

Session 12-15 a Regular Meeting of the Homer City Council was called to order on May 29, 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: BURGESS, HOWARD, LEWIS, ROBERTS,  
WYTHE, ZAK

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
COMMUNITY & ECONOMIC DEVELOPMENT  
COORDINATOR KOESTER  
PORT & HARBOR DIRECTOR HAWKINS  
PUBLIC WORKS DIRECTOR MEYER

Council met as a Committee of the Whole from 5:00 p.m. to 5:15 p.m. to discuss 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 1.24.040.)

The agenda was approved by consensus of the Council.

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

There was no public comment.

### **RECONSIDERATION**

### **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 May 14, 2012. City Clerk. Recommend adoption.
- B. **Memorandum 12-086**, from Deputy City Clerk, Re: Liquor License Location Transfer for Homer Liquor and Wine Company.
- C. **Memorandum 12-083**, from Mayor, Re: Appointment of Nantia Krisintu to the Economic Development Advisory Commission.

Mayor Hornaday called for a motion for the approval of the recommendations of the consent agenda.

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS**

## **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORTS**

## **REPORT/COMMISSION**

Mayor Hornaday gave a shout out to HoPP for completion of the Karen Hornaday Park playground project. People of all political flavors worked well together. The build week was well organized and HoPP did a great job. The City's sewer department won the Great Alaska Energy Challenge, a contest to see who can lower their energy usage most in a six month period of time. Our own Fire Chief Painter initiated the program Kids Don't Float and it has gone nationwide. The natural gas workshop is scheduled for next Monday at 5 p.m.

- A. Borough Report
- B. Commissions/Board Reports:
  - 1. Library Advisory Board
  - 2. Homer Advisory Planning Commission
  - 3. Economic Development Advisory Commission

Lindianne Sarno, Economic Development Advisory Commission Chair, reported it is an exciting time since Council has given the EDC priorities. The HoPP project was incredible due to Homer's magnificent volunteer response. The Homer Farmers' Market opening day shows how healthy the economy is, especially the agricultural entrepreneurship. In the next few years we will put together a permanent Farmers' Market and Kachemak Drive Path; both projects will need volunteer workers. Projects like the playground and path brings young vibrant families to Homer. Here kids can be healthy and happy, well educated, and get outside on their own and around town safely. She asked the public for advice on affordable housing, vocational technical education, marine technical training and education, marketing Homer for high-tech businesses, downtown vitalization, expanding the water and sewer distribution systems and number of customers, expanding shoulder season sports, and promoting Homer as an agricultural center. She hopes people will come to the EDC meetings to comment. She thanked Council for approving the new appointment of Nantia Krisintu to the commission.

4. Parks and Recreation Advisory Commission
5. Port and Harbor Advisory Commission

## **PUBLIC HEARING(S)**

### **A. Port and Harbor Revenue Bond Project**

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

- B. Resolution 12-037**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule for Port and Harbor Fees for the Purpose of Repaying a Revenue Bond and Contributing to the Port and Harbor Enterprise Reserves. City Clerk/Port and Harbor Advisory Commission.

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

**WYTHE/LEWIS – MOVED FOR THE ADOPTION OF RESOLUTION 12-037 BY READING OF TITLE ONLY.**

There was no discussion.

**VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.**

Motion carried.

- C. **Resolution 12-038**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 for the Purpose of Repaying a Revenue Bond and Contributing to the Port and Harbor Enterprise Reserves. City Clerk/Port and Harbor Advisory Commission.

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

Mayor Hornaday called for a motion for the adoption of Resolution 12-038 by reading of title only.

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Ordinance 12-19**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for FY 2011 in the Amount of \$32,687.50, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction May 14, 2012, Public Hearing and Second Reading May 29, 2012.

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

Mayor Hornaday called for a motion for the adoption of Ordinance 12-19 by reading of title only for second and final reading.

WYTHE/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- E. **Ordinance 12-20**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Operating Budget by Appropriating and Transferring \$3,000 from the General Fund Reserve (Fund Balance) to the Public Arts Committee for the Baycrest Overlook Improvement Gateways Project. City Manager. Introduction May 14, 2012, Public Hearing and Second Reading May 29, 2012.

Mayor Hornaday opened the public hearing.

Angie Newby, city resident and Chair of the Public Arts Committee, expressed approval of the ordinance. Baycrest is the entry jewel to the City.

Mayor Hornaday closed the public hearing.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-20 by reading of title only for second and final reading.

LEWIS/WYTHE – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **ORDINANCE(S)**

## **CITY MANAGER’S REPORT**

- A. City Manager’s Report

City Manager Wrede thanked Council for taking good care of the acting manager Chief Painter in his absence.

Community Schools Program: The contract with the school district expires at the end of June. He has had meetings with Dr. Gee and other members of the Kenai Peninsula School District and they now have an agreement for a two-year contract. It could be amended later if Council decides to do something on the Community Schools Program. They have reached a tentative agreement and a resolution to approve a contract may be forthcoming at the next meeting. Currently the City pays \$6,000 to the school district for the use of the facilities. In lieu of the annual payment the City could help out in the springtime by keeping the ball field(s) clear. The

attorney is currently working on language to protect the City from liability. There has been a lot of cooperation on both sides.

Spit Trail Project: There has been a big break through on completion of the project. The project was hung up for failure to get a MOU with DOT. The funding was through cruise ship money in Governor Palin's budget that went to DOT. He and Carey met with DOT last week. DOT was hung up on Resolution 06-72, passed by Council with the stipulation that if DOT finished the trail the City would contribute 25% as a local match and take over ownership and maintenance of three state roads: Olson Avenue, Bunnell Street, and East Mission Road. When Governor Palin put her budget together she asked for projects to be nominated for the cruise ship money. When they drew up the Spit Trail project description for the Legislature they scored it high due to the 25% local match and the roads takeover. DOT thought they were locked in to that. Now they have come up with an agreement that DOT will transfer the money directly to the City in two stages. The first stage will be for preliminary engineering and design, and the next stage will be money for the construction. The City will run the project by engineering, designing, and building it. DOT will waive the normal administrative fee and put in 25%. We have \$2.5M for the project now. DOT is still asking for us to take over maintenance of the three roads. Olson and Bunnell are short pieces of road that we maintain off and on with DOT. Mission Road is traversed anyway as we have to cross it to maintain the City's roads. Carey does not think the three roads will be that much of an added burden.

Councilmember Zak commented with the gas line coming in and possibly running down the Spit, there may be an advantage to combining trail/gas line construction.

Homer Playground Project: HoPP did a great job and it was a tremendously well organized effort. There is already a little bit of vandalism at the playground. Mike Illg went there late last night and found 25 teenagers hanging out in the playground. Council may want to adopt a closing time for parks. It will give the police an extra tool to shuffle people out. It will help with Jack Gist Park too. An ordinance may be forthcoming soon. Council approved the campground host and it is just a matter of advertising.

Worksession on Gas Line and Distribution System: The Kenai Peninsula Borough, Enstar, and Kachemak City folks have been invited to the worksession on Monday, June 4<sup>th</sup> at 5:00 p.m. City Manager Wrede offered suggestions as to what they could talk about. It will be an informational meeting to kick start the conversation. Planning is working with Enstar so we will have a good number of lots to include in the Special Assessment District (SAD) and a sense of costs. Katie researched AIDEA, Alaska Industrial Development and Export Authority, and found they offer direct loans and a loan guarantee program. If we sell bonds AIDEA will back the loan and allow for a lower interest rate. We will want to include Enstar in the discussion, as well as the other parties. Council will be interested in hearing Enstar's build out plan for the main line. The

\$8.15M grant will be coming to the City. Katie has been working with the State to prevent running into hurdles; the State is willing to work with us and expedite the grant agreement. The money is available after July 1. Council will have to accept and appropriate the money. We will want to get the transmission line going as soon as possible. If Council decides to help with financing what would Enstar's build out plan be? It may take a couple years or four years to build out the entire town. He has asked Enstar to explain how the free main allowance works. If Council decides it is not in the City's best interest for a SAD, how would the free main work? People could hook up, how would the financing work? If the hospital decides to hook up before the SAD is in place it could complicate things. Mayor Navarre will talk about how the USAD program has worked for the Borough and how to collaborate for larger buildings to hook up.

Mayor Hornaday commented at least two communities on the Kenai Peninsula and Anchorage have gone through the gas line project. It is nothing new and we may not need to reinvent the wheel.

City Manager Wrede acknowledged it was not new, but none of the communities have done a project this big. It has been subdivision by subdivision. Enstar is a little intimidated by doing the whole town.

Councilmember Lewis noted there will be a lot of digging in the neighborhoods and asked if anything else could be added at the same time, such as a fiber-optic cable.

City Manager Wrede answered the gas line will be a 2-inch line with much of it being bored.

Councilmember Roberts requested prototype models as to conversion costs and amount of savings over years.

Councilmember Zak asked that the Spit and harbor be considered; numbers would be helpful so the public would be informed.

Councilmember Burgess requested a cost scenario, coverage area, schedule, and financing options for each scenario. Council will then be better able to answer questions and make informed decisions.

- B. Bid Report
- C. Games Report
- D. Records Inventory Report
- E. Other

## **CITY ATTORNEY REPORT**

### **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

### **PENDING BUSINESS**

#### **NEW BUSINESS**

- A. **Memorandum 12-088**, from City Clerk, Re: Restaurant Designation Permit for Don Jose.

Mayor Hornaday called for a motion for the approval of the recommendations of Memorandum 12-088 for a restaurant designation permit for Don Jose.

LEWIS/WYTHE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **RESOLUTIONS**

- A. **Resolution 12-047**, A Resolution of the City Council of Homer, Alaska, Awarding Engineering Design Services Term Contracts for Port/Harbor/Marine Projects to the Firm of PND Engineers, Inc, of Anchorage, Alaska, and to R&M Consultants, Inc. of



Anchorage, Alaska, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 12-084 from Public Works Director as backup.

HOWARD/WYTHER – MOVED FOR THE ADOPTION OF RESOLUTION 12-047 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Resolution 12-048**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for and Accept a U.S. Fish and Wildlife Service Learning Landscape Grant, with a 50% In-Kind Matching Requirement up to \$25,000 for the Purpose of Completing Landscaping Improvements and Karen Hornaday Park Playground, for Karen Hornaday Park and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 12-085 from Public Works Director as backup.

ROBERTS/HOWARD – MOVED FOR THE ADOPTION OF RESOLUTION 12-048.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. **Resolution 12-049**, A Resolution of the City Council of Homer, Alaska, Approving the Jack Gist Recreational Park Land Use Agreement and Permit between the City of Homer and the Jack Gist Recreational Park Association. City Manager/Public Works Director.

Memorandum 12-087 from Public Works Director as backup.

Mayor Hornaday called for a motion for the adoption of Resolution 12-049 by reading of title only.

BURGESS/WYTHE - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

D. **Resolution 12-050**, A Resolution of the City of Homer Authorizing the Initiation of a Special Service District in the Lillian Walli Estate Subdivision Identified as HM 0880017 T06S R14W S24 Lillian Walli Estate Subdivision Lots 39 - 42, and 51 -77, for the Purposes of Preparing the Lots Owned by the City of Homer for Sale and Further Residential Development. Wythe.

Mayor Hornaday called for a motion for the adoption of Resolution 12-050 by reading of title only.

WYTHE/LEWIS - SO MOVED.

WYTHE/ROBERTS – MOVED TO POSTPONE TO THE SECOND MEETING OF JUNE.

Research from staff on water and sewer improvements and assessments for the parcels will require more time.

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

Motion carried.

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

Mike Illg, city resident and Community Recreation Coordinator, thanked everyone for their work on the playground.

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

City Attorney Klinkner was not present.

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

City Clerk Johnson had no comment.

## **COMMENTS OF THE CITY MANAGER**

City Manager Wrede had no comment.

## **COMMENTS OF THE MAYOR**

Mayor Hornaday commented the Mariners did well in the soccer tournament and we had kids at the State track meet. The softball girls won the Region so are headed to State too.

## **COMMENTS OF THE CITY COUNCIL**

Councilmember Wythe thanked the community for their contributions to the Karen Hornaday Park.

Councilmember Lewis congratulated the kids playing soccer and Coach Warren for doing a fantastic job at State and letting the small school beat larger schools.

Councilmember Zak expressed appreciation for HoPP and suggested enlisting HoPP to organize and do the gas line.

Councilmember Roberts expressed appreciation for everyone at HoPP, including the City employees with heavy equipment donating their time. She congratulated the boys' soccer team for placing fourth in State.

Councilmember Burgess commented HoPP was a wonderful project with a lot of good people there. It was a great week and he was impressed everyone was able to make it with just a few blisters, a testament to the project management skills and devotion skills.

Councilmember Howard had no comment.

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 6:37 p.m. The next Regular Meeting is Monday, June 11, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. A Worksession is scheduled for Monday, June 4, 2012 at 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.

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JO JOHNSON, CMC, CITY CLERK

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