

ACTION AGENDA

Special Meeting
Committee of the Whole
Regular Meeting

SPECIAL MEETING AGENDA

Session 17-06 a Special Meeting of the Homer City Council was called to order on March 28, 2017 at 4:00 p.m. by Mayor Pro Tempore Catriona Reynolds 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
PORT AND HARBOR DIRECTOR HAWKINS

Mayor Zak has requested excusal.

- 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. Memorandum 17-050**, from City Clerk, 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 (Review of Request for Proposals for Operation of Fish Pump Services on the Fish Dock).

City Manager Koester provided an explanation of the need for an Executive Session to review the RFPs.

APPROVED.

Council adjourned to Executive Session at 4:09 p.m. and reconvened the meeting at 4:48 p.m.

Councilmember Lewis stated we met and discussed the proposals.

4. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

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

Mayor Pro Tempore Reynolds adjourned the meeting at 4:49 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Pro Tempore Reynolds 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 was one who commented.

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

Mayor Pro Tempore Reynolds adjourned the meeting at 5:19 p.m.

REGULAR MEETING AGENDA

Session 17-07 a Regular Meeting of the Homer City Council was called to order on March 28, 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 PLANNER ABOUD
FIRE CHIEF PAINTER
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR BROWNING
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 2.08.040.)

The following changes were made: **PUBLIC HEARINGS - 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. Written public comments. **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. Written public comments.

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

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

A. National Public Health Week Proclamation

Mayor Zak read and presented the proclamation to Lorne Carroll.

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 March 13, 2017. City Clerk. Recommend adoption.
- B. **Memorandum 17-051** from Mayor Zak, Re: Appointment of Hannah Vance to the Library Advisory Board; Debra Lowney, Vicki Lowe, Josh Garvey, Coletta Walker, and Daniel Weatherly to the Police Station Building Task Force.
- C. **Memorandum 17-047** from City Manager, Re: Fire Hall Improvements.
- D. **Ordinance 17-16**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 5.24.020 to Identify Lighted Free-Floating Luminaries as Fireworks and Prohibit the Sale and Use of these Luminaries within the Corporate City Limits of Homer. City Manager/Fire Chief. Recommended dates: Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.
- E. **Ordinance 17-17**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Remove the Prohibition on the City Manager and City Employees From Securing or Contributing Money Towards the Nomination or Election of a Candidate for a Municipal Office, and Amending Homer City Code 4.10.050 to Prohibit Candidates for Municipal Office From Accepting or Soliciting Campaign Contributions From City Employees or the City Manager. Smith. Recommended dates: Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.
- F. **Ordinance 17-18**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$5,000 From the General Fund Balance and Authorizing the Use of Limited Staff Time and City Equipment for Public Information on the Ballot Proposition Including Without Limitation Information That May Influence the Outcome of the Election on the Proposition. City Manager. Recommended dates: Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.

Memorandum 17-052 from Special Projects and Communication Coordinator as backup.

- G. **Resolution 17-025**, A Resolution of the City Council of Homer, Alaska, Acknowledging the March 2017 Surplus Equipment Bid Results. City Clerk. Recommend adoption.
- H. **Resolution 17-026**, A Resolution of the City Council of Homer, Alaska, Authorizing Participation in the EBSCO Solar Grant Program for the Homer Public Library. City Manager/Library Director. Recommend adoption.
- I. **Resolution 17-028**, A Resolution of the City Council of Homer, Alaska, Granting a Limited Private Pedestrian Access Easement Along the North Wall of Land's End Hotel and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 17-054 from City Manager as backup.

Moved to Resolutions, Item C. Aderhold.

- J. **Resolution 17-029**, 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 Number 17305408, Lot 8 Block 1 of Kelly Ranch Estates Subdivision, in an Amount Not to Exceed Fair Market Value for the Purpose of Protecting Bridge Creek Watershed. City Manager. Recommend adoption.
- K. **Resolution 17-030**, A Resolution of the City Council of Homer, Alaska, Amending the Personnel Regulations to Require the City to Pay Family Member Benefits for 36 Months in the Event of an Occupational Death. Lewis. Recommend adoption.

Moved to Resolutions, Item D. Smith.

Item I, Resolution 17-028 was moved to Resolutions, Item C. Aderhold.

Item K, Resolution 17-030 was moved to Resolutions, Item D. Smith.

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

7. VISITORS

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

Recreation Manager Mike Illg provided a PowerPoint on the history and statistics of Community Recreation.

**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 Roberta Highland reported Steve Baird attended their meeting to present on bluff erosion. She told Council they should have the presentation. The commission has been reviewing auto sales in the marine industrial district. They have amended the ordinance to add temporary auto sales and add a definition, and allow auto sales up to 30 days per calendar year, per lot. The commission passed three plats; those have been forwarded to the Kenai Peninsula Borough Planning Commission. The commission reviewed the 2017 Land Allocation Plan and unanimously voted against going forward on Greatland Street extension thinking of the City's finances. If Council proceeds on Greatland Street, the commission recommends Option C as recommended in the Transportation Plan.

3. Economic Development Advisory Commission

Economic Development Advisory Commissioner Rachel Lord reported they received feedback from the business community on the sign ordinance and internet and connectivity. Travis and Rick in the Planning Department provided a great presentation on the sign ordinance. More specific feedback from business owners is needed to better understand their concerns. IT Manager Nick Poolos made a great presentation on everything internet. We have some limitations based on physics, but are as connected as we can be. More information is needed from the business community. Next month the commission will look at the business retention and expansion survey for this year. It will help the commission to better understand what is working and what is not working for businesses and how they can be retained and successful. The commission is reviewing low cost to no cost at the planning to action process for business development. In April the commission will provide a refined proposal seeking support. Additionally, the commission reviewed the 2017 Land Allocation Plan. Although they have no suggestions, it was an opportunity to be reminded of what city lands are maintained for. The business retention and expansion survey will be available online.

4. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner Deb Lowney reported they went over the Land Allocation Plan. Everyone agrees it is valuable information to receive. The

commission's biggest concern is land that is for sale, since their priority is to preserve and increase green space.

5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

Councilmember Lewis reported the commission will meet next month.

9. PUBLIC HEARING(S)

- A. **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, Public Hearing and Second Reading March 28, 2017.

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

There were five who testified.

AMENDED: Line 51 to replace \$970,870 with \$671,053.

POSTPONED to June 26, 2017.

- B. **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, Public Hearing and Second Reading March 28, 2017.

Memorandum 17-042 from City Planner as backup.

There were nine who testified.

ADOPTED with discussion.

Mayor Zak called for a recess at 7:38 p.m. and reconvened the meeting at 7:43 p.m.

- C. **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. Introduction March 13, 2017, Public Hearing and Second Reading March 28, 2017.

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

There was no public testimony.

ADOPTED with discussion.

- D. **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. Introduction March 13, 2017, Public Hearing and Second Reading March 28, 2017.

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

There was no public testimony.

ADOPTED without discussion.

- E. **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. Introduction March 13, 2017, Public Hearing and Second Reading March 28, 2017.

There was one who testified.

ADOPTED without discussion.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Koester reported she was approached by the Kenai Peninsula Economic Development District to provide information about the port and harbor to work with Graphite One. It is an early conversation on alternatives for shipping their product from Alaska. Although the Homer harbor mooring and space needs may be less than Graphite One requires, it is important to get the information out there.

The public restroom at Ramp 2 can be replaced with cruise ship passenger vessel funds. City Manager Koester will research the process, ask Council to add the restroom as a CIP project, and look at grant opportunities. She will report back in April.

B. Bid Report

12. CITY ATTORNEY REPORT

- A. City Attorney's Report February/March
- a. Recall Petition Flow Chart
 - b. Letter to City Manager Koester re: Waiver of Potential Conflict

13. COMMITTEE REPORT

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

Councilmember Aderhold reported the committee will meet soon and then she will provide a report.

14. PENDING BUSINESS

- 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. Postponed from March 13, 2017.

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

ADOPTED with discussion.

15. NEW BUSINESS

16. RESOLUTIONS

- A. **Resolution 17-024**, A Resolution of the Homer City Council Authorizing a Request for Proposals to Issue for Harbor Software. City Manager/Port and Harbor Director.

Memorandum 17-053 from Port Director/Harbormaster as backup.

ADOPTED without discussion.

- B. **Resolution 17-027**, A Resolution of the City Council of Homer, Alaska, Requiring a Mid-Year Billing Notice to Property Owners in the Homer Natural Gas Special Assessment District. Erickson.

ADOPTED with discussion.

- C. **Resolution 17-028**, A Resolution of the City Council of Homer, Alaska, Granting a Limited Private Pedestrian Access Easement Along the North Wall of Land's End Hotel and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 17-054 from City Manager as backup.

ADOPTED with discussion.

- D. **Resolution 17-030**, A Resolution of the City Council of Homer, Alaska, Amending the Personnel Regulations to Require the City to Pay Family Member Benefits for 36 Months in the Event of an Occupational Death. Lewis. Recommend adoption.

AMENDED: Line 24 to 24 months.

ADOPTED as AMENDED with discussion.

17. COMMENTS OF THE AUDIENCE

There were ten who commented.

18. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not present.

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 that good things are happening with SPARC and the community. The Homer Chamber of Commerce Winter King Salmon Tournament was a huge infusion to the community. The community has come together to help people and all of us are appreciative of that.

22. COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas said it was good to be back in Homer after a visit with the grandkids. The Homer Chamber of Commerce fishing tournament attendance was down 25% due to the date change, but there were still 1,000 people fishing. It was successful and people can't wait to come back. He thanked everyone that came out.

Councilmember Reynolds announced the Sea to Ski fundraiser for the Nordic Ski Club on Sunday. She gave a shout out to Hoxie Parks; she will be helping with soccer camp. Danny Buckwalter has been diagnosed with leukemia; he also has a GoFundMe! account.

Councilmember Lewis commented besides the Winter King Tournament, the Homer Hockey Association hosted the state hockey tournament for Squirts (age 10). Homer didn't do great; the tournament was won by Juneau. There were twelve teams from all over the state in attendance. This brought the parents and siblings to Homer, so the hotels were packed. He is sure fishermen had a hard time finding places to stay. The Homer Hockey association doesn't set the date of the tournament. It is set by the state hockey association. It is unfortunate that we couldn't have two big weekends, instead of one huge one.

Councilmember Smith thanked all those for bearing their hearts. Participation is an honor and he appreciates the opportunity to serve on the council.

Councilmember Aderhold seconded what Councilmember Smith said. She thanked Homer for coming out and showing us heart tonight.

Councilmember Erickson said Dr. Weist is retiring. It is hard when you see births and deaths and stuff in between. She thanked him for being a part of the community. It is going to start to snow and rain. She reminisced about a visit to Bellevue, Washington, where nobody talked to her or looked her in the eye. She felt very isolated. She encouraged everyone to start smiling and laughing.

23. ADJOURNMENT

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 8:47 p.m. The next Regular Meeting is Monday, April 10, 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.