

**ACTION AGENDA**  
**Monday, March 24, 2014**  
**Worksession**  
**Committee of the Whole**  
**Regular Meeting**

**WORKSESSION AGENDA**

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

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

Councilmember Zak has requested telephonic participation.

**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. REPORT FROM PUBLIC WORKS RE: ESTIMATED COSTS, FINANCING OPTIONS, POLICY CONSIDERATIONS, AND FEASIBILITY OF CONSTRUCTING A "LOOP" WATER AND SEWER CONNECTION THAT EXTENDS UP WEST HILL ROAD, ACROSS SKYLINE DRIVE, AND DOWN EAST HILL ROAD. (Resolution 14-010)**  
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**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 4:47 p.m.

**COMMITTEE OF THE WHOLE AGENDA**

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

Mayor Wythe called the meeting to order at 5:00 p.m.

Councilmember Zak has requested telephonic participation.

**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. CONSENT AGENDA**

4. **REGULAR MEETING AGENDA**

5. **COMMENTS OF THE AUDIENCE**

There was one who commented.

6. **ADJOURNMENT NO LATER THAN 5:50 P.M.**

Mayor Wythe adjourned the meeting at 5:09 p.m.

**REGULAR MEETING AGENDA**

Session 14-08 a Regular Meeting of the Homer City Council was called to order on March 24, 2014 at 6:00 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 (telephonic)

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
FINANCE DIRECTOR LI  
IT MANAGER POOLOS  
PORT AND HARBOR DIRECTOR HAWKINS  
PROJECT MANAGER NELSEN  
PUBLIC WORKS DIRECTOR MEYER

Councilmember Zak has requested telephonic participation.

Telephonic participation for Councilmember Zak was approved.

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:

**CONSENT AGENDA - Memorandum 14-063**, from Lease Committee: Re: Recommendation for a Lease on Lot 13B for Snug Harbor Seafoods. (Backup to Resolution 14-043); **Memorandum 14-064**, from Lease Committee: RE: Recommendation for a Lease Assignment on Lot 32 for Happy Face Restaurant. (Backup to Resolution 14-044). **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS** - Lobbyist Report, March 20, 2014.

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

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

There were six who commented.

**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 Special and Regular meeting minutes of March 10, 2014. City Clerk. Recommend adoption.
- B. **Memorandum 14-044**, from Mayor, Re: Reappointment of Matt Strobel and Phil Gordon to the Library Advisory Board and Ian Pitzman to the Vessel Haul-Out Task Force.
- C. **Memorandum 14-045**, from Deputy City Clerk Re: Liquor License Renewals for Starvin Marvin's, Save-U-More Liquor, Homer Brewing Company, Inc., and Restaurant Designation for AJ's Oldtown Steakhouse.
- D. **Ordinance 14-14**, An Ordinance of the Homer City Council, Enacting HCC 2.80.100, Limitation Period, Establishing a Five-Year Time Limitation for Filing a Complaint of a Violation of the City Ethics Code. City Clerk. Recommended dates: Introduction March 24, 2014, Public Hearing and Second Reading April 14, 2014.

Memorandum 14-046 from City Clerk as backup.

Moved to Ordinances.

- E. **Ordinance 14-15**, An Ordinance of the Homer City Council, Repealing HCC 4.45.010, Election Recount, and Enacting HCC Chapter 4.45, Election Recount; Regarding the Procedure for Recounts in City Elections. City Clerk. Recommended dates: Introduction March 24, 2014, Public Hearing and Second Reading April 14, 2014.

Memorandum 14-047 from City Clerk as backup.

- F. **Ordinance 14-16**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$31,000 From the General Fund-Fund Balance for Marketing and Showcasing Homer as a Great Place to Live, Work, and Play in the Next Edition of the *Alaska: North to the Future Volume V* Book. Mayor/Council.

Recommended dates: Introduction March 24, 2014, Public Hearing and Second Reading April 14, 2014.

- G. **Resolution 14-039**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Advisory Planning Commission Bylaws "Quorum; Voting" to Permit Four Instead of Five Members to Approve a Conditional Use Permit or a Variance. City Manager/Planning. Recommend adoption.

Memorandum 14-051 from City Clerk as backup.

- H. **Resolution 14-040**, A Resolution of the Homer City Council Disbanding the Transportation Advisory Commission and Assigning Road and Trail Standards to the Homer Advisory Planning Commission. City Manager. Recommend adoption.

Memorandum 14-057 from Deputy City Clerk as backup.

- I. **Resolution 14-041**, A Resolution of the Homer City Council Approving the City of Homer 2014 Land Allocation Plan. City Manager/City Council. Recommend adoption.

Memorandums 14-037 and 14-050 from Deputy City Planner as backup.

- J. **Resolution 14-042**, A Resolution of the Homer City Council Awarding the Contract for the Purchase of a Ford Explorer Police Vehicle to the Firm of Kendall Ford Wasilla of Wasilla, Alaska, in the Amount of \$25,845.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommend adoption.

Memorandum 14-059 from Police Chief as backup.

- K. **Resolution 14-043**, A Resolution of the City Council of Homer, Alaska, Approving a Twenty-Year Lease, With Two Five-Year Options, for Snug Harbor Seafoods on Lot 13B, Port Industrial Subdivision Number 2, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 14-060 from City Manager as backup.

Memorandum 14-063 from Lease Committee as backup.

Moved to Resolutions.

- L. **Resolution 14-044**, A Resolution of the City Council of Homer, Alaska, Approving the Assignment of the Happy Face Land Lease, Lot 32, Homer Spit Amended, to Yong Kim dba Lee and Kim LLC, Extending the Term of the Lease to Twenty Years, With Two

Five-Year Options, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 14-061 from City Manager as backup.

Memorandum 14-064 from Lease Committee as backup.

- M. **Resolution 14-045**, A Resolution of the Homer City Council Awarding the Contract for the Homer Fire Station #2 Skyline Drive to the Firm of Steiner's North Star Construction, Inc. of Homer, Alaska, in the Amount of \$510,800.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Recommend adoption.

Memorandums 14-039 and 14-062 from Project Manager as backup.

Ordinance 14-14 was moved to Ordinances A. (Burgess)

Resolution 14-043 was moved to Resolutions A. (Burgess)

The consent agenda as amended was APPROVED without discussion.

## 6. VISITORS

## 7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORTS      REPORT/COMMISSION

### A. Borough Report

### B. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission

Lindianne Sarno, Economic Development Advisory Commissioner, began a report on her three years on the commission. Mayor Wythe asked if her report was the commission's report rather than her own. Ms. Sarno repeatedly stated it was her final report after serving three years on the commission. Mayor Wythe instructed Ms. Sarno to provide her own comments in writing or speak at the end of the meeting when comments from the audience are allowed.

### 4. Parks and Recreation Advisory Commission

Matt Steffy, Chair of the Parks and Recreation Advisory Commission, welcomed Peter Roedl, the newest member. They now have a full commission with the exception of a student representative. A high school person is interested in applying for the vacant seat. Community

Recreation Coordinator Mike Illg will be speaking at the Citizens Academy this week with a presentation on community recreation. The spring and summer recreation program is out and is available at various locations throughout town. Today was the first PARC (Parks, Arts, Recreation and Culture) committee meeting to review the RFP (Request for Proposals). They will have two meetings before finalizing it. They hope to have the RFP out by the end of the week with a contract award by the end of May. They are anticipating completion of the survey by the end of April 2015. Spring cleaning events include cleanup on the Poopdeck Trail April 12 and Karen Hornaday Park cleanup on May 3. The commission has a Worksession on April 3 to discuss the Karen Hornaday Park Master Plan and Phase II of the Land and Water Conservation Fund. The next regular meeting will be April 17.

2. Port and Harbor Advisory Commission

Steve Zimmerman, Port and Harbor Advisory Commissioner, reported their next meeting is Wednesday, March 26. He suspects the commission would like to review the Snug Harbor lease.

C. Lobbyist Report, March 20, 2014

8. PUBLIC HEARING(S)

A. **Ordinance 14-12**, An Ordinance of the City Council of Homer, Alaska, Amending the 2014 Operating Budget by Appropriating \$15,000 From the Fire Depreciation Reserve and \$83,000 From the General Fund – Fund Balance for the Homer Fire Station #2 Skyline Drive Project. City Manager/Public Works Director. Introduction March 10, 2014, Public Hearing and Second Reading March 24, 2014.

**Ordinance 14-12(S)**, An Ordinance Of The City Council Of Homer, Alaska, Amending The 2014 Operating Budget By Appropriating ~~\$15,000 From The Fire Depreciation Reserve And \$83,000~~ **\$98,000** From The General Fund – Fund Balance For The Homer Fire Station #2 Skyline Drive Project. City Manager/Public Works Director.

Memorandum 14-039 from Public Works Director as backup.

There was one who testified.

Substitute Ordinance 12-12(S) ADOPTED without discussion.

B. **Ordinance 14-13**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City Administration to Accept Donations for the Parks, Arts, Recreation and Culture Needs Assessment, Directing That a Separate Account Be Established to Manage and Track Donations, and Approving the Expenditure of Those Funds for the Purpose of Conducting a Parks, Arts, Recreation and Culture Needs Assessment. City

Manager/Finance Director. Introduction March 10, 2014, Public Hearing and Second Reading March 24, 2014.

There was no public testimony.

ADOPTED without discussion.

**9. ORDINANCE(S)**

- A. **Ordinance 14-14,** An Ordinance of the Homer City Council, Enacting HCC 2.80.100, Limitation Period, Establishing a Five-Year Time Limitation for Filing a Complaint of a Violation of the City Ethics Code. City Clerk. Recommended dates: Introduction March 24, 2014, Public Hearing and Second Reading April 14, 2014.

Memorandum 14-046 from City Clerk as backup.

ADOPTED with discussion.

The Clerk will confer with the City Attorney for his recommendations on extending the limitation period for filing a complaint in the event that new information surfaces on an individual governed by the Code of Ethics.

Public Hearing and Second Reading extended to April 28, 2014.

**10. CITY MANAGER'S REPORT**

- A. City Manager's Report

City Manager Wrede reported on Item #5 Bay Welding/Overhead Power Lines/Kachemak Drive and East End Road Area within his report. Bay Welding is asking if the City would help them with costs of taking down the overhead power lines. It was suggested that a compromise be explored with Homer Electric Association.

Enstar is having difficulty getting easements on Kachemak Drive for the gas line. Some folks want their property bored and others are flat opposed to the line going in. They are missing 13 easements at this time. Many of those are folks Enstar has not been able to get ahold of. City Manager Wrede encouraged Council to contact the absent property owners if they know someone. The gas line could potentially wind up with the same situation as water and sewer; gas on each end without any service in the middle of the road. There are no utility easements on Kachemak Drive and it is difficult to purchase them if the price is too high or people don't want to sell. We hope to get the word out to those who are away. The gas line is being constructed on the bay side of Kachemak Drive.

**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. Port and Harbor Building Task Force

Public Works Director Meyer and Project Manager Nelsen reported on the 65% build-out plans for the new port and harbor building. We have moved through the 65% design review; at the task force's last meeting they approved moving to 95% design. The Project Manager has made and continues to proactively manage the project to keep it within budget. If we stay on schedule and on budget we can expect to break ground in the summer with a grand-opening in the spring.

### **13. PENDING BUSINESS**

- A. **Resolution 14-023**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Donation of a Life-Size Bronze Bust of Brother Asaiah Bates by an Anonymous Donor and Created by Homer Artist Leo Vait for Permanent Placement in WKFL Park. City Clerk/Public Arts Committee. (Referred to Public Arts Committee on January 27, 2014 for a public hearing.)

Memorandums 14-016 and 14-048 from Public Arts Committee as backup.

Memorandum 14-018 from Parks and Recreation Advisory Commission as backup.

Memorandum 14-058 from Library Advisory Board as backup.

***Motion on the floor from January 27:*** MOTION FOR THE ADOPTION OF RESOLUTION 14-023 BY READING OF TITLE ONLY.

FAILED with discussion.

### **14. NEW BUSINESS**

- A. **Memorandum 14-056** from City Clerk, Re: Reducing Commission, Board, and Committee Meetings.

Memorandum 14-049 from Library Advisory Board as backup.

Memorandum 14-052 from Public Arts Committee as backup.

Memorandum 14-053 from Economic Development Advisory Commission as backup.

Memorandum 14-054 from Port and Harbor Advisory Commission as backup.

Memorandum 14-055 from Parks and Recreation Advisory Commission as backup.



INFORMATIONAL only.

**15. RESOLUTIONS**

- A. **Resolution 14-043**, A Resolution of the City Council of Homer, Alaska, Approving a Twenty-Year Lease, With Two Five-Year Options, for Snug Harbor Seafoods on Lot 13B, Port Industrial Subdivision Number 2, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 14-060 from City Manager as backup.

Memorandum 14-063 from Lease Committee as backup.

Mayor Wythe called for a recess at 7:08 p.m. and reconvened the meeting at 7:11 p.m.

AMENDED to add a Be It Further Resolved clause to Line 56: "THAT THE RECOMMENDATION OF THE LEASE COMMITTEE REGARDING APPRAISALS, BENCHMARKS, AND SPORT FISH WILL BE ADDRESSED IN THE FINAL VERSION OF THE LEASE."

ADOPTED as AMENDED with discussion.

**16. COMMENTS OF THE AUDIENCE**

There were four who commented.

**17. COMMENTS OF THE CITY ATTORNEY**

City Attorney Klinkner was not present.

**18. COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comment.

**19. COMMENTS OF THE CITY MANAGER**

City Manager Wrede will look into the discrepancy of the ambulance billing. He is pretty sure it is a mistake. He assured the public we are not systematically overcharging insurance companies. At the last Port and Harbor Advisory Commission meeting the commission expressed concerns about leases. He plans to attend the next commission meeting to address the issues, many of them have to do with enforcement of violations of the zoning code.

**20. COMMENTS OF THE MAYOR**

Mayor Wythe commented on the acceptance of the bust of Brother Asaiah, noting it was the second time in three years a request for a memorial placement was made. She requested some

type of regulation to accept or not accept memorials. At the next meeting a Worksession has been scheduled to provide an update on the water and sewer loop and the potential for Lillian Walli subdivision property to open for small development in water and sewer. Public Works may be getting the sweeping equipment ready to address the dust issue. She thanked the Homer Chamber of Commerce for inviting her and City Manager Wrede to their meeting to provide the "State of the City" address. She outlined all the fun things the City is doing while Walt talked about the finances. The Alibi provided a great meal. She learned they are trying to develop a family community place there.

## **21. COMMENTS OF THE CITY COUNCIL**

Councilmember Van Dyke expressed disappointment in the Mayor's decision not to allow the ex-commissioner to speak. It is Council's duty and responsibility to hear from all the people of the community. He was more disappointed Ms. Sarno left the meeting and did not address Council at the proper time. He thanked everyone that stayed and gave input.

Councilmember Zak had no comment.

Councilmember Roberts thanked Lindianne Sarno for three years of service on the EDC. Our Mayor's job is to run the meeting and she must make difficult decisions sometimes. The Mayor did nothing purposeful as she encouraged Ms. Sarno to stay to the end of the meeting to speak to Council. That is the appropriate time to give a personal comment. She is sorry that Ms. Sarno did not remain as she suspects we would be interested to hear what she had to say.

Councilmember Burgess echoed the sentiments of Gus and Francie. He thanked Lindianne for her three years of service on the EDC. There is a functional and motivated Council now who is trying to get things done. Tonight Skyline Fire Station was approved, something we have been working on since annexation. Natural gas is going in the streets. Public Works has lots of projects to support quality of life in town. The resolutions and ordinances that we pulled this evening as a result of public comments show that we are listening to the people. When you come to this Council you will be heard. The Mayor made the right call in asking that the comments be made at the appropriate time. He likes the idea of maintaining the Lease Committee. It has a minimal amount of oversight and the sets of public eyes bring things to the table that are valuable. On the health insurance and ambulance issue you try to tackle it different ways; so long as 30% of healthcare dollars go to support health care insurance billing you are going to have issues. The more middlemen there are, the more cuts. He appreciated the dialogue on the Brother Asaiah statue. Lots of people rejoiced to him that they got to come out and talk about the February issue. He looks forward to the next February issue.

Councilmember Lewis echoed the comments of Beau, Francie, and Gus. The past couple of weeks two of Homer's tier two hockey teams, the Squirts and PeeWees won State. The ice rink is in financial trouble. We can win State because we have real ice and it keeps the money here. We need to come up with a way to keep the rink open and it is not going to be easy.

Councilmember Howard thanked the port and harbor for the work they did for the derby. She did not hear the Chamber make one announcement that the City waived the harbor fees of \$2,500 to \$3,000 and provided police, harbor, and fire assistance. She would have appreciated a thank you from the organizers.

## **22. ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:34 p.m. The next Regular Meeting is Monday, April 14, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.