

**ACTION AGENDA
February 27, 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.
Councilmember Stroozas has requested telephonic participation.
Councilmember Smith has requested excusal. (Excusal not needed.)

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. R&M CONSULTANTS, INC. – DEEP WATER DOCK FEASIBILITY STUDY FINDINGS

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 4:54 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.
Councilmember Stroozas has requested telephonic participation.
Councilmember Smith has requested excusal. (Excusal not needed.)

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. Ordinance 17-10, An Ordinance of the City Council of Homer, Alaska, Submitting a Ballot Question to the Voters at the October 3, 2017 Regular Municipal Election Inquiring Whether to Amend the Homer Accelerated Roads and Trails (HART) Program to Authorize the Use of Revenues From the Three Fourths Percent (3/4%) Sales Tax Levied to Support the HART Program for the Use of Road and Trail Maintenance and Amending Homer City Code 9.16.010(C) Accordingly Upon Approval by the Voters of Proposition No.1. Mayor. Recommended dates: Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

4. CONSENT AGENDA

5. REGULAR MEETING AGENDA

6. COMMENTS OF THE AUDIENCE

There were 17 who commented.

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

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

REGULAR MEETING AGENDA

Session 17-04 a Regular Meeting of the Homer City Council was called to order on February 27, 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 (telephonic)

STAFF: CITY MANAGER KOESTER
CITY CLERK JOHNSON
DEPUTY CITY CLERK JACOBSEN
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Councilmember Stroozas has requested telephonic participation.
Councilmember Smith has requested excusal. (Excusal not needed.)

Councilmember Stroozas was allowed to participate by phone.

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: **CONSENT AGENDA - Ordinance 17-09**, An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget by Appropriating Funds in the Amount of \$30,702.00 From Port and Harbor Reserves to Fund a Wireless Control System for the High Mast Light Poles at the Harbor. City Manager/Port and Harbor Director. Written public comments. **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS** - Notice from Kenai Peninsula Borough of Application for a Retail Marijuana Store license in the Diamond Ridge/Homer Area for Alaskan Cannabis Outfitters. **RESOLUTIONS - Resolution 17-019**, A Resolution of the City Council of Homer, Alaska, Stating That the City of Homer Adheres to the Principle of Inclusion and Herein Committing This City to Resisting Efforts to Divide This Community With Regard to Race, Religion, Ethnicity, Gender, National Origin, Physical Capabilities, or Sexual Orientation Regardless of the Origin of Those Efforts, Including From Local, State or Federal Agencies. Aderhold/Reynolds/Lewis. Written public comments.

Item A, Resolution 17-019 under Resolutions was moved to be heard immediately following Public Comments Upon Matters Already on the Agenda. Item B, Visitor Recreation Manager Mike Illg, was removed from the agenda.

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

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. Mayor's Recognition, Deputy City Clerk Melissa Jacobsen, Master Municipal Clerk Designation

Mayor Zak recognized Deputy City Clerk Melissa Jacobsen for her achievement of the Master Municipal Clerk designation.

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were 56 who commented on Resolution 17-019.

Mayor Zak called for a recess at 8:04 p.m. and reconvened the meeting at 8:14 p.m.

There were 41 who commented on Resolution 17-019.

- A. **Resolution 17-019**, A Resolution of the City Council of Homer, Alaska, Stating That the City of Homer Adheres to the Principle of Inclusion and Herein Committing This City to Resisting Efforts to Divide This Community With Regard to Race, Religion, Ethnicity, Gender, National Origin, Physical Capabilities, or Sexual Orientation Regardless of the Origin of Those Efforts, Including From Local, State or Federal Agencies. Aderhold/Reynolds/Lewis.

FAILED with discussion.

Mayor Zak called for a recess at 10:04 p.m. and reconvened the meeting at 10:14 p.m.

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 February 13, 2017. City Clerk. Recommend adoption.
- B. **Ordinance 17-08**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an Alaska Department of Transportation and Public Facilities Grant for Soundview Pedestrian Safety Improvements. City Manager/Public Works Director. Recommended dates: Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.
- C. **Ordinance 17-09**, An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget by Appropriating Funds in the Amount of \$30,702.00 From Port and Harbor Reserves to Fund a Wireless Control System for the High Mast Light Poles at the Harbor. City Manager/Port and Harbor Director. Recommended dates: Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

Memorandum 17-030 from Port and Harbor Director as backup.

- D. **Ordinance 17-10**, An Ordinance of the City Council of Homer, Alaska, Submitting a Ballot Question to the Voters at the October 3, 2017 Regular Municipal Election Inquiring Whether to Amend the Homer Accelerated Roads and Trails (HART) Program to Authorize the Use of Revenues From the Three Fourths Percent (3/4%) Sales Tax Levied to Support the HART Program for the Use of Road and Trail Maintenance and Amending Homer City Code 9.16.010(C) Accordingly Upon Approval by the Voters of Proposition No.1. Mayor. Recommended dates: Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

Moved to Ordinances, Item A. Erickson.

- E. **Ordinance 17-11**, An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget Authorizing the Expenditure of \$9,000 for the Purchase of a Pathway Sander Unit. Aderhold. Recommended dates: Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

Memorandum 17-031 from Public Works Director as backup.

- F. **Ordinance 17-12**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$110,000 From the Public Safety Building Fund to the Police Station Project to Fund Assessment and Design. Reynolds. Recommended dates: Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

- G. **Resolution 17-017**, A Resolution of the City Council of Homer, Alaska, Authorizing the Formation of the Frisbee Court Road Reconstruction and Paving Special Assessment District and Authorizing the City Manager to Proceed With the Preparation and Construction of the Reconstruction and Paving Project. City Clerk.

- H. **Resolution 17-018**, A Resolution of the City Council of Homer, Alaska, Certifying That the Municipality Did Suffer Significant Effects During the Program Base Year From Fisheries Business Activities That Occurred Within the FMA 14: Cook Inlet Fisheries Management Area. City Manager.

Memorandum 17-032 from Port and Harbor Director as backup.

Item D, Ordinance 17-10 was moved to Ordinances. Erickson.

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

7. VISITORS

- A. R&M Consultants, Inc., DWD Feasibility Study Findings, 10 minutes

To be rescheduled.

- B. Recreation Manager Mike Illg, Community Recreation, 10 minutes

Removed from the agenda. (Rescheduled to March 28, 2017.)

**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
3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner John Sharp reported the commission met on February 16th. They had two visitors, Laurie Morrow, new Pratt Museum Director, on the Sister City Art Collection and Adele Person, Woodard Creek Coalition, presenting on the Woodard Creek Watershed. The commission discussed Mariner Park signage and the gates. They have a potential student member for the commission.

5. Port and Harbor Advisory Commission
 6. Cannabis Advisory Commission
- C. Letter from Mayor Zak to University of Alaska Board of Regents, Re: Support for Option 6 of Strategic Pathways
- D. Notice from Kenai Peninsula Borough of Application for a Retail Marijuana Store license in the Diamond Ridge/Homer Area for Alaskan Cannabis Outfitters

9. PUBLIC HEARING(S)

- A. New Liquor License for Kannery Grill

There was no public testimony.

10. ORDINANCE(S)

- D. **Ordinance 17-10**, An Ordinance of the City Council of Homer, Alaska, Submitting a Ballot Question to the Voters at the October 3, 2017 Regular Municipal Election Inquiring Whether to Amend the Homer Accelerated Roads and Trails (HART) Program to Authorize the Use of Revenues From the Three Fourths Percent (3/4%) Sales Tax Levied to Support the HART Program for the Use of Road and Trail Maintenance and Amending Homer City Code 9.16.010(C) Accordingly Upon Approval by the Voters of Proposition No.1. Mayor. Recommended dates: Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

INTRODUCED with discussion.

11. CITY MANAGER'S REPORT

- A. City Manager's Report

City Manager Koester circulated the sign-up sheet for "Lunch With a Councilmember" held at the library each month.

- B. Bid Report

12. CITY ATTORNEY REPORT

13. COMMITTEE REPORT

- A. Employee Committee Report
- B. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold announced the upcoming meeting on Thursday. The webinar was not heard due to technical difficulties.

14. PENDING BUSINESS

- 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 from February 13, 2017.

Resolution 17-014(S), 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.

Substitute Resolution 17-014(S) ADOPTED with discussion.

15. NEW BUSINESS

- A. **Memorandum 17-029** from Deputy City Clerk, Re: New Liquor License Kannery Grill.

APPROVED without discussion.

16. RESOLUTIONS

- A. **Resolution 17-019**, A Resolution of the City Council of Homer, Alaska, Stating That the City of Homer Adheres to the Principle of Inclusion and Herein Committing This City to Resisting Efforts to Divide This Community With Regard to Race, Religion, Ethnicity, Gender, National Origin, Physical Capabilities, or Sexual Orientation Regardless of the Origin of Those Efforts, Including From Local, State or Federal Agencies. Aderhold/Reynolds/Lewis.

Heard after Public Comments Upon Matters Already on the Agenda.

17. COMMENTS OF THE AUDIENCE

There were four who commented.

18. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not present.

19. COMMENTS OF THE CITY CLERK

City Clerk Johnson congratulated Melissa. She has been a great help in our office and I very much enjoy working with her.

20. COMMENTS OF THE CITY MANAGER

City Manager Koester echoed Jo's congratulations to Melissa. We are privileged to have a dedicated and hardworking staff who is always committed to continuing education and self-improvement.

21. COMMENTS OF THE MAYOR

Mayor Zak said he loves this town and loves everyone. People in this community work hard in so many ways. We heard a lot about jobs in the community and people reaching out and doing good things for others. We are great people and got through this. He is ready to move on to get to the work of the City. We are going to be asking the voters for use of the HART funds to balance the budget and support of the public safety building. We are going to work hard to bring the voters something reasonable.

22. COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas commented it was now 2:45 a.m. at his location. The Homer City Council comes through; we always do the right thing. He congratulated Melissa on her MMC certification. To our City Clerk Jo Johnson, this was a lot of work for you and you kept stuff coming. We had it in plenty of time to review the different opinions people wrote in about, in addition to listening to the 100+ people tonight. He is sorry he couldn't be here in person. He has tee time tomorrow afternoon.

Councilmember Reynolds thanked everyone for sending emails, coming, and spending time. A lot of people don't know how things move through the system. It is all set up for open meetings and public participation to make sure everyone has a voice. She has been here for 2 ½ years. The Council always has civil discussion. She thanked everyone that was vulnerable that came and spoke. Councilmember Reynolds announced lunch at the library to chat and find out more. Your voice is meaningful and relevant. She kept her composure pretty well, but when her son sent her a supportive text that pushed her over the edge.

Councilmember Erickson said it has been a long, but good meeting. It is important moving forward that we undo any of the damage on social media to get people to realize we are a wonderful community. She encouraged us to be proactive in fixing this. Be honest and loving. We will get there and we'll all have a great summer.

Councilmember Aderhold congratulated Melissa. She works with Melissa on the ADA committee. Melissa's dedication to that committee and the community for ADA issues shows how dedicated she is. She thanked Jo and the Clerk's staff for all of their help over the last week on this resolution. She thanked the public and the people that stayed and listened to the rest of the meeting. One person talked about increased participation in city government. She applauds that and looks forward to people paying attention. We are here to represent you. We

represent you best when we know how you feel about things. The more you are part of it, the better your government is.

Councilmember Smith said it is important we do move forward instead of being stuck in whatever may have been generated. We are still neighbors and community members. He hopes we can be accepting of differences no matter how we stand on issues. We have the power to dictate and do that positively by accepting the fact that we're different. He is confused with Mr. Sloan's comment since he doesn't know what he actually thought of him prior to tonight. He gave a shout out to the boys and the Best Western Riptide Team that won the championship.

Councilmember Lewis echoed what everyone else said about Melissa. For the past eight years he has missed every championship game. For those with a recall, do it quickly.

23. ADJOURNMENT

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 10:54 p.m. The next Regular Meeting is Monday, March 13, 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.