

ACTION AGENDA
January 22, 2018
Worksession
Committee of the Whole
Regular Meeting

WORKSESSION AGENDA

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

Mayor Zak called the meeting to order at 4:00 p.m.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council’s Operating Manual, pg. 6)

3. GREATLAND STREET IMPROVEMENTS

4. COMMENTS OF THE AUDIENCE

There were three who commented.

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

Next Regular Meeting is Monday, February 12, 2018 at 6:00 p.m., Committee of the Whole at 5:00 p.m. scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska; and a Worksession January 29, 2018 at 4:00 p.m. scheduled to be held at the Harbormaster’s Office Conference Room located at 4311 Freight Dock Road, Homer, Alaska

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

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Zak 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. 6)

3. Resolution 18-009, A Resolution of the City Council of Homer, Alaska, Authorizing the Modification of an ADEC Municipal Matching Grant (MMG #40909) for the Water Storage and Distribution Improvement Project (Phase I), and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 18-015 from Public Works Director as backup

- 4. CONSENT AGENDA**
- 5. REGULAR MEETING AGENDA**
- 6. COMMENTS OF THE AUDIENCE**

There was one who commented.

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

Next Regular Meeting is Monday, February 12, 2018 at 6:00 p.m., Committee of the Whole at 5:00 p.m. scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska; and a Worksession January 29, 2018 at 4:00 p.m. scheduled to be held at the Harbormaster's Office Conference Room located at 4311 Freight Dock Road, Homer, Alaska

Mayor Zak adjourned the meeting at 5:30 p.m.

REGULAR MEETING AGENDA

Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Session 18-02 a Regular Meeting of the Homer City Council was called to order on January 22, 2018 at 6:00 p.m. by Mayor Bryan Zak at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: ADERHOLD, ERICKSON, LORD, SMITH, STROOZAS, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
POLICE CHIEF ROBL
PUBLIC WORKS DIRECTOR MEYER
CITY PLANNER ABBOUD

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 2.08.040.)

The following changes were made: **MAYORAL PROCLAMATIONS AND RECOGNITIONS** Chamber of Commerce Winter Carnival Parade Proclamation and School Choice Week Proclamation **CONSENT AGENDA Memorandum 18-012** from Deputy City Clerk Re: Liquor License Renewals for Homer Brewing Company, Cosmic Kitchen, Harbor Grill, Grace Ridge Brewing, and Kharacters. Non objection letters from Kenai Peninsula Borough. **Resolution 18-008**, A Resolution of the City Council of Homer, Alaska, Requesting the Department of Transportation and Public Facilities Work to Fix Sterling Highway Drainage that is Adversely Effecting Baycrest Subdivision. Public Comments, photos, and area maps **CITY MANAGER'S REPORT** Supplement Memo to City Manager's report regarding Improvements at Mariner Park and the RFP for Fish Pump Services **NEW BUSINESS Memorandum 18-013** from City Clerk Re: New Marijuana Cultivation License for Alaska Loven It, LLC. Memorandum 18-017 from Deputy City Clerk Re: Local Government Participation in the Marijuana License Process. **RESOLUTIONS Resolution 18-009(S)**, A Resolution of the City Council of Homer, Alaska, Authorizing the Modification of an ADEC Municipal Matching Grant (MMG #40909) for the Water Storage and Distribution Improvement Project (Phase I), and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Memorandum 18-015(S) from Public Works Director as backup. **Resolution 18-010(S)**, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for the Homer Harbor Cathodic Protection Project 2018 to the firm to be Announced in an amount to be Disclosed and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Memorandum 18-016 from Public Works Director as backup

APPROVED as amended

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

A. City and State Recognition of Retiring Fire Chief Bob Painter

Mayor Zak read and presented the City's recognition and City Manager Koester read the States Recognition to retiring Fire Chief Painter.

Chief Painter thanked the Mayor, City Council and City Manager. He said it's been a pleasure serving the community of Homer. He's appreciated everyone's support and working with the volunteers and members of the Fire Department. It's been 26 years of enjoying what you get to do every day.

B. Mayoral Proclamation – Chamber of Commerce Winter Carnival Parade

Councilmember Stroozas read and presented the proclamation to Jan Knutson from the Homer Chamber of Commerce. Mrs. Knutson introduced sponsors Marcia Kuszmaul, President of the B&B Association and Marcia Reed, Clinic Director of Seldovia Community Clinic, and gave an overview of events happening over Winter Carnival Weekend.

- C. Mayoral Proclamation School Choice Week

Councilmember Smith read the Proclamation for School Choice Week.

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were two who commented.

5. RECONSIDERATION

6. 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 January 8, 2018. City Clerk. Recommend adoption.
- B. **Memorandum 18-011** from Mayor Re: Re-Appointment of Carla Stanley to the Cook Inlet Regional Citizens Advisory Council and Re-Appointment of Glenn Carroll and Daniel Donich to the Port and Harbor Advisory Commission. Recommend approval.
- C. **Memorandum 18-012** from Deputy City Clerk Re: Liquor License Renewals for Homer Brewing Company, Cosmic Kitchen, Harbor Grill, Grace Ridge Brewing, and Kharacters Recommend approval.
- D. **Resolution 18-007**, A Resolution of the City Council of Homer, Alaska, Requesting that the U.S. Army Corps of Engineers Regulatory Division Conduct Scoping meetings in Homer, Alaska for the Proposed Pebble Mine, Permit Application POA-2017-271, and Include Homer on its List of Public Scoping Locations in its Notice of Intent Published in the Federal Register. Aderhold. Recommend adoption.

Memorandum 18-014 from Councilmember Aderhold as backup

- E. **Resolution 18-008**, A Resolution of the City Council of Homer, Alaska, Requesting the Department of Transportation and Public Facilities Work to Fix Sterling Highway Drainage that is Adversely Effecting Baycrest Subdivision. Erickson. Recommend adoption.

ADOPTED without discussion.

7. VISITORS

A. Business Retention and Expansion Survey Report – Economic Development Advisory Commission (10 Minutes)

Karin Marks Economic Development Advisory Commission Chair and Charles Evans Economic Development Advisory Commissioner, presented the Business Retention and Expansion Survey Report. They reported on outreach and response, noting there were 112 survey respondents and 22 interviews were done. The primary goals of the survey were to develop and encourage communication with local businesses, obtain business owner perspectives and ideas on our business climate, identify business needs and concerns that may be addressed by the city, and develop strategies and actions that will continue to support small business retention. 95% of the participating businesses are locally owned and operated, 80% inside city limits, represent 14 different industries, 43% were with retail, tourism, food/accommodation and arts/entertainment, and 88% of the businesses originated in Homer. Satisfaction with doing business and living in Homer rated from good to excellent and survey responses indicate increasing business activity overall. Things that would make it easier to expand or maintain businesses in Homer include less or stable taxes, a good labor pool, and pro-business city policies. Workforce challenges include poor work attitude, inadequate labor skills, and labor supply shortage. Other feedback they received is to keep boat/marine businesses in Homer, improve or control government regulation, better road quality and transportation infrastructure, pedestrian accessibility and greenspace, kept-up appearance of the town, and increased environmental efforts.

The Commissions short term action items include

- ▶ Clarify City regulatory barriers in zoning, permitting, sign ordinance and lease policy
- ▶ Explore public-private partnership to create a master plan for a more vibrant, connected central commercial district
- ▶ Support efforts to develop large vessel haul-out
- ▶ Share information, educate and make connections

Long term action items,

- ▶ Explore City participation in coordinated public-private initiatives to recruit workforce
- ▶ Support large vessel harbor expansion with attention to competitive rates and multi-use Spit management.

8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS (10 minute limit per report)

A. Borough Report

Kelly Cooper, Kenai Peninsula Borough President, recognized the Boy Scout Troop in the audience. She reported the Assembly passed the Ordinance about volunteers that can serve

on a board. The Assembly is aware the Mat-Su Borough has challenged the Nikiski selection for the LNG plant site with the Federal Energy Regulatory Commission, it hasn't been ruled on yet, and she'll keep the city posted. Representative Seaton is sponsoring HB 287 making appropriations for public education and student transportation. The intent is to make early funding available for the school districts and regional education. The Assembly struggles every year because they can't to their formula until it's funded and the forward funding is what's needed.

B. Commissions/Board Reports:

1. Library Advisory Board

Kate Finn, Library Advisory Boardmember, reported on some library events and activities including computer programming and code writing, free walk in tech sessions, HAM radio club, and Lunch with a Councilmember. She also thanked people who participated in the Gifting Tree over the holidays, 45 books were gifted. She also thanked Spenards for donating a tree and the Homer Book Store for offering discounts.

2. Homer Advisory Planning Commission

Tom Bos, Planning Commissioner, reported the Commission has been discussing marijuana sales in Marine Commercial district on the spit, natural hazard planning as it relates to Baycrest Subdivisions and other possible areas in the city, the Comprehensive Plan update, the HERC building, and plat approvals.

3. Economic Development Advisory Commission

4. Parks Art Recreation and Culture Advisory Commission

Deb Lowney, Parks Art Recreation and Culture Advisory Commissioner, thanked Council for the HERC worksession and the Commission looks forward to the task assigned to them. She reported the Commission is now full as they welcomed Caitlin Walls to the group. They approved a recommendation for a donation of art for the Bishop's Beach Pavilion and hopes Council will approve it as well. They also developed a 1% for Arts Overview Program Selection Committee to review art for the Fire Hall and Ramp 2 Restroom. The Commission discussed the Karen Hornaday Park Master Plan at their last meeting. Some of the accomplishments since 2009 include HOPP playground improvements, ball field upgrades, new pavilion, repurposed storage shed, some drainage upgrades, and the new trail was built. The biggest issue going forward is addressing the road going into the park. If HART funds could be used to realign the road, then bring in new water and sewer it would solve some of the major issues, including adding a new restroom. Upgrades to the camp host site are needed because because we don't really have anything to offer a camp host, there is no water or sewer available at the site.

Discussion ensued regarding the campground as there have been drug related issue there in the past. Ms. Lowney recognized there have been issues there over the past few years, but the police have been patrolling the area more regularly which has been helpful. Clearing out some of the foliage to open up the area and having a camp host will be helpful. There are people who enjoy coming to Homer and camping there.

5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

Councilmember Aderhold reported the Commission meets Thursday.

Mayor Zak called for a recess at 7:15 p.m. and the meeting resumed at 7:20 p.m.

Mayor Zak noted for the record that Councilmember Aderhold was excused and left at 7:15 p.m.

9. PUBLIC HEARING(S)

- A. **Ordinance 18-01**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 3.10.040(A) Authorized Investments and Repealing 3.10.130 Governance of Homer Permanent Fund Assets. City Manager/Finance Director. Recommended dates: Introduction January 8, 2018, Public Hearing and Second Reading January 22, 2018.

Memorandum 18-009 from Finance Director as backup

There was no public comment.

ADOPTED without discussion.

- B. **Ordinance 18-02**, An Ordinance Of The City Council Of Homer, Alaska, Appropriating Funds In The Amount Of \$46,200 From Commercial Passenger Vessel Tax Grant Funds To Fund The Design Of A New Ramp 2 Public Restroom Facility. City Manager. Introduction January 8, 2018, Public Hearing and Second Reading January 22, 2018.

Memorandum 18-003 from Special Projects Coordinator as backup

There was no public comment.

ADOPTED without discussion.

- C. **Ordinance 18-03**, An Ordinance of the City Council of Homer, Alaska, Amending the 2018 Operating Budget by Authorizing the Expenditure of \$50,000 from the Harbor Reserve Fund for the Purpose of Conducting a Section 22 Planning Assistance to States

Program Study for the Homer Large Vessel Harbor Expansion Project and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/ Port and Harbor Director. Introduction January 8, 2018, Public Hearing and Second Reading January 22, 2018.

Memorandum 18-004 from Port Director/Harbormaster as backup

There was no public comment.

ADOPTED without discussion.

- D. **Ordinance 18-04**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.03.040 to Define “Employee-Occupied Recreational Vehicles”; Title 21.54 to add 21.54.325, Permitting Employee-Occupied Recreational Vehicles in the Marine Commercial and Marine Industrial Zoning Districts; and Amending 21.54.200 and 21.54.210 to Reflect the Newly Permitted Use in these Districts. Smith. Introduction January 8, 2018, Public Hearing and Second Reading January 22, 2018.

Memorandum 18-005 from City Planner as backup

There was one who testified.

ADOPTED with discussion.

- E. **Ordinance 18-05**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2017 Operating Budget to Fund Necessary Repairs to Seawall by Appropriating \$83,743 from the Ocean Drive Loop Special Service District and \$18,385 from the Seawall Reserve Account for the Purpose of Funding Emergency Repairs to the Seawall. City Manager. Introduction January 8, 2018, Public Hearing and Second Reading January 22, 2018.

Ordinance 18-05(S), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2017 Operating Budget to Fund Necessary Repairs to Seawall by Appropriating \$83,743 from the Ocean Drive Loop Special Service District and \$18,385 from the Seawall Reserve Account for the Purpose of Funding Emergency Repairs to the Seawall. City Manager.

Memorandum 18-006 from City Manager as backup

There was one who testified.

ADOPTED Substitute with discussion.

10. ORDINANCE(S)

11. CITY MANAGER’S REPORT

- A. City Manager’s Report

Councilmember Lord said she appreciated the update on the vessel haul-out and the copy of the City of Homer Marine Repair Facility Policies and Best Management Practices included in the packet.

- B. Bid Report

12. CITY ATTORNEY REPORT

13. COMMITTEE REPORT

- A. Employee Committee Report
- B. Americans with Disabilities Act Compliance Committee

14. PENDING BUSINESS

15. NEW BUSINESS

- A. **Memorandum 18-013** from City Clerk Re: New Marijuana Cultivation License for Alaska Loven It, LLC.

There was one who testified.

AMENDED: We voice an objection to the approval of the new marijuana cultivation license based on the memorandum provided by Director Erika McConnell from the department of commerce, community, and economic development.

APPROVED as amended.

16. RESOLUTIONS

- A. **Resolution 18-009**, A Resolution of the City Council of Homer, Alaska, Authorizing the Modification of an ADEC Municipal Matching Grant (MMG #40909) for the Water Storage and Distribution Improvement Project (Phase I), and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 18-015 from Public Works Director as backup

Resolution 18-009(S), A Resolution of the City Council of Homer, Alaska, Authorizing the Modification of an ADEC Municipal Matching Grant (MMG #40909) for the Water Storage and Distribution Improvement Project (Phase I), and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 18-015(S) from Public Works Director as backup

ADOPTED Substitute with discussion.

- E. **Resolution 18-010**, A Resolution of the City Council of Homer, Alaska, Awarding a Contract for the Homer Harbor Cathodic Protection Project 2018 to the firm to be Announced in an amount to be Disclosed and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Resolution 18-010(S), A Resolution of the City Council of Homer, Alaska, Awarding a Contract for the Homer Harbor Cathodic Protection Project 2018 to Global Diving and Salvage of Anchorage, Alaska in the amount of \$139,345 Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 18-016 from Public Works Director as backup

ADOPTED Substitute with discussion.

17. COMMENTS OF THE AUDIENCE

None

18. COMMENTS OF THE CITY ATTORNEY

The City Attorney was not in attendance.

19. COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

20. COMMENTS OF THE CITY MANAGER

City Manager Koester commented that the upcoming City Council worksession will be held that the Harbormaster's Office Conference room, Monday, January 29th from 4:00 to 7:00 p.m. This was the suggestion of the facilitator who wants to get them in a new spot and to a successful building project.

21. COMMENTS OF THE MAYOR

Mayor Zak thanked Mayor Pro Tem Aderhold for doing such a wonderful job running the meetings while he was gone. He congratulated Chief Painter on his 26 years and in reading the proclamations you could hear how much he has done for the city and how much it means to him.

22. COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas announced the Kachemak Bay Masonic Club and Elks Lodge will be hosting a spaghetti feed fundraiser to benefit Hospice of Homer on Saturday night from 5:30 until 8:00 p.m. Tickets are available for \$10 at Hospice and \$15 at the door, children under 8 are free, and there will be a lavish silent auction. He thanked the Boy Scout Troop 555 for being here tonight getting a primer on their Citizenship Merit Badge, he will work with them again at a Scout Meeting next month. He welcomed Mayor Zak back to God's country.

Councilmember Venuti commented the Women's March on Saturday was about about 750 people, it was peaceful and she loved seeing all the youth, young men and women holding signs for human rights. Councilmember Lord gave a great speech, along with four other women. It was a wonderful opportunity. She reminded listeners about the Marine Trade technical classes being held at the college and that KBC will be in the parade.

Councilmember Smith commented that this is God's green earth and where ever you go around it, it's God's creation. There are a lot of wonderful people and cultures out there, he's had the opportunity to see and enjoy many of them and he's glad the Mayor was able to as well. He will say he's partial to this land, but let's not forget everybody else.

Councilmember Lord commented that generally she is supportive of the marijuana industry and the growth of it as a new and interesting industry for a number of different reasons. She hopes people aren't discouraged, but it is a very highly regulated industry and being mindful of that as one proceeds is of utmost importance. She appreciates the leadership of the Marijuana Control Board as the ones who hold the reigns and for the information they provide. She commented about other upcoming events for the weekend including Saturday's Telluride films and HOWL fundraiser, Farmers Market Annual meeting and Seed Swap, Green Dot Bystander Training, and Sunday's Center for Alaskan Coastal Studies Winter Fun Days at Wynn Nature Center. She will miss all of it because she'll be in Anchorage teaching a floral design class and attending the Winter Alaska Peony Growers Association Annual Meeting.

Councilmember Erickson commented February into March it gets really busy on the weekends. Some things happening are the Tustumena 200 Dog Sled race, the Snomands Fun Run, and the Epic Fat Tire Bike Race. She encouraged people to get outside.

23. ADJOURNMENT

Next Regular Meeting is Monday, February 12, 2018 at 6:00 p.m., Committee of the Whole at 5:00 p.m. scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska; and a Worksession January 29, 2018 at 4:00 p.m. scheduled to be held at the Harbormaster's Office Conference Room located at 4311 Freight Dock Road, Homer, Alaska

Mayor Zak adjourned the meeting at 8:15