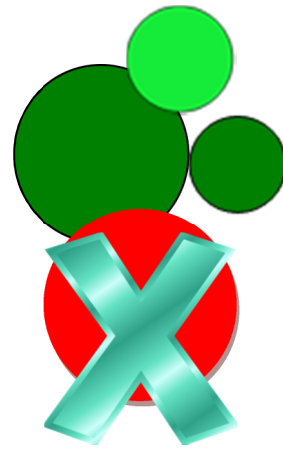


City Council  
February 23, 2015  
Monday



Worksession 4:00 P.M.  
Committee of the Whole 5:00 P.M.  
Regular Meeting 6:00 P.M.



Cowles Council Chambers  
City Hall  
491 E. Pioneer Avenue  
Homer, Alaska

Produced and  
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2015  
FEBRUARY & MARCH



- Monday 23<sup>rd</sup>:** **CITY COUNCIL**  
Worksession 4:00 p.m., Committee of the Whole 5:00 p.m.,  
and Regular Meeting 6:00 p.m.
- Wednesday 25<sup>th</sup>:** **PORT AND HARBOR ADVISORY COMMISSION**  
Regular Meeting 5:00 p.m.
- Monday 2<sup>nd</sup>:** **PARKS AND RECREATION ADVISORY COMMISSION**  
Special Meeting 5:30 p.m.
- Tuesday 3<sup>rd</sup>:** **CITY COUNCIL**  
Special Meeting 4:00 p.m.
- LIBRARY ADVISORY BOARD**  
Regular Meeting 5:00 p.m.
- Wednesday 4<sup>th</sup>:** **PLANNING COMMISSION**  
Worksession 5:30 p.m. and Regular Meeting 6:30 p.m.
- Monday 9<sup>th</sup>:** **CITY COUNCIL**  
Worksession 4:00 p.m., Committee of the Whole 5:00 p.m.,  
and Regular Meeting 6:00 p.m.

**Regular Meeting Schedule**

- City Council 2<sup>nd</sup> and 4<sup>th</sup> Mondays 6 p.m.**  
**Library Advisory Board 1<sup>st</sup> Tuesday with the exception of January,  
April, August, & November 5 p.m.**  
**Economic Development Advisory Commission 2<sup>nd</sup> Tuesday 6 p.m.**  
**Parks and Recreation Advisory Commission 3<sup>rd</sup> Thursday with the exception of  
July & December 5:30 p.m.**  
**Planning Commission 1<sup>st</sup> and 3<sup>rd</sup> Wednesday 6:30 p.m.**  
**Port and Harbor Advisory Commission 4<sup>th</sup> Wednesday 5 p.m. (May – August 6 p.m.)**  
**Public Arts Committee Quarterly 2<sup>nd</sup> Thursday 5 p.m.**  
**Permanent Fund Committee Quarterly 2<sup>nd</sup> Thursday 5:15 p.m.**

**MAYOR AND CITY COUNCILMEMBERS AND TERMS**

- BETH WYTHE, MAYOR – 16**  
**FRANCIE ROBERTS, COUNCILMEMBER – 15**  
**BRYAN ZAK, COUNCILMEMBER – 16**  
**DAVID LEWIS, COUNCILMEMBER – 17**  
**BEAUREGARD BURGESS, COUNCILMEMBER – 15**  
**GUS VAN DYKE, COUNCILMEMBER – 16**  
**CATRIONA REYNOLDS, COUNCILMEMBER – 17**

**City Manager, Marvin Yoder**  
**City Attorney, Thomas F. Klinkner**

<http://cityofhomer-ak.gov/cityclerk> for home page access, Clerk's email address is:  
[clerk@ci.homer.ak.us](mailto:clerk@ci.homer.ak.us) City Clerk's office phone number: direct line 235-3130, other number  
435-3106.



HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**WORKSESSION**  
**4:00 P.M. MONDAY**  
**FEBRUARY 23, 2015**  
**COWLES COUNCIL CHAMBERS**

MAYOR BETH WYTHE  
COUNCIL MEMBER FRANCIE ROBERTS  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER BEAUREGARD BURGESS  
COUNCIL MEMBER GUS VAN DYKE  
COUNCIL MEMBER CATRIONA REYNOLDS  
CITY ATTORNEY THOMAS KLINKNER  
CITY MANAGER MARVIN YODER  
CITY CLERK JO JOHNSON

### **WORKSESSION AGENDA**

- 1. CALL TO ORDER, 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)
- 3. GREEN DOT TRAINING**
- 4. COMMENTS OF THE AUDIENCE**
- 5. ADJOURNMENT NO LATER THAN 4:50 P.M.**  
Next Regular Meeting is Monday, March 9, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. A Special Meeting is scheduled for Tuesday, March 3, 2015 at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**COMMITTEE OF THE WHOLE**  
**5:00 P.M. MONDAY**  
**FEBRUARY 23, 2015**  
**COWLES COUNCIL CHAMBERS**

MAYOR BETH WYTHE  
COUNCIL MEMBER FRANCIE ROBERTS  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER BEAUREGARD BURGESS  
COUNCIL MEMBER GUS VAN DYKE  
COUNCIL MEMBER CATRIONA REYNOLDS  
CITY ATTORNEY THOMAS KLINKNER  
CITY MANAGER MARVIN YODER  
CITY CLERK JO JOHNSON

### **COMMITTEE OF THE WHOLE AGENDA**

- 1. CALL TO ORDER, 5:00 P.M.**
- 2. AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)
- 3. CONSENT AGENDA**
- 4. REGULAR MEETING AGENDA**
- 5. COMMENTS OF THE AUDIENCE**
- 6. ADJOURNMENT NO LATER THAN 5:50 P.M.**  
Next Regular Meeting is Monday, March 9, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. A Special Meeting is scheduled for Tuesday, March 3, 2015 at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
AGENDA APPROVAL



HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**REGULAR MEETING**  
**6:00 P.M. MONDAY**  
**FEBRUARY 23, 2015**  
**COWLES COUNCIL CHAMBERS**

MAYOR BETH WYTHE  
COUNCIL MEMBER FRANCIE ROBERTS  
COUNCIL MEMBER DAVID LEWIS  
COUNCIL MEMBER BRYAN ZAK  
COUNCIL MEMBER BEAUREGARD BURGESS  
COUNCIL MEMBER GUS VAN DYKE  
COUNCIL MEMBER CATRIONA REYNOLDS  
CITY ATTORNEY THOMAS KLINKNER  
CITY MANAGER MARVIN YODER  
CITY CLERK JO JOHNSON

## **REGULAR MEETING AGENDA**

**Worksession 4:00 p.m. and Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.**

### **1. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

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.)

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

### **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 Special meeting minutes of February 2, 2015 and Regular meeting minutes of February 9, 2015. City Clerk. Recommend adoption.

***Pages 21/27***

- B. **Memorandum 15-023**, from Deputy City Clerk, Re: Liquor License Renewals For Alice’s Champagne Palace, the Grog Shop, Land’s End, Best Western Bidarka Inn, Don Jose’s, American Legion Post 16, Homer Liquor & Wine Co., Patel’s, Patel’s#2, Fat Olives, Rum Locker, Boardwalk Fish & Chips, Mermaid Café, Beluga Lake Lodge, Fresh Catch Café, and Two Sister’s Bakery. **Page 47**

- C. **Ordinance 15-05**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Section 2.48.040, Board—Creation and Membership, to Decrease From Five to Three the Number of Library Advisory Board Members Who Must Be City Residents. City Manager/Library Advisory Board. Recommended dates: Introduction February 23, 2015, Public Hearing and Second Reading March 9, 2015. **Page 89**

Memorandum 15-024 from Library Advisory Board as backup. **Page 93**

**6. VISITORS**

**7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

- A. Borough Report

- B. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
  - a. Minutes of February 4, 2015 **Page 99**
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission
5. Port and Harbor Advisory Commission

**8. PUBLIC HEARING(S)**

- A. **Ordinance 15-03**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of the City’s Interest in Lot 6-A-1, Nils O. Svedlund Subdivision 2013 Replat for



\$1,655.50 to Dragonfly, LLC, and Establishing the Terms of the Sale. City Manager. Introduction February 9, 2015, Public Hearing and Second Reading February 23, 2015.

**Page 109**

- B. **Ordinance 15-04**, An Ordinance of the Homer City Council Accepting and Appropriating a Grant from the Alaska Highway Safety Office in the Amount of \$40,768.01 for the Homer Police Department Project Drive and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Introduction February 9, 2015, Public Hearing and Second Reading February 23, 2015.

**Page 123**

Memorandum 15-019 from Police Chief as backup.

**Page 127**

**9. ORDINANCE(S)**

**10. CITY MANAGER'S REPORT**

- A. City Manager's Report

**Page 137**

- B. Bid Report

**Page 139**

**11. CITY ATTORNEY REPORT**

**12. COMMITTEE REPORT**

- A. Public Arts Committee  
B. Permanent Fund Committee  
C. Employee Committee Report  
D. Port and Harbor Building Task Force  
E. Public Safety Building Review Committee  
F. Vessel Haul-Out Task Force  
G. City Manager Selection Committee

**13. PENDING BUSINESS**

**14. NEW BUSINESS**

- A. **Memorandum 15-025** from City Clerk, Re: Request for Executive Session Pursuant to AS 44.62.310 (A-C)(1 & 5) Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney/Client Privilege (Castner vs. City of Homer Resumed Litigation). **Page 149**

**15. RESOLUTIONS**

**16. COMMENTS OF THE AUDIENCE**

**17. COMMENTS OF THE CITY ATTORNEY**

**18. COMMENTS OF THE CITY CLERK**

**19. COMMENTS OF THE CITY MANAGER**

**20. COMMENTS OF THE MAYOR**

**21. COMMENTS OF THE CITY COUNCIL**

**22. ADJOURNMENT**

Next Regular Meeting is Monday, March 9, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. A Special Meeting is scheduled for Tuesday, March 3, 2015 at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PUBLIC COMMENTS  
UPON MATTERS  
ALREADY ON THE AGENDA



# RECONSIDERATION



# CONSENT AGENDA





Session 15-05 a Special Meeting of the Homer City Council was called to order on February 2, 2015 at 5:00 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: LEWIS, REYNOLDS, ROBERTS, VAN DYKE, ZAK

ABSENT: BURGESS

STAFF: CITY MANAGER YODER  
CITY CLERK JOHNSON  
COMMUNITY & ECONOMIC DEVELOPMENT  
COORDINATOR KOESTER  
FINANCE DIRECTOR LI  
PERSONNEL DIRECTOR BROWNING  
IT MANAGER POOLOS  
LIBRARY DIRECTOR DIXON  
POLICE CHIEF ROBL  
PORT AND HARBOR DIRECTOR HAWKINS

**AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

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

LEWIS/REYNOLDS – SO MOVED.

ROBERTS/LEWIS - MOVED TO AMEND THE AGENDA TO HEAR COMMENTS OF THE AUDIENCE BEFORE MEMORANDUM 15-015.

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.

## **TELEPHONIC INTERVIEWS FOR CITY MANAGER CANDIDATES**

Jeffrey Trinker  
Chris S. Johnson

Mayor Wythe called for a recess at 6:23 p.m. and reconvened the meeting at 6:30 p.m.

Douglas Isaacson  
Carey S. Meyer

## **COMMENTS OF THE AUDIENCE**

Ken Castner, city resident, commented the risk management question was not addressed. He joined Lori Evans and cautioned the Council on their burden of proof of going into Executive Session; they have a poor record of what they have done so far.

Councilmember Van Dyke told Mr. Castner the question of risk management will be asked in the face-to-face interviews.

Larry Slone, city resident, believes the top candidates for the position are Carey Meyer and Chris Johnson. Carey will do a fine job, but he gave a slight edge to Chris Johnson who speaks well and is succinct.

Kathy Hill, city resident, commented we are looking for a professional, a listener, and a juggler between staff, the City Council and the community. We need someone who will take risks and push; we need someone who cares for us.

Ginny Espenshade, city resident, said the only red flag was when a candidate was asked to address economic development with quality of life and did not address quality of life despite a lengthy answer. Former City Manager Walt Wrede navigated that balance.

Katherine George, city resident, thanked the Council for allowing the public to hear what was said and to take public comments. It is a fine line between confidentiality of the applicants.

Michael Armstrong, Homer News reporter speaking for Lori Evans, encouraged Council not to go behind closed doors to discuss applicants. In no case should a decision be made in Executive Session, other than to discuss the personal character of the applicants. If it can't be said in public is it worth saying at all?

**Memorandum 15-015**, from City Clerk, Re: Request for Executive Session Pursuant to AS 44.62.310 (A-C)(2) Subjects That Tend to Prejudice the Reputation and Character of Any

Person, Provided the Person May Request a Public Discussion (Merits of City Manager Candidates).

Mayor Wythe called for a motion for the approval of the recommendations of Memorandum 15-015 to meet in Executive Session to discuss the merits of City Manager candidates.

LEWIS/ROBERTS - SO MOVED.

Councilmember Reynolds advocated for a public discussion since training at AML for newly elected officials encouraged us to keep discussion of city manager applicants in the public view. If anyone is applying for a city manager position they go into the application process knowing it is a public process. Although there is some value to having some discussion in Executive Session, most of it should be done in public.

Councilmember Roberts prefers to have the discussion in Executive Session. The City Manager Selection Committee members thought long and hard of how to balance the public input and keep the public apprised of things. There is a certain amount of privacy the applicants deserve. She has given much thought to keeping the public involved in the discussion; it is a long hard process of how to balance it.

VOTE: YES. LEWIS, ROBERTS

VOTE: NO. REYNOLDS, ZAK, VAN DYKE

Motion failed.

Mayor Wythe called for a recess at 8:10 p.m. and reconvened the meeting at 8:18 p.m.

REYNOLDS/VAN DYKE - MOVED FOR RECONSIDERATION OF THE LAST VOTE.

Councilmember Reynolds noted there were written public comments made with the assurance they would not be read in public.

Councilmember Zak suggested that the Council not look in the envelope containing the written comments by the public.

VOTE: YES. ROBERTS, REYNOLDS, LEWIS

VOTE: NO. ZAK, VAN DYKE

Motion failed.

Mayor Wythe commented the objective of public input is to give the Council input for their decision process. If we choose not to review the comments we would be defeating the intent of having written public comments. There were a lot of people that did not come forward to share their views publicly. Council needs time to prepare their rubrics to evaluate the applicants.

The Council discussed what to do with the written public comments. City Clerk Johnson told the Council a few employees were told the comments would not be read in a public forum, but the Council would view them in Executive Session. The committee recommended the discussion and deliberation in Executive Session.

If someone writes a critical comment we are not protecting the applicants from things being said about them. The written comments should not be read into the public record.

Mayor Wythe suggested adjourning to allow the Council to do the rubric while the applicants' responses are still fresh in their mind.

The Council suggested postponement to hear from the attorney.

Mayor Wythe asked the Clerk to call Attorney Klinkner to get his advice.

Mayor Wythe called for a recess at 8:30 p.m. and reconvened the meeting at 8:38 p.m.

Mayor Wythe advised the Council we talked with the attorney and will need a new memorandum for Executive Session for the February 9<sup>th</sup> meeting. The Executive Session will be narrowed to review the documentation provided. The session will be part of the regular meeting.

Personnel Director Browning will contact applicants and let them know of the delay.

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:40 p.m. The next Regular Meeting is Monday, February 9, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 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: \_\_\_\_\_



Session 15-06 a Regular Meeting of the Homer City Council was called to order on February 9, 2015 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, LEWIS, REYNOLDS, ROBERTS, VAN DYKE, ZAK

STAFF: CITY CLERK/ACTING CITY MANAGER JOHNSON  
CITY ATTORNEY KLINKNER  
IT MANAGER POOLOS  
LIBRARY DIRECTOR DIXON  
PERSONNEL DIRECTOR BROWNING  
PORT AND HARBOR DIRECTOR HAWKINS  
PUBLIC WORKS DIRECTOR MEYER

The Council met for a Worksession from 4:00 p.m. to 4:38 p.m. to discuss the Natural Gas Free Main Allowance. From 5:00 p.m. to 5:11 p.m. the Council met as a Committee of the Whole to discuss Consent Agenda 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: **CITY MANAGER'S REPORT** - Strategic Doing (attachment #1) **CITY ATTORNEY REPORT** - City Attorney Report of January 2015.

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

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

There were no comments of the public.

## **RECONSIDERATION**

- A. **Ordinance 15-01**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040(M) Regarding Compensation for the Mayor and Council. City Council. Introduction January 12, 2015, Public Hearing and Second Reading January 26, 2015. Reconsideration issued by Councilmember Van Dyke on January 26, 2015.

Mayor Wythe called for a motion for the reconsideration of Ordinance 15-01.

VAN DYKE/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. LEWIS, BURGESS, ROBERTS, REYNOLDS

VOTE: NO. ZAK, VAN DYKE

Motion carried.

See Pending Business.

## **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 Special meeting minutes of January 5, 2015 and Regular meeting minutes of January 26, 2015. City Clerk. Recommend adoption.
- B. **Memorandum 15-017**, from Mayor, Re: Reappointment of Carla Stanley to the Cook Inlet Regional Citizens Advisory Council, Reappointment of James Hornaday as the Alternate Board Member for the Cook Inlet Regional Citizens Advisory Council, and Appointment of Robert Archibald to the Prince William Sound Regional Citizens' Advisory Council.
- C. **Memorandum 15-018**, from Deputy City Clerk, Re: Liquor License Transfer for Land's End and New Liquor License for Cannery Bay Restaurant.
- D. **Ordinance 15-03**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of the City's Interest in Lot 6-A-1, Nils O. Svedlund Subdivision 2013 Replat for \$1,655.50 to Dragonfly, LLC, and Establishing the Terms of the Sale. City Manager.



Recommended dates: Introduction February 9, 2015, Public Hearing and Second Reading February 23, 2015.

- E. **Ordinance 15-04**, An Ordinance of the Homer City Council Accepting and Appropriating a Grant from the Alaska Highway Safety Office in the Amount of \$40,768.01 for the Homer Police Department Project Drive and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommended dates: Introduction February 9, 2015, Public Hearing and Second Reading February 23, 2015.

Memorandum 15-019 from Police Chief as backup.

- F. **Resolution 15-011**, A Resolution of the City Council of Homer, Alaska, Acknowledging the January 2015 Surplus Equipment Bid Results. City Clerk. Recommend adoption.

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

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS**

- A. John Bushell, Summer Solstice Music Festival

John Bushell (Johnny B) and Jim Stearns (Salmon Stock organizer) presented the idea of a Sol Fest in Homer. The first event will be held June 19 – 21, 2015 in the Town Center area and will include great music, amazing art, and wonderful people.

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

- A. **Mayor's Proclamation**, Congenital Heart Defect Awareness Week – February 7 – 14, 2015

Mayor Wythe read and presented the proclamation to Melanie Miller, mother of Chloe who was born with a congenital heart defect.

**B. Mayor's Proclamation, Brother Asaiah Bates Day – February 14, 2015**

Mayor Wythe acknowledged Brother Asaiah Bates Day. The proclamation will be mailed to Martha Ellen Anderson.

**C Borough Report**

**D. Commissions/Board Reports:**

**1. Library Advisory Board**

Library Board Member Patricia Utley reported a mom in Maine sent \$50 to the library as her son uses the public phone at the library to call home. There are three new board members and all of them have research and grant writing experience. The Board is setting goals and supporting growth of the library and needs of the staff to provide better service. Before the Board is an amendment to HCC 2.48.040 to allow members from outside city limits to serve on the Board. Library use is growing steadily, both in the winter and summer months. In January there were 1,000 more patrons than in January 2014. Ms. Utley commended the library staff in doing a great job of keeping up with the needs. The library is a four-star library.

**2. Homer Advisory Planning Commission**

**a. Minutes of January 21, 2015**

**3. Economic Development Advisory Commission**

**4. Parks and Recreation Advisory Commission**

**a. Memorandum 15-022 from Parks and Recreation Advisory Commission**

Parks and Recreation Advisory Commissioner Robert Archibald provided an update on the commission's efforts on Bishops Beach. They have looked at organization, heard public comment, and are delving into legal issues. They are getting an understanding of the boundaries on the beach to include property lines pre-earthquake 1964. There was a good turnout at the last meeting and he encouraged more public participation. Law enforcement will be at the March meeting. There are a lot of opinions and a lot of problems with dog owners, 4-wheelers, and dog feces.

Memorandum 15-022 would transfer exercise equipment from the City to the Kenai Peninsula Borough School District. The equipment was removed from the red shed at Karen Hornaday Park and is meant to set up along the trail at West Homer Elementary. Attorney Klinkner will review the transfer of the equipment and determine if a more formal process is needed.

5. Port and Harbor Advisory Commission

**PUBLIC HEARING(S)**

- A. **Ordinance 15-02**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Grant From The Homer Foundation in the Amount of \$930 for the Public Library Fireplace Natural Gas Conversion. City Manager. Introduction January 26, 2015, Public Hearing and Second Reading February 9, 2015.

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 15-02 by reading of title only for second and final reading.

LEWIS/ZAK - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**ORDINANCE(S)**

**CITY MANAGER'S REPORT**

- A. City Manager's Report

**Land Leases**

As noted in my previous report there were letters sent to leases on the spit that had one or more non-compliance issues that needed to be resolved. We have received some responses and are working to resolve the outstanding issues. Unresolved issues will be brought to the council.

## **Emergency Preparedness**

Bob Painter, Fire Chief, is working with the Hospital and the State Emergency preparedness personnel to conduct a large disaster training exercise in March. Bob and/or the hospital staff will provide additional information as the plans are formalized.

## **Resolution 15-004**

The City Council at its last meeting voted to postpone Res 15-004 which would request the legislature re-appropriate \$1,405,000 from the Waddell Way project to the Public Safety Building project.

Staff has reviewed that Resolution and has determined that re-appropriating \$1.2 million will accomplish what is needed for the PS building until October of 2016. The remaining \$200,000 will complete the ROW survey and engineering portion of the project. These projects are bid ready.

Using HART funds the city could then construct a pioneer road that could be finished and paved at a later date. The soils in the area will require some time to compact before a paving project could proceed.

Councilmember Burgess commented on the Waddell Way re-appropriation. The project made it on the CIP and there was public support. He suggested exploring the possibility of using HART funds to follow through on the commitment to the public.

Mike Illg, PARC Needs Assessment Member, outlined their mission statement. PARC is prioritizing the community's needs and determining a 10 to 15 year outlook. Results from the community survey are available online on the City's Parks and Recreation webpage under the park logo. PARC is still meeting and is working on the next step of the needs assessment survey. He encouraged people to participate in the survey if they get a phone call asking them to do so.

Kate Crowley, PARC Needs Assessment Member, reported the group has been discussing funding for recreational needs. The assessment will end in April. They have discussed reallocating HART funds and have asked the Council to look at it. Another funding source is establishing a recreational service area. There will be an open forum on February 26 at 3:30 p.m. at the college, Room 201. Representatives from the Borough will be present to answer questions about a service area. Discussion will include boundaries, potential mil rates, and anticipated revenue. She encouraged the public to participate.

## **B. Games Report**

1. Alaska Hotel and Lodging Association

### **CITY ATTORNEY REPORT**

Attorney Klinkner commented on his involvement with the Social Media Committee who is working towards a policy for a Facebook presence.

### **COMMITTEE REPORT**

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

Ken Castner reported Police Chief Robl presented a PowerPoint to the Rotary last week. The group provided immediate feedback, most of it very positive. The next meeting is February 17 at 5:00 p.m.

- F. Vessel Haul-Out Task Force
- G. City Manager Selection Committee

Councilmember Roberts reported the committee will meet on February 11 at 5:15 p.m. to proceed with the hiring process. She hopes after tonight the Council will have narrowed candidates to face-to-face interviews.

### **PENDING BUSINESS**

- A. **If reconsidered - Ordinance 15-01**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.040(M) Regarding Compensation for the Mayor and Council. City Council. Introduction January 12, 2015, Public Hearing and Second Reading January 26, 2015.

Mayor Wythe called for a motion for the adoption of Ordinance 15-01 by reading of title only for second and final reading.

LEWIS/BURGESS - SO MOVED.

ROBERTS/BURGESS – MOVED TO AMEND TO ADD ANOTHER NOW THEREFORE THAT THE EFFECTIVE DATE IS MARCH 1, 2015.

There was no discussion.

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

Motion carried.

Councilmember Burgess advocated for the passage of Ordinance 15-01(A) as the Council unanimously appropriated the funds by passing the budget. The Council's obligation is to look at what would empower a potential candidate to have the means to serve on the council. Someone should be able to hold political office and not be held to the funding source that allowed them to serve. The compensation would allow a council member to pay a babysitter.

Councilmember Zak expressed opposition to the stipend increase and suggested the Council find a process to deal with the financial ability of individuals serving in the future. Service on the council is not about financial compensation; it is the knowledge and sense of community one gains from serving.

Councilmember Reynolds commented any member who does not need to take the money doesn't have to. Lost time from work and childcare costs could be a severe barrier for some people to serve on the council.

VOTE: (motion as amended) YES. ROBERTS, REYNOLDS, LEWIS, BURGESS

VOTE: NO. ZAK, VAN DYKE

Motion carried.

## **NEW BUSINESS**

- A. **Memorandum 15-020**, from City Clerk, Re: Request for Executive Session Pursuant to AS 44.62.310 (A-C)(2) Subjects That Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion (View Written Public Comments Pertaining to the City Manager Applicants and Discuss the Personal Character of the Applicants); and AS 44.62.310 (A-C)(1 & 5) Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney/Client Privilege (Haunschild/Duggan vs. City of Homer).

Mayor Wythe called for a motion for the approval of the recommendations of Memorandum 15-020 to meet in Executive Session to view written public comments pertaining to the City

Manager applicants and discuss the personal character of the applicants and to discuss Haunschild/Duggan vs. City of Homer.

LEWIS/ROBERTS – SO MOVED.

The Council discussed the need for a public discussion of the applicants and an Executive Session to discuss the personal character of applicants. They deferred to Attorney Klinkner for direction on the written public comments that were to be reviewed in Executive Session.

Attorney Klinkner advised the Council there were two separate questions pertaining to the written public comments. The first question is whether the documents are public records. The second question is whether discussing them is a proper topic for Executive Session. It is proper for an Executive Session if the comments do address the character and reputation of the applicants.

Councilmember Zak expressed concern about discussing the character of applicants in Executive Session. He questioned if the applicants should be given the choice of discussing their character and reputation in public.

Attorney Klinkner advised the Council the standard subject for Executive Session is to discuss the character and reputation of an applicant and the subject may request the discussion be held in public. He is not sure if such requests have been received or the applicants were notified they have that option.

City Clerk Johnson told the Council the applicants have not been notified individually their character may be discussed by the Council.

The Council discussed the written public comments. It was stated repeatedly during the course of the telephonic interview process that people could add information in the envelope in confidence. It was only after the written comments had been accepted that their confidentiality was questioned. The process was established by the City Manager Selection Committee which is comprised of the mayor and three councilmembers.

Mayor Wythe commented as a Human Resources professional that there are a lot of things that need to be said that for the benefit of the applicant you don't want to say them in public. This is a much more public process than any hiring process of the City of Homer. There is a lot of risk for people that put their application in. If something came out as a result of open discussion it could make them ineligible for hiring at a lot of places. If there are those sort of things you don't want to put them in the public record. The Council wants to receive whatever input they can to make a good choice. The individuals will also be subject to an in-depth background check of their financial history and criminal background. That process hasn't taken place yet. In Human Resource law if you make a decision or statement during the course of the interview process that is disparaging and it becomes public information, the City could be sued. It is as much to protect the City as it is to protect the applicant.

Councilmember Zak expressed concern that the people that wrote the comments for the envelope were unwilling to come out in public and share that information. The applicant wasn't given the right to say whether they wanted the comments read in public and the person who wrote the comments for the envelope needs protection. Both people's rights need to be protected. He suggested destroying what was in the envelope and to then give those people the right to put something in the envelope to consider in Executive Session and notify the applicants it could be discussed in public if they would like it to be.

Asked if the written comments would be public record after this, Attorney Klinkner answered he will need to research and review the procedure that was used for collecting comments and what representation was made to the people that provided them and the content of the comments.

The Council noted city staff may work under a candidate and their comments may not be safe to say in a public arena.

Councilmember Van Dyke commented the whole process is an open forum and the public should know what is there. We have two choices: shred the envelope or open things up and read in the public record.

BURGESS/VAN DYKE - MOVED TO AMEND TO DIVIDE IT INTO TWO MOTIONS TO ADJOURN TO EXECUTIVE SESSION; ONE HAVING TO DO WITH THE LEGAL CASE FACING THE CITY OF HOMER, THE OTHER WITH REGARD TO THE QUESTIONS, FEEDBACK, AND APPLICATIONS FOR CITY MANAGER.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

First question: TO MOVE INTO EXECUTIVE SESSION TO REVIEW CONFIDENTIAL DOCUMENTS REGARDING THE APPLICANTS FOR THE CITY MANAGER.

VOTE: YES. REYNOLDS, ROBERTS, BURGESS, LEWIS

VOTE: NO. VAN DYKE, ZAK

Motion carried.

Second question: TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE HAUNSCHILD/DUGGAN VS. CITY OF HOMER CLAIM.

City Attorney Klinkner will be included in the Executive Session on this matter.



VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a motion to adjourn to Executive Session.

LEWIS/VAN DYKE – SO MOVED.

There was no discussion.

VOTE: YES. VAN DYKE, LEWIS, REYNOLDS, ROBERTS, BURGESS

VOTE: NO. ZAK

Motion carried.

The Council adjourned to Executive Session at 7:08 p.m. and reconvened the Regular Meeting at 8:07 p.m.

Mayor Pro Tempore Roberts stated the Council received an update from the attorney on the legal issues and provided guidance to him. The Council reviewed the confidential comments of the public and council comments regarding the character of the applicants.

B. **Memorandum 15-021**, from City Clerk, Re: Selection of City Manager Applicants for Face-to-Face Interviews and Determine Interview Dates.

Mayor Wythe called for a motion to discuss Memorandum 15-021.

VAN DYKE/ROBERTS - SO MOVED.

The Council discussed the procedure with Councilmember Reynolds suggesting total scores on rubrics for each candidate be discussed.

BURGESS/ROBERTS - MOVED FOR THE SAKE OF EXPEDIENCY, AT LEAST FOR THE BEGINNING PART OF THIS, TO STRIKE PEOPLE OFF THE LIST; IF THERE IS LIMITED CONSENSUS OR WE CAN'T HAVE MOTIONS THAT HAVE A MAJORITY BEYOND THAT THEN WE CAN REVERT TO THE METHOD CATRIONA PRESCRIBED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VAN DYKE/LEWIS - MOVED TO REMOVE DOUGLAS ISAACSON FROM THE POOL.

Councilmember Lewis commented by the rubric he scored high, but his answers and resume indicated he lacked a certain knowledge of Homer. He did not know we had a hospital and he only answered half of the question of quality of life and economic development.

Councilmember Zak added Mr. Isaacson scored high for him also, although not as high as some of the others. Councilmember Zak liked his experience with the state legislature and agreed with some of the points Councilmember Lewis mentioned.

Mayor Wythe commented Mr. Isaacson was her second highest score on the rubric. She had concerns relating to his verbosity of answer without actually answering the question. He scored well because we have a lot of score that is weighted on Alaska experience. She has concerns about his ability to step back from the Legislature to managing a small community in Alaska.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ZAK/REYNOLDS - MOVED TO REMOVE JEFFREY TRINKER.

Councilmember Zak commented he scored Mr. Trinker in considering all the candidates and the input from the public. He scored lower than the other candidates and he could clearly make a delineation to remove him from the candidate list.

Councilmember Lewis commented he scored low, but he liked his answers. Twenty points was automatically knocked off from the start since he has no experience in Alaska or coastal communities. It is a deficit; people that come up here have to go someplace.

Mayor Wythe commented she looked at the location where he lives. It was originally a transport community for railroad and shipping on a river front. Jeffrey Trinker and Carey Meyer scored the same. They were her lowest two scores. The difference in the two was that Carey got the Alaska points and Jeffrey got the other points. She felt like Mr. Trinker was real personable and she would be interested in seeing him for a face-to-face interview. She would not like to see him fall off the list.

Councilmember Van Dyke expressed the same sentiments as the Mayor regarding Mr. Trinker. He scored very near the two and three spot. The only reason he was lower is because you immediately take 20 points away since he has no experience in Alaska. He had a really good feeling at the end of the interview.

Councilmember Reynolds thought Mr. Trinker had good questions at the end of the interview.

Mayor Wythe commented that is what she liked about both external candidates is they had questions at the end of the interview. It speaks of being prepared to interview.

VOTE: YES. ZAK, BURGESS

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

Motion failed.

LEWIS/VAN DYKE – MOVED TO INVITE THE THREE REMAINING CANDIDATES FOR FACE-TO-FACE INTERVIEWS.

Mayor Wythe asked if it was customary to bring the spouse for an interview. Personnel Director Browning answered it was.

VOTE: YES. REYNOLDS, LEWIS, ROBERTS, VAN DYKE

VOTE: NO. BURGESS, ZAK

Motion carried.

The Council discussed meeting dates for the interviews. Personnel Director Browning told the Council three weeks is adequate time for a candidate to be here to interview. The last city manager interview process included the candidates being shown city departments by council members. The next day the Council conducted interviews. She encouraged the Council to keep the interviews close together as it can work for or against applicants if they are spread out weeks at a time. She recommended aiming for the first week of March. She will try to contact the candidates tomorrow to see if the dates work out. The out-of-state candidates can arrive on Sunday, be provided the tour on Monday, interview on Tuesday, and leave on Wednesday. The City put the candidates up for three nights and pays the airline tickets for the candidate and their spouse.

The Council discussed having some flexibility for interviews and not overlapping the out-of-town candidates visits.

ROBERTS/LEWIS - MOVED TO INVITE THE CANDIDATES TO COME TO HOMER IDEALLY ON MARCH 1, 2, AND 3, BUT IF THAT DOESN'T WORK THEN THE ALTERNATIVE COULD BE MARCH 8, 9, AND 10.

City Clerk Johnson advised the Council all regular council meeting for March are filled with Worksessions.

The Council discussed an earlier interview date for the local candidate on February 23. A longer time period is required for each applicant to interview.

ROBERTS/LEWIS - MOVED TO AMEND THE DATES BEGINNING ON FEBRUARY 23 AND SPANNING THROUGH MARCH 3 TO FIND A TIME PERIOD TO INTERVIEW THE THREE CANDIDATES AND HOST THEM.

There was no discussion.

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

Motion carried.

## **RESOLUTIONS**

## **COMMENTS OF THE AUDIENCE**

Ken Castner, city resident, thanked Councilmember Zak for acknowledging the public participation in the interview process. He referenced the website information on objecting to natural gas assessments; the only objection he can make is whether his property should be exempted. His first objection is that you can't tax him for something he doesn't own. His second objection is that he doesn't want the Council to use the special assessment process to increase taxes to the people of Homer. He doesn't want to be taxed on the costs and incorporate fees that equate to a tax. His third objection is he wants the City to get out of the natural gas business as soon as possible.

Larry Slone, city resident, commented the process of narrowing down the city manager candidates was awkward with the written comments in the envelope being excluded from the

public view. The information was provided in a public forum and there was no assurance it was only to be viewed in executive session. It is a separation of respect, support, and confidence between public and the city council. It was alleviated to an extent with Councilmember Lewis' discussion about excluding Mr. Isaacson. It is important from the perspective of the public to maintain continuity, communication, and transparency.

Robert Archibald, city resident on behalf of Woodard Creek Coalition, commented they have completed a plan that will bring together all interested parties in the Woodard Creek Watershed. The plan will protect and respect property, give the community an active voice, balance environmental and social needs, improve water quality, and reduce the risk of flooding. The plan will be outlined at a meeting on February 26 at 6:30 p.m. at Islands and Ocean Visitor's Center. Questions may be directed to Diane Converse or Bob Shavelson. Additionally, PARC will be on KBBI's Wednesday Coffee Talk and the Highland Games will be during Sol Fest.

Ted Schmidt, Homer resident, appreciates the straightforward process of the city manager selection. He agrees with the stipend for the Council to attract a broader contingent. He opposes reallocating funds for Waddell Way road improvement. It is very necessary to redirect traffic and the bottleneck. He commented on Highland Drive traffic and the trucks, jake breaks, speeders, and dump traffic.

Councilmember Burgess commented the Legislature has appropriated funds to improve Waddell Way and the Council is considering a re-appropriate of those funds for the Public Safety building and to use HART funds for Waddell Way.

Ted Schmidt commented HART is a tax he pays to help with infrastructure. He contributes to those funds so they are used for infrastructure. It is not appropriate for us to use HART funds and the taxpayer has no guarantee they will not have to pay more for the road.

Michael Armstrong, Homer News, filed a public records request on public comments made at the public meeting. He is surprised there were other comments made. He was a little concerned about the talk about shredding public records. He hopes that decision would be made through the proper channels.

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

City Attorney Klinkner had no comments.

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

City Clerk Johnson had no comments.

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

Acting City Manager Johnson had no comments.

### **COMMENTS OF THE MAYOR**

Mayor Wythe understands the Homer News' position of making comments about applicants in a public forum. Through the interview process you develop comments that need to be discussed when you have seven people working together. If you were personally deciding on an applicant you would not have to bring comments to the light of day since you are the only person making the decision. Mayor Wythe disagrees there are not comments that should not be made in public. There are things that often need to be said, but for the safety or security of the applicant, they need to be said in confidence. Whether it is a local or distance applicant any comment made in public regarding their character or characteristics that you picked up through their interview process can be impugning to their ability for future employment. There are innumerable public laws and regulations regarding impugning the character of an applicant for which an entity can be sued if they do not take appropriate precautions. The Council is trying to safeguard the community and the applicants and do a process that is really considerate of them, but meets the need of thoroughly vetting every interview you do. It was also an opportunity for the Council to share with each other their personal opinions of the individuals that were character driven based on the candidates. The Council spoke about the scoring and reasons for removing applicants from the pool. We are trying to meet the balance where we are providing enough open comments for the public to participate in the process, but being able to take public comment in a confidential format. If you have employees or managers that have to work with the person they need the ability to have input as well without concern of it being reflected in their future employment record. We are trying to respect all of the participants in the hiring process. We are looking at using a portion of the current appropriation for Waddell Way to do the initial through-way for that road. We are looking at re-appropriating a portion to keep the public safety building process moving forward. The Juneau conversation will be handled carefully and be very guarded because we don't want to lose the funds. We want to let them know they have appropriated these funds and we can do this portion and do a larger portion on our own. The public safety building is equally as important to us and we need the funding immediately to keep the project moving forward. We are looking for a way to meet both needs and not undermine the intent of the original allocation, but to continue meeting the full needs of the City. On the Capital Improvement Plan, the public safety building is a higher priority than the road was, although they are both in our top five. In the interest of saving funds we are trying to say this is a bigger interest for us without losing the funds.

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

Councilmember Lewis hopes if Waddell Way is paved that we don't end up with the post office parking lot being a short cut jumping across from one area to the other. He thanked the Homer High School Coop Hockey Team for providing an exciting regions game streamed on the internet from Wasilla. He congratulated the women Divas that went to Wisconsin to participate in a hockey tournament and are bringing back the trophy.

Councilmember Burgess gave a shout out to Bob at Homer Saw and Cycle. Six to eight weeks ago Bob said, "You know what is wrong with you darn city council folks, you haven't ordered up winter yet." Councilmember Burgess said this last weekend was for Bob. We would have gotten the snow, but there are tight constraints at the state budget level so we just got the cold this year...maybe next year. As to the Homer News, he appreciates their appeals along the legal lines for justification of Executive Session. With regard to hiring practices he agrees with the Mayor that there is a lot more legal downside maligning someone's character and opening up the City to a lawsuit than there is to having every aspect of an applicant's qualitative consideration be part of the public record. If you did a background check, health record, or legal history on an applicant and that came out and you impugned them that could be hard. City staff are public citizens and deserve the ability to comment, but many of them, if offering any commentary about one of the applicants, could affect their ability to work. He would err on the side of as open public process as possible, but in this case there are aspects that make good sense to discuss in Executive Session. It is great to have the legal appeals and factual appeals for eliminating Executive Session as much as possible. But the moral appeals he struggles with. He doesn't fall into the delusion that newspapers are primarily about informing the public; they are primarily about selling papers. If the Homer News made that distinction more clear the moral appeals made would be easier to deal with. He realizes he is making the cardinal sin of a politician saying bad things about a newspaper.

Councilmember Reynolds serving on the Council only since October, is surprised how people think it's a them and us situation. She's not much different than she was in September or November. She is a member of the public and the community and here doing her best to reflect everyone else's concerns. Sometimes the procedure makes it feel that way. She asked people to reach out to her by email. She encouraged everyone to participate in the Winter Carnival. They just had the 4<sup>th</sup> annual Big Fat Bike Festival. There were 98 registered participants, 15 from Homer. There was one from Wisconsin, two from Seattle, and the rest from all over the place. They spent the whole weekend and battled some really tough conditions on the beach. Typically a beach ride is guaranteed conditions, but it was pretty burly. Everyone had a good time. Friday is International Bike to Work Day.

Councilmember Van Dyke thanked the public who stayed for the whole meeting and for enduring the process we are going through. He offered kudos to the folks trying to organize the Sol Fest. An endeavor like that could become another cog in the wheel of Homer's economic diversity. To the parks and recreation people, he is pleased Bishops Beach is coming along well and going in the right direction. He asked the public to get involved to help clean up an area that used to be a fantastic family area. The Needs Assessment is on track and

he hopes we get the right information to make good choices. His prayers are with those that have congenital heart disease.

Councilmember Zak commented on congenital heart disease and baby Chloe who attended the council meeting last year. The mother was holding Chloe and she was looking at us with those beautiful blue eyes. He thanked Gus for that prayer and sent condolences to anyone with congenital heart disease. He thanked the public for input on Executive Sessions. We have learned from the public and tried to listen in the interest of transparency. We could have had a much smoother process and better disclosure and conversation. Councilmember Zak expressed concern that we put Waddell Way out there and doesn't want to see the State of Alaska take those funds away. If the re-appropriation was offered up and a percentage of it taken away he is not in favor of having it offered up. It could go away since these are tough times. February 7 - 14 is Congenital Heart Defect Awareness Week. He believes President Roosevelt lost a baby at an early age due to heart defect. The good news is the surgeons today and quality of health care are so much better. He thanked the Mayor for recognizing Brother Asaiah Bates Day as February 14.

Councilmember Roberts agrees with a lot of what Beth and Beau said about the hiring process. There was information in the packet about Recreate Rec using the HART fund to pay for the new recreation monies we need to earn. The argument was we had \$6M in the HART fund. During the earlier meeting she asked Carey Meyer about how much \$6M would build in a road. He answered 2 miles was the amount of road that could be built. We are not flush in our road fund. She congratulated Carla Stanley and James Hornaday on their appointments to the Cook Inlet Regional Citizens Advisory Council and Robert Archibald on his appointment to the Prince William Sound Regional Citizens' Advisory Council. She thanked them for their volunteer time for the City of Homer. All of us have been reading about the State budget and what Governor Walker's proposing. She encouraged the City Manager to stay on top of what is going on. It is very fluid and things change all the time. She read that the jail contracts are going to be eliminated, which is an important part of our public safety budget. We need to pay very careful attention and keep our lobbyists working on these issues and staying out in front of them. The Parks and Recreation people reported they are working on the Bishops Beach issue. Meetings are scheduled in the future and public testimony is needed. It is a good time to get involved if this is an issue you care a lot about.

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 9:04 p.m. The next Regular Meeting is Monday, February 23, 2015 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 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: \_\_\_\_\_





# City of Homer

www.cityofhomer-ak.gov

## Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 15-023

**TO:** MAYOR WYTHE AND HOMER CITY COUNCIL

**FROM:** MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

**DATE:** FEBRUARY 17, 2015

**SUBJECT:** LIQUOR LICENSE RENEWALS FOR ALICE'S CHAMPAGNE PALACE, THE GROG SHOP, LAND'S END, BEST WESTERN BIDARKA INN, DON JOSE'S, AMERICAN LEGION POST 16, HOMER LIQUOR & WINE CO., PATEL'S, PATEL'S#2, FAT OLIVES, RUM LOCKER, BOARDWALK FISH & CHIPS, MERMAID CAFÉ, BELUGA LAKE LODGE, FRESH CATCH CAFÉ, AND TWO SISTER'S BAKERY

We have been notified by the ABC Board of an application for liquor license renewals in the City of Homer for the following:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
253	Alice's Champagne Palace	Beverage Dispensary	Pioneer Beverages, Inc.	195 E Pioneer Avenue
479	The Grog Shop	Package Store	MSA, Inc.	369 E Pioneer Avenue
645	Land's End	Beverage Dispensary	Land's End Acquisition Corporation	4786 Homer Spit Road
1402	Best Western Bidarka Inn	Beverage Dispensary – Tourism	Beluga Lake Lodge, Inc.	575 Sterling Highway
2252	Don Jose's Mexican Restaurant	Beverage Dispensary	Don Jose's, LLC	127 W Pioneer Avenue
2466	American Legion Post #16	Club	American Legion Post #16, General Buckner Post	2410 East Road
2531	Homer Liquor & Wine Company	Package Store	MSA, Inc.	4306 Homer Spit Road #4
3176	Patel's	Package Store	MSA, Inc.	4470 Homer Spit Road
3472	Patel's #2	Package Store	MSA, Inc.	4287 Homer Spit Road #1
4315	Fat Olives	Restaurant / Eating Place – Public Convenience	KELT, LLC	276 Ohlson Lane
4432	Rum Locker	Package Store	MSA, Inc.	276 Olsen Lane, Ste #3
4713	Boardwalk Fish & Chips	Restaurant / Eating Place – Public Convenience	D & H, Inc.	4287 Homer Spit Road, Unit 4
4728	Mermaid Café	Restaurant / Eating Place – Public Convenience	Andrew & Sally Wills	3487 Main Street

4795	Beluga Lake Lodge	Beverage Dispensary – Tourism	Beluga Lake Lodge, Inc.	204 Ocean Drive Loop
4894	Fresh Catch Café	Restaurant / Eating Place – Public Convenience	Harrison McHenry	4025 Homer Spit Road #20
5049	Two Sisters Bakery	Restaurant / Eating Place – Public Convenience	Soul Sisters, Inc.	233 E Bunnell Avenue

RECOMMENDATION: Voice non objection and approval for the liquor license renewals.

Fiscal Note: Revenues.



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates  
2400 Viking Drive  
Anchorage, AK 99501  
Direct: 907.269.0356  
Fax: 907.334.2285

February 6, 2015

City of Homer

Attn: Jo Johnson, City Clerk

VIA Email: [clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

Cc: [jjohnson@ci.homer.ak.us](mailto:jjohnson@ci.homer.ak.us)  
[joanne@borough.kenai.ak.us](mailto:joanne@borough.kenai.ak.us)  
[jblankenship@borough.kenai.ak.us](mailto:jblankenship@borough.kenai.ak.us)  
[kring@borough.kenai.ak.us](mailto:kring@borough.kenai.ak.us)

Re: Notice of Liquor License Renewal Applications

Dear Ms. Johnson,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
253	Alice's Champagne Palace	Beverage Dispensary	Pioneer Beverages, Inc.	195 E Pioneer Avenue
479	The Grog Shop	Package Store	MSA, Inc.	369 E Pioneer Avenue
645	Land's End	Beverage Dispensary	Land's End Acquisition Corporation	4786 Homer Spit Road
1402	Best Western Bidarka Inn	Beverage Dispensary – Tourism	Beluga Lake Lodge, Inc.	575 Sterling Highway
2252	Don Jose's Mexican Restaurant	Beverage Dispensary	Don Jose's, LLC	127 W Pioneer Avenue
2466	American Legion Post #16	Club	American Legion Post #16, General Buckner Post	2410 East Road
2531	Homer Liquor & Wine Company	Package Store	MSA, Inc.	4306 Homer Spit Road #4
3176	Patel's	Package Store	MSA, Inc.	4470 Homer Spit Road
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4315	Fat Olives	Restaurant / Eating Place – Public Convenience	KELT, LLC	276 Ohlson Lane

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4894	Fresh Catch Café	Restaurant / Eating Place – Public Convenience	Harrison McHenry	4025 Homer Spit Road #20
5049	Two Sisters Bakery	Restaurant / Eating Place – Public Convenience	Soul Sisters, Inc.	233 E Bunnell Avenue

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is arbitrary, capricious, and unreasonable. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify our office and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind when responding to this notice. AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application(s) referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For

additional information regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Daulton Oates". The signature is stylized with a large, looping initial "S" and a cursive "D" and "O".

***Sarah Daulton Oates***

Records & Licensing Supervisor

sarah.oates@alaska.gov

(907)269-0356

1185

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

### Renewal Liquor License 2015/2016

(907) 269-0350  
Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
License Number: 253	License Type: Beverage Dispensary	Statute Reference: Sec. 04.11.090
Local Governing Body: Homer	Community Council (if applicable): n/a	
Name of Licensee: Pioneer Beverages, Inc.	Doing Business As (DBA): Alice's Champagne Palace	
Mailing Address: 203 W Pioneer Ave. Ste. 2B Homer, AK 99603	Street Address or Location of Premises: 195 E Pioneer Ave.	
Phone: 907-398-7475	Fax:	Email: aliceschampagnepalace195@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i><b>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</b></i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <b>Pioneer Beverages Inc.</b>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <b>must</b> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
Michael Todd Boling	Director	100	203 W Pioneer 2b Homer AK 99603	(907) 398-7475
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				



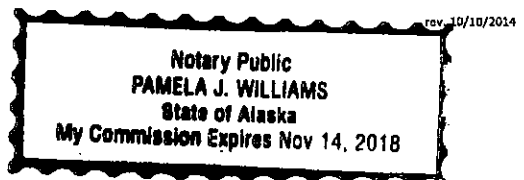
SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)			
Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)			
Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Phone:		Phone:	
Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Phone:		Phone:	

SECTION D – SUPPLEMENTAL QUESTIONS	
Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If yes, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>For Package Stores only:</b>	
Do you intend to sell alcoholic beverages in response to a written order?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>For Restaurant / Eating Places only:</b>	
Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

DECLARATION	
<ul style="list-style-type: none"> <li>I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.</li> <li>I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.</li> <li>I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.</li> <li>I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.</li> <li>As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.</li> <li>As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.</li> <li>As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.</li> </ul>	

License Fee	\$2,500 <sup>00</sup>
Filing Fee	\$ 200.00
TOTAL	\$
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$2,700 <sup>00</sup>

Licensee Signature <i>M. Williams</i>	Printed Name & Title: <i>M. Williams, President, Pioneer Beverages Inc</i>
Notary Signature <i>Pamela J. Williams</i>	Subscribed and sworn to before me this <i>28</i> day of <i>November</i> , 2014.
Notary Public in and for the State of: <i>Alaska</i>	My commission expires: <i>November 14, 2018</i>



## Renewal Liquor License 2015/2016

License is:     Full Year    OR     Seasonal    If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 479	<b>License Type:</b> Package Store	<b>Statute Reference:</b> Sec. 04.11.150
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> MSA, Inc.		<b>Doing Business As (DBA):</b> The Grog Shop
<b>Mailing Address:</b> 369 E Pioneer Avenue, Homer, AK 99603		<b>Street Address or Location of Premises:</b> 369 E Pioneer Ave
<b>Phone:</b> 235-5101	<b>Fax:</b> 235-6139	<b>Email:</b> alaskamsa@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):  MSA, Inc.				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
Melvyn Strydom	President	100	61447 E. Skyline Dr Homer, AK 99603	235-5101
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

# 479

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do you intend to sell alcoholic beverages in response to a written order?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

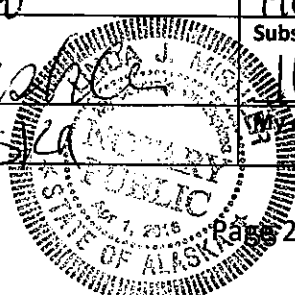
**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

<b>License Fee</b>	<b>\$ 1500.00</b>
<b>Filing Fee</b>	<b>\$ 200.00</b>
<b>TOTAL</b>	<b>\$ 1700.00</b>
<b>Late Fee of \$500.00 – if received or postmarked after 12/31/2014</b>	<b>\$</b>
<b>Fingerprint Fee – \$51.50 per person (only for new owners/members)</b>	<b>\$</b>
<b>GRAND TOTAL</b>	<b>\$ 1700.00</b>

11967

Licensee Signature <i>Melvyn Strydom</i>	Printed Name & Title: MELVYN STRYDOM, PRES
Notary Signature <i>Tonda Amundson</i>	Subscribed and sworn to before me this 10 day of December, 2014.
Notary Public in and for the State of: Alaska	My commission expires: 4/1/2016



12135

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

### Renewal Liquor License 2015/2016

(907) 269-0350  
Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
License Number: 645	License Type: Beverage Dispensary	Statute Reference: Sec. 04.11.090
Local Governing Body: Homer Kenai Peninsula Borough	Community Council (if applicable): <i>N/A</i>	
Name of Licensee: Land's End Acquisition Corporation	Doing Business As (DBA): Land's End	
Mailing Address: 4786 Homer Spit Rd, Homer, AK 99603	Street Address or Location of Premises: 4786 Homer Spit Road	
Phone: 235-0402	Fax: 235-0430	Email: <i>landsendjdf@gmail.com</i>

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <i>Lands End Acquisition Corporation</i>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
<i>Jonathan Faulkner</i>	<i>President, Treasurer</i>	<i>0</i>	<i>4621 West Hill Rd. Homer, AK 99603</i>	<i>235-6970</i>
<i>Sara Faulkner</i>	<i>Vice President, Secretary</i>	<i>0</i>	<i>4621 West Hill Rd. Homer, AK 99603</i>	<i>235-6970</i>
<i>Jonathan and Sara Faulkner Living Trust</i>		<i>51.7</i>	<i>4621 West Hill Rd. Homer, AK 99603</i>	<i>235-6970</i>
<i>Charles Ryan</i>		<i>10.67</i>	<i>6101 West Tree Drive Anchorage, AK 99516</i>	<i>346-1306</i>
<i>Rebecca Alexander</i>		<i>10.67</i>	<i>6101 West Tree Drive Anchorage, AK 99516</i>	<i>346-1306</i>
<i>Steve Agni</i>		<i>23.1</i>	<i>PO Box 244601 Anchorage, AK 99524</i>	<i>299-0583</i>
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

Has any person named in this application been convicted of a felony or Title 4 violation?  Yes  No  
If yes, attach a written explanation.

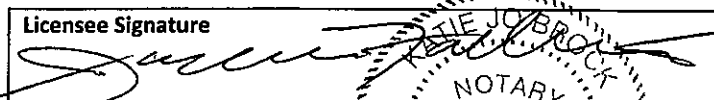
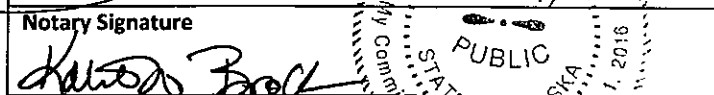
Has the licensed premises changed from the last diagram submitted?  Yes  No  
If no, attach a new diagram with designated premises areas outlined in red.

**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 2500.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 2700.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 2,700</b>

12135

Licensee Signature 	Printed Name & Title: Jonathan Faulkner, President
Notary Signature 	Subscribed and sworn to before me this 18 day of November, 2014.
Notary Public in and for the State of Alaska	My commission expires: 12/1/16

11910

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

**Renewal Liquor License  
2015/2016**

(907) 269-0350  
Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 1402	<b>License Type:</b> Beverage Dispensary-Tourism AS 04.11.400(d)	<b>Statute Reference:</b> Sec. 04.11.400(d)
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> Beluga Lake Lodge Inc		<b>Doing Business As (DBA):</b> Best Western Bidarka Inn
<b>Mailing Address:</b> 575 Sterling Hwy , Homer , AK 99603		<b>Street Address or Location of Premises:</b> 575 Sterling Hwy
<b>Phone:</b> 235-8148	<b>Fax:</b> 235-8140	<b>Email:</b> DJ_Bidarkainn@hotmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <i>Beluga Lake Lodge Inc</i>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
<i>John R. Johnson</i>	<i>President</i>	<i>45</i>	<i>2316 Rezanof W. Kodiak, AK 99615</i>	<i>907-486-5712</i>
<i>Judith E. Johnson</i>	<i>Secretary</i>	<i>45</i>	<i>SAME</i>	<i>907-486-5712</i>
<i>Douglas L. Johnson</i>	<i>Vice President</i>	<i>10</i>	<i>575 Sterling Hwy Homer, AK 99603</i>	<i>907-299-1413</i>
<i>Susan M. Johnson</i>	<i>Treasurer</i>	<i>0</i>	<i>2316 Rezanof W. Kodiak, AK 99615</i>	<i>907-486-5712</i>
NOTE: If you need additional space, please attach a separate sheet.				

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

Has any person named in this application been convicted of a felony or Title 4 violation?  Yes  No  
If yes, attach a written explanation.

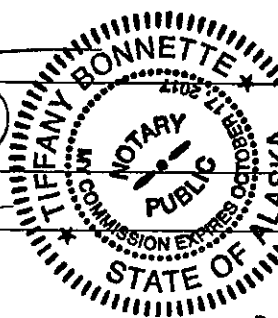
Has the licensed premises changed from the last diagram submitted?  Yes  No  
If no, attach a new diagram with designated premises areas outlined in red.

**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 2500.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 2700.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 2700.00</b>

Licensee Signature <i>[Signature]</i>	Printed Name & Title: Douglas L Johnson V. President
Notary Signature <i>[Signature]</i>	Subscribed and sworn to before me this 10 <sup>th</sup> day of December, 2014.
Notary Public in and for the State of: Alaska	My commission expires: 10/17/17



Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

## Renewal Liquor License 2015/2016

(907) 269-0350  
 Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:      Full Year    OR     Seasonal     If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 2252	<b>License Type:</b> Beverage Dispensary	<b>Statute Reference:</b> Sec. 04.11.090
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> Don Jose's, LLC		<b>Doing Business As (DBA):</b> Don Jose's Mexican Restaurant
<b>Mailing Address:</b> 2052 E Northern Lights Blvd, Anchorage, AK 99508		<b>Street Address or Location of Premises:</b> 127 W Pioneer Ave. Homer
<b>Phone:</b> (907) 279-5115	<b>Fax:</b> (907) 279-5114	<b>Email:</b> kfilina@alaskadonjoses.com

SECTION B – OWNERSHIP INFORMATION - CORPORATION				
<b>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</b>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):  Don Jose's LLC				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <b>must</b> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members</b> (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
Jose M. Ramos	President	51	127 W Pioneer Ave Homer AK	907-235-7963
Maria C. Ramos	VP	49	127 W Pioneer Ave Homer AK	907-235-7963
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				



**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

Has any person named in this application been convicted of a felony or Title 4 violation?  Yes  No  
If yes, attach a written explanation.

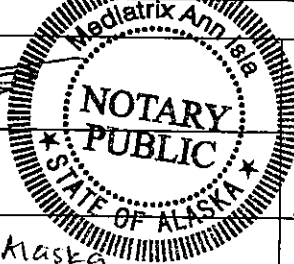
Has the licensed premises changed from the last diagram submitted?  Yes  No  
If yes, attach a new diagram with designated premises areas outlined in red.

**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

<b>License Fee</b>	<b>\$ 2500.00</b>
<b>Filing Fee</b>	<b>\$ 200.00</b>
<b>TOTAL</b>	<b>\$ 2700.00</b>
<b>Late Fee of \$500.00 – if received or postmarked after 12/31/2014</b>	<b>\$ 0</b>
<b>Fingerprint Fee – \$51.50 per person (only for new owners/members)</b>	<b>\$ 0</b>
<b>GRAND TOTAL</b>	<b>\$ 2700.00</b>

11786

Licensee Signature		Printed Name & Title:
Notary Signature		Jose Ramos, President
Notary Public in and for the State of:		Subscribed and sworn to before me this
Alaska		25 day of November, 2014.
		My commission expires: 12/16/16

11863

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
License Number: 2466	License Type: Club	Statute Reference: Sec. 04.11.110
Local Governing Body: Homer Kenai Peninsula Borough		Community Council (if applicable):
Name of Licensee: American Legion Post #16, General Buckner Post		Doing Business As (DBA): American Legion Post #16
Mailing Address: PO Box 858, Homer, AK 99603		Street Address or Location of Premises: 2410 East Road
Phone: 907-235-6677	Fax: SAME	Email: postsixteen@yahoo.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <b>American Legion General Buckner Post 16</b>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
Richard C. Turner	Adjutant		358 Lee Dr. Homer AK. 99603	907-235-8864
<del>Warren P. Hoff</del>	<del>Finance</del>	<del>0</del>	<del>Box 13247 Fritz Creek AK. 99603</del>	<del>907-235-8864</del>
<del>Fred Yenny</del>	<del>Commander</del>	<del>0</del>	<del>Box 2967 Homer, AK. 99603</del>	<del>907-235-8864</del>
<del>Don Ridd</del>	<del>1st Vice</del>	<del>0</del>	<del>Box 74 Homer, AK. 99603</del>	<del>907-235-8864</del>
<del>John Chapple III</del>	<del>ex officer</del>	<del>0</del>	<del>Box 1201 Homer, AK. 99603</del>	<del>907-235-8864</del>

NOTE: If you need additional space, please attach a separate sheet.

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

**SECTION D' – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No



Has any person named in this application been convicted of a felony or Title 4 violation?  
If yes, attach a written explanation.  Yes  No

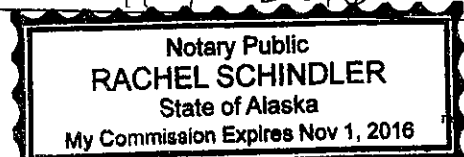
Has the licensed premises changed from the last diagram submitted?  
If no, attach a new diagram with designated premises areas outlined in red.  Yes  No

**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
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- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

<b>License Fee</b>	<b>\$ 1200.00</b>
<b>Filing Fee</b>	<b>\$ 200.00</b>
<b>TOTAL</b>	<b>\$ 1400.00</b>
<b>Late Fee of \$500.00 – if received or postmarked after 12/31/2014</b>	<b>\$</b>
<b>Fingerprint Fee – \$51.50 per person (only for new owners/members)</b>	<b>\$</b>
<b>GRAND TOTAL</b>	<b>\$ 1,400.00</b>

Licensee Signature 	Printed Name & Title: <b>Richard C. Turner Post Adjutant</b>
Notary Signature 	Subscribed and sworn to before me this <b>5<sup>th</sup></b> day of <b>December, 2014</b>
Notary Public in and for the State of: <b>AK</b>	My commission expires: <b>11-1-2016</b>



Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

## Renewal Liquor License 2015/2016

(907) 269-0350  
 Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:       Full Year    OR     Seasonal      If seasonal, list dates of operation: 5/01 → 10/31

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 2531	<b>License Type:</b> Package Store-Seasonal	<b>Statute Reference:</b> Sec. 04.11.150
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> MSA, Inc.		<b>Doing Business As (DBA):</b> Homer Liquor & Wine Company
<b>Mailing Address:</b> 369 E Pioneer Avenue, Homer, AK 99603		<b>Street Address or Location of Premises:</b> 4306 Homer Spit Road #4
<b>Phone:</b> 235-5101	<b>Fax:</b> 235-6139	<b>Email:</b> alaskamsa@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <u>MSA, Inc.</u>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
<u>Melvyn Strydom</u>	<u>President</u>	<u>100</u>	<u>61447 E. Skyline Dr Homer, AK 99603</u>	<u>235-5101</u>
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

# 2531

SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

SECTION D – SUPPLEMENTAL QUESTIONS

Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do you intend to sell alcoholic beverages in response to a written order?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

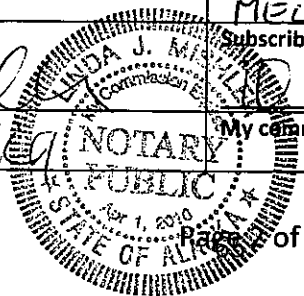
DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
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- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 750.00
Filing Fee	\$ 200.00
TOTAL	\$ 950.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 950.00

11966

Licensee Signature <i>Melvin Straydom</i>	Printed Name & Title: MELVIN STRAYDOM, PRES.
Notary Signature <i>Linda J. Melville</i>	Subscribed and sworn to before me this day of December, 2014.
Notary Public in and for the State of Alaska	My commission expires: 4/1/2016



Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

**Renewal Liquor License  
2015/2016**

(907) 269-0350  
Fax: (907) 334-3285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: 5/01 → 10/31

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 3176	<b>License Type:</b> Package Store-Seasonal	<b>Statute Reference:</b> Sec. 04.11.150
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> MSA, Inc.		<b>Doing Business As (DBA):</b> Patel's
<b>Mailing Address:</b> 369 E Pioneer Avenue, Homer, AK 99603		<b>Street Address or Location of Premises:</b> 4470 Homer Spit Rd
<b>Phone:</b> 235-5101	<b>Fax:</b> 235-6139	<b>Email:</b> alaskamsa@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <u>MSA, Inc.</u>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
<u>Melvyn Stroydom</u>	<u>President</u>	<u>100</u>	<u>61447 E. Skyline Dr Homer, AK. 99603</u>	<u>235-5101</u>
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do you intend to sell alcoholic beverages in response to a written order?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

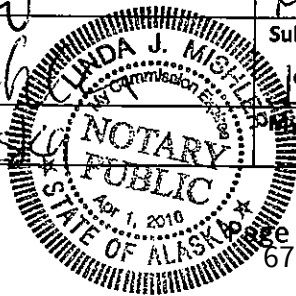
**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
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- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 750.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 950.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 950.00</b>

11968

Licensee Signature <i>Melvyn Strydom</i>	Printed Name & Title: MELVYN STRYDOM, PRES.
Notary Signature <i>Jondei Amish</i>	Subscribed and sworn to before me this
Notary Public in and for the State of: Alaska	10 day of December, 2014.
	My commission expires: 4/1/2016



Print new

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

### Renewal Liquor License 2015/2016

(907) 269-0350  
Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: 4/15 → 10/15

SECTION A - LICENSE INFORMATION		
License Number: 3472	License Type: Package Store-Seasonal	Statute Reference: Sec. 04.11.150
Local Governing Body: Homer Kenai Peninsula Borough		Community Council (if applicable):
Name of Licensee: MSA, Inc.		Doing Business As (DBA): Patel's #2
Mailing Address: 369 E Pioneer Avenue, Homer, AK 99603		Street Address or Location of Premises: 4287 Homer Spit Road #1
Phone: 235 5101	Fax: 235-6139	Email: alaskamsa@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <u>MSA, Inc.</u>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members</b> (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
<u>Melvyn Strydom</u>	<u>President</u>	<u>100</u>	<u>61447 E. Skyline Dr Homer, AK. 99603</u>	<u>235-5101</u>
NOTE: If you need additional space, please attach a separate sheet.				



#3472

SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

SECTION D – SUPPLEMENTAL QUESTIONS

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

Has any person named in this application been convicted of a felony or Title 4 violation?  Yes  No  
If yes, attach a written explanation.

Has the licensed premises changed from the last diagram submitted?  Yes  No  
If no, attach a new diagram with designated premises areas outlined in red.

Do you intend to sell alcoholic beverages in response to a written order?  Yes  No

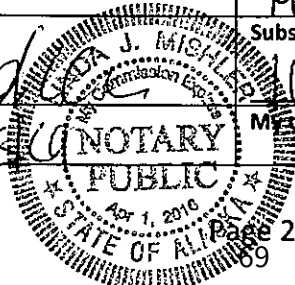
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- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 750.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 950.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 950.00</b>

11920

Licensee Signature <i>Melvyn Strydom</i>	Printed Name & Title: MELVYN STRYDOM, PRES.
Notary Signature <i>Maria J. Mishler</i>	Subscribed and sworn to before me this
Notary Public in and for the State of: Alaska	10 day of December, 2014.
	My commission expires: 4/1/2016



Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

## Renewal Liquor License 2015/2016

(907) 269-0350  
 Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 4315	<b>License Type:</b> Restaurant/Eating Place-Public Convenience	<b>Statute Reference:</b> Sec. 04.11.400(g)
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> KELT, LLC		<b>Doing Business As (DBA):</b> Fat Olives
<b>Mailing Address:</b> PO Box 297, Homer, AK 99603		<b>Street Address or Location of Premises:</b> 276 Ohlson Lane
<b>Phone:</b> 907-235-8488	<b>Fax:</b>	<b>Email:</b> FatOlivesHomer@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<b>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</b>				
<b>Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):</b> KELT, LLC dBA FatOlives				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
STEVE NOLAN	managing member	50%	PO 297 Homer AK	907-235-8488
LISA S. NOLAN	member	50%	PO 297 Homer, AK	509-845-9856
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

# 4315 2015/2016

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

Has any person named in this application been convicted of a felony or Title 4 violation?  
If yes, attach a written explanation.  Yes  No

Has the licensed premises changed from the last diagram submitted?  
If no, attach a new diagram with designated premises areas outlined in red.  Yes  No

Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?  Yes  No

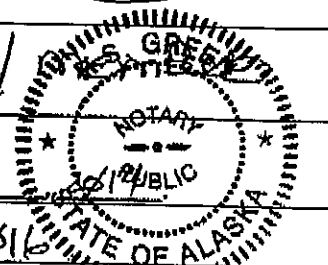
**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 600.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 800.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 800.00</b>

12000

Licensee Signature <i>Lisa S Nolan</i>	Printed Name & Title: LISA S NOLAN /
Notary Signature <i>[Signature]</i>	Subscribed and sworn to before me this 9th day of DECEMBER
Notary Public in and for the State of: ALASKA	My commission expires: 8/27/2016



Renewal Application

Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

## Renewal Liquor License 2015/2016

(907) 269-0350  
 Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 4432	<b>License Type:</b> Package Store	<b>Statute Reference:</b> Sec. 04.11.150
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> MSA, Inc.		<b>Doing Business As (DBA):</b> Rum Locker
<b>Mailing Address:</b> 369 E Pioneer Avenue, Homer, AK 99603		<b>Street Address or Location of Premises:</b> 276 Olsen Lane Suite #3
<b>Phone:</b> 235-5101	<b>Fax:</b> 235-6139	<b>Email:</b> alaskamsa@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):  MSA, Inc.				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members</b> (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
Melvyn Strydom	President	100	61447 E. Skyline Dr. Homer, AK 99603	235-5101
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

Has any person named in this application been convicted of a felony or Title 4 violation?  Yes  No  
If yes, attach a written explanation.

Has the licensed premises changed from the last diagram submitted?  Yes  No  
If no, attach a new diagram with designated premises areas outlined in red.

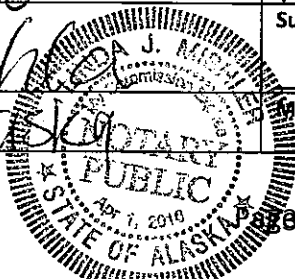
Do you intend to sell alcoholic beverages in response to a written order?  Yes  No

**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 1500.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 1700.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 1700.00</b>

Licensee Signature <i>Melvyn Strydom</i>	Printed Name & Title: MELVYN STRYDOM, PRES.
Notary Signature <i>Andee Hush</i>	Subscribed and sworn to before me this 10 day of December, 2014.
Notary Public in and for the State of: Alaska	My commission expires: 4/1/2016



## Renewal Liquor License 2015/2016

License is:       Full Year    OR     Seasonal      If seasonal, list dates of operation: MAY 1<sup>ST</sup> - SEPT 31<sup>ST</sup>

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 4713	<b>License Type:</b> Restaurant/Eating Place-Public Convenience Seasonal	<b>Statute Reference:</b> Sec. 04.11.400(g)
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> D&H, Inc.		<b>Doing Business As (DBA):</b> Boardwalk Fish & Chips
<b>Mailing Address:</b> PO Box 1720, Homer, AK 99603		<b>Street Address or Location of Premises:</b> 4287 Homer Spit Rd, Unit 4
<b>Phone:</b> 907-235-7749 <i>disconnected 11/17/14</i>	<b>Fax:</b> 907-235-7749	<b>Email:</b> DARRINBFC@GMAIL.COM

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
Holly CURACK McVEIGH	PRESIDENT	51	P.O. 30x 1720 Homer AK 99603	907-399-0007
DARRIN McVEIGH	CEO	49	P.O. 30x 1720 Homer AK 99603	907-399-2327
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: <i>HOLLY CASACK McVEIGH</i> Address: <i>P.O. BOX 1720 Homer AK 99603</i> Phone: <i>907-299-7770</i>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: <i>5-26-64</i>	Name: <i>Jetty Casack</i> Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: <i>DARIN J McVEIGH</i> Address: <i>P.O. BOX 1720 Homer AK 99603</i> Phone: <i>907-399-2327</i>	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: <i>8-4-60</i>	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**DECLARATION**

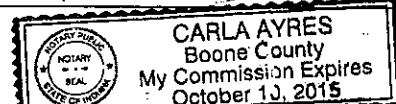
- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
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- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 300.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 500.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$</b>

*11740*

Licensee Signature <i>H. Casack-McVeigh</i>	Printed Name & Title: <i>Holly Casack-McVeigh, President</i>
Notary Signature <i>[Signature]</i>	Subscribed and sworn to before me this <i>12<sup>th</sup></i> day of <i>November</i> , <i>2014</i>
Notary Public in and for the State of: <i>Indiana</i>	My commission expires: <i>10-10-2015</i>

Renewal Application







**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: Andrew Wills Address: Box 382 Homer AK 99603 Phone: 907-235-7984	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: 4/3/1960	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Sally Wills Address: Box 382 Homer AK 99603 Phone: 907-235-7984	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/> Date of Birth: 12/13/1960	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

Has any person named in this application been convicted of a felony or Title 4 violation?  
If yes, attach a written explanation.  Yes  No

Has the licensed premises changed from the last diagram submitted?  
If no, attach a new diagram with designated premises areas outlined in red.  Yes  No

Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?  Yes  No

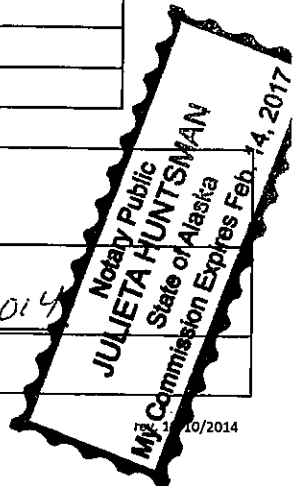
**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
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- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 600.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 800.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$</b>

11776

Licensee Signature <i>Andrew M. Wills</i>	Printed Name & Title: Andrew M. Wills
Notary Signature <i>[Signature]</i>	Subscribed and sworn to before me this 26 day of November, 2014
Notary Public in and for the State of: Alaska	My commission expires: 8-14-17



11867

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

### Renewal Liquor License 2015/2016

(907) 269-0350  
Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
License Number: 4795	License Type: Beverage Dispensary-Tourism AS 04.11.400(d)	Statute Reference: Sec. 04.11.400(d)
Local Governing Body: Homer Kenai Peninsula Borough		Community Council (if applicable):
Name of Licensee: Beluga Lake Lodge Inc		Doing Business As (DBA): Beluga Lake Lodge
Mailing Address: 575 Sterling Hwy , Homer , AK 99603		Street Address or Location of Premises: 204 Ocean Dr Loop
Phone: 907-235-8148	Fax: 907-235-8140	Email: DJ-Bidarkain@hotmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <i>Beluga Lake Lodge Inc.</i>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
<i>John R. Johnson</i>	<i>President</i>	<i>45</i>	<i>236 Rezard W. Kadlak, AK 99615</i>	<i>907-486-5712</i>
<i>Judith E. Johnson</i>	<i>Secretary</i>	<i>45</i>	<i>SAME</i>	<i>907-486-5712</i>
<i>Susan M. Johnson</i>	<i>Treasurer</i>	<i>10</i>	<i>SAME</i>	<i>907-486-5712</i>
<i>Douglas L. Johnson</i>	<i>Vice President</i>	<i>10</i>	<i>575 Sterling Hwy Homer, AK 99603</i>	<i>907-299-1413</i>
NOTE: If you need additional space, please attach a separate sheet.				

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No


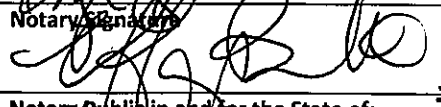
Has any person named in this application been convicted of a felony or Title 4 violation?  Yes  No  
If yes, attach a written explanation.

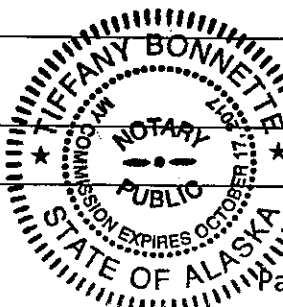
Has the licensed premises changed from the last diagram submitted?  Yes  No  
If no, attach a new diagram with designated premises areas outlined in red.

**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
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- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

<b>License Fee</b>	<b>\$ 2500.00</b>
<b>Filing Fee</b>	<b>\$ 200.00</b>
<b>TOTAL</b>	<b>\$ 2700.00</b>
<b>Late Fee of \$500.00 – if received or postmarked after 12/31/2014</b>	<b>\$</b>
<b>Fingerprint Fee – \$51.50 per person (only for new owners/members)</b>	<b>\$</b>
<b>GRAND TOTAL</b>	<b>\$ 2700.00</b>

Licensee Signature 	Printed Name & Title: Douglas L Johnson V. President
Notary Signature 	Subscribed and sworn to before me this 5th day of December, 2014
Notary Public in and for the State of: ALASKA	My commission expires: 10/17/17

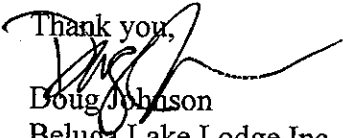


To Whom It May Concern:

12/4/2014

Our business encourages tourism by giving tourists a play to stay, dine and drink all in one establishment. We have close ties with several of the local businesses that cater to the tourists. Examples are several fishing charters, eco-tourism companies, air charters that cater to sight seeing and bear viewing, the Alaska Marine Highway terminal, hunting, water taxi's, local art shops and the many businesses of the Homer Spit. We offer 35 rooms for overnight and longer accommodations all year round. We are full service offering our guests a continental breakfast and Dinner. Lunch is also offered by special request. We have made many improvements in the last couple years to our existing kitchen, rooms, roofs and exterior of our hotel. We are always looking to make improvements to our business that will make our guests visit to Alaska more comfortable and enjoyable.

Thank you,



Doug Johnson

Beluga Lake Lodge Inc.



**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: Harrison McHenry Address: PO Box 15236 Fritz Creek AK 99603 Phone: (907) 299-4538	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: 09-14-1974	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Heather McHenry Address: PO Box 15236 Fritz Creek AK 99603 Phone: (907) 299-4539	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/> Date of Birth: 01-23-1976	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

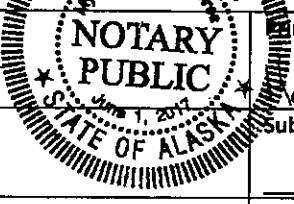
**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

<b>License Fee</b>	<b>\$ 300.00</b>
<b>Filing Fee</b>	<b>\$ 200.00</b>
<b>TOTAL</b>	<b>\$ 500.00</b>
<b>Late Fee of \$500.00 – if received or postmarked after 12/31/2014</b>	<b>\$</b>
<b>Fingerprint Fee – \$51.50 per person (with for new owners/members)</b>	<b>\$</b>
<b>GRAND TOTAL</b>	<b>\$ 500.00</b>

Licensee Signature <i>Harrison McHenry</i>		Printed Name & Title: Harrison McHenry
Notary Signature <i>Virginia D. Wise</i>		Subscribed and sworn to before me this 3 <sup>rd</sup> day of December, 2014.
Notary Public in and for the State of: Alaska		My commission expires: 06-01-17

## Renewal Liquor License 2015/2016

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 5049	<b>License Type:</b> Restaurant/Eating Place-Public Convenience	<b>Statute Reference:</b> Sec. 04.11.400(g)
<b>Local Governing Body:</b> Homer Kenai Peninsula Borough	<b>Community Council (if applicable):</b>	
<b>Name of Licensee:</b> Soul Sisters Inc	<b>Doing Business As (DBA):</b> Two Sisters Bakery	
<b>Mailing Address:</b> 233 E Bunnell Ave , Homer , AK 99603	<b>Street Address or Location of Premises:</b> 233 E Bunnell Ave	
<b>Phone:</b> 907 235 2200	<b>Fax:</b> ← SAME	<b>Email:</b> baked@xyz.NET

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
<b>Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):</b> <div style="font-size: 1.2em; font-family: cursive;">SOUL SISTERS INC</div>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>				
Name	Title	%	Mailing Address	Telephone Number
CARRI THURMAN	President	50	P.O. BOX 2621 HOMER AK 99603	907 235 6750
SHARON ROUFA	V. President	50	233 E. BUNNELL AVE HOMER AK 99603	907 299 6626
<b>NOTE: If you need additional space, please attach a separate sheet.</b>				

**SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

**Individual Licensees/Affiliates** (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

**SECTION D – SUPPLEMENTAL QUESTIONS**

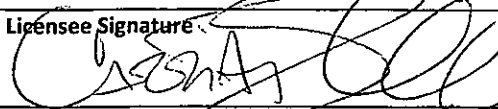
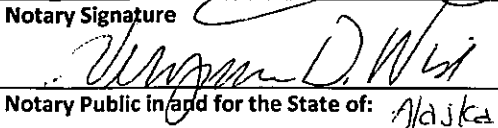
Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If no, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

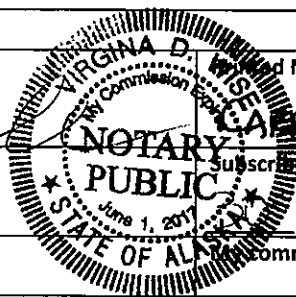
**DECLARATION**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
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- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 600.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 800.00</b>
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 800.00</b>

12294

Licensee Signature: 	Name & Title: <b>CARRIE THURMAN President</b>
Notary Signature: 	Subscribed and sworn to before me this
Notary Public in and for the State of: <b>Alaska</b>	day of <b>December</b> , 2014.
	commission expires: <b>06-01-17</b>







# City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

## Memorandum

TO: MARK ROBL, POLICE CHIEF

FROM: MELISSA JACOBSEN, DEPUTY CITY CLERK

DATE: FEBRUARY 6, 2015

SUBJECT: LIQUOR LICENSE RENEWALS FOR ALICE'S CHAMPAGNE PALACE, THE GROG SHOP, LAND'S END, BEST WESTERN BIDARKA INN, DON JOSE'S, AMERICAN LEGION POST 16, HOMER LIQUOR & WIND CO., PATEL'S, PATEL'S#2, FAT OLIVES, RUM LOCKER, BOARDWALK FISH & CHIPS, MERMAID CAFÉ, BELUGA LAKE LODGE, FRESH CATCH CAFÉ, AND TWO SISTER'S BAKERY

We have been notified by the ABC Board of an application for liquor license renewals in the City of Homer for the following:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
253	Alice's Champagne Palace	Beverage Dispensary	Pioneer Beverages, Inc.	195 E Pioneer Avenue
479	The Grog Shop	Package Store	MSA, Inc.	369 E Pioneer Avenue
645	Land's End	Beverage Dispensary	Land's End Acquisition Corporation	4786 Homer Spit Road
1402	Best Western Bidarka Inn	Beverage Dispensary – Tourism	Beluga Lake Lodge, Inc.	575 Sterling Highway
2252	Don Jose's Mexican Restaurant	Beverage Dispensary	Don Jose's, LLC	127 W Pioneer Avenue
2466	American Legion Post #16	Club	American Legion Post #16, General Buckner Post	2410 East Road
2531	Homer Liquor & Wine Company	Package Store	MSA, Inc.	4306 Homer Spit Road #4
3176	Patel's	Package Store	MSA, Inc.	4470 Homer Spit Road
3472	Patel's #2	Package Store	MSA, Inc.	4287 Homer Spit Road #1
4315	Fat Olives	Restaurant / Eating Place – Public Convenience	KELT, LLC	276 Ohlson Lane
4432	Rum Locker	Package Store	MSA, Inc.	276 Olsen Lane, Ste #3
4713	Boardwalk Fish & Chips	Restaurant / Eating Place – Public Convenience	D & H, Inc.	4287 Homer Spit Road, Unit 4

4728	Mermaid Café	Restaurant / Eating Place – Public Convenience	Andrew & Sally Wills	3487 Main Street
4795	Beluga Lake Lodge	Beverage Dispensary – Tourism	Beluga Lake Lodge, Inc.	204 Ocean Drive Loop
4894	Fresh Catch Café	Restaurant / Eating Place – Public Convenience	Harrison McHenry	4025 Homer Spit Road #20
5049	Two Sisters Bakery	Restaurant / Eating Place – Public Convenience	Soul Sisters, Inc.	233 E Bunnell Avenue

This matter is scheduled for the February 23, 2015 City Council meeting. Please respond with objections/non-objections to these liquor license renewals by **Wednesday, February 18, 2015**.

Thank you for your assistance.



# City of Homer

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## Police Department

4060 Heath Street  
Homer, Alaska 99603

police@cityofhomer-ak.gov

(p) 907-235-3150

(f) 907-235-3151/ 907-226-3009

## Memorandum

TO: MELISSA JACOBSEN, DEPUTY CITY CLERK

FROM: MARK ROBL, CHIEF OF POLICE *[Signature]*

DATE: FEBRUARY 9, 2015

SUBJECT: LIQUOR LICENSE RENEWALS FOR ALICE'S CHAMPAGNE PALACE, THE GROG SHOP, LAND'S END, BEST WESTERN BIDARKA INN, DON JOSE'S, AMERICAN LEGION POST 16, HOMER LIQUOR & WIND CO., PATEL'S, PATEL'S#2, FAT OLIVES, RUM LOCKER, BOARDWALK FISH & CHIPS, MERMAID CAFÉ, BELUGA LAKE LODGE, FRESH CATCH CAFÉ, AND TWO SISTER'S BAKERY

We do not object to the following liquor license renewals:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
253	Alice's Champagne Palace	Beverage Dispensary	Pioneer Beverages, Inc.	195 E Pioneer Avenue
479	The Grog Shop	Package Store	MSA, Inc.	369 E Pioneer Avenue
645	Land's End	Beverage Dispensary	Land's End Acquisition Corporation	4786 Homer Spit Road
1402	Best Western Bidarka Inn	Beverage Dispensary – Tourism	Beluga Lake Lodge, Inc.	575 Sterling Highway
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3472	Patel's #2	Package Store	MSA, Inc.	4287 Homer Spit Road #1
4315	Fat Olives	Restaurant / Eating Place – Public Convenience	KELT, LLC	276 Ohlson Lane
4432	Rum Locker	Package Store	MSA, Inc.	276 Olsen Lane, Ste #3



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4713	Boardwalk Fish & Chips	Restaurant / Eating Place – Public Convenience	D & H, Inc.	4287 Homer Spit Road, Unit 4
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5049	Two Sisters Bakery	Restaurant / Eating Place – Public Convenience	Soul Sisters, Inc.	233 E Bunnell Avenue

**ORDINANCE REFERENCE SHEET**  
**2015 ORDINANCE**  
**ORDINANCE 15-05**

**An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Section 2.48.040, Board—Creation and Membership, to Decrease From Five to Three the Number of Library Advisory Board Members Who Must Be City Residents.**

**Sponsor: City Manager/Library Advisory Board**

1. City Council Regular Meeting February 23, 2015 Introduction
  - a. Memorandum 15-024 from Library Advisory Board as backup



CITY OF HOMER  
HOMER, ALASKA

City Manager/  
Library Advisory Board

ORDINANCE 15-05

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
AMENDING HOMER CITY CODE SECTION 2.48.040, BOARD--  
CREATION AND MEMBERSHIP, TO DECREASE FROM FIVE TO  
THREE THE NUMBER OF LIBRARY ADVISORY BOARD MEMBERS  
WHO MUST BE CITY RESIDENTS.

WHEREAS, The Library Advisory Board acts in an advisory capacity to the Library Director and the City Council; and

WHEREAS, The Homer Public Library provides services to all community residents, including those living outside City limits; and

WHEREAS, Limiting the number of non-resident members on the Library Advisory Board increases the difficulty in attracting new members; and

WHEREAS, The number of members who must be City residents should be decreased to reflect the patronage of the Homer Public Library from non-residents.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 2.48.040, Board--Creation and membership, is hereby amended to read as follows:

2.48.040 Board--Creation and membership. There is created the City of Homer Library Advisory Board, referred to in this chapter as the Board, which shall act in an advisory capacity to the Library Director and the City. The Board shall consist of seven members comprised as follows:

- a. At least ~~five~~ three members of the Board shall reside within the corporate limits of the City.
- b. Members shall serve for three years. Initial appointments to be made for staggered terms as follows: Two one-year terms; two two-year terms; and three three-year terms.
- c. Members shall serve without compensation.

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

[Added language underlined. Deleted language stricken through.]

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ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_, 2015.

CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

**ATTEST:**

\_\_\_\_\_  
JO JOHNSON, MMC, CITY CLERK

**YES:**  
**NO:**  
**ABSTAIN:**  
**ABSENT:**

**First Reading:**  
**Public Hearing:**  
**Second Reading:**  
**Effective Date:**

Reviewed and approved as to form.

\_\_\_\_\_  
Marvin Yoder, City Manager

\_\_\_\_\_  
Thomas Klinkner, City Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Fiscal Note: NA





## City of Homer

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### Memorandum 15-024

TO: MAYOR WYTHE AND CITY COUNCIL  
FROM: LIBRARY ADVISORY BOARD  
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK  
DATE: FEBRUARY 17, 2015  
SUBJECT: CHANGING MEMBERSHIP MAKEUP OF THE BOARD TO ALLOW FOR  
ADDITIONAL NON-CITY RESIDENTS

---

The Library Advisory Board has had an ongoing problem obtaining interested persons to serve as boardmembers that are city residents. They would like to adopt changes that allow for up to four members that reside outside of city limits, but within the service area.

Following is the excerpt of the February 3, 2015 regular meeting regarding the requested change.

#### *NEW BUSINESS*

#### *C. Changing the Membership Makeup of the Board to Allow for Additional Non-City Residents*

*Vice Chair Utley introduced the item into the record and asked Ms. Krause to provide a brief explanation on some new information regarding the approval process.*

*Deputy City Clerk Krause explained that the membership of the Board is not addressed within the Bylaws of the Board only in City Code so there is no need for the Board to discuss this issue at two meetings before submitting the recommendation to Council. However, it will require to be changed by ordinance so Council will have to introduce at one meeting and hold a public hearing and approve at a second meeting. But this means that it should be approved by mid-March dependent on Council schedule, to allow additional non-residents to be appointed to the board.*

*There was a brief discussion on how many non-residents were currently allowed and the statistics on the number of residents and non-residents that the Library provided services to were 13,000 and the population of Homer is only a little over 5000; increasing the number of non-resident members would alleviate the canceled meetings because of not meeting the quorum requirements. Further discussion on allowing up to four members ensued and the language used in the recommendation to Council. It was noted that Library Director Dixon was not a voting member in response to the newer members of the Board.*

*STROBEL/SMITH – RECOMMENDED THAT THE LIBRARY ADVISORY BOARD BE COMPRISED OF UP TO FOUR MEMBERS WHO RESIDE OUTSIDE CITY LIMITS BUT WITHIN THE LIBRARY SERVICE AREA.*

*There was a brief discussion on changing the language in the draft ordinance, line 35, would read, “At least three (3) members of the Board shall reside within the corporate limits of the city. A round robin of comments in favor of the motion to reflect the current patrons of the Homer Library briefly ensued.*

*VOTE. YES. SMITH, BRAUND, ALDERFER, UTLEY, STROBEL, PORTER.*

*Motion carried.*

*Chair Utley questioned the ability of the City Manager to appoint someone to complete a term. Staff explained the process normally used to replace vacated seats.*

**Recommendation: Approve the change in membership to allow no more than four members who reside outside city limits, but within the service district.**

# VISITORS



ANNOUNCEMENTS  
PRESENTATIONS  
BOROUGH REPORT  
COMMISSION REPORTS



Session 15-03, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on February 4, 2015 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, BRADLEY, ERICKSON, HIGHLAND, STEAD, VENUTI

ABSENT: STROOZAS

STAFF: CITY PLANNER ABBOUD  
DEPUTY CITY CLERK JACOBSEN

### **Approval of Agenda**

Chair Stead called for a motion to approve the agenda.

VENUTI/HIGHLAND SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **Public Comment**

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

### **Reconsideration**

### **Adoption of Consent Agenda**

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

- A. Approval of Minutes of January 21, 2015 meeting
- B. Decision and Findings for CUP 2015-01 for 7 cottages at 2315 East End Road

Chair Stead called for a motion to approve the consent agenda.

BOS/VENUTI SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **Presentations**

None

## **Reports**

A. Staff Report PL 15-09, City Planner's Report

City Planner Abboud reviewed the staff report.

There was discussion that Enstar hasn't provided an asbuilt of the second phase of installation and that they are obligated to bring gas to properties that are assessed. They also touched on the Council's strategic doing schedule.

## **Public Hearings**

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

None

## **Plat Consideration**

None

## **Pending Business**

A. Staff Report PL 15-10, Towers

Chair Stead opened the floor to public comments.

Aaron Larson, local business owner, commented that he is here to listen to the discussion about tower regulations. He appreciates that they are looking at regulating it as a matter of structure safety.

City Planner Abboud reviewed the staff report.

Discussion points included:

- Get an early start on public feedback with the Mat-Su ordinance.
- Consistency with other tower regulations around the state on key items.
- They can't prohibit towers in districts but can prioritize where they prefer towers to be located and have applicants justify why they can't be placed in the preferred areas.
- Review of the definition of "tall structure" and "tower" from Mat-Su ordinance.
- Applicant responsibilities in pre-application requirements.
- Notification requirement of 1200 feet seems like a good place to start. It may be need to be more on the taller structures.
- FAA outlines lighting requirements.



- Collocation requirements. It will be challenging to expect a provider to overbuild because they aren't going to know what they will be accommodating. Generally it is a goal to collocate on towers and it must be allowed if possible.
- Starting point for parking requirements at least 2. They may need to have more and on collocated towers may need to say parking spaces per carrier.
- Setback of at least one, 1.1 may be better.
- Network improvement permit information is based on FCC regulations.
- Bonding versus insurance requirements relating to abandonment.

City Planner Abboud will bring back a copy from the attorney with line numbers. He will also invite people who have worked in the industry and who have dealt with regulations.

Chair Stead opened the floor to public comments.

Aaron Larson commented that their concerns relating to fall zone should focus on things falling off the tower rather than the tower falling over. It is more likely that parts will fall off the tower. He suggested half the distance of the tower as a setback.

Josh Reynolds from SpitwSpots commented that there are very extensive regulations by the FCC and FAA regarding tower lighting and color and it takes lawyers to get through those regs. Generally lighting isn't required less than 150 feet. He reiterated that the likelihood of a tower falling is minimal, noting there are some that were built in the 50's for purposes of national security that are still standing. Requiring a bond is something that could be discouraging to small business investment. There has to be insurance to protect people and their assets. He thinks what the largest community interest is going to be is what defines a tower. They will have to be careful because there are things they can't regulate. He referenced the Over the Air Device Reception law that says property owners can put up antennae and structures for them 12 feet above their roofline to receive signal.

### **New Business**

- A. Staff Report PL 15-11 Draft Ordinance for Site Development Requirements

City Planner Abboud reviewed the staff report.

ERICKSON/VENUTI MOVED TO REDUCE THE 16 MONTH TIME LIMIT TO 9 MONTHS.

There was discussion that it will come back for a public hearing.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- B. Staff Report PL 15-12 BCWPD recommendations to City Council

City Planner Abboud reviewed the staff report.

ERICKSON/HIGHLAND MOVED THAT IN THE BRIDGE CREEK WATERSHED WE WAIVER ALL CITY PLATTING FEES WHEN VACATING LOT LINES TO INCREASE THE LOT SIZES WITHIN THE DISTRICT.

There was brief discussion in support of this recommendation to Council.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Bos noted that some of these things aren't going to make much difference in helping property owners better use their lots and kind of seem a bit like a slap in the face.

HIGHLAND/VENUTI MOVED THAT THE CITY INCREASE EFFORTS TO PURCHASE KEY PROPERTIES.

ERICKSON/HIGHLAND MOVED TO AMEND TO SAY BUY ONE PROPERTY A YEAR.

There was brief discussion of merit and process of the city purchasing property.

VOTE: (Amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VOTE: (Main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

HIGHLAND/BRADLEY MOVED TO RECOMMEND EXAMINING DITCH CLEANING POLICIES AND WORK WITH DOT ON SKYLINE DRIVE MAINTENANCE INCLUDING MINIMIZING ROAD DITCH CLEARING TO MINIMIZE POSSIBLE NEGATIVE EFFECTS TO THE WATERSHED.

There was discussion supporting this recommendation.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

The Commission took a break at 8:51 p.m. and the meeting reconvened at 8:54 p.m.

VENUTI/HIGHLAND MOVED TO ASK PUBLIC WORKS NOT TO USE CALCIUM CHLORIDE FOR DUST CONTROL IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ERICKSON/HIGHLAND MOVED THAT THE CITY LOOK INTO ADJUSTING THE MIL RATE FOR PROPERTIES WITHIN THE WATERSHED DISTRICT BETWEEN A HALF AND ONE MIL BECAUSE THEY CAN'T USE THEIR LAND.

There was brief discussion about tax policy.

VOTE: NO: BOS, STEAD, HIGHLAND, ERICKSON, VENUTI, BRADLEY

Motion failed.

HIGHLAND/ERICKSON MOVED THAT THE CITY OFFER TO PUMP SEPTICS FOR FREE ON LAND IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

ERICKSON MOVED TO AMEND TO SAY SPLIT THE COST.

Motion failed for lack of a second.

HIGHLAND/ERICKSON MOVE TO AMEND TO SAY EVERY TWO YEARS.

There was brief discussion.

VOTE (Amendment): YES: HIGHLAND, ERICKSON  
NO: STEAD, VENUTI, BRADLEY, BOS

Motion failed.

VOTE (Main motion): YES: VENUTI  
NO: ERICKSON, STEAD, BRADLEY, BOS, HIGHLAND

Motion failed.

HIGHLAND/BRADLEY MOVED TO HAVE A BASELINE WATER QUALITY STUDY EVERY THREE YEARS.

There was brief discussion that it is already done every 10 years.

VOTE: YES: HIGHLAND  
NO: BRADLEY, STEAD, VENUTI, BOS, ERICKSON.

Motion failed.

The Commission agreed to present these recommendations to Council after they complete their work on the watershed protection district ordinance.

### **Informational Materials**

A. City Manager's report for January 26, 2015 Council Meeting

- B. Board of Adjustment decision regarding 3850 Heath Street CUP 13-13
- C. KPB Plat Committee Decision on Barnett Sub. Quiet Creek Addn 2014 Final Plat

**Comments of the Audience**

Members of the audience may address the Commission on any subject. (3 minute time limit)

None

**Comments of Staff**

None

**Comments of the Commission**

Commissioner Venuti said it was a good meeting; they covered a lot of bases. He added that the City Manager will be at the upcoming Chamber luncheon to talk about the Comprehensive Plan.

Commissioner Highland commented about the manual on snow and storm water. It has good information that could give some pointers that don't cost money. She encouraged the others to look at it. She also talked about a letter she has from the Center for Watershed Protection about communities and storm water fees that she will copy to the Public Works Director.

Commissioner Bradley said it was a good meeting and she may be absent at the next one.

Commissioner Erickson encouraged the idea of an internship on developing the storm water map. It would be a great educational opportunity for a student and help the city. She feels like they are doing some positive things in the watershed shed area. She hopes the residents are seeing that the commission hears their concerns and are doing something to help them.

Commissioner Bos thanked staff and hopes they keep rolling through what has been put together on the towers.

Chair Stead appreciated the input tonight, it is important.

**Adjourn**

There being no further business to come before the Commission, the meeting adjourned at 9:20 p.m. The next regular meeting is scheduled for February 18, 2015 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

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MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

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

# PUBLIC HEARING(S)



**CITY OF HOMER  
PUBLIC HEARING NOTICE  
CITY COUNCIL MEETING**

**Ordinance 15-03 and 15-04**

A **public hearing** is scheduled for **Monday, February 23, 2015** during a Regular City Council Meeting. The meeting begins at 6:00 p.m. in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

**Ordinances 15-03 and 15-04 internet address:**  
**<http://www.cityofhomer-ak.gov/ordinances>**

**Ordinance 15-03**, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of the City's Interest in Lot 6-A-1, Nils O. Svedlund Subdivision 2013 Replat for \$1,655.50 to Dragonfly, LLC, and Establishing the Terms of the Sale. City Manager.

**Ordinance 15-04**, An Ordinance of the Homer City Council Accepting and Appropriating a Grant from the Alaska Highway Safety Office in the Amount of \$40,768.01 for the Homer Police Department Project Drive and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief.



All interested persons are welcomed to attend and give testimony. Written testimony received by the Clerk's Office prior to the meeting will be provided to Council.

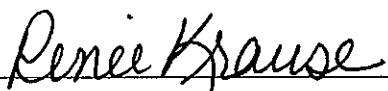
\*\* Copies of proposed Ordinances, in entirety, are available for review at Homer City Clerk's Office. Copies of the proposed Ordinances are available for review at City Hall, the Homer Public Library, the City of Homer Kiosks at City Clerk's Office, Captain's Coffee, Harbormaster's Office, and Redden Marine Supply of Homer and the City's homepage - <http://clerk.ci.homer.ak.us>. Contact the Clerk's Office at City Hall if you have any questions. 235-3130, Email: [clerk@ci.homer.ak.us](mailto:clerk@ci.homer.ak.us) or fax 235-3143.

Jo Johnson, MMC, City Clerk  
Publish: Homer News: February 19, 2015

### CLERK'S AFFIDAVIT OF POSTING

I, Renee Krause, CMC, Deputy City Clerk for the City of Homer, Alaska, do hereby certify that a copy of the Public Hearing Notice for **Ordinance 15-03**, Approving the Sale of the City's Interest in Lot 6-A-1, Nils O. Svedlund Subdivision 2013 Replat for \$1,655.50 to Dragonfly, LLC and Establishing the Terms of the Sale; **Ordinance 15-04**, Accepting and Appropriating a Grant from the Alaska Highway Safety Office in the Amount of \$40, 768.01 for the Homer Police Department Project Drive was distributed to the City of Homer kiosks located at City Clerk's Office, Captain's Coffee Roasting Co., Harbormaster's Office and Redden Marine on Friday, February 13, 2015 and that the City Clerk posted same on City of Homer Homepage on Wednesday, February 11, 2015.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of said City of Homer this 12<sup>th</sup> day of February, 2015.

  
\_\_\_\_\_  
Renee Krause, CMC, Deputy City Clerk I



**ORDINANCE REFERENCE SHEET**  
**2015 ORDINANCE**  
**ORDINANCE 15-03**

An Ordinance of the City Council of Homer, Alaska, Approving the Sale of the City's Interest in Lot 6-A-1, Nils O. Svedlund Subdivision 2013 Replat for \$1,655.50 to Dragonfly, LLC, and Establishing the Terms of the Sale.

Sponsor: City Manager

1. City Council Regular Meeting February 9, 2015 Introduction
  - a. Quitclaim Deed
  - b. Resolution 13-069
  
2. City Council Regular Meeting February 23, 2015 Public Hearing and Second Reading
  - a. Quitclaim Deed
  - b. Resolution 13-069



1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 City Manager

4 **ORDINANCE 15-03**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 APPROVING THE SALE OF THE CITY'S INTEREST IN LOT 6-A-1,  
8 NILS O. SVEDLUND SUBDIVISION 2013 REPLAT FOR \$1,655.50 TO  
9 DRAGONFLY, LLC, AND ESTABLISHING THE TERMS OF THE SALE.

10  
11 WHEREAS, Dragonfly, LLC owns property on Pioneer Avenue described as Lot 6-A-1,  
12 Nils O. Svedlund Subdivision 2013 Replat, according to Plat No. 2013-52, Homer Recording  
13 District ("Lot 6-A-1"), which is the site of the Pioneer Building; and

14  
15 WHEREAS, Plat No. 2013-52 moved the boundary between the property owned by  
16 Dragonfly, LLC and City-owned property to the west to cause a triangular piece of that City-  
17 owned property fronting on Pioneer Avenue and having an area of 385 square feet to become  
18 part of Lot 6-A-1; and

19  
20 WHEREAS, The City joined in Plat No. 2013-52 to resolve an encroachment of the  
21 Pioneer Building into a required building setback as required for the redevelopment project  
22 for the Pioneer Building and new site plan approved by the Planning Commission through  
23 Conditional Use Permit 13-06; and

24  
25 WHEREAS, Notwithstanding the recording of Plat No. 2013-52, the City retains its  
26 ownership interest in the 385 square foot triangular area that Plat No. 2013-52 incorporated  
27 into Lot 6-A-1, and Dragonfly, LLC has requested that the City sell its interest in this property  
28 to remove a cloud on the title of Dragonfly, LLC to Lot 6-A-1; and

29  
30 WHEREAS, The property proposed for sale is not needed by the City and disposal will  
31 not impede future development by the City of the adjacent City-owned property; and

32  
33 WHEREAS, The Homer City Council approved the sale of this 385 square foot area in  
34 concept through adoption of Resolution 13-069; and

35  
36 WHEREAS, The area proposed for sale is too small to be developed and would be of no  
37 use to anyone other than Dragonfly, LLC, and therefore a public sale is not warranted and  
38 direct negotiation of the sale between the City and Dragonfly, LLC is necessary and  
39 appropriate; and

40  
41 WHEREAS; HCC 18.12.020 provides that an appraisal is not required if property does  
42 not exceed \$1,000 in value in the current tax assessment records of the Kenai Peninsula

43 Borough, and the current assessed value of the parcel to be sold is \$1,655.50.

44

45 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

46

47 Section 1. Notwithstanding anything to the contrary in Homer City Code Chapter  
48 18.12, the City Manager is authorized and directed to negotiate the sale of the City's interest  
49 in Lot 6-A-1 to Dragonfly, LLC for a price not less than \$1,655.50, and to execute the  
50 appropriate documents.

51

52 Section 2. The execution and delivery of Plat No. 2013-52 on behalf of the City is in all  
53 respects ratified and confirmed.

54

55 Section 3. This is a non-Code ordinance of a permanent nature.

56

57 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_\_ day of  
58 \_\_\_\_\_, 2015.

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CITY OF HOMER

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\_\_\_\_\_  
MARY E. WYTHE, MAYOR

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68 ATTEST:

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72 \_\_\_\_\_  
JO JOHNSON, MMC, CITY CLERK

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79 YES:

80 NO:

81 ABSTAIN:

82 ABSENT:

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84 First Reading:  
85 Public Hearing:  
86 Second Reading:  
87 Effective Date:

88  
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91 Reviewed and approved as to form.

92

93 \_\_\_\_\_

94 Marvin Yoder, City Manager

95

96 Date: \_\_\_\_\_

97

98

99 Fiscal Note: NA

\_\_\_\_\_  
Thomas F. Klinkner, City Attorney

Date: \_\_\_\_\_



**HOMER RECORDING DISTRICT**

AFTER RECORDING, RETURN TO:

City of Homer  
491 East Pioneer Avenue  
Homer, Alaska 99603  
Attn: City Manager

**QUITCLAIM DEED**

The CITY OF HOMER, an Alaska municipal corporation (“Grantor”), whose address is 491 East Pioneer Avenue, Homer, Alaska 99603, for good and valuable consideration in hand paid, the adequacy and sufficiency of which is hereby acknowledged, conveys and quitclaims to DRAGONFLY, LLC, an Alaska limited liability company (“Grantee”), whose address is 64362 Bridger Road, Homer, Alaska 99603, all interest which Grantor has, if any, in the following described real property (“Property”):

Lot 6-A-1, Nils O. Svedlund Subdivision 2013 Replat, according to Plat No. 2013-52, Homer Recording District, Third Judicial District, State of Alaska

DATED this \_\_\_ day of \_\_\_\_\_, 2015.

GRANTOR: CITY OF HOMER

\_\_\_\_\_  
Marvin Yoder, City Manager

STATE OF ALASKA                    )  
  ) ss:  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_ 2015, by Marvin Yoder, City Manager of the CITY OF HOMER, an Alaska municipal corporation, on behalf of the City.

\_\_\_\_\_  
Notary Public in and for Alaska  
My commission expires:\_\_\_\_\_







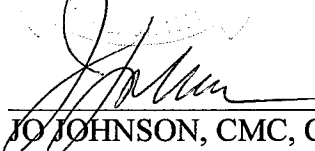
40 BE IT FURTHER RESOLVED that the Council hereby approves the proposed sale and  
41 easement agreement with Harmon and Pauli Hall and authorizes the City Manager to execute the  
42 easement agreement and take the necessary steps required under the City Code to initiate the  
43 land sale.

44  
45 PASSED AND ADOPTED by the Homer City Council this 24<sup>th</sup> day of June, 2013.

46  
47 CITY OF HOMER

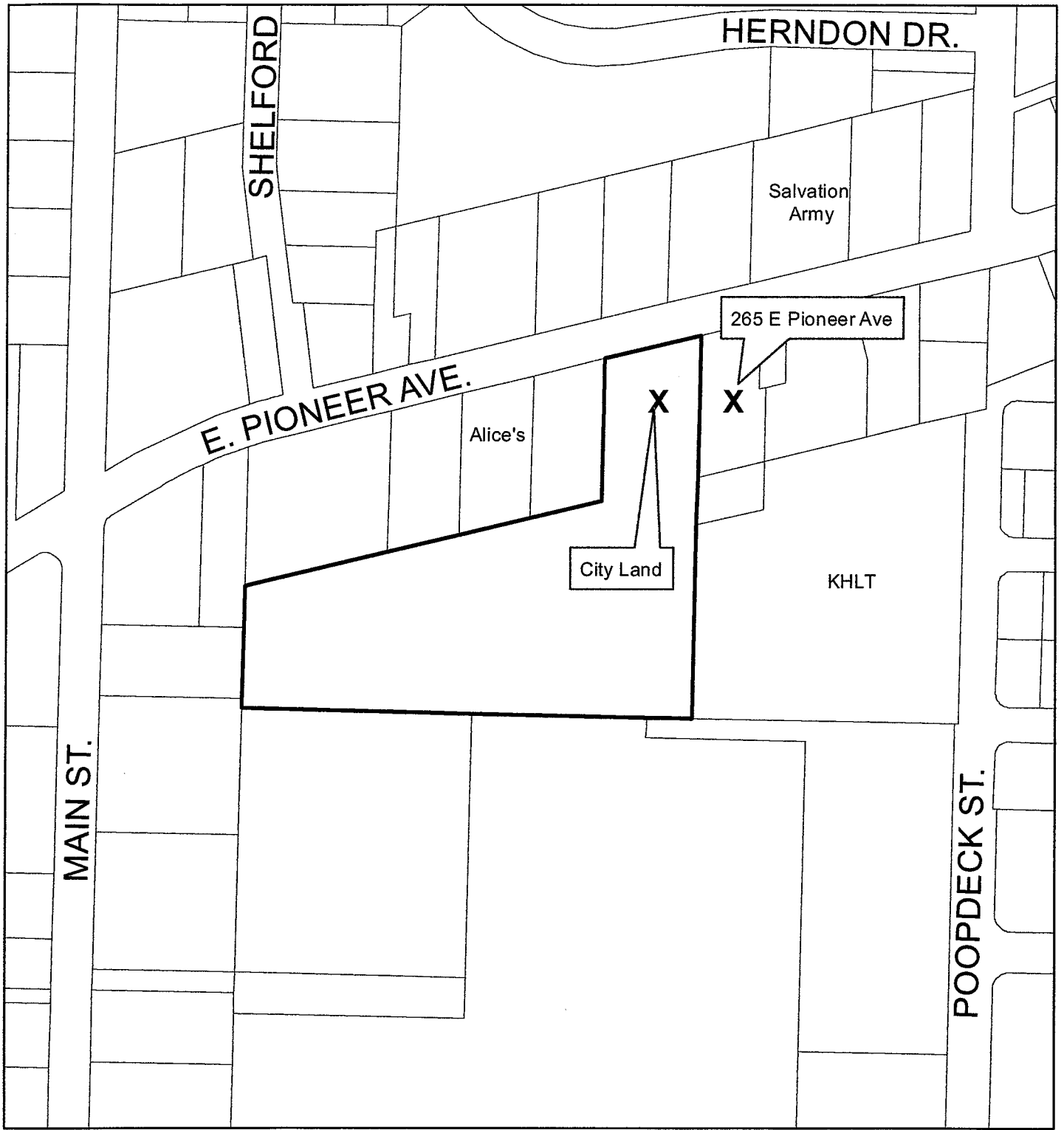
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50 MARY E. WYTHE, MAYOR  
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52  
53 ATTEST:

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56 JO JOHNSON, CMC, CITY CLERK  
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60 Fiscal information: Amount to be determined from sale of land.  
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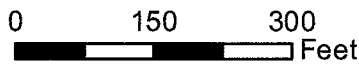




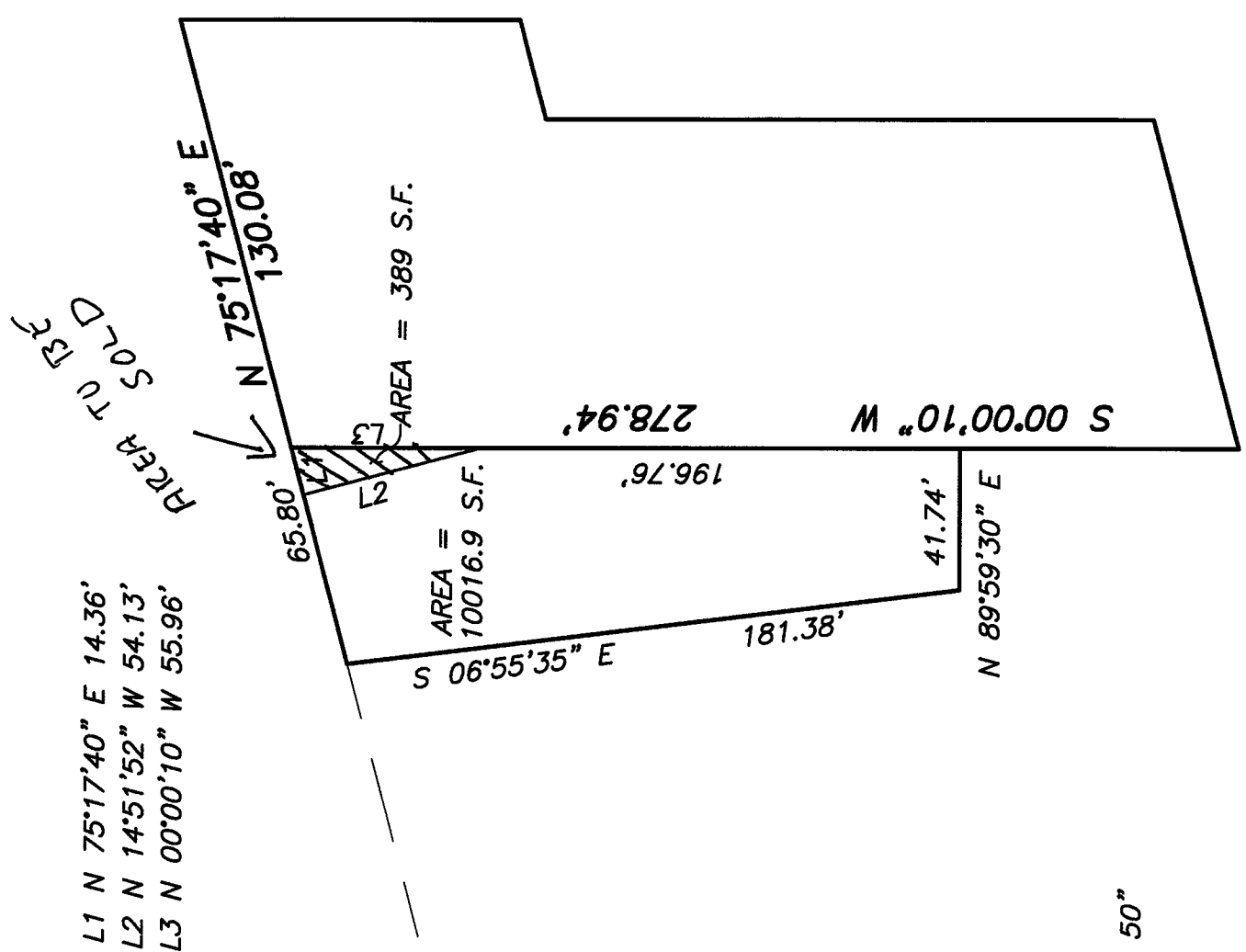
City of Homer  
 Planning and Zoning Department

June 18, 2013

### Vicinity Map



*Disclaimer:*  
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.





**ORDINANCE REFERENCE SHEET**  
**2015 ORDINANCE**  
**ORDINANCE 15-04**

An Ordinance of the Homer City Council Accepting and Appropriating a Grant From the Alaska Highway Safety Office in the Amount of \$40,768.01 for the Homer Police Department Project Drive and Authorizing the City Manager to Execute the Appropriate Documents.

Sponsor: City Manager/Police Chief

1. City Council Regular Meeting February 9, 2015 Introduction
  - a. Memorandum 15-019 from Police Chief as backup
  - b. Notice to Proceed, Grant Agreement, Bids for Trailer and ATV
  
2. City Council Regular Meeting February 23, 2015 Public Hearing and Second Reading
  - a. Memorandum 15-019 from Police Chief as backup
  - b. Notice to Proceed, Grant Agreement, Bids for Trailer and ATV





**CITY OF HOMER  
HOMER, ALASKA**

City Manager/  
Police Chief

**ORDINANCE 15-04**

AN ORDINANCE OF THE HOMER CITY COUNCIL ACCEPTING AND APPROPRIATING A GRANT FROM THE ALASKA HIGHWAY SAFETY OFFICE IN THE AMOUNT OF \$40,768.01 FOR THE HOMER POLICE DEPARTMENT PROJECT DRIVE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The City submitted an application for the Homer Police Department Project Drive to purchase a side by side ATV, an enclosed trailer, and fund Project Drive; and

WHEREAS, The ATV and funds will be used to conduct clinics at local schools to increase awareness of impaired driving while under the influence of drugs or alcohol; and

WHEREAS, The State awarded the grant in the amount of \$40,768.01, requiring a local match of \$4,076.80; and

WHEREAS, The match of \$4,076.80 was included in the 2015 budget.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates a Grant from the Alaska Highway Safety Office in the amount of \$40,768.01 for Homer Police Department Project Drive as follows:

Revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
151-7003	Alaska Highway Safety Office Grant	\$40,768.01

Section 2. The City Manager is authorized to execute the appropriate documents.

Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this \_\_\_ day of \_\_\_\_\_, 2015.

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CITY OF HOMER

\_\_\_\_\_  
MARY E. WYTHE, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSENT:

ABSTAIN:

First Reading:

Public Hearing:

Second reading:

Effective Date:

Reviewed and approved as to form:

\_\_\_\_\_  
Marvin Yoder, City Manager

\_\_\_\_\_  
Thomas F. Klinkner, City Attorney

Date:\_\_\_\_\_

Date:\_\_\_\_\_



# CITY OF HOMER

## POLICE DEPARTMENT

4060 HEATH STREET HOMER, AK 99603-7609

EMERGENCY 911  
TELEPHONE (907) 235-3150  
TELECOPIER (907) 235-3151

### Memorandum 15-019

DATE: January 30, 2015  
TO: Marvin Yoder, City Manager  
FROM: Mark Robl, Chief of Police  
SUBJECT: Project Drive

We have received a grant from the state last fall to fund our "Project Drive" program. I request that we obtain council approval to obligate funds and proceed with Project Drive.

Project Drive is a program we have been doing for approximately five years. It involves us conducting clinics at local schools and events to teach kids the effects of alcohol and drug impairment on driving. We do so by having the children drive a side by side ATV with a police officer in it while wearing fatal vision goggles that simulate the effects of impairment. The program has been well received and seems to be very effective. It also provides us with a great opportunity to connect with young teenage children and have positive interaction with them.

We have been conducting Project Drive with borrowed equipment from other police departments. Every time we want to do it we have had to coordinate the equipment loans and scheduling with the departments and send an officer up to either Soldotna or Anchorage to pick-up the equipment and then take it back when we're finished. This has taken considerable time and expense. This grant funds the purchase of the equipment we need to run the program.

We would like to purchase the two main pieces of equipment for this program as soon as possible. The low bidder for the side by side ATV, a Polaris RZR, is Homer Saw at \$12,699.99. The low bidder for an enclosed trailer to haul it in is White Spruce Trailer Sales at \$10,250. The state has issued us a notice to proceed and begin Project Drive. We are ready to do so.





# Notice to Proceed

State of Alaska, DOT & PF  
 P.O. Box 112500  
 Juneau, AK 99801-2500  
 Ph: 907-465-2446  
 Fx: 907-465-4030  
[dot.alaska.gov/highwaysafety](http://dot.alaska.gov/highwaysafety)

<b>Grantee Name and Address:</b> Homer Police Department 4060 Heath Street Homer, AK 99603	<b>Title/ Short Description:</b> Homer PD Project Drive
---	--

**Supplemental Agreements:** Check all that apply.

Enforcement Agreement       Law Enforcement Liaison Agreement

**Action Requested:**

New Setup       Add Funds       Reduce Funds       Closure (Decrease)

Revision of Funds: Please provide explanation of funding change and budget breakdown.

FUNDING SUMMARY			
Budgets Approved for this NTP			
Budget Category	Current Budget Totals	AHSO Increase (Decrease)	Revised Budget Totals
(100) Personnel Services	\$ 15,316.21	\$ -	\$ 15,316.21
(200) Travel & Per Diem	\$ 270.00	\$ -	\$ 270.00
(300) Contractual Services	\$ -	\$ -	\$ -
(400) Commodities	\$ 2,655.00	\$ -	\$ 2,655.00
(500) Equipment	\$ 18,450.00	\$ 2,000.00	\$ 20,450.00
(Indirect Costs)	\$ -	\$ -	\$ -
<b>TOTALS</b>	<b>\$ 36,691.21</b>	<b>\$ 2,000.00</b>	<b>\$ 38,691.21</b>

**TOTAL AMOUNT AUTHORIZED TO DATE**      \$ 38,691.21

**Explanation of Approved Grant Application & Activity Dates:**  
 Project Revision for increased cost in ATV purchase.  
 \*\*Reimbursement cannot exceed the amount of this NTP\*\*

**AHSO USE ONLY**

Activities as outlined in the FFY 2015 Grant Application covering the period of: 10/1/2014 - 9/30/2015

<b>Project Control Programming</b>				<b>NTP #:</b>	2
<b>Collocation Code</b>	<b>Program Code</b>	<b>Ledger Code</b>	<b>Account Code</b>	<b>Grant #:</b>	402PT-15-06-00(B)
24462628	57870	30028882	77436	<b>Full Grant Amount:</b>	\$38,691.21
<b>Project #</b>	<input type="checkbox"/> RSA(Interagency)	<input checked="" type="checkbox"/> EN (Non-Interagency)	<b>DUNS #:</b>	<b>FAIN #:</b>	18X9204020AK
76009			01-21-15103	<b>CFDA #:</b>	616927349
					20.600

**Project Control Programming Approved**

<b>Program Control Agent Name:</b> Sumer Todd-Harding	<b>Accounting Technician Name:</b> Stefanie Bingham
<i>Sumer Todd-Harding</i> 12/11/14	<i>Stefanie Bingham</i> 12/23/14
Signature      Date	Signature      Date

You may proceed with the activities for the Categories and specific Tasks enumerated above in the Funding Summary. Any activities beyond the written scope and/or any costs above the price estimate in our Agreement require prior AHSO approval and a Project Revision. Actual cost underrun of the Contract Amount for any Category shall not routinely accumulate for other Categories. AHSO reserves the right to retain or reallocate any remaining funds resulting from such cost underruns. Conditions to this agreement are as outlined in the "Agreement Conditions" Section 3 of the application for grant, **CONDITIONS ARE A PART OF THE PROJECT AGREEMENT AND, AS SUCH, ARE BINDING ON ALL PARTIES TO THE PROJECT AGREEMENT.**

**This NTP is cumulative and supersedes all prior NTPs for this Agreement.**  
 The AHSO Administrator for this NTP is: Tammy Kramer

<b>Issued for the Contracting Agency per ADOT&amp;PF Policy #01 01 050 by:</b> Tammy Kramer	<b>Accepted for the Grantee by:</b>
<i>Tammy Kramer</i> 12/23/14	<i>William T. Hutt</i> 12/23/14
Signature      Date	Signature      Date



**FFY 2015  
HIGHWAY SAFETY  
GRANT AGREEMENT**

State of Alaska  
Department of Transportation & Public Facilities  
Alaska Highway Safety Office (AHSO)  
P.O. 112500, Suite #200  
Juneau AK 99811-2500  
Ph: 907-465-2446  
Fax: 907-465-4030  
[www.dot.alaska.gov/ahso](http://www.dot.alaska.gov/ahso)

<b>Subgrantee Agency Name and Address:</b>		<b>Project Title:</b>	
Homer Police Department 4080 Heath Street Homer, AK 99803		Homer PD Project Drive	
Project Manager: Lieutenant William Hult		<b>Project Location:</b>	
Non-Profit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Homer	
<b>Grant Period:</b>		Effective Date: 10/01/2014	
Begin: 10/01/2014	End: 09/30/2015		

If previously funded, indicate the total number of months of Federal support: N/A

Other Federal or State Support (If using other Federal support on this project, it must be identified and explained).

COST CATEGORY	AHSO	MATCH	TOTAL
A. Personnel Services	\$15,316.21	\$1,701.80	\$17,018.01
B. Contractual Services			
C. In-State Travel & Per Diem	\$270.00	\$30.00	\$300.00
D. Commodities	\$2,655.00	\$295.00	\$2,950.00
E. Operating Capital Outlay			
F. Equipment	\$18,450.00	\$2,050.00	\$20,500.00
G. Indirect Costs (10% of total budget maximum) allowed ONLY with a current cognizant Federal Agency Letter			
<b>Total</b>	\$36,691.21	\$4,076.80	\$40,768.01

Acceptance of conditions: It is understood and agreed by the undersigned that any grant funds received from the AHSO are subject to all State and Federal government regulations. This project does or will constitute an official part of the Highway Safety Program of the State of Alaska, and will meet all requirements and administrative regulations of the National Highway Traffic Safety Administration and Federal Highway Administration. The undersigned also agree to perform those activities detailed in the attached proposal and will maintain records documenting expenditure of funds for the activities. Subject to the availability of Federal funding, reimbursement will be made upon submission of a reimbursement voucher following completion of monthly grant activities, including an update on grant performance measures. Final reimbursement claim will not be processed until all four Quarterly Reports, Equipment Record (if purchased), and Annual Evaluation Report are submitted to, and received by, the AHSO.

Subgrantee Financial Manager: John Li		Phone: 907-235-8121
Title: Finance Director		E-mail: <a href="mailto:zli@ci.homer.ak.us">zli@ci.homer.ak.us</a>
Signature:	Date: 9/25/2014	Fax: 907-235-3140
Subgrantee Authorizing Official: Mark Robl		Phone: 907-235-3150
Title: Chief of Police		E-mail: <a href="mailto:mrobl@ci.homer.ak.us">mrobl@ci.homer.ak.us</a>
Signature:	Date: 9/25/2014	Fax: 907-235-3151

**AHSO ONLY:**

AHSO Administrator: Tammy Kramer	Grant #: 402PT-15-06-00(B)
	CC: 2462628
Approved By: _____	LC: 30028882
Date: 10/1/14	PGM: 57870
	Program Area: 402 Police Traffic Svcs

**White Spruce Trailers, Inc.-Fbx**

10 Mile Richardson Hwy/2156 Bunge St  
 P.O. Box 56300  
 North Pole, AK 99705  
 907-488-3004 Fax: 907-488-2551

Quote #:	2805
Quote Date:	11/24/2014
Page:	1
Customer #:	7105

Quoted To:  
 City of Homer Police Department  
 4060 Heath Street  
 Homer AK 99603

Phone: 907-235-3150		Cust PO: RFQ 8 x 16		Valid Through: 12/4/2014	
Reference:		Ship Via:		Terms: Net 30	
Stock Code		Description		Quantity	Price
					Extended
BL816TA2 RD +12	8x16 Encl'd Trlr w/Tandem 3500# axles, Rear Ramp Door. Side Door w/ Flushlok, Sp. Tire Mt., 12 inches extra height	1.00	10,065.00		10,065.00
CT1008	ST205/75R15 LRD 5 on 4.5	1.00	100.00		100.00
L5	Commercial License, Trailer Prep, Registration, & Document Processing	1.00	85.00		85.00

\*\*\* MEGAN - 11/24/2014 02:06 pm \*\*\*  
 Quote from original quote #2801 with no e-track system or tie downs and no delivery to Homer.

FOB Anchorage

Trailer can be delivered within 90 days of receipt of purchase order.

- Trailer includes the following:
- 102" Wide body design with no-show beavertail to allow for a 84" door clearance (\$400)
  - Reinforced rear ramp door
  - Fold-down stabilizer jacks rated at 1,000# each
  - Upgraded to radial tires (better than bias ply tires on Alaskan roads) (\$150)
  - LED Light Package (\$170)
  - Urethane coating on tongue and rear member (\$150)

Color: undetermined

SubTotal:	10,250.00
Tax:	0.00
Shipping:	0.00
<b>Total:</b>	<b>10,250.00</b>

Deposits are non-refundable. A \$500 Deposit holds items for 2 weeks. Warranties are manufactures warranties only and no other warranty by WSTS is expressed or implied. If you have a warranty claim, we will make a good faith attempt in resolving the issue, but the decision or action taken by the manufacturer is final and WSTS cannot be held responsible. PO Sales are Net 30 payment. A service charge of 1.5% per month will be added to unpaid balances. Trailers sales are final, parts subject to 15% restocking fee, special orders 50% restocking fee.

To: City of Homer  
Police Dept.  
Ryan Browning  
4060 Heath St  
Homer, Alaska 99603

From: Homer Saw & Cycle  
1532 Ocean Dr.  
Homer, Alaska 99603  
907-235-8406  
Fax-907-235-8950  
[homersaw@xyz.net](mailto:homersaw@xyz.net)

Re: bid for 2015 Polaris RZR 570 White Lightning

2015 Polaris RZR 570 White Lightning-	\$10,300.00
Sport Roof-	2878748- \$220.00
35" light bar-	2880527- \$650.00
Harness-	2879863- \$50.00
Deluxe front bumper-	2878284- \$250.00
Rear bumper-	2878697- \$200.00
REBLR 14 flat black bead lock wheels w/ moto attack tire-	2880024- \$1250.00
White rings for wheels-	1522244-133 -\$320.00
Lug nuts-	2877409- \$30.00
Seat slider-	2877390- \$70.00
All accessories installed	

Total price-\$13,440.00

**Bid Price-\$12,699.99**

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# ORDINANCE(S)



# CITY MANAGER'S REPORT





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Manager

491 East Pioneer Avenue  
Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

### MANAGER'S REPORT

February 23, 2015

To: The Mayor and Council

From: Marvin L Yoder

Date: February 18, 2015

#### **Budget Cuts**

During my trip to Juneau I was able to talk with Linda Anderson about the proposed budget cuts to the Contract Jails program. If these cuts are adopted the city could lose over \$500,000. Chief Robl provided a lot of information about the impact such cuts would have in Homer.

We are now hearing that neither the Troopers nor the Court system had sufficient input on this issue prior to it being introduced. Linda is keeping us updated on what is happening with this critical budget issue.

#### **Resolution 15-004**

I spoke with Linda Anderson, Rep. Paul Seaton and Sen. Gary Stevens about this issue. Nothing is certain at this time. It is hoped that the State Budget will be more in focus by the time Mayor Wythe and Katie visit Juneau next month.

#### **Personnel**

The finance Department is having some personnel changes. Longtime employee Jo Earls resigned. Two employees were promoted new positions in the department and the city is recruiting and entry-level receptionist.

#### **School News**

Homer will host the 3A regional basketball tournament March 5 – 7. There will be 7 visiting teams in Homer that weekend.

#### **Enstar Refund**

The Finance Department received check and the following statement from Shay Pesta of Enstar regarding the FMA payment. "I have attached the excel spreadsheet for the

546 refunds totaling \$624,166 which are for 2nd, 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2014 with some from the 1<sup>st</sup> quarter. You can tell by the meter set dates. We are still working on 2013 and part of the 1<sup>st</sup> quarter of 2014.”

The FMA funds will go into a sinking/reserve fund until the bonds are paid off. Dispersements to the property owners will be made after the bonds are retired.



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum

TO: MAYOR AND CITY COUNCIL

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

DATE: FEBRUARY 17, 2015

SUBJECT: BID REPORT

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**RFP FOR THE PRODUCTION OF A MARINE TRADES PROMOTIONAL VIDEO**-The City of Homer, Alaska is requesting proposals from qualified firms for video production services to create a short film for promoting the Homer Marine Trades Association and Homer Port and Harbor. Successful proposer will be contracted to produce such a video, and to furnish the necessary labor, materials, equipment, tools, supervision, and other facilities to perform under such contract. Plan holder registration forms, and Plans and Specifications are available on line at <http://www.cityofhomer-ak.gov/rfps>. All proposers must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive. Sealed proposals shall be received at the Office of the City Clerk **no later than 4:30 pm, Friday, March 6, 2015.**

**RFP FOR A CONSULTANT/CONTRACTOR TO CREATE A MUNICIPAL ART BASELINE INVENTORY**-The City of Homer, Alaska is requesting proposals from qualified individuals or firms to create a complete catalogue of City of Homer owned art assets for long term planning and care of the collection. Proposals will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska until 4:00 P.M., Thursday, April 9, 2015. The time of receipt will be determined by the City Clerk's time stamp. **Proposers are required to be on the Plan Holder's List to have their proposals evaluated by the committee.**





# CITY ATTORNEY REPORT



# COMMITTEE REPORTS



PENDING BUSINESS



# NEW BUSINESS







## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)  
(p) 907-235-3130  
(f) 907-235-3143

### Memorandum 15-025

TO: MAYOR WYTHE AND CITY COUNCIL

FROM: JO JOHNSON, MMC, CITY CLERK

DATE: FEBRUARY 18, 2015

SUBJECT: REQUEST FOR EXECUTIVE SESSION PURSUANT TO AS 44.62.310 (A-C)(1 & 5) MATTERS, THE IMMEDIATE KNOWLEDGE OF WHICH WOULD CLEARLY HAVE AN ADVERSE EFFECT UPON THE FINANCES OF THE GOVERNMENT UNIT AND ATTORNEY/CLIENT PRIVILEGE (CASTNER VS. CITY OF HOMER RESUMED LITIGATION).

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Pursuant to Council's Operating Manual – "Any Councilmember, the Mayor or City Manager may place consideration of an executive session on the agenda..."

City Manager Yoder has requested an Executive Session regarding "Castner vs. City of Homer Resumed Litigation" for the Regular Meeting of February 23, 2015. This has been publicly and internally noticed since that time.

City Attorney Klinkner will participate by telephone.

#### RECOMMENDATION:

Approve the request for Executive Session and conduct immediately in the Conference Room.



# RESOLUTIONS



COMMENTS OF THE AUDIENCE  
COMMENTS OF THE CITY ATTORNEY  
COMMENTS OF THE CITY CLERK  
COMMENTS OF THE CITY MANAGER  
COMMENTS OF THE MAYOR  
COMMENTS OF THE CITY COUNCIL  
ADJOURNMENT

