

Session 10-31 a Regular Meeting of the Homer City Council was called to order on October 25, 2010 at 6:00 p.m. by Mayor James C. Hornaday at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

**PRESENT:** COUNCILMEMBERS: HOGAN, HOWARD, LEWIS, ROBERTS,  
WYTHER, ZAK

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
FINANCE DIRECTOR HARVILLE

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

Council met for a Special Meeting from 4:02 p.m. to 4:56 p.m. to hear **Memorandum 10-132**, from City Clerk Re: Request for Executive Session Pursuant to AS §44.62.310(C)(2), Subjects that Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion. (City Manager Wrede Annual Performance Evaluation/Employment Contract.)

Council met as a Committee of the Whole from 5:00 p.m. to 5:36 p.m. to discuss: **2011 Budget; Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee; Memorandum 10-122 and 10-130 from Public Arts Committee as backup; and Regular Meeting Agenda items.

## **AGENDA APPROVAL**

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

The agenda was amended to add: CONSENT AGENDA - **Memorandum 10-129(A)**, Appointment of Patricia Lillibridge to the Parks and Recreation Advisory Commission, Terry Yager to the Lease Committee, and Reappointment of Mary E. (Beth) Wythe to the Economic Development Advisory Commission and the Permanent Fund Committee.

Resolution title on the agenda was amended: **Resolution 10-85**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Administration to Apply for a Denali Commission Grant in the Amount of \$440,000 for Design and Pre-Construction Activities Related to Priority Capital Improvements Within the Homer Boat Harbor (Ramp 3 / Float Replacement and System 5 Upgrades) and Stipulating that if the Grant is Awarded, the Council will Appropriate the Required Twenty Percent Local Match (\$110,000). City Manager/Port and Harbor Director.

Councilmember Hogan pulled Resolution 10-88 and Consent Agenda item B. Memorandum 10-129(A) was moved to New Business.

The agenda as amended was approved by consensus of the Council.

### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

There were no public comments.

### **RECONSIDERATION**

None.

### **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 Special and Regular Meeting minutes of October 11, 2010. City Clerk. Recommend adoption.

Mayor Hornaday called for a motion for the approval of the recommendations of the consent agenda as read.

ROBERTS/WYTHE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

- B. **Memorandum 10-129**, from Mayor, Re: Appointment Of Patricia Lillibridge to the Parks and Recreation Advisory Commission, Terry Yager to the Lease Committee, and Reappointment of Mary E. (Beth) Wythe to the Economic Development Advisory Commission and the Permanent Fund Committee.

**Memorandum 10-129(A)**, from Mayor, Re: Appointment Of Patricia Lillibridge to the Parks and Recreation Advisory Commission, Terry Yager to the Lease Committee, and Reappointment of Mary E. (Beth) Wythe to the Economic Development Advisory Commission and the Permanent Fund Committee.

Item B moved to New Business.

### **VISITORS**

- A. **Paul Dauphinais**, Executive Director, Homer Chamber of Commerce

Paul Dauphinais, Executive Director of the Homer Chamber of Commerce, referenced documents presented to Council. With marketing efforts and the City's funding the Chamber has increased their reach and value. They have taken input from the Sportsman's Show and are getting good press as depicted in the articles he presented to Council. There are two television programs in progress, one filming in Homer now. The economic benefits are enormous. On July 17 the Chamber had 101 visitors, with 20% of the people signing the book. They have had approximately 10,000 visitors; Senator Begich noted 15% of the visitors are international. The Chamber advertises in movie theatres and will work with Kenai agencies to extend their reach. There will be more Alaska shows. It has been a very good year for advertising in Alaska.

Asked by Councilmember Hogan if the Chamber is doing anything to attract new industry, Mr. Dauphinais answered they are working for potential exports from other areas of the country. Those include a group in Nebraska to ship sweet corn to Homer. They are working with local businesses, one that does 3-D modeling. That business needs band width and the creative environment Homer offers. They are trying to promote local businesses and help business grow, complementing what is already here.

Asked by Councilmember Lewis about the poor attendance at the Fishing Hole this year, Mr. Dauphinais answered he is not aware of any comments to the Chamber. They do not track sports teams, but he wants to put the word out to athletic directors about accommodations for the parents of students.

Councilmember Zak thanked Mr. Dauphinais for the Chamber providing room for the Alaska Small Business Development Center. This year we had more cruise ships, with 19 stops anticipated next year. A number of volunteers handed out materials to visitors as they came off the ships. It is difficult for visitors to have a strong Homer experience due to time restraints, but the Chamber is working on ideas for next year's cruise ship visitors. The Chamber's budget is \$650,000 to \$700,000, originating from the car raffle, halibut derby, and winter king derby. About 65% to 70% of the Chamber's budget comes from those activities.

**B. Bobbie Mumm, Independent Living Center, Trails Program**

Bobbie Mumm, Trails Development Specialist with the Independent Living Center, referenced a Department of Natural Resources grant of \$50,000. The Center failed to meet the grant deadline and will focus on another \$250,000 grant in the springtime. The funds would be used to make a crossing across Woodard Creek.

Doug Schwiesow has been involved with trail design, construction, maintenance, and use for many years. He is still a trail user and appreciates the trail network. He realizes the many opportunities for improvement. After learning of the Woodard Creek crossing he is excited about a connection of Karen Hornaday Park, the hospital, and the surrounding area. The aluminum ramp the City owns is 6 ft. wide and 75 ft. long and could be designated as a pedestrian access. It would work very well, saving the city thousands of dollars. Trails give people an opportunity to be out in the nature, are less risk of street traffic, and provide a feeling of independence. He urged the City to support the trails project.

**ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

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

**PUBLIC HEARING(S)**

None.

**ORDINANCE(S)**

- A. **Ordinance 10-51**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2011 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Recommended dates: Introduction October 25, 2010, Public Hearings November 22 and December 13, 2010.

Mayor Hornaday called for a motion for the adoption of Ordinance 10-51 for introduction and first reading by reading of title only.

WYTHE/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**CITY MANAGER'S REPORT**

- A. City Manager's Report

City Manager Wrede stated the written report provided is dedicated to the budget.

Mayor Hornaday commented the budget was discussed at an earlier meeting. This year it is very difficult; Council will do the best they can.

B. Bid Report

**CITY ATTORNEY REPORT**

None.

**COMMITTEE REPORT**

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee
- D. Lease Committee
- E. City Hall Renovation and Expansion Task Force
  - 1. Meeting minutes of October 4, 2010

**PENDING BUSINESS**

A. **Resolution 10-80**

, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee.

Memorandum 10-122 and 10-130 from Public Arts Committee as backup.

Motion on the floor from October 11<sup>th</sup>: ROBERTS/LEWIS – MOVED FOR THE ADOPTION OF RESOLUTION 10-80.

HOWARD/HOGAN – MOVED TO STRIKE LINES 329 – 333.

Discussion ensued on the City's responsibility to return art to the artist after purchase. It was suggested the City could provide a courtesy notice to the artist if the artwork were to be moved, altered, or removed.

Councilmember Howard moved for a friendly amendment to strike lines 330-333. Councilmember Hogan accepted the amendment.

The copyright clause was questioned. It was determined there were amendments needed, the City Attorney had not yet reviewed the guidelines, and the document would be forwarded to the attorney for review and comment.

HOWARD/HOGAN – MOVED TO WITHDRAW THE MOTION.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/HOWARD – MOVED TO POSTPONE TO NOVEMBER 22<sup>ND</sup>.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee.

Memorandum 10-123 from Public Arts Committee as backup.

Motion on the floor from October 11<sup>th</sup>: LEWIS/ROBERTS - MOTION FOR THE ADOPTION OF RESOLUTION 10-81 BY READING OF TITLE ONLY.

WYTHE/ROBERTS – MOVED TO POSTPONE RESOLUTION 10-81(A) TO FOLLOW RESOLUTION 10-80.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **NEW BUSINESS**

- A. **Memorandum 10-129**, from Mayor, Re: Appointment Of Patricia Lillibridge to the Parks and Recreation Advisory Commission, Terry Yager to the Lease Committee, and Reappointment of Mary E. (Beth) Wythe to the Economic Development Advisory Commission and the Permanent Fund Committee.

**Memorandum 10-129(A)**, from Mayor, Re: Appointment Of Patricia Lillibridge to the Parks and Recreation Advisory Commission, Terry Yager to the Lease Committee, and Reappointment of Mary E. (Beth) Wythe to the Economic Development Advisory Commission and the Permanent Fund Committee.

WYTHE/ZAK - MOVED FOR THE APPOINTMENTS AS PRESENTED.

Councilmember Hogan is thrilled to see Terry Yager for the Lease Committee. The Mayor does not have the authority to appoint a committee member. Per the Lease Policy the authority lies solely with the City Manager.

HOGAN/LEWIS - MOVED TO AMEND AND APPOINT THE TWO (Lillibridge and Wythe).

City Manager Wrede intends to appoint Terry Yager to the Lease Committee.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## RESOLUTIONS

- A. A Resolution of the City Council of Homer, Alaska, Authorizing the City Administration to Apply for a Denali Commission Grant in the Amount of \$440,000 for Design and Pre-Construction Activities Related to Priority Capital Improvements Within the Homer Boat Harbor (Ramp 3 / Float Replacement and System 5 Upgrades) and Stipulating that if the Grant is Awarded, the Council will Appropriate the Required Twenty Percent Local Match (\$110,000). City Manager/Port and Harbor Director.

Mayor Hornaday called for a motion for the adoption of Resolution 10-85 by reading of title only.

WYTHE/ROBERTS – SO MOVED.

City Manager Wrede advised Council the money will come from Port and Harbor reserves. There is sufficient money in the reserves if Council will come up with a 20% match.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 10-86**, A Resolution of the City Council of Homer, Alaska, Creating the Old Homer Intermediate School Reuse Task Force. Zak.

Mayor Hornaday called for a motion for the adoption of Resolution 10-86 by reading of title only.

WYTHE/ZAK – SO MOVED.

WYTHE/HOWARD - MOVED TO AMEND TO MOVE TO THE ECONOMIC DEVELOPMENT COMMISSION FOR DEVELOPMENT AND PROCESSING.

Councilmember Roberts supports Councilmember Zak's idea about a future use, but creating another committee adds more costs and staff time to the Clerk's office.

Councilmember Zak concurs with the costs associated of establishing a new commission. Knowing the time restrictions and finding a home for the Boys and Girls Club is foremost; we need to prepare for the end of January when the college moves out. If we move it forward to the EDC he hopes there is a time restriction and priority established.

Councilmember Hogan supports the idea of a stand-alone task force. He would like to see the citizen's committee with a focus to move fast.

Councilmembers Howard and Wythe expressed support at sending the task directly to the EDC. It would be the fastest and most efficient route since the EDC is a predefined commission.

City Manager Wrede suggested a motion directing the City Manager to write a memo to the EDC stating it was the will of the Council. It would be the EDC's priority to get it done as soon as possible.

It was decided the current resolution could be amended to refer the task to the EDC.

Mayor Hornaday called for a recess at 6:45 p.m. and reconvened the meeting at 6:57 p.m.

VOTE: NO. LEWIS, ROBERTS, WYTHE, ZAK, HOWARD, HOGAN

Motion failed.

WYTHE/LEWIS - MOVED TO CHANGE THE TITLE OF RESOLUTION 10-86 TO READ: A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, DIRECTING THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION TO CONSIDER OPTIONS FOR THE REUSE OF THE OLD HOMER INTERMEDIATE SCHOOL.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

WYTHE/HOGAN – MOVED TO AMEND THE FIRST NOW THEREFORE BE IT RESOLVED TO READ: NOW, THEREFORE, BE IT RESOLVED THAT THE HOMER CITY COUNCIL DIRECTS THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION TO EXPLORE OPTIONS REGARDING FUTURE USES OF THE PROPERTY WITHIN THE SCOPE OF THE PROPERTY USE RESTRICTIONS.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

WYTHE/HOWARD - MOVED TO AMEND TO STRIKE THE 2<sup>ND</sup> BE IT THEREFORE RESOLVED THAT IDENTIFIES THE ESTABLISHMENT OF THE COMMITTEE.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

WYTHE/HOWARD – MOVED TO AMEND THE 3<sup>RD</sup> BE IT THEREFORE RESOLVED TO READ: BE IT FURTHER RESOLVED THAT THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION SHALL ADVISE THE CITY MANAGER AND THE COUNCIL ON FUTURE REUSE OPTIONS OF COST BENEFIT ANALYSIS AND POTENTIAL SOCIAL AND ECONOMIC BENEFITS TO THE COMMUNITY AT LARGE.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

WYTHE/HOWARD – MOVED TO AMEND TO STRIKE THE NEXT BE IT FURTHER RESOLVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

WYTHE/LEWIS - MOVED TO AMEND THE LAST BE IT FURTHER RESOLVED TO STRIKE “TASK FORCE” AND REPLACE WITH “ECONOMIC DEVELOPMENT ADVISORY COMMISSION”.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The matter will be placed on the November 9<sup>th</sup> EDC agenda. The amendments move the direction from a separate committee to the EDC but still retain the process of finding uses for the Old Intermediate School.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Resolution 10-87**, A Resolution of the Homer City Council Expressing its Continued Strong Support for the Homer Deep Water Dock Construction Phase II Project and Expressing its Intent to Place a Bond Proposition in the Amount of Two Million Dollars on the October 2011 Regular Election Ballot Instead of the October 2010 Regular Election Ballot as Authorized by Resolution 08-72. City Manager.

Mayor Hornaday called for a motion for the adoption of Resolution 10-87 by reading of title only.

WYTHE/LEWIS - SO MOVED.

Councilmember Zak asked if there was a chance to include the East Boat Harbor. City Manager Wrede answered there are other projects besides this that can be included in the bond sale. The project goes way back to Senator Stevens and we keep pushing it back for housekeeping purposes.

Councilmember Hogan expressed concern that if we build it they will come. A strong marketing effort is needed to bring in customers.

City Manager Wrede clarified the resolution pushes the project off in the future. When the time comes, Council does not have to place the bond proposition on the ballot.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Resolution 10-88**, A Resolution of the Homer City Council Determining that South Peninsula Haven House, Inc. Meets the Criteria in the Homer City Code and the Property Management Policy and Procedures for Leasing City Property for Less than Fair Market Rent, and Authorizing the City Manager to Negotiate Such a Lease of the Former College West Campus Facility to South Peninsula Haven House, Inc. Hogan.

Pulled by Councilmember Hogan at agenda approval.

- E. **Resolution 10-89**, A Resolution of the City Council of Homer, Alaska, Revising Certain Portions of the Port and Harbor of Homer Terminal Tariff No. 600 and Amending the City of Homer Fee Schedule Accordingly. City Clerk. Recommended dates: Introduction October 25, 2010 and Public Hearings November 22 and December 13, 2010. (To follow Budget Ordinance 10-51.)

Mayor Hornaday called for a motion for the adoption of Resolution 10-89 by reading of title only.

WYTHE/HOWARD - SO MOVED.

Resolution 10-89 will follow Budget Ordinance 10-51.

Councilmember Lewis asked if there was a conflict of interest if he rented a boat slip. Mayor Hornaday ruled there was not since it was such a large group. There was no objection expressed by the Council.

WYTHE/ROBERTS - MOVED TO POSTPONE APPROVAL OF RESOLUTION 10-89 UNTIL THE APPROVAL OF THE FINAL BUDGET.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- F. **Resolution 10-90**, A Resolution of the City Council Amending the City of Homer Fee Schedule Under Airport Terminal Facility, Long Term Parking, Under Public Safety, Parking Tickets, and Under Administrative Fees, Modem Transmission, Data Fees, and Document Copy Fees. City Clerk. Recommended dates: Introduction October 25, 2010 and Public Hearings November 22 and December 13, 2010. (To follow Budget Ordinance 10-51.)

Mayor Hornaday called for a motion for the adoption of Resolution 10-90 by reading of title only.

WYTHE/ROBERTS – SO MOVED.

WYTHE/ROBERTS - MOVED TO POSTPONE RESOLUTION 10-90 UNTIL THE APPROVAL OF THE FINAL BUDGET.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

G. **Resolution 10-91**, A Resolution of the City Council of Homer, Alaska Authorizing the City Administration and the City Auditors to Operate, Budget for, and Audit the Water and Sewer Enterprise Fund as a Special Revenue Fund Under Relevant Statutes and Other Applicable Authorities and Renaming the Homer Water and Sewer Enterprise Fund the Homer Water and Sewer Special Revenue Fund. City Manager/Finance Director. Recommended dates: Introduction October 25, 2010 and Public Hearings November 22 and December 13, 2010. (To follow Budget Ordinance 10-51.)

Memorandum 10-131 from Finance Director as backup.

Mayor Hornaday called for a motion for the adoption of Resolution 10-91 by reading of title only.

LEWIS/ROBERTS – SO MOVED.

ROBERTS/LEWIS - MOVED TO POSTPONE RESOLUTION 10-91 TO FOLLOW THE BUDGET ORDINANCE 10-51.

Councilmember Wythe asked for a Worksession to hear the pros and cons. City Manager Wrede stated there is not a huge rush, although we would like to have it done by the end of the fiscal year.

Resolution 10-91 is to be discussed at a Worksession scheduled for November 8<sup>th</sup> at 5:00 p.m.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

#### **COMMENTS OF THE CITY ATTORNEY**

City Attorney Klinkner was not present.

#### **COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comment.

#### **COMMENTS OF THE CITY MANAGER**

City Manager Wrede had no comment.

## **COMMENTS OF THE MAYOR**

Mayor Hornaday had no comment.

## **COMMENTS OF THE CITY COUNCIL**

Councilmember Lewis reminded everyone to vote between now and November 2<sup>nd</sup>.

Councilmember Hogan thanked Councilmember Lewis and the City Manager for matching the United Way Challenge and asked everyone else to.

Councilmember Howard commented last Saturday Council met with Senator Begich. She was never more proud of our city, our government's process as it relates to the Capital Improvement Projects. The staff presentation was distinct, informative, and the pictures told the story in a memorable fashion. Our message was clear and convincing. She particularly appreciated the City Manager's guarantee to the Senator of the process used to identify and prioritize the needs of our community. The vetting process will give the Senator confidence he can and should feel comfortable to request the funding we so desperately need. She complimented the staff and City Council for the good work that led to the presentation.

Councilmember Zak noted that Senator Begich talked about healthcare.gov, a website with good information on future health care requirements. He thanked Paul Dauphinais from the Chamber for coming tonight. There will be 19 cruise ships next year. He is glad to have the Homer Chamber of Commerce there to provide the support. He reminded people to buy a raffle ticket.

Councilmembers Wythe and Roberts had no comment.

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:10 p.m. The next Regular Meeting is scheduled for Monday, November 22, 2010 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, November 22, 2010 at 5:00 p.m. A Special Meeting is scheduled for Tuesday, October 26, 2010 at 6:00 p.m. A Worksession is scheduled for Monday, November 8, 2010 at 5:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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JO JOHNSON, CMC, CITY CLERK

Approved: \_\_\_\_\_