

ACTION AGENDA

Monday, September 8, 2014
Committee of the Whole
Regular Meeting

COMMITTEE OF THE WHOLE AGENDA

1. CALL TO ORDER, 5:30 P.M.

Councilmember Zak has requested excusal.

Mayor Wythe called the meeting to order at 5:30 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 BUDGET – REVENUE SOURCES

4. CONSENT AGENDA

5. REGULAR MEETING AGENDA

6. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

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

Mayor Wythe adjourned the meeting at 5:54 p.m.

REGULAR MEETING AGENDA

Session 14-21 a Regular Meeting of the Homer City Council was called to order on September 8, 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,

ABSENT: ZAK (excused)

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON

CITY ATTORNEY WELLS
COMMUNITY & ECONOMIC DEVELOPMENT
COORDINATOR KOESTER
PORT & HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Councilmember Zak has requested excusal.

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: **PUBLIC HEARINGS - 2015-2020 CAPITAL IMPROVEMENT PLAN FY 2016 LEGISLATIVE REQUESTS**, Written public comments. **CITY MANAGER'S REPORT** - City Manager's Report of September 8, 2014; Memorandum 14-137 from Community and Economic Development Coordinator, Re: Plan Selection for Strategic Implementation Planning; **PENDING BUSINESS - 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; Written public comments; **RESOLUTIONS - Resolution 14-096(S)**, A Resolution of the Homer City Council Awarding the Karen Hornaday Park Campground/Trail Improvement Project to Arno Construction, LLC of Homer, Alaska, in the Amount of \$70,438.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Memorandum 14-136 from Public Works Director as backup.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were no public comments.

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 25, 2014. City Clerk. Recommend adoption.
- B. **Resolution 14-089**, A Resolution of the Homer City Council Awarding the Contract for Tree Clearing on the Town Center Site Project to the Firm of Gregoire Construction of Homer, Alaska, in the Amount of \$7,250 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 14-131 from Public Works Director as backup.

Moved to Resolutions.

- C. **Resolution 14-090**, A Resolution of the Homer City Council Awarding the Contract for Tree Clearing on the Library Site Project to the Firm of Gregoire Construction of Homer, Alaska, in the Amount of \$2,450 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 14-132 from Public Works Director as backup.

Moved to Resolutions.

- D. **Resolution 14-091**, A Resolution of the Homer City Council Awarding the Contract for Strategic Implementation Planning for the Homer City Council to the University of Alaska, Center for Economic Development, in an Amount Not to Exceed \$7,000 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.
- E. **Resolution 14-092**, A Resolution of the Homer City Council Amending the Preliminary Assessment Roll for the Homer Natural Gas Special Assessment District by Exempting Certain Properties and Making Amendments for Recorded Property Plat Actions Through July 28, 2014. City Clerk. Recommend adoption.

Memorandum 14-133 from Deputy City Planner as backup

Moved to Resolutions.

- F. **Resolution 14-094**, A Resolution of the Homer City Council Disbanding the Port and Harbor Improvement Committee. City Manager. Recommend adoption.
- G. **Resolution 14-095**, A Resolution of the City Council of Homer, Alaska, Requesting That the Alaska Board of Fisheries Hold Its 2017 Upper Cook Inlet Finfish Meeting on the Kenai Peninsula and Approving Joint Resolution 2014-01. City Manager. Recommend adoption.

Resolutions 14-089 and 14-090 were moved to Resolutions B and C. (Lewis)
Resolution 14-092 was moved to Resolutions D. (Roberts)

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

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

Kenai Peninsula Borough Assemblyman Bill Smith reported on the upcoming ballot issues. They include limited animal control for cities outside city limits. The measure will benefit the City of Homer. Services will be contracted and paid for by a 0.2 (two tenths) mil rate. Another ballot measure is whether the Borough shall adopt a vote by mail system. It is a controversial topic, but Assemblyman Smith believes it will increase voter turnout. The final measure is for the South Peninsula Hospital service area expansion. The expansion will include the southern end of the borough to take in all the waters. The Borough Assembly will meet in Homer on Tuesday, September 16th.

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 Deb Lowney reported on the recent improvements at Karen Hornaday Park. They have applied for the Rivers, Trails, and Conservation Assistance Program where the National Park Service assists in finding grants for the Woodard Creek portion of Karen Hornaday Park. The other restoration of Woodard Creek is being worked on by individuals in the community. Commissioner Lowney thanked the

Council for their support of the HERC building. Commissioner business includes the continuing use of the HERC building as a recreational facility, seeking funds for trails and safe routes to school, and ways to link Homer by connector trails.

5. Port and Harbor Advisory Commission

8. PUBLIC HEARING(S)

A. 2015-2020 CAPITAL IMPROVEMENT PLAN FY 2016 LEGISLATIVE REQUESTS

Resolution 14-093 , A Resolution of the Homer City Council Adopting the 2015-2020 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2016. Mayor/City Council. Recommend postponement to September 22, 2014.

Memorandum 14-134 from Community and Economic Development Coordinator as backup.

There were four who testified.

POSTPONED Resolution 14-093 to September 22, 2014.

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 14-137 from Community and Economic Development Coordinator, Re: Plan Selection for Strategic Implementation Planning

B. Public Safety Building Open House Flyer

City Manager Wrede told the Council if the HERC building turns out to be the site of the new public safety building we will lose the gym and Public Works shop, a very important part of what we do. We will have to figure out what to do with Mike Riley and his shop and staff. They currently occupy a 4,000 sq. ft. area in the HERC building. There are a number of needs at the Public Works complex for both long and short range planning needs. These will be discussed at a future Worksession.

The Parks, Arts, Recreation, and Culture Committee (PARC) has a contract in place with consultants. They met today to review surveys and research methodology. Regular reports will be provided to the Council.

Mayor Wythe announced the public safety building open house Wednesday, September 10 at 6:00 p.m. There will be a review of space needs, information the committee has talked about, and you can meet with the contractors. At the last meeting Chairman Castner asked if Council was locked in on the HERC property for the building site. Last year as the Council was preparing legislative requests they looked at a number of properties and narrowed it down to the HERC site. If the committee presents a more preferred site the Council will consider it. In looking at the initial size requirement, the HERC is the best site.

Mayor Wythe noted there is also the potential for leasing a facility. Her position is since the City owns property it can be used as a matching contribution to the construction of the facility. City Manager Wrede advised the Council that the State may provide capital funds for a building, but a lease is considered operations and is not funded. The Council unanimously agreed against leasing a facility. There is more opportunity for State funding if the City provides the land asset. Mayor Wythe requested a resolution that the Council is not considering a lease option for the September 22 meeting

Community and Economic Development Coordinator Koester provided information about the upcoming strategic planning session.

Public Works Director Meyer explained the new fire pit and bench at Karen Hornaday Park that the Rotary Club sponsored. It is a nice addition to the new picnic shelter at the park.

City Manager Wrede announced upcoming meetings the Department of Transportation will hold on roadway reconstruction and new bridges for Milepost 157-169 of the Sterling Highway. The area will cover from Anchor Point to Baycrest Hill. Meetings are scheduled for September 15 and 16.

11. CITY ATTORNEY REPORT

A. City Attorney's Report

City Attorney Wells reported on September 3 an appeal to the Court of Appeals for the Ninth Circuit was filed by Auction Block on the Federal Maritime decision dismissing the claims against the City. An executive session will be scheduled soon to explain the process to the Council.

12. 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
- G. Vessel Haul-Out Task Force

Councilmember Howard reported the task force will make a presentation to the Council on September 22 at 4:00 p.m.

13. PENDING BUSINESS

- A. **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. Introduction August 25, 2014. Recommend Refer to Planning Commission for Review and schedule Public Hearing September 22, 2014.

Memorandum 14-123 from City Attorney as backup.

REFERRED to the Planning Commission and POSTPONED to September 22, 2014 for Public Hearing and Second Reading.

- B. **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 August 25, 2014.)

Memorandum 14-125 from City Manager as backup.

Agreement amended.

POSTPONED to September 22, 2014.

- C. **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 from August 25, 2014.)

POSTPONED to October 27, 2014.

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 14-096**, A Resolution of the Homer City Council Awarding the Karen Hornaday Park Campground/Trail Improvement Project to the Firm to be Announced in the Amount to be Announced and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Resolution 14-096(S), A Resolution of the Homer City Council Awarding the Karen Hornaday Park Campground/Trail Improvement Project to Arno Construction, LLC of Homer, Alaska, in the Amount of \$70,438.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Memorandum 14-136 from Public Works Director as backup.

ADOPTED Substitute Resolution 14-096(S) without discussion.

- B. **Resolution 14-089**, A Resolution of the Homer City Council Awarding the Contract for Tree Clearing on the Town Center Site Project to the Firm of Gregoire Construction of Homer, Alaska, in the Amount of \$7,250 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 14-131 from Public Works Director as backup.

ADOPTED without discussion.

- C. **Resolution 14-090**, A Resolution of the Homer City Council Awarding the Contract for Tree Clearing on the Library Site Project to the Firm of Gregoire Construction of Homer, Alaska, in the Amount of \$2,450 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 14-132 from Public Works Director as backup.

ADOPTED without discussion.

- E. **Resolution 14-092**, A Resolution of the Homer City Council Amending the Preliminary Assessment Roll for the Homer Natural Gas Special Assessment District by Exempting Certain Properties and Making Amendments for Recorded Property Plat Actions Through July 28, 2014. City Clerk. Recommend adoption.

Memorandum 14-133 from Deputy City Planner as backup.

AMENDED: Added new whereas: WHEREAS, A NUMBER OF LOTS WERE EXEMPTED BECAUSE OF ENGINEERING CHANGES AND CONSTRUCTION AND THEY ARE EXEMPTED.

ADOPTED with discussion.

Mayor Pro Tempore Roberts called for a recess at 7:17 p.m. and Mayor Wythe reconvened the meeting at 7:19 p.m.

16. COMMENTS OF THE AUDIENCE

There was one who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells had no comments.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

19. COMMENTS OF THE CITY MANAGER

City Manager Wrede commented the meeting has left him speechless.

20. COMMENTS OF THE MAYOR

Mayor Wythe thanked everyone that came out to talk about the CIP. She acknowledged Borough Assembly Candidate Kelly Cooper, Homer City Council Candidate Catriona Lowe, and Homer Mayor Candidate Lindianne Sarno in the audience.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Lewis liked Ken Landfield's idea and asked for a resolution for the next meeting.

Councilmember Burgess commented on the history of corporations and asked to co-sponsor the resolution with Councilmember Lewis. He asked that no more funds be appropriated to the harbor until Bryan Hawkins agrees not to shave his beard since he is devilishly handsome with it. There are lots of things going on in the harbor; get down there and check it out.

Councilmember Roberts is happy to vote yes for Resolution 14-095 for the Board of Fisheries to hold their meeting here. She thanked the Rotary Club for the fire circle and The Homer Foundation for improving Karen Hornaday Park. She thanked the Port and Harbor Improvement Committee Members who did a ton of work. Without that group we would not be telling everyone to go out to the harbor.

Councilmembers Howard and Van Dyke had no comment.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:25 p.m. The next Regular Meeting is Monday, September 22, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. Special Meetings are scheduled for Monday, September 15, 2014 at 5:30 p.m. and 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.