

Session 11-02 a Special Meeting of the Homer City Council was called to order on January 10, 2011 at 4:01 p.m. by Mayor James C. Hornaday 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: HOGAN, HOWARD, LEWIS, ROBERTS,  
ZAK (arrived at 4:28 p.m.)

**ABSENT:** COUNCILMEMBER: WYTHE (excused)

**STAFF:** CITY MANAGER WREDE  
CITY CLERK JOHNSON  
ATTORNEY KLINKNER  
PLANNING TECHNICIAN ENGBRETSEN  
PUBLIC WORKS DIRECTOR MEYER

Councilmember Wythe has requested excusal.

Mayor Hornaday ruled Councilmember Wythe's absence was excused and there was no objection from the Council.

**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.

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

There were no public comments.

#### **PENDING BUSINESS**

- A. **Ordinance 10-54**, An Ordinance of the City Council of Homer, Alaska, Enacting Subsection (d) of Homer City Code 21.50.020, Site Development Standards – Level One, and Homer City Code 21.50.150, Fill Standards, Regarding the Requirement of a Storm Water Plan, and Establishing Standards for Filling Land. Planning. Introduction November 22, 2010, Public Hearings December 13, 2010 and January 10, 2011, Second Reading January 10, 2011.

Memorandum 10-138 from City Planner as backup.

Planning Technician Julie Engebretsen explained there were two changes within the ordinance: storm water plans would be required city wide and filling standards for properties would be imposed.

Storm water plans have been required in commercial districts since 2004; this year Residential Office was included. The standards are less strict in residential districts. Ordinance 10-54 will

provide for more stringent rules in the business districts. A property owner would have to hire a State of Alaska engineer to put a storm water plan together at an estimated cost of \$1,500 and the City would charge a \$200 fee. A large commercial storm water plan could cost between \$2,500 and \$10,000. The City is not exempt from the storm water plan as they move towards expansion and renovation on City Hall.

Storm water plans are needed because residential districts have become denser. Planning and Public Works have been receiving phone calls after construction is completed about drainage issues. Stormwater plans are not a part of the EPA, the Borough, or the State. The smallest entity EPA regulates is a 50,000 population. Fairbanks is just beginning to comply now and Anchorage still needs to meet compliance.

Public Works Director Meyer commented the EPA required large concrete vaults with filters for Bartlett Street. Several hundred thousand dollars were spent to deal with water quality issues.

Mayor Hornaday commented there will be a howling with developers on the storm water plan. Planning Technician Engebretsen referenced a September 15<sup>th</sup> meeting on the storm water plan the Kachemak Board of Realtors hosted with no contractors in attendance. The plan will add to costs, leveling the playing field with all districts. It will have a positive effect on drainage ditches.

Public Works Director Meyer explained the outfall at the end of Bunnell goes into the slough. When Homer's population reaches 10,000 regulations will kick in. Oil and grease from the pavement go into the storm drain, discharging some level of pollutants into the slough. This plan should reduce the amount of pollutants as it requires large development in residential areas to improve the quality and volume of water they handle.

Asked about rain gardens, Planning Technician Engebretsen explained a rain garden is a great thing, but it is not enough if building a large commercial structure. Something more beefy is needed; the storm plan must be documentable and engineering provable.

Planning Technician Engebretsen explained the second section of Ordinance 10-54: filling standards. The Planning Commission has had concern about someone buying a piece of property and filling it with materials. A new owner comes along with no knowledge of the fill and has a lot of expense. Ordinance 10-54 does not allow you to bring stumps from another piece of property on to yours. You can place a stump under your lawn or driveway, but not under a building. If filling your lot more than 3 ft. deep for more than 25% of the lot, you need to do a grading plan. The plan shows the contours before and after development and is approved by the city engineer. You need to flag lot corners before starting the fill work and cannot fill more than 5 ft. to the side property line unless you and your neighbor have agreed with a joint drainage plan. You cannot create a wall of fill between you and your neighbor; a gentle slope is needed.

City Attorney Klinkner defined Line 52 (including without limitation stumps). He advised it means stumps as well as other stuff; it is not limited to stumps. Line 64 "requirements of this title" means Title 21.

**COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

**COMMENTS OF THE CITY ATTORNEY**

City Attorney Klinkner had no comment.

**COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comment.

**COMMENTS OF THE CITY MANAGER**

City Manager Wrede thanked Julie.

**COMMENTS OF THE MAYOR**

Mayor Hornaday had no comment.

**COMMENTS OF THE CITY COUNCIL**

Councilmember Roberts thanked Julie for the presentation, stating she was very knowledgeable. Julie did an excellent job providing clear and understandable information.

Councilmember Zak commented it has been a problem in Homer for a long time and that is why the ordinance is being proposed.

Councilmember Hogan encouraged putting the overall drainage plan on the front burner.

**ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:37 p.m. The next Regular Meeting is scheduled for Monday, January 24, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, January 24, 2011 at 5:00 p.m. A Worksession is scheduled for Monday, January 24, 2011 at 4:00 p.m. and a Special Meeting is scheduled for Monday, January 17, 2011 at 6:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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JO JOHNSON, CMC, CITY CLERK

Approved: \_\_\_\_\_