

ACTION AGENDA

Monday, August 25, 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.

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. 2015-2020 CAPITAL IMPROVEMENT PLAN FY 2016 LEGISLATIVE REQUESTS

Memorandum 14-127 from Community and Economic Development Coordinator as backup.

4. COMMENTS OF THE AUDIENCE

There were three who commented.

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

Mayor Wythe adjourned the meeting at 4:51 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Pro Tempore Roberts called the meeting to order at 5:00 p.m.
Mayor Wythe was absent due to an illness.

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 were two who commented.

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

Mayor Pro Tempore Roberts adjourned the meeting at 5:38 p.m.

REGULAR MEETING AGENDA

Session 14-20 a Regular Meeting of the Homer City Council was called to order on August 25, 2014 at 6:00 p.m. by Mayor Pro Tempore Francie Roberts 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 WELLS COMMUNITY & ECONOMIC DEVELOPMENT COORDINATOR KOESTER FINANCE DIRECTOR LI LIBRARY DIRECTOR DIXON PORT & HARBOR DIRECTOR HAWKINS PUBLIC WORKS DIRECTOR MEYER

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: **PENDING BUSINESS - Resolution 14-008**, A Resolution of the City Council of Homer, Alaska, Approving a New Intergovernmental Wastewater Agreement Between the City of Homer and Kachemak City. City Manager. Intergovernmental Agreement with Kachemak City.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were two 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 Regular meeting minutes of August 11, 2014. City Clerk. Recommend adoption.
- B. **Memorandum 14-128** from Deputy City Clerk, Re: Liquor License Transfer for Patel's #2.
- C. **Memorandum 14-124**, from Deputy City Clerk, Re: Confirmation of Election Judges for the Regular City of Homer Election October 7, 2014.
- D. **Ordinance 14-45**, An Ordinance of the Homer City Council Amending Homer City Code 21.93.060 Standing – Appeal to Board of Adjustment and 21.93.500 Parties Eligible to Appeal to Board of Adjustment – Notice of Appearance, Providing for the City Planner or Designee to Participate in Appeals to the Board of Adjustment. City Manager. Recommended dates: Introduction August 25, 2014, Public Hearing and Second Reading September 8, 2014.

Memorandum 14-123 from City Attorney as backup.

- E. **Resolution 14-087**, A Resolution of the Homer City Council Amending the City Council Operating Manual to Include City Code Recodification Revisions. City Clerk. Recommend adoption.

Memorandum 14-126 from City Clerk as backup.

The consent agenda was approved by consensus of the Council.

6. VISITORS

Mayor Pro Tempore Roberts acknowledged City Lobbyist Linda Anderson, mayoral candidate Lindianne Sarno, and council member candidate Catriona Lowe.

7. 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

Parks and Recreation Advisory Commissioner Robert Archibald reported Adele Person made a presentation to the commission on safe routes to school. The commission is forwarding their budget recommendations to add a part time employee to help Community Recreation Coordinator Mike Illg. Commissioner Archibald acknowledged the fine job Mr. Illg is doing in managing his time and to keep the program going. He hopes that we can keep the HERC operating until something happens with the building.

5. Port and Harbor Advisory Commission

8. PUBLIC HEARING(S)

- A. **Ordinance 14-40**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2014 Operating Budget by Appropriating \$10,000 From the Fire Department Depreciation Reserves for a New Thermal Imaging Camera. City Manager/Fire Chief. Introduction August 11, 2014, Public Hearing and Second Reading August 25, 2014.

Memorandum 14-121 from Fire Chief as backup.

There was no public testimony.

ADOPTED without discussion.

- B. **Ordinance 14-41**, 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 the Provision of Records of Commission Action to the Council. City Manager. Introduction August 11, 2014, Public Hearing and Second Reading August 25, 2014.

Memorandum 14-122 from City Manager as backup.

There were two who testified.

ADOPTED with discussion.

- C. **Ordinance 14-42**, An Ordinance of the Homer City Council Accepting and Appropriating a Legislative Grant From the State of Alaska in the Amount of \$1,430,000 for Waddell Way Road Improvement, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction August 11, 2014, Public Hearing and Second Reading August 25, 2014.

Ordinance 14-42(S), An Ordinance of the Homer City Council Accepting and Appropriating a Legislative Grant From the State of Alaska in the Amount of \$1,430,000 for Waddell Way Road Improvement, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

There was no public testimony.

ADOPTED Substitute Ordinance 14-42(S) without discussion.

- D. **Ordinance 14-43**, An Ordinance of the Homer City Council Accepting and Appropriating a Legislative Grant From the State of Alaska in the Amount of \$350,000 for Fire Department Equipment Upgrades, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction August 11, 2014, Public Hearing and Second Reading August 25, 2014.

Ordinance 14-43(S), An Ordinance of the Homer City Council Accepting and Appropriating a Legislative Grant From the State of Alaska in the Amount of \$350,000 for Fire Department Equipment Upgrades, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

There was no public testimony.

ADOPTED Substitute Ordinance 14-43(S) without discussion.

- E. **Ordinance 14-44**, An Ordinance of the Homer City Council Accepting and Appropriating a Legislative Grant From the State of Alaska in the Amount of \$350,000 for the Harbor Sheet Pile Loading Dock, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction August 11, 2014, Public Hearing and Second Reading August 25, 2014.

Ordinance 14-44(S), An Ordinance of the Homer City Council Accepting and Appropriating a Legislative Grant From the State of Alaska in the Amount of \$350,000 for the Harbor Sheet Pile Loading Dock, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

There was no public testimony.

ADOPTED Substitute Ordinance 14-44(S) with discussion.

9. **ORDINANCE(S)**

10. CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 14-129 from Community and Economic Development Coordinator, Re: Strategic Implementation Planning.
2. Memorandum 14-130 from Port Director/Harbormaster, Re: Harbor Improvements Construction Schedule.

City Manager Wrede yielded his time to Port and Harbor Director Hawkins to summarize the harbor projects.

Port and Harbor Director Hawkins reported the pile barge is tied to JJ float. The east side of JJ float has been cleared for all the equipment. This afternoon the first load of floats arrived by barge, offloading at the Deep Water Dock. Floats and pilings will be staged on JJ float in a giant block. The piling will be staged on the uplands by the barge ramp. Ramp 2 is the current harbor office. On September 2 the work barge will be moved into that location and will begin to dismantle A Float. Work includes replacing 900 ft. of A Float that will extend up to K Float. Ramp 3 and J Float will be removed in the process. As they are pulling float out they will build float back. By September 22 they will have replaced all the floats. It will have a lot of impact to the vessels in the area. Port staff has been talking to vessel owners and has sent out letters and placed notices. The vessels have to be relocated while the work is being done.

We will be making an island out of F, G, and H Floats while the connecting float is being replaced. If vessel owners need to relocate they should contact the harbor office to work out the details. There is no way around the intrusive project. The contractors are committed to getting in and getting it done and returning service as soon as possible.

After September 22 they will move down to R and S Float for the same process. There is no timeline yet for the System 4 improvement. When we finish with the R and S Float, System 4 is next on the list. By this time next year the harbor will have a whole different look.

Port and Harbor Director Hawkins reported we are just finishing the design for the load and launch ramp. It will likely bid early September, although he is not sure when the construction will take place.

The construction trailer will be located right across from Ramp 3, closing the approach to Ramp 3 and the harbor trail. The approach and connection point at the bank is being rebuilt. It will be a 100 ft. covered ramp instead of a 57 ft. ramp. The lake that forms at the parking lot at Ramp 3 is a bigger problem. The land is flat and when we build up one area it moves the water to another area. A storm water plan is needed.

We have been repowering System 5 and the project will be complete by the end of the week. It has been a major remodel of the system. We had 10 pedestals and have increased to 32 pedestals with a year-round water supply there. The harbormaster's office is progressing with the walls up. They are pushing to get the building closed before winter. Completion may be by the end of February.

Ramp 7 will be taken back out when the JJ and HH Floats in System 4 are done. There will be a short period of time with no access. When the floats are put back in will be sitting on a good landing float.

B. Bid Report

11. CITY ATTORNEY REPORT

Attorney Wells reported the Federal Maritime Commission issued a decision upholding the administrative law judge's decision. The decision favored the City and dismissed Auction Block vs. City of Homer claims.

The City has been addressing the dual representation process adopted by the Board of Adjustment, the Planning Department, and the Planning Commission. An attorney from the City Attorney's office is appointed to represent the Planning Department and a separate attorney is appointed to represent the Board of Adjustment. The attorneys do not talk or correspond. It allows the City to receive representation in a very cost effective manner. The system has been challenged before the Ethics Committee before the Alaska Bar Association. Attorney Klinkner and she received separate ethics complaints against them. The Alaska Bar Association has chosen not investigate, finding the process put in place to be appropriate.

12. COMMITTEE REPORT

A. Public Arts Committee

Public Arts Committee Vice Chair Michele Miller reported there are three pieces of art going into the new port and harbor building. The PAC is now full with the appointments of Lance Petersen and Erin Hollowell. They are working on budget requests. A small project fell through at the last minute so the PAC will decide another community related project and ask for a small amount of money. The Baycrest Overlook improvement project will be funded with minimal expense. There will soon be a catalog database listing all the city art.

B. Permanent Fund Committee

C. Port and Harbor Improvement Committee

D. Employee Committee Report

E. Port and Harbor Building Task Force

Councilmember Howard encouraged everyone to go look at the port building progress. It is coming along quite rapidly.

F. Public Safety Building Review Committee

Public Safety Building Review Committee Chair Ken Castner reported the City Manager allowed the City to enter into a contractual agreement with the architect and members of the GC/CM team. Loren Barry and his dad came to town to do a space needs assessment. Needs for the Police, Fire, and EMS were comprehensively reviewed. They came up with a program in housing and training facilities to keep personnel fit and able to respond. Initially we were looking at a \$15M project, a number taken out of the air. After the space needs analysis, 50,000 sq. ft. is needed. It takes construction costs over \$20M and total project costs over \$25M. All of a sudden it is a different kettle of fish. USKH has helped develop a public outreach program and will encourage public input. Chair Castner asked the Council to make two critical decisions: whether the HERC location is the preferred site, and if we will consider leasing options for the land and/or the building. Asked if the committee had thoughts of a combined community center, Chair Castner answered they have only been looking at the Police, Fire, and EMS. The next committee meeting is Tuesday, August 26 at 5:30 p.m. in Cowles Council Chambers.

G. Vessel Haul-Out Task Force

Councilmember Howard reported on Wednesday, August 27 Councilmember Lewis and Port and Harbor Director Hawkins will make a presentation to the Port and Harbor Advisory Commission at 6:00 p.m. They will make a presentation to the City Council on September 22.

13. PENDING BUSINESS

- A. **Resolution 14-008**, A Resolution of the City Council of Homer, Alaska, Approving a New Intergovernmental Wastewater Agreement Between the City of Homer and Kachemak City. City Manager. (Postponed from March 10, 2014.)

Memorandum 14-125 from City Manager as backup.

Motion on the floor from January 13: MOTION FOR THE ADOPTION OF RESOLUTION 14-008 BY READING OF TITLE ONLY.

POSTPONED to September 8.

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 14-088**, A Resolution of the City Council of Homer, Alaska, Amending the Sewer Fee Schedule to Provide a Fee Structure for Metered Sewer Only Customers. Mayor/City Council.

POSTPONED to September 8.

16. COMMENTS OF THE AUDIENCE

There were four who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells had no further comments.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comments.

20. COMMENTS OF THE MAYOR

Mayor Wythe was not present.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Howard asked parties to take down the political signs from the August 19 election. She would like the city to be sign free by August 31st. She complimented Mayor Pro Tempore Roberts on running an effective, kind, and considerate meeting.

Councilmember Burgess thanked the city clerk for accommodating his desire to speak.

Councilmember Van Dyke commented on the speaker at the Worksession that alluded the Council is trying to throw sand in the charter commission process. The Council didn't do anything but discuss how this current Council can help this new commission. Top CIP priorities should be those projects that will bring revenue back in the city first. When the revenue stream flows we can then explore other problems. He is pleased the crosswalk near Beluga Lodge (on Ocean Drive) has been moved closer to his shop (Scruggs Automotive) so that people can be seen.

Councilmember Zak commented the Council was talking about the CIP list at the Worksession. At the next meeting the public will get a chance to share their thoughts. He is pleased to see Lobbyist Linda Anderson here. The Council heard about harbor projects and discussed future developments of the City. He acknowledged Tom Zitzmann's comments and asked everyone to be considerate of others.

Mayor Pro Tempore Roberts had no further comments.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Roberts adjourned the meeting at 7:05 p.m. The next Regular Meeting is Monday, September 8, 2014 at 6:00 p.m. and Committee of the Whole 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.