

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
JANUARY 9, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

Worksession 4:00 p.m. and Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Reynolds has requested excusal.

Department Heads may be called upon from time to time to participate via teleconference.

2. AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

5. RECONSIDERATION

6. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Regular meeting minutes of December 5, 2016. City Clerk. Recommend adoption.

- B. **Memorandum 17-001** from Mayor Zak, Re: Appointments of Charles Evans and Rachel Lord to the Economic Development Advisory Commission.

- C. **Memorandum 17-002** from Deputy City Clerk, Re: Liquor License Renewals for Patel's, Patel's 2, Rum Locker, Homer Liquor & Wine, Grog Shop, Fat Olive's, Fresh Catch Café, La Baleine Café, and Land's End.

- D. **Ordinance 17-01**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040 to Remove Limitations Placed Upon Public Commenting Before City Council. City Manager. Recommended dates: Introduction January 9, 2017, Public Hearing and Second Reading January 23, 2017.

- E. **Ordinance 17-02**, An Ordinance of the City Council of Homer, Alaska, Amending the Official Road Maintenance Map of the City of Homer by Adding Grubstake Avenue and Snowbird Street as Urban Road. City Manager/Public Works Director. Recommended dates: Introduction January 9, 2017, Public Hearing and Second Reading January 23, 2017.

Memorandum 17-004 from Public Works Superintendent as backup.

- F. **Ordinance 17-03**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.16.040, Disposition of Scheduled Offenses—Fine Schedule; and Repealing Subsection (F) of Homer City Code 5.20.020, Open Burning – Permit Requirement, Homer City Code 5.24.060, Violation – Penalty, Homer City Code 8.08.150, Violation – Penalty, Homer City Code 8.11.080, Violation – Penalty, Homer City Code 13.08.170, Violation – Penalty, Homer City Code 14.08.170, Violation – Penalty, Homer City Code 18.20.090, Penalty, Homer City Code 19.04.100, Violation – Penalty, Homer City Code 19.08.120, Violation – Penalty, and Homer City Code 19.12.100 Violation – Penalties, to Provide for the Disposition of Additional Offenses by Bail Forfeiture Without a Court Appearance. City Manager. Recommended dates: Introduction January 9, 2017, Public Hearing and Second Reading January 23, 2017.

Memorandum 17-005 from City Clerk as backup.

- G. **Resolution 17-001**, A Resolution of the Homer City Council Establishing the Final Cost for the Shellfish Avenue/South Slope Drive Water Main/PRV Project to be \$590,314 and the Per Lot Fair Share as \$11,292. City Manager/Public Works Director. Recommend

adoption.

Memorandum 17-010 from Public Works Director as backup.

- H. **Resolution 17-003**, A Resolution of the Homer City Council Confirming the Appointments of Jenna deLumeau as Treasurer and Andrea Browning as Deputy Treasurer for Calendar Year 2017. City Manager. Recommend adoption.
- I. **Resolution 17-004**, A Resolution of the Homer City Council Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Manager. Recommend adoption.
- J. **Resolution 17-005**, A Resolution of the Homer City Council Awarding the Contract for the Construction of the East Bunnell Avenue Storm Drain Rehabilitation Project to the Firm of Construction Unlimited, Inc. of Anchorage, Alaska, in the Amount of \$405,372 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Recommend adoption.

Memorandum 17-007 from Public Works Director as backup.

- K. **Resolution 17-006**, A Resolution of the City Council of Homer, Alaska, Amending the City Council Operating Manual to Remove Limitations Placed Upon Public Commenting Before City Council. City Manager. Recommend postpone to January 23, 2017 to follow Ordinance 17-01.
- L. **Resolution 17-007**, A Resolution of the City Council of Homer, Alaska, Approving a Memorandum of Agreement Between the City of Homer and the Kachemak Nordic Ski Club Regarding the Maintenance and Operation of Nordic Ski Trails on City Owned Land in the Baycrest Ski Area. City Manager. Recommend adoption.
- M. **Resolution 17-008**, A Resolution of the Homer City Council Awarding Icicle Seafoods, Inc. a New 20-Year Lease With Two, 5-Year Options to Renew for Lot 41, Homer Spit Subdivision Amended ADL 18009, With an Annual Base Rent of \$35,070.00, and Authorizing the City Manager to Move Forward With Lease Negotiations and Execute the Appropriate Documents. City Manager. Recommend adoption.

- N. **Resolution 17-009**, A Resolution of the City Council of Homer, Alaska, Approving Port and Harbor Enterprise's Implementation of Newly Revised Crane Use Agreements. City Manager/Port and Harbor Director. Recommend Public Hearing January 23, 2017.

Memorandum 17-008 from Port and Harbor Director as backup.

- O. **Resolution 17-010**, A Resolution of the City Council of Homer, Alaska, Amending the Fee Schedule Under Planning and Zoning to Add Fees for Technical Review of Communication Tower Applications. City Clerk/City Planner. Recommend Public Hearing January 23, 2017.

Memorandum 17-009 from City Planner as backup.

- P. **Resolution 17-011**, A Resolution of the City Council of Homer, Alaska, Approving an Automatic Aid Agreement and Operational Plan Between Kachemak Emergency Service Area and the City of Homer Volunteer Fire Department for Fire Apparatus and Personnel. Recommend adoption.

7. VISITORS

- A. West Homer Elementary Students – Lego Robotics Group, 10 minutes.
- B. Catie Bursch, Kachemak Bay Research Reserve, Saltwater Invasive Species, 10 minutes.

8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS (10 minute limit per report)

- A. Borough Report
- B. Commissions/Board Reports:
1. Library Advisory Board
 2. Homer Advisory Planning Commission
 3. Economic Development Advisory Commission
 4. Parks Art Recreation and Culture Advisory Commission

- 5. Port and Harbor Advisory Commission
- 6. Cannabis Advisory Commission

- C. Homer Council on the Arts 2017 Arts Awards Nominations

- D. Letter to Mayor Bryan Zak from Mayor Hirotaka Asada, Teshio, Japan

9. PUBLIC HEARING(S)

- A. **Ordinance 16-58(A)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100 to Clarify That the Mayor Retains the Right to Cast a Tie-Breaking Vote Even When Attending a Council Meeting Telephonically. Lewis. Introduction December 5, 2016, Public Hearing and Second Reading January 9, 2017.

- B. **Memorandum 17-003**, from Deputy City Clerk, Re: New Liquor License for Bluff Point Lighthouse Grill.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

- A. City Manager's Report

- B. Bid Report

12. CITY ATTORNEY REPORT

- A. Last Quarter 2016 Report

13. COMMITTEE REPORT

- A. Employee Committee Report

- B. Americans with Disabilities Act Compliance Committee

14. PENDING BUSINESS

- A. **Ordinance 16-57**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.95.060 and Homer City Code 21.95.070 to Require the Homer Advisory Planning Commission to Review Amendments to Title 21 or the Official Zoning Map Before Such Amendments are Adopted by City Council But Not Necessarily Before Such Amendments are Submitted to City Council for Review. City Manager. Introduction November 21, 2016, Public Hearing December 5, 2016, Referred to Planning Commission, Second Reading January 9, 2017.
- B. **Resolution 16-131**, A Resolution of the Homer City Council Approving an Economic Development and Tourism Marketing Agreement Between the City of Homer and the Homer Chamber of Commerce. City Manager. Postponed from December 5, 2016.

Resolution 16-131(S), A Resolution of the Homer City Council Approving an Economic Development and Tourism Marketing Agreement Between the City of Homer and the Homer Chamber of Commerce. City Manager.

15. NEW BUSINESS

- A. **Memorandum 17-006**, from Mayor Zak, Re: Request for Executive Session Pursuant to AS 44.62.310 (A-C)(2), Matters, Subjects that Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion. (City Manager Koester Annual Performance Evaluation/Employment Contract.)

16. RESOLUTIONS

- A. **Resolution 17-002**, A Resolution of the City Council of Homer, Alaska, Supporting Sustainable Fisheries in Kachemak Bay Through Fisheries Enhancement and Habitat Rehabilitation. Lewis/Smith.

17. COMMENTS OF THE AUDIENCE

18. COMMENTS OF THE CITY ATTORNEY

19. COMMENTS OF THE CITY CLERK

20. COMMENTS OF THE CITY MANAGER

21. COMMENTS OF THE MAYOR

22. COMMENTS OF THE CITY COUNCIL

23. ADJOURNMENT

Next Regular Meeting is Monday, January 23, 2017 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.