

ACTION AGENDA

Monday, February 13, 2017
Worksession
Committee of the Whole
Regular Meeting

WORKSESSION AGENDA

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

Mayor Zak called the meeting to order at 4:00 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. HOMER ACCELERATED ROADS AND TRAILS PROGRAM (HART) FINANCES

Memorandum 17-027 from City Manager
Memorandum 17-028 from Deputy City Planner

4. COMMENTS OF THE AUDIENCE

There was one who commented.

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

Mayor Zak adjourned the meeting at 4:39 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Zak 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. 6)

The agenda was approved by consensus of the Council.

3. CONSENT AGENDA

4. REGULAR MEETING AGENDA

5. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

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

Mayor Zak adjourned the meeting at 5:34 p.m.

REGULAR MEETING AGENDA

Session 17-03 a Regular Meeting of the Homer City Council was called to order on February 13, 2017 at 6:00 p.m. by Mayor Bryan Zak 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, ERICKSON, LEWIS, REYNOLDS, SMITH, STROOZAS

STAFF: CITY MANAGER KOESTER
CITY CLERK JOHNSON
CITY ATTORNEY DAVIES
LIBRARY DIRECTOR DIXON
POLICE CHIEF ROBL
PORT AND HARBOR DIRECTOR HAWKINS

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: **PENDING BUSINESS - Resolution 16-128**, A Resolution of the City Council of Homer, Alaska, Creating a Police Station Building Task Force and Establishing the Scope of Work and Parameters Under Which the Task Force Will Conduct Its Work. Mayor. Kachemak Center Availability for Police Department Usage.

New Business Item A Memorandum 17-026 Request for Executive Session to consider Christopher Robinson request for waiver of penalties was moved to Item B under Pending Business.

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

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. Mayor's Proclamation - Brother Asaiah Bates Day, February 14

Councilmember Aderhold read the proclamation.

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There was one who commented.

5. RECONSIDERATION

6. 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 23, 2017. City Clerk. Recommend adoption.
- B. **Memorandum 17-020**, from Mayor Zak, Re: Reappointment of Robert Archibald as Homer's Representative to the Prince William Sound Regional Citizens' Advisory Council.
- C. **Memorandum 17-021**, from Mayor Zak, Re: Reappointment of Mark Massion to the Library Advisory Board.
- D. **Memorandum 17-022**, from Deputy City Clerk, Re: Liquor License Renewals for Alice's Champagne Palace, Mermaid Café, Two Sisters Bakery, and Happy Face Restaurant.
- E. **Resolution 17-013**, A Resolution of the Homer City Council Awarding the Contract for the Purchase of a 2016 Chevy Express 4x4 Cargo Van for Public Works to the Firm of

Chevy of South Anchorage, of Anchorage, Alaska, in the Amount of \$39,801 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 17-024 from Public Works Superintendent as backup.

- F. **Resolution 17-015**, A Resolution of the Homer City Council Awarding Wireless Edge Towers, LLC of New Rochelle, New York, a Lease for a Wireless Communication Tower on the Homer Spit, With an Initial Ten-Year Term and Four Ten-Year Renewal Terms on Lot 11 Homer Spit Subdivision No. 5, and Authorizing the City Manager to Move Forward With Cityscape Consultants, Inc. on Lease Negotiations and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 17-023 from Port and Harbor Advisory Commission as backup.

The consent agenda was approved by consensus of the Council.

7. VISITORS

**8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS
(10 minute limit per report)**

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

Planning Commissioner Tom Bos reported the commission approved a conditional use permit on Shannon Lane for seven rental units, has worked on the Hickerson Memorial Cemetery expansion Phase I project, and revisions for the Homer Accelerated Water and Sewer Program (HAWSP) manual and Homer Accelerated Roads and Trails (HART) manual. At the next meeting the commission will discuss cold weather shelters for the homeless and auto sales in the marine industrial district. At their Worksession there will be a presentation on the Woodard Creek Watershed Plan.

3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

Councilmember Lewis reported the commission met and was to have a presentation from Red Run Cannabis Company in Kenai. Due to scheduling it did not happen. They heard from an individual that plans on a grow operation outside the city limits. There are two seats open on the commission.

- C. Thank You From Kachemak Heritage Land Trust and Alaskan Coastal Studies – Grant Awards Through The Homer Foundation
- D. Thank You From Pratt Museum – City’s Support for 2017

9. **PUBLIC HEARING(S)**

- A. FRISBEE COURT ROAD SPECIAL ASSESSMENT DISTRICT

There was no public testimony.

- B. **Ordinance 17-06**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.80 and Homer City Code 1.18.050 to Appoint a Hearing Officer to Hear Ethics Complaints Against City Council Members and the Mayor and to Amend Homer City Code Section 2.08.050 to Permit the Board of Ethics or Hearing Officer to Dismiss Witnesses Prior to the Administrative Hearing and Clarify the Investigative and Hearing Process. Aderhold. Introduction January 23, 2017, Public Hearing and Second Reading February 13, 2017.

There was no public testimony.

ADOPTED with discussion.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Koester will provide budget details on the property purchased for the Hickerson Cemetery expansion at the next meeting.

B. Bid Report

12. CITY ATTORNEY REPORT

13. COMMITTEE REPORT

A. Employee Committee Report

B. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the committee met last Thursday and is moving forward with developing a transition plan. Measurements at primary buildings will be taken by the committee with support from Public Works and the people that occupy those buildings. As the committee moves forward to more complicated situations for compliance, Northwest ADA can be supportive. On Thursday from 10:00 a.m. to noon there is a webinar on ADA transition plans. It will be an opportunity to learn more about ADA compliance issues. There is one seat open on the committee, with another seat open in May.

14. PENDING BUSINESS

A. **Resolution 16-128**, A Resolution of the City Council of Homer, Alaska, Creating a Police Station Building Task Force and Establishing the Scope of Work and Parameters Under Which the Task Force Will Conduct Its Work. Mayor. Postponed from December 5, 2016.

Resolution 16-128(S), A Resolution of the City Council of Homer, Alaska, Creating a Police Station Building Task Force and Establishing the Scope of Work and Parameters Under Which the Task Force Will Conduct Its Work. Mayor.

Substitute Resolution 16-128(S) AMENDED: Line 55 removed names of primary staff support individuals and replaced with each with “or designee” to read: Public Works Director, or designee, Police Chief, or designee, and Deputy City Clerk or designee. Line 42 amended to read one proposal to not exceed \$6 million dollars and one proposal to not exceed \$9 million dollars.

ADOPTED as AMENDED with discussion.

- B. **Memorandum 17-026**, from City Clerk, Re: Request for Executive Session Pursuant to AS 44.62.310(A-C)(3), Matters Which by Law, Municipal Charter, or Ordinance are Required to be Confidential (Christopher Robinson Request for Waiver of Penalties for Natural Gas Distribution Special Assessment).

ADOPTED.

Council adjourned to Executive Session at 6:55 p.m. Mayor Zak reconvened the meeting at 7:17 p.m.

Mayor Pro Tempore Reynolds stated the Council discussed Mr. Robinson’s request for a waiver from the penalties from the natural gas distribution special assessment.

- C. **Memorandum 17-018**, from Interim Finance Director, Re: Waiver of Penalties for Natural Gas Distribution Special Assessment. (Christopher Robinson request only.)

Council granted the waiver of penalties for the natural gas special assessment to Christopher Robinson.

15. NEW BUSINESS

- A. **Memorandum 17-026**, from City Clerk, Re: Request for Executive Session Pursuant to AS 44.62.310(A-C)(3), Matters Which by Law, Municipal Charter, or Ordinance are Required to be Confidential (Christopher Robinson Request for Waiver of Penalties for Natural Gas Distribution Special Assessment).

Heard under Pending Business.

16. RESOLUTIONS

- A. **Resolution 17-014**, A Resolution of the City Council of Homer, Alaska, Authorizing the Extension of City of Homer Water Services to Benefited Lots in Kachemak City and Nullifying the Statement in Resolution 04-42(A) With Regard to Extending City Water to Non-City Properties. Stroozas.

POSTPONED to February 27, 2017.

- B. **Resolution 17-016**, A Resolution of the Homer City Council Awarding the Contract for the Homer Harbor High Mast Light LED Conversion Project to the Firm of Puffin Electric, Inc. of Homer, Alaska, in the Amount of \$168,423 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Port and Harbor Director. Recommend adoption.

Memorandum 17-025 from Port and Harbor Director as backup.

ADOPTED with discussion.

17. COMMENTS OF THE AUDIENCE

There was one who commented.

18. COMMENTS OF THE CITY ATTORNEY

City Attorney Davies had no comments.

19. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

20. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

21. COMMENTS OF THE MAYOR

Mayor Zak commented tomorrow is Brother Asaiah Bates Day. It is an important time for us to be thinking about his message to the citizens of Homer and our country.

22. COMMENTS OF THE CITY COUNCIL

Councilmember Reynolds thanked community members who attended the meeting tonight and *Lunch with a Councilmember* today. It is a great way to get less formal input and feedback. She encouraged the public to come and participate.

Councilmember Stroozas announced he will be physically absent for the next two meetings, but will be participating telephonically.

Councilmember Lewis had no comments.

Councilmember Smith wished everyone a Happy Valentine's Day. He thanked Jenny Espenshade for her work in securing the \$10,000 grant for the syringe exchange program.

Councilmember Aderhold thanked Robert Archibald for wanting to continue his service on the Prince William Sound Regional Citizens' Advisory Council. It is an important role for someone with his expertise. She appreciates his volunteerism. Fish and Wildlife is working on signs for Bishop's Beach; she has seen the drafts and they are very nice.

Councilmember Erickson said it was nice to have snow and cold for the Winter Carnival. There are a lot of wintertime activities coming up. The Fun Run is next weekend, the Epic 100 by the Homer Cycling Club, and the NRA banquet is March 4th. She encouraged everyone to get out and play in the sun and snow.

23. ADJOURNMENT

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 7:32 p.m. The next Regular Meeting is Monday, February 27, 2017 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.