

ACTION AGENDA

Monday, July 25, 2016

Worksession Agenda

Committee of the Whole Agenda

Regular Meeting Agenda

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

Mayor Pro Tempore Lewis called the meeting to order at 4:00 p.m.

Mayor Wythe has requested excusal.

Councilmember Reynolds has requested telephonic participation.

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

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

3. STRATEGIC DOING- HEROIN/OPIOID EPIDEMIC

4. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

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

Mayor Pro Tempore Lewis adjourned the meeting at 4:45 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Pro Tempore Lewis called the meeting to order at 5:00 p.m.

Mayor Wythe has requested excusal.

Councilmember Reynolds has requested telephonic participation.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

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

3. Public Safety Building Review Committee – Overview of Project to date

- 4. Resolution 16-078,** A Resolution of the Homer City Council Approving Memorandum 16-120 Establishing Conditions Under Which Adjacent and Benefitted Property Owners Can Connect to the Shellfish Avenue/South Slope Drive Water Main Project. City Manager/Public Works Director.

Memorandum 16-120 from Public Works Director as backup.

4. CONSENT AGENDA

5. REGULAR MEETING AGENDA

6. COMMENTS OF THE AUDIENCE

There were three who commented.

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

Mayor Pro Tempore Lewis adjourned the meeting at 5:44 p.m.

REGULAR MEETING AGENDA

Session 16-15 a Regular Meeting of the Homer City Council was called to order on July 25, 2016 at 6:00 p.m. by Mayor Pro Tempore David G. Lewis 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: CITY MANAGER KOESTER
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
FINANCE DIRECTOR LI
LIBRARY DIRECTOR DIXON
POLICE CHIEF ROBL
PUBLIC WORKS DIRECTOR MEYER

Mayor Wythe has requested excusal.

Councilmember Reynolds has requested telephonic participation.

Councilmember Reynolds' request for telephonic participation 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: **CALL TO ORDER, PLEDGE OF ALLEGIANCE** - Councilmember Reynolds has requested telephonic participation. **CONSENT AGENDA** - **Resolution 16-078**, A Resolution of the Homer City Council Approving Memorandum 16-120 Establishing Conditions Under Which Adjacent and Benefitted Properties Can Connect to the Shellfish Avenue/South Slope Drive Water Main Project. City Manager/Public Works Director. (Title amendment) Written backup provided by Public Works Director. **Resolution 16-079(S)**, A Resolution of the City Council of the City of Homer, Alaska, Approving a Policy and Procedure for the Waiver of Penalties on Delinquent Special Assessment Payments. Mayor/Lewis.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were three 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 June 25, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-115** from Mayor Wythe Re: Appointment of Claire Keisel to the Economic Development Advisory Commission.
- C. **Memorandum 16-116** from Mayor Pro Tempore Lewis: Re: Appointment of Clark Fair to the Parks, Art, Recreation and Culture Advisory Commission and Ingrid Abrahamson to the Advisory Planning Commission.

- D. **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. Recommended dates: Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

Memorandum 16-117 from Deputy City Clerk as backup.

- E. **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. Recommended dates: Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

- F. **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. Recommended dates: Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

Memorandum 16-118 from City Manager as backup.

Moved to Ordinances, Item A. Smith.

- G. **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/Port Director. Recommended dates: Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

- H. **Resolution 16-077**, A Resolution of the Homer City Council Clarifying How Assessments Will be Levied on a Portion of Government Lot 2 Split by Kachemak Drive as it Relates to Phase I and III of the Kachemak Drive Water and Sewer Improvement Projects. City Manager/Public Works Director.

Memorandum 16-119 from Public Works Director as backup.

- I. **Resolution 16-078**, A Resolution of the Homer City Council Approving Memorandum 16-120 Establishing Conditions Under Which Adjacent and Benefitted Properties Can Connect to the Shellfish Avenue/South Slope Drive Water Main Project. City Manager/Public Works Director.

Memorandum 16-120 from Public Works Director as backup.

Moved to Resolutions, Item B. Aderhold.

- J. **Resolution 16-079**, A Resolution of the City Council of Homer Alaska, Approving a Policy and Procedure for the Waiver of Penalties on Delinquent Special Assessment Payments. Lewis.

Resolution 16-079(S), A Resolution of the City Council of the City of Homer, Alaska, Approving a Policy and Procedure for the Waiver of Penalties on Delinquent Special Assessment Payments. Mayor/Lewis.

Memorandum 16-121 from City Manager as backup.

Moved to Resolutions, Item A. Aderhold.

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

6. VISITORS

- A. Public Safety Building Review Committee – Overview of Project to date (10 minutes)

Public Safety Building Review Committee Chair Ken Castner provided an overview of the public safety building project.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Borough Report
- B. Commissions/Board Reports:
 - 1. Library Advisory Board
 - 2. Homer Advisory Planning Commission

Planning Commissioner Savanna Bradley reported Jenny Carroll presented the CIP to the commission at their last meeting. The commission unanimously agreed on two projects: ice plant improvements and large vessel haul-out facilities based on the ability of their returns. The commission approved a CUP for SPARC, provided recommendations for towers and tall structures, and recommended approval of a preliminary plat on East End Road. Additionally, the commission reviewed the Comp Plan Parks and Recreation Plan. The commission has been tasked with review of HAWSP and will hold a Worksession with the Public Works Director and Finance Director to answer questions.

3. Economic Development Advisory Commission

4. Parks Art Recreation and Culture Advisory Commission

Parks and Recreation Advisory Commissioner Deb Lowney acknowledged the appointment of Clark Fair to the commission. The commission is reviewing the dog leash law in parks and parking lot areas. By August or September they will have something before the council. The commission plans an educational campaign on leash laws and pet owners' responsibility of cleaning up after pets. Ms. Lowney added that the outdoor basketball court at the HERC needs to be relocated. Out of all the discussions on the new public safety building the relocation of the outdoor basketball court has not been addressed.

5. Port and Harbor Advisory Commission

Mark Zeiset, Port and Harbor Advisory Commissioner, reported the commission will conduct a Worksession on Wednesday, July 27th, on the Marine Repair Facility and proposed trailer.

6. Cannabis Advisory Commission

Mayor Pro Tempore Lewis announced the upcoming meeting on Thursday, July 28th.

8. PUBLIC HEARING(S)

- A. **Ordinance 16-36**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating \$9,970.00 From Sewer Reserves for the Removal of an Underground Fuel Storage Tank at the Sewer Treatment Plant. City Manager/Public Works Director. Recommended dates: Introduction June 27, 2016, Public Hearing and Second Reading July 25, 2016.

Memorandum 16-109 from Public Works Director as backup.

There was no public testimony.

ADOPTED without discussion.

- B. **Ordinance 16-37**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Donation From Paul M. Hertzmann, Inc., Vintage Photography of San Francisco, California, in the Amount of \$1,000.00 for the Homer Public Library and Stipulating That the Funds be Segregated and Used by the Library in Support of Its Mission to Provide Library Services. City Manager/Library Director. Recommended dates: Introduction June 27, 2016, Public Hearing and Second Reading July 25, 2016.

Memorandum 16-110 from Library Director as backup.

There was no public testimony.

ADOPTED without discussion.

- C. **Ordinance 16-38**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 20, Animals, Regarding the Regulation and Impoundment of Animals, and Penalties for Animal Violations. City Manager/Police Chief. Recommended dates: Introduction June 27, 2016, Public Hearing and Second Reading July 25, 2016.

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. Recommended dates: Introduction June 27, 2016, Public Hearing and Second Reading July 25, 2016.

Memorandum 16-111 from Deputy City Clerk as backup.

Memorandum 16-114 from City Attorney as backup.

Resolution 15-057

There was one who testified.

INTRODUCED Substitute Ordinance 16-38(S). Postponed to August 8th for second Public Hearing and Second Reading.

9. ORDINANCE(S)

- A. **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. Recommended dates: Introduction July 25, 2016, Public Hearing and Second Reading August 8, 2016.

Memorandum 16-118 from City Manager as backup.

INTRODUCED with discussion.

10. CITY MANAGER’S REPORT

- A. City Manager’s Report

City Manager Koester suggested bringing in the Northern Economics consultant at a Worksession on Monday, October 17th to review the harbor rates. Extending the review date to October will allow the new mayor and new councilmembers to participate in the review before Resolution 16-054 returns to the Council. Council agreed to use remaining funds allocated to the harbor rate study for the consultant to attend the Worksession.

Asked how useful the monthly statistical reports were to Council, City Manager Koester received varied responses, the consensus being that the reports were beneficial.

Councilmember Zak asked for public input on the AML Position Statement that is due to the City Manager by August 2nd.

- B. Memorandum 16-122 from City Clerk re: Marijuana Petition
- C. Memorandum 16-123 from Deputy City Clerk re: AML Position Statement
- D. Bid Report

11. CITY ATTORNEY REPORT

City Attorney Klinkner commented on the Quiet Creek request for exclusion from Resolution 16-078. The proposal is totally contingent and in control of the property owner. Property owners won’t incur expense unless they want to hook up to water. He can look into this further as to where properties are located in conjunction with the existing and proposed water lines.

12. COMMITTEE REPORT

- A. Employee Committee Report
- B. Public Safety Building Review Committee
- C. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the committee met last week and reviewed the draft CIP. At their next meeting they will finalize recommendations of the CIP for ADA compliance.

13. PENDING BUSINESS

14. NEW BUSINESS

- A. **Memorandum 16-124**, from Deputy City Clerk re: Natural Gas Assessment Deferral.

APPROVED with discussion.

15. RESOLUTIONS

- A. **Resolution 16-079**, A Resolution of the City Council of Homer Alaska, Approving a Policy and Procedure for the Waiver of Penalties on Delinquent Special Assessment Payments. Lewis.

Resolution 16-079(S), A Resolution of the City Council of the City of Homer, Alaska, Approving a Policy and Procedure for the Waiver of Penalties on Delinquent Special Assessment Payments. Mayor/Lewis.

Memorandum 16-121 from City Manager as backup.

Substitute Resolution 16-079(S) AMENDED: Line 91 “there” changed to “the” at the beginning of the sentence.

ADOPTED Substitute Resolution 16-079(S) with discussion.

- B. **Resolution 16-078**, A Resolution of the Homer City Council Approving Memorandum 16-120 Establishing Conditions Under Which Adjacent and Benefitted Properties Can Connect to the Shellfish Avenue/South Slope Drive Water Main Project. City Manager/Public Works Director.

Memorandum 16-120 from Public Works Director as backup.

POSTPONED to August 22, 2016.

16. COMMENTS OF THE AUDIENCE

There were three who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner announced his retirement after working with the City for eight years. He will continue to work part-time, but will not be visiting Homer. He expressed his gratitude for the business and working with the City.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

19. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

20. COMMENTS OF THE MAYOR

Mayor Pro Tempore Lewis wished Tom good luck in his partial retirement.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Reynolds commented it was a good meeting. She congratulated City Attorney Klinkner on his retirement.

Councilmember Zak thanked City Attorney Klinkner for his service. The new attorneys replacing him are excellent. South Peninsula Athletic and Recreation Center (SPARC) is able to provide an extra-large building 75 ft. x 159 ft. For more information: www.sparchomer.org Councilmember Zak commented on the greater number of seniors than youth that add wonderful value to our community.

Councilmember Van Dyke thanked the commission members and the Public Safety Building Review Committee. They have spent a vast number of hours on the building plans. They are going in the right direction.

Councilmember Aderhold thanked City Attorney Klinkner for his service and the commissioners for their service. Council conducted a Worksession this afternoon related to opioid addiction. She is proud to live in a city willing to take action on some issues.

Councilmember Smith is excited about the SPARC building and glad that the City could participation in helping facilitate it. They are still trying to hit their mark. It will be a

tremendous asset to the community. He agreed with Tom Zitzmann on examining the lobbyist contract since the lobbyist communication over the extended legislative session mirrored with AML. We do not need to pay for duplication of labor and he will continue to fight to be more cost effective. Councilmember Smith thanked Tom Klinkner and wished him the best. He appreciates the community of Homer and their involvement; we couldn't do it without the people. The Public Safety Building Review Committee has provided many hours working on the public safety building plans. He encouraged the public to educate themselves on the proposal and provide input on the project. We need the public safety building and he appreciates all the effort that has gone into it.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Lewis adjourned the meeting at 7:33 p.m. The next Regular Meeting is Monday, August 8, 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.