

ACTION AGENDA
Monday, September 26, 2016
Worksession
Committee of the Whole
Regular Meeting

WORKSESSION AGENDA

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

Councilmember Reynolds participated telephonically.

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. 2017-2022 CAPITAL IMPROVEMENT PLAN AND LEGISLATIVE PRIORITIES FOR STATE FISCAL YEAR 2018

Memorandum 16-145 from Special Projects and Communications Coordinator as backup.

Memorandum 16-153 from Parks Art Recreation and Culture Advisory Commission as backup.

4. COMMENTS OF THE AUDIENCE

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

Mayor Wythe adjourned the meeting at 4:45 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Councilmember Reynolds participated telephonically.

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. JOHN LI, FINANCE DIRECTOR, MID-YEAR REPORT OF CITY FINANCES

- 4. Resolution 16-102,** A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for a Land and Water Conservation Fund (LWCF) Grant for Karen Hornaday Park Improvements in an Amount Up to \$125,000 and Expressing Its Commitment to Provide a Local Cash Match of \$125,000. Reynolds. Recommend adoption.

Memorandum 16-155 from Parks Art Recreation and Culture Advisory Commission as backup.

5. CONSENT AGENDA

6. REGULAR MEETING AGENDA

7. COMMENTS OF THE AUDIENCE

There was one who commented.

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

Mayor Wythe adjourned the meeting at 5:42 p.m.

REGULAR MEETING AGENDA

Session 16-20 a Regular Meeting of the Homer City Council was called to order on September 26, 2016 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 (telephonic), SMITH, VAN DYKE, ZAK

STAFF: ACTING CITY MANAGER JOHNSON
DEPUTY CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER
POLICE CHIEF ROBL
FIRE CHIEF PAINTER
FINANCE DIRECTOR LI
PORT MAINTENANCE SUPERVISOR GLIDDEN

LIBRARY DIRECTOR DIXON

Councilmember Reynold’s request to participate telephonically was approved by consensus of the Council.

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: **PUBLIC HEARINGS - Ordinance 16-46**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Department of Homeland Security FY2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of \$248,421.00 to Fund the Assistant Fire Chief Position for Two Years, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Memorandum 16-156 from Special Projects and Communications Coordinator as backup. **RESOLUTIONS - Resolution 16-098(S)**, A Resolution of the Homer City Council Awarding the Contract for the Homer Library Emergency Generator Installation to the Firm of Puffin Electric, Inc. of Homer, Alaska, in the Amount of \$31,550.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Memorandum 16-158 from Public Works Director as backup. **Resolution 16-099(S)**, A Resolution of the Homer City Council Awarding the Contract for Eric Lane Road and Sewer Improvements Project to the Firm of Herndon Construction LLC of Homer, Alaska, in the Amount of \$924,344.98 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Memorandum 16-157 from Public Works Director as backup. **Resolution 16-101**, A Resolution of the Homer City Council Adopting the 2017-2022 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2018. Mayor/City Council. Written public comments.

The amended agenda was approved by consensus of the Council.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were two who testified

4. RECONSIDERATION

5. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Regular meeting minutes of September 12, 2016. City Clerk. Recommend adoption.

- B. **Memorandum 16-147**, from City Clerk, Re: Liquor License Transfer Café Cups.

- C. **Ordinance 16-47**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating FY 2016 State Homeland Security Program Grants for Upgrading the City’s Radio Communication System in the Amount of \$343,363.40, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

Memorandum 16-149 from Special Projects and Communications Coordinator as backup.

- D. **Ordinance 16-48**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Permit City Employees and the City Manager to Make Local Office Campaign Contributions and 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. Mayor. Recommended dates: Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

Moved to Ordinances, Item D. Aderhold.

- E. **Resolution 16-097**, A Resolution of the Homer City Council Awarding the Contract for the 2016-2019 Snow Removal and Sanding Services to the Firm of Gregoire Construction of Homer, Alaska, in the Amount of \$405.00 Snow Removal Per Trip and \$281.00 Sanding Per Trip, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Recommend adoption.

Memorandum 16-148 from Public Works Director as backup.

- F. **Resolution 16-100**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Donation of a Watercolor Painting From Friends of the Homer Library Titled *Library Entrance, Homer, Alaska* by Local Artist Jan Peyton to be Placed at the

Library. City Clerk/Parks Art Recreation and Culture Advisory Commission. Recommend adoption.

Memorandum 16-154 from Parks Art Recreation and Culture Advisory Commission as backup.

- G. **Resolution 16-102**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for a Land and Water Conservation Fund (LWCF) Grant for Karen Hornaday Park Improvements in an Amount Up to \$125,000 and Expressing Its Commitment to Provide a Local Cash Match of \$125,000. Reynolds. Recommend adoption.

Memorandum 16-155 from Parks Art Recreation and Culture Advisory Commission as backup.

The consent agenda as amended was approved by Council.

6. VISITORS

- A. Robert Archibald, Parks Art Recreation and Culture Advisory Commissioner, Report on the Conditions and Status of the Parks and Recreational Facilities, 10 minutes.

Robert Archibald, Parks Art Recreation and Culture Commissioner presented photos of park conditions, recognized local organizations that have adopted city parks, and encouraged other groups to do the same.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Mayor's Proclamation – 2016 Breast Cancer Awareness Month

Mayor Wythe acknowledged Breast Cancer Awareness Month.

- B. Mayor Pro Tempore's Presentation of Gifts from Teshio, Japan, to Police Chief and Fire Chief.

Mayor Pro Tempore Lewis presented a pin to Police Chief Robl and a flag to Fire Chief Painter.

- C. Borough Report

- D. Commissions/Board Reports:

1. Library Advisory Board

2. Homer Advisory Planning Commission

Tom Stroozas, Planning Commissioner, reported on the Commission's work at their September 14th special meeting where they reviewed three conditional use permits and approved an additional structure on Slavin Drive and an equipment storage facility for the fire department. The CUP for Homer Medical Clinic was postponed pending additional information. At their September 21st meeting the Commission heard a presentation on the Peonies on Pioneer Project, held a public hearing on and recommended Council approve the ordinance for the City Planner to approve retail marijuana applications, and approved the Miraims Ares 2016 Preliminary Plat. Lastly they elected officers, Don Stead will serve again as Chair and Tom Bos was elected as Vice Chair.

3. Economic Development Advisory Commission

Councilmember Smith reported they are one member shy of a full Commission. They are working hard and have good involvement.

4. Parks Art Recreation and Culture Advisory Commission

Robert Archibald, Parks Art Recreation and Culture Advisory Commissioner, thanked Councilmember Reynolds for sponsoring the resolution for the Land and Water Conservation Fund Grant for Karen Hornaday Park Improvements. It might be a way to get funds to do an ADA trail along Fairview off the road area from the park entrance to the end of the city property which might help drainage from up above as well. They did some work on the Beach Policy clarifying some things and that will come to the Council.

5. Port and Harbor Advisory Commission

Steve Zimmerman, Port and Harbor Commissioner, encouraged Council's support for the Harbor Expansion in the CIP. Regarding the moorage rates on for public hearing, he hopes they have read or will read the packet of information that has all the timelines, justifications, studies, public hearings, and open houses on why and how they came up with this recommendation. They are Council's advisory commission; they are advising Council and hope they follow the commission's advice and move this along.

6. Cannabis Advisory Commission

Councilmember Reynolds reported the last meeting was canceled because there were no agenda items and will schedule their next meeting when there is something to address.

8. PUBLIC HEARING(S)

- 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.

Memorandum 16-156 from Special Projects and Communications Coordinator as backup.

There were five who testified.

POSTPONED to October 24, 2016.

B. 2017-2022 CAPITAL IMPROVEMENT PLAN AND LEGISLATIVE PRIORITIES FOR STATE FISCAL YEAR 2018

PUBLIC TESTIMONY ONLY. Make sure people sign in!! 3 Minutes.

There were two who testified.

APPROVED five legislative requests as follows:

- Public Safety Building
- Homer Large Vessel Harbor
- Fire Department Equipment Upgrades
- Storm Water Master Plan
- Barge Mooring Facility Phase 1

AMENDED to add two new city projects and three new projects from other organizations:

- Radio System Upgrades
- Fire Department Rescue 1 Remount
- Kachemak Ski Club Rope Tow Motor House Relocation
- South Peninsula Hospital Homer Medical Clinic Expansion
- South Peninsula Hospital Operating Room HVAC Replacement

AMENDED to remove eight projects:

- Harbor Sheet Pile Loading Dock
- Mariner Park Restrooms
- Homer Spit Dredged Material Beneficial Use Project
- South Peninsula Fire Arms Training Facility
- Alaska Maritime Academy
- South Peninsula Hospital Site Evaluation and Planning for Hillside
- Homer Greenhouse
- Public Market Design and Financing Plan

- C. **Ordinance 16-46**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Department of Homeland Security FY2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of \$248,421.00 to Fund the Assistant Fire Chief Position for Two Years, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction September 12, 2016, Public Hearing and Second Reading September 26, 2016.

ADOPTED without discussion.

9. ORDINANCE(S)

- A. **Ordinance 16-48**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Permit City Employees and the City Manager to Make Local Office Campaign Contributions and 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. Mayor. Recommended dates: Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

POSTPONED pending additional information from the City Attorney clarifying why this is necessary and information how other cities address permitting city employees and manager making local campaign contributions.

10. CITY MANAGER’S REPORT

- A. City Manager’s Report
- B. Bid Report

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

- A. Employee Committee Report
- B. Public Safety Building Review Committee

Mayor Wythe reported the committee meets again Thursday. Chair Ken Castner has been making presentations at many public venues and encouraged people to keep an eye out for ads and information coming out supporting the bond proposition.

- C. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the committee meets again in October. She added that Rick Malley, the committee's chair, has been offered a job outside and will be leaving. She gave well deserved kudos to Mr. Malley for his knowledge of ADA, spearheading getting the committee going and all he's done in Homer for ADA accessibility. There is an opening on the committee and encouraged interested people apply.

13. PENDING BUSINESS

- A. **Resolution 16-091**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Donation from Paul Mackie of a Carved Opal Stone Sculpture Titled *Bookworm* by Artist Odraf Nkomo to be Placed at the Library. City Clerk/Parks Art Recreation and Culture Advisory Commission. Postponed from September 12, 2016.

Memorandum 16-150 from Parks Art Recreation and Culture Advisory Commission as backup.

Memorandum 16-151 from City Clerk as backup.

ADOPTED with discussion.

- B. **Ordinance 16-45(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$30,000.00 From Port and Harbor Reserves to Purchase Twelve New LED Lights for the High Mast Light Pole #7 at the Harbor From Puffin Electric of Homer, Alaska, as a Sole Source Contract. City Manager/Port and Harbor Director. Postponed from September 12, 2016.

Memorandums 16-136 and 16-143 from Port and Harbor Director as backup.

Councilmember Smith was excused due to an ongoing conflict of interest.

FAILED with discussion.

14. NEW BUSINESS

- A. **Ordinance 16-49**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$180,000.00 From Port and Harbor Depreciation Reserves to Purchase New LED Lights for Seven High Mast Light Poles at the Harbor and Authorizing the City Manager to Issue a Request for Proposals. City Manager/Port and Harbor Director. Recommended dates: Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

Memorandum 16-143 from Port and Harbor Director as backup.

INTRODUCED with discussion.

15. RESOLUTIONS

- A. **Resolution 16-098**, A Resolution of the Homer City Council Awarding the Contract for the Homer Library Emergency Generator Installation to a Firm to be Announced in an Amount to be Disclosed, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Resolution 16-098(S), A Resolution of the Homer City Council Awarding the Contract for the Homer Library Emergency Generator Installation to the Firm of Puffin Electric, Inc. of Homer, Alaska, in the Amount of \$31,550.00 and Authorizing the City Manager to Execute the Appropriate Documents.

Memorandum 16-158 from Public Works Director as backup.

Councilmember Smith was excused due to an ongoing conflict of interest.

FAILED with discussion.

- B. **Resolution 16-099**, A Resolution of the Homer City Council Awarding the Contract for Eric Lane Road and Sewer Improvements Project to a Firm to be Announced in an Amount to be Disclosed, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Resolution 16-099(S), A Resolution of the Homer City Council Awarding the Contract for Eric Lane Road and Sewer Improvements Project to the Firm of Herndon Construction LLC of Homer, Alaska, in the Amount of \$924,344.98 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 16-157 from Public Works Director as backup.

ADOPTED substitute without discussion.

- C. **Resolution 16-101**, A Resolution of the Homer City Council Adopting the 2017-2022 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2018. Mayor/City Council. Recommend: Public Hearing on October 10, 2016.

Memorandum 16-145 from Special Projects and Communications Coordinator as backup.

Memorandum 16-153 from Parks Art Recreation and Culture Advisory Commission as backup.

POSTPONED for public hearing on October 10th.

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not present.

18. COMMENTS OF THE CITY CLERK

Deputy City Clerk Jacobsen reminded listeners that early voting for the City and Borough Elections is open at the City Clerk's office from 8:00 a.m. until 5:00 p.m.

19. COMMENTS OF THE CITY MANAGER

Acting City Manager Johnson thanked the Council for their good work tonight and for going easy on her.

20. COMMENTS OF THE MAYOR

Mayor Wythe thanked Deputy City Clerk Jacobsen and City Clerk Johnson for doing a great job of keeping them on track. It was a great meeting tonight; Council did a good job working through the CIP so they'll stay on schedule even though they lost a meeting in the process.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Aderhold reminded everyone we have a very important election next week. She hopes everyone does everything they can to get educated all of the issues and candidates on the ballot and goes to the polls. She would like to see Homer blow away their election numbers. She acknowledged a letter in the supplemental packet and appreciates the concerns that were raised about cost going up for the city. It's what has made it so difficult for council to figure out the next steps, she encouraged everyone, including the letter writer to help us figure out new revenues for the city so we can be a viable city.

Councilmember Reynolds thanked everyone for a good meeting even though she couldn't participate as fully being on the phone. She is exited to get home and will be present for the rest of the year.

Councilmember Lewis said it's great to be home after four weeks away. When his package arrives from Japan he would like to do a presentation on his trip to Teshio, our sister city outdoes itself and he's never been treated so well. He encouraged people to get out and vote next week. He'd like to see us break the 50% mark.

Commissioner Smith thanked the listeners and participants in the meeting. He also encouraged everyone to get out and cast your vote. He noted that regardless if the hospital propositions pass or fail the hospital will borrow the money. If they don't bond it they will borrow from the Borough, and borrowing from the Borough will be at a higher interest rate than a bond. It will happen one way or the other.

Mayor Wythe added that Ms. Ferraro noted at their last meeting this will not increase the mil rate for the hospital, it will be paid from the taxes already being collected.

Councilmember Van Dyke thanked the advisory body commissioners for their work. They deserve a good pat on the back. He considers Homer his home and puts his two cents worth in when he can. People who consider Homer their home need to get out and vote. He's always been a proponent for voting and if you don't vote, you can't gripe about what goes on in the city. He left them with three words; Vote, vote, vote.

Councilmember Zak said we had to compete with Monday night football and the Presidential debate. He thanked city staff for their wonderful job. He recognized the two Council candidates in the audience, Kimberly Ketter and Tom Stroozas sitting through the meeting and learning a little more about how we do business here. Tomorrow night there will be a debate between the candidates at the Elks Club at 5:45 and the following night at the Kenai Peninsula College at 7:00 after the HEA Meeting. We ask people to vote, but also ask that you educate yourselves about the issues.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:36 p.m. The next Regular Meeting is Monday, October 10, 2016 at 6:00 p.m., Worksession 4:00 p.m., and Committee of the Whole 5:00 p.m. A Worksession is scheduled for Monday, October 17, 2016 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.