

# ACTION AGENDA

Monday, January 9, 2012

Special Meeting

Worksession

Committee of the Whole

Regular Meeting

## SPECIAL MEETING AGENDA

Session 12-01 a Special Meeting of the Homer City Council was called to order on January 9, 2012 at 4:01 p.m. by Mayor James C. Hornaday 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 (arrived at 4:03 p.m.) WYTHE, ZAK

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
CITY ATTORNEY KLINKNER

- 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.

### NEW BUSINESS

- 3. Memorandum 12-006**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 5), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney/Client Privilege. (Kazan Property).

APPROVED without discussion.

Council adjourned to Executive Session at 4:03 p.m. and reconvened the meeting at 4:16 p.m.

Mayor Pro Tempore Wythe stated Council met with the attorney and provided him with their recommendations.

- 4. COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

- 5. ADJOURNMENT NO LATER THAN 4:15 P.M.**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:17 p.m. The next Regular Meeting is Monday, January 23, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m., and Special Meeting 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.

## WORKSESSION AGENDA

### 1. CALL TO ORDER, 4:15 P.M.

Mayor Hornaday called the meeting to order at 4:17 p.m.

### 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. Ordinance 12-01, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.040, Definitions; Homer City Code 21.60.060, Signs Allowed on Private Property With and Without Permits; Homer City Code 21.60.070, Permits Required; Homer City Code 21.60.080 Design, Construction, and Maintenance; Homer City Code 21.60.090, Signs in the Public Right-Of-Way; Homer City Code 21.60.095, Electoral Signs; Homer City Code 21.60.100, Signs Exempt From Regulation Under This Chapter; Homer City Code 21.60.110 Signs Prohibited Under This Chapter; Homer City Code 21.60.130, Temporary Signs-Private Property; Homer City Code 21.60.150, Time of Compliance-Nonconforming Signs and Signs Without Permits; and Homer City Code 21.60.170, Enforcement and Remedies; and Repealing Homer City Code 21.60.120, General Permit Procedures; Homer City Code 21.60.140, Temporary Signs-Public Rights-Of-Way; and Homer City Code 21.60.160, Violations; Regarding the Regulation of Signs. Planning. Recommended dates: Introduction January 9, 2012, Public Hearing and Second Reading January 23, 2012.

**Ordinance 12-01(S)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.040, Definitions; Homer City Code 21.60.060, Signs Allowed on Private Property With and Without Permits; Homer City Code 21.60.070, Permits Required; Homer City Code 21.60.080 Design, Construction, and Maintenance; Homer City Code 21.60.090, Signs in the Public Right-of-Way; Homer City Code 21.60.100, Signs Exempt From Regulation Under This Chapter; Homer City Code 21.60.110 Signs Prohibited Under This Chapter; Homer City Code 21.60.130, Temporary Signs-Private Property; Homer City Code 21.60.150, Time of Compliance-Nonconforming Signs and Signs Without Permits; and Homer City Code 21.60.170, Enforcement and Remedies; and Repealing Homer City Code 21.60.095, Electoral Signs; Homer City Code 21.60.120, General Permit Procedures; Homer City Code 21.60.140, Temporary Signs-Public Rights-of-Way; and Homer City Code 21.60.160, Violations; Regarding the Regulation of Signs.

Memorandum 12-007 from City Planner as backup.  
Memorandum 12-008 from City Attorney as backup.

City Planner Abboud, Advisory Planning Commission Chair Minsch, and City Attorney Klinkner presented proposed changes to the sign code.

**4. COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

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

Mayor Hornaday adjourned the meeting at 4:54 p.m.

**COMMITTEE OF THE WHOLE AGENDA**

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

Mayor Hornaday 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. 5)

The agenda was approved by consensus of the Council.

**3. Revolving Energy Fund**

Memorandum 12-009 from Finance Director as backup.

Finance Director Mauras provided information and recommendations on the Revolving Energy Fund.

**4. REGULAR MEETING AGENDA**

**5. COMMENTS OF THE AUDIENCE**

There were three who commented.

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

Mayor Hornaday adjourned the meeting at 5:43 p.m.

**REGULAR MEETING AGENDA**

Session 12-02 a Regular Meeting of the Homer City Council was called to order on January 9, 2012 at 6:00 p.m. by Mayor James C. Hornaday 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, ZAK

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
CITY ATTORNEY KLINKNER  
CITY PLANNER ABOUD  
COMMUNITY & ECONOMIC DEVELOPMENT  
COORDINATOR KOESTER  
FINANCE DIRECTOR MAURAS  
LIBRARY DIRECTOR DIXON  
PORT AND HARBOR DIRECTOR HAWKINS  
PUBLIC WORKS DIRECTOR MEYER

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

Council met for a Special Meeting from 4:00 p.m. to 4:17 p.m. and conducted an Executive Session. Council met for a Worksession from 4:17 p.m. to 4:54 p.m. and met as a Committee of the Whole from 5:00 p.m. to 5:43 p.m.

## **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 approved by consensus of the Council.

## **3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

There were seven who commented.

## **4. RECONSIDERATION**

## **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 Meeting minutes of December 12 and 19, 2011 and Regular Meeting minutes of December 12, 2011. City Clerk. Recommend adoption.
- B. **Memorandum 12-001**, from Deputy City Clerk, Re: Liquor License Renewals anticipated.
- C. **Memorandum 12-002**, from Mayor, Re: Appointment of Phil Gordon to the Library Advisory Board and Reappointment of Carla Stanley to the Cook Inlet Regional Citizens Advisory Council.

APPROVED without discussion.

## 6. VISITORS

- A. **Susan Kirn**, Big Brothers Big Sisters of Alaska, 10 minutes.
- B. **Representative Paul Seaton**, Oil and Gas Issues, 10 minutes.

Items of discussion included Vitamin D, South Peninsula Gas Line, and the Seawall.

## 7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor's Proclamation**, January as Mentor Month

Mayor Hornaday read and presented the proclamation to Susan Kirn and Jenny Martin.

- B. Borough Report

Bill Smith, KPB Assemblyman, reported on the cruise ship tax and the Beluga Slough and answered questions about methane gas at the landfill.

- C. Commissions/Board Reports:

- 1. Library Advisory Board

Eileen Faulkner, LAB Chair, provided an update on the LAB's work.

- 2. Homer Advisory Planning Commission
- 3.

Sharon Minsch, HAPC Chair, provided an update on the commission's work.

- 3. Economic Development Advisory Commission
- 4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

**8. PUBLIC HEARING(S)**

- A. **Ordinance 11-48**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Accepting and Appropriating a Legislative Grant in the Amount of \$6,000,000 for the Purpose of Constructing Deep Water / Cruise Ship Dock and Passenger Facility Improvements. City Manager. Recommended dates: Introduction December 12, 2011, Public Hearing and Second Reading January 9, 2012. Page 83

There was no public testimony.

ADOPTED with discussion.

**9. ORDINANCE(S)**

- A. **Ordinance 12-01**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.040, Definitions; Homer City Code 21.60.060, Signs Allowed on Private Property With and Without Permits; Homer City Code 21.60.070, Permits Required; Homer City Code 21.60.080 Design, Construction, and Maintenance; Homer City Code 21.60.090, Signs in the Public Right-of-Way; Homer City Code 21.60.095, Electoral Signs; Homer City Code 21.60.100, Signs Exempt From Regulation Under this Chapter; Homer City Code 21.60.110 Signs Prohibited Under this Chapter; Homer City Code 21.60.130, Temporary Signs-Private Property; Homer City Code 21.60.150, Time of Compliance-Nonconforming Signs and Signs Without Permits; and Homer City Code 21.60.170, Enforcement and Remedies; and Repealing Homer City Code 21.60.120, General Permit Procedures; Homer City Code 21.60.140, Temporary Signs-Public Rights-of-Way; and Homer City Code 21.60.160, Violations; Regarding the Regulation of Signs. Planning. Recommended dates: Introduction January 9, 2012, Public Hearing and Second Reading January 23, 2012.

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Memorandum 12-007 from City Planner as backup.

Memorandum 12-008 from City Attorney as backup.

SUBSTITUTE ORDINANCE 12-01(S) ADOPTED.

AMENDED: SECTION 10 FROM ORDINANCE 12-01 REPLACED FOR SECTION 10 ON ORDINANCE 12-01(S).

ADOPTED as AMENDED with discussion.

- B. **Ordinance 12-02**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating \$114,288 from the Sewer Reserve Account for the Polymer Equipment Replacement Project. City Manager/Public Works Director. Recommended dates: Introduction January 9, 2012, Public Hearing and Second Reading January 23, 2012.

Memorandum 12-003 from Public Works Director as backup.

AMENDED: Line 26 to year 2012.

ADOPTED as AMENDED with discussion.

- C. **Ordinance 12-03**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$60,000 from the General Fund Reserves to the Seawall Maintenance Reserve for the Purpose of Repairing and Maintaining the Wall. City Manager. Recommended dates: Introduction January 9, 2012, Public Hearing and Second Reading January 23, 2012.

ADOPTED with discussion.

- D. **Ordinance 12-04**, An Ordinance of the City Council of Homer, Alaska, Amending the Deep Water Dock Security Gates and Video Surveillance Equipment Project Budget by Appropriating an Additional \$9,623.41 from the Port and Harbor Reserves for the Purpose of Addressing Unanticipated Conditions Encountered During Construction. City Manager/Port and Harbor Director. Recommended dates: Introduction January 9, 2012, Public Hearing and Second Reading January 23, 2012.

Memorandum 12-004 from Port and Harbor Director as backup.

ADOPTED with discussion.

## 10. CITY MANAGER'S REPORT

### A. City Manager's Report

- 1. Memorandum 12-005 from Public Works Director, Re: City Hall Expansion and Renovation Progress Update.

Items discussed: meeting with lobbyists, Fishing Hole, training session with City Attorney.

B. Games Report

1. Kachemak Bay Family Planning Clinic
  - a. Pull Tab Vendor Registration – The Alibi & AJ’s Steakhouse

**11. CITY ATTORNEY REPORT**

City Attorney Klinkner reported the November and December reports were supplied to Council and he is working on getting monthly progress reports in a more timely manner.

**12. COMMITTEE REPORT**

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee
- D. Lease Committee
- E. Port and Harbor Improvement Committee
- F. Employee Committee Report

**13. PENDING BUSINESS**

**14. NEW BUSINESS**

**15. RESOLUTIONS**

- A. **Resolution 12-001**, A Resolution of the City Council of Homer, Alaska, Confirming the City Manager’s Appointment of Robert Painter as Acting City Manager for the Calendar Year 2012. City Manager.

ADOPTED without discussion.

- B. **Resolution 12-002**, A Resolution of the Homer City Council Confirming the Appointments of Regina Mauras as Treasurer and Laurie Moore as Deputy Treasurer for Calendar Year 2012. City Manager.

ADOPTED without discussion.



- C. **Resolution 12-003**, A Resolution of the City Council of Homer, Alaska, Designating Signatories of City Accounts and Superseding Any Previous Resolution So Designating City Manager.

ADOPTED without discussion.

- D. **Resolution 12-004**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Advisory Planning Commission Bylaws and Policies and Procedures Manual. Planning.

ADOPTED without discussion.

- E. **Resolution 12-005**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Pratt Museum's Legislative Grant Request in the Amount of \$650,000 for the Design Phase of its New Facility and Site Redesign Project. Roberts.

ADOPTED without discussion.

- F. **Resolution 12-006**, A Resolution of the City Council of Homer, Alaska, Amending the Fee Schedule for Library Fees to Include Overdue Items, Photocopies, Interlibrary Loan Fee, Replacement/Repair of Items, and Improper Return of Digital Devices. City Clerk/Library Director.

Memorandum 12-010 from Library Director as backup.

ADOPTED without discussion.

## 16. COMMENTS OF THE AUDIENCE

There were two who commented.

## 17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner wished everyone a Happy New Year.

## 18. COMMENTS OF THE CITY CLERK

City Clerk Johnson wished everyone a Happy New Year.

## 19. COMMENTS OF THE CITY MANAGER

City Manager Wrede wished everyone a Happy New Year.

## 20. COMMENTS OF THE MAYOR

Mayor Hornaday praised the city road maintenance crews for the great job they are doing.

## **21. COMMENTS OF THE CITY COUNCIL**

Councilmember Roberts commented she is glad to be in the new room. The people that remodeled the old part of the building have done a good job, especially with the new furniture. She asked how task forces are established, whether it is always by council, or if committees and commissions can establish them without approval.

## **22. ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:39 p.m. The next Regular Meeting is Monday, January 23, 2012 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Special Meeting 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.