

ACTION AGENDA

October 10, 2011
Special Meeting
Committee of the Whole
Regular Meeting

SPECIAL MEETING AGENDA

Session 11-30 a Special Meeting of the Homer City Council was called to order on October 10, 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, HOWARD, LEWIS, ROBERTS,
WYTHE

ABSENT: ZAK

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
PUBLIC WORKS DIRECTOR MEYER

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

Councilmember Zak was not eligible to participate in the Special Meeting as he requested telephonic participation for the Committee of the Whole and Regular Meeting. Executive Sessions are excluded from telephonic participation.

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. **Memorandum 11-136**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 2), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Subjects That Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion. (City Lobbyist Contract)

- B. **Memorandum 11-137**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 5), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney/Client Privilege. (Legal Issues Regarding Seawall)

APPROVED without discussion.

Council adjourned to Executive Session at 4:05 p.m. and reconvened the meeting at 4:58 p.m.

Mayor Pro Tempore Wythe stated Council met and did a review of our lobbyists and also met with our attorney to review issues relating to the Seawall. They have provided direction and will be waiting to hear back from him.

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, and Wythe had no comment.

11. ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:59 p.m. The next Regular Meeting is scheduled for Monday, October 24, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, October 24, 2011 at 5:00 p.m. A Special Meeting is scheduled for Monday, October 17, 2011 at 6:00 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, 5:02 P.M.

Councilmember Zak has requested telephonic participation. Council did not make a motion to allow Councilmember Zak to participate by phone, therefore, it was not allowed.

City Manager Wrede introduced Nick Poolos, Systems Manager.

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.

A. 2012 Budget

The 2012 Budget overview was presented by Finance Director Mauras.

3. REGULAR MEETING AGENDA

4. COMMENTS OF THE AUDIENCE

There were two who commented.

5. ADJOURNMENT NO LATER THAN 5:50 P.M.

Mayor Hornaday adjourned the meeting at 5:39 p.m.

REGULAR MEETING AGENDA

Session 11-31 a Regular Meeting of the Homer City Council was called to order on October 10, 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

ABSENT: ZAK (excused)

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
FINANCE DIRECTOR MAURAS

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.)

Councilmember Zak has requested telephonic participation.

Motion failed to allow Councilmember Zak to participate by phone.

The agenda was amended to add AGENDA APPROVAL - Councilmember Zak has requested telephonic participation. CITY MANAGER'S REPORT Budget Message FY 2012 Operating Budget, The Homer Foundation Fund Report Ending June 30, 2011, and Fee Waiver for Disposal of Animal Carcasses by City, ORDINANCES – Ordinance 11-41, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2012 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. - Budget Request from the Chamber of Commerce, and RESOLUTIONS - Resolution 11-097(S), A Resolution of the City Council Certifying the results of the City of Homer Regular City Election Held October 4, 2011 to Elect Two Council Members. City Clerk/Canvass Board.

Additionally, Item 6-A. Visitors – Anderson Group, Lobbyists and Items 13-A & B. Pending Business – Memorandums 11-136 and 11-137 were stricken from the agenda.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were no public comments.

4. RECONSIDERATION

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 Regular Meeting minutes of September 26, 2011. City Clerk. Recommend adoption.

APPROVED without discussion.

6. VISITORS

A. **Anderson Group**, Lobbyists

Removed from the agenda.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

Bill Smith, Kenai Peninsula Borough Assemblyman, reported he and Mayor Carey met with Governor Parnell about the high school track and the gasline. Assemblyman Smith told the Governor that Kachemak City passed a ballot proposition to add to their mil rate to extend gas mains throughout the city. He told the Governor that the City of Homer is working on similar issues and had laid out a core area and the Council would be working on financing to spread the gasline through the core of the city. The City has also been working with Enstar to see what arrangements could be made. Although the Governor was not antagonistic towards the gasline, he told them he was uncomfortable since other communities have paid to have gas extended. Assemblyman Smith pointed out Anchor Point, Nikolaevsk, and Ninilchik benefited from State grants. Assemblyman Smith pointed out to the Governor that Representative Seaton had brought up the extra \$1 per Mcf. He discussed with the Governor how that might not be feasible because Enstar is not sure it would apply to this project. Enstar will have to do a study to determine the proceeds and would have to make a commitment to invest the capital. The Governor did say he liked the things being done, that they were moving in the right direction. He didn't commit to putting it in his budget, but he did not say he wouldn't. Assemblyman Smith had hoped he would commit so if the Legislature put it in the budget that he would not veto it again. It would not hurt if people wrote to the Governor in support of the gasline.

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

C. Managing Healthcare Costs, McKinsey Report Says Employers Will Abandon Health Insurance. (Mayor Hornaday)

8. PUBLIC HEARING(S)

A. 2012 Budget

There were five who commented.

9. ORDINANCE(S)

- A. **Ordinance 11-41**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2012 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 10, 2011, Public Hearings November 28 and December 12, 2011, Second Reading December 12, 2011.

ADOPTED without discussion.

Resolution 11-094, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 11-41 schedule.

To follow Ordinance 11-41 schedule.

Resolution 11-095. A Resolution of the City Council of Homer, Alaska, Maintaining the Port of Homer Terminal Tariff No. 600 at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 11-41 schedule.

To follow Ordinance 11-41 schedule.

- B. **Ordinance 11-42**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating State Department of Corrections Capital Project Funds in the Amount of \$3,500 to Purchase New Lockers for Prisoner's Personal Property and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommended dates: Introduction October 10, 2011, Public Hearing and Second Reading October 24, 2011.

Memorandum 11-138 from Police Chief as backup.

ADOPTED without discussion.

10. CITY MANAGER'S REPORT

- A. City Manager's Report

There was no discussion on the budget message as provided by City Manager Wrede.

- B. Bid Report

11. CITY ATTORNEY REPORT

City Attorney Klinkner will provide Council with a written report in advance of the October 24th meeting.

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. Port and Harbor Improvement Committee

13. PENDING BUSINESS

- A. **Memorandum 11-136**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 2), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Subjects That Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion. (City Lobbyist Contract) *(If additional time is needed from Special Meeting at 4:00 p.m.)*

Removed from the agenda.

- B. **Memorandum 11-137**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 5), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney/Client Privilege. (Legal Issues Regarding Seawall) *(If additional time is needed from Special Meeting at 4:00 p.m.)*

Removed from the agenda.

14. NEW BUSINESS

- A. **Memorandum 11-139**, from City Clerk, Re: Travel Authorization for Councilmember Zak's Attendance at Alaska Municipal League 61st Annual Local Government Conference in Fairbanks, Alaska, November 7 – 11, 2011.

FAILED with discussion.

15. RESOLUTIONS

- A. **Resolution 11-096**, A Resolution of the Homer City Council Adopting the 2012-2017 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2013. Mayor and City Council.

ADOPTED as AMENDED: Capital Improvement Projects identified as priorities for the FY 2013 State Legislative Request:

1. Sewer Treatment Plant Bio-solids Treatment Improvements
2. Homer Area Natural Gas Pipeline, Phase 2
3. Harbor Improvement Revenue Bond Projects (Bundled Projects)
4. Skyline Fire Station
5. Fishing Lagoon Improvements
6. Karen Hornaday Park Improvements, Phase I
7. Tanker 2 Refurbishment and Fire Engine 4 Refurbishment HVFD
8. Homer High School Track Renovation
9. Alternative Water Source
10. Deep Water/Cruise Ship Dock Expansion, Phase I
11. Homer Intersection Improvements
12. Ocean Drive Reconstruction with Turn Lane
13. Mariner Park Restroom
14. Kachemak Drive Rehabilitation/Pathway
15. Truck Loading Facility Upgrades at Fish Dock

Added to the CIP 2012-2017 list: Ice Plant Upgrade; Harbor Sheet Pile Loading Dock; Homer Harbor Float Improvements; Barge Mooring Facility; Marine Ways Large Vessel Haulout Facility.

Removed projects incorporated in the Harbor Improvement Revenue Bond Projects: Port and Harbor Building, Harbor Entrance Erosion Control, Ramp 3 Gangway and Approach, Harbor Float Replacement, System 5 Upgrade, and Load and Launch Ramp.

- B. **Resolution 11-097**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2011 to Elect Two Councilmembers. City Clerk/Canvass Board.

Resolution 11-097(S), A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2011 to Elect Two Councilmembers. City Clerk/Canvass Board.

ADOPTED SUBSTITUTE RESOLUTION 11-097(S) without discussion.

- C. **Resolution 11-098**, A Resolution of the City Council of Homer, Alaska, Urging Federal Emergency Management Agency (FEMA) to Schedule a Flood Study Review Meeting in Homer to Discuss with the Public the Newly Proposed Digital Flood Insurance Rate Maps (DFIRMS) and Flood Insurance Study (FIS) Report for the City of Homer, Alaska, Prior to the Commencement of the Statutory 90-Day Appeal Period for Modified Base Flood Elevations (BFEs). Howard.

ADOPTED with discussion.

16. COMMENTS OF THE AUDIENCE

There was one who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner offered congratulations to Councilmembers Howard and Lewis on their re-election.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson also congratulated Councilmembers Howard and Lewis.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede also congratulated Councilmembers Howard and Lewis.

20. COMMENTS OF THE MAYOR

Mayor Hornaday also congratulated Councilmembers Howard and Lewis.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Wythe congratulated Dave and Barb and is looking forward to another couple of fun years.

Councilmember Lewis thanked everyone that voted and everyone that voted for him. He offered congratulations to the high school football team and wished them good luck this weekend. He congratulated Lolita Brache who was awarded the 2011 Educator of the Year award by the Adult Education Association at their annual meeting last Friday.

Councilmember Hogan congratulated Dave and Barb and looks forward to working with them. He is excited about the Mariners football team. They have done a great job this year and hopefully they will continue with a win.

Councilmember Roberts echoed a welcome back to Barb and David. She is very excited about the Homer Mariners, 7:30 p.m. on Saturday.

Councilmember Howard offered congratulations to all the candidates that stepped up to offer their services to participate in local government and to the City Clerk. The goal of the Clerk's office is always to have an uneventful event day and they pulled it off once again. Councilmember Howard commented Kelly Cooper is trying to put together a task force for the Boys and Girls Club and she requested to serve as a volunteer. She asked that the appointment be made at the next council meeting as time is of the essence.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:07 p.m. The next Regular Meeting is scheduled for Monday, October 24, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, October 24, 2011 at 5:00 p.m. A Special Meeting is scheduled for Monday, October 17, 2011 at 6:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.