

**HOMER CITY COUNCIL**  
**491 E. PIONEER AVENUE**  
**HOMER, ALASKA**  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**REGULAR MEETING**  
**6:00 P.M. MONDAY**  
**MARCH 12, 2018**  
**COWLES COUNCIL CHAMBERS**

MAYOR BRYAN ZAK  
COUNCIL MEMBER DONNA ADERHOLD  
COUNCIL MEMBER HEATH SMITH  
COUNCIL MEMBER TOM STROOZAS  
COUNCIL MEMBER SHELLY ERICKSON  
COUNCIL MEMBER CAROLINE VENUTI  
COUNCIL MEMBER RACHEL LORD  
CITY ATTORNEY HOLLY WELLS  
CITY MANAGER KATIE KOESTER  
CITY CLERK MELISSA JACOBSEN

## REGULAR MEETING AGENDA

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Department Heads may be called upon from time to time to participate via teleconference.

Councilmember Stroozas requests telephonic participation.

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.)

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

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 February 26, 2018. City Clerk. Recommend adoption.

- B. Memorandum 18-028, from City Clerk re: Vacation of a portion of the Starboard Way Right-of-Way adjacent to Lots 4-8 Block 1 and Lots 4 and 5 Block 2 Mariner Village Subdivision as dedicated on Mariner Village Subdivision, Plat HM 68- 657.
  
- C. Ordinance 18-11, An Ordinance of the City Council Of Homer, Alaska, Amending Homer City Code Sections 1.16.040, 7.04.030, 10.04.110, 19.08.120, 19.20.070, 20.08.010, and 20.32.020, Adding New Homer City Code Sections 5.08.030, 5.20.060, 8.12.800, 14.04.130, 19.02.100; and Re-Enacting Homer City Code Sections 5.24.060, 5.38.060, 8.08.150, 8.11.080, 13.08.170, 14.08.170, 18.20.090, 19.04.100, 19.08.120, 19.12.100 to Conform Homer City Code to State Law and to Clarify that Certain Code Violations may be Disposed of by Bail Forfeiture without a Court Appearance as Indicated in the Homer City Code Fine Schedules, and all other Violations Require a Court Appearance and are Subject to the General Penalty. City Clerk. Recommended dates: Introduction March 12, 2018, Public Hearing and Second Reading March 27, 2018.

Memorandum 18-029 from City Attorney as backup

- D. Ordinance 18-12, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.54.325, Standards for Recreational Vehicles in the Marine Commercial District and Marine Industrial District. Erickson. Recommended dates: Introduction March 12, 2018, Public Hearing and Second Reading March 27, 2018.
  
- E. Ordinance 18-13, An Ordinance of the City Council of Homer, Alaska, Amending the 2018 Operating Budget by Authorizing the Expenditure of an Additional \$92,592 from the Sewer Reserve Fund to Complete the Wastewater Treatment Plant HVAC Rehabilitation Project. City Manager/Public Works Director. Recommend dates: Introduction March 12, 2018 Second Reading and Public Hearing, March 27, 2018.

Memorandum 18-030 from Public Works Director as backup

- F. Ordinance 18-14, An Ordinance of the City Council of Homer, Alaska Amending Homer **City Code 1.18.020 to Define the Term “Impartial”**; **Amending Homer City Code 1.18.030** by Requiring City Council Members to Comply with Homer Workplace Policies and Procedures; Repealing 1.18.050 and Incorporating it Under the Newly Enacted Homer **City Code Chapter 1.19, “Board Of Ethics - Complaints”**, to Clarify the Preliminary Review Process for Ethics Complaints by the City Clerk and City Attorney; Amending Homer City Code 1.18.060 to Prohibit Ethics Complaints Based Upon Actions Taken in Accordance with Advice from the City Attorney; and Repealing Homer City Code Chapter 2.80. Aderhold. Recommended dates: Introduction March 12, 2018, Second Reading and Public Hearing March 27, 2018.

Memorandum 18-031 from City Attorney as backup

- G. Ordinance 18-15, An Ordinance of the City Council of Homer, Alaska, Amending the 2018 Operating Budget by Authorizing the Expenditure of an Additional \$29,550 from the Public Works Fleet Reserve Fund for the Purchase of a Brush Cutter. City Manager/Public Works Director. Recommended dates: Introduction March 12, 2018, Second Reading and Public Hearing March 27, 2018

Memorandum 18-032 from Public Works Superintendent as backup

- H. Resolution 18-027, A Resolution of the City of Homer, Alaska Requesting the Alaska Congressional Delegation Reinstates Funds in the Federal Budget for the National Estuarine Research Reserve System to Ensure Future Continuation of Important Ecological and Economic Contributions from the Kachemak Bay National Estuarine Research Reserve to the City of Homer, Other Kachemak Bay Communities, and the Lower Kenai Peninsula. Aderhold.

- I. Resolution 18-028, A Resolution of the Homer City Council Expressing Results of the February 26, 2018 Police Station Worksession and Providing Direction for the Next Step. Council/City Manager.

- J. Resolution 18-029, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Solid Waste Collection and Disposal Contract to Moore & Moore Services, Inc. of Homer, Alaska, for a Three Year Contract with Two One Year Renewal Options, in the Amount of \$45,890.11 Per Year and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Port & Harbor Director.

Memorandum 18-033 from Port Director/Harbormaster as backup

7. VISITORS

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

A. Borough Report

B. Commissions/Board Reports:

- 1. Library Advisory Board
- 2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission
5. Port and Harbor Advisory Commission
  - a. Memorandum from the Port & Harbor Advisory Commission re: Request to Allocate 10% of Parking Citation Revenue back to the Port & Harbor Enterprise Budget
6. Cannabis Advisory Commission
9. PUBLIC HEARING(S)
  - A. Ordinance 18-08, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.28.020, Permitted Uses and Structures; Adding Marijuana Retail Facilities in the Marine Commercial District. Aderhold/Cannabis Advisory Commission. Introduction February 26, 2018, Public Hearing and Second Reading March 12, 2018.  
  
Memorandum 18-021 from City Planner as backup
  - B. Ordinance 18-09, An Ordinance of the City Council of Homer, Alaska, Disbanding the Cannabis Advisory Commission and Repealing Homer City Code Chapter 2.78 Outlining the Duties of the Cannabis Advisory Commission. Aderhold. Introduction February 26, 2018, Public Hearing and Second Reading March 12, 2018.
  - C. Ordinance 18-10, An Ordinance of the City Council of Homer, Alaska, Accepting the Modified ADEC Municipal Matching Grant (MMG #40909) for an Expanded Water Storage and Distribution Improvement Project, Accepting the Responsibility to Operate and Maintain the Improvements, Agreeing to the Terms and Conditions of the Grant, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Introduction February 26, 2018, Public Hearing and Second Reading March 12, 2018.  
  
Memorandum 18-34 from Public Works Director as backup
10. ORDINANCE(S)
11. **CITY MANAGER'S REPORT**
  - A. City Manager's Report

- 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
  
- 16. RESOLUTIONS
  
- 17. COMMENTS OF THE AUDIENCE
- 18. COMMENTS OF THE CITY ATTORNEY
- 19. COMMENTS OF THE CITY CLERK
- 20. COMMENTS OF THE CITY MANAGER
- 21. COMMENTS OF THE MAYOR
- 22. COMMENTS OF THE CITY COUNCIL
  
- 23. ADJOURNMENT  
Next Regular Meeting is Tuesday, March 27, 2018 at 6:00 p.m., Worksession at 4:00 p.m. and Committee of the Whole 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.