

Session 15-32 a Regular Meeting of the Homer City Council was called to order on October 26, 2015 at 6:00 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: ADERHOLD, BURGESS, LEWIS, ZAK

ABSENT: REYNOLDS, VAN DYKE (both excused)

STAFF: CITY MANAGER KOESTER  
CITY CLERK JOHNSON  
ASSISTANT CITY MANAGER LAWRENCE  
CITY PLANNER ABBOUD  
FINANCE DIRECTOR LI  
IT MANAGER POOLOS  
LIBRARY DIRECTOR DIXON  
POLICE CHIEF ROBL  
PORT AND HARBOR DIRECTOR HAWKINS

Councilmembers Reynolds and Van Dyke have requested excusal.

Mayor Wythe ruled Councilmember Reynolds' and Van Dyke's absence as excused. There was no objection from the Council.

The Council met as a Committee of the Whole from 5:00 p.m. to 5:45 p.m. to discuss Budget 2016, Public Information on Proposition No. 1 - Suspend the Dedication of 0.75% of the City Sales Tax to the Homer Accelerated Roads and Trails (H.A.R.T.) Program for a Period of Three Years, to Make Such 0.75% of City Sales Tax Available for General Government Purposes, Town Hall Meeting, November 9, 2015, and Consent and 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 following changes were made: **ORDINANCES - Ordinance 15-41(S)**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2016 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager. Memorandum 15-178 from Community Recreation Manager as backup.

Written public comments. **PENDING BUSINESS - Ordinance 15-23**, An Ordinance of the Homer City Council Amending Homer City Code 21.40.070, Requirements, Regarding Standards for Impervious Coverage in the Bridge Creek Watershed Protection District. Planning. Memorandum 15-179 from City Planner as backup. Supporting documents as backup.

LEWIS/ZAK - MOVED TO AMEND THE AGENDA TO HEAR MAYOR'S RECOGNITION TO GIRLS AND BOYS CROSS COUNTRY TEAMS AFTER AGENDA APPROVAL.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a motion for the approval of the agenda as amended.

ZAK/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Mayor's Recognition - Girls Cross Country Team and Boys Cross Country Team

Mayor Wythe read and presented the recognition to the Girls and Boys Cross Country Teams.

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

Kevin Hogan, city resident, commented on Ordinance 15-41. The Council can cut \$.5 million by eliminating local dispatch and there will still be two dispatch positions remaining. We are currently paying a whole lot of money for a service that the Borough could provide.

Ginny Espenshade, city resident, commented on Ordinance 15-41. She suggested looking at an in-house attorney as there may be more value in someone here. She expressed concern for removing a patrol officer with our huge social issues, homelessness, and heroin problem.

Joanne Lofgren, Homer resident, spoke on Ordinance 15-41. She reflected on Homer's history before the pipeline and the city buildings back in the 1970's. She asked what Homer felt was worthy of financing before the pipeline and offered support for the animal shelter.

## **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 October 12, 2015. City Clerk. Recommend adoption.
- B. **Memorandum 15-172**, from City Clerk, Re: Deferred Assessment for Macauly for the Homer Natural Gas Special Assessment District.
- C. **Memorandum 15-173**, from Deputy City Clerk, Re: Confirmation of Election Judges for the City of Homer Runoff Election November 3, 2015.
- D. **Memorandum 15-174**, from City Clerk, Re: Vacation of a Portion of the 20-Foot Alley Easement as Granted on Plat HM-839. Vacate the 10-Foot Alley Easement Along the Southern Boundary of Lot 132 and Lot 133; and the 10-Foot Alley Easement Along the Northern Boundary of Lot 134. All Portions of Said Easement are Located Within Section 21. Township 06 South, Range 13 West, Seward Meridian, Within the City of Homer, Alaska and Within the Kenai Peninsula Borough; KPBPC Resolution 2015-31; KPB File 2015-1111.

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

ZAK/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS**

### **A. Kenai Peninsula Borough Mayor Navarre**

Kenai Peninsula Borough Mayor Navarre reported the Borough is considering consolidating emergency dispatch between Homer and the Borough. Although the savings will not be that significant to personnel, consolidation would avoid capital costs for equipment updates mounting to several hundreds of thousands of dollars. There are currently three separate fire delivery systems on the south peninsula. He is aiming for better cooperation and working conditions regardless of what happens in the future. The City of Homer controls its own destiny, so it is the City who gets to decide if they wish to consolidate services. The Borough can't force Homer to do anything.

The State's fiscal situation will trickle down to local communities and governments. We saw the decline in revenue sharing last year and will see more impacts in coming years. The State has difficult decisions to match demands for services that cost \$4.9 billion a year when there is only \$1.9 billion available. The \$3 billion gap can be filled with the State's reserves, but those reserves will run out in three years. Additional revenue sources are needed and the State will use some revenues from the Permanent Fund.

The Borough has formed a health care task force comprised of four members from Homer: Kelly Cooper, Bill Smith, Julie Woodworth, and Bob Letson. Healthcare as delivered and the costs are unsustainable. There are a lot of changes in Medicaid and Medicare, and we will see more changes in Medicaid as the State looks at reducing the budget. It will take some time and transition to get out of the situation, but we can build a shared vision of where we want to be five, ten, or twenty years from now.

Councilmembers asked Mayor Navarre questions pertaining to the Soundview sidewalk project near West Homer Elementary, consolidation of dispatch and hospital services, and the Boys and Girls Club.

Mayor Navarre reported a significant impact to the Borough will be the gas line and AKLNG in Nikiski if the project goes forward. If we have separate service areas we won't be able to use general government revenues for a service already provided in a separate service area.

### **B. Karen Zak – Homer Chamber of Commerce**

Karen Zak, Homer Chamber of Commerce Executive Director, and Tom Stroozas, Chamber Board President, presented on the Chamber's activities. The City and the Chamber entered into a three-year marketing agreement in 2014. The Chamber has a dual operation, both a business advocate and visitor information center.

Services the Chamber offers include:

- Makes sales calls to potential tradeshow, convention, and conference prospects
- Participates in regional advisory committees engaged in business and industry development
- Exhibit at various conference shows and special events
- Conduct Homer familiarization tours and product development activities
- Oversight of special community-wide events
- Business after-hours, member luncheons, Small Business Development Center
- Host prospective meeting planners and clients to promote business and tourism
- Promote Homer for tourism and new businesses
- Operates a Visitor Information Center

The Chamber has 508 members; 17 new members have started businesses. The City funded \$51,000 to the Chamber in 2015 and there has been an increase of \$177,000 in sales tax revenue. The Chamber has been here for 67 years.

Mrs. Zak will provide a spreadsheet showing the breakdown on what the City's contribution has been used for.

C. Megan Murphy - MAPP – Connected Community Update

Megan Murphy, MAPP Coordinator, announced Homer residents will be receiving a mailing soon. The purpose of MAPP is to promote healthy relationships, improve the physical and mental health of caregivers, enhance and increase stability and networks, and increase the number of positive role models in children's lives. Although 60% to 80% of primary care visits are related to stress, only 3% receive help with stress management. Positive relationships and connection are the foundation for helping stress and coping.

A connected community collects and shares real stories. The goal of the mail-out is to stimulate a conversation; no money is requested. We have the power in creating the culture of our community in the behaviors, beliefs, and values that are accepted and passed from one generation to the next.

Pamphlets will be available at the Homer Public Library and the Health Center.

Mayor Wythe called for a recess at 7:06 p.m. and reconvened the meeting at 7:11 p.m.

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

A. Mayor's Proclamation – Extra Mile Day, November 1, 2015

B. Mayor's Recognition - Girls Cross Country Team and Boys Cross Country Team

Mayor Wythe recognized the cross country teams earlier in the meeting.

C. Borough Report

D. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
  - a. Minutes of October 7, 2015
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Deb Lowney, Parks and Recreation Advisory Commissioner, reported on the recent Alaska Recreation and Parks Conference. The conference received the highest attendance in a small community and the evaluations were overwhelmingly positive. The Governor and his wife attended and awards were presented to Mike Illg and HOWL. The Community Recreation program budget maximizes city resources and expertise. The discussion of the HERC as a self-sustaining building continues as we struggle through tough fiscal times. The options addressed by Mike and the public could be a win-win for all. The commission would like to see the beach policy recommendations addressed. There are concerns of the beaches and sustainability and they would like to propose dog leash regulations and dog free zones on the beaches. New commissioners Louise Ashmun and Dixie Hart are good additions to the commission. A high school member is still needed.

5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

Councilmember Burgess reported the Council made recommendations to the State at the last meeting. The CAC is looking at the State's final recommendations as well as local taxation and zoning. The State's recommendations are quite restrictive. The CAC discussed cannabis clubs and the Chief and most of the commissioners approve of the City taking a pro cannabis

club regulatory policy position for public safety issues. People can go to places to consume the substance where minors don't have access. It makes more sense than people going to their hotel rooms or parks. The CAC will provide a memorandum at the next council meeting and will look for the Council's help in working with the Borough to figure the taxation issues.

## 8. PUBLIC HEARING(S)

- A. **Ordinance 15-38**, An Ordinance of the Homer City Council Amending the FY 2015 Operating Budget by Appropriating \$42,500 From the Homer Natural Gas Special Assessment District Account for Settlement Costs in the Castner vs. City of Homer Court Case Challenging Assessments for Condominiums Within the District. City Manager. Introduction October 12, 2015, Public Hearing and Second Reading October 26, 2015.

Mayor Wythe opened the public hearing. In the absence of public testimony Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 15-38 by reading of title only for second and final reading.

LEWIS/ZAK - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 15-39(S)**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$5,000 From the General Fund Balance for Public Information on the Ballot Propositions to Suspend the Dedication of City Sales Tax to the H.A.R.T. Program, and/or to Increase the Rate of the City Sales Tax From 4.5% to 5.5% From April 1<sup>st</sup> Through September 30<sup>th</sup>, Including Without Limitation Information That May Influence the Outcome of the Election on the Propositions, and Appropriating Funds in the Amount of \$6,000 From the General Fund Balance for the Costs of a Special Election on Either or Both Propositions. Mayor. Introduction October 12, 2015, Public Hearing and Second Reading October 26, 2015.

Mayor Wythe opened the public hearing.

Ken Castner, city resident, is not confident the money will be used to resolve the deficit after listening to the Council's discussion. There has been a lot of discussion about cutting things anyway. If the money is to be used as a general revenue enhancement it is mischaracterizing the need for the money. If you are going to try to sell this as restoring cuts do that, if not, be honest about it.

Mayor Wythe closed the public hearing.

Mayor Wythe explained there were two proposals brought forward: suspension of HART funds and seasonal increase of sales tax. Suspension of HART will get us to Budget A; it will not address next year's increased expenses. The Council decided the short-term fix was to move forward with HART suspension since it is not a new tax. Then a bigger conversation on how to create a sustainable source of income must be had. Budget A includes a number of reductions, including reduced staff that has already taken place. HART funds will not bring those things back; they will simply reduce cuts outlined in Budget B. There are core services the City is responsible for providing and the Council has defined them as public safety and road maintenance. Those priorities were confirmed by the community survey as most valuable. Anything beyond that is subject to the availability of funds and the degree to which the community is willing to provide funding. There is no other source of revenue for the additional services. The HART suspension is a bandaid; a real long term revenue increase is needed.

City Manager Koester clarified Budget A funds \$600,000 in reserves; \$97,000 is in the Public Works budget as a mandatory transfer to reserves to pay for the street sweeper and dump truck we have leased. The other \$500,000 is in the Council/Mayor budget. Budget B has no funding of reserves; it pays for the \$97,000 transfer out of reserves for Public Works. We are leading with Budget A and the fiscal policy considerations are all speaking towards it.

Councilmember Burgess called for a point of order to close the public hearing.

Mayor Wythe closed the public hearing.

Councilmember Burgess requested clarification between Budget A and B. HART funds will be used to fill operational deficits that would be created if we didn't use HART funds. That is what should be represented to the voters. He doesn't like to see the balance accumulated in the HART fund. It is the failure of the Council to recognize funds building up in the HART



account and to give the public access to the funds. It is our ability to build out the infrastructure that people rely on the most. Roads and trails and their maintenance spur economic development. He likes the idea of using HART funds as a stop-gap, but wished it was one instead of three years. We need to focus on finding better ways to utilize HART money.

Mayor Wythe called for a motion for the adoption of Ordinance 15-39(S) by reading of title only for second and final reading.

LEWIS/BURGESS – SO MOVED.

LEWIS/ADERHOLD - MOVED TO AMEND TO REMOVE ANY SPOT THAT TALKS ABOUT INCREASING THE RATE OF SALES TAX FROM 4.5% TO 5.5% SINCE WE WILL BE DEALING WITH THAT AFTER THE DECEMBER 1<sup>ST</sup> ELECTION.

There will only be the HART fund proposition on the December ballot, so the additional language is not needed.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

- C. **Ordinance 15-40**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Curiosity Creates Grant From the Association of Library Service to Children in the Amount of \$7,500 for the Homer Public Library and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Introduction October 12, 2015, Public Hearing and Second Reading October 26, 2015.

Mayor Wythe opened the public hearing. In the absence of public testimony Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 15-40 by reading of title only for second and final reading.

LEWIS/BURGESS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Resolution 15-090**, A Resolution of the City Council of Homer, Alaska, Approving the Homer Marine Repair Facility and Its Policies and Best Management Practices. Mayor/Lewis/Reynolds/Zak/Burgess.

Mayor Wythe opened the public hearing. In the absence of public testimony Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Resolution 15-090 by reading of title only.

LEWIS/ADERHOLD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- E. **Resolution 15-091**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Include Homer Repair Facility Fees. Mayor/Lewis/Reynolds/Zak/Burgess.

Mayor Wythe opened the public hearing. In the absence of public testimony Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Resolution 15-091 by reading of title only.

LEWIS/ADERHOLD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- F. **Resolution 15-092**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 to Include Homer Repair Facility Fees. Mayor/Lewis/Reynolds/Zak/Burgess.

Mayor Wythe opened the public hearing. In the absence of public testimony Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Resolution 15-092 by reading of title only.

LEWIS/ADERHOLD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **ORDINANCE(S)**

- A. **Ordinance 15-41**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2016 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager. Recommended dates: Introduction October 26, 2015, Public Hearings November 23, 2015 and December 7, 2015, Second Reading December 7, 2015.

**Ordinance 15-41(S)**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2016 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager.

Memorandum 15-176 from Library Director as backup.

Memorandum 15-179 from Community Recreation Manager as backup.

Memorandum 15-180 from City Manager as backup.

Mayor Wythe called for a motion for the adoption of Ordinance 15-41 for introduction and first reading by reading of title only.

LEWIS/ZAK - SO MOVED.

Mayor Wythe called for a motion to substitute Ordinance 15-41(S) for 15-41.

ZAK/LEWIS - SO MOVED.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a motion to postpone Ordinance 14-41(S) to November 23<sup>rd</sup> for Public Hearing.

LEWIS/ADERHOLD – SO MOVED.

The motion was not required since the Ordinance 14-41(S) will follow the Public Hearing and Second Reading schedule as outlined.

VOTE: NO. LEWIS, BURGESS, ADERHOLD, ZAK

Motion failed.

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

Motion carried.

## **CITY MANAGER’S REPORT**

### A. City Manager’s Report

#### **Request to Postpone Strategic doing until second meeting in January**

A Strategic Doing work session is currently scheduled for November 23. I would like to request the Strategic Doing work session be rescheduled to the second meeting in January. November will be the height of the educational campaign on HART and the December 1 special election and will be my focus. We will also be short staffed in my office for the month of November.

### **Should City Assume Maintenance of Lake Street Bike Paths?**

The City has been informed by ADOT/PF that their Lake Street Improvements will incorporate a bike lane on each side of the road. However, they are requesting that maintenance of the signage and pavement markings for the bike lane on the west side be maintained by the City. If the City does not agree to take on maintenance responsibilities, the State will still build the dedicated space for bike traffic, however it will be considered a 'bike route' with minimal signage and no pavement markings (bike stencils in path). Any agreement for the City to take over maintenance of the bike path would have to include the State plowing and sanding the path and associated liability or we would be looking at a considerable expense. The maintenance expense (replacement cost of signage and stenciling) is estimated at \$2,400 a year.

The City is currently designing similar bike lanes on Waddell Way. Ideally signing and pavement markings should be consistent on Lake Street and Waddell Way.

Lake Street bike lane signage/markings cost \$9,000 to install.     \$2,400/ year to maintain.

Waddell Way bike lane signage/markings cost \$6,000 to install.     \$1,800/ year to maintain.

\$4,200 annual total

Should the City take on the additional maintenance cost for bike lane signage and markings (on both streets) or should the lanes be constructed as 'bike routes' with minimal signage/markings (on both streets)?

### **Buccaneer Creditors' Liquidating Trust Settlement**

You may recall that in June of this year the City of Homer received letter from the Trustee of the Buccaneer Creditors' Liquidating Trust demanding the City return \$17,460 in payment that had been received in the 90 days preceding Buccaneer's bankruptcy. The City Attorney countered with a letter stating that the payment was made during the course of regular business. Nevertheless, the City Attorney has negotiated a 50% reduction in the original demand (\$8730) which I have agreed to. While it gives me heartburn to acquiesce to the claim, it is a modest amount that could quickly be surpassed in legal fees if we were to engage in a lengthy battle. The funds received were for services delivered at the Port and Harbor and will be assigned a legal settlement code in the enterprise budget so we can track these types of expenses.

### **Update on Sale of Lillian Walli Lots**

Council directed staff to sell all 8 City-owned parcels in the Lillian Walli subdivision. I wanted to provide you an update on that process. A request for proposals was posted on the City website on October 12<sup>th</sup>. The total appraised value and minimum bid for all lots is \$91,000. Written questions are due by October 28<sup>th</sup> to the City Clerk's Office. Bids are due by noon November 12, 2015 and will be opened by the City Manager. <http://www.cityofhomer-ak.gov/rfps>.

### **Woodard Creek Coalition**

City Planner Abboud attended the Woodard Creek Coalition Workshop Saturday, October 17<sup>th</sup>. The meeting was held to prioritize several problem statements and set goals and objectives for the coalition. Channelization, erosion, and flooding have been identified as public safety concerns. Development in and around the drainage area has contributed to these problems. The coalition prioritized raising public awareness of the condition of the creek and the value it has to the community. See the attached press release for more information.

### **Upcoming Elections**

We have two more elections before the end of the year. I wanted to remind everyone when absentee voting starts so they can make sure and fit it in – it is coming right up.

November 3 Runoff: Absentee voting started Tuesday, October 20.

December 1 Special Election: Absentee voting starts Monday, November 16.

City Manager Koester requested that the November 23<sup>rd</sup> Worksession on Strategic Doing be postponed to January 25<sup>th</sup>. At this time her focus has been on the information campaign for Proposition 1.

DOT has asked the City to take over maintenance of the bike lanes on Lake Street after reconstruction of the street. DOT wants to install signage and striping to indicate the bike lane and wants the City to take over signage and striping. DOT doesn't want ongoing costs, but will still do maintenance. Public Works Director Meyer provided an estimate of replacing signage and striping every 7 to 10 years. Ongoing maintenance costs need to be figured for all City projects. The Council discussed the need for striping bike lanes and signage that will keep vehicles from drifting into the lane. City Manager Koester will follow up with DOT and bring a resolution forward at the next council meeting.

Council expressed distaste for the Buccaneer settlement after their bankruptcy claim.

City Manager Koester announced the Runoff Election on November 3<sup>rd</sup> with absentee voting starting on October 20<sup>th</sup>. The Special Election on December 1<sup>st</sup> will offer absentee voting beginning November 16<sup>th</sup>.

B. Bid Report

### **CITY ATTORNEY REPORT**

### **COMMITTEE REPORT**

A. Public Arts Committee

Adele Person, Public Arts Committee Member, reported the committee will meet in December to review the Pioneer Avenue revitalization project. The project is designed to refresh buildings and dead spaces. The committee is looking forward to completion of last year's funded project, an inventory of the City's public art collection.

B. Permanent Fund Committee

C. Employee Committee Report

D. Public Safety Building Review Committee

Public Safety Building Review Committee Chair Ken Castner reported they had a facilitated meeting last week. All parties were involved and worked towards a solution to address many things. The current police station will not be remodeled; it needs to be replaced. The committee will provide a report to the Council on December 7<sup>th</sup>. We need to hear from people of what the next 50 years is going to look like here and how to provide for public safety. As a community builder he asked the listeners to please have patience with the process.

E. Vessel Haul-Out Task Force

F. Sustainable Animal Control Review Committee

**PENDING BUSINESS**

A. **Ordinance 15-23**, An Ordinance of the Homer City Council Amending Homer City Code 21.40.070, Requirements, Regarding Standards for Impervious Coverage in the Bridge Creek Watershed Protection District. Planning. Introduction June 29, 2015, Public Hearing July 27, 2015, Referred to Planning Commission, Second Reading September 14, 2015, Postponed to October 26, 2015 for Second Reading.

**Ordinance 15-23(S)**, An Ordinance of the Homer City Council Amending Homer City Code 21.40.070, Requirements, Regarding Standards for Impervious Coverage in the Bridge Creek Watershed Protection District. Planning.

Memorandums 15-100, 15-148, and 15-178 from City Planner as backup.

Motion on the floor from July 27<sup>th</sup> for the adoption of Ordinance 15-23 by reading of title only for second and final reading.

LEWIS/ADERHOLD - MOVED TO SUBSTITUTE ORDINANCE 15-23(S) FOR ORDINANCE 15-23.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Burgess commented the zoning within the district could be amended by either deciding the requirements for developing are too stringent and we can maintain the quality of water by loosening those restrictions, or we are trying to further consolidate and limit development in the district. If we are encouraging increasing development, why are we only extending it to small lot owners? If we are trying to protect our water quality why are we saying the driveways of small lots are only 50% vs. 100% impervious? He questioned the need to reseed disturbed areas by August 31. When we codify things it needs to be reasonable. It is another example of the City over-regulating things. We have defunded the enforcement officer this year and he questioned if it was worth it.

City Planner Abboud answered these are the rules for a conditional use permit and acceptance of a plan. It makes developing in the watershed more predictable and everyone is treated the same. It doesn't change the thought of impervious; it is the same. People know what to expect and they all get treated the same. It is putting in writing what has been in practice for the Bridge Creek Watershed District.

Councilmember Burgess referenced the August 31<sup>st</sup> requirement for reseeding. This was a three/four vote at the Planning Commission level. He suggested softening the clauses.

Councilmember Aderhold added the Planning Commission just had a public hearing last week and the Council does not yet have a summary of what the individuals said.

LEWIS/BURGESS - MOVED TO POSTPONE TO NOVEMBER 23<sup>RD</sup> FOR PUBLIC HEARING AND SECOND READING.

There was no discussion.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **NEW BUSINESS**

## **RESOLUTIONS**



- A. **Resolution 15-096**, A Resolution of the City Council of Homer, Alaska, Disbanding the Vessel Haul-Out Task Force. City Clerk.

Mayor Wythe called for a motion for the adoption of Resolution 15-096 by reading of title only.

LEWIS/ADERHOLD - SO MOVED.

Mayor Wythe thanked the task force members for their work.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 15-097**, A Resolution of the City Council Amending the City of Homer Fee Schedule Under Administrative, City Clerk, Camping, Library, Public Safety, Fire Department, and Public Works Department Fees. City Clerk. To follow Budget Ordinance 15-41.

Memorandum 15-175 from City Clerk as backup.

Mayor Wythe called for a motion for the adoption of Resolution 15-097 by reading of title only.

ZAK/ADERHOLD - SO MOVED.

Mayor Wythe called for a motion to postpone Resolution 15-097 to follow budget Ordinance 15-41(S).

ZAK/ADERHOLD - SO MOVED.

There was no discussion.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **COMMENTS OF THE AUDIENCE**

Adele Person, city resident, encouraged Council to take lessons from Old Town sidewalk and street improvements and apply it to different zones in town. She volunteered to paint and said others would be empowered to help in the process. She is supportive of upgraded facilities for the police.

Ken Castner, city resident, commented in Kodiak the street striping is incised. The street signage is made with a router and filled with epoxy paint. He urged there be critical thinking, examine everything, and follow by action.

Ginny Espenshade, city resident, asked the Council to look at Community Recreation's statement. She has been a community recreational volunteer for over 20 years, clocking up 6,000 hours. Mike Illg's dollars leverage real money; she urged Council not to throw out all volunteer hours for a few dollars.

Deb Lowney, city resident, urged Council to look at increasing revenue, spending, and adding infrastructure to maintain. She would be more comfortable with the HART suspension if it were just one year. She supports MAPP's efforts in connecting the community. She encouraged Council to stand firm in the proposed consolidation of healthcare on the peninsula that could have significant changes. Parks and Recreation needs to coordinate with the Council to quantify the benefits of recreation.

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

City Attorney Klinkner was not present.

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

City Clerk Johnson welcomed councilmember Aderhold and announced absentee voting is underway for the runoff election on Tuesday, November 3<sup>rd</sup>.

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

City Manager Koester had no comments.

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

Mayor Wythe welcomed Donna. She is looking forward to the perspective she will bring to the Council. She reiterated the need to increase revenues to fund things we value. We need people to jump on the bandwagon and provide input for alternative ways to increase

revenue. The next Town Hall meeting is November 9<sup>th</sup> to talk about revenue and the needs and services you would like to have. We can provide services if we have the revenue. Last year cuts should have been made to make revenue available for other things. It is a hard decision since people want services to continue but don't want to pay more taxes. The costs go up for the City just like residents. The road transportation plan from 1988 may need updates since Homer wasn't thinking of a walkable community back then. We make plans, but are not great at carrying them out. Strategic Doing should help us move forward.

## **COMMENTS OF THE CITY COUNCIL**

Councilmember Aderhold commented her focus will be on roads and trails; she is hearing a lot about HART. She questioned why we are building roads when we don't have money to maintain the ones we have. She requested a Worksession to talk about how HART works since people don't understand HART and know how to use the funds. We have a lot of plans created at many different dates that are not current and contradict each other. We need to say which plan holds sway over the other and see what we want our city to look like in the future.

Councilmember Burgess commented on the two themes - critical thinking and good data. He appreciates the comments of those that are focusing on those things. He is happy to see Megan Murphy's presentation. MAPP is reaching out and gathering data and disseminating it. Other things said in the media will require spending time to reset the record. Mayor Navarre said we could save half a million dollars by moving dispatch to Soldotna although most of the savings would be in capital costs. It wouldn't save much from a personnel standpoint. When you call dispatch you want someone to know where the roads and houses are. Someone in Soldotna would not know those things. Another idea suggested was to eliminate the out-of-house attorney; the attorney does make blunders that can be costly. The current contract is for \$12,000 a month and we pay for litigation out of pocket. They are a large firm with other attorneys that support us. An in-house attorney is worth visiting and we may want to talk about utilizing different attorneys. As to the animal shelter, if we eliminate it tomorrow it will put a tremendous burden on the police, not to mention all the health and safety issues that come from it. The services they provide are fairly essential. On the public safety building there is Ken Castner, who is not always cheerleading things the City does. For someone so vehemently opposed, but supportive to the needs of the police should say a lot to the public. The public safety building is extremely essential. He suggested the community recreation folks and those looking out for public safety get together for an opportunity to find a huge amount of common ground. There could be a facility for public safety that meets the recreational needs for the community.

Councilmember Lewis commented a lot has been covered. We have brought forth a lot of different ways to get lots of funding, but don't get the support needed. When we brought up bed tax not one person came and supported it. The snack tax barely passed and was voted down with the grocery tax. People want a lot of things, but they don't want to pay for them.

We need revenue and the City Council can't increase revenue. It will be tough as the years go on and the State goes broke.

Councilmember Zak commented on the community, painting bike lanes, and putting the budget together. None will work if one leg on the three-legged stool is too long. November 9<sup>th</sup> is the date to provide input to the Council. Kenai Peninsula Borough Navarre shared his 20 years' experience on the Boys and Girls Club and why Homer lost their club. On November 14<sup>th</sup> you will have the ability to support the Boys and Girls Club on the peninsula at Carr's Mall. There is no reason Homer should not have one. Councilmember Zak announced the Haunted Hickory on Thursday night. Take cans of food and have a good time in the community. The Health Fair is November 7<sup>th</sup>; there is opportunity to get prescreening done at South Peninsula Hospital at a reduced rate. He welcomed Donna and asked people to please vote.

### **ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:51 p.m. The next Regular Meeting is Monday, November 23, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. A Special Meeting is scheduled for Monday, November 9, 2015 at 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.

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JO JOHNSON, MMC, CITY CLERK

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