

ACTION AGENDA
Monday, November 26, 2012
Committee of the Whole
Regular Meeting

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Wythe called the meeting to order at 5:00 p.m.

- 2. AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
- 3. 2013 BUDGET**
- 4. REGULAR MEETING AGENDA**
- 5. COMMENTS OF THE AUDIENCE**
- 6. ADJOURNMENT NO LATER THAN 5:50 P.M.**

Mayor Wythe adjourned the meeting at 5:47 p.m.

REGULAR MEETING AGENDA

Session 12-33 a Regular Meeting of the Homer City Council was called to order on November 26, 2012 at 6:01 p.m. by Mayor Mary E. Wythe 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: BURGESS, DOLMA, HOWARD, LEWIS, ROBERTS, ZAK

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
COMMUNITY & ECONOMIC
DEVELOPMENT COORDINATOR KOESTER
COMMUNITY RECREATION
COORDINATOR ILLG
FINANCE DIRECTOR MAURAS
LIBRARY DIRECTOR DIXON

PERSONNEL DIRECTOR PETERSEN
POLICE CHIEF ROBL
PUBLIC WORKS DIRECTOR MEYER

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.)

The agenda was approved by the Council with the following changes:

PUBLIC HEARINGS - Ordinance 12-47, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2013 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Written public comments; **Resolution 12-100**, A Resolution of the City Council of Homer, Alaska, Authorizing Participation in the Community Development Block Grant Program. City Manager. (Advertised as Public Hearing.); **ORDINANCES - Ordinance 12-56**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an Online With Libraries (OWL) Grant in the Amount of \$4,760.00 for a Temporary Part-Time IT Aide for the Public Library and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Grant Agreement.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were eight who commented.

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 Special Meeting minutes of October 15, 22, and November 2, 2012 and Regular Meeting minutes of October 22, 2012. City Clerk. Recommend adoption.

- B. **Memorandum 12-170**, from Deputy City Clerk, Re: Application for Liquor License Renewal for Boardwalk Fish and Chips and a New Liquor License Application for the Sourdough.
- C. **Memorandum 12-171**, from Mayor, Re: Appointment of Larry Slone to the Planning Commission.

APPROVED with discussion.

6. VISITORS

- A. Mark Roth, Cook Inlet Aquaculture Board, 10 minutes
- B. Monte Davis, Chamber of Commerce, Funding for Marketing, 10 minutes

Monte Davis, Executive Director of the Homer Chamber of Commerce, provided a PowerPoint presentation on the Chamber’s marketing efforts.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor’s Proclamation** – Karen Hornaday Park: Homer Playground Project (HoPP), Homer Little League and City of Homer

Mayor Wythe read and presented the proclamation to Mike Illg.

- B. **Mayor’s Proclamation** – The City of Homer Parks and Community Recreation Program - Alaska Recreation and Park Association - 2011 Outstanding Organization Award

Mayor Wythe read and presented the proclamation to Mike Illg.

- C. **Mayor’s Proclamation** – November as Pancreatic Cancer Awareness Month

Mayor Wythe read and presented the proclamation to Kelly Cooper.

Purple night vigil on Thursday 6:00 p.m. at WKFL park.

- D. **Mayor’s Proclamation** – Jerry Lawver, Lead Operator, Alaska Rural Water Association 2012 Water Operator of the Year

Mayor Wythe read and presented the proclamation to Jerry Lawver.

- E. Homer High School Students and Mayor Wythe Letters, re: Roundabouts
- F. Memorandum 12-177 from Community and Economic Development Coordinator Koester, re: Domestic Violence and Sexual Assault Prevention: The Green Dot Strategy
- G. Certificate of Achievement for Excellence in Financial Reporting to Finance Department

Mayor Wythe acknowledged Regina Mauras and the Finance Department.

- H. Borough Report

Bill Smith, Kenai Peninsula Borough Assemblyman, provided a report.

- I. 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

Mayor Wythe called for a recess at 6:52 p.m. and reconvened the meeting at 6:58 p.m.

8. PUBLIC HEARING(S)

- A. **Ordinance 12-47**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2013 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Introduction October 22, 2012, Public Hearings November 26 and December 10, 2012, Second Reading December 10, 2012.

Resolution 12-088, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates. City Clerk. Follows Budget Ordinance 12-47 schedule.

Resolution 12-089, A Resolution of the City Council of Homer, Alaska, Maintaining the Port of Homer Terminal Tariff No. 600. City Clerk. Follows Budget Ordinance 12-47 schedule.

There were two who testified.

AMENDED:

Account - #400 Port and Harbor Depreciation Reserves \$20,000 for fee and tariff study.

Account – General Fund Police Department \$4,442 adopt staff recommendations to amend four part-time jail positions to two full-time positions.

Account - #256-379 Sewer Reserve \$60,000 for Lift Stations SCADA Upgrade

2013 Proposed Budget Amendment by Councilmember Bryan Zak:

Account - #100-350 Senior Center reduced to \$20,000.

Account - #100-112 Chamber of Commerce reduced to \$19,000

Approval of the rest of Councilmember Zak’s amendments contingent on passage of Ordinance 12-53.

D. **Ordinance 12-48**, An Ordinance of the City Council of Homer, Alaska, Amending the Official Road Maintenance Map of the City of Homer by Adding Kestrel Circle and a Portion of Golden Plover Avenue as Urban Road. City Manager/Public Works Director. Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

Memorandum 12-162 from Public Works Inspector as backup.

There was no public testimony.

ADOPTED with discussion.

C. **Ordinance 12-49**, An Ordinance of the City Council of Homer, Alaska Appropriating \$20,000 from the Homer Accelerated Roads and Trails Fund (HART) for the Purpose of Conducting Survey Work and Engineering / Cost Estimating to Determine the Cost of Constructing the Initial One Half Mile of the Proposed Kachemak Drive Non-Motorized Pathway in Accordance with Resolution 12-079(S). Mayor/City Council. Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

Memorandums 12-163, 12-164, and 12-165 from Kachemak Drive Path Committee as backup.

There was one who testified.

ADOPTED with discussion.

- D. **Ordinance 12-50**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant Award from the Rasmuson Foundation in the Amount of \$18,852 for Collection Enhancement and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

Memorandum 12-166 from Library Director as backup.

There was no public testimony.

ADOPTED without discussion.

- E. **Ordinance 12-51**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Appropriating \$212,270 from the Homer Accelerated Roads and Trails Fund (HART) to Re-Pave Fish Dock Road and Construct Improvements to Outer Dock Road and Appropriating \$100,000 from the General Fund Reserves / Fund Balance for a Reimbursable Economic Development Grant to Fund the Homer Tidal Power Incubator Project. Mayor. Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

There was one who testified.

AMENDED: Section 3 to add the rules governing the reimbursable grant program will be approved by resolution.

ADOPTED with discussion.

- F. **Resolution 12-100**, A Resolution of the City Council of Homer, Alaska, Authorizing Participation in the Community Development Block Grant Program. City Manager.

There were two who testified.

9. **ORDINANCE(S)**

- A. **Ordinance 12-53**, An Ordinance of the Homer City Council, Amending HCC 9.16.010(A) and HCC 9.16.040, and Repealing and Reenacting HCC 9.16.100 Reinstating on a Year-Round Basis the City of Homer Sales Tax Imposed on Sales of

Non Prepared Foods. Zak. Recommended Dates: Introduction November 26, 2012, Public Hearing And Second Reading December 10, 2012.

ADOPTED with discussion.

- B. **Ordinance 12-54**, An Ordinance of the Homer City Council, Amending HCC 9.16.040 and HCC 9.16.100 to Make Certain Categories of Nonprepared Foods Subject to the City of Homer Sales Tax on a Year-Round Basis. Lewis. Recommended Dates: Introduction November 26, 2012, Public Hearing And Second Reading December 10, 2012.

ADOPTED with discussion.

- C. **Ordinance 12-55**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an Alaska Highway Safety Program Grant for DUI Enforcement and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommended Dates: Introduction November 26, 2012, Public Hearing And Second Reading December 10, 2012.

Memorandum 12-172 from Police Chief as backup.

ADOPTED without discussion.

- D. **Ordinance 12-56**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an Online With Libraries (OWL) Grant in the Amount of \$4,760.00 for a Temporary Part-Time IT Aide for the Public Library and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Recommended Dates: Introduction November 26, 2012, Public Hearing and Second Reading December 10, 2012.

Memorandum 12-173 from Library Director as backup.

AMENDED: Lines 9, 17, 27 & 30 up to an amount of 7,280.

ADOPTED with discussion.

- D. **Ordinance 12-57**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Appropriating an Additional \$101,250 from the General Fund Balance for Completion of the Nick Dudiak Fishing Lagoon Dredging Project. City Manager/Public Works Director/Port and Harbor Director. Recommended Dates: Introduction November 26, 2012, Public Hearing and Second Reading December 10, 2012.

Memorandum 12-169 from City Manager as backup.

Memorandums 12-156 and 12-147 from Public Works Director as backup.

ADOPTED with discussion.

10. CITY MANAGER’S REPORT

A. City Manager’s Report

Discussion included the AML trip to Anchorage, dumpsters on the Spit, deferred assessments for seniors and low income individuals for the natural gas line, and Main Street intersection.

B. Bid Report

C. Games Report

1. Alaska State Elks Association – Homer Elks Lodge 2127

11. CITY ATTORNEY REPORT

Attorney Klinkner reported on the active court cases: Auction Block vs. City of Homer, Griswold vs. City of Homer, and Neal vs. City of Homer.

12. COMMITTEE REPORT

A. Public Arts Committee

B. Transportation Advisory Committee

C. Permanent Fund Committee

D. Lease Committee

E. Port and Harbor Improvement Committee

F. Employee Committee Report

G. Water and Sewer Rate Task Force

Mayor Wythe reported there will be a public hearing in January to share concepts the committee has been looking at. This includes a billing process based on usage with a nominal monthly fee. The next meeting for the task force is December 4 at 5:15 p.m.

13. PENDING BUSINESS

14. NEW BUSINESS

- A. **Memorandum 12-174**, from City Clerk, Re: Vacation of the 20-Foot Pedestrian Easement Within Tract A-1 Dedicated by Alfred Anderson Subdivision Pratt Museum Replat (Plat HM 2008-75); and Vacate the 10-Foot Utility Easement Along the West Boundary of Lot 14-A and 15-A Granted by Bunnell's Subdivision No. 17 (Plat HM 86-44) and the 10-Foot Utility Easement Along the West Boundary of Lot 15-A-1 Granted by Bunnell's Subdivision 1996 Pratt Museum Addition (Plat HM 97-13); Within Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska; the City of Homer and Within the Kenai Peninsula Borough; KPB File 2012-160; Location: City of Homer.

APPROVED without discussion.

- B. **Memorandum 12-175**, from City Clerk, Re: Post Travel Authorization for Councilmember Dolma to Attend the Alaska Municipal League 62nd Annual Local Government Conference in Anchorage, Alaska, November 12 - 16, 2012.

APPROVED with discussion.

15. RESOLUTIONS

- A. **Resolution 12-095**, A Resolution of the Homer City Council Adopting an Alternative Allocation Method for the FY 13 Shared Fisheries Business Tax Program and Certifying That This Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area. City Manager.

ADOPTED without discussion.

- B. **Resolution 12-096**, A Resolution of the City Council of Homer, Alaska, Approving a New Two Year Contract in the Amount of \$40,000 Per Year with Anderson Group, LLC for Legislative Consulting and Lobbying Services. City Manager.

POSTPONED to December 10th.

- C. **Resolution 12-097**, A Resolution of the City Council of Homer, Alaska, Expressing Support for a Code Blue Grant Application in the Amount of \$153,000 for a New Ambulance, Authorizing the City Manager to Execute the Appropriate Documents, and Pledging that it will Appropriate the Required Ten Percent Match (\$17,000) if the Grant is Awarded. City Manager/Fire Chief.

Memorandum 12-176 from Fire Chief as backup.

ADOPTED without discussion.

- D. **Resolution 12-098**, A Resolution of the City Council of Homer, Alaska, Awarding a Contract to Pacific Pile and Marine, LP, of Seattle, Washington, in an Amount Not to Exceed \$25,000 for Fender Pile Removal at the Deep Water Dock and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Port and Harbor Director.

ADOPTED without discussion.

- E. **Resolution 12-099**, A Resolution of the City Council of Homer, Alaska, Approving a Memorandum of Agreement Between the Homer Playground Project (HoPP), The Homer Foundation, and the City of Homer Regarding Future Maintenance and Oversight Responsibilities for the New Playground at Karen A. Hornaday Hillside Park. City Manager.

ADOPTED without discussion.

- F. **Resolution 12-100**, A Resolution of the City Council of Homer, Alaska, Authorizing Participation in the Community Development Block Grant Program. City Manager.

AMENDED: Line 12 to delete or a Grant Program to Pay Natural Gas Homer Special Assessment District Assessments on Behalf of Low Income Seniors. Line 15 – added \$150,000.

ADOPTED with discussion.

- G. **Resolution 12-101**, A Resolution of the City Council of Homer, Alaska, Acknowledging the October 2012 Surplus Equipment Bid Results. City Clerk.

ADOPTED without discussion.

16. COMMENTS OF THE AUDIENCE

There were three who commented.

17. COMMENTS OF THE CITY ATTORNEY

Attorney Klinkner commented Attorney Wells will be at the December 10th meeting and he will be available by phone if needed.

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 Wythe thanked Council for their work on the budget this week. She thanked staff for their efforts of getting information to this meeting. She encouraged people to do research in the race to the bottom. A neighbor is cutting costs and reducing that you should do the same thing. Tighten the noose where everyone is sliding down.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Dolma thanked the folks that came to speak tonight.

Councilmember Howard thanked the folks that came to speak. She cast a lot of no votes tonight. This will be her last meeting for six weeks.

Councilmember Burgess thanked the city staff for allowing participation in AML. The conference was a testament to what a well-run organization the City of Homer is. The Newly Elected Officials training had already been touched on. He learned Homer is ahead of other Alaskan cities on a lot of things. He thanked Bill Smith for talking about natural gas. There is no good short term alternative to fuel oil, although natural gas is cheaper. He thanked everyone that came to testify and looks forward to seeing more people on December 10th.

Councilmember Zak thanked Katie for the block grant resolution. We are already seeing the fruits of her position; if we race to the bottom we will not fund things like Katie's job. He thanked everyone that serves on boards of directors; that is what helps to add to the quality of life in the community. There was a great sense of community tonight with the proclamations. It takes everyone working together instead of just the City Council. Council has a lot of hard thought to make the right decisions for the community and he appreciates the support. There is no other community he would choose to live it; part of it is the people that choose to live here.

Councilmembers Roberts and Lewis had no comments.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 9:28 p.m. The next Regular Meeting is Monday, December 10, 2012 at 6:00 p.m. and

Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.