

ACTION AGENDA

May 24, 2011

Worksession

Committee of the Whole

Regular Meeting

WORKSESSION AGENDA

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

Mayor Pro Tempore Wythe called the meeting to order at 4:03 p.m.

Mayor Hornaday has requested excusal.

Councilmember 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. Water and Sewer Rates

4. COMMENTS OF THE AUDIENCE

There were no audience comments.

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

Mayor Pro Tempore Wythe adjourned the meeting at 4:50 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Pro Tempore Wythe called the meeting to order at 5:02 p.m.

Mayor Hornaday has requested excusal.

Councilmember 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. Lynn Whitmore, Kenai Peninsula Borough Parcel for Moose Habitat

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 Wythe adjourned the meeting at 5:49 p.m.

REGULAR MEETING AGENDA

Session 11-18 a Regular Meeting of the Homer City Council was called to order on May 24, 2011 at 6:01 p.m. by Mayor Pro Tempore Beth Wythe, 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: HOGAN, HOWARD, LEWIS, ROBERTS,
WYTHE

ABSENT: ZAK (excused)

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON

Mayor Hornaday has requested excusal.
Councilmember Zak has requested excusal.

Mayor Pro Tempore Wythe declared Councilmember Zak's absence as excused and there was no opposition from Council.

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 agenda was amended to include the following changes:

VISITORS - Representative Paul Seaton, 10 minutes; RESOLUTIONS - Resolution 11-052, Memorandum 11-074 from Parks and Recreation Advisory Commission.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were two who commented.

4. RECONSIDERATION

- A. **Ordinance 11-16(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$20,000 from the ~~Fund Balance of the General Fund~~ **Water Sewer Depreciation Reserves** to Purchase a Used Allman Light Tower and a Used Dynapac Diesel Plate. City Manager/Public Works Director. Introduction April 25, 2011, Public Hearing and Second Reading May 9, 2011, Reconsidered May 9, 2011 by Councilmember Lewis.

RECONSIDERED (see Ordinances).

5. 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 May 9, 2011. City Clerk. Recommend adoption.
- B. **Memorandum 11-070**, from Deputy City Clerk, Re: Liquor License Transfer from Uncle Thirsty's to Grog Shop East End.
- C. **Memorandum 11-071**, from Mayor Pro Tempore, Re: Appointment of Lindianne Sarno to the Economic Development Advisory Commission and Reappointment of Marianne Aplin and Gaye Wolfe to the Public Arts Committee.

APPROVED without discussion.

6. VISITORS

- A. Representative Paul Seaton, 10 minutes.

Representative Paul Seaton provided an update on the Legislative session.

- B. Brent Johnson, Kenai Peninsula Borough Assemblyman, re: KPB Ordinance 2011-07 Reducing the Number of KPB Planning Commissioners, 10 minutes.

Assemblyman Brent Johnson cancelled his appearance.

- C. Duane Bannock, Kenai Peninsula Borough, Spruce Bark Beetle Program, 10 minutes.

Duane Bannock, Spruce Bark Beetle Program, and Wade Wahrenbrock, Forester and Fire Specialist, provided an update on the Spruce Bark Beetle Program.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Mayor's Proclamation – Mary Epperson Day – June 6, 2011

Mrs. Epperson was not present.

B. Borough Report

Kenai Peninsula Borough Assemblyman Bill Smith reported on the Assembly's business.

C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Dave Brann, Parks and Recreation Advisory Commissioner, reported on the work of the commission.

5. Port and Harbor Advisory Commission

D. Meeting of Kenai Peninsula Mayors and City Managers, May 16, 2011

City Manager Wrede reported on the meeting of the Kenai Peninsula Mayors and City Managers that Mayor Hornaday attended.

E. Thank you from Kachemak Nordic Ski Club

8. PUBLIC HEARING(S)

A. Ordinance 11-17, An Ordinance of the City Council of Homer, Alaska, Amending the 2008 Homer Comprehensive Plan to Incorporate the Homer Spit Plan and Recommending Approval of the Amendment by the Kenai Peninsula Borough. Planning. Introduction May 9, 2011, Public Hearing and Second Reading May 24, 2011.

Memorandum 11-068 from City Planner as backup.

There was no public testimony.

ADOPTED with discussion.

- B. **Ordinance 11-18**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$7,793.75 from the Public Works Fleet Reserve for the Purpose of Sandblasting and Recoating a CAT Loader. City Manager/Public Works Director. Introduction May 9, 2011, Public Hearing and Second Reading May 24, 2011.

Memorandum 11-064 from Public Works Superintendent as backup.

There was no public testimony.

AMENDED to include the 1980 CAT 120G and 1986 CAT 140G Motor Graders for a total amount of \$25,590.35.

ADOPTED as AMENDED with discussion.

- C. **Ordinance 11-19**, An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Budget and Authorizing the Expenditure of \$486,948 from Depreciation Reserves for the Renovation and Expansion of City Hall. Roberts/Wythe. Introduction May 9, 2011, Public Hearing and Second Reading May 24, 2011.

Ordinance 11-19(S), An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Budget and Authorizing the Expenditure of \$486,948 from Depreciation Reserves for the Renovation and Expansion of City Hall. Roberts/Wythe.

Memorandum 11-066 from Public Works Director as backup.

There was no public testimony.

SUBSTITUTE ORDINANCE 11-19(S) ADOPTED without discussion.

9. **ORDINANCE(S)**

- A. ***(If Reconsidered)* Ordinance 11-16(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2011 Operating Budget by Appropriating \$20,000 from the ~~Fund Balance of the General Fund~~ **Water Sewer Depreciation Reserves** to Purchase a Used Allman Light Tower and a Used Dynapac Diesel Plate. City Manager/Public Works Director. Introduction April 25, 2011, Public Hearing and Second Reading May 9, 2011, Reconsideration issued May 9, 2011.

ADOPTED with discussion.

- B. **Ordinance 11-21**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.010, Definitions; and Amending Homer City Code 2.08.010, Management of Public Records; Regarding the Management of City Records. City Attorney/City Manager. Recommended dates: Introduction May 24, 2011, Public Hearing and Second Reading June 13, 2011.

ADOPTED without discussion.

- C. **Ordinance 11-22**, An Ordinance of the City Council of Homer, Alaska, Establishing a Preliminary Project Budget and Authorizing Expenditures for Phase I Improvements to Karen Hornaday Park. City Manager/Parks & Recreation Advisory Commission. Recommended dates: Introduction May 24, 2011, Public Hearing and Second Reading June 13, 2011.

ADOPTED without discussion.

10. CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Wrede reported the gas line project has been updated on the City website. Two letters will be sent, one to the Governor discussing the project and providing him with information to make a good decision, and the other inviting him to Homer to tour the projects.

We are considering moving staff from City Hall to the HERC building while the renovation project is underway. The Lease Committee reviewed two lease proposals for the HERC building. The committee found them both deficient and instructed the City Manager to go back to the proposers. One proposal was to occupy the building in the fall of 2012. It leaves a window to move City Hall staff there during construction. Administration, IT, and Planning will relocate to the HERC building to allow the contractor to work on both the old and new building. It will greatly increase his flexibility to assign crew and could mean the job will be completed a couple months sooner. Administration, IT, and Planning could be back in the building between Thanksgiving and Christmas. The move can be done relatively cheap; the main expense will be heating in the fall and winter. City Manager Wrede asked for Council's approval for the short term move. Asked where the funds would come from to maintain the building, City Manager Wrede answered through the general fund. A cost estimate of occupying the building will be presented at the next meeting.

Councilmember Hogan thanked Dottie in Planning for her attention to the sandwich board signs on the Spit. The situation is much improved.

Councilmember Howard asked for a 4:00 p.m. Executive Session for the June 13th meeting to discuss the attorney contract. Because the attorney is an open contract, it would preclude from having the meeting in open session. Council expressed consensus to the Executive Session.

City Manager Wrede reported momentum is growing for soccer fields. Community Recreation Coordinator Mike Illg and Mr. Wrede had their quarterly meeting with the school district (KPBSD). There are a number of pieces of land at the school where soccer fields would be appropriate. The KPBSD is discussing a partnership with the City to allow projects to remain on the City's CIP list. The City could help with grant writing and provide technical or monetary assistance. The KPBSD is to provide plans for soccer fields using artificial turf so they could be used year round. The Homer Soccer Association would like to be involved too.

Councilmember Hogan expressed the need for improvement at all high school sport venues, including the baseball field and the track. City Manager Wrede commented the track is in miserable shape. The KPBSD will need help securing money to build it, but once it is built they will open it to the public and maintain it.

Mayor Pro Tempore Wythe called for a recess at 7:27 p.m. and reconvened the meeting at 7:31 p.m.

B. Bid Report

C. Games Report

1. Cook Inletkeeper

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

B. Transportation Advisory Committee

Francie Roberts reported on the committee's business.

C. Permanent Fund Committee

D. Lease Committee

City Manager Wrede reported on the committee's business.

E. City Hall Renovation and Expansion Task Force

Francie Roberts reported on the committee's business.

13. PENDING BUSINESS

A. **Resolution 11-041**, A Resolution of the City Council of Homer, Alaska, Approving and Adopting a New, Amended Standard Ground Lease Document, and Authorizing the

Amendment of the City of Homer Property Management Policy and Procedures Manual to Conform to the Amended Standard Ground Lease Document. City Manager/Lease Committee. (Postponed from April 25, 2011).

Memorandum 11-060 from Lease Committee Staff as backup.

Memorandum 11-058 from City Manager to Lease Committee as backup.

AMENDED to add City Attorney's recommended language for Sections 8.01 Consent Required for Assignment or Sublease and 9.04 Insurance Requirements. Tenants shall be assessed additional rent, equal to 10% of the current Base Rent for the subleased area, but not upon a sublease of space within building or other structure on the Property.

ADOPTED as AMENDED with discussion.

- B. **Resolution 11-050**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Soundview Avenue/Woodard Creek Culvert Replacement Project to the Firm of _____ of _____, _____ in the Amount of \$_____ and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Resolution 11-050(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Soundview Avenue/Woodard Creek Culvert Replacement Project to the Firm of **Green Construction** of **Homer, Alaska**, in the Amount of **\$215,699.37** and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Memorandum 11-072 from Public Works Director as backup.

SUBSTITUTE RESOLUTION 11-050(S) ADOPTED without discussion.

14. NEW BUSINESS

- A. **Memorandum 11-073**, from Special Projects Coordinator, Re: Capital Improvement Plan Development - Schedule for 2012-2017.

APPROVED without discussion.

15. RESOLUTIONS

- A. **Resolution 11-051**, A Resolution of the City Council of Homer, Alaska, Approving and Adopting a Transfer of Responsibility Agreement (TORA) Between the State of Alaska and the City of Homer Regarding Management and Enforcement of Parking, Loading Zones, Pedestrian Crossings, and Seasonal Speed Zones Within the Sterling Highway Right of Way on the Homer Spit. City Manager.

ADOPTED with discussion.

- B. **Resolution 11-052**, A Resolution of the City Council of Homer, Alaska, Establishing an Adopt-a-Park Program. City Manager.

Memorandum 11-074 from Parks and Recreation Advisory Commission as backup

AMENDED to add May 19, 2011 to the 7th whereas, the date the Parks and Recreation Advisory Commission recommended approval of the Adopt-a-Park Program.

ADOPTED as AMENDED with discussion.

- C. **Resolution 11-053**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Establishment of a Water Infrastructure Set Aside Funding Program Within the Army Corps of Engineers, Pacific Ocean Division, Civil Works Program. City Manager/Port and Harbor Director.

ADOPTED with discussion.

16. COMMENTS OF THE AUDIENCE

There was one who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson complimented Mayor Pro Tempore Wythe for running a great meeting that was clear and concise.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede commented Parks Maintenance Coordinator Angie Otteson was having difficulty getting all the bathrooms cleaned as her staff doesn't come on until June 1st. This year there will be no beach patrols which means if there is trouble on the beaches we will have a hard time responding. In response to Councilmember Hogan's comments on the Procurement Policy, we do take it seriously. It has been repeated over and over again that we are consistently ignoring the procurement policy. We make mistakes from time to time.

20. COMMENTS OF THE MAYOR

Mayor Pro Tempore Wythe had no comment.

21. COMMENTS OF THE CITY COUNCIL

Councilmembers Roberts reminded people it was a good time to tell the Governor is you care about the gas line project.

Councilmember Howard commented the Ramp 4 restrooms have been out of order for quite a while, and now it is getting to be a busy time. The Spit Plan will now move to the Borough to be included in the general plan. She would like to keep track of it. She is impressed with the federal water quality report; the graphics are great and easy to read. Mrs. Howard wished all a happy Memorial Day.

Councilmember Lewis extended congratulations to the class of 2011 at both Homer Flex and Homer High School that graduated last night.

Councilmember Hogan in addressing the City Manager's comments, appreciates the respect for the Procurement Policy. He will not ease up, but will do it with a smile, as he will be watching. He extended his gratitude to the harbor office for their response to the accident by the fuel dock. They were very professional; it could have been worse. He wants a report at the next meeting at the costs incurred by the City and terminal use agreements. He is glad we finally got the TORA agreement passed and in the books. Safety on the Spit is of the foremost importance. He encouraged Administration to get the parking enforcement people out of the jeep and onto a bike.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Wythe adjourned the meeting at 8:02 p.m. The next Regular Meeting is scheduled for Monday, June 13, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, June 13, 2011 at 5:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.