

ACTION AGENDA

Tuesday, February 15, 2011

Special Meeting

Committee of the Whole

Regular Meeting

SPECIAL MEETING AGENDA

Session 11-06 a Special Meeting of the Homer City Council was called to order on February 15, 2011 at 4:00 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 (telephonic), HOWARD, LEWIS, ROBERTS, WYTHE, ZAK (telephonic)

STAFF: CITY CLERK JOHNSON
CITY MANAGER WREDE
CITY ATTORNEY KLINKNER
PORT AND HARBOR DIRECTOR HAWKINS
CITY PLANNER ABOUD
PUBLIC WORKS DIRECTOR MEYER
POLICE CHIEF ROBL
FIRE CHIEF PAINTER

1. CALL TO ORDER, 4:00 P.M.

Councilmember Zak has requested telephonic participation.

Councilmember Hogan has requested telephonic participation, or excused absence if telephonic is not possible.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were no public comments.

4. NEW BUSINESS

A. Lobbyists, Linda Anderson and Yuri Morgan, Anderson Group, LLC

Lobbyists Linda Anderson and Yuri Morgan, Anderson Group, LLC provided an overview of the Senate and House bills.

5. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

6. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

7. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

8. COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

9. COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

10. COMMENTS OF THE CITY COUNCIL

Councilmembers Hogan, Howard, Lewis, Roberts, Wythe, and Zak had no comment.

11. ADJOURNMENT NO LATER THAN 4:50 p.m.

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:56 p.m. The next Regular Meeting is scheduled for Monday, February 28, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, February 28, 2011 at 5:00 p.m. A Worksession is scheduled for Monday, February 28, 2011 at 4:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

COMMITTEE OF THE WHOLE AGENDA

1. CALL TO ORDER, 5:00 P.M.

Mayor Hornaday called the meeting to order at 5:02 p.m.

Councilmember Zak has requested excusal.

Councilmember Hogan has requested telephonic participation, or excused absence if telephonic is not possible.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

- 3. **REGULAR MEETING AGENDA**
- 4. **COMMENTS OF THE AUDIENCE**

There were no public comments.

- 5. **ADJOURNMENT NO LATER THAN 5:50 p.m.**

Mayor Hornaday adjourned the meeting at 5:37 p.m.

REGULAR MEETING AGENDA

Session 11-07 a Regular Meeting of the Homer City Council was called to order on February 15, 2011 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 (telephonic), HOWARD, LEWIS, ROBERTS, WYTHE
	ABSENT:	ZAK (excused)
	STAFF:	CITY CLERK JOHNSON CITY MANAGER WREDE CITY ATTORNEY KLINKNER CITY PLANNER ABOUD FIRE CHIEF PAINTER POLICE CHIEF ROBL PORT AND HARBOR DIRECTOR HAWKINS PUBLIC WORKS DIRECTOR MEYER

Councilmember Zak 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.)

AGENDA AMENDED: **CITY MANAGER’S REPORT**: Add Memorandum from Public Works Director, re: Projects at Public Works; **RESOLUTIONS**: ITEM G. Title amended: Resolution 11-021, A Resolution of the City Council of Homer, Alaska, in Support of the Homer Coordinated Transportation Program. Roberts. **VISITORS - Lobbyists** – Legislative Bill Report; **ANNOUNCEMENTS/PRESENTATIONS** - Mayor Hornaday’s Report of AML Winter Legislative Session; **RESOLUTIONS - Resolution 11-017**, Main Street Intersection Improvements, public comments; **Resolution 11-020**, Capital Improvement Plan and Capital

Project Legislative Priorities Amendments; **Resolution 11-021**, Homer Coordinated Transportation Program, public comments.

Approved as amended by consensus of the Council.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were 5 public comments.

4. RECONSIDERATION

None.

5. 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 Meeting minutes of January 4, 2011 and Regular Meeting minutes of January 24, 2011. City Clerk. Recommend adoption.

APPROVED without discussion.

6. VISITORS

- A. **Linda Anderson & Yuri Morgan, Anderson Group, LLC** – Lobbyists, 10 minutes.

Lobbyists Linda Anderson and Yuri Morgan provided information on Senate and House Bills relative to Homer.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Borough Report

- B. Commissions/Board Reports:

- 1. Library Advisory Board

Eileen Faulkner, Chair of the Library Advisory Board, reviewed the work the LAB is completing.

- 2. Homer Advisory Planning Commission
- 3. Economic Development Advisory Commission
- 4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

C. International Pacific Halibut Commission Report (Councilmember Hogan)

Councilmember Hogan reported on the IPHC conference he attended in Victoria, B.C. Homer's bid for the 2012 meeting was rejected and Anchorage was chosen instead. Significant cuts in the fish quota are expected and a job tag program will require tag removal before the fish go into the grinders.

D. Alaska Scenic Byways

E. Mayor Hornaday's Report of AML Winter Legislative Session

8. PUBLIC HEARING(S)

A **Ordinance 11-01**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 8.02, Business Licenses, Regarding the Requirement of a License to Engage in Business in the City; and Enacting Homer Code 9.16.015, Determining when a Sale, Rental or Service Occurs in the City. Hogan. Introduction January 10, 2011, Public Hearings January 24 and February 15, 2011 and Second Reading February 15, 2011.

Ordinance 11-01(S), An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 8.02, Business Licenses, Regarding the Requirement of a License to Engage in Business in the City; and Enacting Homer Code 9.16.015, Determining when a Sale, Rental or Service Occurs in the City. Hogan.

SUBSTITUTE ORDINANCE 11-01(S) ADOPTED and FAILED.

9. ORDINANCE(S)

A. **Ordinance 11-03**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.03.040, Definitions Used in Zoning Code; Homer City Code 21.12.020, Rural Residential (RR), Permitted Uses and Structures; Homer City Code 21.14.020, Urban Residential (UR), Permitted Uses and Structures; and Homer City Code 21.16.020, Residential Office (RO), Permitted Uses and Structures; and Homer City Code 21.61.060, Termination of Nonconforming Use or Structure; Regarding the Accessory Use of Storage in Residential Zoning Districts. Planning. Recommended dates: Introduction February 15, 2011, Public Hearing and Second Reading February 28, 2011.

Memorandum 11-017 from City Planner as backup.

ADOPTED without discussion.

B. **Ordinance 11-04**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a State of Alaska Legislative Grant in the Amount of \$1,457,758.20 for the Purpose of Expanding and Renovating City Hall. City Manager. Recommended dates: Introduction February 15, 2011, Public Hearing and Second Reading February 28, 2011.

ADOPTED without discussion.

- C. **Ordinance 11-05**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a State of Alaska Legislative Grant in the Amount of \$1,000,000 for the Purpose of Conducting Preliminary Work on Phase I of the Deep Water Dock Expansion Project to Include Scoping, Feasibility Studies, Environmental Work, and Engineering and Design. City Manager. Recommended dates: Introduction February 15, 2011, Public Hearing and Second Reading February 28, 2011.

ADOPTED without discussion.

- D. **Ordinance 11-06**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a State of Alaska Legislative Grant in the Amount of \$250,000 for the Purpose of Constructing Park Improvements Contained in Phase I of the Karen Hornaday Park Master Plan. City Manager. Recommended dates: Introduction February 15, 2011, Public Hearing and Second Reading February 28, 2011.

ADOPTED without discussion.

- E. **Ordinance 11-07**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$17,000 from the Fire Department Depreciation Reserves for the Purchase and Installation of New Data Collection and Management Software. City Manager/Fire Chief. Recommended dates: Introduction February 15, 2011, Public Hearing and Second Reading February 28, 2011.

Memorandum 11-018 from Fire Chief as backup.

ADOPTED without discussion.

- F. **Ordinance 11-08**, An Ordinance of the City Council of Homer, Alaska, Authorizing an Expenditure of \$359,800 (\$67,860 from the Water/Sewer Reserve and \$291,940 from the Homer Accelerated Roads and Trails Program (HART) for the Purpose of Completing the Design and Construction of Soundview Avenue / Woodard Creek Crossing Improvement. City Manager/Public Works Director. Recommended dates: Introduction February 15, 2011, Public Hearing and Second Reading February 28, 2011.

Memorandum 11-022 and 10-36 from Public Works Director as backup.

ADOPTED without discussion.

10. CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 11-025 from Community Recreation Coordinator, Re: Old Intermediate School.
2. Memorandum from Public Works Director, re: Projects at Public Works

B. Bid Report

C. Games Report

1. Kachemak Bay Equestrian Association, Inc.

City Manager Wrede reported a dedication ceremony for the new display at the airport is scheduled for Thursday, February 17th at 5:00 p.m. Council will begin reviewing the water/sewer rates in April. The Old Intermediate School RFP will issue following an appraisal. Community Schools may be interested in utilizing the building as the Kenai Peninsula Borough School District is trying to shut us out of the building.

Council asked that the Seawall be stricken from Public Works work list and they never see it again unless Council requests to do so.

11. CITY ATTORNEY REPORT

A written report was provided to Council.

12. 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

F. Natural Gas Distribution Task Force

13. PENDING BUSINESS

A. **Ordinance 11-02(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Authorizing the Transfer of ~~\$184,700~~ **\$131,335** from the Harbor Reserve and ~~\$173,000~~ **\$172,932** from the Water/Sewer Reserve to the Energy Revolving Loan Fund and Establishing a Budget for the Implementation of Energy Conservation Measures in the Amount of ~~\$900,500~~ **\$847,067**. (Postponed from January 24, 2011.)

Memorandums 11-021 and 11-007(S) from Public Works Director as backup.

AMENDED and ADOPTED with discussion.

- B. **Resolution 11-009**, A Resolution of the City Council of Homer, Alaska, Approving a Contract with Siemens Industry, Inc. for the Implementation of Energy Conservation Measures in the Amount of \$795,191 and Authorizing the City Manager to Execute the Appropriate Documents to Complete Recommended Improvements. City Manager/Public Works Director. (Postponed from January 24, 2011.)

ADOPTED with discussion.

14. NEW BUSINESS

- A. **Memorandum 11-019**, from City Clerk, Re: Travel Authorization for Councilmember Hogan to Travel to Washington, D.C. on a Lobbying Trip for the City of Homer February 16 – 18, 2011.

PULLED.

15. RESOLUTIONS

- A. **Resolution 11-015**, A Resolution of the City Council of Homer, Alaska, Approving a New Ten Year Lease with Two Five Year Options for Homer Spit Campground, Finding that it is in the Public Interest to do so Without a Competitive Bidding Process, and Authorizing the City Manager to Negotiate and Execute the Lease. City Manager.

Memorandum 11-024 from Lease Committee as backup.

ADOPTED without discussion.

- B. **Resolution 11-016**, A Resolution of the City Council of Homer, Alaska, Approving City Participation in the Kenai Peninsula Borough Office of Emergency Management Computer Aided Dispatch Project to Step Six as Described in the White Paper Distributed by the Borough and in its January 24, 2011 Presentation to the City Council. City Manager/Police Chief

Memorandum 11-013 from Police Chief as backup.

ADOPTED without discussion.

- C. **Resolution 11-017**, A Resolution of the City Council of Homer, Alaska Requesting that the State Department of Transportation and Public Facilities Add the Proposed Main Street / Sterling Highway Intersection Improvements Project to the Statewide Transportation Improvement Program (STIP), Expand the Project to Include Bringing Main Street Up to Urban Road Standards and Adding Traffic Control Improvements at Main Street and Pioneer Avenue, and Stipulating that in Return, the City Will Commit \$2 Million it Received from a Legislative Grant for the Project as a Match and Assume Responsibility for Ownership and Maintenance of Main Street. City Manager.

Memorandum 11-023 from City Manager as backup.

FAILED.

- D. **Resolution 11-018**, A Resolution of the City Council of Homer, Alaska, Amending Resolution 10-57(A) Creating the City Hall Renovation and Expansion Task Force by Extending the Life of the Task Force to the Point that Construction Begins. City Manager/City Hall Renovation & Expansion Task Force.

Memorandum 11-020 from City Hall Renovation and Expansion Task Force as backup.

ADOPTED without discussion.

- E. **Resolution 11-019**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Pratt Museum's Senate Appropriation Request in the Amount of \$1,500,000 for Construction of its New Facility and Site Redesign Project. Wythe.

ADOPTED without discussion.

- F. **Resolution 11-020**, A Resolution of the City Council of Homer, Alaska, Amending Resolution 10-78(A) Adopting the 2011-2016 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2012 by Deleting Kachemak Bay Tidal Power Feasibility and Conceptual Design from the "Top 15" Priorities List for 2012 and Replacing Deep Water Dock Uplands Improvements on the "Top 15" List with a New Project Entitled Deep Water/Cruise Ship Dock; Docking and Upland Passenger Facility Improvements. City Manager.

AMENDED to move project #6 Natural Gas Pipeline Anchor Point to Homer to project #2.

ADOPTED as AMENDED with discussion.

- G. **Resolution 11-021**, A Resolution of the City Council of Homer, Alaska, in Support of the Homer Coordinated Transportation Program. Roberts.

ADOPTED without discussion.

16. COMMENTS OF THE AUDIENCE

There were 2 who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

20. COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

21. COMMENTS OF THE CITY COUNCIL

Councilmembers Wythe commented on the Main St. intersection.

Councilmember Hogan thanked the CARTS people.

Councilmember Howard mentioned the ramifications from the Tuesday council meeting, telephonic attendance, and generosity of employees to share leave time.

Councilmembers Lewis and Roberts had no comment.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:13 p.m. The next Regular Meeting is scheduled for Monday, February 28, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, February 28, 2011 at 5:00 p.m. A Worksession is scheduled for Monday, February 28, 2011 at 4:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.