

Session 17-08 a Regular Meeting of the Homer City Council was called to order on April 10, 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  
DEPUTY HARBORMASTER CLARKE  
FINANCE DIRECTOR WALTON  
FIRE CHIEF PAINTER  
LIBRARY DIRECTOR DIXON  
PUBLIC WORKS DIRECTOR MEYER

Council met for a Worksession from 4:00 p.m. to 4:45 p.m. to discuss Employee Wages and Benefits. From 5:00 p.m. to 5:52 p.m. Council met as a Committee of the Whole to discuss Ordinances 17-07(S) and 17-07(S-2), the Land Allocation Plan, and Consent and Regular Meeting Agenda items.

Department Heads may be called upon from time to time to participate via teleconference.

#### **AGENDA APPROVAL**

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

Pending Business was moved to be heard after Reconsideration.

Mayor Zak called for a motion for the approval of the agenda as amended.

LEWIS/ADERHOLD – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

A. Mayor's Proclamation – Chamber of Commerce Clean-Up Day, April 22, 2017

Councilmember Stroozas read and presented the proclamation to Chamber of Commerce Executive Director Karen Zak and Visitor Center & Events Coordinator Jan Knutson.

B. Mayor's Proclamation – National Library Week, April 9 – 15, 2017

Councilmember Aderhold read and presented the proclamation to Library Director Ann Dixon and Library Advisory Board Member Mark Massion.

C. Mayor's Recognition - Earth Day, April 22, 2017

Councilmember Reynolds read and presented the proclamation to Roberta Highland, Kachemak Conservation Society.

**PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Roberta Highland, city resident, commented on Memorandum 17-057. It breaks her heart, but the silver lining is that it has brought so many people together for support. She thanked Councilmembers Aderhold, Lewis, and Reynolds who are experiencing emotional trauma.

Sarah Vance, city resident, commented on Memorandum 17-057. This has brought unrest and division in the community. The recall was issued. It is not unkind, vicious, and an act of hatred. It is about truth and accountability, expecting honesty and integrity from government officials.

Kevin Hogan, city resident, spoke on Resolution 17-039. The RFP was from the Port and Harbor Advisory Commission with no accountability. His proposal was rejected and he believes he deserves a better explanation as to why it was.

Kris Holderied, city resident, commented on Memorandum 17-057. She is shocked at the recall since the councilmembers are just doing their job, representing all the different pieces of the community. She hopes we can figure out ways to move through this.

Robert Archibald, city resident, commented on Memorandum 17-057. The reason for the recall is a gray area. In the future he would hope that Council gets legal advice before bringing things forward.

Wendy Wayne, Homer resident, commented on Memorandum 17-057. She supports the councilmembers that brought Resolution 17-019 forward. Her earlier comments at the Committee of the Whole were not recorded in the minutes. While at the meeting she heard threats and swearing against councilmembers. She hopes all councilmembers support each other.

Roxanne Lawver, city resident, commented on Memorandum 17-057. The newspaper and media have been producing a timeline of comments and sessions between the three councilmembers that are up for recall. There are a lot more emails that have not been published. She cautioned not to believe the media that is slanted.

Larry Slone, city resident, commented on Memorandum 17-057. It was an overt attempt to hijack the direction the city should be going. Although he resents that, he can find no basis to support the recall petition. Council has a right to free speech, but is representing thousands of other citizens of the town.

Rika Mouw, city resident, commented on Memorandum 17-057. She echoed Roberta, Kris, Wendy, and Robert's comments in support of the councilmembers. She doesn't see how one council person can reflect all the constituents since they are each representing different segments. The three being recalled are highly qualified and dedicated councilmembers.

Katherine George, city resident, commented on Memorandum 17-057. She thanked Councilmembers Lewis, Reynolds, and Aderhold. They didn't do anything wrong; they did a lot of things right.

Sue Christiansen, city resident, commented on Memorandum 17-057. She supports the three councilmembers that are being bullied. She thanked them for their time and energy. She asked the other councilmembers to support them. It makes her sad and she considers leaving this place she loves so much.

Cassie Lawver, Homer resident, commented on Memorandum 17-057. She has been streaming Facebook live at the meetings. The conservatives' voice is not here, but they are watching.

Ron Keffer, city resident, commented on Memorandum 17-057. The founding fathers who put together the constitution were radicals and had never done this sort of experiment. They tried to set things up to work, but it was not a clean process. We have to fight it out; that is the way Americans do business and get along in the long run.

Daniel Zatz, Homer resident, commented on the new SPARC building that is beautiful. Starting on Saturday the kids will play. He thanked the City Council and the community for their help on the project. There were over 3,000 hours of volunteer time. An open house is scheduled for Saturday from 1:00 to 3:00 p.m. There is still more work to do and more fundraising. The community came together to create this and there are a lot of other projects that need to get done.

Keisha Etzweiler, city resident, commented on Memorandum 17-057. She challenged anyone to look at the good people that signed the recall and to call them bullies. It is Opinion A and Opinion B. That doesn't make one group right or wrong. Comments like these continue the division and creates labels for those that don't agree with you.

Katherine Carsow, city resident, commented on Memorandum 17-057. At the recall headquarters there is a sign saying, "You're fired." The three councilmembers are not on a television show. As a voter she feels very abused and disagrees with the Clerk's memo that the voter gets to decide on the recall. She hopes each councilmember is supporting the members on recall.

Jack Cushing, city resident and former mayor, commented on Memorandum 17-057. Folks have to listen to the rhetoric being aimed at the three people for recall. They are not deserving; he will support

them. Without people speaking up, things would not happen. People should speak up for the greater area, community, state, and nation.

Poppy Benson, city resident, commented on Memorandum 17-057. There are small town values and only so many of us here at the end of the road. National politics and state politics are rough. Knowing these people are what makes it so painful. All of our lives are intertwined. We have to protect the tightly woven fabric as we are tearing at it. Recall is political assassination.

Brandy Super, Homer resident, commented on Memorandum 17-057. She appreciates all of the hard work. She wants a safe community for children, a place for people and businesses to prosper, and welcome law-abiding citizens who contribute. Having voted for President Trump, it is hurtful to hear people resisting him and all the rhetoric.

Mary Griswold, city resident, commented on Memorandum 17-057. She is disappointed Council can be censored for bringing forth resolutions. She voted for the Council to fulfill their full term and respects them for considering our opinions and making decisions for us.

Ralph Crane, city resident, commented on Memorandum 17-057. In reading through the information it seems to be safe wisdom to involve more than the circles some travel in. If he knew something would be controversial he would get other people who may be in opposition involved.

Mayor Zak thanked everyone for their comments regarding the recall petition process. He told the listening audience City Council members are free to discuss the recall petition when they are on their own time and not acting in their official capacity as councilmembers. The City Attorney has advised all councilmembers to refrain from discussing the recall petition during council meetings, work sessions, and other official public events. This means that none of the councilmembers can respond to or address any of the public comments or concerns raised tonight regarding the recall petition.

## **RECONSIDERATION**

- A. **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. Reconsidered by Erickson, March 29, 2017.

Mayor Zak called for a motion for the reconsideration of the vote on Ordinance 17-07(S).

ERICKSON/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. LEWIS, SMITH, ADERHOLD, REYNOLDS, STROOZAS, ERICKSON

Motion carried.

### **PENDING BUSINESS**

A. **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. Reconsidered by Erickson, March 29, 2017.

**Ordinance 17-07(S-2)**, An Ordinance of the City Council Of Homer, Alaska, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, 21.93.710 to Offer Appellants the Choice Between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions. Erickson.

Mayor Zak called for a motion for the adoption of Ordinance 17-07(S) by reading of title only.

ERICKSON/LEWIS – SO MOVED.

ERICKSON/LEWIS – MOVED TO SUBSTITUTE ORDINANCE 17-07(S-2) FOR ORDINANCE 17-07(S).

Councilmembers Erickson and Stroozas are supportive of S-2 as a compromise. The appellant is able to choose if they want a hearing officer or the Board of Adjustment to hear their appeal.

VOTE: (substitute) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LEWIS/REYNOLDS - MOVED TO POSTPONE TO APRIL 24<sup>TH</sup> FOR PUBLIC HEARING AND SECOND READING.

There was no discussion.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Erickson was excused due to a prior commitment.

### **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 March 28, 2017. City Clerk. Recommend adoption.
- B. **Memorandum 17-055** from Mayor Zak, Re: Re-Appointment of Mike Stockburger to the Port and Harbor Advisory Commission and Appointment of Garrette Garroute and Grant Garroute to the Cannabis Advisory Commission.

Moved to New Business, Item A. Aderhold.

- C. **Memorandum 17-056** from Deputy City Clerk, Re: Liquor License Transfer for the Down East Saloon.
- D. **Resolution 17-031**, A Resolution of the City Council of Homer, Alaska, Confirming the Appointments of Elizabeth Walton as Treasurer and Jenna deLumeau as Deputy Treasurer for Calendar Year 2017. City Manager.
- E. **Resolution 17-032**, A Resolution of the City Council of Homer, Alaska, Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating. City Manager.
- F. **Resolution 17-033**, A Resolution of the City Council of Homer, Alaska Approving the 2017 Land Allocation Plan. Mayor/City Council.

Memorandum 17-058 from Deputy City Planner as backup.

- G. **Resolution 17-034**, A Resolution of the City Council of Homer, Alaska Approving the Sale of Lot 1 Harry Feyer Subdivision, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel No. 179-110-05 to the Responsible Bidder for One Dollar and Authorizing the City

Manager to Execute the Appropriate Documents to Finalize the Sale. City Manager.

- H. **Resolution 17-035**, A Resolution of the City Council of Homer, Alaska, Awarding a Term Contract for Road, Trail and Drainage Professional Engineering Services to HDL Engineering Consultants of Kenai, Alaska, Kinney Engineering of Anchorage, Alaska, and Nelson Engineering of Kenai, Alaska and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 17-059 from Public Works Director as backup.

- I. **Resolution 17-036**, A Resolution of the City Council of Homer, Alaska, Awarding a Term Contract for Water and Sewer Professional Engineering Services to DOWL of Anchorage, Alaska and GV Jones and Associates of Anchorage, Alaska and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 17-060 from Public Works Director as backup.

- J. **Resolution 17-037**, A Resolution of the City Council of Homer, Alaska, Awarding a Term Contract for Port/Harbor/Marine Professional Engineering Services to R&M Consultants, Inc. of Anchorage, Alaska and HDR of Anchorage, Alaska and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 17-061 from Public Works Director as backup.

- K. **Resolution 17-038**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program Policy Manual Adding Sections for Project Eligibility and Funding for Sidewalks, Eliminating the Provision for Debt Service Ratio, and Editing for Readability and Consistency. City Clerk/Planning Commission. Page 269  
Memorandum 17-028 from Deputy City Planner as backup.

Moved to Resolutions, Item A. Aderhold.

- L. **Resolution 17-039**, A Resolution of the City Council of Homer, Alaska, Requesting the City Manager Issue a Request for Proposals for Operation of Fish Pump Services on the South Trestle of the Homer Fish Dock. Erickson.

Item B, Memorandum 17-055 was moved to New Business, Item A. Aderhold.

Item K, Resolution 17-038 was moved to Resolutions, Item A. Aderhold.

Mayor Zak called for a motion for the approval of the recommendations of the consent agenda as read.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS**

A. Joy Steward, The Homer Foundation, City of Homer Grants Program

Joy Steward of The Homer Foundation reported this is the 18<sup>th</sup> year the City of Homer Grants Program has been administered. To date \$740,000 has been distributed to local non-profits. Earnings from the City of Homer and Kachemak City funds are \$41,887, which is available for distribution this year. There are eight applicants who the funds will be distributed to, and a portion will go into the corpus fund. The eight organizations who the funds will be distributed to have generated over \$3.6M in revenue with \$1.9M coming from outside sources. The eight non-profits employ 59 full and part-time employees, creating \$1.5M in wages. The non-profit sector is an economic driver, and makes for a healthier, safer, and more vibrant place to live. City support is vital. The Homer Foundation appreciates the opportunity to administer the program and charges no fees to the City. The funding makes sure that non-profits are strong and resilient. Additionally, The Homer Foundation provided oversight to funding of SPARC; Ms. Steward saw each receipt as every dollar was matched 2:1.

B. Michael Hawfield, Alaska Historical Commission, 150<sup>th</sup> Anniversary of the Alaska Treaty of Cession

Michael Hawfield, Alaska Historical Commissioner, recognized the Treaty of Cession which is the purchase of Alaska in 1867 at a cost of \$7.2M. We celebrated the day when the process began on Seward's Day. William Seward was a visionary and expansionist who had his eye on the Caribbean and Hawaii to expand the United States. Right after the American Civil War the Russians were feeling the need to draw in their empire from international competition from the British. The Russians approached the Secretary of State with their proposal to see their interest in Alaska. The conversation was held in Washington, D.C. in the dead of the night when the treaty was signed. The next morning it went to the Senate. The Senate voted 37:3 to go with the treaty; it took another year and a half to complete. A check was issued in August 1868. It is a 150-year commemoration to reflect on. The Alaska native people were not happy with the treaty. Lt. Governor Bryon Mallott is a Tlingit leader and he is in charge of the commemoration. We need to be reflective of the impact of the event and understand the importance of the event for all people. Money for the commemoration was raised with private and corporate donors.

## **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

### **(10 minute limit per report)**

A. **Memorandum 17-057**, From City Clerk Re: Recall Petition - Councilmembers Aderhold, Lewis, and Reynolds.

B. Borough Report



Kenai Peninsula Borough Assembly President Kelly Cooper reported the Borough received a grant for \$15,500 from the State of Alaska Division of Homeland Security and Emergency Management to purchase GIS software. This is to help communities implement hazard mitigation measures following a presidential major disaster declaration. The GIS software will evaluate land cover data, derivative hazard, and risk information. This is vital for evaluating land cover during wildland fire or flood response operations.

An ordinance is being introduced to authorize some unused funds from a 2001 grant to Cook Inlet Regional Citizens' Advisory Council to prepare a report on underwater aging pipelines in Cook Inlet. Following the recent incidents of a leaking gas line in Cook Inlet, Governor Walker directed ADEC to make the aging pipelines in Cook Inlet the number one priority.

The Borough Emergency Services Work Group will be having a community meeting Wednesday at 6:00 p.m. in Council Chambers. They will share information about the KPB highway corridor service area project. The bill for this is moving along in the legislature at this time.

Alaska Municipal League is asking communities to send emails to their house representatives in opposition to HB 132 relating to transportation network companies and drivers. The bill is about the state eroding local government control. The senate version has already passed and HB 132 is in rules committee.

Mayor Zak congratulated Kelly Cooper on her award as Woman of Distinction.

C. Commissions/Board Reports:

1. Library Advisory Board

Library Advisory Board Member Mark Massion reported in the first quarter of 2017 circulation is up 12% from last year. In one month of 2017 there were 15,580 items circulated. Friends of the Homer Library bought a one-year subscription to lynda.com. It is an online educational site with an assortment of courses with free access. Additionally, books and materials from the library wish lists can be purchased at the Homer Bookstore and Amazon.com. Mr. Massion thanked the Council for their support to the library and for their work.

Mayor Zak announced the Friends of the Homer Library recognized Millie Martin as a Lifelong Learner.

2. Homer Advisory Planning Commission

Planning Commissioner Roberta Highland reported two preliminary plat time extensions were granted. There was a public hearing on auto sales in the marine industrial district. They reviewed three preliminary plats, a vacation of road easement, and the Comprehensive Plan Chapter 8 Economic Vitality.

Auto sales in marine industrial on the Spit was voted down. Ms. Highland came up with every creative idea she could think of to permit auto sales somewhere, but it changed the zoning and allowed the whole Spit to do this. It is spot zoning if you give it to one entity.

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

Parks Art Recreation and Culture Advisory Commissioner Robert Archibald reported on the March 16<sup>th</sup> meeting. U.S. Fish and Wildlife will be installing new signage at Bishop's Beach. The commission would like to get similar signage for Mariner Park. They discussed the display of the Teshio art collection at the Pratt Museum. There are 39 pieces that need to be on public display. Small plaques to be placed by city art have been purchased. Mr. Archibald thanked the Council for their approval to purchase property adjacent to Jack Gist Park. Next, the commission will be reviewing the Homer Non-Motorized Trails and Transportation Plan. April 22<sup>nd</sup> is Earth Day and the city Clean-Up-Day. Since there will be a lot of folks and kids on the road he asked people to drive carefully. Soon the city campgrounds will open. He thanked the folks that worked hard on SPARC. It demonstrates what a committee pulling together can do.

5. Port and Harbor Advisory Commission

Port and Harbor Advisory Commissioner Bob Hartley reported on the commission's meeting on March 22<sup>nd</sup>. They elected Cathy Ulmer as chair and Steve Zimmerman as vice chair. The commission reviewed the Land Allocation Plan as it pertains to Spit properties and recommended approval. Finally, the commission considered the new port and harbor tariff revision. The revision was needed as the old version was confusing and contradictory. The harbormaster has done an excellent job revising the tariff. There are no great changes and it is now in a format that people can understand.

6. Cannabis Advisory Commission

Councilmember Lewis announced the next meeting on April 27<sup>th</sup>.

Mayor Zak called for a recess at 7:49 p.m. and reconvened the meeting at 8:00 p.m.

## **PUBLIC HEARING(S)**

- A. **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. Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.

Mayor Zak opened the public hearing.

Ralph Crane, city resident, expressed opposition to a ban. He questioned if the luminaries could be regulated rather than be outright banned. It seems that they are safe to light on the Spit, and banning them would push them to another jurisdiction outside city limits.

Mayor Zak closed the public hearing.

Mayor Zak called for a motion for the adoption of Ordinance 17-16 by reading of title only for second and final reading.

LEWIS/REYNOLDS – SO MOVED.

Asked by Councilmember Smith what the complication would be of allowing luminaries on the Spit, Fire Chief Painter said once released there is no control; that is the issue. The lifespan of the luminary depends on the fuel used and the quality of the product purchased or made. They are considered outlawed by the State of Alaska and once permitted it opens the City up for liability.

Councilmember Smith suggested we ask the Borough to make a similar ban. Councilmember Reynolds commented the packaging warns the luminary should not be released within 5 miles of an airport.

Fire Chief Painter said we are receiving more and more calls regarding the legality of luminaries. An Anchorage church group set luminaries off on a lot in Merrill Field and disrupted aircraft and drivers. Luminaries are beautiful, but are a big risk in causing fires and disrupting the public.

SMITH/LEWIS – MOVED TO AMEND LINE 42 TO MOVE “EXCULDING PILOTED BALLOONS” TO THE END OF LINE 44.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **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. Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.

Mayor Zak opened the public hearing. In the absence of public testimony, Mayor Zak closed the public hearing.

Mayor Zak called for a motion for the adoption of Ordinance 17-17 by reading of title only for second and final reading.

LEWIS/STROOZAS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. **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. Introduction March 28, 2017, Public Hearing and Second Reading April 10, 2017.

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

Mayor Zak opened the public hearing. In the absence of public testimony, Mayor Zak closed the public hearing.

Mayor Zak called for a motion for the adoption of Ordinance 17-18 by reading of title only for second and final reading.

LEWIS/ADERHOLD - SO MOVED.

Asked by Councilmember Smith if the Council will have an opportunity to review the material before it is brought to the public, City Manager Koester answered she would appreciate getting as much feedback as possible. The materials and draft will be included in her manager's report.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **ORDINANCE(S)**

### **CITY MANAGER'S REPORT**

#### A. City Manager's Report

#### **Role of Council in Emergency Management Scheduled**

May 15<sup>th</sup> starting at 4:30pm in Council chambers, State Division of Military and Veteran's Affairs Director O'Hare and Deputy Director Sutton will deliver a training on the Mayor and Council's role in the event of a major emergency. They are planning on about 3 hours with Q & A following the presentation. This will be scheduled as a worksession and is open to the public.

#### **Cast a Vote for Homer Parks**

As a member of Alaska Recreation and Parks Association (ARPA) the City of Homer is a contestant in a national program called "Meet me at the Park," where anyone who wants to can vote every day in the month of April for any town in any state. It's not a "whoever gets the most votes wins" contest, but every vote goes into the lottery drawing, increasing our chances. The largest 15 cities in the nation are excluded and fall under a different program. It takes about 10 seconds a day to vote, and the prize is a \$20,000 grant towards park improvements in our community. The link to the main page to vote from is here:

<https://www.nrpa.org/our-work/partnerships/initiatives/meet-me-at-the-park/>

#### **Customer feedback survey**

At the beginning of the year Mayor Zak instituted customer feedback cards as a way for constituents to share with City staff ways to improve, concerns, or even compliments. The cards are at every front desk where the public has contact with city staff and the Communication Coordinator follows up with every constituent who leaves their contact information. Comments are compiled into a quarterly report (attached) as a summary for Council. One quick and tangible improvement from this quarter was more prominent placement of the link to pay water/sewer bills on the City website. Thanks to everyone who takes the time to leave thoughtful feedback.

#### **Kachemak Heritage Land Trust (KHLT) Trail Plans**

KHLT is working on a long-term plan for their Poopdeck property (in Town Center), including trails. They would like to explore the option of having a trail from their land over to the City land, connecting north to Pioneer Ave. The City purchased this lot with the intent of eventually putting a road in from Pioneer to Town Center and a trail would be consistent with that vision (it would run parallel to the road). The City land is more dry (better for trails) and has a legal connection to Pioneer Ave. If Council is agreeable, KHLT will include the possibility of extending the trail on the City lot as part of their survey of alternatives. I would ask that KHLT come back to the City with a report on their findings and preferred alternative. Before moving forward on City land, an agreement would be formalized through Council. Construction of the trail would require additional steps, but might not be for some time as KHLT is still in the planning stages.

## Employee Anniversaries

Please take a moment to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years.

Joe Young, Public Works	10 Years
Rick Pitta, Police	8 Years
Rachel Tussey, Port	7 Years
Travis Brown, Port	5 Years
Erica Hollis, Police	5 Years
Jean Hughes, Public Works	3 Years
Jaclyn Arndt, Fire	1 Year
Camelle Bickish, Library	1 Year

City Manager Koester thanked Friends of the Homer Library for sponsoring *Lunch with a Councilmember*. Today was with Councilmembers Reynolds and Erickson. Due to summer approaching, the program will be suspended until September.

Assembly President Kelly Cooper mentioned HB 132 and SB 14. Alaska Municipal League and Representative Seaton's office has contacted her. It limits local municipalities' ability to control, regulate, and license taxi drivers and chauffeurs. The current process is that a person registers with the Police Department, has a background check, vehicle inspection, and proof of insurance. She is concerned if the legislation passes as it will take the power away from municipalities. We have been asked for input. Although she cannot take an official position since the Council has not weighed in on it, she can let them know that concerns have been raised.

### B. Bid Report

## CITY ATTORNEY REPORT

### COMMITTEE REPORT

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

Councilmember Aderhold reported they will meet this week.

### C. Police Station Building Task Force

## PENDING BUSINESS

- A. (If Reconsideration Passes) **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. Reconsidered by Erickson, March 29, 2017.

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Heard after Reconsideration.

### **NEW BUSINESS**

- A. **Memorandum 17-055** from Mayor Zak, Re: Re-Appointment of Mike Stockburger to the Port and Harbor Advisory Commission and Appointment of Garrette Garroue and Grant Garroue to the Cannabis Advisory Commission.

Mayor Zak announced we have another application for the Cannabis Advisory Commission. Ralph Crane has applied.

LEWIS/REYNOLDS - MOVED TO APPROVE MEMORANDUM 17-055.

LEWIS/REYNOLDS - MOVED TO APPROVE MIKE STOCKBURGER REAPPOINTMENT TO THE PORT AND HARBOR ADVISORY COMMISSION AND POSTPONE THE APPOINTMENT OF THE TWO BROTHERS TO JUST HAVE ONE SEAT AVAILABLE AND APPOINT RALPH CRANE TO THE CANNABIS ADVISORY COMMISSION.

VOTE: (reappointment and postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **RESOLUTIONS**

- A. **Resolution 17-038**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program Policy Manual Adding Sections for Project Eligibility and Funding for Sidewalks, Eliminating the Provision for Debt Service Ratio, and Editing for Readability and Consistency. City Clerk/Planning Commission.

Memorandum 17-028 from Deputy City Planner as backup.

Mayor Zak called for a motion for the adoption of Resolution 17-038 by reading of title only.  
ADERHOLD/REYNOLDS – SO MOVED.

Councilmember Aderhold suggested postponing to hold a public hearing. She questioned items contained in Memorandum 17-028 and noted that the sample grant and scoring application were not

included in the council packet.

City Manager Koester answered Council recently passed an ordinance to ask the voters to add maintenance. If the ballot proposition passes in October it will change the HART Policy Manual since there will be voter permission to spend HART money on some of the maintenance projects. The sample grant and scoring application will be included in the next council packet.

A legal review of HCC 17.04.180 will be conducted to make sure the language is valid on road assessments and double frontage.

ADERHOLD/LEWIS – MOVED TO POSTPONE RESOLUTION 17-038 TO OUR NEXT MEETING OF APRIL 24<sup>TH</sup> AND HOLD A PUBLIC HEARING.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **COMMENTS OF THE AUDIENCE**

Roberta Highland, city resident, read from a book from Bob Durant on being kind to others.

Josh Cooper, city resident and taxi owner, expressed concerns with HB14 that is quickly moving through the State Legislature. It means loss of revenue for Homer and less safety regulations. He urged Council to contact the house representative as soon as possible.

Ryan Eisenberg, city resident, supports the spirit of Resolution 17-019. He thanked the City for the excellent road maintenance and maintaining good drainage. He thanked the City Council for their efforts.

Sarah Vance, city resident, said Homer is feeling broken and bruised after going through a rough process. Like the lupine, we will take root and bloom to something beautiful again. She challenged every member of the community to rise above the negativity and lies.

Larry Slone, Homer resident, commented Mayor Zak is doing a good job. His manner and comments are helpful to maintain the contact.

Robert Archibald, Prince William Sound Regional Citizens' Advisory Council Member, commented on HB 177. It is an aquatic invasive species bill that requires the Alaska Department of Fish and Game to swiftly address outbreaks of aquatic invasive species. Although it probably won't pass this session, it is an important issue for Kachemak Bay.

#### **COMMENTS OF THE CITY ATTORNEY**



City Attorney Wells was not present.

#### **COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comments.

#### **COMMENTS OF THE CITY MANAGER**

City Manager Koester had no comments.

#### **COMMENTS OF THE MAYOR**

Mayor Zak commented the City Clerk's last day is May 31<sup>st</sup>. Council received a lot of good information about the employees' pay scales and benefits. He appreciates the employees who attended the Worksession. He praised the employees for the wonderful job they are doing, likening them to the DNA of the organization. Council always goes through the City Manager to discuss employee matters and the Employee Committee reports to the Council. He appreciates all the citizens who attended tonight. The Council meets tomorrow at 4:00 p.m. for a Worksession on legislative matters. They will address HB 132 and HB 177.

#### **COMMENTS OF THE CITY COUNCIL**

Councilmember Lewis will not be present at tomorrow's meeting.

Councilmember Smith reminded everyone April 22<sup>nd</sup> is Clean-Up-Day and Earth Day. He has been involved with the Scouts for many years cleaning up a section with the Lions. It is good to get young people out there appreciating and owning the community. On Tuesday, April 18<sup>th</sup> the Police Station Building Task Force meets. The ballot proposition failed last year so we want to bring something forward that can be accepted and embraced. He invited the public to come to the meetings and to be constructive in their input. Tomorrow from 6:30 p.m. to 8:00 p.m. is a meet and greet for Edison Chouest who is taking over the waterways for Crowley.

Councilmember Aderhold commented on everything going on this weekend. It reminded her how amazing the community is for its size. We were awarding women of distinction and wise women. We were recognizing life-long learners. We had a string quartet with international acclaim at our high school theatre. SPARC also finished up and there was a fundraiser for Hoxie Parks. This community is amazing.

Councilmember Reynolds echoed Councilmember Aderhold's comments on the amazing things happening with everyone pulling together as a community. She appreciates the information from The Homer Foundation on the non-profit organizations' contributions to the local economy. She gave a shout out to Homer Mariner's Soccer Team who won their first game 6-2 against Grace Christian who they were viewing as a major rival. One player got four goals and her kid got the other two.

Councilmember Stroozas congratulated the North Carolina Tar Heels on winning the NCAA men's basketball tournament. It was a great event. It was a good meeting tonight and it is good to see a lot of the community come out and participate in the council meetings.

**ADJOURNMENT**

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 8:48 p.m. The next Regular Meeting is Monday, April 24, 2017 at 6:00 p.m., Committee of the Whole 5:00 p.m., Worksession 4:00 p.m. and Special Meeting 2:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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JO JOHNSON, MMC, CITY CLERK

Approved: \_\_\_\_\_