

ACTION AGENDA
Monday, October 24, 2016
Worksession
Committee of the Whole
Regular Meeting

WORKSESSION AGENDA

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

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

Councilmember Aderhold has requested telephonic participation or excusal.

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. DISPATCH CONSOLIDATION WITH KENAI PENINSULA BOROUGH

4. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

Mayor Zak adjourned the meeting at 5:00 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Zak called the meeting to order at 5:07 p.m.

Councilmember Aderhold has requested telephonic participation or excusal.

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. CITY MANAGER'S REPORT (Scheduling)

4. BUDGET 2017

5. CONSENT AGENDA

6. REGULAR MEETING AGENDA

7. COMMENTS OF THE AUDIENCE

There were three who commented.

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

Mayor Zak adjourned the meeting at 5:52 p.m.

REGULAR MEETING AGENDA

Session 16-22 a Regular Meeting of the Homer City Council was called to order on October 24, 2016 at 6:00 p.m. by Mayor Bryan Zak 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 (telephonic), ERICKSON, LEWIS, REYNOLDS, SMITH, STROOZAS

STAFF: CITY MANAGER KOESTER
CITY CLERK JOHNSON
CITY PLANNER ABBOUD
FINANCE DIRECTOR LI
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR BROWNING
POLICE CHIEF ROBL
PORT AND HARBOR DIRECTOR HAWKINS

Councilmember Aderhold has requested telephonic participation or excusal.

Councilmember Aderhold was allowed to participate by phone.

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: **CONSENT AGENDA - Ordinance 16-54**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2017 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager. Budget amendments for Council transportation, subsistence, lobbyist, reserves. **PUBLIC HEARINGS - Ordinance 16-48(S)**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith. Written public comments. **PENDING BUSINESS - Resolution 16-054**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Written public comments. **RESOLUTIONS - Resolution 16-111**, A Resolution of the Homer City Council Giving Direction to the City Manager to Reject/Accept the Proposal to Consolidate 911 Dispatch Services With the Kenai Peninsula Borough. Mayor. Written public comments. Announcements Items A and B were moved to follow agenda approval.

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

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Mayor's Recognition, Girls and Boys Cross Country Running Teams State Championship and Coach Bill Steyer

Mayor Zak read and presented the recognition to Coach Bill Steyer and the Girls and Boys Cross Country Running Teams.

- B. Mayor's Proclamation, 2016 Extra Mile Day

Mayor Zak read the proclamation and encouraged everyone to go the extra mile on November 1st.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were seven 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 Regular meeting minutes of October 10, 2016. City Clerk. Recommend adoption.
- B. Memorandum 16-170 from Mayor Zak Re: Appointment of Sue Fallon to the Library Advisory Board and Justin Arnold to the Planning Commission.

Moved to New Business, Item B. Lewis.

- C. **Ordinance 16-54**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2017 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 24, 2016, Public Hearings November 28, 2016 and December 12, 2016, Second Reading December 12, 2016.
- D. **Ordinance 16-55**, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget by Appropriating \$494,000.00 From the Homer Accelerated Roads and Trails Program (HART) Fund to Provide for Rehabilitation of the Bunnell Street Storm Drain. City Manager/Public Works Director. Recommended dates: Introduction October 24, 2016, Public Hearing and Second Reading November 28, 2016.

Memorandum 16-174 from Public Works Superintendent as backup.

- E. **Resolution 16-107**, A Resolution of the Homer City Council Recognizing Our Duty to Safeguard the Vitality of Ecosystems. Lewis. Recommend adoption.

Moved to Resolutions, Item E. Aderhold.

- F. **Resolution 16-108**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Library Policies for Library Card Registration. City Clerk/Library Advisory Board. Recommend adoption.

Memorandum 16-173 from Library Advisory Board as backup.

- G. **Resolution 16-109**, A Resolution of the City Council Amending the City of Homer Fee Schedule Under Administrative, Camping, Library, Planning and Zoning, Fire, and Public Works Department Fees. City Clerk. (To follow Budget Ordinance 16-54 - Public Hearings November 28 and December 12, 2016.)

Memorandum 16-175 from City Clerk as backup.

- H. **Resolution 16-110**, A Resolution of the City Council of Homer, Alaska, Adding Tract 2-A Waddell Park Subdivision 1985 Replat to the City of Homer Land Allocation Plan as a Lot Available for Sale and Authorizing the City Manager to Proceed With a Request for Proposal. City Manager. Recommend adoption.

Moved to Resolutions. Item D. Stroozas

- I. **Memorandum 16-171**, from City Clerk, Re: Travel Authorization for Mayor Zak and Councilmembers Erickson and Stroozas to Attend the Alaska Municipal League 66th Annual Local Government Conference in Anchorage, Alaska, November 14 - 18, 2016.
- J. **Memorandum 16-176**, from City Clerk, Re: Rescheduling the November and December City Council Meetings.

Item B, Memorandum 16-170 was moved to New Business, Item B. Lewis.

Item H, Resolution 16-110 was moved to Resolutions, Item D. Stroozas.

Item E, Resolution 16-107 was moved to Resolutions, Item E. Aderhold.

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

6. VISITORS

- A. Transition for Ship Escort-Response Vessel System from Crowley Marine Services to Edison Chouest Offshore, Lisa Matlock, 10 minutes.

Lisa Matlock, Outreach Manager, Prince William Sound Regional Citizens' Advisory Council (PWSRCAC), Brooke Taylor, Director of External Communications, and Homer Representative Robert Archibald provided a report on PWSRCAC work.

- B. Linda Anderson, City Lobbyist, Anderson Group, LLC, 10 minutes.

Linda Anderson, Anderson Group, LLC, advocated for an extended contract as the City's lobbyist for 2017.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Mayor's Recognition, Girls and Boys Cross Country Running Teams State Championship and Coach Bill Steyer

Moved to follow Agenda Approval.

B. Mayor's Proclamation, 2016 Extra Mile Day

Moved to follow Agenda Approval.

C. Borough Report

Kenai Peninsula Borough Assembly Member Kelly Cooper provided an update on the Assembly's business.

D. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission

Newly appointed Parks Art Recreation and Culture Advisory Commissioners John Sharp and Clark Fair provided an update on the Commission's business.

5. Port and Harbor Advisory Commission

Port and Harbor Advisory Commissioner Mike Stockburger reported on the Commission's business.

6. Cannabis Advisory Commission

Councilmember Reynolds announced the next meeting is Thursday at 5:30 p.m. in Cowles Council Chambers.

Mayor Zak called for a recess at 7:12 p.m. and reconvened the meeting at 7:21 p.m.

8. PUBLIC HEARING(S)

A. **Ordinance 16-48(S)**, An Ordinance of the City Council of Homer, Alaska, Amending

HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

There was no public testimony.

AMENDED: to replace him or her with them and replace he or she with they.

ADOPTED as AMENDED with discussion.

- B. **Ordinance 16-50**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled “Pre-Application Conference,” to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code. City Manager/Cannabis Advisory Commission. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-163 from Cannabis Advisory Commission as backup.
Memorandum 16-169 from City Planner as backup.

There was no public testimony.

ADOPTED without discussion.

- C. **Ordinance 16-51**, An Ordinance of the City Council of Homer, Alaska, Enacting HCC Chapter 11.36, Vegetation in Rights-of-Way, Providing for the Removal of Vegetation That Interferes With the Reasonable Public Use of a Right-of-Way. City Manager. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-164 from Public Works Superintendent as backup.

There was no public testimony.

ADOPTED with discussion.

- D. **Ordinance 16-52**, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget to Provide for Complete Natural Gas Conversion and Energy Efficient Lighting at the Fire Hall by Appropriating \$115,000 From the Revolving Energy Fund. City Manager/Public Works Director. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-165 from Public Works Director as backup.

There was one who testified.

ADOPTED without discussion.

- E. **Ordinance 16-53**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Issue a Request for Proposal for Lot 11, Homer Spit Subdivision No. 5, for a Long-Term Communications Tower Lease and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$12,500.00 From Port and Harbor Depreciation Reserves to Fund Tower Consultant Services With Cityscape Consultants, Inc. City Manager. Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

There was one who testified.

ADOPTED with discussion.

9. **ORDINANCE(S)**

10. **CITY MANAGER'S REPORT**

A. City Manager's Report

City Manager Koester referenced the letter of support for Kenai Peninsula Borough Resolution 2016-061 to approve a \$10,000 budget revision in the 2016/2017 Borough Senior Grant Program for Homer Senior Citizen's Inc. Funds will be used to provide flooring for the Senior Center. The Borough and City support helps the Senior Center with their request for a grant from Rasmuson Foundation.

Council discussed the gate at Airport Road funded by Fish and Game to restrict vehicle access to the beach. The gate will be a visible and physical barrier. People that have utilized the access to the beach may wish to comment. Council voiced no objection to sending the letter of support for the gate to the State.

ABC Board Title IV is getting good traction from local feedback. The City of Soldotna has proposed to give cities more local control. Stakeholders feel engaged and that they are being listened to. The Alaska Cabaret, Hotel, Restaurant and Retailers Association held their annual convention last week in Homer and are working diligently to keep Title IV at bay; they have been successful over the last year in doing so. If passed it will be a detriment to our

community since Homer has 12 public convenience liquor licenses out of the State's overall 57.

B. Bid Report

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Employee Committee Report

B. Public Safety Building Review Committee

C. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold announced the committee member opening.

13. PENDING BUSINESS

A. **Resolution 16-054**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Public Hearing June 13, 2016. Postponed to September 26, 2016 for Second Public Hearing.

Memorandums 16-084 and 16-101 from Port and Harbor Director as backup.

Memorandum 16-152 from City Clerk as backup.

ADOPTED with discussion.

14. NEW BUSINESS

A. **Memorandum 16-172**, from City Clerk, Re: Selection/Appointment of Mayor Pro Tempore for 2016/2017.

Councilmember Reynolds was selected as Mayor Pro Tempore for 2016/2017.

Council chose to remain where seated.

B. Memorandum 16-170 from Mayor Zak Re: Appointment of Sue Fallon to the Library Advisory Board and Justin Arnold to the Planning Commission.

APPROVED with discussion.

15. RESOLUTIONS

- A. **Resolution 16-106**, A Resolution of the Homer City Council Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Manager. Recommend adoption.

AMENDED: to add Catriona Reynolds as Mayor Pro Tempore.

ADOPTED as AMENDED without discussion.

- B. **Resolution 16-111**, A Resolution of the Homer City Council Giving Direction to the City Manager to Reject/Accept the Proposal to Consolidate 911 Dispatch Services With the Kenai Peninsula Borough. Mayor.

AMENDED: to strike “accept” from all references and delete Option 2.

ADOPTED as AMENDED with discussion.

- C. **Resolution 16-112**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission.

POSTPONED to November 21, 2016 for Public Hearing.

- D. **Resolution 16-110**, A Resolution of the City Council of Homer, Alaska, Adding Tract 2-A Waddell Park Subdivision 1985 Replat to the City of Homer Land Allocation Plan as a Lot Available for Sale and Authorizing the City Manager to Proceed With a Request for Proposal. City Manager. Recommend adoption.

FAILED with discussion.

- E. **Resolution 16-107**, A Resolution of the Homer City Council Recognizing Our Duty to Safeguard the Vitality of Ecosystems. Lewis. Recommend adoption.

POSTPONED to December 5, 2016.

16. COMMENTS OF THE AUDIENCE

There was one who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not present.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson announced the record number of 142 voters today. Absentee/in-person voting continues through Election Day on November 8th.

19. COMMENTS OF THE CITY MANAGER

City Manager Koester thanked Council for engaging in a very involved meeting and complimented Mayor Zak on doing a fine job on his first meeting out of the gate.

20. COMMENTS OF THE MAYOR

Mayor Zak announced the Vic Fischer public lecture tomorrow night at Kachemak Bay Campus. He congratulated Mayor Pro Tempore Reynolds and welcomed Councilmembers Stroozas and Erickson. He thanked Council for a wonderful meeting that required tough decisions and everyone's comments.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas said it was a very intense and interesting first meeting. The body will work very well for the citizens of Homer and he is glad to be a part of it.

Councilmember Erickson said it was an interesting day that included a tour of the Police Department. She would like to see everything stay in Homer and nothing move out, but wants to see a little bigger picture and know more. It was an interesting meeting that she enjoyed.

Councilmember Aderhold is looking forward to being back in her chair at the next meeting. She encouraged everyone to vote and keep up our trend.

Councilmember Smith is encouraged to know voter turnout is already doing well. If this election won't get people out of their seats to vote he doesn't know what would. He encouraged everyone to vote. He congratulated Councilmembers Stroozas and Erickson, telling them it takes courage to step forward and it is not always easy. He praised Coach Steyer and the young men and women who won the state championship. He appreciates

Coach Steyer's good work with the young people who will benefit the community by living and raising their families here. Go Cubs!

Councilmember Lewis commented on the concerns about Jack Gist Park. The discussion has been going on for the last 4 to 5 years and is not just from one of the neighbors who has lived there before the park was built. PARCAC met with him and the disc golf people and recommended closing the park at 10 p.m. In the next year the disc golf organization is looking at a large parcel of land by Jack Gist that is for sale. Getting it would allow for a better location for disc golf to improve on the size of the park.

Councilmember Reynolds thanked Council for their faith in her as the pro tem. She is excited to have the opportunity to lead meetings when Mayor Zak is not able to be here. She congratulated the cross country team. Her son is on the team, but was not here due to an injury. She has seen their dedication and time management skills. Several of the team members were sworn into the national honor society too. Homer has an amazing set of athletic scholars that hold each other up. She went to the Spit yesterday to see the final pegs pounded into the timber frame. It was built with grant money and Council added a small amount to make the grant possible. The new structure is located near the Kachemak Bay Water Trail. Last week she attended the election conversation about having people more engaged and informed. It was a fascinating conversation with high school and college students participating. She announced a fundraiser for the Mariner Soccer Team on Sunday at the high school. It will be a potluck and donations. There will also be a bike event at Diamond Creek recreation area from 11 a.m. to 4 p.m. on Sunday on the first completed mile of trail.

Mayor Zak announced the Haunted Hickory event on Thursday. Admission requires two cans of food.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 9:17 p.m. The next Regular Meeting is Monday, November 21, 2016 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.