

## **ACTION AGENDA**

Monday, November 23, 2015  
Worksession  
Committee of the Whole  
Regular Meeting

### **WORKSESSION AGENDA**

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

Councilmember Zak has requested telephonic participation.

Mayor Wythe called the meeting to order at 4:00 p.m.

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

The agenda was approved by consensus of the Council.

#### **3. HOMER ACCELERATED ROADS AND TRAILS PROGRAM (HART)**

- A. Memorandum 15-192 from City Manager as backup.
- B. Memorandum 15-193 from Public Works Director as backup.
- C. Memorandum 15-194 from Planning Commission as backup.

#### **4. COMMENTS OF THE AUDIENCE**

There was one who commented.

#### **5. ADJOURNMENT NO LATER THAN 4:50 P.M.**

Mayor Wythe adjourned the meeting at 4:50 p.m.

### **COMMITTEE OF THE WHOLE AGENDA**

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

Councilmember Zak has requested telephonic participation.

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. 6)

The agenda was approved by consensus of the Council.

3. **BUDGET 2016**

- A. Memorandum 15-195 from City Manager as backup.

4. **CONSENT AGENDA**

5. **REGULAR MEETING AGENDA**

6. **COMMENTS OF THE AUDIENCE**

There was one who commented.

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

Mayor Wythe adjourned the meeting at 5:50 p.m.

### **REGULAR MEETING AGENDA**

Session 15-34 a Regular Meeting of the Homer City Council was called to order on November 23, 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, LEWIS, REYNOLDS, SMITH, VAN DYKE, ZAK (telephonic)

STAFF: CITY MANAGER KOESTER  
CITY CLERK JOHNSON  
CITY ATTORNEY WELLS  
CITY PLANNER ABOUD  
FINANCE DIRECTOR LI  
IT MANAGER POLOS  
LIBRARY DIRECTOR DIXON

Councilmember Zak has requested telephonic participation.

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 following changes were made: **ANNOUNCEMENTS** - Mayor's Proclamation – Light Up Homer for the Holidays; Lobbyist Report – Anderson Group, LLC; Travel Report, AML Newly Elected Officials Training – Councilmember Aderhold; **PUBLIC HEARINGS - 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. Written public comments.

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 Special meeting minutes of October 20 and November 9, 2015 and Regular meeting minutes of October 26, 2015. City Clerk. Recommend adoption.
- B. **Memorandum 15-182**, from Mayor, Re: Appointment of Councilmember Catriona Reynolds to the Cannabis Advisory Commission and Reappointment of Robert Archibald and Matt Steffy to the Parks and Recreation Advisory Commission.
- C. **Memorandum 15-183**, from Deputy City Clerk, Re: Confirmation of Election Judges for the City of Homer Special Election December 1, 2015.
- D. **Memorandum 15-185**, from Assistant City Manager, Re: Sustainable Animal Control Review Committee - Extension of Committee.
- E. **Ordinance 15-42**, An Ordinance of the Homer City Council, Amending HCC 7.04.010, State Statutes Adopted by Reference, HCC 7.04.030, Violation—Penalty, and HCC 10.04.100, Vehicles and Other Wheeled Conveyances, Repealing HCC Chapter 7.08, Stopping or Parking, and Enacting HCC Chapter 7.10, Stopping, Standing and Parking, to Incorporate in the City Code All Vehicle and Traffic Statutes and Regulations of the State of Alaska Creating Minor Offenses and to Revise and Consolidate City Parking

Regulations, and to Prescribe Penalties for Traffic and Parking Violations. City Manager/Police Chief. Recommended Dates: Introduction November 23, 2015, Public Hearing and Second Reading December 7, 2015.

Memorandum 15-189 from City Attorney as backup.

- F. **Ordinance 15-43**, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code Chapter 3.12, Permanent Fund, Placing the Funds in a Self-Managed Brokerage and Disbanding the Permanent Fund Committee. City Clerk/Permanent Fund Committee. Recommended Dates: Introduction November 23, 2015, Public Hearing and Second Reading December 7, 2015.

Memorandum 15-190 from Permanent Fund Committee as backup.

- G. **Ordinance 15-44**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2015 Operating Budget by Making Necessary Adjustments to Certain Revenue and Expenditure Line Items. City Manager/Finance Director. Recommended dates: Introduction November 23, 2015, Public Hearing and Second Reading December 7, 2015.

- H. **Ordinance 15-45**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2015 Operating Budget by Appropriating Funds in the Amount of \$2,540.30 to Purchase Refurbished Touch Screen Voting Units for the City's Two Precincts. City Manager/City Clerk. Recommended dates: Introduction November 23, 2015, Public Hearing and Second Reading December 7, 2015.

- I. **Resolution 15-100**, A Resolution of the Homer City Council Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Manager. Recommend adoption.

- J. **Resolution 15-101**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for and Accept an Alaska Drinking Water Fund (ADWF) Loan for Phase I of the Homer Water Distribution/Storage Improvement Project in an Amount Not Exceeding \$839,100. City Manager/Public Works Director. Recommend adoption.

Memorandum 15-191 from Public Works Director as backup.

- K. **Resolution 15-102**, A Resolution of the Homer City Council Amending the City of Homer Personnel Regulations, Chapter Three, Section 3.11 Casual Appointments, Chapter Six, Section 6.16 Short-Term Military Leave With Pay, and Chapter Eight, Section 8.14 City Vehicles. City Manager/Personnel Director. Recommend adoption.

Memorandum 15-188 from Personnel Director as backup.

- L. **Resolution 15-103**, A Resolution of the City Council of Homer, Alaska, Approving a Memorandum of Understanding Between the City and The Homer Foundation to Allow the Foundation to Begin Fundraising Efforts for a Boathouse Pavilion on Lot 28 of the Homer Spit. City Manager. Recommend adoption.

The consent agenda was approved by consensus of the Council.

**6. VISITORS**

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

- A. Mayor's Proclamation - Small Business Saturday - November 28, 2015

Mayor Wythe read and presented the proclamation to Jan Knutson of the Chamber of Commerce.

- B. Mayor's Proclamation – Light Up Homer for the Holidays

Mayor Wythe read and presented the proclamation to Jan Knutson of the Chamber of Commerce.

- C. Borough Report

- D. Commissions/Board Reports:

- 1. Library Advisory Board
- 2. Homer Advisory Planning Commission
  - a. Minutes of November 4, 2015

Planning Commissioner Savanna Bradley reported the main issues for the commission are zoning for marijuana and regulations. The commission is creating tighter regulations that can be loosened later. The intent is to avoid creating potential nonconformities and use more time to hear issues. At the last meeting the commission heard from several people not wishing for retail sales of marijuana on the Spit. They wish to keep the family-friendly environment. Considerations have been made to those that sell alcohol now. The commission recommended the Borough approve the Waddell plat and will hold another public hearing on December 2<sup>nd</sup> regarding zoning recommendations for marijuana and limiting the number of licenses within the city and establishing hours of operation for retail facilities. Also on the December 2<sup>nd</sup> agenda are two conditional use permits for easement vacations, a preliminary plat, and consideration for tall towers.

3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Parks and Recreation Advisory Commissioner Robert Archibald reported they now have a full commission. At the November 19<sup>th</sup> meeting the commission walked through city parks to assess conditions. The City is lucky to have volunteers to maintain the parks as resources become tight. At the Bayview Park the fence is being replaced to improve the park. Adopt-a-Park is still looking for people or entities to adopt a park or trail. With the uncertainty of the city budget, generating revenue through the use of the HERC facility was discussed. Requests to utilize building space were denied due to occupancy restrictions; the commission requests the restrictions be revisited in a public forum. With in-kind design, funding, and labor, the public could step in. Parks and recreation will purchase dog waste containers to be placed around town. Dog waste bag holders will be purchased and passed out by Parks and Recreation to bring attention to dog waste. Replacement bags are available through local vendors. Bishop's Beach has undergone severe weathering that is changing the beach. Vehicles should not be allowed on the vegetated storm berm to the east of the entrance. The commission realizes the Council will be taking action on Bishop's Beach access restrictions.

Mayor Wythe advised Commissioner Archibald they have to stop holding onto the HERC. They need to figure out an alternative to the HERC and focus on a building that is sustainable.

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

Councilmember Lewis reported the commission will meet on Monday, November 30<sup>th</sup> to review zoning and planning recommendations.

- E. Lobbyist Report – Anderson Group, LLC
- F. Travel Report, AML Newly Elected Officials Training – Councilmember Aderhold

## **8. PUBLIC HEARING(S)**

- A. **Exclusion requests from the Homer Natural Gas Special Assessment District:**
  1. Mary Mathes - KPB Parcel 17513222

POSTPONED to December 7, 2015.

2. Larry Cabana – Sunset View Estates – KPB Parcel 17510230

EXCLUDED KPB Parcel 17510230.

- B. **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. Introduction June 29, 2015, Public Hearing July 27, 2015, Referred to Planning Commission, Second Reading September 14, 2015 (Planning Commission still reviewing), Postponed to October 26, 2015 for Second Reading, Postponed to November 23, 2015 for Public Hearing and Second Reading.

Memorandums 15-100, 15-148, 15-179, and 15-187 from City Planner as backup.

There was no public testimony.

ADOPTED without discussion.

- C. **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 15-178 from Community Recreation Manager as backup.

Memorandums 15-180 and 15-195 from City Manager as backup.

There was no public testimony.

PUBLIC HEARING and SECOND READING December 7, 2015.

- D. **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(S).

**Resolution 15-097(S)**, A Resolution of the City Council Amending the City of Homer Fee Schedule Under Administrative, **Animal Control**, City Clerk, Camping, Library, Public Safety, Fire Department, and Public Works Department Fees. City Clerk.

Memorandum 15-175 from City Clerk as backup.

Memorandum 15-184 from Sustainable Animal Control Review Committee as backup.

There was no public testimony.

SUBSTITUTE RESOLUTION 15-097(S) ADOPTED.

PUBLIC HEARING December 7, 2015.

**9. ORDINANCE(S)**

**10. CITY MANAGER'S REPORT**

A. City Manager's Report

City Manager Koester highlighted the lots for sale in the Lillian Walli subdivision. To date there has been no interest and she asked the Council for direction on listing the lots with a realtor so they could be advertised on the MLS. The Council advised to list the lots with a realtor and negotiate the percentage of the sale.

There are 21 plots left to sell at Hickerson Memorial Cemetery. Those available are single lots that are spread out. The City purchased three parcels of adjoining land but it will cost \$350,000 to develop the parcels. Raising the plot prices from \$200 to \$1,000 for the new cemetery addition will recoup investment costs over time to develop the cemetery. City Manager Koester will submit a budget amendment for the next meeting.

B. Bid Report

**11. CITY ATTORNEY REPORT**

A. City Attorney Report – October 2015

City Attorney Wells reported the marijuana regulations are being reviewed by the Department of Law. Within 30 to 45 days the Department of Law may recommend changes to the Marijuana Control Board.

**12. COMMITTEE REPORT**

A. Public Arts Committee

B. Permanent Fund Committee

C. Employee Committee Report



- D. Public Safety Building Review Committee
- E. Sustainable Animal Control Review Committee

Committee Chair Roberts and Committee Vice Chair Moss reported the committee has met three times. They thanked the Council for extending the committee to January. The committee has caused no overtime for the Clerk's office. Much public interest has been shown with at least ten people in attendance. They have mostly worked on a fee schedule to get in the budget cycle. The committee is also looking at how to track revenues at the shelter, liability issues for the City, volunteers at the shelter, monthly pro bono visit of veterinarians at the shelter, and safety and OSHA issues when people come in to inspect the shelter.

**13. PENDING BUSINESS**

**14. NEW BUSINESS**

**15. RESOLUTIONS**

- A. **Resolution 15-099**, A Resolution of the Homer City Council Excluding Certain Properties Not Receiving a Benefit from the Homer Natural Gas Special Assessment District. City Clerk.

Memorandum 15-186 from City Clerk as backup.

AMENDED to add exclusion for: LARRY CABANA – SUNSET VIEW ESTATES – KPB PARCEL 17510230.

ADOPTED as AMENDED without discussion.

**16. COMMENTS OF THE AUDIENCE**

There were two who commented.

**17. COMMENTS OF THE CITY ATTORNEY**

City Attorney Wells had no comments.

**18. COMMENTS OF THE CITY CLERK**

City Clerk Johnson announced absentee voting is underway for the special election of December 1<sup>st</sup>.

**19. COMMENTS OF THE CITY MANAGER**

City Manager Koester thanked Council for their patience. It was a big packet with only one meeting this month.

## **20. COMMENTS OF THE MAYOR**

Mayor Wythe wished everyone a Happy Thanksgiving. Although the State is in dire straits we have so much to be thankful for. She thanked the commissions and committees for their time.

## **21. COMMENTS OF THE CITY COUNCIL**

Councilmember Aderhold is thankful to be on City Council and representing City employees of high caliber. She recently toured the water and sewer and port and harbor facilities. Both were wonderful tours and she is very impressed with the people who operate those facilities.

Councilmember Smith commented as his first official meeting it was pretty easy. He is grateful to be here and to serve the City. He hopes that he can live up to the expectations of those that voted for him. Homer High wrestlers beat out 42 other teams and took second place in the jamboree. The Homer Mariner volleyball team qualified for state tournament. The Lions Club prepared annual Thanksgiving boxes for families in need. He appreciates the experience to serve in a community that cares and thanked all that contributed to coordinate over 200 boxes. He thanked the commissions and committees for all their hard work.

Councilmember Zak thanked City Manager Koester for putting together a very well prepared budget and thanked Finance Director Li for putting the work in to make the Council's job easier. He announced absentee voting that is now open and the importance of voters turning out. We have been providing services for residents that are not within city limits; it is expensive to do so and we have to find a new revenue stream. By accessing HART funds for the next three years, the Council will have the ability to look for future revenue sources.

Councilmember Reynolds announced the updated All Hazard Mitigation Plan and the need for community participation. As a FEMA requirement, the plan is updated every five years. The public may view the document on the City's website before it is brought before Council in January or February. MAPP has issued a community health survey that is available online or on MAPP's Facebook page. To find the survey you may email Catriona or Jo also. Student seats are available on the Parks and Recreation Advisory Commission, Library Advisory Board, and Economic Development Advisory Commission. She plans on announcing the vacancies at the high school. It is a way to fulfill a service requirement and enrich one's life. She echoed a thank you to Beau Burgess who was a great mentor to her. She also thanked all the volunteers and staff.

Councilmember Van Dyke thanked staff for bringing two budgets forward. It was a tremendous amount of work. December 1<sup>st</sup> is an extremely important election. Get out and vote in person, or vote by absentee ballot. There is no reason not to vote. He thanked Heath for the nice pat on the back. Councilmember Van Dyke has been a Lion for twenty years now.

The Lions meet the first and third Wednesday of each month at 6:00 p.m. at the Chamber of Commerce.

Councilmember Lewis echoed the same thank you to all. He announced the Cannabis Advisory Commission meeting on November 30<sup>th</sup> at 5:30 p.m. As to the budget, there are certain things in a community that make it a community but will not be money makers. Libraries and community centers cost money, but they along with police and fire make a town a community. That is what we need to remember when dealing with the budget. Hopefully people will come out Tuesday and vote YES. He hopes to see more than a 30% turnout.

## **22. ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:21 p.m. The next Regular Meeting is Monday, December 7, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.