

Session 11-29 a Regular Meeting of the Homer City Council was called to order on September 26, 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, HOWARD, LEWIS, ROBERTS,  
WYTHE, ZAK

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
FINANCE DIRECTOR MAURAS  
LIBRARY DIRECTOR DIXON  
PERSONNEL DIRECTOR PETERSEN  
PORT AND HARBOR DIRECTOR HAWKINS  
PUBLIC WORKS DIRECTOR MEYER

Council met as a Committee of the Whole from 4:00 p.m. to 5:52 p.m. to discuss Regular Meeting Agenda items.

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

### **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: PUBLIC HEARINGS – Memorandum 11-135, from Parks and Recreation Advisory Commission, re: Recommendation and Support to Include Construction of a New Track at the Homer High School. Resolution 11-093 was pulled due to lack of bids received.

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

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

Peter Velsko, city resident and retired ADF&G hatchery manager, knew Nick Dudiak and worked closely with him. He supports ADF&G efforts to get CIP funds to dredge the lagoon. Nick Dudiak knew the lagoon would need dredging; it is not a new concept. The fishing hole is renown outside the state of Alaska.

Nicky Szarzi, Homer resident and formerly of ADF&G, supports the CIP project to dredge the fishing lagoon. From the standpoint of entertainment for Homer citizens and the rest of the world it is a very good investment. In its heyday in 2002-2003 the lagoon rivaled Anchor River, Ninlchik and Deep Creek combined. It inevitably needs maintenance.

### **RECONSIDERATION**

## 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 September 12, 2011. City Clerk. Recommend adoption.

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

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## VISITORS

- A. **Carol Kerkvliet and Jim Hasbrouck**, Alaska Department of Fish and Game, re: Fishing Hole

Jim Hasbrouck, Regional Supervisor of Alaska Department of Fish and Game (ADF&G), Division of Sport Fish, and Carol Kerkvliet, Sport Fish Assistant Area Management Biologist in Homer addressed the Council on the Nick Dudiak Fishing Lagoon, aka the Fishing Hole. The lagoon's salmon enhancement program is popular with city residents, attracts visitors, and provides outdoor recreation that stimulates the economy. The decrease of salmon runs is a complex matter, but the Department and the City acting together can help improve salmon runs to the fishing hole. Fish were first stocked in the lagoon in the 1980's. The lagoon was expanded in 1994 to its current size. Nick Dudiak, the local Fish and Game sport fish biologist, helped pioneer the fishing lagoon. Mr. Dudiak knew the lagoon must be excavated or dredged to provide suitable depth for both rearing juvenile salmon and providing angling opportunities for returning salmon. When designed, the lagoon was 12 ft. in depth throughout during low tide. Presently, 60% of the lagoon is 4 ft. or less in depth, creating a poor environment for salmon smolt and reducing their survival rate. It also reduces the area returning salmon will swim in and the area for sport fishing.

The primary cause of the lower smolt survival is the high density of a Chaetoceros algae which has spines that lacerate fish gills, increasing the stress of the smolt. The smolt are already under stress from the transport from Anchorage to Homer. Additionally, the fish are adjusting from living in fresh water to salt water. The algae has a fast population growth rate and is exacerbated

with the combination of shallow water, buildup of nutrients in the lagoon, and increased sedimentation.

ADF&G has taken steps to improve the smolt condition, including delaying the smolt stocking when the algae was in high density in the lagoon. They can release the smolt immediately if a die off begins to occur in the lagoon. ADF&G is transitioning into the new William Jack Hernandez Sport Fish Hatchery in Anchorage, which will improve the quality of the smolt. Mr. Hasbrouck encouraged Council to prioritize the dredging of the Nick Dudiak Fishing Lagoon in their CIP request. Dredging will increase the water depth and flushing will decrease Chaetoceros algae, improving the salmon survival.

Other forces contributing to the poor smolt survival rate include Pollock that may be eating the smolt. Council asked Mr. Hasbrouck questions including the amount of sediment to be dredged, cost of dredging, and what season the silt buildup occurs. Mr. Hasbrouck did not have the information available to respond. Council noted the popular fishing hole is great for handicapped people and kids, and takes the pressure off the rivers. Asked how much support ADF&G would provide in the dredging project, Mr. Hasbrouck answered he could not speak for what the department can do in the Legislature, although they support the dredging of the lagoon. He encouraged the City to talk with Legislators, as the power is with the people themselves. The voice of the public speaks louder than ADF&G.

Mayor Hornaday encouraged people to submit letters of support for the dredging project to the Governor and Legislature.

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

Mayor Hornaday gave a shout out to:

- The great five-year celebration for the library.
- The Homer High School Mariner football team for beating Kenai, the first time in 20 years in double overtime.
- Steve Wolfe, selected as Coach of the Year.
- The public lands celebration at Islands and Ocean Visitor Center.

### **A. Borough Report**

Bill Smith, Kenai Peninsula Assemblyman, thanked the City for their hospitality to the Assembly on their visit last week. He is currently working on school track issues. The track is in poor condition and the process of letting it get in that condition is a problem. Repair of the track has to be a top priority for the school district and the school board. People should contact the school board of the importance of fixing the track.

Mayor Carey has a meeting with the Governor that Mr. Smith has been invited to. There is a potential of Enstar adding a \$1 per Mcf to the gas rate in this area as a means of providing partial financing. Enstar is not sure if the rate is still valid. He asked Enstar to be prepared to answer how much they could finance with the extra tariff. Enstar's financing scheme is to finance up to

ten years with their capital projects. Enstar has not yet made a commitment if they will provide financing with an increased tariff. If the Governor includes the gas line to Homer in his budget the financing information is needed. City Manager Wrede is looking at the areas that would be better served in the City. How much gets hooked up in first ten years is a big deal for Enstar.

Councilmember Lewis asked if Assemblyman Smith could push the Fishing Hole while meeting with the Governor.

**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)**

**A. 2012-2017 Capital Improvement Plan & FY 2013 Legislative Requests**

1. Memorandum 11-135 from Parks and Recreation Advisory Commission

Mayor Hornaday opened the public hearing.

Roberta Highland, city resident, representing Friends of Woodard Creek and Karen Hornaday Park advocated for retaining the park on the CIP list. They have been collaborating with the softball group and HoPP (Homer Playground Project) to bring attention to the park. Their focus is on moving the entrance of the park to the east and creating a parking lot on west side so kids won't have to cross the road. A trail along the creek and landscaping is preferred.

Roberta Highland commented on her own behalf. The alternative water source is a high priority and expensive and she prefers digging multiple wells near the reservoir and investigating water collection systems. She also supports dredging of the Nick Dudiak Fishing Lagoon.

Miranda Weiss, city resident and HoPP volunteer, places value on parks, play, and recreation. The group's kick-off party attracted 300 people. HoPP supports the City's adopt a park program and a park host program. Building a new playground is a waste of time and money if no one takes care of it. Karen Hornaday Park is a shining jewel in the community that should remain on the CIP.

Jonathan Walker, city resident and local pastor, is involved with the HoPP. It is a highly organized group of individuals with a purpose. In their congregation there are 130 to 140

children ages 1 to 12. He has observed the struggle of keeping young families in the community. He is excited about the community build aspect that brings together all types of people and puts their hands to work.

Marti McCleery, member of Friends of Woodard Creek and Karen Hornaday Park, asked that Karen Hornaday Park remain on the CIP list. Friends were instrumental in obtaining the funding for park improvements and a professionally designed park master plan at no cost. She would like to see the remaining funds untouched until a preliminary engineering study is completed for drainage, road realignment, and safe parking for all users.

Catie Bursch, city resident, advocated to keep Woodard Creek healthy. It is a real gem in the community. She has used it for teaching about watersheds and creeks through her job at the Kachemak Bay Research Reserve. Other communities have cleaned up their creeks and kept them accessible. She asked that the City take one step at a time by improving the creek. Some day it will be a feature as the town grows around it. She endorsed the dredging of the Nick Dudiak Fishing Lagoon.

Bumppo Bremicker, city resident, supports the former speakers on Karen Hornaday Park. A lot of work has been done to get funding and the City needs to keep working on it. Priorities for the Parks and Recreation Advisory Commission include Karen Hornaday Park (#1) and Kachemak Drive bike and pedestrian trail (#2). There may be State funds to help with a project. HART funds may be available, with over \$200,000 in that fund specific for trails.

Gary Sinnhuber encouraged the City to dredge the fishing lagoon as it has been neglected over the last 8 years. He started fishing there along with Councilmember Lewis in 1989. He has met wonderful friends from Germany, England, and Japan. Nick Dudiak provided a gift, the opportunity to teach kids to fish. Fishing in the lagoon relieves the pressure on local rivers and provides for handicapped access to those folks that cannot get around too well.

Lindianne Sarno mentioned the potential of saving water through creating a composting toilet system. The idea is on the Economic Development agenda and will be discussed in the upcoming months. Creating a public composting system will save a lot of water and absorb some fish waste for composting. Compost is helpful for Homer's agricultural population.

Mayor Hornaday closed the public hearing.

A resolution for the 2012-2017 Capital Improvement Plan and FY 2013 Legislative Requests will be brought forward for the October 10<sup>th</sup> meeting.

- B. **Ordinance 11-37**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Community Preparedness Outreach Award in the Amount of \$5,000 from the National Network of Libraries of Medicine and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Introduction September 12, 2011, Public Hearing and Second Reading September 26, 2011.

Memorandum 11-122 from Library Director as backup.

Mayor Hornaday opened the public hearing. In the absence of public testimony, Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 11-37 by reading of title only for second and final reading.

HOWARD/WYTHE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 11-38**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$70,000 from the Water and Sewer Reserve Account to Pay the Amount Agreed Upon to Settle the Eminent Domain Action, *City Of Homer V. 4.014 Acres, More Or Less, Of Land, And Nancy J. Hillstrand*. City Manager. Introduction September 12, 2011, Public Hearing and Second Reading September 26, 2011.

Mayor Hornaday opened the public hearing. In the absence of public testimony, Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 11-38 by reading of title only for second and final reading.

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. ROBERTS, WYTHE, HOWARD, HOGAN, LEWIS

VOTE: NO. ZAK

Motion carried.

- D. **Ordinance 11-39(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$12,600 from the Port and Harbor Net Assets Budget for the Purpose of Reconciling a Clerical Oversight. City Manager/Port and Harbor Director. Introduction September 12, 2011, Public Hearing and Second Reading September 26, 2011.

Memorandum 11-123 from Port and Harbor Director as backup.

Mayor Hornaday opened the public hearing. In the absence of public testimony, Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 11-39(A) by reading of title only for second and final reading.

HOWARD/WYTHER - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- E. **Ordinance 11-40**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$10,000 from the Port and Harbor Reserves for the Purpose of a Detailed Basin Survey of the Small Boat Harbor. City Manager/Port and Harbor Director. Introduction September 12, 2011, Public Hearing and Second Reading September 26, 2011.

Memorandum 11-124 from Port and Harbor Director as backup.

Mayor Hornaday opened the public hearing. In the absence of public testimony, Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 11-40 by reading of title only for second and final reading.

WYTHER/LEWIS - SO MOVED.

Councilmember Hogan expressed concern of the sole source contract even though the Corps of Engineers (COE) vetted the contractor. The work could be done by local contractors. The COE requires a surveyor has a hydrological endorsement; only two in the state have the endorsement. The same exact work is being performed by a local surveyor on the Nick Dudiak Fishing Lagoon. He has talked to several engineers and surveyors who could perform the work and do it well. If the COE dictates the scope of work and requirements of contractors they can pay the bills. The City will be appropriating and spending the money so local boys should have a shot at it.

VOTE: YES. LEWIS, ROBERTS, WYTHER, HOWARD

VOTE: NO. ZAK, HOGAN

Motion carried.

**ORDINANCE(S)**

## CITY MANAGER'S REPORT

### A. City Manager's Report

1. Lobbyist Contract: Linda Anderson, the City lobbyist will be at the October 10 Council meeting. She will be in town that week because she is also helping to give a presentation on the proposed changes to the fish tax at the State Harbormasters Conference at Lands End October 10 through 13. Her presence at the October 10 meeting provides several opportunities. First, this is the meeting that the Council approves the CIP List and the Resolution outlining the Top 15 priorities. Linda will be available to take part in that conversation and associated legislative strategy discussions. Second, Council members expressed an interest in talking to Linda and to each other about her contract. The timing on this is good since Council is about to leap into budget discussions. Linda has expressed an interest in entering into another contract for next year at the same rate of compensation. She also said that she would prefer to talk about the contract in executive session so that everyone can speak freely. This would be conducted similar to what occurred with Tom Klinkner (Performance review and contract discussions). A special Meeting/Executive Session has been scheduled for 4 PM that day for this purpose.
2. CIP List: Speaking of the CIP List, Anne Marie reports that so far, only two Council members have filled out their CIP priority forms. Please be sure to do so as soon as you can. Anne Marie will need them well in advance of the October 10 packet deadline (October 5) in order to compile everything and provide the Council with a complete work product that it can review and take action on.
3. More CIP Stuff: Representative Seaton had discussions with Governor Parnell regarding the gasline project. The emphasis was on getting the pipeline in the Governor's budget next year. While the Governor has made no commitments, one thing seems pretty clear. If this project makes it into the Governor's budget, the City should not expect to see any other large CIP projects approved this year. Smaller projects would still have a chance and our Legislators will receive some of their own discretionary funding for projects in their districts. This is important to keep in mind as the Council approves its CIP List and legislative strategy for next year.
4. Gas Pipeline: The City staff is working to implement the Pipeline Action Plan the Council adopted several meetings ago. The project website has been updated and the CM will be talking about the project at Upcoming Rotary and Board of Realtors meetings. A letter has been drafted asking the Governor to include the project in his capital budget next year. On the Tuesday the 26<sup>th</sup>, I will be traveling to Soldotna to meet with Senator Wagoner, Representative Olson, and Enstar. Later meetings with Speaker Chenault, Commissioner Bell, and AEA Director are scheduled or being scheduled.
5. STIP: The Department of Transportation and Public Facilities (ADOT/PF) has circulated a new Statewide Transportation Improvement Program (STIP) document for public review. DOT/PF representatives were here last week to talk about the new STIP. City reps at the meeting included Carey Meyer, Bryan Hawkins, Rick Abboud and myself. Rick drafted comments on the STIP on behalf of the City and the letter is attached for your information. Also attached is a description of all projects included that are of local interest. We emphasized that the Homer Intersections Project and the Main St.



- Intersection and upgrade was omitted and needed to be added. We will be working to get those projects a higher score in the next few months.
6. Emergency Management Training: The Homer Volunteer Fire Department and the Homer Airport DOT/PF staff will be conducting an airport mass causality drill this Friday. Also, the State is proposing to conduct a tsunami preparedness and response workshop for communities on the Kenai Peninsula and Prince William Sound in late October or early November. Homer and Seward have both offered to host the workshop. The workshop is intended to be for staff and emergency responders. We have suggested that an evening session be added for the community with an emphasis on preparedness and response. This suggestion has been received favorably. More on this topic later. The City and Borough continue to work on local activation of the tsunami warning sirens.
  7. The Draft Budget: As this report was being written, we were right in the middle of finalizing the draft budget for FY 2012. The budget schedule adopted by the Council called for the draft budget to be delivered to the Council on September 26<sup>th</sup> but not introduced by Ordinance until October 24. We had some preliminary discussions (no motions were made or adopted) about moving up the budget ordinance introduction to September 26<sup>th</sup> to give Council more time to work on it and to avoid the prospect of having a special meeting right before Christmas. For a variety of reasons, the budget preparation process is not moving quickly enough to get an ordinance on the agenda for this meeting (September 26<sup>th</sup>). However, we do still intend to have the draft budget in your boxes on the 26<sup>th</sup> or 27<sup>th</sup>. I will be prepared to discuss it in detail during the Manager's Report. The budget ordinance and associated resolutions will be ready for introduction on October 10<sup>th</sup>, which is still sooner than scheduled, and should help.
  8. FEMA Maps: The Federal Emergency Management Agency (FEMA) has circulated new flood insurance hazard maps for the public review. The maps make some significant changes to the status of some parcels on the Spit, including parcels owned by the City. These changes could have impacts on construction standards and the ability to get flood insurance for business people leasing City land. Some existing infrastructure along Fish Dock road is affected. The Planning Commission is scheduled to discuss this at its meeting on September 21. We do not believe that FEMA has done a good enough job explaining the changes and the implications for development on the Spit. Much of the language is very difficult to understand and interpret, even for folks who have some background in the flood insurance program. Rick has requested an extension of the comment period and that FEMA conduct a public meeting here. At some point the City will have to submit official comments and the Council will be asked to adopt an ordinance amending the code and accepting these maps. Rick will be available for questions and answers. Please let us know if you would like a fuller briefing on this. The City could contest these findings but it would be expensive and highly technical. It might be a good use of the City's resources to use dredge spoils to raise the elevation of some lots.
  9. Sign Code Revisions: The Planning Commission is working on amendments to the sign code. The primary focus of the amendments has to do with sandwich boards, banners, and the signage allowable on lots that contain multiple businesses. A staff presentation and public hearing has taken place on the draft ordinance and the Commission will be discussing it further at its meeting on September 21. The tentative plan is to consider further amendments and then have another public hearing. Attached is a copy of a press

release describing the changes for your information. Extensive comments were received at the first hearing. The minutes of the hearing and the draft ordinance as it stands at the moment can be provided for you easily if you want to track this issue.

10. Boys and Girls Club: Last week, Mike Navarre came to visit. He is on the Board of the Kenai Peninsula Boys and Girls Club. Mike wanted an update on where we are with the Club occupying this building and what the prospects might be for allowing the Club to stay beyond December 30. I relayed the Council's support for the Club but that it needed to find a tenant who could pay rent. We discussed a host of hypothetical possibilities but mostly just exchanged information. But, Boys and Girls Club has a strong interest in staying in that building and you can expect some sort of request or proposal from the Board in the not too distant future.
11. HERC Building: Some of you may not be aware of this but when the City accepted title to the old intermediate school, it was named the Homer Education and Recreation Complex (HERC). City employees and most internal documents still refer to it as the HERC Building. I bring this up because Council has indicated that it would be willing to discuss education and recreational uses if a suitable paying tenant cannot be found. Prior Council may have had this in mind given the name. Our current contract with the School District for the Community Schools Program expires in June and that may lend some urgency to having this discussion. The staff is working on a proposal to place the Community Recreation and Parks functions in this building with the idea that they would manage the building and lease parts of it out for educational or recreational functions. Even now, we get requests to rent portions of the building. We were recently approached about renting the gym for a large exhibit. So, this is a topic we should likely get on the agenda, maybe this winter after we get past the budget.

City Manager Wrede encouraged Council to attend the upcoming harbormaster conference to hear the City's lobbyist, Linda Anderson, give a presentation on the fish tax. Attorney Holly Wells will also be there to talk about the legal aspects of getting rid of derelict vessels. The public is allowed to attend the conference.

Council requested a visit from someone to explain the FEMA maps. A letter and resolution for the next meeting was requested.

City Manager Wrede is meeting with Enstar tomorrow and will provide an update at the next meeting. Mayor Hornaday asked him to remind Enstar they have a certificate, it is their responsibility and we still have no gas.

The \$1 Mcf is just an idea Representative Seaton talked to the Governor about. He is not sure Enstar agrees and we don't know if the authority still exists as the certificate was issued ten years ago. Enstar wonders how many people in Homer will hook up, and if the City is going to participate. We are working on draft maps that will show the core downtown area and businesses and institutions that will hook up quickly. He will talk to Enstar to find out the costs. The amount will then be converted to a mil rate increase and we will look at LIDs. Council will determine if we want to participate. For Enstar to upfront any money they are hoping there is a reasonable payback period. Right now it would not pay off within ten years.

Assemblyman Bill Smith has been doing some calculations at the request of Representative Seaton. The preliminary numbers are \$8 per Mcf for the price of gas, an extra \$1 per Mcf is a 12% increase. The savings would still be at 40%, including main lines, hook-up costs, and conversion costs.

There was brief discussion on the heating costs of keeping the Boys and Girls Club in the current building. Mayor Hornaday commented the Borough should step in. City Manager Wrede has a meeting tomorrow with the Superintendent to talk about the building and the proposal from Fireweed Academy.

City Manager Wrede commended Port and Harbor Director Hawkins and the City's legal department for a great job in getting rid of the derelict vessels. The City has title to two more vessels that are to be disposed of with Peninsula Scrap. They get the boats in exchange for reduced rent on the chip pad. It gets rid of the vessels at no cost to the City and frees up the moorage space. The initial scrap work will be done on the beach near Pier One Theatre. On Wednesday the boats will be hauled out. The Corps of Engineers, DEC, and Cook Inlet Keeper have all been notified. It may take a month to break the boats to smaller pieces, move to the chip pad, and then to the dock.

The City has a new collection agent that is more assertive in collecting overdue debt. We haven't been as aggressive as we should have been in the past. People are not happy that they are getting bills and are contacted by collection agents. The collection agency is the same firm the hospital hired. They have experts on their team that are good in insurance.

The meter ordinance (Ordinance 11-26) that passed earlier in the summer allowed collection for apartments and multi-family units. Since its passage there have been problems that were not anticipated. Amendments will be brought forward that will reduce costs to contractors and the administrative costs to the City.

B. Bid Report

**CITY ATTORNEY REPORT**

**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. Port and Harbor Improvement Committee

Councilmember Howard reported the Port and Harbor Improvement Committee is working very hard and will bring something to Council on October 24.

## **PENDING BUSINESS**

### **NEW BUSINESS**

- A. **Memorandum 11-132**, from Permanent Fund Committee, Re: Amend Regular Quarterly Meeting Dates for the Permanent Fund Committee.

Mayor Hornaday called for a motion for the approval of the recommendations of Memorandum 11-132.

HOWARD/LEWIS - SO MOVED.

Councilmember Howard explained the amendment will bring the meetings in line with receipt of the investor's quarterly reports.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Memorandum 11-133**, from City Clerk, Re: Vacate a Portion of Spruce Lane "Knuckle", the Curved Radius Section Adjacent to a 60-Foot Right-of-Way Designed to Provide Access to Interior Lots 1-5 and Associated Utility Easement, Dedicated by Cooper Subdivision No. 4 Replat (Plat HM 93-62), within Section 15, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File No. 2011-124; Location: City of Homer.

Mayor Hornaday called for a motion for the approval of the recommendations of Memorandum 11-133.

LEWIS/WYTHE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **RESOLUTIONS**

- A. **Resolution 11-092**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for an Insurance Benefit Broker and Consulting Services to the Firm of Mercer Health Benefits of Spokane, Washington, in the Amount of \$48,000 Annually and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Memorandum 11-134 from Personnel Director as backup.

Mayor Hornaday called for a motion for the adoption of Resolution 11-092 by reading of title only.

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Resolution 11-093**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for 2011 Dredge Spoils to the Firm of \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_, in the Amount of \$\_\_\_\_\_ and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Resolution 11-093 pulled under agenda approval. There were no bids received for dredge spoils.

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

Rosalie Tupper, Homer resident, commented on the mudslide in November 1982 on Lot #5 Seascape Subdivision. She has owned the parcel since 1973. A culvert was placed which is unacceptable to her as it is aimed at her property.

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

City Attorney Klinkner was not present.

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

City Clerk Johnson reminded the listeners of election day on Tuesday and asked everyone to get out and vote.

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

City Manager Wrede had no comment.

#### **COMMENTS OF THE MAYOR**

Mayor Hornaday seconded the Clerk, urging everyone to vote.

## **COMMENTS OF THE CITY COUNCIL**

Councilmember Roberts commented on the really exciting homecoming ball game at Homer High School. Go Mariners!

Councilmember Zak said it seemed like a short meeting although there were critical items for discussion including the gas pipeline. There is community involvement with the Karen Hornaday Park and the leveraging by people in the community is wonderful to see. This council meeting was productive. It is great to hear of the derelict boats being removed from the harbor. He remarked about the winning football game and the fact that we need to get the Mariners to State.

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

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:23 p.m. The next Regular Meeting is scheduled for Monday, October 10, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, October 10, 2011 at 5:00 p.m. A Special Meeting is scheduled for Monday, October 10, 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.

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JO JOHNSON, CMC, CITY CLERK

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