

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
MAY 9, 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

Worksession 4:00 p.m. and 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 April 25, 2016. City Clerk. Recommend adoption.

- B. **Ordinance 16-22**, An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting Homer City Code 2.60, Public Arts Committee; Repealing Homer City Code 2.68, Parks and Recreation Advisory Commission; and Amending Homer City Code 18.07.020, Definitions, Homer City Code 18.07.040, Implementation, Homer City Code 18.07.050, Selection, Homer City Code 18.07.070, Exemptions, Homer City Code 18.07.090, Public Art Fund, and Homer City Code 18.07.100, Ownership and Management of Works of Public Art; to Create the City of Homer Parks, Art, Recreation and Culture Advisory Commission, Prescribe its Duties, and Provide for the Transition From the Former Public Arts Committee and Parks and Recreation Advisory Commission to the New Parks, Art, Recreation and Culture Advisory Commission. City Clerk/Parks and Recreation Advisory Commission. Recommended dates: Introduction May 9, 2016, Public Hearing and Second Reading May 23, 2016.

Memorandum 16-073 from Parks and Recreation Advisory Commission as backup.
Memorandum 16-074 from Public Arts Committee as backup.

- C. **Ordinance 16-23**, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code, Chapter 6.12, Drug Abuse and Paraphernalia. Reynolds. Recommended dates: Introduction May 9, 2016, Public Hearing and Second Reading May 23, 2016.

- D. **Resolution 16-047**, A Resolution of the City Council of Homer, Alaska, Authorizing the Formation of the Eric Lane Lillian Walli Subdivision Road, Drainage and Sewer Special Assessment District, and Authorizing the City Manager to Proceed With the Preparation and Construction of the Project. City Clerk. Recommend adoption.

- E. **Resolution 16-048**, A Resolution of the Homer City Council Awarding the Prisoner Meals for the Homer Jail Contract to the Firm of Homer Senior Citizens, Inc. of Homer, Alaska, in the Amount of \$8.50 Breakfast, \$8.50 Lunch, and \$8.50 Dinner Per Day/Per Inmate with a Delivery Fee of \$5.00 Per Trip and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommend adoption.

Memorandum 16-075 from Police Chief as backup.

- F. **Resolution 16-051**, A Resolution of the Homer City Council Awarding the Contract for the Construction of the Shellfish/South Slope Water Main Extension and Shellfish Avenue PRV Project to the Firm of Arno Construction, Inc. of Homer, Alaska, in the Amount of \$530,341.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 16-078 from Public Works Director as backup.

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Mayor's Proclamation, National Police Week – May 15 - 21, 2015 and Memorial Day May 15, 2016
- B. Mayor's Proclamation, National Emergency Medical Services Week – May 15 – 21, 2016
- C. Mayor's Proclamation, National Public Works Week – May 15 - 21, 2016
- D. Mayor's Proclamation, National Hospital Week – May 8 – 14, 2016
- E. Mayor's Recognition, Homer Hockey Association Pee Wee C Team
- F. Mayor's Proclamation, Bike Month - May 2016
- G. Mayor's Recognition, Alaska Legislature Memoriam of William A. Corey
- H. Bunnell Street Arts Center, Thank You
- I. Borough Report
- J. Commissions/Board Reports:
 - 1. Library Advisory Board
 - 2. Homer Advisory Planning Commission
 - a. Minutes of March 16, 2016
 - 3. Economic Development Advisory Commission
 - 4. Parks and Recreation Advisory Commission
 - 5. Port and Harbor Advisory Commission

6. Cannabis Advisory Commission

- a. Memorandum 16-077 from Cannabis Advisory Commission, Re: Support to Allow Retail Cannabis on the Spit.

8. PUBLIC HEARING(S)

- A. **Ordinance 16-19**, An Ordinance of the City Council of Homer, Alaska, Determining to Retain For a Public Purpose Tax Foreclosed Property in the Homer Recording District, Third Judicial District, State of Alaska Described as SW1/4 NW1/4 Section 4 Township 6S Range 13W Seward Meridian, KPB Tax Parcel No. 173-052-19, Located in the Vicinity of Easy Street and Quinalt Avenue, Last Owner of Record Debra Good. City Manager. Introduction April 25, 2016, Public Hearing and Second Reading May 9, 2016.
- B. **Ordinance 16-20**, An Ordinance of the City Council of Homer, Alaska, Amending Subsection (A) of HCC 17.04.040, Initiation of District, to Provide That a Special Assessment District May Be Initiated By a Petition Signed By the Record Owners of Real Property That Would Bear Not Less Than 50 Percent of the Assessed Cost of the Improvement. Smith. Introduction April 25, 2016, Public Hearing and Second Reading May 9, 2016.

Memorandum 16-070 from City Attorney as backup.

- C. **Ordinance 16-21**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$189,000 From the General Fund to The Homer Foundation for Purposes of Constructing the South Peninsula Athletic and Recreation Center. Lewis/Smith. Introduction April 25, 2016, Public Hearing and Second Reading May 9, 2016.

Ordinance 16-21(S), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in ~~the an~~ Amount of **Up to** \$189,000 From the General Fund to The Homer Foundation for Purposes of Constructing the South Peninsula Athletic and Recreation Center. Lewis/Smith.

- D. **Resolution 16-041(S)(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program (HART) Policy Manual to Change the Allocation of Costs for Street Reconstruction and New Street Construction, and the

Basis for Assessing Such Costs; Amending the HART and Homer Accelerated Water and Sewer Program (HAWSP) Policy Manuals to State That Expenditures Under Each Program is Subject to the Availability of Funds; and Referring Other Revisions of the HART Policy Manual to the Homer Advisory Planning Commission for Its Review and Recommendations. City Manager. Public Hearing May 9, 2016.

Resolution 16-041(S-2)(A), A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program (HART) Policy Manual to Change the Allocation of Costs for Street Reconstruction and New Street Construction, and the Basis for Assessing Such Costs; Amending the HART and Homer Accelerated Water and Sewer Program (HAWSP) Policy Manuals to State That Expenditures Under Each Program is Subject to the Availability of Funds; **Referring the Development of a Matching Grant Program for Small Scale Greenway Trails to the Parks and Recreation Advisory Commission**; and Referring Other Revisions of the HART Policy Manual to the Homer Advisory Planning Commission for Its Review and Recommendations. City Manager.

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

A. City Manager's Report

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

B. Employee Committee Report

C. Public Safety Building Review Committee

D. Americans with Disabilities Act Compliance Committee

13. PENDING BUSINESS

A. **Ordinance 15-37(A)**, An Ordinance of the Homer City Council Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1st Through September 30th, With the Increase to be Used for General Government Purposes, and Authorizing the City To Submit the Question of Such Sales Tax Increase to the Qualified Voters of The City at a ~~Special~~ **Regular** Election to Be

Held in the City on _____. Lewis. Introduction October 12, 2015, Public Hearing December 7, 2015, Postponed to May 9, 2016 for Second Reading.

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 16-049**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Negotiate a New City Attorney Contract With Birch Horton Bittner & Cherot for the Period of August 1, 2016 Through July 31, 2019. City Manager.

Memorandum 16-076 from City Manager as backup.

- B. **Resolution 16-050**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Issue a Request for Proposals (RFP) for General Counsel Legal Services. City Manager.

- C. **Resolution 16-052**, A Resolution of the City Council of Homer, Alaska, Providing for a New Penalty and Interest Structure for Special Assessments in the Homer Natural Gas Distribution Special Assessment District That Become Delinquent On or After July 1, 2016, and Providing Terms for the Reinstatement On or Before July 1, 2016 of Assessments That Became Delinquent Before That Date. Smith.

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, May 23, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. A Worksession is scheduled for Monday, May 16, 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.