

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**  
**JANUARY 25, 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 THOMAS KLINKNER  
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 January 11, 2016. City Clerk. Recommend adoption.

- B. **Memorandum 16-010**, from Mayor Wythe, Re: Appointment of Beth Carroll to the Cannabis Advisory Commission and Appointment of Councilmember Heath Smith as a Consulting Member of the Economic Development Advisory Commission.
- C. **Memorandum 16-011**, from Deputy City Clerk, Re: Liquor License Renewals for Homer Brewing Company, Oaken Keg #1832, Save-U-More Liquor #6, Harbor Grill, and Cosmic Kitchen.
- D. **Resolution 16-015**, A Resolution of the Homer City Council Establishing a Regular Meeting Schedule for 2016 Strategic Doing Work Sessions. Mayor/Council. Recommend adoption.

**6. VISITORS**

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

- A. Borough Report
- B. Commissions/Board Reports:
  - 1. Library Advisory Board
  - 2. Homer Advisory Planning Commission
    - a. Minutes of January 6, 2016
  - 3. Economic Development Advisory Commission
  - 4. Parks and Recreation Advisory Commission
  - 5. Port and Harbor Advisory Commission
  - 6. Cannabis Advisory Commission
- C. Letter from Mayor Wythe in Support of Kachemak Bay National Estuarine Research Reserve Transfer Proposal.

**8. PUBLIC HEARING(S)**

- A. **Ordinance 15-43(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 3.10.130, Governance of Homer Permanent Fund Assets, Regarding the Management of Investments of the Homer Permanent Fund. City Clerk/Permanent Fund Committee. Introduction November 23, 2015, Public Hearing and Second Reading December 7, 2015, Postponed to January 11, 2016, Substitute Introduced, Public Hearing January 25, 2016.

Memorandum 15-190 from Permanent Fund Committee as backup.

- B. **Ordinance 16-01(A)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.030, Composition of Governing Body – Terms of Office, Homer City Code 4.10.010 Declaration Of Candidacy Homer City Code 4.35.010, Review of Election Documents by Canvass Board, and Homer City Code 4.40.010, Runoff Election – Required; and Enacting Homer City Code 4.35.020, Votes Required to be Elected, Homer City Code 4.35.030, Tie Vote, and Homer City Code 4.35.040, Certification of Election; Regarding the Procedure for Electing the Mayor and Council Members. Mayor. Introduction January 11, 2016, Public Hearing and Second Reading January 25, 2016.

**Ordinance 16-01(A)(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.030, Composition of Governing Body – Terms of Office, Homer City Code 4.10.010, Declaration of Candidacy, Homer City Code 4.35.010, Review of Election Documents by Canvass Board, and Homer City Code 4.40.010, Runoff Election – Required; and Enacting Homer City Code 4.35.020, Votes Required to be Elected, Homer City Code 4.35.030, Tie Vote, and Homer City Code 4.35.040, Certification of Election; Regarding the Procedure for Electing the Mayor and Council Members. Mayor.

Memorandum 16-003 from City Clerk as backup.

- C. **Ordinance 16-02**, An Ordinance of the Homer City Council Amending the 2016 Operating Budget by Appropriating Funds in the Amount of \$20,000 From Port and Harbor Reserves to Purchase Eight Light Emitting Plasma (LEP) Lamps for the Fish Dock. City Manager/Port and Harbor Director. Introduction January 11, 2016, Public Hearing and Second Reading January 25, 2016.

Memorandum 16-007 from Port and Harbor Director as backup.

- D. **Ordinance 16-03(S)**, An Ordinance of the City Council of Homer, Alaska Amending Ordinance 13-03(S)(2) to State the Actual Principal Amount of, and Change the Payment Dates for, 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. Introduction January 11, 2016, Public Hearing and Second Reading January 25, 2016.

E. **All Hazard Mitigation Plan 2015 Update**

9. **ORDINANCE(S)**

- A. **Ordinance 16-04**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.18, Central Business District; Homer City Code 21.24, General Commercial 1; Homer City Code 21.26, General Commercial 2; Homer City Code 21.27, East End Mixed Use; Homer City Code 21.28, Marine Commercial; Homer City Code 21.40 to Identify the Zoning Districts Permitting Marijuana Facilities and Adopting Chapter 21.62 Entitled “Marijuana Facilities” Regarding General Land Use Requirements for Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities. Planning Commission. Recommended dates: Introduction January 25, 2016, Public Hearing and Second Reading February 8, 2016.

Memorandum 16-016 from City Clerk as backup.

Memorandum 16-017 from City Planner as backup.

- B. **Ordinance 16-05**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.16.040, Disposition of Scheduled Offenses—Fine Schedule, Enacting Homer City Code Chapter 7.16, Vehicles in Beach Areas, and Repealing Homer City Code Chapter 19.16, Vehicles on Homer Spit Beach, to Restrict the Operation, Stopping and Parking of Motor Vehicles in Beach Areas. Reynolds. Recommended dates: Introduction January 25, 2016, Public Hearing and Second Reading February 8, 2016.

Memorandum 16-018 from City Manager as backup.

10. **CITY MANAGER’S REPORT**

- A. City Manager’s Report

B. Bid Report

**11. CITY ATTORNEY REPORT**

**12. COMMITTEE REPORT**

A. Public Arts Committee

B. Permanent Fund Committee

C. Employee Committee Report

D. Public Safety Building Review Committee

E. Sustainable Animal Control Review Committee

**13. PENDING BUSINESS**

A. **Memorandum 16-001(A)**, from Mayor Wythe, Re: Appointment of Councilmember Bryan Zak to the Kenai Peninsula Economic Development District.

**14. NEW BUSINESS**

A. **Memorandum 16-013**, from City Clerk, Re: Travel Authorization for Councilmember Zak to Travel to Anchorage to Attend the Institute for Alaska Native Corporation Director Education and Institute for Tribal Council Training March 21 - 22, 2016.

B. **Memorandum 16-014**, from Councilmember Lewis, Re: Travel Reimbursement for Mayor Wythe to Travel to Juneau February 2 - 4, 2016 to Advocate for the City.

C. **Memorandum 16-015**, from Mayor Wythe, Re: Request for Executive Session Pursuant to AS 44.62.310 (A-C)(2), Matters, Subjects that Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion. (City Manager Koester Annual Performance Evaluation/Employment Contract.

**15. RESOLUTIONS**

A. **Resolution 16-012**, A Resolution of the City Council of Homer, Alaska, Adopting the City of Homer All Hazard Mitigation Plan 2015 Update and Revision and Authorizing the City Manager to Forward the Document to the Kenai Peninsula Borough, the

Federal Emergency Management Agency, the Alaska Division of Homeland Security, and Other Organizations as Appropriate. Reynolds.

- B. **Resolution 16-013**, A Resolution of the Homer City Council Concerning the Harbor Enterprises, dba Petro 49, (Formerly Petro Marine Services) Lease for Lot 8-E-1 Homer Spit #6 and Directing that it be Canceled at the Term of the Lease December 1, 2018, and that the Property be Advertised for Lease in a Request for Proposals. City Manager. Recommend adoption.

Memorandum 16-012 from Port and Harbor Advisory Commission as backup.

- C. **Resolution 16-014**, A Resolution of the Homer City Council Amending the Harbor Enterprises, dba Petro 49, (Formerly Petro Marine Services) Lease on the Coal Point Fuel Float and the Terminal Tank Farm on the Coal Point Lot (Sec 1 T7S, R13W, S.M.) and to Enter Into a New 20-Year Term Lease With the City, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 16-012 from Port and Harbor Advisory Commission as backup.

- D. **Resolution 16-016**, A Resolution of the City Council of Homer, Alaska, in Support of the Homer Public Safety Building as Presented by the Public Safety Building Review Committee. Mayor.

- E. **Resolution 16-017**, A Resolution of the City Council of Homer, Alaska, Expressing a Deep Sense of Urgency for the Alaska State Legislature to Take Immediate and Decisive Action During the 2016 Legislative Session to Enact a Complete Package of Initiatives to Provide for a Balanced, Sustainable, and Predicable State Budget for the Foreseeable Future. Mayor.

**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, February 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.

