

# **ACTION AGENDA**

March 27, 2012

Worksession

Committee of the Whole

Regular Meeting

## **WORKSESSION AGENDA**

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

Mayor Hornaday called the meeting to order at 4:02 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. Land Allocation Plan – Joint Worksession with Advisory Bodies**

Memorandum 12-041 from Economic Development Advisory Commission as backup.

Memorandum 12-042 from Parks and Recreation Advisory Commission as backup.

Memorandum 12-043 from Library Advisory Board as backup.

Memorandum 12-044 from Lease Committee as backup.

Memorandum 12-045 from Port and Harbor Advisory Commission as backup.

Memorandum 12-046 from Planning Commission as backup.

### **4. COMMENTS OF THE AUDIENCE**

There were two who commented.

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

Mayor Hornaday adjourned the meeting at 4:50 p.m.

## **COMMITTEE OF THE WHOLE AGENDA**

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

Mayor Hornaday called the meeting to order at 5:04 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. Anderson Group, Lobbyists Report**

Lobbyists Linda Anderson and Yuri Morgan provided an update on the Legislative Session.

**4. Memorandum 12-049, from City Clerk, Re: Resignation of Councilmember Kevin Hogan.**

**5. REGULAR MEETING AGENDA**

**6. COMMENTS OF THE AUDIENCE**

There were three who commented.

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

Mayor Hornaday adjourned the meeting at 5:49 p.m.

**REGULAR MEETING AGENDA**

Session 12-09 a Regular Meeting of the Homer City Council was called to order on March 27, 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: HOWARD, LEWIS, ROBERTS, WYTHE, ZAK

STAFF:

CITY MANAGER WREDE  
CITY CLERK JOHNSON  
ACTING FINANCE DIRECTOR MOORE  
CITY PLANNER ABOUD  
COMMUNITY AND ECONOMIC  
DEVELOPMENT COORDINATOR KOESTER  
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.

**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 with the following changes: **VISITORS** - Representative Seaton, Legislative Update, 10 minutes; **ORDINANCES** - Ordinance 12-16,

An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$86,000 from the General Fund Balance to the Utility Fund, Water Operating Account, and Appropriating and Transferring \$86,000 from the General Fund Balance to the Utility Fund, Sewer Operating Account, to Compensate for the Reduction of Water and Sewer Customer Charges by Resolution 12-025. Mayor. Written public comment; **CITY MANAGER'S REPORT** - Kachemak City written comments on natural gas pipeline; Memorandum from Employee Committee, re: Worksession on Employee Health Benefits; Letter from employee, re: Artwork within City Hall; and Memorandum from Personnel Director, re: Kenai Peninsula Borough Health Care Meetings; **PENDING BUSINESS** - **Ordinance 12-01(S)(A)**, 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 21.60.095, 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. Planning/City Attorney. HAPC minutes of March 7, 2012 as backup and Attorney Klinkner comments on Ordinance 12-01(S)(A).

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

There were six 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 Regular Meeting minutes of March 12, 2012. City Clerk. Recommend adoption.
- B. **Memorandum 12-047**, from Mayor, Re: Appointment of Nicholas Schmitt to the Economic Development Advisory Commission.

APPROVED without discussion.

### **6. VISITORS**

- A. **Representative Seaton**, Legislative Update, 10 minutes

Representative Seaton provided an update on the Legislative Session via Skype.

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

- A. Borough Report

Kenai Peninsula Borough Assemblyman Smith provided an update on the Borough's business.

- B. Commissions/Board Reports:

1. Library Advisory Board

Eileen Faulkner, Tamara Fletcher, and Monica Cogger attended on behalf of the Library Advisory Board and presented a PowerPoint on the library landscaping.

2. Homer Advisory Planning Commission  
3. Economic Development Advisory Commission  
4. Parks and Recreation Advisory Commission  
5. Port and Harbor Advisory Commission

- C. Prince William Sound Regional Citizens' Advisory Council Report by John Velsko

**8. PUBLIC HEARING(S)**

- A. **Ordinance 12-11(A)**, An Ordinance of the City Council of the City of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Portions of the Rural Residential (RR) and General Commercial Two (GC2) Zoning Districts to Conservation (CONS). Planning. Introduction March 12, 2012, Public Hearing and Second Reading March 27, 2012.

Memorandum 12-033 from City Planner as backup.

There was no public testimony.

ADOPTED without discussion.

- B. **Ordinance 12-12**, An Ordinance of the City Council of Homer, Alaska, Amending the 2012 Operating Budget to Purchase Water Meter Reading Software/Hardware from the Water and Sewer Reserve Accounts in an Amount Not to Exceed \$15,425. City

Manager/Public Works Director. Introduction March 12, 2012, Public Hearing and Second Reading March 27, 2012.

Memorandum 12-034 from Public Works Superintendent as backup.

There was no public testimony.

ADOPTED without discussion.

- C. **Ordinance 12-13**, An Ordinance of the City Council of the City of Homer, Alaska, Enacting Homer City Code Chapter 11.24, Utility Use of Rights-of-Way. City Manager/Public Works Director. Introduction March 12, 2012, Public Hearing and Second Reading March 27, 2012.

Councilmember Wythe was excused due to a conflict of interest.

There were three who testified.

ADOPTED without discussion.

Councilmember Wythe returned and joined the meeting.

## **9. ORDINANCE(S)**

- A. **Ordinance 12-15**, An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting HCC Chapter 17.04 Regarding Special Assessment Districts. Lewis/City Manager. Recommended dates: Introduction March 27, 2012, Public Hearing and Second Reading April 9, 2012.

ADOPTED without discussion.

- B. **Ordinance 12-16**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$86,000 from the General Fund Balance to the Utility Fund, Water Operating Account, and Appropriating and Transferring \$86,000 from the General Fund Balance to the Utility Fund, Sewer Operating Account, to Compensate for the Reduction of Water and Sewer Customer Charges by Resolution 12-025. Mayor. Recommended dates: Introduction March 27, 2012, Public Hearing and Second Reading April 9, 2012.

Mayor Hornaday handed the gavel to Mayor Pro Tempore Wythe and commented on the ordinance.

FAILED with discussion.

## **10. CITY MANAGER'S REPORT**

A. City Manager's Report

City Manager Wrede reported on the Senior Center tour he took, water rates, and the tsunami warning alert tomorrow.

A Worksession for the Community and Economic Development Study and the Community Recreation Program was scheduled for April 30<sup>th</sup> from 5:00 to 7:00 p.m. A Worksession for email training from the City Attorney was scheduled for April 16<sup>th</sup> from 5:00 p.m. to 7:00 p.m.

B. Bid Report

C. Games Report

1. Friends of the Homer Public Library

**11. CITY ATTORNEY REPORT**

**12. COMMITTEE REPORT**

A. Public Arts Committee

B. Transportation Advisory Committee

C. Permanent Fund Committee

Barbara Howard, Chair of the Permanent Fund Committee reported on the committee's work.

D. Lease Committee

E. Port and Harbor Improvement Committee

Barbara Howard, Chair of the Port and Harbor Improvement Committee reported on the committee's work.

F. Employee Committee Report

**13. PENDING BUSINESS**

- A. **Ordinance 12-01(S)(A)**, 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 21.60.095, 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. Planning/City Attorney. Recommended dates: Public Hearing and Second Reading April 9, 2012.

Memorandum 12-007 and 12-051 from City Planner as backup.

Memorandum 12-008 from City Attorney as backup.

Memorandum 12-048 from Economic Development Advisory Commission as backup.

Motion on the floor from January 23, 2012: MOTION FOR THE ADOPTION OF ORDINANCE 12-01(S)(A) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

AMENDMENTS from City Attorney and Planning Commission were adopted.

POSTPONED to April 9, 2012 for a PUBLIC HEARING.

#### **14. NEW BUSINESS**

- A. **Memorandum 12-049**, from City Clerk, Re: Resignation of Councilmember Kevin Hogan.

FAILED.

RECONSIDERED.

APPROVED with discussion.

Advertising for the council seat will begin with applications due on April 3. Selection of a new councilmember will be on the April 9<sup>th</sup> agenda with 5 minutes allowed for each applicant at the Committee of the Whole.

#### **15. RESOLUTIONS**

- A. **Resolution 12-022**, A Resolution of the City Council of Homer, Alaska, Re-Adopting the Established Investment Policies of the Permanent Fund. City Clerk/Permanent Fund Committee.

ADOPTED with discussion.

- B. **Resolution 12-023**, A Resolution of the City Council of Homer, Alaska, Amending the Fee Schedule for Port and Harbor Long Term Parking Fees. City Clerk/Port and Harbor Advisory Commission. Recommended dates: Public Hearing April 9, 2012.

Memorandum 12-050 from Port and Harbor Director as backup.

POSTPONED to April 9<sup>th</sup> for a PUBLIC HEARING.

- C. **Resolution 12-024**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 to Provide for Long Term Parking Fees. City Clerk/Port and Harbor Advisory Commission. Recommended dates: Public Hearing April 9, 2012.

Memorandum 12-050 from Port and Harbor Director as backup.

POSTPONED to April 9<sup>th</sup> for a PUBLIC HEARING.

- D. **Resolution 12-025**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Provide that a Multifamily Residential Account Customer is Charged Only a Single Monthly Sewer and Water Customer Charge. Mayor. Recommended dates: Public Hearing April 9, 2012.

FAILED.

- E. **Resolution 12-026**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Provide that a Multifamily Residential Account Customer is Charged Only a Single Monthly Sewer and Water Customer Charge and Increasing the Water and Sewer Customer Charge for All Customers to Cover the Resulting Budget Deficit. Lewis. Recommended dates: Public Hearing April 9, 2012.

FAILED.

- F. **Resolution 12-027**, A Resolution of the City Council of Homer, Alaska, Forming a Water and Sewer Rate Task Force. Mayor.

AMENDED and ADOPTED with discussion.

Applications will be accepted through April 3<sup>rd</sup> and appointments will be made on April 9<sup>th</sup>.

- G. **Resolution 12-028**, A Resolution of the City Council of Homer, Alaska, Awarding a Contract to Pacific Pile and Marine, LP, of Seattle, Washington, in the Amount of \$70,500 for the Deep Water Dock Fender Repair Project and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 12-052 from Public Works 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 was not present.

#### **18. COMMENTS OF THE CITY CLERK**

City Clerk Johnson encouraged people to apply for the council seat and the Water and Sewer Rate Task Force. Applications are due by April 3<sup>rd</sup>.

#### **19. COMMENTS OF THE CITY MANAGER**

City Manager Wrede had no comment.

#### **20. COMMENTS OF THE MAYOR**

Mayor Hornaday offered prayers to Regina for her recovery.

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

Councilmember Lewis commented it was a busy weekend with the hockey tournament and people enjoyed the nice weather. The kids at the high school did a wonderful job with the play. He offered a thank you to Mark.

Councilmember Roberts thanked Kevin Hogan for serving on the Homer City Council. He was a good member and she appreciated his insights and thoughtfulness. As to water rates and the testimony at the end of the meeting that rates were raised by \$28 per month, she reminded people if you have a single residence the average person is paying \$80 a month. When people say we are raising the rates from \$28; \$28 is probably the best deal you'll ever get on water and sewer in Homer. She is glad we are moving forward on the gas line. With the ordinances passed the Legislators can be sure we are moving in that direction.

Councilmember Howard commented these types of council meetings are gut wrenching. For the last three days nonstop she has been going over water and sewer rates and how to look at them in a different view. She agreed to a one year extension for the task force report as we want them to be successful. These are complex issues and it takes time to understand and analyze rates for a good model. She knows the number of hours Council has spent being trained in what all this means. The intent is to be successful and come forward with a good product.

Councilmember Zak is glad the task force is formed and they can always come back sooner than one year. He expressed concern about the Senior Citizen Center and their rates and to hear that they are not the only senior center here. If we end up having to reduce the rate for the seniors, other lower income people will have to pay a higher rate. When rates are lowered others will have to go up. He is disappointed the report from the task force has been delayed for a year, but expressed hope of the task force's findings.

Councilmember Wythe had no comment.

## **22. ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 7:41 p.m. The next Regular Meeting is Monday, April 9, 2012 at 6:00 p.m., Worksession at 4:00 p.m., and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.