWENFELS, urged the Assembly to restore the full horticultural budget or cut the budget altogether. He encouraged the Assembly to support and fund the horticultural program in Anchorage.

Chairman Traini returned to the continuation of AM 391-2002, time certain for 8:00 p.m.

Assembly Memorandum No. AM 391-2002, Value Liquor #6 (#660) – Transfer of Ownership for a Package Store Liquor License (Northeast Community Council), Clerk's Office. **(Addendum)**

Ms. Taylor moved,
Seconded by Ms. Von Gemmingen,

to approve AM 391-2002

SHEILA HOWELL, from the Northeast Community Council, spoke opposing the liquor license because it was going into a gas station. In response to Ms. Taylor, Ms. Howell advised the Assembly the Conditional Use Permit was held by someone else and not by Williams Express. Ms. Howell said the previous owner had a stellar reputation. Ms. Howell said Williams Express did not appear to have that kind of reputation and they are already on shaky ground for not checking identification for cigarettes.

In response to Ms. Shamberg, Ms. Howell responded the Northeast Community Council had taken a vote on the transfer of ownership of the liquor license and was unanimously against the license transfer with close to 40 people agreeing.

Mr. Tremaine pointed out that the conditional use runs with the property and not with the owner. Mr. Tremaine noted in previous discussions of dog mushing facilities, that perhaps we could do conditional uses that do not grandfather to the location, but rather ride with the entity.

Ms. Fairclough refreshed the memory of Assemblymembers of past situations opposing mixing gasoline and alcohol about two years ago. At that time, the Assembly went to the Health and Human Services Department and turned the issue over to them, and have never seen a product come out that they could use fairly to give the Assembly criteria for denial of a transfer when a conditional use is already onsite. Ms. Fairclough stated that while she would like to support Muldoon Community Council, the Assembly did not have a leg to stand on legally to deny this transfer from the code currently in front of the members. Ms. Fairclough further stated two years earlier she had provided the Assembly and Legal department with documentation from Glendale, California that did have, in fact, a policy in place that prohibited alcohol sales with gasoline, but that was a different Assembly now and if the Assembly wanted to approach it, from her opinion, the Assembly could not be biased to a particular group, it would need to be addressed globally.

In response to Ms. Fairclough, Mr. Tremaine felt it was time to dust off the document she had provided if it could be located. Mr. Tremaine hoped Ms. Fairclough could bring the documentation forward at the May 14, 2002 meeting.

In response to Mr. Sullivan, Ms. Fairclough said she was not sure the data was available, but she would attempt to get the data.

In response to Mr. Tesche, Ms. Taylor indicated she would be willing to draw up a resolution with a series of conditions and confer with her constituency.

Chairman Traini agreed to bring up this item under Unfinished Business later in the meeting, allowing Ms. Taylor time to word a resolution.

See after Item 14 Nfor continuation of AM 391-2002.

Chairman Traini returned to the Public Hearing on item 14 A, AR 2002-101(S).

ROSALIND CASEY, spoke in support of funding for a one time local match to continue the adult basic and secondary education program in the Russian Jack area.

FRANCINE TAYLOR, Executive Director of the Alaska Moving Image Preservation Association, spoke in support of restoring funding to provide a grant to the Alaska Moving Image Preservation Association (AMIPA).

AMY MECKLEDINE, Chairwoman of the Anchorage Horticultural Coalition, spoke in support of restoring funding to the Horticultural Division.

SUSAN MILLER, Horticulturalist with the Anchorage Horticultural Coalition, spoke in support of restoring funding to the Horticultural Division.

Chairman Traini asked if anyone else wished to speak. There was no one, and he closed the public hearing.

Ms. Taylor moved, move to approve AR 2002-101(S).
Seconded by Mr. Van Etten,

Chairman Traini requested Ms. Taylor to bring up each amendment and the Assembly would consider them separately.

Ms. Taylor moved, on page 2 of 8, Item 1, to amend restoring funding
Seconded by Mr. Tesche, to provide a grant to the Alaska Moving Image Preservation
Association (AMIPA) for \$30,000.

There was no discussion. Question was called on the motion to approve Item 1, Page 2 of 8, of AR 2002-101(S).

Mr. Tesche requested a call of the house.

Question was called on the motion to approve Item 1, Page 2 of 8, of AR 2002-101(S)

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Fairclough, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved, on page 2 of 8, Item 2, to amend restoring funding
Seconded by Mr. Tremaine, to the Horticultural Division for contract services
such as mower repair, pesticide, and herbicide
applications to the landscape, and gardeners
caretakers as determined by the Department
Director for \$150,000.

In response to Mr. Sullivan, Cultural and Recreational Services Director Jim Posey responded the Municipality could maintain the investment at the reduced level they set in the budget for the roadside maintenance and those services to other departments and divisions, and the caretakers for the fences and benches. Office of Planning, Development and Public Works Director Craig Campbell, responded the budget submitted for 2002 provided for sufficient services for good horticultural services for the year and do not feel we need the \$150,000 added to the budget.

In response to Mr. Tesche, who disagreed, Mr. Campbell replied the Administration had cared for the landscape in the past and would continue to do so in the future.

Question was called on the motion to approve Item 2, Page 2 of 8, of AR 2002-101(S).

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Fairclough, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved,
Seconded by Mr. Tremaine,

Page 3 of 8, Item 1, to amend providing a one-time match to continue the adult basic and adult secondary education program in the Russian Jack Area. This funding will be used to restore these evening educational opportunities through an extended campus of the Adult Learning Center for \$15,000.

Mr. Van Etten stated he would vote yes as a one-time appropriation.

Mr. Sullivan stated he agreed this was a great program and well presented, but he was opposed to the appropriation and felt it was not the role of the Municipality to fund state and federal programs.

Ms. Taylor encouraged a yes vote.

Question was called on the motion to approve Item 1, Page 3 of 8, of AR 2002-101(S).

AYES: Taylor, Van Etten, Traini, Kendall, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Von Gemmingen, Fairclough.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved,
Seconded by Mr. Tesche,

on Page 3 of 8, Item 2, to amend adding funding to reimburse Campbell Airstrip LRSA for park maintenance. The total 2001 cost for the park maintenance was \$47,261 to date, and only \$15,000 has been received. The amount noted \$32,260, represents the balance.

In response to Mr. Sullivan, Mr. Kieling stated the Administration did not support the amendment

Ms. Taylor stated the funding was needed and it was a safety issue. Assemblymembers discussed the maintenance needs of the road and the status of who was responsible for maintenance.

In response to Mr. Kieling, Mr. Vince Mee, Director of Street Maintenance provided clarification of where maintenance was being provided on the road by the Municipality and offered to assist in any way including the 4 miles up to the park.

Mr. Van Etten clarified that there was no entrance to the State park at the far end of the road.

Question was called on the motion to approve Item 2, Page 3 of 8, of AR 2002-101(S).

AYES: Von Gemmingen, Taylor, Traini, Tesche, Shamberg, Tremaine

NAYES: Sullivan, Van Etten, Fairclough, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved,
Seconded by Mr. Tesche,

Page 3 of 8, Item 3, to approve the Museum's Collections Department and the Museum Archives need to replace the computer database systems used for cataloging the Museum's collection for \$31,330.

There was no discussion. Question was called on the motion to approve Item 3, Page 3 of 8, of AR 2002-101(S).

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved,
Seconded by Mr. Tesche,

Page 4 of 8, Item 1, to approve adding funds to hire an additional dispatcher, and increase the maintenance and logistics budget to hire a mechanic and a parts warehouseperson for \$230,000.

In response to Mr. Kendall, Mr. Kieling stated this item was worthy, but not of the highest or greatest priority of the Fire Department.

Mr. Tesche spoke in favor of the motion and Ms. Taylor urged a yes vote. Ms. Fairclough requested she be added as a co-sponsor.

Question was called on the motion to approve Item 1, Page 4 of 8, of AR 2002-101(S).

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved, on Page 5 of 8, Item 1, to approve restoration of funding to the
Seconded by Mr. Tremaine, Budget Legislative Services current staffing level to accurately
reflect a tax cost instead of an IGC for \$64,730.

There was no discussion. Question was called on the motion to approve Item 1, Page 5 of 8, of AR 2002-101(S).

AYES: Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Von Gemmingen, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved, on Page 5 of 8, Item 2, to approve reinstating the vacant policy
Seconded by Mr. Tremaine, and budget analyst position (Rank 31) fully funded through
IGCs to the Utilities approved through the 2002 budget
process.

There was no discussion. Question was called on the motion to approve Item 2, Page 5 of 8, of AR 2002-101(S).

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved, on Page 7 of 8, Item 1, to approve adding funding to cover the
Seconded by Mr. Tesche, increase in contract expenses for the Independent Audit.
Internal weaknesses in the area of payroll were discovered
during the audit. The auditors will provide more detailed
work in this area for \$25,000.

There was no discussion. Question was called on the motion to approve Item 1, Page 5 of 8, of AR 2002-101(S).

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting, Ms. Fairclough was out of the room)

Ms. Taylor moved, on Page 7 of 8, Item 2, to approve adding funding to hire
Seconded by Mr. Tesche, temporary appraisal staff for seasonal work for \$154,000.

In response to Mr. Kendall, Chief Fiscal Officer Kate Giard responded that last year temporary appraisal staff were funded to assist them in their re-inventory of properties that were on a six-year cycle, because they were falling behind. The money used to fund the temporary staff came from vacancies within the staff. Finance does not have any future plans to hire temporary staff this year.

Ms. Von Gemmingen moved, on Page 7 of 8, Item 2, to substitute an amendment to move
Seconded by Mr. Tesche, that the \$154,000, as currently listed here, come from Fund
101 but, there would be an additional vacancy factor reduction
of \$214,000 to come from Fund 601, which is equipment
maintenance.

In response to Mr. Sullivan, Ms. Von Gemmingen spoke to her amendment to fund the staffing needs of the Finance Department through the end of the current year. Mr. Tesche spoke in favor of the amendment.

Question was called on the motion to amend the motion to AR 2002-101(S).

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting, Ms. Fairclough was out of the room at the time of the vote).

Ms. Taylor moved, on Page 7 of 8, Item 3, to approve adding funding for contract
Seconded by Mr. Tesche, costs to assist in completing the 2002 approved audits for the
Municipality of Anchorage for \$50,000.

There was no discussion. Question was called on the motion to approve Item 3, Page 7 of 8, of AR 2002-101(S).

AYES: Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting, Ms. Von Gemmingen was out of the room).

Ms. Taylor moved, on Page 6 of 8, Item 1, to approve funding to reserve an
Seconded by Mr. Tesche, amount to partially pay the expense of completing the
Rabbit Creek resurvey at the conclusion of the pending
litigation for \$700,000.

Chairman Traini recessed the meeting for a break at 9:15 p.m. Chairman Traini reconvened the meeting at 9:20 p.m.

Mr. Tremaine requested from the Administration the final number of the difference between where we are and where the tax cap is. Director of Office of Management and Budget, Cheryl Frasca, responded that currently we were \$465,794 below the tax cap; however, the use of the fund 601 in the last amendment does have a tax cost because most of it is general government that will end up paying for it. The IGCs have to be run to determine what that tax cost will be.

Mr. Tremaine stated that until the Assembly knows what the taxes will be they cannot set the tax cap.

Chairman Traini suggested:

Mr, Tremaine moved, on Page 7 of 8, Item 2, to amend the amendment to change
seconded by Mr. Tesche, Fund 601 to Fund 101.

Mr. Kieling expressed concern over moving monies from dedicated funds to cover personnel costs.

Question was called on the motion to approve amending the amendment Item 2, Page 7 of 8, of AR 2002-101(S).

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine

NAYES: Sullivan.

(Clerk's note: Ms. Clementson was excused from the meeting).

Mr. Tremaine moved, on Page 6 of 8, Item 1, amend motion that the sum of
Seconded by Mr. Tesche, \$251,794 is appropriated from the area-wide fund 101 to the
Project Management and Engineering Department for non-
reimbursed project costs.

Question was called on the motion to amend Item 1, Page 6 of 8, of AR 2002-101(S).

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine

NAYES: Sullivan, Fairclough, Kendall,

(Clerk's note: Ms. Clementson was excused from the meeting).

Mr. Tremaine moved, move on AR 2002-101(S), 2002 Revised General
Seconded by Ms. Fairclough, Government Operating Budget, Tax Limit Calculation Final,
Additional Taxes Permitted, line 3, to change "Judgments
Paid" to "Judgments Assessed".

Mr. Tremaine explained his motion by stating 'Judgments Assessed' reflects the Code and the Charter. 'Judgments Paid' does not reflect either.

Mr. Tremaine moved, move on AR 2002-101(S), 2002 Revised General
Seconded by Ms. Shamberg, Government Operating Budget, Tax Limit Calculation Final,
And it passed without Additional Taxes Permitted, line 3, to amend "Judgments
Objection, Paid" to "Judgments Entered".

Mr. Tremaine moved, move on AR 2002-101(S), 2002 Revised General
Seconded by Mr. Tesche, Government Operating Budget, Tax Limit Calculation Final,
Additional Taxes Permitted, line 3, to add \$628,000 for a
Total of \$634,306.

Director of Office of Management and Budget, Cheryl Frasca, agreed with the figures in Mr. Tremaine's motion.

Question was called on the motion to approve the motion.

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

NAYES: Fairclough, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Chairman Traini asked Ms. Fresca to verify the budget numbers.

In response to Mr. Tremaine, Ms. Fresca advised Mr. Tremaine the budget numbers were correct, however the Assembly needed to provide an expenditure to spend the \$628,000 appropriation.

Mr. Tremaine moved, to appropriate \$628,000 to the Police Department Fund 151
Seconded by Mr. Tesche, for payment of a judgment.

There was no discussion on the motion.

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

NAYES: Fairclough, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Mr. Tesche moved, move to add to AR 2002-101(S), 2002 Revised General
Seconded by Mr. Tremaine, Government Operating Budget, on page 4, a new section 4
reading as follows: "By no later than September 30, 2002, the
Mayor shall prepare a final plan for resolution of the 2002
unfunded charges for the water usage tariff and hydrant
maintenance. The plan shall not however, utilize vacancy

factor or savings from appropriated but unused funds appropriated in the 2002 budget for the Anchorage Fire Department. The plan may not utilize funds granted to the Municipality for identifiable projects for nonrecurring purposes.”

Mr. Tesche said there has been a controversy, if you will, within the Administration as how to deal with a rather substantial charge made to the Fire Department by the Water Department for water usage and hydrant maintenance. For some time the Administration, I think, has hoped that this could be resolved informally or perhaps by letting nature take its course. That has not been the case however. The question really is where are we going to get the money? We have heard informally on the Assembly that there is a proposal perhaps to get these funds out of various grant agreements that might be coming into the Municipality that somehow we can make somebody else pay, but I think that might not be a wise idea if we have grants coming in to the Municipality for one-time projects for non-recurring expenses. The purpose of this amendment is very simple; to make sure that we don't simply force the Fire Department to eat this charge by reducing staffing or withholding budgeted funds for firefighters, paramedics, or other personnel that we need in that department. It is also intended to protect grants for identified projects or non-recurring purposes from being used for this purpose. Finally, this does give the Mayor the opportunity, I think, that he asked for last week and that is to come up with a solution for this problem by the end of September 2002. It is a thorny problem. I would like to give the Mayor policy guidance through this resolution and that is precisely what it does.

Mr. Kieling reviewed the background noting this discussion goes back well over a year. Hopefully with the concurrence of the Regulatory Commission this will be resolved by next year's budget. He asked the Assembly not to tie our hands by putting restrictions on where we come up with the funds.

AYES: Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine
 NAYES: Sullivan, Von Gemmingen, Kendall,
 (Clerk's note: Ms. Clementson was excused from the meeting).

Mr. Tremaine moved, move to approve as amended AR 2002-101(S).
 Seconded by Mr. Tesche,

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.
 NAYES: Kendall.
 (Clerk's note: Ms. Clementson was excused from the meeting).

Mr. Tesche moved, for immediate reconsideration of approved as amended
 Seconded by Mr. Tremaine, AR 2002-101(S).

Mr. Tremaine recommended a no vote.

AYES: Fairclough, Kendall.
 NAYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine
 (Clerk's note: Ms. Clementson was excused from the meeting).

- B. Resolution No. AR 2002-107, a resolution of the Municipality of Anchorage providing for a **revision of the Anchorage School District Budget for FY 2002-2003**, Anchorage School District.
 - 1. Assembly Memorandum No. AM 344-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. Chairman Traini stated the ground rules for testifying. Each speaker had three minutes to speak. There was no one, and he closed the public hearing.

Mr. Tesche moved, to approve AR 2002-107.
 Seconded by Ms. Von Gemmingen,

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.
 NAYES: None.
 (Clerk's note: Ms. Clementson was excused from the meeting).

- C. Ordinance No. AO 2002-65, an ordinance **setting the rate of tax levy and levying taxes** for the Municipality of Anchorage Area wide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2002, approving the total amount of municipal tax for Fiscal Year 2002 and amending the total amount of municipal tax for Fiscal Year 2001, Office of Management and Budget.
 - 1. Assembly Memorandum No. AM 341-2002.
 - a. Ordinance No. AO 2002-65(S), an ordinance setting the rate of tax levy and levying taxes for the Municipality of Anchorage Area wide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2002, approving the total amount of municipal tax for Fiscal Year 2002 and amending the total amount of municipal tax for Fiscal Year 2001, Office of Management and Budget. (**Addendum**)
 - 2. Assembly Memorandum No. AM 397-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Sullivan moved, to approve AO 2002-65(S).
 Seconded by Mr. Tesche,

In response to Mr. Tesche, Mr. Kieling advised technical changes in the numbers would be made.

Mr. Tesche recommended approval.

In response to Mr. Sullivan, Ms. Frasca advised the changes would be made available later in the evening.

Mr. Sullivan moved, to postpone action on AO 2002-65(S) until 10:00 p.m. time
Seconded by Mr. Tesche, certain.
and it passed without objection,

- D. Resolution No. AR 2002-102, a resolution of the Municipality of Anchorage appropriating \$147,180 of Anticipated National Pollution Discharge Elimination System (NPDES) Storm water Permit Revenues to the Area wide General (101) Fund 2002 General Government Operating Budget to **fund one full-time and one temporary inspector positions**, Development Services Department.
1. Assembly Memorandum No. AM 335-2002.
 2. Resolution No. AR 2002-102(S), a resolution of the Municipality of Anchorage appropriating \$127,900 of Anticipated National Pollution Discharge Elimination System (NPDES) Storm water Permit Revenues to the Area wide General (101) Fund 2002 General Government Operating Budget to fund one full-time and one temporary inspector positions, Development Services Department.
 3. Assembly Memorandum No. AM 335-2002(A).

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Tesche moved, to approve AR 2002-102.
Seconded by Mr. Van Etten,

Mr. Tremaine moved, approve as amended lines 11 and 12 of AR 2002-102 to read
Seconded by Mr. Tesche, “that the sum of (\$127,900)”.

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk’s note: Ms. Clementson was excused from the meeting).

Mr. Tremaine moved, move to say that lines 17 and 18, Section 2, AR 2002-102
Seconded by Mr. Tesche, is removed and substituted with the following: “this Resolution shall take affect on passage and approval by the Anchorage Municipal Assembly of an Ordinance that establishes the fees for the storm-water inspection program for commercial and residential construction permits”.

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk’s note: Ms. Clementson was excused from the meeting).

Mr., Tremaine moved, to change org unit 7520 to 7542 on AM 335-2002(A).
Seconded by Mr. Van Etten,
and it passed without objection,

Ms. Von Gemmingen moved, to substitute AM 335-2002(A) on AR 2002-102(S)
Seconded by Mr. Tremaine,

No further discussion.

Vote was taken on the main motion and it passed:

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk’s note: Ms. Clementson was excused from the meeting, Mr. Sullivan was out of the room).

- E. Resolution No. AR 2002-105, a resolution of the Municipality of Anchorage appropriating \$545,000 of revenues from within the Area wide General Capital Improvement Fund (401) and \$22,000 from within the Chugiak-Eagle River Parks and Recreation Service Area Capital Improvement Fund (462) for **facility improvements at the Alaska Center for the Performing Arts, William A. Egan Civic and Convention Center, George M. Sullivan Arena, and the Harry J. McDonald Memorial Center**, Cultural and Recreational Services.
1. Assembly Memorandum No. AM 358-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Ms. Fairclough moved, to approve AR 2002-105.
Seconded by Mr. Van Etten,

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan and Mr. Kendall were out of the room).

- F. Resolution No. AR 2002-106, a resolution of the Municipality of Anchorage appropriating \$1,447,673 from Alaska Housing Finance Corporation (AHFC) as a grant amendment to the State Categorical Grants Fund (231) for the **Weatherization Assistance Program**, Health and Human Services.
1. Assembly Memorandum No. AM 359-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Ms. Fairclough moved, to approve AR 2002-106.
Seconded by Mr. Tesche,

In response to Mr. Van Etten, Ms. Jewel Jones, Director of Health and Human Services, replied there was no geographical limitation as to where the program could be used.

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan and Mr. Kendall were out of the room).

- G. Resolution No. AR 2002-112, a resolution of the Municipality of Anchorage appropriating \$1,090,000 from the Equipment Maintenance Internal Service Operating Fund (601), to the Equipment Maintenance Internal Service Capital Improvement Fund (606) for the purpose of purchasing **road maintenance/snow removal equipment**, Facility and Fleet Management.
1. Assembly Memorandum No. AM 365-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Tesche moved, to approve AR 2002-112.
Seconded by Ms. Fairclough,

In response to Mr. Tremaine, Chief Fiscal Officer Kate Giard, replied Internal Service Fund (601) does have retained earnings.

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan and Mr. Kendall were out of the room).

- H. Resolution No. AR 2002-113, a resolution of the Municipality of Anchorage appropriating \$225,000 as a contribution from the Alaska Center for the Performing Arts to the Area wide General Capital Improvement Program Fund (401) for **improvements to the Voth Rehearsal Hall**, Office of Management and Budget.
1. Assembly Memorandum No. AM 366-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Ms. Von Gemmingen moved, to approve AR 2002-113.
Seconded by Ms. Fairclough,

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan and Mr. Kendall were out of the room).

- I. Ordinance No. AO 2002-58, an ordinance of the Municipality of Anchorage creating Street Reconstruction Special Assessment District 1SR02, **Street Reconstruction for Warwick Drive**, and determining to proceed with proposed improvements therein, Project Management and Engineering.
1. Assembly Memorandum No. AM 244-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Kendall moved, to approve AO 2002-58
Seconded by Ms. Fairclough,

In response to Ms. Von Gemmingen, Mr. Kieling responded the xs on lines 16, 17, 18 and 19 should be dots.

Ms. Von Gemmingen moved, t to amend with bullets on lines 16, 17, 18 and 19 and approve
seconded Seconded by Mr. Tesche, AO 2002-58.

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan and Mr. Kendall were out of the room).

- J. Ordinance No. AO 2002-59, an ordinance of the Municipality of Anchorage creating Special Assessment District 2R02, **Street Upgrades to Falling Water Drive and White Water Circle**, and determining to proceed with proposed improvements therein, Project Management and Engineering.

1. Assembly Memorandum No. AM 245-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak.

HARRY GODWIN distributed handouts to the Assembly members. Mr. Godwin expressed his disagreement with the assessment on his property.

JOHN SUTER, expressed his disagreement with the assessment on his property

Chairman Traini closed the public hearing.

Chairman Traini returned to item 14 C, to be taken up at 10:00 p.m. time certain.

Ordinance No. AO 2002-65, an ordinance **setting the rate of tax levy and levying taxes** for the Municipality of Anchorage Area wide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2002, approving the total amount of municipal tax for Fiscal Year 2002 and amending the total amount of municipal tax for Fiscal Year 2001, Office of Management and Budget.

1. Assembly Memorandum No. AM 341–2002.
 a. Ordinance No. AO 2002-65(S), an ordinance setting the rate of tax levy and levying taxes for the Municipality of Anchorage Area wide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2002, approving the total amount of municipal tax for Fiscal Year 2002 and amending the total amount of municipal tax for Fiscal Year 2001, Office of Management and Budget. **(Addendum)**
4. Assembly Memorandum No. AM 397-2002.

Chairman Traini advised there was a motion to approve pending.

Mr. Tesche moved, to amend AO 2002-65(S) (get info from C. Frasca)
 Seconded by Mr. Tremaine,

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan was out of the room).

Mr. Tesche moved, for immediate reconsideration of AO 2002-65(S)
 Seconded by Mr. Tremaine,

AYES: Fairclough, Kendall.

NAYES: Von Gemmingen, Taylor, Van Etten, Traini, Tesche, Shamberg, Tremaine.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan was out of the room).

Chairman Traini returned to Item 14 J and advised there was a motion to approve pending.

Ms. Fairclough moved, to approve AO 2002-59
 Seconded by Ms. Von Gemmingen,

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting).

- K. Ordinance No. AO 2002-66, an ordinance of the Municipality of Anchorage approving disposal of the Municipality's interest in **Lots 1C and 1D, Block 1, Eastown Subdivision** to Robert W. Kuczek and Evan Rowland, Real Estate Services.

1. Assembly Memorandum No. AM 333-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Tesche moved, to approve AO 2002-66
 Seconded by Ms. Taylor,

AYES: Sullivan, Von Gemmingen, Taylor, Traini, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

Clerk's note: Ms. Clementson was excused from the meeting; Ms. Fairclough and Mr. Van Etten were out of the room.

- L. Resolution No. AR 2002-119, a resolution of the Anchorage Municipal Assembly supporting the revised **Anchorage Metropolitan Area Transportation Study (AMATS) Operating Agreement**, Traffic Department.

1. Assembly Memorandum No. AM 370-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public hearing.

Mr. Van Etten moved, to approve AR 2002-119
Seconded by Mr. Tremaine,

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

Clerk's note: Ms. Clementson was excused from the meeting.

- M. Ordinance No. AO 2002-68, an ordinance **amending the Hillside Wastewater Management Plan**, Anchorage Municipal Code 21.05.030.D.4. to remove approximately 15 acres of Tract 1B, Villages New Estates (Proposed Lots 1 to 4 of Villages View Estates West, excluding Tract A, per attached Exhibit A) from the area recommended for public sewerage with a minimum residential density of three dwelling units per acre, Planning Department.
1. Assembly Memorandum No. AM 345-2002.
 2. Information Memorandum No. AIM 38-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak.

Mr. Jim Barnett spoke for the owner, and requested approval of the ordinance.

Mr. Tremaine moved, to approve AO 2002-68
Seconded by Mr. Tesche,

Mr. Tremaine moved, to amend to include a new Section 6 stating there will be no
Seconded by Ms. Shamberg, abbreviated plats on these lots.

In response to Mr. Tremaine, Mr. Jerry Weaver, of Zoning and Platting, advised the ordinance was introduced by title by the Assembly; therefore it was not scheduled through the Planning Department's normal process. The Clerk did properly notice the hearing.

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting).

- N. Resolution No. AR 2002-124, a resolution of the Anchorage Municipal Assembly approving a conditional use for an alcoholic beverages conditional use in the B-2B District for a beverage dispensary use per AMC 21.40.160.D.13. for **Soraya's Latin Dance Club**, located on Anchorage, Original Townsite, Block 24A, Lot 5; generally located on the northwest corner of West 4th Avenue and C Street (Downtown Community Council) (Case 2002-080), Planning Department.
1. Assembly Memorandum No. AM 383-2002.

Chairman Traini opened the public hearing and asked if anyone wished to testify.

SHERMAN ERNOUF, legal representative for Soraya's Latin Dance Club, and the two owners, advised the Assembly they had met with the Downtown Community Council and the Council recommended in a 9 to 1 vote to approve the transfer.

In response to Mr. Tesche, Mr. Ernouf responded he and the owners of Soraya's were in agreement with the conditions recommended by the Downtown Community Council and as stated in Mr. Coffey's letter of April 22, 2002.

Mr. Tremaine moved, to approve AR 2002-124
Seconded by Mr. Tesche,

Mr. Tesche moved, to amend AR 2002-124 to add a new Section 9 on page 2
seconded by Mr. Tremaine, a new condition to read as follows: "those conditions approved by the Downtown Community Council as set forth in Mr. Coffey's memorandum to the Anchorage Assembly dated 4-22-02".

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting).

Chairman Traini returned to continuation of AM 391-2002.

- O. Assembly Memorandum No. AM 391-2002, Value Liquor #6 (#660) – Transfer of Ownership for a Package Store Liquor License (Northeast Community Council), Clerk's Office. (**Addendum**)

Ms. Taylor noted AR 2002-138 setting forth the conditions under Section 1, 1) No external advertising of liquor on or in front of the building structure; and 2) No sale of single bottles of alcohol in containers less than 17 ounces.

DAN COFFEY, representing Raney Investments, Inc. and Williams Express, Inc, advised Williams Express does not agree to the conditions. They urge the Assembly to vote and they are prepared to file a protest. Mr. Coffey stated his client, Williams Express, believes the action is very arbitrary, capricious and unreasonable and being applied on an inconsistent basis. They believe these issues are ripe for discussion, applying them in this case is not right.

In response to Mr. Tesche, Mr. Coffey responded he had experience in only one other occasion with attempts to regulate advertising of liquor in front of buildings. Mr. Coffey further explained the circumstances were very different in a factual scenario than the current request.

Ms. Taylor urged a yes vote.

Ms. Taylor moved, to approve amendments to AR 2002-138.
Seconded by Mr. Tremaine

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

NAYES: Sullivan, Kendall.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved for immediate reconsideration of AR 2002-138.
Seconded by Mr. Tesche,

AYES: Sullivan, Kendall.

NAYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

(Clerk's note: Ms. Clementson was excused from the meeting).

In response to Ms. Fairclough, Mr. Campbell replied he would forward to the Legal Department, her request to take a look at other conditional uses that have been placed on other licenses at gas stations. Ms. Fairclough stated she felt there were very few and the two things requested here tonight are consistent with the other requests but she did not have the documentation. Mr. Campbell replied he would take care of it.

15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None

16. SPECIAL ORDERS:

A. Resolution No. AR 2002-137, a resolution of the Anchorage Municipal Assembly **naming the gate at the Seventh Avenue and Cordova Street Entrance to the Anchorage Memorial Park Cemetery** the John P. Bagoy Gate in honor of the significant contributions John P. Bagoy has made to not only the Anchorage Memorial Park Cemetery but the community as well, Office of Planning, Development, and Public Works/Cemetery. **(LAID ON THE TABLE)** P.H. 6-11-02.

B. Ordinance No. AO 2002-74, an ordinance authorizing the Municipality of Anchorage to **waive claims against and indemnify, defend and hold harmless the State of Alaska, its officers, employees, and contractors** from claims for personal injury, loss and property damage resulting from Anchorage citizen volunteers planting, beautifying and maintaining beds of flowers and decorative shrubs within State of Alaska road rights-of-way within the Municipality and authorizing the Municipality to make application to the State of Alaska, Department of Transportation for rights-of-way encroachment permits for such flower planting, Legal Department. **(TO BE SUBMITTED) (LAID ON THE TABLE)** P.H. 5-14-02

C. Resolution No. AR 2002-138, a resolution of the Anchorage Municipal Assembly regarding AM 391-2002 for the transfer of package store license to **Williams Express** and imposing conditions thereon, Assemblymembers Taylor and Fairclough. **(LAID ON THE TABLE)**

This item was handled under 14 O.

17. UNFINISHED AGENDA:

A. Ordinance No. AO 2002-62, an ordinance **establishing the Commission on Racial and Ethnic Diversity** and providing for its membership, duties and responsibilities, Office of Equal Opportunity. P.H. 5-14-02

1. Assembly Memorandum No. AM 312-2002.

18. AUDIENCE PARTICIPATION:

EMORY COUPLES, representing Couples Enterprises, regarding negative impact of inebriates in his location and their being released by CSC before becoming sober.

Chairman Traini returned to item 9D12.

Ms. Taylor Moved, to approve AM 391-2002
Seconded by Mr. Tesche

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine.

NAYES: None.

(Clerk's note: Ms. Clementson was excused from the meeting).

Ms. Taylor moved, for immediate reconsideration of AM 391-2002
Seconded by Mr. Tremaine,

Ms. Taylor urged a no vote.

AYES: Kendall

NAYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine.

(Clerk's note: Ms. Clementson was excused from the meeting, Mr. Sullivan was out of the room).

Chairman Traini returned to Audience Participation.

In response to Mr. Tesche, Mr. Kieling said he would be happy to meet with Mr. Couples to discuss the problems he was experiencing. Mr. Kieling informed the Assembly the Administration was working on a lot of things to work out this problem.

19. **ASSEMBLY COMMENTS:** None.

20. **EXECUTIVE SESSIONS**

A. **Pending Litigation.**

This item was considered after item 10 F 3.

21. **ADJOURNMENT**

The meeting adjourned at 11:00 p.m.

Dick Traini Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: _____, 2002

GM:cmw