

Session 14-18 a Regular Meeting of the Homer City Council was called to order on July 28, 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

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER
CITY PLANNER ABBOUD
COMMUNITY & ECONOMIC DEVELOPMENT
COORDINATOR KOESTER
FINANCE DIRECTOR LI
LIBRARY DIRECTOR DIXON
PORT & HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Council met as a Committee of the Whole from 5:00 p.m. to 5:43 p.m. to hear an update on the *Alaska North to the Future* publication from Community and Economic Development Coordinator Koester. Council also discussed Consent and Regular Meeting Agenda items.

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

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 - Ordinance 14-33**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a State of Alaska Public Library Assistance Grant for FY 2015 in the Amount of \$6,650 for Books and Library Materials, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Notice of FY 2015 Public Library Assistance Grant. Alaska Public Library Assistance Grant Agreement FY2015. **Ordinance 14-36**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$35,000 From the General Fund / Fund Balance for Clearing Trees and Underbrush on City Owned Property in the Town Center and the Trail From Poopdeck to the Library in Order to Enhance

Public Health and Safety. Mayor & City Council. Re-envisioning the Homer Public Library's Western Lot. **Ordinance 14-37**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating Up to \$19,000 From the Leased Property Depreciation Account for Improvements at the Homer Education and Recreation Complex (HERC) Gym to Bring the Building Into Compliance With the Fire Code. Mayor. Written public comments. **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS** - AMLJIA Board of Trustees Summer Meeting, Tuesday, July 29 at Land's End. **CITY MANAGER'S REPORT** - Gas Distribution System Report, written public comments. Summer 2014 Projects Update. Memorandum 14-120 from Community & Economic Development Coordinator, Re: *Alaska North to the Future, Volume V*.

Mayor Wythe called for a motion for the approval of the agenda as amended.

ZAK/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Kathy Hill, city resident, expressed support for Ordinance 14-37.

Sue Mauger, Homer Friends of the Public Library, offered support for Ordinance 14-36.

RECONSIDERATION

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 June 23, 2014. City Clerk. Recommend adoption.

- B. **Memorandum 14-108**, from Mayor, Re: Appointment of Savanna Bradley to the Planning Commission, Patrick Brown to the Economic Development Advisory Commission, and Erin Hollowell to the Public Arts Committee.
- C. **Memorandum 14-109**, from Deputy City Clerk Re: Liquor License Restaurant Designation Permit for Happy Face Restaurant.
- D. **Ordinance 14-32**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72.030(b) Regarding the Duties and Powers of the Homer Advisory Planning Commission Related to Subdivisions, and Amending Homer City Code 2.72.060 Regarding the Commission's Meeting Schedule and Deleting the Requirement to Provide Records of Commission Action to the Council. City Manager. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Moved to Ordinances.

- E. **Ordinance 14-33**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a State of Alaska Public Library Assistance Grant for FY 2015 in the Amount of \$6,650 for Books and Library Materials, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Library Director. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-110 from Library Director as backup.

- F. **Ordinance 14-34**, An Ordinance of the City Council of Homer, Alaska, Amending Table 3 Permitted Sign Characteristics by Zoning District, Following Homer City Code 21.60.060, Signs on Private Property, to Permit Changeable Copy Signs and Illumination Internal in the Gateway Business District. Planning. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014. Memorandum 14-119 from City Planner as backup.

- G. **Ordinance 14-35**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 5.05.010, 5.05.020, and 5.05.030 to Prohibit the Use of E-Cigarettes in City Structures, Vehicles, and Watercraft. Lewis. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Moved to Ordinances.

- H. **Ordinance 14-36**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$35,000 From the General Fund / Fund

Balance for Clearing Trees and Underbrush on City Owned Property in the Town Center and the Trail From Poopdeck to the Library in Order to Enhance Public Health and Safety. Mayor & City Council. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-111 from City Manager and Police Chief as backup.

Moved to Ordinances.

- I. **Ordinance 14-37**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating Up to \$19,000 From the Leased Property Depreciation Account for Improvements at the Homer Education and Recreation Complex (HERC) Gym to Bring the Building Into Compliance With the Fire Code. Mayor. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-113 from City Manager as backup.

- J. **Ordinance 14-38**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Port and Harbor Enterprise Fund Operating Budget by Making Necessary Mid-Year Adjustments to Certain Expenditure Line Items and Transfers to the Depreciation Account. City Manager. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-114 from Port and Harbor Director as backup.

Moved to Ordinances.

- K. **Ordinance 14-39**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$80,000 From the Homer Accelerated Water/Sewer Program (HAWSP) for the Purchase of Property for a New Water Storage Tank (Lot A2, Barnett Subdivision, Quiet Creek Addition 2014) and Closing Costs Associated With the Purchase. City Manager/Public Works Director. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-115 from Public Works Director as backup.

Moved to Ordinances.

- L. **Resolution 14-079**, A Resolution of the City Council of Homer, Alaska, Submitting the Question of the Election of a Charter Commission to the Qualified Voters of the City at the October 7, 2014 Regular City Election. City Manager. Recommend adoption.
- M. **Resolution 14-080**, A Resolution of the Homer City Council Awarding the Art Work Contract for the New Harbormaster Office Complex on the Homer Spit to Joshua Nordstrom of Homer, Alaska, in the Amount of \$5,200.00, Adrien Segal of Oakland, California, in the Amount of \$10,500.00, and Julianne Tomich of Homer, Alaska, in the Amount of \$3,500.00, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum 14-112 from Art Selection Committee as backup.

- N. **Resolution 14-081**, A Resolution of the City Council of Homer, Alaska, Approving a Memorandum of Agreement Between the Alaska Department of Transportation and Public Facilities (ADOT/PF) and the City of Homer Regarding Homer Ferry Terminal Improvements at the Pioneer Dock. City Manager. Recommend adoption.
- O. **Resolution 14-082**, A Resolution of the City Council of Homer, Alaska, Amending Chapters Two and Six of the Property Management Policies and Procedures (Lease Policies) to Provide for Port and Harbor Advisory Commission Review of Lease Committee Recommendations on the Lease Policies and on Lease Proposals and Successful Bidders Before Those Recommendations are Submitted to the City Council. City Manager. Recommend adoption.

Moved to Resolutions.

- P. **Resolution 14-083**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Execute an Agreement to Purchase Property for a New Water Tank (Lot A2, Barnett Subdivision, Quiet Creek Addition 2014). City Manager/Public Works Director. Recommend adoption.
- Memorandum 14-115 from Public Works Director as backup.

Moved to Resolutions.

Ordinances 14-32, 14-35, and 14-36 were moved to Ordinances A, B, and C. (Burgess)

Ordinances 14-39 and 14-38 were moved to Ordinances D and E. (Roberts)
Resolutions 14-083 and 14-082 were moved to Resolutions A and B. (Roberts)

Mayor Wythe called for a motion for the approval of the recommendations of the consent agenda as read.

HOWARD/VAN DYKE – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Borough Report
- B. Commissions/Board Reports:
 - 1. Library Advisory Board
 - 2. Homer Advisory Planning Commission
 - 3. Economic Development Advisory Commission
 - 4. Parks and Recreation Advisory Commission

Peter Roedl, Parks and Recreation Advisory Commissioner, reported the commission discussed the HERC building at their last meeting and requested the HERC gym be maintained until there is a facility to take its place. He referenced the usage of the HERC gym in a document prepared by Community Recreation Coordinator Mike Illg. Best Beginnings has adopted Bayview Park and has hired a landscaper to do design work. They should be breaking ground and doing improvements soon. Park Day was Saturday at Coal Point Park and was successful with the Pratt Museum staff there and Dave Brann making a presentation.

- 5. Port and Harbor Advisory Commission

Glen Carroll, Port and Harbor Advisory Commissioner, presented a visual demonstration of large vessels hauled out using airbags. The advantage to using air bags is that you can haul out significantly larger vessels at minimal cost. It affords us the opportunity of moving into large vessel haul outs gradually with minimal expense. In contrast, a travel lift costs between \$6M and \$10M. Mr. Carroll presented a shallow draft vessel that hauls out easily on the air bags, but a deeper draft vessel falls over on the air bags. The solution is a cradle to keep the deeper draft boats upright. The air bags and cradle afford the opportunity of handling two styles of boats. The visual picture Mr. Carroll presented was meant to help the Council understand the final report of the Vessel Haul-Out Task Force to be presented soon by Councilmembers Howard and Lewis.

C. AMLJIA Board of Trustees Summer Meeting, Tuesday, July 29 at Land's End

PUBLIC HEARING(S)

A. **Ordinance 14-20(S)**, An Ordinance of the Homer City Council Amending Homer City Code 21.26.020, Permitted Uses and Structures, to Add Open Air Business as a Permitted Use in the General Commercial 2 Zoning District. Roberts. Introduction May 12, 2014 and Referred to the Planning Commission, Substitute adopted June 23, 2014, Public Hearing and Second Reading July 28, 2014.

Memorandum 14-105 from City Planner as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

ROBERTS/BURGESS - MOVED TO ADOPT ORDINANCE 14-20(S).

There was brief discussion if heliports were included; the ordinance only pertains to Farmers' Markets.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 14-30**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant From the U.S. Fish and Wildlife Service In the Amount of \$110,000 for Reconstruction of a Section of the Beluga Slough Trail, and Providing an In-Kind Match in the Form of Design, Permitting, and Project Management Services, Having a Total Value of \$25,000. City Manager/Public Works Director. Introduction June 23, 2014, Public Hearing and Second Reading July 28, 2014.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 14-30 by reading of title only for second and final reading.

LEWIS/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 14-31**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Budget by Appropriating \$84,000 From the Homer Accelerated Roads and Trails Fund (HART) for a Traffic Calming Pilot Project in Old Town. Van Dyke/Howard. Introduction June 23, 2014, Public Hearing and Second Reading July 28, 2014.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 14-31 by reading of title only for second and final reading.

HOWARD/VAN DYKE – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- A. **Ordinance 14-32**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72.030(b) Regarding the Duties and Powers of the Homer Advisory Planning Commission Related to Subdivisions, and Amending Homer City Code 2.72.060 Regarding the Commission's Meeting Schedule and Deleting the Requirement to Provide Records of Commission Action to the Council. City Manager. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Mayor Wythe called for a motion for the adoption of Ordinance 14-32 for introduction and first reading by reading of title only.

LEWIS/BURGESS – SO MOVED.

Presently the Kenai Peninsula Borough law empowers the Homer Advisory Planning Commission to make zoning and subdivision decisions that are passed on directly to the Borough. Homer City Code as written obligates decisions of the Planning Commission to be passed to City Council for review.

VOTE: YES. LEWIS, ZAK

VOTE: NO. BURGESS, ROBERTS, HOWARD, VAN DYKE

Motion failed.

- B. **Ordinance 14-35**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 5.05.010, 5.05.020, and 5.05.030 to Prohibit the Use of E-Cigarettes in City Structures, Vehicles, and Watercraft. Lewis. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Mayor Wythe called for a motion for the adoption of Ordinance 14-35 for introduction and first reading by reading of title only.

LEWIS/BURGESS – SO MOVED.

Councilmember Burgess commented there was little definitive evidence that vapors from e-cigarettes are harmful to those around them. While the justification for banning tobacco is due to the threat of other people's health, there is nothing to say e-cigarettes cause harm to the general public. The intent of the ordinance is to ban e-cigarettes in the same places where cigarettes are banned.

VOTE: YES. ROBERTS, HOWARD, LEWIS, ZAK, VAN DYKE

VOTE: NO. BURGESS

Motion carried.

- C. **Ordinance 14-36**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$35,000 From the General Fund / Fund Balance for Clearing Trees and Underbrush on City Owned Property in the Town Center and the Trail From Poopdeck to the Library in Order to Enhance Public Health and Safety. Mayor & City Council. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-111 from City Manager and Police Chief as backup.

Mayor Wythe called for a motion for the adoption of Ordinance 14-36 for introduction and first reading by reading of title only.

BURGESS/ROBERTS – SO MOVED.

Councilmember Burgess acknowledged the need to clear out brush and open trails along the library for safety measures, but pointed out \$35,000 is too much to do the job.

BURGESS/ROBERTS – MOVED TO AMEND ALL REFERENCES OF \$35,000 TO READ \$16,000.

BURGESS/ROBERTS – MOVED TO AMEND THE AMENDMENT TO READ UP TO \$16,000.

Councilmember Burgess commented that including the amount informs potential bidders how to bid. He has walked the plots. His own land company does this type of work and unless there is padding to do design work, the figure is high.

Councilmember Howard expressed confidence with staff's recommendations which have proven to be fiscally conservative.

City Manager Wrede reported Public Works Director Meyer talked to contractors to come up with the number. Although there is some urgency to do the library trail before fall, we could go out to bid and then come back to Council for the award.

Public Works Director Meyer reported we don't do a lot of land clearing of city property and he is not an expert on what it will cost. If a project exceeds \$25,000 the contractor is obligated to pay Davis-Bacon wages. The project will be a competitive bid process and he can support a reduction. The price was put together earlier when we wanted to do it in the summer time.

Since then we have talked about doing it in the winter. The Corps of Engineers supports that also. We will get a better price if the contractor does the work after the peak of construction season. We can put it out to bid in August and give the contractor until Thanksgiving to complete the work.

Council discussed the safety needs for the library. The Police Chief has expressed concern about the other side of Town Center and there was clearing done on Poopdeck. Council suggested putting it out to bid to find where the bids are.

BURGESS/ROBERTS – MOVED TO WITHDRAW THE MOTION TO AMEND.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LEWIS/BURGESS – MOVED TO DELETE ALL REFERENCES TO \$35,000.

City Manager Wrede advised we could put the project out to bid and address the work areas separately if needed.

VOTE: (amendment) YES. HOWARD, ZAK

VOTE: NO. VAN DYKE, LEWIS, ROBERTS, BURGESS

Motion failed.

Options are to amend the amount to \$25,000 or vote the ordinance down and have Administration move forward with the bid process.

Bids could be split for the Library and Town Center project.

BURGESS/LEWIS – MOVED TO AMEND \$35,000 TO READ \$25,000 EVERYWHERE IN THE ORDINANCE AND ADD A LINE WHERE APPROPRIATE TO SAY WE AUTHORIZE AND ENCOURAGE PUBLIC WORKS TO BID THE TWO PROJECTS SEPARATELY IF THEY SO DESIRE.

ROBERTS/BURGESS – MOVED TO AMEND THE AMENDMENT TO SAY “UP TO \$25,000”.

There was no discussion.

VOTE: (secondary amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (primary amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES, NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Ordinance 14-39**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$80,000 From the Homer Accelerated Water/Sewer Program (HAWSP) for the Purchase of Property for a New Water Storage Tank (Lot A2, Barnett Subdivision, Quiet Creek Addition 2014) and Closing Costs Associated With the Purchase. City Manager/Public Works Director. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-115 from Public Works Director as backup.

Councilmember Burgess recused himself from discussion on Ordinance 14-39 and exited the dais. His conflict of interest is due to his ownership of property near the subject property.

Mayor Wythe called for a motion for the adoption of Ordinance 14-39 for introduction and first reading by reading of title only.

LEWIS/ZAK - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Burgess returned to his seat.

- E. **Ordinance 14-38**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Port and Harbor Enterprise Fund Operating Budget by Making Necessary Mid-Year Adjustments to Certain Expenditure Line Items and Transfers to the Depreciation Account. City Manager. Recommended dates: Introduction July 28, 2014, Public Hearing and Second Reading August 11, 2014.

Memorandum 14-114 from Port and Harbor Director as backup.

Mayor Wythe called for a motion for the adoption of Ordinance 14-38 for introduction and first reading by reading of title only.

LEWIS/ROBERTS - SO MOVED.

ROBERTS/ZAK - MOVED TO AMEND TO CORRECT LINE 35 TO \$22,500.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Kachemak City Sewer: Mayor Morris has provided a new proposal for addressing the Kachemak City sewer charges dispute. Phil's idea is basically a hybrid system which combines elements of various approaches which have received support. Essentially, Phil's proposal is that customers in Kachemak City would have a choice of either continuing to pay the fee at the assumed average gallonage of 3,500 gallons or, they could install a water meter to measure the amount of water that goes into the house and pay by the gallon. If they choose that option, they would have to pay a service charge for the meter and its maintenance and would need to become a direct customer of the City of Homer. The Mayor likes this idea because it becomes an economic decision for the customer rather than a political one. Carey, Dan Gardner, and I went to Kachemak City to discuss this with the Mayor last week. Dan brought up some practical problems with meters which we discussed in some detail. Everyone in the room agreed once again that the easiest way to resolve this is to reduce the assumed gallonage because the administrative headaches associated with meters seems to outweigh the benefits. The Mayor also mentioned that the Kachemak City Council remains interested in a committee which has two members from both Councils. They have already picked their two members. Please let me know if you wish to talk about this in more detail. In the meantime, Tom and I are working on a new contract.

2. Hoka Hey: Hoka Hey is returning to Homer this summer. A headquarters will be established the week of July 28 and riders are expected to start arriving shortly thereafter. The organizers have been coordinating with the City, especially HPD, the Port and Harbor, and the City Manager's office. The City is renting the Old Alaska Ferry Service Building to the organization for two weeks. A Special Events Permit is being reviewed as this report was being drafted for a main event at the Down East Saloon.
3. Ocean Drive Paving and Striping: Community discussion is starting to ramp up a little regarding ADOT/PF's plans for Ocean Drive. As you know, ADOT/PF is planning to repave the Sterling Highway from its intersection with Pioneer Ave. to the end of the Spit. Part of the paving job includes striping and signage related biker and pedestrian safety. Some of this work is part of the MOU between the City and DOT/PF whereby the City assumes responsibility for managing speeds, parking, pedestrian safety, and signage in the business area at the end of the Spit. On Ocean Drive, DOT/PF is planning to restripe the road so that instead of one large bike lane on one side of the road, there is a six foot bike lane on both sides of the road. DOT/PF planners thought this was a good idea because having bike lanes on both sides of the road makes it easier to make the transition from the bike lane on the causeway to the bike lane on the Spit, which are on opposite sides of the road. Also, some local bikers have indicated that they like the idea of lanes on both sides of the road because they can travel with the traffic and not run into bikers going in the opposite direction. The City provided comments in favor of this idea. However, the wide bike lane that currently exists is popular and there are people in the community who fought hard to get it established. It was a big victory and major improvement. The wider bike lane improves safety and it is used by many including people pushing baby strollers. You may hear more about this in the future. In the meantime, the City will look for solutions that might address everyone's concerns. Narrowing the driving lanes to 10 feet and putting 8 foot lanes on either side is one idea that Carey mentioned yesterday. This would slow traffic and improve pedestrian safety even more. DOT/PF is proposing exactly that for Pioneer Ave. and for the End of the Spit.
4. Joint Work Session / Planning Commission and Council: In the past, the Council has indicated that it would like to have a joint workshop with the Planning Commission at least once a year. It has been a long time since we did that. The idea is to communicate about issues of common concern and discuss planning policy matters that affect the future of the City. There are several issues that come to mind right now that are crying out for discussion. One is whether and to what degree to regulate communication towers. This is a very complicated issue and the planning staff and Planning Commission could spend a huge amount of time and resources on it. Even if an ordinance were drafted and adopted, the City does not have the resources or the expertise to implement and enforce it. We don't have a building inspector which would be very helpful. All of this does not make much sense if it turns out that the Council and the Community at large is really not interested in regulating towers, which are popping up around town faster than

dandelions. This is one example of the type of discussion that could be useful. Let me know if you would like to schedule a workshop. I will ask Rick to come up with an agenda.

1. Memorandum 14-116 from City Planner, Re: Proposal for Joint Work Session Between City Council and Homer Advisory Planning Commission.
2. Memorandum 14-117 from City Planner, Re: Update on Review of Comprehensive Plan Recommendation on East End Road Zoning.
3. Memorandum 14-118 from Community and Economic Development Coordinator, Re: Green Dot Training for City Employees.
4. Memorandum 14-120 from Community and Economic Development Coordinator, Re: Alaska North to the Future, Volume V

City Manager Wrede reported he attended two meetings last week with groups talking about trails and restoration projects. The Woodard Creek Coalition and the Parks and Recreation Advisory Commission are talking about restoring and daylighting Woodard Creek. Homer Council on the Arts is about to build a new building as the old one had water damage. Pratt Museum is interested in Woodard Creek too. The City replaced two culverts with bridges. Mr. Wrede wrote a letter of support to the National Park Service to say the City is interested in broad planning for the entire watershed. Upper parts of the watershed are in Karen Hornaday Park.

He met with the Friends of the Library and Kachemak Heritage Land Trust. They are working with the Forestry Service on trails and signage on their land, to do something in conjunction with the Friends.

The DOT plans for specifics on a pedestrian/bike lane and crosswalks on Ocean Drive was presented for Council review.

Mayor Wythe called for a recess at 7:04 p.m. and reconvened the meeting at 7:11 p.m.

Council recommended one pedestrian/bike lane instead of one on each side of Ocean Drive and that the crosswalks remain where they are.

A Worksession with the Planning Commission will be scheduled between October 21 and 31. The Clerk will send out a poll to provide the best date. A resolution will be forthcoming at the August 11th meeting for the Worksession.

City Manager Wrede hopes Ordinance 14-32 might be reconsidered. The Planning Commission is advisory to the Council and many things the Planning Commission does may be appealed to the Board of Adjustment. Platting authority still rests with the Borough. The focus of Ordinance 14-32 was to eliminate the inconsistency with the Borough code that the City Council would have the ability to reject plats.

Council discussed the Kachemak City sewer rates and Mayor Morris' suggestion of meters for Kachemak City sewer customers. Residents would buy a meter if they wished and pay rates based on usage, or pay the flat 3,500 gallon fee. It was suggested the City's sewer-only customers be provided with the same option of individual meters. City Manager Wrede will bring forth a resolution amending the fee schedule by the August 25th council meeting. The sewer contract with Kachemak City will be forthcoming at the August 11th meeting.

Mayor Wythe passed the gavel to Mayor Pro Tempore Roberts during the gas distribution system discussion.

City Manager Wrede reported the construction crews are ahead of schedule; they only have 4 miles left of distributions to install out of 74 miles. Most of it is on Kachemak Drive. Crews are working there now. They were delayed due to obtaining necessary easements from 18 property owners. The DOT has no right-of-way for parts of the road. It will take three to four more weeks to finish installation, then cleanups and restoration work are needed. The two construction companies, UTI and Clark Management did a tremendous job. We anticipated the worst going in, but very little of that happened. It was a major project that took a lot of cooperation. City Manager Wrede is cautiously optimistic we may come in at budget or under. The total project was not to exceed \$12,160,000. At the end of June costs are at \$10.6M. Costs will come in through the end of August. Once all project costs are in we will calculate final costs and will make sure who was served and who was not. The number of lots served is still a moving target, with Council exempting some. For a variety of reasons 17,000 ft. of line was not built. The contractors found a better way to service customers. This means there are less properties being assessed, but we spent less money in construction.

City Manager Wrede advised the free main allowance will come back to the City as soon as the final assessment roll is completed. The City will get rebates from Enstar for all those that hook up. The Council has talked about a number of ways to use the money, including reducing assessments further. By September we should have final project costs and recognize which properties are served. The Council will need to make a decision on condominium assessments by August 25. We will make it very public and let people know if they object to assessments the time to file an objection is when the final assessment roll is out there. The final assessment roll will be introduced in January. There will be an objection period and final assessments will be mailed in March. There is enough work to do in that period to make sure the software runs properly. Deputy City Planner Julie Engebretsen said

for subdivisions we may not have the final approval from the Borough until the end of December. We will still get the assessments out in the first quarter of 2015.

Council commented on the condo owners' assessments as a complex issue that requires legal counsel. The Castner vs. City of Homer ruling may not be definitive for all condo owners. Council will need to make a decision on the method of assessments to direct city staff on how to proceed.

City Attorney Klinkner advised the Enstar tariff under which free main allowance is paid goes back to the developer. The City is the administrator of the gas improvement. As free main allowance payments come in they may be held in a separate fund to pay the City's obligation for construction costs. It is up to the Council to determine what the money is to be used for. City Manager Wrede was asked to prepare a memo to list the pros and cons of each method.

Mayor Pro Tempore Roberts returned the gavel to Mayor Wythe.

B. Records Inventory Report

CITY ATTORNEY REPORT

A. June 2014 Report

City Attorney Klinkner reported he had expected the Federal Maritime Commission decision in the Auction Block to be issued today. Instead they are allowed until August 15, a routine extension to perfect their decision.

COMMITTEE REPORT

- A. Public Arts Committee
- B. Permanent Fund Committee
- C. Port and Harbor Improvement Committee
- D. Employee Committee Report
- E. Port and Harbor Building Task Force
- F. Public Safety Building Review Committee

Mayor Wythe announced Chair Castner was going to be here to make a report but had other obligations. She announced the committee's meeting on Thursday, July 31st at 5:30 p.m.

G. Vessel Haul-Out Task Force

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- A. **Resolution 14-083**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Execute an Agreement to Purchase Property for a New Water Tank (Lot A2, Barnett Subdivision, Quiet Creek Addition 2014). City Manager/Public Works Director. Recommend adoption.

Memorandum 14-115 from Public Works Director as backup.

Councilmember Burgess recused himself from discussion on Resolution 14-083 and exited the dais. His conflict of interest is due to his ownership of property near the subject property.

Mayor Wythe called for a motion for the adoption of Resolution 14-083 by reading of title only.

VAN DYKE/LEWIS - SO MOVED.

Councilmember Van Dyke expressed his displeasure at the \$80,000 price tag for an acre and a quarter for a piece of property worth \$40,000 to \$50,000.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Burgess returned to his seat.

- O. **Resolution 14-082**, A Resolution of the City Council of Homer, Alaska, Amending Chapters Two and Six of the Property Management Policies and Procedures (Lease Policies) to Provide for Port and Harbor Advisory Commission Review of Lease

Committee Recommendations on the Lease Policies and on Lease Proposals and Successful Bidders Before Those Recommendations are Submitted to the City Council. City Manager. Recommend adoption.

Mayor Wythe called for a motion for the adoption of Resolution 14-082 by reading of title only.

LEWIS/ROBERTS – SO MOVED.

ROBERTS/LEWIS - MOVED TO AMEND TO ADD AFTER THE PERIOD ON LINE 38 AND ALSO ON LINE 76 AFTER THE WORD “AFTER”: WHEN THE LEASE PROPERTY IS ON LAND ON THE HOMER SPIT SURROUNDING THE PORT AND HARBOR AREA.

The amendment is made so that the Port and Harbor Advisory Commission is not involved in other leases.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/LEWIS - MOVED TO REMOVE THE SENTENCE IN LINE 76 AFTER THE WORD “AFTER” AND INSERT IT INTO LINE 73 AFTER THE WORD “BIDDER” AND DELETE THOSE EXACT WORDS IN LINE 76.

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Carey Meyer, city employee, announced the Public Safety Building Review Committee on Thursday, July 31st at 5:30 p.m. in Council Chambers. We are trying to inform the public of why we need a new public safety building. An open house at the Fire Hall is scheduled for Tuesday, July 29th from 5:00 to 6:30 p.m.

Leo Nikora, city resident, urged Council to follow the judge's orders for natural gas assessments on condominiums.

Jim Lavrakas, city resident, expressed opposition to the natural gas assessments on condominiums.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner had no comment.

COMMENTS OF THE CITY CLERK

City Clerk Johnson announced the candidacy filing opening on Friday, August 1st for the mayor and two councilmember seats. Absentee voting for the State Primary Election will begin on Monday, August 4th, hours 8:00 to 5:00 p.m. at the Clerk's office.

COMMENTS OF THE CITY MANAGER

City Manager Wrede reminded the City Council of a special meeting on August 11 at 6:00 p.m. to talk about employee health insurance.

COMMENTS OF THE MAYOR

Mayor Wythe announced her absence until August 11. In working through the public safety building location, the Council proposed the best location as the HERC site. The continuing conversation is the need to maintain public access to the HERC building for different purposes. Council has allocated money to provide minimal fire code requirements, but not for public health and safety. For the August 11th meeting she will sponsor a resolution identifying an alternate location for a community center in the Town Center where we had proposed building City Hall. This will be pending the PARC Needs Assessment and the community voting for financial support. She is asking for a good faith gesture from the City Council to say they are in support of doing something if the community is supportive of providing and finding finances to make it happen.

The public safety building has the community's awareness and Mayor Wythe is providing legislative outreach to the Governor and representatives on the Kenai Peninsula Borough. She is updating them on the progress, including the 35% plan that will be presented later in September. The public safety building has been the #1 item on the CIP and the City has followed through on its commitment. She encouraged Council to come to the meeting on Thursday to listen in. The GC/CM will be telephonic and has a person specifically dedicated to public outreach.

COMMENTS OF THE CITY COUNCIL

Councilmembers Howard and Lewis had no comment.

Councilmember Van Dyke congratulated the Library on serving the one millionth visitor.

Councilmember Roberts congratulated the people appointed to commissions. She is glad to appoint Savannah Bradley, a young person in the community. She is glad to see young people serving. A lot of people didn't hear about North to the Future, but the eight pages are very impressive. She thanked Taz Tally and Jim Lavrakas for their work on the project.

Councilmember Zak dittoed Councilmember Roberts' remarks on North to the Future. While reading it he sees the wonderful things that make Homer what it is, the marine trades, tourism, and quality of life. There are lots of people here in the summer. North to the Future will be a good way to communicate to our Legislators. Homer's future is bright and we are all optimistic. There has been an increase in tourism to Alaska overall. He thanked the Council for supporting the Fishing Hole with the dredging and stocking. The word is out the silvers are back in the lagoon; that has a great impact on the economy. There are many good things happening on the City Council.

Councilmember Burgess commented there is a real legitimate need to update the public safety infrastructure and now is the time to move on it. One concern he has heard is, "Why are we going to spend \$15M to \$17M on a new building?" The more proactive we are the less municipal money we have to spend as we anticipate leveraging State or Federal funds. It is a good summer and someone wrote us a letter to tell us we did something well.¹

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:06 p.m. The next Regular Meeting is Monday, August 11, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. A Worksession is scheduled

¹ Reference made to the email received from Kathy Smith thanking Council for excavating and stocking the Fishing Hole.

for Monday, August 4, 2014 at 6:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, MMC, CITY CLERK

Approved: _____