

Session 14-23 a Regular Meeting of the Homer City Council was called to order on September 22, 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  
CITY PLANNER ABBOUD  
COMMUNITY AND ECONOMIC DEVELOPMENT  
COORDINATOR KOESTER  
FINANCE DIRECTOR LI  
IT MANAGER POOLOS  
PORT AND HARBOR DIRECTOR HAWKINS

The Council met for a Worksession from 4:00 p.m. to 4:39 p.m. to hear the final report from the Vessel Haul-Out Task Force. From 5:01 p.m. until 5:35 p.m. the Council met as a Committee of the Whole to discuss Resolution 14-093 and Consent and Regular Meeting Agenda items.

Councilmember Zak has requested telephonic participation.

Mayor Wythe called for a motion to allow Councilmember Zak to participate by telephone.

HOWARD/BURGESS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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 - Resolution 14-099**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for a Safe Routes to Schools Planning Grant in the Amount of \$15,000 and Expressing Commitment to Provide In-Kind Staff Time as a Contribution. City Manager. Written public comments. **PUBLIC HEARINGS - 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. Memorandum 14-147 from City Planner as backup. **PENDING BUSINESS - Resolution 14-075**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Donation From the Bunnell Street Arts Center of a Fanciful Loon Windsock Sculpture by Alaskan Artist Rachelle Dowdy to be Placed at Bishop’s Beach Park. City Clerk/Public Arts Committee. Memorandum 14-148 from Parks and Recreation Advisory Commission as backup. Written public comments.

Mayor Wythe called for a motion to approve the agenda as amended.

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Steve Delehanty, city resident, spoke in support of adding the Homer Hockey Association project to the CIP by Resolution 14-093.

Travis Brown, city resident, spoke in support of adding the Homer Hockey Association project to the CIP by Resolution 14-093.

Phineas and Tucker Weston, brothers and city residents, spoke in support of adding the Homer Hockey Association project to the CIP by Resolution 14-093.

Ted Schmidt, city resident, commented on Resolution 14-075, expressing concern with the sculpture and susceptibility to damage. As to Resolution 14-100, he suggested Council look conservatively and questioned why everything is being combined in one large building.

Adele Person spoke in favor of Resolutions 14-075 and 14-099.

Sue Mauger, Homer resident and Friends of the Public Library, thanked City staff for the tree clearing near the library. She invited the Council and members of the community to a talk about the western lot at the library scheduled for September 29<sup>th</sup> at 6:00 p.m.

Kate Crowley, city resident, spoke on the City Manager's Report, amending the deed restriction on the HERC property (Resolution 13-096).

Jeanne Parker, city resident, commented on Resolutions 14-093 and 13-096. She does not support a public safety building as being so grandiose and urged the Council to be fiscally conservative.

Sharon Whytal, city resident, supports Resolution 14-075.

Sharlene Kline, Homer resident, supports adding the Homer Council on the Arts Renovation project to the CIP by Resolution 14-093.

Suzanna Webster, city resident, supports Resolution 14-099.

Asia Freeman, city resident, supports Resolution 14-099, HERC recreation and healthy activity, and Resolution 14-075.

Deb Lowney, city resident, spoke against the public safety building at the HERC site and suggested maintaining the current site on Pioneer Avenue with renovations to the Fire Department.

Bill Ostwald, city resident, supports Resolution 14-075.

John Cowan, city resident, commented on Resolution 13-096 and encouraged the Council to consider another site for the public safety building besides the HERC.

Rika Mouw, city resident, supports Resolution 14-075.

Jim Lumy, city resident, supports the HERC for dancing, pickle ball, and winter use.

Shirley Thompson, city resident, spoke about the devastation to the Baycrest Subdivision bluff from Enstar by digging a trench instead of boring under the trees for the gas line project.

Kelly Cooper, Homer resident, commented on the site selection for the public safety building. She noted the various activities at the HERC and that she was looking at a service area for parks and recreation and the library.

Lindianne Sarno, city resident, would like to preserve the HERC building for its cultural and educational opportunities. It could be a place for nonprofits to gather and bring in a lot of grant money.

Angie Newby, city resident, expressed support for Resolution 14-075.

Ken Landfield, city resident, expressed support for Resolution 14-097.

Michael Walsh, city resident, expressed support for Resolution 14-075. He read a letter of support from Charlie Gibson and Debbie Poore.

## **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 September 8, 2014 and Special meeting minutes of September 15, 2014. City Clerk. Recommend adoption.
- B. **Memorandum 14-138**, from Deputy City Clerk Re: Liquor License Transfer of Stock Ownership for Oaken Keg.
- C. **Ordinance 14-46**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 8.12.200(d) "Chauffeur's License – Required", to Remove the Enumerated Chauffer Application Fee and Instead Identify Chauffer License Fees in the City of Homer Fee Schedule Determined by City Council Resolution. City Manager/City Clerk. Recommended dates: Introduction September 22, Public Hearing and Second Reading October 13, 2014.

Memorandum 14-145 from City Clerk as backup.

- D. **Ordinance 14-47**, An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Appropriating \$105,000 from the General Fund / Fund Balance for Barge Mooring Facility Phase 2 – Uplands Improvements. City Manager/Port and Harbor Director. Recommended dates: Introduction September 22, Public Hearing and Second Reading October 13, 2014.

Memorandum 14-146 from Vessel Haul-Out Task Force as backup.

Moved to Ordinances.

- E. **Resolution 14-097**, A Resolution of the City Council of Homer, Alaska, Calling for an Amendment to the Constitution of the United States to Abolish Corporate Personhood. Lewis/Burgess. Recommend adoption.
- F. **Resolution 14-098**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Pratt Museum's Grant Request in the Amount of \$1.65 Million for its New Facility. Roberts. Recommend adoption.
- G. **Resolution 14-099**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for a Safe Routes to Schools Planning Grant in the Amount of \$15,000 and Expressing Commitment to Provide In-Kind Staff Time as a Contribution. City Manager. Recommend adoption.

Memorandum 14-141 from Deputy City Planner as backup.

Memorandum 14-142 from Parks and Recreation Advisory Commission as backup.

- H. **Resolution 14-100**, A Resolution of the City Council of Homer, Alaska, Declaring and Stating for the Record That It Finds it to be in the Public Interest for the City to Own the Proposed New Public Safety Building and It is Not Interested in Leasing the Building From a Third Party. Mayor/Council. Recommend adoption.
- I. **Resolution 14-101**, A Resolution of the City Council of Homer, Alaska, Approving a New Five Year Sublease at the Homer Airport Terminal for Hertz/Pioneer Car Rental, Inc., Approving a New Owner, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 14-143 from City Manager as backup.

Ordinance 14-47 was moved to Ordinances A. (Howard)

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

LEWIS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a recess at 7:03 p.m. and reconvened the meeting at 7:10 p.m.

## **VISITORS**

### **A. Vessel Haul-Out Task Force, Final Report**

Port and Harbor Director Bryan Hawkins provided a PowerPoint presentation of the final report of the Vessel Haul-Out Task Force. Location and weather in Homer make it a great location for a haul-out facility. There are benefits and challenges. A survey was sent to vessel owners and fleet managers and the task force reviewed costs, methods, management plans and policies of other communities. Twelve public meetings were held.

Benefits would be to larger vessels that have to leave the city to take business elsewhere. Local marine trades' people, other business owners, and the City of Homer would benefit from the facility. Option 1 at the old chip pad next to Pier One Theatre and Option 2, a 5-acre industrial pad, were both evaluated. The task force determined a haul-out facility needs to happen as soon as possible. Last year seven large vessels were hauled out. Extra revenue in the shoulder season will provide revenue opportunities for the community.

Different methods for haul-out include marine ways, lifts, trailers, pneumatic bags, or combinations of these methods. The yard could be open to allow vessel owners to work on their own vessels and hire contractors from an approved list of vendors, or a closed yard where vessel owners would contract with the repair facility and yard employees perform the work. The task force viewed city vs. private management.

Recommendations include:

1. Continue large vessel haul-out at Barge Haul-Out Area September through May
2. Resolve land use issues to provide for year-round use
3. Support the Barge Mooring and Marine Ways CIP's
4. Fund the design, engineering, and permitting for upland improvements for repair yard
5. Develop and advertise an RFP for developing the facility

The task force provided key points to include in the Request for Proposals and provided the Council with the option of disbanding the task force or remaining intact to meet only when needed.

Councilmember Lewis referenced the Option 1 location and its history. In 1983 land was owned by a fish processor that went bankrupt. Both City and harbor funds were used to purchase the land. In 1989 the City Council passed a resolution to keep the land from Pier One Theatre to the Fishing Hole in recreation as long as fish are jumping in the hole. The haul-out facility would be for vessels 58 ft. and larger that Northern Enterprises is not able to haul.

Councilmember Lewis recommended that Councilmember Howard still be allowed to be chairman of the task force even though she is leaving the Council. A resolution will be forthcoming at the October 13<sup>th</sup> meeting to do so.

### **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

- A. **Mayor's Proclamation** - September 28<sup>th</sup> - October 4<sup>th</sup> as Childhood Cancer Awareness Week
- B. Borough Report
- C. Commissions/Board Reports:
  - 1. Library Advisory Board
  - 2. Homer Advisory Planning Commission
    - a. Minutes of September 3, 2014
  - 3. Economic Development Advisory Commission
  - 4. Parks and Recreation Advisory Commission

Parks and Recreation Advisory Commissioner Deb Lowney reported the commission unanimously supports the loon sculpture and the placement at Bishop's Beach. The commission chose Karen Hornaday Park as the highest priority CIP project. Other projects selected were the HERC, Bayview Park, and changing Rogers Loop Trailhead from a non-profit to a City project. The HERC building is of great concern to the commission. The commission supports the building and the gym being well maintained as a recreation facility. They are requesting \$20,000 to hire a hydrologist to do some research on Woodard Creek and the whole watershed. This is in conjunction of seeking support and funds for restoration to Woodard Creek through the Rivers, Trails, and Conservation Assistance Program. The commission has requested funds for various connector trails to provide for a walkable, non-motorized community. The goal is to keep pedestrians off streets without sidewalks and away from heavy traffic. The commission supports the safe routes to schools and the recent trail clearing projects. At Karen Hornaday Park the Land and Water Conservation Grant is

being completed at the campground. Saturday, October 11<sup>th</sup> at 10:30 a.m. the commission and interested community members will be working in the park on clean-up and small maintenance concerns. The committee has been working with Agnew:Beck on the Parks, Art, Recreation and Culture (PARC) Needs Assessment. The website survey and project roll out will begin the second week in October. A community meeting on the results will be November 13<sup>th</sup> at Islands and Ocean. The commission recognizes the Old Town community and improvements there. The commission requested a representative from the Homer Police Department attend their next meeting to address the inappropriate activities in the Bishop's Beach parking lot and along the beach that is affecting private properties.

5. Port and Harbor Advisory Commission

**PUBLIC HEARING(S)**

- 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, Referred to Planning Commission, Public Hearing September 22, 2014.

Memorandums 14-123 and 14-147 from City Attorney as backup.

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 14-45 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.

**ORDINANCE(S)**

- A. **Ordinance 14-47**, An Ordinance of the Homer City Council Amending the FY 2014 Operating Budget by Appropriating \$105,000 from the General Fund / Fund Balance for Barge Mooring Facility Phase 2 – Uplands Improvements. City Manager/Port and



Harbor Director. Recommended dates: Introduction September 22, Public Hearing and Second Reading October 13, 2014.

Memorandum 14-146 from Vessel Haul-Out Task Force as backup.

Mayor Wythe called for a motion for the introduction of Ordinance 14-47.

HOWARD/LEWIS - SO MOVED.

HOWARD/LEWIS - MOVED TO AMEND THAT THE FUNDING COME FROM THE PORT AND HARBOR (DEPRECIATION) FUND RATHER THAN THE GENERAL FUND.

Funds have been transferred to the Port and Harbor Depreciation Fund so that the enterprise stays in the enterprise fund.

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. HERC Building Property / Deed Restrictions: The Homer City Council adopted Resolution 13-096 on September 23, 2013. This is the resolution which requests that the Kenai Peninsula Borough amend the deed restrictions on the HERC property to provide the City with the option of selling the property and using the proceeds for the benefit of the general public. A copy of the resolution is attached. You will recall that Mayor Navarre spoke in favor of this option and said he would support it. I reported to the Council about six months ago that I had checked in with the Mayor requesting a status report. The Mayor reported that the Council's request was undergoing a legal review. We also discussed the fact that the Council was actively considering this property as the site of a new public safety building and therefore, quick Borough action was not needed and could be delayed until the site selection process is

completed. There was no further discussion about this until last week when suddenly there was a flurry of activity. First, Assembly Member Bill Smith called to say that the Council's resolution had just come to his attention and that he would be sponsoring an ordinance to remove the deed restrictions. His intent was to get it introduced before he left office. A day later, I received an e-mail from the Mayor's staff which included an application form for amendments to deed restrictions and indicated that the Administration was preparing to go ahead with its own ordinance. So, things are moving. The situation on the ground has changed somewhat since the Council adopted this resolution. Please let me know if the Council no longer supports Resolution 13-096.

2. Bishops Beach Mischief: The City continues to receive reports and complaints about problems at Bishops Beach, including Bishops Beach Park and the beach itself. These reports are coming from Old Town residents and as far up the beach as the Crittenden / Hidden Way and Salt Water Drive neighborhoods. The complaints include parties, loud noise, dangerous campfires, habitat damage, reckless driving, harassment of other beach and park users, drugs and alcohol, litter, etc. I am aware that Councilmembers are receiving calls also. This week I will be getting together with U.S. Fish and Wildlife staff who are concerned about habitat damage there and want to do some restoration.

This is a topic that might need in-depth Council discussion. Below is a range of possible options that could be taken to address the issue. Some of them could be done administratively. Others would require specific Council action and/or appropriation. Support for all of these options has been expressed over time by various members of the community and by community organizations.

- Rehire Beach Patrol Officer
  - Install a gate that keeps vehicles out of the park and closes off the beach access point to vehicles during certain hours.
  - Install surveillance cameras
  - Establish park hours and close the Park during the evening.
  - Amend the Beach Policies with respect to where vehicles are allowed
  - Prohibit camping on the beach
  - Establish a permit system for motorized access to the beach
  - Organize a Neighborhood Watch / Beach Patrol effort
  - Start a reward system for information leading to arrests.
3. FEMA Flood Maps: FEMA has completed new preliminary flood maps for the Homer coastline. The new maps incorporate recent changes to the Spit Floodplain maps and new updated information about the rest of the coast within the City limits. In short, very little has changed in terms of flood hazards. The biggest change is good news for the City. The Public Works complex has been removed from the VE, 100 year flood

zone. FEMA held a meeting for City staff and a public meeting on September 11<sup>th</sup>. These are preliminary maps and can be viewed on line or in the City planning office. An appeal period will begin on October or November of 2014. The appeal period will end in February of 2015. The City is eligible to appeal parts or all of the maps because it is the participant in the National Flood Insurance Program. Aggrieved property owners would bring complaints to the City, along with evidence and back-up, and the City would forward the information to FEMA for review and determination. Appeals must include specific data and facts. Letters of final determination will be issued in May of 2015. The effective date of the new maps will be November 2015. For more information, you can consult the Planning Department.

4. Candidates for Public Office and Information Requests: As you know, it is the campaign season. Candidates for public office often request documents or data from the City for their own information in order to get up to speed on City issues. Sometimes these documents or information are used for campaign purposes. This can be a tricky issue and must be handled carefully. City staff are required to be nonpartisan in local elections and must treat candidates equally. Additionally, incumbent candidates are prohibited from using their offices, or implied authority or influence to get City staff to assist them with their campaigns. An incumbent mayor in an Alaska city was recently publically chastised for using his office to obtain information used for campaign purposes that other candidates might not have access too or know existed. So, in order to address this, we have been proceeding under the following policy. If a candidate requests information that is a public record, is routine, and could be obtained by any member of the public, we provide the information without asking the candidate to fill out a public records request. We do this because it is in the public interest to have well informed candidates and a well informed electorate. If the records request is not routine, requires a great deal of staff time to produce, or requires the staff to compile new records or records presentation, then a public records request is required and the provisions in HCC 2.84 (Public Release of Records) and the associated regulations apply like they would to any citizen. I think this is a way for the City to be fair and nonpartisan but at the same time, facilitate information release that leads to informed public discourse.
5. Kachemak City Sewer Agreement and Fee Schedule Changes: The Kachemak City Council reviewed the latest amendments to the draft Wastewater Agreement at its meeting on September 10<sup>th</sup>. I am scheduled to meet with Mayor Morris on September 18 to discuss his Council's reaction and comments. I can provide more information on this discussion at the meeting.
6. 2015 Budget: The Finance Department and the department heads are working hard on the draft 2015 operating budget. We are scheduled to bring the budget to the Council on October 13. One of the things Finance and PW is spending a lot of time on is re-evaluating how labor costs are allocated between Public Works and the Water and Sewer operation. Public Works has undergone some internal re-organization and now is a good time to take a look at labor allocation. This is still under active discussion

but Council should expect that some level of labor costs will be shifted from the Water and Sewer Fund to the General Fund. This appears to be the right things to do however, it will have definite implications for the General Fund.

7. Employee Health Insurance: Jeff Paxton will be here on September 30 to meet with us and then the Employee Committee. John, Andrea, and I will have a phone conference with him next week in preparation for the meeting with the Employee Committee. The purpose of the meeting is to go over the year to date performance of the self insurance fund and to review the proposals we have received from the private sector. We have received several attractive bids from the private sector which look attractive and will receive further analysis. We are on track to provide Council with a recommendation on how to proceed as part of the upcoming budget process.
8. Natural Gas Project: The construction project is complete. Final invoices have been submitted and the accounts are closed. Enstar representatives will be here on September 25 to work with the City on a final project close-out.

City Manager Wrede commented on the good discussion about the HERC building during the Committee of the Whole.

Last week he met with Fish and Wildlife to talk about habitat damage along Bishop's Beach. Folks are driving on berms and doing things they should not be. The Parks and Recreation Advisory Commission will be approached by Fish and Wildlife for amendments to the Beach Policies regarding driving on beaches. The area of concern at Bishop's Beach is traveling left from the entrance point. People don't traditionally go left to gather coal. Mr. Griswold pointed out the Beach Policies do not prohibit driving left on Bishop's Beach, only that it is discouraged.

The East End Road Bike Trail is of real concern with the number of dangerous bumps on it. One person was hurt pretty badly. It is a State trail and the engineers have expressed an interest in making repairs to it while they are here working on East End Road. He will contact DOT to see if they can find the money to fix the bike trail. A resolution will be forthcoming at the October 13<sup>th</sup> meeting.

City Manager Wrede met with the Woodard Creek Coalition. The culvert where Woodard Creek travels under Pioneer Avenue is problematic since the water does not flow. Some of the water is lost and is going on adjacent lots and damaging buildings. Project money they have can do some limited drainage work. The coalition would like to see a bridge instead of a culvert on Pioneer Avenue. It would fit in the efforts to daylight Woodard Creek. The Pratt is working on that now. A resolution will be presented at the next meeting for DOT to consider a bridge.

Councilmember Howard commented the public records act applies to existing records. It is very different from asking that a new record be created. She suggested checking with the City Attorney to see how we develop a procedure if we don't already have one in place.

Councilmember Van Dyke asked how the traffic speed bump project for Old Town was progressing. City Manager Wrede did not have an answer, but will provide a timetable for the next meeting packet.

Jeff Paxton will meet with Administration and then the Employee Committee. We are on track to have a recommendation to the Council timely as part of the budget process.

Councilmember Burgess commented on the issues surrounding the HERC building. We have explored costs to operate, renovate, and maintain the existing building and costs to tear down the building. We are one of only a few communities without a dedicated recreation space. There is an intense fervor to associate the recreation need with the HERC building. The goal of the PARC Needs Assessment is to find a viable solution. He asked people to be open minded to the results of the study. No one wants to tear down the HERC building and no one wants to sell the HERC property. It is prime real estate in Homer. If we want to improve the lot we may want to seek lending or funding. The deed restriction on the lot says it cannot be sold or repossessed. We are limiting our options to leverage a capital improvement to the lot. We need the freedom to say this is the best spot for a recreation or a public safety facility. He asked people to look to the long term of how we are going to solve our recreation and public safety needs.

Mayor Wythe commented the concept of removing deed limitations was not about selling the property, but making it the most useful building. The HERC is a facility on the lot that in many ways has exceeded its useful life. Councilmember Lewis worked in the HERC building and recollected that the people who worked there thought it was a lousy building other than the gym. The gym is the one important piece in the building.

B. Bid Report

**CITY ATTORNEY REPORT**

**COMMITTEE REPORT**

A. Public Arts Committee

Public Arts Committee Chair Michele Miller reported the committee unanimously approved the loon sculpture. The vandalism and graffiti issues were discussed. The committee would be proud to have a Rachelle Dowdy sculpture in the City's collection.

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

Mayor Wythe announced the next meeting: Wednesday, September 24<sup>th</sup> at 5:30 p.m. in the Conference Room. She urged people to stay involved in the process if they are interested. If you are not involved it leaves room for misunderstanding. At the recent Open House there were about twenty people who attended.

- F. Vessel Haul-Out Task Force

Councilmember Howard thanked the Council for their support.

#### **PENDING BUSINESS**

- A. **Ordinance 14-19**, An Ordinance of the City Council of the City of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Portions of the Rural Residential (RR), Urban Residential (UR) and Residential Office (RO) Zoning Districts to East End Mixed Use (E-MU). Van Dyke. (Introduction May 12, 2014, Referred to the Planning Department. Recommend Public Hearing October 13, 2014.)

Memorandum 14-139 from City Planner as backup.

Motion on the floor from May 12, 2014: MOTION FOR THE ADOPTION OF ORDINANCE 14-19 FOR INTRODUCTION AND FIRST READING BY READING OF TITLE ONLY.

Mayor Wythe called for a motion to postpone to October 13, 2014 for a Public Hearing.

ROBERTS/VAN DYKE – SO MOVED.

There was no discussion.

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

VOTE: NO. BURGESS

Motion carried.

- B. **Resolution 14-075**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Donation From the Bunnell Street Arts Center of a Fanciful Loon Windssock Sculpture by Alaskan Artist Rachelle Dowdy to be Placed at Bishop's Beach Park. City Clerk/Public Arts Committee. (Referred to the Public Arts Committee June 23, 2014.)

Memorandums 14-103 and 14-140 from Public Arts Committee as backup.

Memorandums 14-107 & 14-148 from Parks and Recreation Advisory Commission as backup.

Motion on the floor from June 23, 2014: MOTION FOR THE ADOPTION OF RESOLUTION 14-075 BY READING OF TITLE ONLY.

The Council expressed support for the sculpture, but expressed concerns about vandalism and maintenance.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **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. (Postponed from September 8, 2014.)

Memorandums 14-134 and 14-144 from Community and Economic Development Coordinator as backup.

Motion on the floor from September 8: MOTION FOR THE ADOPTION OF RESOLUTION 14-093 BY READING OF TITLE ONLY.

LEWIS/HOWARD - MOVED TO ADD THE KEVIN BELL ARENA UNDER OTHER PROJECTS.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/LEWIS – MOVED TO ADD THE RECONFIGURATION FOR HOMER COUNCIL ON THE ARTS TO THE OTHER SECTION OF THE CIP LIST.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LEWIS/ROBERTS - MOVED TO ADD HAVEN HOUSE SECURITY UPGRADES TO THE OTHER SECTION.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/BURGESS – MOVED TO ADD REPLACEMENT AMBULANCE TO THE CITY OF HOMER CIP PROJECT LIST.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LEWIS/ROBERTS – MOVED TO ADD THE SEAFARERS MEMORIAL PARKING PROPOSAL TO THE CIP.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/LEWIS – MOVED TO ADD THE STORM WATER PLAN TO THE CITY OF HOMER CIP LIST.

Brief discussion ensued on the eligibility of the project.

City Planner Abboud clarified it is a study to plan for what might be necessary for storm water, not for the actual capital improvement.

Mayor Wythe called for a recess at 8:01 p.m. and reconvened the meeting at 8:05 p.m.



Community and Economic Development Koester reported the project is eligible for the CIP since it is a non-recurring and non-operational expense over \$50,000, that may result in a fixed asset.

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

VOTE: NO. BURGESS

Motion carried.

ROBERTS/LEWIS – MOVED TO ADD BAYVIEW PARK RESTORATION PROJECT TO THE CITY OF HOMER CIP LIST.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ZAK/VAN DYKE - MOVED TO ADD THE HERC BUILDING UPGRADES PROPOSED BY PARKS AND RECREATION.

Councilmember Burgess suggested waiting until the PARC Needs Assessment comes back to make an informed decision.

VOTE: YES. ZAK

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

Motion failed.

LEWIS/HOWARD - MOVED TO ADD THE HOMER SPIT TRAILHEAD RESTROOMS TO THE CIP.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/LEWIS – MOVED TO ADD BACKUP GENERATOR FOR THE HOMER PUBLIC LIBRARY ON THE CIP LIST.

Councilmember Burgess acknowledged that the library functions as a secondary municipal command post. He suggested an electrical shunt with a portable generator to reduce costs.

Community and Economic Development Koester advised the Council the library could be an alternate emergency operations center, a joint operational center, and a child care center. Generally we look for homeland security grants.

IT Manager Poolos explained it could be 6-10 hours of staff time breaking things down when there is a power outage. When the library has no power, online catalogs are not available. The library is a 3-phase building so does not provide an option for a portable generator.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Rogers Loop Trail Land Acquisition is currently on the CIP as proposed by Nordic Ski Club. They request that this become a city parks project. It is a \$70,000 purchase of land that is north of the trailhead.

LEWIS/ROBERTS - MOVED TO ADD THE KACHEMAK NORDIC SKI CLUB ACQUISITION OF ROGERS LOOP TRAILHEAD LAND ACQUISITION.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was brief discussion on Kachemak Shellfish Growers remaining in the CIP.

ROBERTS/LEWIS - MOVED TO POSTPONE RESOLUTION 14-093 TO THE OCTOBER 13, 2014 MEETING.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **NEW BUSINESS**

## **RESOLUTIONS**

## **COMMENTS OF THE AUDIENCE**

Adele Person, city resident, commented on the East End Road trail with the culverts that have heaved. She is working on a solution to fix the culverts while the construction crews are still working on East End Road.

Deb Lowney, city resident, asked that the Public Safety Building Review Committee slow down on a site selection and wait until the PARC needs assessment is completed. She expressed concern about losing the HERC as a recreation facility.

Christine Szocinski, city resident, expressed frustration on the track record of the City's insurance broker and the staff making decisions that have no education in insurance benefits. She requested a second opinion on health benefit options.

#### **COMMENTS OF THE CITY ATTORNEY**

City Attorney Klinkner was not present.

#### **COMMENTS OF THE CITY CLERK**

City Clerk Johnson announced absentee voting is underway for the City's election.

#### **COMMENTS OF THE CITY MANAGER**

City Manager Wrede commented that it was a good meeting.

#### **COMMENTS OF THE MAYOR**

Mayor Wythe reiterated the discussion regarding the HERC is the HERC, but community recreation is not lost on this council. The Council allocated funds for a PARC needs assessment to find the scope of the need so that some type of planning may take place. She encouraged participation in the Public Safety building meetings.

#### **COMMENTS OF THE CITY COUNCIL**

Councilmember Roberts commented on the face from the Citizens Academy that offered valuable input. She appreciates that program and encouraged people to sign up next year. She is interested in bringing a resolution forward at the next meeting to repair the speed bumps for the East End Road bike path.

Councilmember Van Dyke thanked everyone that came to express their opinion. There is a considerable amount of passion in regard to certain things. Tonight we have gone over so

much with public safety and public needs for recreation. As a grandfather of hockey players, he too is passionate for recreation needs.

Councilmember Burgess commented the Mayor's comments on the HERC and the broader concern of community recreation are well received. The Public Safety building, the HERC gym, and the idea of a community parks and recreation department or program are separate issues. As a policy maker there is an element of frustration. He sees certain people using the idea of keeping the HERC building open as a point of leverage to de-facto fund parks and recreation programs without getting the buy in of the larger community. The Council asked what the consensus looks like and started with the PARC needs assessment. What is the consensus of the community? We are charged with spending taxpayers' money. It's not fair to say we can spend \$250,000 per year heating and maintaining the HERC building and not adequately house the police and fire departments. A certain amount of rhetoric around a certain structure to drive the discussion does not give us a long-term facility. No one likes the idea of closing the HERC or the idea of an expensive Public Safety building, but we would like to have our citizens adequately protected.

Councilmembers Lewis, Howard, and Zak had no comment.

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:35 p.m. The next Regular Meeting is Monday, October 13, 2014 at 6:00 p.m. and Committee of the Whole 5:00 p.m. Special Meetings are scheduled for Monday, September 29, 2014 at 6:00 p.m., October 20, 2014 at 6:00 p.m., and Saturday, October 25, 2014 9:00 a.m. – 4:30 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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JO JOHNSON, MMC, CITY CLERK

Approved: \_\_\_\_\_