

ACTION AGENDA

August 27, 2012

Committee of the Whole

Regular Meeting

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Hornaday called the meeting to order at 5:00 p.m.

2. 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.

3. Employee Wellness Program, Matt Clarke & Melissa Jacobsen, Employee Committee, 10 minutes.

4. Katie Koester, Online Calculator, 10 minutes.

5. BUDGET 2013 - REVENUE SOURCES FOR GENERAL FUND

6. REGULAR MEETING AGENDA

7. COMMENTS OF THE AUDIENCE

There were two who commented.

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

Mayor Hornaday adjourned the meeting at 5:53 p.m.

REGULAR MEETING AGENDA

Session 12-24 a Regular Meeting of the Homer City Council was called to order on August 27, 2012 at 6:00 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: BURGESS, HOWARD, LEWIS, ROBERTS,
WYTHE, ZAK

STAFF:

CITY MANAGER WREDE
CITY CLERK JOHNSON
COMMUNITY & ECONOMIC DEVELOPMENT
COORDINATOR KOESTER
FINANCE DIRECTOR MAURAS
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER
SYSTEMS MANAGER POOLOS

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 agenda was approved by consensus of the Council with the following changes:

PENDING BUSINESS - **Ordinance 12-33(A)**, Amending the FY 2012 Operating Budget, Including Appropriations to the General Fund and the Port and Harbor Fund and Funding New Projects from Various Reserve Accounts, Appropriating \$10,567 for the Homer Hockey Association Zamboni Batteries. Written public comment. **Ordinance 12-36**, Enacting Homer City Code Chapter 5.42 Prohibiting Sellers from Providing Customers with Disposable Plastic Shopping Bags. Written public comment. **Resolution 12-074**, Authorizing the City Manager to Negotiate a Transfer of Responsibility Agreement with the Alaska Department of Transportation and Public Facilities which Designates the City as the Entity Responsible for Engineering, Design, and Construction of Traffic Control Improvements at the Intersection of Main Street and the Sterling Highway. Written public comment. **RESOLUTIONS** - **Resolution 12-077(S)**, Awarding the Contract for the Relocation of the Mariner Park Driveway to the Firm of **Collins Excavation and Services** of **Homer, Alaska**. Memorandum 12-136 from Public Works Director as backup.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were 13 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 Special and Regular Meeting minutes of August 13, 2012. City Clerk. Recommend adoption.

APPROVED without discussion.

6. VISITORS

- A. **Keren Kelly**, Homer Senior Center, 10 minutes.
- B. **Diane Converse**, Pratt Museum Building Project Update, 10 minutes.
- C. **Steve Lombard**, Cardno Entrix, **Mark Landt**, Buccaneer Alaska Operations, LLC, Drilling Project in Cook Inlet, 10 minutes.

Mayor Hornaday called for a recess at 7:17 p.m. and reconvened the meeting at 7:23 p.m.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor's Proclamation** – September 2012 as Senior Center Month

Mayor Hornaday read and presented the proclamation to Keren Kelly.

- B. **Mayor and City Council's Recognition** – Public Arts Committee for their role in the successful Open House for the Newly Remodeled City Hall

Mayor Hornaday read and presented the proclamation to Angie Newby.

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

3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Lars Bell, Parks and Recreation Advisory Commissioner reported the commission's recommendations for the CIP list:

HERC Building
Karen Hornaday Park Improvements
Kachemak Drive Pathway
Jack Gist Park
Fishing Lagoon Improvements

5. Port and Harbor Advisory Commission

8. PUBLIC HEARING(S)

- A. **Ordinance 12-38(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the 2012 Operating Budget by Appropriating Up to \$7,000 from the ~~Port And Harbor~~ **Airport Depreciation** Reserves Fund for Paving Repairs at the Airport Terminal. City Manager/Public Works Director. Introduction August 13, 2012, Public Hearing and Second Reading August 27, 2012.

There was no public testimony.

SUBSTITUTE ORDINANCE 12-38(S) ADOPTED with discussion.

- B. **Ordinance 12-39**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Denali Commission Grant in the Amount of \$440,000 for Engineering Design Services for Priority Capital Improvements within the Homer Boat Harbor (Ramp 3 Float Replacement and System 5 Upgrades) with a Required Twenty Percent (20%) Local Match of \$110,000 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port and Harbor Director. Introduction August 13, 2012, Public Hearing and Second Reading August 27, 2012.

Ordinance 12-39(S), An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Denali Commission Grant in the Amount of \$440,000 for Engineering Design Services for Priority Capital Improvements Within the Homer Boat Harbor (Ramp 3, Float Replacement and System 5 Upgrades) with a ~~Required Twenty~~

~~Percent (20%)~~ Local Match of \$110,000 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port and Harbor Director.

Memorandum 12-110 from Community and Economic Development Coordinator as backup.

Memorandum 12-130 from Public Works Director as backup.

There was no public testimony.

SUBSTITUTE ORDINANCE 12-39(S) ADOPTED without discussion.

- C. **Ordinance 12-40(S)**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Special Act Appropriations Project (SAAP) Grant in the Amount of \$881,818 and Authorizing a 45% Matching Requirement from the Homer Accelerated Water and Sewer Fund (HAWSP) in the Amount of \$396,818 for the Purpose of Completing Water Distribution/Storage Improvement Projects and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Introduction August 13, 2012, Public Hearing and Second Reading August 27, 2012.

There was no public testimony.

SUBSTITUTE ORDINANCE 12-40(S) ADOPTED without discussion.

- D. **Ordinance 12-41**, An Ordinance of the City Council of Homer, Alaska, Appropriating \$60,000 from the General Fund Reserve and Transferring These Funds to the Kenai Peninsula Borough to Support Renovation of the Homer High School Track Complex Including All Additive Alternatives. City Manager. Introduction August 13, 2012, Public Hearing and Second Reading August 27, 2012.

Memorandum 12-132 from City Manager as backup.

There was no public testimony.

FAILED with discussion.

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

- A. City Manager's Report

City Manager Wrede reported on the resolution about decision making criteria on the gas line. When Council passed the resolution asking for the improvement plan we needed to know how much pipe was going to be built and where it would go. Until we tell Enstar what the scope of the project is they can't come up with estimates and we can't give the precise number of lots that will be served. The task force has been working on a set of criteria that is included in Resolution 12-076.

Last week staff met with four representatives of Enstar. We showed them our criteria and a map of the lots that would be excluded. The criteria that was established is a way to make decisions and explain it to the public. The map depicts parcels that will not be served by the pipe. Either there is no road, no other utilities there, in an area that would be difficult or impossible to develop, steep areas or extreme wetlands. If someone is excluded they will have the option of coming to the Council and petitioning to be included in the Special Assessment District/LID. Or later on, two to three years, if someone decides to develop a subdivision beyond where the gas line stops they could form a new LID or go directly to Enstar. We have been spending a lot of time on it. Katie is trying to get as much information to the public as possible.

If someone wishes to join in the Special Assessment District they can petition to be included. If the land excluded is expensive to serve it would increase the costs for all people within the Special Assessment District/LID. It will be a value judgment the Council will need to make. Council has said they wanted to extend gas to the whole town with every lot owner paying the same. There are a lot of instances where extending the pipe will cost more for everyone else. The Spit is a good example. It will mean additional costs for everyone else. The Spit and bluffs raise the cost. Council has said there are good arguments to supply the whole town now. Enstar will draw the pipe in the map and provide cost estimates. We will have a more precise cost of the lots to be served. We will then take a look at the cost estimates and may seek a second opinion on some prices to ensure the public is getting the best deal for their money.

City Manager Wrede provided an update on the trunk line developments. Enstar is working on the right-of-way and permitting, along with cultural resources and wetlands. They have asked for a monetary advance to provide compensation for the work they are doing. They are on track for construction next spring. The task force compiled a schedule for getting the LID approved if construction is to begin this spring. Good reasons to start construction next spring are for prices and the opportunity to do the whole town for the same price. Enstar will build the trunk line as fast as possible and hook up customers as they go. If we delay the process, there is the possibility the trunk line down Fairview could have a lot of people hooked up before we get around to the LID. Large consumers may contract directly with Enstar to get the gas quickly. Enstar says if we have the LID approved by the end of January it will put them in good shape to order the pipe. The schedule works to allow us to be on track. Enstar says they can do it all in two years and will let us know if they can guarantee the price for two years. The quicker the better, as they can get

in and get out with cost savings. From the City's perspective getting the project done quickly will be the best. There will be real challenges with traffic control.

We are working on the budget for the gas line and costs allocated to the project. Some of the costs may be addressed with software and new automated office equipment. Some staff will be needed for the Clerk's department for four months and Public Works will need temporary people in the summertime to deal with utility locates and onsite permitting for services lines.

B. Bid Report

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

B. Transportation Advisory Committee

Councilmember Roberts reported the committee met for their quarterly meeting and made five transportation related recommendations for the CIP. People for the Kachemak Drive Path gave an excellent presentation, making the committee feel good about the things they heard.

C. Permanent Fund Committee

D. Lease Committee

E. Port and Harbor Improvement Committee

F. Employee Committee Report

G. Water and Sewer Rate Task Force

Councilmember Wythe reported the task force is meeting regularly twice a month in the Conference Room. There has been very little public input. She encouraged public participation in the meetings.

13. PENDING BUSINESS

A. **Ordinance 12-33(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget, Including Appropriations to the General Fund and the

Port and Harbor Fund and Funding New Projects from Various Reserve Accounts, **Appropriating \$10,567 for the Homer Hockey Association Zamboni Batteries**, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Finance Director. Introduction July 23, 2012, Public Hearing August 13, 2012, and Second Reading August 27, 2012.

Ordinance 12-33(A)(S), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget, Including Appropriations to the General Fund and the Port and Harbor Fund and Funding New Projects from Various Reserve Accounts, **Appropriating \$10,567 for the Homer Hockey Association Zamboni Batteries**, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Finance Director.

Memorandum 12-113 from Systems Manager as backup.

Memorandum 12-114 from Port and Harbor Director as backup.

Memorandum 12-115 from Library Director as backup.

Memorandum 12-116 from Public Works Superintendent as backup.

Memorandum 12-024 from Public Works Director as backup.

Memorandum 12-110 from Community and Economic Development Coordinator as backup.

SUBSTITUTE ORDINANCE 12-33(A)(S) ADOPTED with discussion.

Motion carried.

B. **Ordinance 12-36**, An Ordinance of the Homer City Council, Enacting Homer City Code Chapter 5.42 Prohibiting Sellers from Providing Customers with Disposable Plastic Shopping Bags. Lewis/Burgess. Introduction July 23, 2012, Public Hearing August 13, 2012, and Second Reading August 27, 2012.

ADOPTED as AMENDED with discussion.

AMENDMENT: TO ADD ITEM 5.42.040 EXCEPTIONS, HAVE THE AMENDMENT READ: INVENTORIES OF PLASTIC SHOPPING BAGS PURCHASED BEFORE THE DATE OF ENACTMENT OF THIS ORDINANCE MAY CONTINUE TO BE USED BY SELLERS AND PROVIDED TO CUSTOMERS AFTER JANUARY 1, 2013 UNTIL ALL SUCH INVENTORIES OF PLASTIC BAGS ARE COMPLETELY USED IN THE COURSE OF REGULAR BUSINESS OPERATIONS SELLERS PROVIDING PLASTIC BAGS UNDER THIS EXCEPTION AFTER JANUARY 1, 2013 MUST BE WILLING AND ABLE TO

PROVIDE DOCUMENTATION THAT SUCH PLASTIC BAGS WERE PURCHASED ON OR BEFORE THE DATE OF ENACTMENT OF THIS ORDINANCE.

- C. **Resolution 12-074**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Negotiate a Transfer of Responsibility Agreement with the Alaska Department of Transportation and Public Facilities which Designates the City as the Entity Responsible for Engineering, Design, and Construction of Traffic Control Improvements at the Intersection of Main Street and the Sterling Highway. City Manager. (Postponed from August 13, 2012.)

Memorandum 12-127 from City Manager as backup.

FAILED with discussion.

14. NEW BUSINESS

- A. **Memorandum 12-133** from City Manager, Re: Failed Memorandum 12-124, Public Art Selection Committee.

APPROVED with discussion.

- B. **Memorandum 12-134** from Community and Economic Development Coordinator, Re: Online Calculator - Providing the Public with Information on How Much Converting Their Home to Natural Gas Will Cost.

FAILED with discussion.

15. RESOLUTIONS

- A. **Resolution 12-075**, A Resolution of the City Council of Homer, Alaska, Approving the City of Homer Employee Wellness Program, Authorizing Enrollment with the Virgin Health Miles Program Facilitated by the Horton Group, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

Memorandum 12-135 from the Employee Committee as backup.

ADOPTED with discussion.

- B. **Resolution 12-076**, A Resolution of the City Council of Homer, Alaska, Approving Exclusion Criteria for Parcels Within the City Limits That Will Not be Directly Served

by Natural Gas Distribution Mains Constructed Under the Proposed Natural Gas Special Assessment District. City Manager.

Councilmember Wythe was excused from participation due to an ongoing conflict of interest.

ADOPTED with discussion.

- C. **Resolution 12-077**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Relocation of the Mariner Park Driveway to the Firm of _____ of _____, _____, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 12-105 from Public Works Director as backup.

Resolution 12-077(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Relocation of the Mariner Park Driveway to the Firm of **Collins Excavation and Services** of **Homer, Alaska**, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 12-136 from Public Works Director as backup

SUBSTITUTE RESOLUTION 12-077(S) ADOPTED with discussion.

- D. **Resolution 12-078**, A Resolution of the City Council of Homer, Alaska, Approving the Award of the 2012 Septic Tank Pumping Contract to Homer Septic Services of Homer, Alaska, in the Amount of \$33,655 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 12-131 from Public Works Inspector as backup.

ADOPTED with discussion.

16. COMMENTS OF THE AUDIENCE

There were three who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

20. COMMENTS OF THE MAYOR

Mayor Hornaday had no comment.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Lewis commented tomorrow is voting day and he hopes everyone gets out to vote so we can have a large turnout.

Councilmember Roberts said she voted yes on budget amendment Ordinance 12-33(A)(S). She voted to fund the hockey for their Zamboni. She was voted down two meetings ago when the ordinance was considered. It is very problematic to keep funding non profits in this manner.

Councilmembers Wythe, Zak, Howard, and Burgess had no comment.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 8:46 p.m. The next Regular Meeting is Monday, September 10, 2012 at 6:00 p.m., Special Meeting 4:00 p.m., Worksession 4:20 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.