

**ACTION AGENDA
Worksession
Committee of the Whole
Regular Meeting
March 27, 2018**

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)

The agenda was approved by consensus of the Council.

3. NEW POLICE STATION BUILDING

A. How to Pay for the Project - Bonding - Terms and Length

Memorandum 18-039 from City Manager as backup

4. COMMENTS OF THE AUDIENCE

There were two who commented.

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

A Worksession is scheduled for Tuesday, April 3, 2018 at 4:00 p.m. in the Conference Room – Upstairs. The next Regular Meeting is Monday, April 9, 2018 at 6:00 p.m., Special Meeting 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.

Mayor Zak adjourned the meeting at 4:52 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. **WORKSESSION AGENDA**
4. **CONSENT AGENDA**
5. **REGULAR MEETING AGENDA**
6. **COMMENTS OF THE AUDIENCE**
7. **ADJOURNMENT NO LATER THAN 5:50 P.M.**
 A Worksession is scheduled for Tuesday, April 3, 2018 at 4:00 p.m. in the Conference Room – Upstairs. The next Regular Meeting is Monday, April 9, 2018 at 6:00 p.m., Special Meeting 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.

Mayor Zak adjourned the meeting 5:20 p.m.

REGULAR MEETING AGENDA

Session 18-08 a Regular Meeting of the Homer City Council was called to order on March 27, 2018 at 5:00 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
 YOUTH SERVICES LIBRARIAN HAINES

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

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: **CONSENT AGENDA** Special Meeting Minutes from March 12th were not included with this packet and will be on the April 9th agenda for approval. **Resolution 18-032(S)**, A Resolution of the City Council of Homer, Alaska, Requesting That the Alaska State Legislature Work Together to Find New Revenue Sources to Solve the State Fiscal Crisis and Fund Necessary Programs in the Capital Budget. Erickson. **ORDINANCES Ordinance 18-16**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 18.08, Codifying Certain Lease Policy and Procedures; Expanding Lease Review to include Recommendations by Appropriate City Commissions; Removing References to the Lease Committee; and Requiring Essential Lease Terms to be Approved by City Council. Erickson/Smith. Memorandum 18-035 from City Attorney as backup and red line comparison of existing code language and proposed language for HCC 18.08

APPROVED as amended.

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. City Recognition of Top 40 Under 40 City Manager Katie Koester

Mayor Zak read and presented the proclamation to City Manager Koester.

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 March 12, 2018. City Clerk. Recommend adoption.
- B. **Memorandum 18-036** from Mayor re: Re-appointment to the Library Advisory Board. Recommend adoption.
- C. **Resolution 18-030**, A Resolution of the Homer City Council, Homer, Alaska, Approving a Five-Year Sublease at the Homer Airport Terminal for Flying Whale Coffee and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

- D. **Resolution 18-031**, A Resolution of the City Council of Homer, Alaska, Amending the Library Advisory Board Bylaws to Correct the Regular Meeting and Establish Guidelines for An Honorary Student Representative Position on the Board. City Clerk/Library Advisory Board. Recommend adoption.

Memorandum 18-038 from Library Advisory Board as backup

- E. **Resolution 18-032**, A Resolution of the City Council of Homer, Alaska, Requesting That the Alaska State Legislature Work Together to Find New Revenue Sources to Solve the State Fiscal Crisis and Fund Necessary Programs in the Capital Budget. Mayor/Council. Recommend adoption.

Moved to Resolutions - Aderhold

- D. **Resolution 18-033**, A Resolution of the City Council of Homer, Alaska, Approving the Award of the Wastewater Treatment Plant HVAC Rehabilitation Project to the Firm of Woods Plumbing and Heating, Inc. of Anchorage, Alaska, in the Amount of \$322,816 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 18-037 from Public Works Director as backup

Item E. was moved to Resolutions Item B. – Aderhold

ADOPTED as amended.

7. VISITORS

- A. Kachemak Bay Water Trail Committee, Dave Brann

Dave Brann and Robert Archibald updated the Council on the Kachemak Bay Water Trail. Mr. Brann gave a brief overview of the history of the water trail that has one end in Seldovia and the other out on the spit near the Fishin Hole. He highlighted some of the things they have accomplished and upcoming efforts:

- Water Safety and making good decisions
- Raising awareness for Stewardship of the bay
- Supporting youth activities and the HOWL program
- Diversity of recreational opportunities and accessibility for everyone to utilize the bay

Mr. Archibald and Mr. Brann showed a short slide show of photos of the work done on the trail of over the years and they reviewed several of the features of the Water Trail website www.kachemakbaywatertrail.org

**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

Franco Venuti, Planning Commissioner, commented on the City's 2018 Comprehensive Plan Update, noting the draft is available on the City's website and at City Hall. Public comments can be made on line until March 31st. It's important for Homer residents to know this is their plan. There will be a public hearing on April 18th at 6:30 p.m. Mr. Venuti is also the City's representative on the Borough Planning Commission and noted the Borough is taking input on their Comprehensive Plan update through March 31st and the draft is available at www.kbp.us and at the Annex Building on Pioneer Avenue. The draft plan will be revised prior to being submitted to the Borough Planning Commission and then to the Assembly for adoption. Lastly Mr. Venuti commented the Homer Advisory Planning Commission relies heavily on the support it gets from the Planning Department staff, Rick Abboud, Julie Engebretsen, and Travis Brown. Any success the Commission achieves is directly related to the diligence and professional support that comes from them. The City is fortunate to have this quality of talent at work in its organization and took this opportunity to publicly thank them. He also thanked the Council for their service and support.

- 3. Economic Development Advisory Commission
- 4. Parks Art Recreation and Culture Advisory Commission

Jon Sharp, Parks Art Recreation and Culture Advisory Commissioner, commented regarding their letter to the editor which discusses the Spruceview Park donated by Marvin Hansen that will come out in the next month or so, the recent HERC building walk-thru, the Karen Hornaday Park Master Plan and updated list of needs, work on the Kachemak Bay water safety signs, sidewalk prioritization rubric, campground host at Hornaday Park, and the library art lone for Stella's Starliner. He reported their new Chair is Deb Lowney and Vice Chair is Robert Archibald. Former Chair Matt Steffy was recently hired as the City's Parks Maintenance Coordinator.

5. Port and Harbor Advisory Commission

9. PUBLIC HEARING(S)

- A. **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. Introduction March 12, 2018, Public Hearing and Second Reading March 27, 2018

Memorandum 18-029, from City Attorney as backup

ADOPTED without discussion.

- B. **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. Introduction March 12, 2018, Refer to Advisory Planning Commission March 27, 2018, Public Hearing and Second Reading April 23, 2018.

There were two who commented.

AMENDED Line 50 and 51 to read all employee occupied recreational vehicles covered in Homer City Code 21.54.325 must obtain a zoning permit.

REFERRED to Planning Commission for review.

- C. **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. Introduction March 12, 2018 Second Reading and Public Hearing, March 27, 2018.

Memorandum 18-030 from Public Works Director as backup

ADOPTED without discussion.

- D. **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, Procedures; Repealing Homer City Code 1.18.050 and Moving it to 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 prior to their transfer to the Board of Ethics or a Hearing Officer; Amending Homer City Code 1.18.060 to Prohibit Ethics Complaints based upon Actions taken in Accordance with Advice from City Attorney; and Repealing Homer City Code Chapter 2.80. Aderhold. Introduction March 12, 2018, Second Reading and Public Hearing March 27, 2018.

Memorandum 18-031 from City Attorney as backup

There was one who commented.

Amended Section 4, line 380, proposed Homer City Code 1.18.060(c), to add the following after the word “Attorney” and before the word “shall”: “provided in writing, during a Councilor Commission meeting or acknowledged by the City Attorney in response to a complaint”

Amended to add the following language to the end of Homer City Code 1.19.010: “If no quorum of the Board can be established due to conflicts of interest or other cause of recusal, the present members of the Board shall direct the clerk to transfer the complaint to a hearing officer.”

ADOPTED as amended with discussion.

- E. **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. Introduction March 12, 2018, Second Reading and Public Hearing March 27, 2018

Memorandum 18-032 from Public Works Superintendent as backup

ADOPTED without discussion.

10. **ORDINANCE(S)**

- A. **Ordinance 18-16**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 18.08, Codifying Certain Lease Policy and Procedures; Expanding Lease Review to include Recommendations by Appropriate City Commissions; Removing References to the Lease Committee; and Requiring Essential Lease Terms to be Approved by City Council. Erickson/Smith. Recommended dates: Introduction March

27, 2018, Refer to Port and Harbor Advisory Commission; Second Reading and Public Hearing May 14, 2018.

Memorandum 18-035 from City Attorney as backup

INTRODUCED with discussion.

11. CITY MANAGER’S REPORT

A. City Manager’s Report

City Manager Koester commented briefly regarding scheduling a worksession for the Police Station Building and will email Council to confirm a date.

In response to comment from Councilmember Stroozas, City Manager Koester explained the Chamber of Commerce very generously gave her a case of toilet paper when she was their speaker. It’s part of their shop local campaign and she can’t think of a better way to highlight the need to buy our basic goods locally than gifting toilet paper.

Councilmember Venuti noted the work on Pioneer Avenue being postpone to 2019 and asked if there is a way to ensure it doesn’t get postponed again because it’s in pretty sad shape. City Manager Koester replied she could draft a letter or resolution to DOT asking them to maintain their schedule and highlight the dire necessity of it.

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

A. **Resolution 18-034**, A Resolution of the Homer City Council Requesting the Alaska Department Of Transportation And Public Facilities (AKDOT/PF) Install a Crosswalk on

Lake Street where Grubstake meets Lake Street as Part of the Homer Lake Street Rehabilitation Project. Smith.

ADOPTED without discussion.

- B. **Resolution 18-032**, A Resolution of the City Council of Homer, Alaska, Requesting That the Alaska State Legislature Work Together to Find New Revenue Sources to Solve the State Fiscal Crisis and Fund Necessary Programs in the Capital Budget. Mayor/Council.

Resolution 18-032(S), A Resolution of the City Council of Homer, Alaska, Requesting That the Alaska State Legislature Work Together to Find New Revenue Sources to Solve the State Fiscal Crisis and Fund Necessary Programs in the Capital Budget. Erickson.

Substitute amended sponsors to Mayor/City Council

ADOPTED substitute as amended with discussion.

17. COMMENTS OF THE AUDIENCE

There was one who commented.

18. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not present.

19. COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

20. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comment.

21. COMMENTS OF THE MAYOR

Mayor Zak reiterated the Chamber Directors comments of the successful Winter King Tournament and its huge impact on the economy, also recognizing the volunteers in the community and great organizations making a huge difference. The bottom line, our budget would not happen without all the efforts. It's wonderful to be in this community.

22. COMMENTS OF THE CITY COUNCIL

Councilmember Venuti recalled March 27, 1964 she was in Kodiak and knows what it's like when a city doesn't have a plan. The home she lived in was washed away and they had to live in the high school, and they didn't know where they were supposed to go. It was a long time ago, but she is very glad that the City has a plan. When she ran for council one thing that was important to her was the City's emergency plan. She announced the college will be having a deck handing class coming up soon and also the Career and Job Fair on March 30th.

Councilmember Smith said Happy Easter and Good Friday. He commented his grandfather was the Mayor of Anchorage when the '64 earthquake hit, it was something that emotionally broke him because of the devastation. It really is important to have a plan. He congratulated to Terry Kadel, the new Fire Chief, it will be great for the department. He recalled when he met the City Manager, the first thing he asked was how to pronounce her last name. He shared his reminder with the Mayor to say no to the "O", when pronouncing Koester.

Councilmember Lord congratulated the City Manager and the new Fire Chief. She also thanked Public Works Director Meyer for the table of facility costs for maintaining our major city buildings. It's something that's been challenging for her to understand the cost to maintain them. She's mainly heard about the cost to maintain the library, she noted it's the largest building and based on square footage it's the least expensive by a fair amount. She also commented her understanding is the Big Brothers Big Sisters program will no longer be funded in the City of Homer. As a former Big Sister and longtime member of the program she recalled a woman who worked in the rural villages who expressed how important this program is, and shared data from villages who had matches and the drop in suicide rates and substance abuse, and how vitally important it is to have kids connected with adults who are safe and loving. Without a program here it is even more on our shoulders to be looking out for the youth in our community. She hopes there may be a future for Big Brothers Big Sisters again here and thanked everyone who has worked in the program.

Councilmember Aderhold commented it's been in the news lately about the dire straits of Wrangell and their need to replace their entire water system. She expressed her appreciation for the Public Works Department that maintains our water system and keeps it up to snuff, and the Planning Department for their work to make sure our watershed is protected. She also commented regarding the Pebble Project EIS. The website is www.pebbleprojecteis.com and the ACOE has released a notice of intent to prepare an EIS for the Pebble Project, which launches the Public National Environmental Policy Act for the project. There will be a 30 day scoping process April 1-30, and she encouraged people to get their comments in. There will be a scoping meeting in Homer on April 11th. There will not be actual public testimony at the meeting, but there will be other ways to testify, so be aware of that.

Councilmember Stroozas commented after being gone on a nice vacation and playing a lot of golf, there is no place like Homer. He's glad to be back.

Councilmember Erickson thanked our first responders. It's a hard job and there are a lot of things going on. It's important that our Troopers and Policemen know we appreciate them in the midst of all the things happening in our world. She added that it's nice to see the sun coming out and green grass starting to pop up.

23. ADJOURNMENT

A Worksession is scheduled for Tuesday, April 3, 2018 at 4:00 p.m. in the Conference Room. The next Regular Meeting is Monday, April 9, 2018 at 6:00 p.m., Special Meeting 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.

Mayor Zak adjourned the meeting at 7:46.