

ACTION AGENDA

Monday, November 25, 2013

Special Meeting

Worksession

Committee of the Whole

Regular Meeting

SPECIAL MEETING AGENDA

Session 13-22 a Special Meeting of the Homer City Council was called to order on November 25, 2013 at 4:03 p.m. by Mayor Mary E. 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: BURGESS, HOWARD, LEWIS, ROBERTS, VAN DYKE, 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.

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

There were no public comments.

4. **PENDING BUSINESS**

5. **NEW BUSINESS**

- A. **Memorandum 13-153**, From City Clerk Re: Request for Executive Session Pursuant to AS 44.62.310 (a-c)(1 & 2) Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Public Entity and Matters, Subjects that Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion (Anderson Group, Performance and Contract).

Lobbyist Linda Anderson requested her performance be discussed in Executive Session.

City Manager Wrede, City Attorney Klinkner, and Lobbyist Linda Anderson were invited to join Council in the Executive Session.

APPROVED without discussion.

Council adjourned to Executive Session at 4:07 p.m. and reconvened the Special Meeting at 4:32 p.m.

Mayor Pro Tempore Roberts reported City Council met with the city lobbyist and discussed contractual matters.

6. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

7. ADJOURNMENT NO LATER THAN 4:30 P.M.

Mayor Wythe adjourned the meeting at 4:33 p.m.

WORKSESSION AGENDA

1. CALL TO ORDER, 4:30 P.M.

Mayor Wythe called the meeting to order at 4:33 p.m.

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. 2014 Budget

4. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

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

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

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Wythe called the meeting to order at 5:02 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. Matt Steffy, Recreation Needs Assessment, 10 minutes.

4. 2014 BUDGET

5. CONSENT AGENDA

6. REGULAR MEETING AGENDA

7. COMMENTS OF THE AUDIENCE

There were two who commented.

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

Mayor Wythe adjourned the meeting at 6:00 p.m.

REGULAR MEETING AGENDA

Session 13-23 a Regular Meeting of the Homer City Council was called to order on November 25, 2013 at 6:03 p.m. by Mayor Mary E. 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: BURGESS, HOWARD, LEWIS, ROBERTS, VAN DYKE, ZAK

STAFF:

CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
CITY PLANNER ABBOD

COMMUNITY & ECONOMIC DEVELOPMENT COORDINATOR
KOESTER
FINANCE DIRECTOR LI
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR PETERSEN
POLICE CHIEF ROBL
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 following changes were made: **PUBLIC HEARINGS - Ordinance 13-44**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2014 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Written public comments. **CITY ATTORNEY REPORT** - City Attorney Report for October 2013. **RESOLUTIONS - Resolution 13-113**, 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. Written public comments.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were no public comments.

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 October 28, 2013. City Clerk. Recommend adoption.

- B. **Memorandum 13-154**, from Deputy City Clerk Re: Liquor License Ownership Transfer for Kharacters.
- C. **Resolution 13-110**, A Resolution of the City Council of Homer, Alaska, Approving a Memorandum of Agreement Between the City of Homer and the Kachemak Nordic Ski Club Regarding the Maintenance and Operation of Nordic Ski Trails on City Owned Land in the Baycrest Ski Area. City Manager. Recommend adoption.
- D. **Resolution 13-111**, A Resolution of the Homer City Council Reissuing the Request for Proposals for the 1% for Arts Program on the Homer Spit Trail Phase II Project. City Clerk. Recommend adoption.

Memorandum 13-155 from Deputy City Clerk as backup.

- E. **Resolution 13-112**, A Resolution of the City Council of Homer, Alaska, Confirming that the City will Provide Local Matching Funds in an Amount Up to \$800,000 for Repair, Replacement, and Rehabilitation of Infrastructure and Facilities at the Homer Small Boat Harbor Load and Launch Ramp. City Manager/Port and Harbor Director. Recommend adoption.

Memorandum 13-156 from Community and Economic Development Coordinator as backup.

The consent agenda was approved by consensus of the Council.

6. VISITORS

- A. **Gary Fandrei**, Cook Inlet Aquaculture Association, 10 minutes.

Gary Fandrei of Cook Inlet Aquaculture Association provided a PowerPoint presentation on the association's current projects.

- B. **Linda Anderson**, Anderson Group, Lobbyist, 10 minutes.

Linda Anderson, Anderson Group, provided an overview on next year's legislative session.

Eric Marshall, Cub Scout Pack 555, told Council that he and his pack were attending the meeting to get their citizen's patch.

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

Deb Lowney, Parks and Recreation Advisory Commissioner, provided an overview of the commission's work.

Matt Steffy, Parks and Recreation Advisory Commissioner, advocated for the recreation needs assessment.

5. Port and Harbor Advisory Commission

- A. Memorandum 13-159, from Port and Harbor Director, Re:
Recommendation for Seafarer's Memorial Parking Lot Expansion.
- B. Thank You from the Pratt Museum for FY 2013 Funds

8. PUBLIC HEARING(S)

- A. **Ordinance 13-42(A)**, An Ordinance of the City Council of Homer, Alaska, Amending the Definition of "Discontinued" in Homer City Code 21.61.015, Definitions, to Extend the Time Required to Discontinue a Nonconforming Use from 12 Months to 24 Months. Zak. Introduction October 28, 2013, Refer to Planning Commission, Public Hearing and Second Reading November 25.

There was no public testimony.

POSTPONED to December 9, 2013.

- B. **Ordinance 13-43**, An Ordinance of the Homer City Council Authorizing the Expenditure of Homer Accelerated Water and Sewer Program (HAWSP) Funds for Paradise Place Sewer Main Extension and Approving the Creation of a Deferred Assessment on Benefitted Properties. City Manager/Public Works Director. Introduction October 28, 2013, Public Hearing and Second Reading November 25,

2013.

Memorandum 13-150 from Public Works Inspector as backup.

There was no public testimony.

ADOPTED with discussion.

- C. **Ordinance 13-44**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2014 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Introduction October 28, 2013, Public Hearings November 25 and December 9, 2013, and Second Reading December 9, 2013.

Memorandum 13-137 from City Manager, Re: Amendments to Employee Health Insurance Plan.

Memorandum 13-138 from Fire Chief, Re: Fire Department Budget Requests.

Memorandum 13-157 from Personnel Director, Re: Fully-Insured Health Plan Proposals as backup.

- D. **Resolution 13-107**, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at Current Rates. City Clerk. Recommended to follow Budget Ordinance 13-44 schedule.
- E. **Resolution 13-108**, A Resolution of the City Council of Homer, Alaska, Maintaining the Port and Harbor Terminal Tariff No. 600 at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 13-44 schedule.

There were eleven who testified.

AMENDMENTS to Ordinance 13-44:

Funded Parks and Recreation Needs Assessment in the amount of \$35,000. Planning Reserves 156-0387 \$25,000/Parks Reserves 156-0385 \$10,000.

Funded two seasonal Fire EMS/PT Employees in the amount of \$54,000. Allot \$15,000 from the General Fund, \$19,000 from The Homer Foundation 100-0350-5830 contribution, and \$20,000 from Pratt Museum 100-0350-5801 contribution.

Funded Police Dispatch FT position in the amount of \$50,000 (from new projected tax revenues).

Funded additional \$10,000 to Homer Chamber of Commerce.

Mayor Wythe called for a recess at 8:08 p.m. and reconvened the meeting at 8:20 p.m.

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Wrede referenced the letter and newly adopted water and sewer rates that are going out to customers with their November and December bills. The rates are also listed on the city website.

Councilmember Burgess asked that customers who disconnect for the season also get notice.

City Manager Wrede reported talks have begun on the tidelands and submerged lands around the docks. The City is about to get conveyance of the tidelands. The municipal boundary is close; it goes across two docks, but some of the land is outside city limits. There has been some talk about expanding city limits. Councilmember Burgess has taken a real interest in it and would like to set up a workshop soon to talk about boundaries.

He complimented Port and Harbormaster Bryan Hawkins for making this month's Pacific Fishing choice as port of the month. At the recent 2013 Pacific Marine Expo in Seattle there was a lot of marketing from the Marine Trades Association and the Chamber of Commerce for the Port of Homer. The Harbormaster found a lot of people are excited about Homer. People in the industry knew of plans to expand the harbor.

Katie Koester will take the lead in working with Fish and Game, the Department of Natural Resources, and legislative legal staff to fix the problem of drill rigs mooring at the Deep Water Dock. The Alaska Department of Fish and Game has permitting authority in the Kachemak Bay and Fox River Critical Habitat Area. There is a conflict between the critical habitat plan and state statutes whether a drill rig can moor at the Deep Water Dock and put its legs down. ADF&G has strongly recommended that legislation is needed to address this problem.

Councilmember Howard commented on Resolution 13-112, expressing regret that she did not pull the resolution from the consent agenda. We have a budget and should only entertain the design that is in the budget. There should be no additional lanes in the ramps. City Manager Wrede assured her that \$800,000 was pledged and Resolution 13-112 provides the option to look for more money. The least expensive option is desired. Fish and Game said if we can

pledge \$800,000 that would be good. Councilmember Howard asked that it be placed on the Port and Harbor Advisory Commission agenda as they have a right to weigh in.

City Manager Wrede noted we are moving ahead with instructions Council provided on the new public safety building. Carey is preparing a Request for Proposals for GC/CM. He is concerned about the building at this point if it is really ready for prime time with the legislature. We are just asking for engineering and design money. We will not have any numbers at all until March. First Council asked us to analyze the sites and we don't have a site plan for sure. City Manager Wrede doesn't know that the community is on board. When we go to the legislature we assure them the project has been thoroughly vetted. Although he thinks it is a good project he doesn't know what the successes are for this year. A lot of groups have real concerns about the project for a variety of reasons.

Councilmember Howard recounted the Saturday workshop on the Capital Improvement Plan where Council got wind the legislature would be looking at public safety buildings as their top priority. She asked what instructions we would give to the lobbyist.

City Manager Wrede answered the lobbyist would appreciate direction, as would he and Katie. They will do their best to argue for the public safety building, but may be premature with it. The project may be more fully developed next year.

Councilmember Burgess noted we are asking the legislature for planning and design funds. He has heard objections about the location. We desperately need a new EMS infrastructure for the community. It is not super important as to where it goes. There has not yet been a place set. The legislature is interested in transportation and public safety issues. We should work hard to take advantage of that opportunity.

City Manager Wrede noted if the public safety building stays as the main project, we will do the best job we can. There are folks concerned about the fiscal project, of building a Taj Mahal we can't maintain. Department of Corrections and Alaska State Troopers are both interested and would like to help fund the building. There is also grant money available for Emergency Operation Centers. We will try hard to get the information out there. We are not planning a million dollar project that the citizens will pay for on their own.

Mayor Wythe commented it is set as a five-year plan and we are just requesting funds to do the preliminary design work. We need to keep it on our priority list and look for assistance for

studies. We are approaching it as a five-year plan and this is a top priority on our five-year plan.

Councilmember Burgess noted we could be better at communicating it to the public. The public safety building could be a recreational component. We are asking for funding so we don't have to spend the money to build it. It would be better to use state or federal funds so the taxpayers don't have to fund it.

11. CITY ATTORNEY REPORT

City Attorney Klinkner reported the Grant Aviation lease issue was settled on favorable terms to the City. The final decision on Auction Block from the Federal Maritime Commission will be issued on December 9th. Mr. Klinkner will be at the December 9th meeting to report on it.

Councilmember Lewis asked if the City gets a favorable ruling from the Maritime Commission can it be appealed? Attorney Klinkner answered the appeal would then go to the Federal Circuit Court of Appeals.

He offered the services of the benefits specialist in their law firm to make a presentation related to healthcare at a Worksession. She can be available by Skype or phone.

12. COMMITTEE REPORT

- A. Public Arts Committee
- B. Transportation Advisory Committee

Francie Roberts, Chair of the Transportation Advisory Committee, reported they met in November and heard a presentation on roundabouts. The committee completed their yearly review of the HART Policy and had a discussion about safe streets. They discussed the Capital Improvement Plan meeting schedule, which may not fit into their meeting schedule.

- C. Permanent Fund Committee
- D. Lease Committee
- E. Port and Harbor Improvement Committee
- F. Employee Committee Report
- G. Port and Harbor Building Task Force

13. PENDING BUSINESS

14. NEW BUSINESS

- A. **Memorandum 13-158**, from City Manager, Re: Recommendation for No Wake Buoy for Harbor Entrance.

AMENDED: Struck last portion of the final sentence in the recommendation: and that this project be funded out of Port and Harbor Reserves instead of operations budget.

APPROVED as AMENDED.

15. RESOLUTIONS

- A. **Resolution 13-113**, 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.

ADOPTED without discussion.

16. COMMENTS OF THE AUDIENCE

There was one who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson welcomed Councilmember Van Dyke, stating it was a tough meeting for his initiation. She wished all a Happy Thanksgiving.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede told Mr. Lavrakas that he feels his pain because the rest of us are always trying to make Barbara happy too. That's what we do. He wished everyone a Happy Thanksgiving.

20. COMMENTS OF THE MAYOR

Mayor Wythe is happy to see Mr. Van Dyke here for his first meeting. Hopefully it was not too grueling; it is an opportunity to learn plenty when we are going through the budget cycle. She thanked John Li for the budget preparations and changing the format that makes it very easy to use. She appreciates the time and effort he has put into the budget. We contributed funds to the Chamber, but she wonders about the Marine Trades Association. We participate with them when they go south for their solicitations and the City will use their booth, but she doesn't think we are making any financial contributions. They are the best supporters and promoters of the harbor. She went to the Conference of Mayors last week. There are a lot of things going on around the state. The State of Alaska is pulling the teachers back into the State's plan to increase their pool size. They would entertain having municipalities bring their employees back into that pool. It is something to consider to improve our health insurance benefit. She spoke to them about putting forth legislation to have the State establish a funding pool to help with matching funds for harbor expansion improvements. She is on the hook to bring something to them when they have the Conference of Mayors in Juneau.

21. COMMENTS OF THE CITY COUNCIL

City Councilmember Van Dyke said being the new guy, it's been fun. The City Clerk is on my like list.

Councilmember Burgess thanked the Webelos for coming in and hopes they didn't put too many of them to sleep. He thanked the presenters that talked about the aquaculture association and the recreation needs assessment plan. He thanked tonight's speakers for their eloquence and being on topic. Rather than view the difficult situation the community is in from a budgetary standpoint, those that feel we are defunding precious programs, or those that feel we are not doing enough to service core functions, he encouraged you rather than come to Council to demonize them or find fault, to reach out to the polar opposite and create a consilience on your own and help to be part of the solution. We all come here with pet programs and fail to create the cohesive vision. Then Council is left without a cohesive vision and is left picking up the pieces of not enough money. Rather than react, form larger cohesive visions of what you want for the community, and be willing to talk with each other and be willing to compromise so we can all have the most bang for our buck.

Councilmember Zak thanked the MAPP group for meeting and continuing in that effort. We and a lot of people have the vision of the many pieces that make up a community when we do make up the budget. There are chunks of money we cut tonight. It took a lot of work to get them into the budget. We are looking forward to continuing to work for all of the aspects of the community.

Councilmember Lewis wished everyone a Happy Thanksgiving. Remember to shop at local small businesses on Black Friday. The Anchorage Daily News had a great article about what small businesses give back to the community. Shopping online does not give anything back

to local towns. Last weekend there was a great hockey tournament with three different schools coming here. When editorials come out it would be nice if they fact checked their information and presented true, honest facts.

Councilmember Roberts commented it is a very difficult time when Council has to deal with budget issues. Everyone would like to fund at the highest level. She appreciates the discussion on employee health insurance. There are no good solutions, but there are ideas to work towards. She welcomed Gus and looks forward to working with him some more.

Councilmember Howard had no comment.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:57 p.m. The next Regular Meeting is Monday, December 9, 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.