

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
MARCH 13, 2017
COWLES COUNCIL CHAMBERS

MAYOR BRYAN ZAK
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
COUNCIL MEMBER TOM STROOZAS
COUNCIL MEMBER SHELLY ERICKSON
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

Worksession 4:30 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

Councilmembers Stroozas and Reynolds have requested telephonic participation.

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 2.08.040.)

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

5. RECONSIDERATION

A. **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. Reconsideration issued by Councilmember Lewis on February 28, 2017.

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 27, 2017. City Clerk. Recommend adoption.
- B. **Memorandum 17-033** from Mayor Zak, Re: Appointments of Pam Van Hoozer and Joyanna Geisler to the Americans With Disabilities Act Compliance Committee and Reappointment of Karin Marks to the Economic Development Advisory Commission.
- C. **Memorandum 17-034** from Deputy City Clerk, Re: Liquor License Renewal for American Legion Post #16.
- D. **Ordinance 17-13**, An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget by Authorizing the Expenditure of \$19,850 From the Fishing Hole Maintenance Reserve Fund for Improvements to the Nick Dudiak Lagoon Fish Cleaning Station. City Manager/Port and Harbor Director. Recommended dates: Introduction March 13, 2017, Public Hearing and Second Reading March 28, 2017.

Memorandum 17-038 from Port and Harbor Director as backup.

- E. **Ordinance 17-14**, An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget by Appropriating Funds in the Amount of \$150,000 From Port and Harbor Reserves for the Replacement of the Existing Port and Harbor Management Software. City Manager/Port and Harbor Director. Recommended dates: Introduction March 13, 2017, Public Hearing and Second Reading March 28, 2017.

Memorandum 17-043 from Port and Harbor Director as backup.

- F. **Ordinance 17-15**, An Ordinance of the City Council of Homer, Alaska, Updating and Clarifying the Implementation of a Penalty and Interest Structure for Special Assessments in the Homer Natural Gas Distribution Special Assessment District That Became Delinquent on or After July 1, 2016, and Provided Terms for Reinstatement on or After July 1, 2016 of Assessments That Became Delinquent Before That Date, and the Policies and Procedures for Waiving Penalties on Delinquent Special Assessment Payments if They Meet Certain Requirements, and Creating an Appeal Process for

Waiver Denials to the Board of Adjustment. Aderhold. Recommended dates: Introduction March 13, 2017, Public Hearing and Second Reading March 28, 2017.

- G. **Resolution 17-020**, A Resolution of the City Council of Homer, Alaska, Encouraging Congress to Create a Reliable, Predictable Stream of Resources to Address Deferred Maintenance Needs in America's National Park System. Mayor.
- H. **Resolution 17-021**, A Resolution of the City Council of Homer, Alaska, Amending the Beach Policy for Clarity. City Clerk/Parks Art Recreation and Culture Advisory Commission (PARCAC).

Memorandum 17-039 from Deputy City Planner as backup.

- I. **Resolution 17-023**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Wireless Control System for Harbor High Mast Light Poles to the Firm of Puffin Electric, Inc. of Homer, Alaska, in an Amount to be Determined and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port and Harbor Director.

Memorandum 17-049 from Port and Harbor Director as backup.

- J. **Memorandum 17-035**, from Parks Art Recreation and Culture Advisory Commission, Re: Sister City Artwork Display.
- K. **Memorandum 17-046**, from City Manager, Re: Letter to Governor Walker and Alaska State Legislature Regarding the Effects of Budget Cuts on the City of Homer and Revenue Options for the State of Alaska.

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
 3. Economic Development Advisory Commission
 4. Parks Art Recreation and Culture Advisory Commission
 5. Port and Harbor Advisory Commission
 6. Cannabis Advisory Commission
- C. Councilmember Aderhold Juneau Trip Report
- D. City Manager Koester Juneau Trip Report
- 9. PUBLIC HEARING(S)**
- A. **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. Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.
- B. **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. Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.
- Memorandum 17-030 from Port and Harbor Director as backup.
- C. **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. Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

Ordinance 17-10(S), 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. Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

Memorandum 17-044 from City Manager as backup.

- D. **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. Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

Memorandum 17-031 from Public Works Director as backup.

- E. **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. Introduction February 27, 2017, Public Hearing and Second Reading March 13, 2017.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

A. City Manager's Report

B. Bid Report

12. CITY ATTORNEY REPORT

A. Memorandum 17-037 from City Attorney, Re: Recall Application and Petition Process

13. COMMITTEE REPORT

A. Employee Committee Report

B. Americans with Disabilities Act Compliance Committee

14. PENDING BUSINESS

- A. **If reconsidered: 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. Reconsideration issued by Councilmember Lewis on February 28, 2017.
- B. **Ordinance 17-05(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget by Appropriating \$671,053 From the Homer Accelerated Roads/Trails Program (HART) for the Greatland Street Improvements (Option A) Project, and Authorizing the City Manager to Execute All Appropriate Documents. Erickson. Introduced January 23, 2017, Referred to Planning Commission. Recommend Public Hearing March 28, 2017.

Memorandum 17-019 from Public Works Director as backup.
Memorandum 17-041 from City Planner as backup.

- C. **Ordinance 17-07(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 4.10.040, 8.08.120, 14.05.425, 21.93.060, 21.93.070, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, and 21.93.710 to Replace the Board of Adjustment With a Hearing Officer to Decide Administrative Appeals Under the Homer City Code, Including But Not Limited to, the Use of a Hearing Officer to Order Impoundment of Dangerous Animals, Decide Disputes Regarding Itinerant Merchant Licenses, and Decide Disputes Regarding Qualifications of a Candidate for Office. Aderhold. Introduced January 23, 2017, Referred to Planning Commission. Recommend Public Hearing March 28, 2017.

Memorandum 17-042 from City Planner as backup.

- D. **Resolution 16-133**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Negotiate and Prepare a Purchase Offer for Kenai Peninsula Borough Parcel No. 17901024, Jack Gist Subdivision Lot 3, in an Amount Not to Exceed Fair Market Value for the Purpose of Enhancing Current Jack Gist Park Facilities. Lewis. Referred to Parks Art Recreation and Culture Advisory Commission on December 5, 2016.

Memorandum 17-036 from Parks Art Recreation and Culture Advisory Commission as backup.

15. NEW BUSINESS

16. RESOLUTIONS

- A. **Resolution 17-022**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Operation of Fish Pump Services on the Homer Port and Harbor Fish Dock to the Firm of Icicle Seafoods, Inc. of Homer, Alaska, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port and Harbor Director.

Memorandum 17-045 from Port and Harbor Director as backup.

17. COMMENTS OF THE AUDIENCE

18. COMMENTS OF THE CITY ATTORNEY

19. COMMENTS OF THE CITY CLERK

20. COMMENTS OF THE CITY MANAGER

21. COMMENTS OF THE MAYOR

22. COMMENTS OF THE CITY COUNCIL

23. ADJOURNMENT

Next Regular Meeting is Tuesday, March 28, 2017 at 6:00 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.