

COWLES COUNCIL CHAMBERS
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
DECEMBER 10, 2012

MAYOR BETH WYTHE
COUNCIL MEMBER FRANCIE ROBERTS
COUNCIL MEMBER BARBARA HOWARD
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER BRYAN ZAK
COUNCIL MEMBER BEAUREGARD BURGESS
COUNCIL MEMBER JAMES DOLMA
CITY ATTORNEY THOMAS KLINKNER
CITY MANAGER WALT WREDE
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

**Special Meeting 4:00 p.m. and Committee of the Whole 5:00 p.m. in Homer City Hall
Cowles Council Chambers.**

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmembers Howard and Zak have requested telephonic participation.

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.)

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

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 [November 26, 2012](#). City Clerk. Recommend adoption.

- B. [Memorandum 12-179](#), from Deputy City Clerk, Re: Application for Liquor License Renewals for Beluga Lake Lodge and Best Western Bidarka Inn.
- C. [Memorandum 12-180](#), from Mayor, Re: Appointment of Joshua Ross to the Economic Development Advisory Commission.

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

B. Commissions/Board Reports:

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

C. Homer High School Students and Mayor Wythe Letters, re: Intersections

D. Reports from Mayor Wythe and Councilmembers Burgess, Dolma, and Zak on Alaska Municipal League Conference

8. PUBLIC HEARING(S)

A. [Ordinance 12-53](#), An Ordinance of the Homer City Council, Amending HCC 9.16.010(A) and HCC 9.16.040, and Repealing and Reenacting HCC 9.16.100 Reinstating on a Year-Round Basis the City of Homer Sales Tax Imposed on Sales of Non Prepared Foods. Zak. Introduction November 26, 2012, Public Hearing and Second Reading December 10, 2012.

[Ordinance 12-53\(S\)](#), An Ordinance of the Homer City Council, Amending HCC 9.16.010(A) and HCC 9.16.040, and Repealing and Reenacting HCC 9.16.100

Reinstating on a Year-Round Basis the City of Homer Sales Tax Imposed on Sales of Non Prepared Foods. Zak.

- B. [Ordinance 12-54](#), An Ordinance of the Homer City Council, Amending HCC 9.16.040 and HCC 9.16.100 to Make Certain Categories of Nonprepared Foods Subject to the City of Homer Sales Tax on a Year-Round Basis. Lewis. Introduction November 26, 2012, Public Hearing and Second Reading December 10, 2012.

[Ordinance 12-54\(S\)](#), An Ordinance of the Homer City Council, Amending HCC 9.16.040 and HCC 9.16.100 to Make Certain Categories of Nonprepared Foods Subject to the City of Homer Sales Tax on a Year-Round Basis. Lewis.

- C. [Ordinance 12-47\(A\)](#), An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2013 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Introduction October 22, 2012, Public Hearings November 26 and December 10, 2012, Second Reading December 10, 2012.

[Resolution 12-088](#), A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 12-47 schedule.

[Resolution 12-089](#), A Resolution of the City Council of Homer, Alaska, Maintaining the Port of Homer Terminal Tariff No. 600. City Clerk. Recommended to follow Budget Ordinance 12-47 schedule.

- D. [Ordinance 12-55](#), An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an Alaska Highway Safety Program Grant for DUI Enforcement and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Introduction November 26, 2012, Public Hearing and Second Reading December 10, 2012.

[Memorandum 12-172](#) from Police Chief as backup.

- E. [Ordinance 12-56\(A\)](#), An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an Online With Libraries (OWL) Grant in an Amount up to \$7,280.00 for a Temporary Part-Time IT Aide for the Public Library and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Introduction November 26, 2012, Public Hearing and Second Reading December 10, 2012.

[Memorandum 12-173](#) from Library Director as backup.

- F. [Ordinance 12-57](#), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Appropriating an Additional \$101,250 from the General Fund Balance for Completion of the Nick Dudiak Fishing Lagoon Dredging Project. City Manager/Public Works Director/Port and Harbor Director. Introduction November 26, 2012, Public Hearing and Second Reading December 10, 2012.

[Ordinance 12-57\(S\)](#), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Appropriating an Additional \$101,250 **\$69,768** from the General Fund Balance for Completion of the Nick Dudiak Fishing Lagoon Dredging Project. City Manager/Public Works Director/Port and Harbor Director.

[Memorandum 12-169](#) from City Manager as backup.

[Memorandums 12-156](#) and [12-147](#) from Public Works Director as backup.

9. ORDINANCE(S)

- A. [Ordinance 12-58](#), An Ordinance of the City Council of Homer, Alaska, Approving the Disbursement of the Net Earnings of 5% of the Permanent Fund, an Amount of \$3,554.79, to Local Non-Profit Organizations for the Benefit of the Community. City Clerk/Permanent Fund Committee. Recommended dates: Introduction December 10, 2012, Public Hearing and Second Reading January 14, 2013.

- B. [Ordinance 12-59](#), An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Reimbursable Grant in the Amount of \$8,000 from the State of Alaska Department of Environmental Conservation for Hazardous Materials Training and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Deputy Harbormaster. Recommended dates: Introduction December 10, 2012, Public Hearing and Second Reading January 14, 2013.

[Memorandum 12-181](#) from Deputy Harbormaster as backup.

- C. [Ordinance 12-60](#), An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting HCC Chapter 17.04 Regarding Special Assessment Districts. City Manager. Recommended dates: Introduction December 10, 2012, Public Hearing and Second Reading January 14, 2013.

10. CITY MANAGER'S REPORT

- A. [City Manager's Report](#)

- B. Games Report

1. K-Bay Marines Detachment 838 Marine Corp. League

11. CITY ATTORNEY REPORT

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
- G. Water and Sewer Rate Task Force

13. PENDING BUSINESS

- A. [Resolution 12-096](#), A Resolution of the City Council of Homer, Alaska, Approving a New Two Year Contract in the Amount of \$40,000 Per Year with Anderson Group, LLC for Legislative Consulting and Lobbying Services. City Manager. (Postponed from November 26, 2012.)

[Resolution 12-096\(S\)](#), A Resolution of the City Council of Homer, Alaska, Approving a New One Year Contract in the Amount of \$40,000 Per Year with Anderson Group, LLC for Legislative Consulting and Lobbying Services. City Manager.

14. NEW BUSINESS

- A. [Memorandum 12-182](#) from City Clerk, Re: Vacate Portions of Sprucewood Drive a 60-Foot Right-of-Way Located Northeast of Tract A, Block 2, and Any Associated Utility Easements With These Portions of Sprucewood Drive, Dedicated and Granted by Mountain Park Subdivision (Plat HM 78-10); Within Section 14, Township 6 South, Range 14 West, Seward Meridian, City of Homer and Within the Kenai Peninsula Borough, Alaska; KPB File 2012-175; Note: The adjacent existing roadway is to be dedicated with the recording of this plat; Location: City of Homer.

15. RESOLUTIONS

- A. [Resolution 12-102](#), A Resolution of the City Council of Homer, Alaska, Establishing the 2013 Regular Meeting Schedule for the City Council, Economic Development Advisory Commission, Library Advisory Board, Parks and Recreation Advisory Commission, Advisory Planning Commission, Port and Harbor Advisory Commission, Lease Committee, Permanent Fund Committee, Public Arts Committee and Transportation Advisory Committee. City Clerk.

[Memorandum 12-183](#) from Permanent Fund Committee as backup.

[Memorandum 12-184](#) from Economic Development Advisory Commission as backup.

[Memorandum 12-185](#) from Library Advisory Board as backup.

[Memorandum 12-186](#) from Planning Commission as backup.

[Memorandum 12-187](#) from Transportation Advisory Committee as backup.

[Memorandum 12-188](#) from Port and Harbor Advisory Commission as backup.

- B. [Resolution 12-103](#), A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Enter Into a New Short Term Lease with the Homer Boys and Club and to Extend the Club's Occupancy of the Lower Level of the Homer Education and Recreation Complex (HERC) Building for One Additional Year Beginning on January 1, 2013 and Ending December 31, 2013. City Manager.

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Next Regular Meeting is Monday, January 14, 2013 at 6:00 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.