

HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**REGULAR MEETING**  
**6:00 P.M. MONDAY**  
**AUGUST 8, 2016**  
**COWLES COUNCIL CHAMBERS**

MAYOR BETH WYTHE  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER GUS VAN DYKE  
COUNCIL MEMBER CATRIONA REYNOLDS  
COUNCIL MEMBER DONNA ADERHOLD  
COUNCIL MEMBER HEATH SMITH  
CITY ATTORNEY HOLLY WELLS  
CITY MANAGER KATIE KOESTER  
CITY CLERK JO JOHNSON

## **REGULAR MEETING AGENDA**

**Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.**

### **1. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

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.)

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

### **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 July 25, 2016. City Clerk. Recommend adoption.
- B. **Ordinance 16-43**, An Ordinance of the City Council of Homer, Alaska, Amending Ordinance 13-03(S)(2) to Change the Terms for Adjusting the Amortization of Principal of the Natural Gas Distribution Special Assessment Bond Authorized by Ordinance 13-

02, and Authorizing an Amendment to the Loan Agreement Between the City and the Kenai Peninsula Borough Regarding the Bond. City Manager. Recommended dates: Introduction August 8, 2016, Public Hearing and Second Reading August 22, 2016.

C. **Resolution 16-082**, A Resolution of the Homer City Council Approving the Terms and Conditions for the Sale of Parcel No. 175-241-26, T 6S R 14W SEC 24 S.M. HM 0880016 Lillian Walli Estate Lot 57; Parcel No. 175-241-28, T6S R14W SEC 24 S.M. HM0880016 Lillian Walli Estate Lot 58; Parcel No. 175-241-27, T 6S R 14W SEC 24 S.M. HM 0880016 Lillian Walli Estate Lot 59; Parcel No. 175-241-26, T 6S R 14W SEC 24 S.M. HM 0880016 Lillian Walli Estate Lot 60; Parcel No. 175-241-30, T 6S R 14W SEC 24 S.M. HM 0880016 Lillian Walli Estate Lot 65; Parcel No. 175-241-11 T 6S R 14W SEC 24 S.M. HM 0880016 Lillian Walli Estate Lot 66; Parcel No. 175-241-12, T 6S R 14W SEC 24 S.M. HM 0880016 Lillian Walli Estate Lot 67; Parcel No. 175-241-10, T 6S R 14W S.M. HM 0880016 Lillian Walli Estate Lot 70 to the Highest, Responsible Bidder for Those Lots and Authorizing the City Manager to Execute the Appropriate Documents to Finalize the Sales. City Manager. Recommend adoption.

D. **Resolution 16-084**, A Resolution of the Homer City Council Approving an Amendment to the Michael Yourkowski Lease on Lot 88-2, Homer Spit Sub No. 2 Amended, to Permit the Use of 611 Square Feet of the City of Homer's Right of Way for Restaurant Seating, Amending the Base Rent to Be Paid in Quarterly Installments, and Amending Verbiage Related to Subleasing to Bring It To-Date With Current Policies, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 16-128 from Lease Committee as backup.

Memorandum 16-129 from Port and Harbor Advisory Commission as backup.

E. **Resolution 16-085**, A Resolution of the Homer City Council Approving a Request to Sublease to Michael Yourkowski to Permit Commercial Subleases in Eight Buildings Located on the Leased Property Lot 88-2, Homer Spit Sub No. 2 Amended. City Manager. Recommend adoption.

Memorandum 16-128 from Lease Committee as backup.

Memorandum 16-129 from Port and Harbor Advisory Commission as backup.

F. **Resolution 16-086**, A Resolution of the Homer City Council Awarding to Global Sustainable Fisheries of Alaska a 20-Year Lease With Two, Five-Year Options for Lot 9-A and Lot 10-A, Homer Spit Replat 2006, With a Base Rent of \$36,133.00 Per Year, and

Authorizing the City Manager to Move Forward With Lease Negotiations and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 16-130 from Lease Committee as backup.

Memorandum 16-131 from Port and Harbor Advisory Commission as backup.

G. **Resolution 16-087**, A Resolution of the City Council of Homer, Alaska, Opposing the National Park Service's Closure of the Homer Field Office for Lake Clark National Park. Aderhold. Recommend adoption.

H. **Memorandum 16-126**, from Library Advisory Board, Re: Request to Hold a Special Meeting.

## 6. VISITORS

A. Emily E. Stolarczyk, Program Manager for Eyak Preservation Council, Overview of U.S. Navy Training Activities in the Gulf of Alaska, 10 minutes.

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

A. Borough Report

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

C. Sister City Teshio Update, by Councilmember Lewis

**8. PUBLIC HEARING(S)**

**A. 2017 BUDGET PRIORITIES**

- B. Ordinance 16-38(S)**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 7.04.030, Traffic Fine Schedules, and Enacting Homer City Code Chapter 7.15, Animals in Vehicles, Regarding Animals in Vehicles; and Amending Homer City Code Title 20, Animals, Regarding the Regulation and Impoundment of Animals, and Penalties for Animal Violations. City Manager/Police Chief. Introduction June 27, 2016, Public Hearings July 25 and August 8, 2016, Second Reading August 8, 2016.

Memorandum 16-111 from Deputy City Clerk as backup.

Memorandum 16-114 from City Attorney as backup.

- C. Ordinance 16-39**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount Of \$5,000 from the Public Safety Building Fund for Public Information Campaign in Support of the Ballot Proposition to Issue General Obligation Bonds not to Exceed \$12 Million Dollars to Finance the Acquisition and Construction of a Police Station and Provide for an Increase in the Rate of City Sales Tax from 4.5% to 5.15% from April 1 through September 30 with the Increase Providing Funds to Pay Debt Service on the General Obligation Bonds and Expiring on September 30 the Year when the City has Received Sufficient Funds from the Increase to Pay all of that Debt Service, Including Information that may Influence the Outcome of the Election on the Proposition. Mayor/City Manager. Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

Memorandum 16-117 from Deputy City Clerk as backup.

- D. Ordinance 16-40**, An Ordinance of the City Council of Homer, Alaska, Transferring Recreational Powers to the Kenai Peninsula Borough for the Leasing of Borough Property as a Site for an Indoor Athletic Field. City Manager. Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

- E. Ordinance 16-41**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget to Provide for Necessary Mid-Year Adjustments by Appropriating and Transferring Funds from the General, Water and Sewer and Port and Harbor Funds. City Manager/Finance Director. Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

Memorandum 16-118 from City Manager as backup.  
Memorandum 16-132 from City Planner as backup.  
Memorandum 16-134 from Finance Director as backup.

- F. **Ordinance 16-42**, An Ordinance of the City Council of Homer, Alaska Enacting Homer City Code 10.04.115, Appeal from Port and Harbor Citation Issued Pursuant to Homer City Code Title 7 and Homer City Code Title 10. City Manager. Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

**9. ORDINANCE(S)**

**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  
C. Americans with Disabilities Act Compliance Committee

**13. PENDING BUSINESS**

- A. **Ordinance 14-18(A)(S)**, An Ordinance of the Homer City Council Amending Homer City Code 21.03.040, Definitions Used in Zoning Code, Homer City Code 21.05.030, Measuring Heights, and Homer City Code 21.70.010, Zoning Permit Required; Repealing Homer City Code Chapter 21.58, Small Wind Energy Systems; and Enacting Homer City Code Chapter 21.58, Towers and Related Structures. Planning. Introduction April 28, 2014 and Referred to Planning Commission. Amended Substitute Adopted March 29, 2016 and Referred to Planning Commission.

**Ordinance 14-18(A)(S-2)**, An Ordinance of the Homer City Council Amending Homer City Code 21.03.040, Definitions Used in Zoning Code, Homer City Code 21.05.030, Measuring Heights, and Homer City Code 21.70.010, Zoning Permit Required;

Repealing Homer City Code Chapter 21.58, Small Wind Energy Systems; and Enacting Homer City Code Chapter 21.58, Towers and Related Structures. Planning.

Memorandum 16-127 from City Planner as backup.

**14. NEW BUSINESS**

**15. RESOLUTIONS**

- A. **Resolution 16-080**, A Resolution of the Homer City Council Reconfirming the Sister City Relationship With Teshio, Hokkaido, Japan. Lewis.
- B. **Resolution 16-081**, A Resolution of the City Council of Homer, Alaska, Opposing Siting and Timing of U.S. Navy Training Exercises That Pose Risks to Fish and Fisheries in the Gulf of Alaska. Lewis.
- C. **Resolution 16-083**, A Resolution of the City Council of Homer, Alaska, Supporting the Cannabis Advisory Commission's Opposition to the Marijuana Control Board's Requirement of Federal Background Checks and Fingerprinting to Receive a Marijuana Handler Permit. Lewis/Cannabis Advisory Commission.

Memorandum 16-133 from Cannabis Advisory Commission as backup.

**16. COMMENTS OF THE AUDIENCE**

**17. COMMENTS OF THE CITY ATTORNEY**

**18. COMMENTS OF THE CITY CLERK**

**19. COMMENTS OF THE CITY MANAGER**

**20. COMMENTS OF THE MAYOR**

**21. COMMENTS OF THE CITY COUNCIL**

**22. ADJOURNMENT**

Next Regular Meeting is Monday, August 22, 2016 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.