

MEMORANDUM

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: THOMAS F. KLINKNER

RE: CITY ATTORNEY REPORT FOR APRIL 2014

CLIENT: CITY OF HOMER

FILE NO.: 506,742.18

DATE: MAY 5, 2014

The following summarizes our activities as City Attorney during the month of April 2014.

City Council. I attended the April 14, 2014 City Council meeting, and reviewed the agenda packet for the April 28, 2014 City Council meeting. I drafted an ordinance requested by Council member Van Dyke to rezone the East End Road corridor. I drafted an ordinance requested by Council member Roberts to permit farmers' markets as a conditional use in commercial zoning districts. I advised the Board of Adjustment in an appeal from a Planning Commission decision. Holly advised the Board of Adjustment in an appeal from a Planning Commission decision. I also advised the Ethics Board regarding seven ethics complaints that were filed in March or April.

City Clerk. I drafted an ordinance regarding elected official compensation, and advised the City Clerk regarding the City Planner's appearance as a party in Board of Adjustment appeals.

City of Homer v. Shadle. Mara Michaletz researched and drafted post-hearing briefing regarding the imposition of penalties for Mr. Shadle's zoning violation.

Planning. I drafted an ordinance regarding the location of heliports and helipads.

City of Homer v. Kelly. Adam Smith collected \$17,000 in delinquent harbor charges from Fred Kelly.

Auction Block Company v. City of Homer. Holly Wells argued this case before the Federal Maritime Commission.

Port and Harbor. We advised the City Manager regarding seller financing of the sale of a business on a City leasehold.

I will be available to answer questions regarding these matters at the May 12, 2014 Council meeting.

cc: Walt Wrede
Jo Johnson