

ACTION AGENDA

Monday, April 27, 2015
Worksession
Committee of the Whole
Regular Meeting

WORKSESSION AGENDA

1. CALL TO ORDER, 4:00 P.M.

Mayor Wythe called the meeting to order at 4:00 p.m.

Councilmember Reynolds has requested excusal.

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

The agenda was approved by consensus of the Council.

3. LAND ALLOCATION PLAN

Memorandum 14-055 from Deputy City Planner as backup.

4. LILLIAN WALLI SUBDIVISION

5. COMMENTS OF THE AUDIENCE

There was one who commented.

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

Mayor Wythe adjourned the meeting at 4:36 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

Mayor Wythe called the meeting to order at 5:00 p.m.

Councilmember Reynolds has requested telephonic participation.

2. **AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council’s Operating Manual, pg. 6)

The agenda was approved by consensus of the Council.

3. **PARC NEEDS ASSESSMENT, AGNEW::BECK**

4. **CONSENT AGENDA**

5. **REGULAR MEETING AGENDA**

6. **COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

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

Mayor Wythe adjourned the meeting at 5:45 p.m.

REGULAR MEETING AGENDA

Session 15-17 a Regular Meeting of the Homer City Council was called to order on April 27, 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 (telephonic),
ROBERTS, VAN DYKE, ZAK

STAFF: CITY MANAGER KOESTER
INTERIM CITY MANAGER YODER
CITY CLERK JOHNSON
CITY PLANNER ABBOUD
FINANCE DIRECTOR LI
IT MANAGER POOLOS
LIBRARY DIRECTOR LI
PORT AND HARBOR DIRECTOR HAWKINS

Councilmember Reynolds has requested telephonic participation.

Councilmember Reynolds was allowed to participate by telephone.

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

2. **AGENDA APPROVAL**

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

The following changes were made: **VISITORS** - PARC Needs Assessment PowerPoint Presentation, Linda Anderson, Lobbyist, Anderson Group, LLC. **CITY MANAGER'S REPORT** - City of Homer Financial Report Through March 31, 2015, Memorandum 15-058 from Public Works Director, Re: Spit Camp Fee Collection Building, Memorandum 15-059 from Public Works Director, Re: Mental Health Land Trust – Spit Property Purchase; Re-Envisioning the Homer Public Library's Western Lot; and Press Release, Circle Hook Sculpture.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There was one who commented.

4. RECONSIDERATION

5. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Special meeting minutes of April 8, 2015 and Regular meeting minutes of April 13, 2015. City Clerk. Recommend adoption.
- B. Memorandum 15-051, from Mayor, Re: Reappointment of Amy Alderfer to the Library Advisory Board.
- C. **Ordinance 15-12**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2015 Operating Budget by Appropriating \$8,500 to Aha Consulting, Inc. From the Information Systems Budget to Fund Website Design and Software Upgrades. City Manager. Recommended dates: Introduction April 27, 2015, Public Hearing and Second Reading May 11, 2015.

Memorandum 15-052 from City Manager as backup.

- D. **Resolution 15-025**, A Resolution of the Homer City Council Adopting a Social Media Policy. City Manager. Recommend adoption.

Memorandum 15-052 from City Manager as backup.

- E. **Resolution 15-026**, A Resolution of the City Council of Homer, Alaska, Adopting City of Homer Website Terms and Conditions. City Manager. Recommend adoption.

Memorandum 15-052 from City Manager as backup.

- F. **Resolution 15-027**, A Resolution of the Homer City Council Adopting the Website Links Policy. City Manager. Recommend adoption.

Memorandum 15-052 from City Manager as backup.

- G. **Resolution 15-028**, A Resolution of the Homer City Council Approving a Letter of Understanding Between the City and the Pratt Museum for the Design and Fabrication of Interpretive Signage for the Homer Spit Trails Projects and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 15-053 from Public Works Director as backup.

- H. **Resolution 15-029**, A Resolution of the Homer City Council Awarding the Contract for the Old Harbormaster's Building Hazardous Material Survey to the Firm of Satori Group, Inc. of Anchorage, Alaska, in the Amount of \$3,400 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 15-054 from Public Works Director as backup.

- I. **Resolution 15-030**, A Resolution of the Homer City Council Approving the City of Homer 2015 Land Allocation Plan. Mayor/City Council. Recommend adoption.

Memorandum 15-055 from Deputy City Planner as backup.

Moved to Resolutions.

- J. **Resolution 15-031**, A Resolution of the City Council of Homer, Alaska, Approving an Agreement for Professional Mentorship Services Between the City of Homer and MY:T Solutions, LLC. Mayor/City Council. Recommend adoption.

- K. **Resolution 15-032**, A Resolution of the Homer City Council Partially Releasing the Development Covenant of the Lillian Walli Estates Subdivision Requiring Every Lot or Tract Within the Property Be Served By Roads, Water, Sewer, Drainage, and Other Utilities Before a Request for a Building Permit or Additional Utility Connection May Be Made. Interim City Manager. Recommend adoption.

Memorandum 15-057 from Interim City Manager as backup.

Item I, Resolution 15-030 was moved to Resolutions, Item A. Burgess.

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

6. VISITORS

A. Parks, Art, Recreation and Culture (PARC) Needs Assessment, 10 minutes

Heather Stewart, Agnew::Beck, provided a report on the PARC Needs Assessment.

B. Linda Anderson, Lobbyist, Anderson Group, LLC, 10 minutes.

Linda Anderson, Lobbyist with Anderson Group, LLC provided an update on the legislative session.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Mayor's Proclamation, Public Service Recognition Week, May 3 – 9, 2015

Mayor Wythe read the proclamation.

B. Mayor's Proclamation, Municipal Clerks Week, May 3 – 9, 2015

Mayor Wythe read and presented the proclamation to City Clerk Johnson.

C. Mayor's Proclamation, May 2015 as Bike Month

Mayor Wythe read and presented the proclamation to young bicyclists.

D. Borough Report

Kelly Cooper, Kenai Peninsula Borough Assembly Member, thanked the PARC committee for all their work and praised Mike Illg for the activities available for all ages. Last week she attended the meeting on heroin in the community. It is recreational activities that will keep kids off drugs. The Assembly met in Seward last week and considered the ordinance to repeal the nine-month tax exemption on non-prepared foods. It was voted on reconsideration and failed so will not appear on the fall ballot. The Assembly will begin budget work next week. Contracts for reroofing of Homer Middle School and Paul Banks Elementary School and flooring work contracts will be awarded. At the May 5th meeting a public hearing will be held on Assembly Member Cooper's ordinance to increase the maximum amount of sales subject to borough sales tax from \$500 to \$1,000. If it passes it will affect the City too. Testimony can be provided to the Borough Clerk.

E. Commissions/Board Reports:

1. Library Advisory Board

Amy Alderfer, Library Advisory Board Member, reported on the magazines and newspapers available at the library. Digital forms of magazines from around the country are accessible on the webpage with no pop-ups, ads, or spam. The Library provides proctoring services for exams for schools and E-books and audio books through Listen Alaska. If you have suggestions for a book, DVD, or program, contact the library staff or drop an idea in the suggestion box. Volunteers are needed on Thursday, April 30th from 10 a.m. – 1:00 p.m. for a library garden spruce up.

2. Homer Advisory Planning Commission

- a. Minutes of March 18, 2015

3. Economic Development Advisory Commission

4. Parks and Recreation Advisory Commission

Matt Steffy, Parks and Recreation Advisory Commission Chair, reported the commission hosted the Homer Recreation and Trails Symposium on April 18th. This was the coordinated efforts of 15 user groups exploring connectivity in moving forward to develop trails and recreation corridors. The commission has been focusing their energy on the beach policy review. He thanked city staff for the extra time and assistance they have provided. Both written and verbal input is desired while they address the needs of beach users. There is a broad spectrum of concerns and the commission hopes to have recommendations to the Council for some changes to the policy within the next few months. Chair Steffy thanked Agnew::Beck and the steering committee for their work on the PARC Needs Assessment.

5. Port and Harbor Advisory Commission

- F. Report from Joy Steward, Executive Director of The Homer Foundation, Re: Report on the City of Homer Grants Program

- G. Letter from Mayor Wythe to Environmental Protection Agency, Re: Use of Chemical Dispersant

- 8. PUBLIC HEARING(S)**

- A. **Ordinance 15-10**, An Ordinance of the Homer City Council Amending the FY 2015 Operating Budget by Appropriating \$30,000 from the Homer Accelerated Roads and Trail Program (HART) Fund to Repair Fireweed Avenue and Cottonwood Lane and Matching an Amount That the Property Owners Fund for Repairs to the Roads. City

Manager/Public Works Director. Introduction April 13, 2015, Public Hearing and Second Reading April 27, 2015.

Ordinance 15-10(S), An Ordinance of the Homer City Council Amending the FY 2015 Operating Budget by Appropriating \$30,000 from the Homer Accelerated Roads and Trail Program (HART) Fund to Repair Fireweed Avenue and Cottonwood Lane and **Adding \$7,000 to** Matching ~~an~~ **the** Amount That the Property Owners Fund for Repairs to the Roads. City Manager/Public Works Director.

Memorandum 15-028 from Public Works Director as backup.

There was no public testimony.

Substitute Ordinance 15-10(S) ADOPTED without discussion.

9. ORDINANCE(S)

A. **Ordinance 15-11**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Section 17.04.100, Subdivision After Levy of Assessments, to Provide for Subdivisions of Property Subject to Natural Gas Distribution Assessments. City Manager. Recommended dates: Introduction April 27, 2015, Public Hearing and Second Reading May 11, 2015.

Memorandum 15-056 from Interim City Manager as backup.

Mayor Wythe recused herself due to an ongoing conflict on gas line discussions and passed the gavel to Mayor Pro Tempore Roberts.

ADOPTED for introduction with no discussion.

Mayor Pro Tempore Roberts passed the gavel back to Mayor Wythe.

10. CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Koester reported DOT crews have done a great job working on repairing Kachemak Drive quickly. The road should be open within the next couple of days.

In the supplemental packet Memorandum 15-058 speaks about the fee collection shack on the Spit. The shack gets a lot of wear and tear over the winter. It is not economical to pour money into repairs and is quite expensive to move the shack. Public Works would like to construct a mobile unit. They will bring ideas to the Council prior to funds being spent.

Friends of the Homer Library have a proposal to create trails and added features for the western lot of the library.

City Manager Koester thanked the Mayor for the proclamation recognizing public employees and public service. Administration is organizing a picnic for staff, tentatively scheduled for May 15 with burgers and hot dogs.

Mental Health Trust land information included in the packet is informational only. An appraisal will be conducted this summer and the results will be provided to the Council.

The Council expressed appreciation of creating an assistant city manager position. The position will include economic development, marketing the harbor, and land use.

Concerns of finding a feasible solution to compel Icicle to follow through on their contractual obligations for fish processing were expressed. There is the potential for more revenue for the City. Currently Icicle has been processing fish on the floating dock for 2-3 weeks each season with fish tax collected on those revenues.

B. Bid Report

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

Lance Petersen, Public Arts Committee Member, reported the committee reviewed the RFPs received for the inventory of artworks project. Staff was asked to obtain more information from the proposers. There will be a catalog and database of artwork and a web based place for the public to view art could be made available.

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

13. PENDING BUSINESS

14. NEW BUSINESS

15. RESOLUTIONS

- I. **Resolution 15-030**, A Resolution of the Homer City Council Approving the City of Homer 2015 Land Allocation Plan. Mayor/City Council. Recommend adoption.

Memorandum 15-055 from Deputy City Planner as backup.

AMENDED:

- Line 21 to read Memorandum 15-055
- C7 - Government Lots 10, 21, 24, 25 HM T06S R13W S14 will be advertised for sale
- E19 - T 6S R 13W Sec 20 Seward Meridian HM 0840005 Lakeside Village Sub Amended Lot 2 Blk 4 staff to explore and bring a recommendation to replat to extend through to Lakeside Drive (act on Resolution 09-33)
- E22 - That Portion of Govt Lot 3 Lying Southwesterly of Kachemak Drive, T6S R13W S23 list lot for sale pending appraisal and attempt to contact adjacent land owners to see if they have an interest in purchasing
- E23 - Government Lot 36 HM T06S R13W S14, Harry Feyer Subdivision Lot 1 list lot for sale pending appraisal
- E6 - HM0880016 T06S R14W S24 Lillian Walli Estate Sub Lot 60, 65, 66, 67, 70, 57, 58, 59 list all lots for sale

Staff was asked to look at the deed history on C10 - T 6S R 13W Sec28 Seward Meridian HM Govt Lots 5, 6, 7, 8 and determine if they were long-term conservation easements to be codified and consider adding them to Mariner Park.

ADOPTED as AMENDED.

16. COMMENTS OF THE AUDIENCE

There were five who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson wished Marvin farewell. She enjoyed working with him and his expertise in municipal government with a different view.

19. COMMENTS OF THE CITY MANAGER

City Manager Koester commented it was a pleasure to work with Marvin. He has been giving her tips and advice and she is going to miss him. Marvin has agreed to be on the phone and to be a mentor and she appreciates that.

Interim City Manager Yoder thanked the Council for the opportunity. When he came here Walt assured him everything was going smoothly. It has been a good ride and he appreciates the work of everyone here. It is a great group of people, including the employees and the Council.

20. COMMENTS OF THE MAYOR

Mayor Wythe thanked Marvin for taking time to come down. She knows it is not easy to relocate and be away from home and family. She has heard many comments about issues Mr. Yoder has taken care of in his time here and she thanked him for that. It is often easier for someone to come in interim and take care of business than it is for somebody that is going to have to live here for a long time. She asked about the \$800,000 swept from the City of Homer.

City Manager Koester answered the budget swept \$800,000 from DOT's trail money. DOT gave us \$1.5M or \$2M about five years ago for the Spit trail extension. It was cruise ship head tax money that went through DOT. The agreement was that DOT would build the Spit trail and we would take over ownership of a few roads. It is DOT money going back into the general fund.

Mayor Wythe asked staff to look at the process for land sales and an amendment to it. Every time we talk about land sale we go through the same discussion. She would like to bring that forward by May 26 to look at the protocol, legal requirements, and if there are things that can be amended to make the process more in touch with how things are done in this day and age.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Reynolds thanked the Council for allowing the phone participation. She gave a shout out to the Trails Symposium. It was great energy and a lot of collaboration. Starting Friday afternoon and all day Saturday is the Homer Invitational Track Meet at our new track. She passed her condolences to Devin Iredale-Sharp's family.

Councilmember Lewis thanked Marvin.

Councilmember Burgess echoed the thanks for Marvin. The biggest trepidation of an interim city manager was that we would get someone that would only do the bare minimum to keep the ship afloat. Marvin did a 180 from that. He tackled issues that had been on the back burner for a long time. He acted like he had been here for 3 years and would be here for 10 more. He delved into issues that needed attention. Councilmember Burgess really appreciated him. He asked for staff attention to the intercom for telephonic participation system. It is difficult to participate and hear by phone without creating feedback for the Council. In response to Nancy Hillstrand, there is very little willow on the four lots put up for sale. He appreciates that we have lots of conservation land in the city and lots that we need to

keep for habitat. Just because we own a lot doesn't mean that we need to conserve it. We need to be open to the fact that a conservation organization may have a better use for it. We need to put it back into the private public sector arena. Certain aspects of the PARC Needs Assessment fell short. He supports the people that worked on it and the idea of advancing the community recreation agenda and finding long-term viable solutions. The Council spent almost \$55,000 to garner the information and we still can't tell which taxable options and which geographic areas help us make decisions about moving forward. When we spend monies for these studies we need good deliverables. What we received tonight didn't advance us further to make informed decisions. Planning Department staff time is cost effective for the City and helps them continue their work. He hopes in the future the Council is better at outlining their expectations. He learned 25% of the people who may be in Fritz Creek or Anchor Point like the idea of Homer reallocating our revenues to support recreation.

Councilmember Van Dyke thanked Mr. Yoder for an outstanding job. It has been a pleasure having him here and he wished him well. He announced the Saturday Clean Up Day and will be at the Chamber with the Kachemak Bay Lions Club cooking hot dogs.

Councilmember Zak reiterated the comments on Mr. Yoder. He came to us not just taking a backseat, but jumping up to drive the bus. We discovered his services through the Alaska Municipal League. The system in place worked to our benefit. We will miss Mr. Yoder and he hopes he comes down to go fishing. Councilmember Zak attended a suicide prevention workshop. It reiterated what we learned through the Green Dot program that we as individuals can make a difference. It is all part of what we contribute to our community. Summer is here and we will have a lot of pedestrians. He has already caught himself stopping for pedestrians.

Councilmember Roberts is glad to see the resolutions passed about inter connectivity, with better links on our website and to make it work better on your phone. It is a good step forward to put the for sale items on the internet. She thanked Finance for providing a quarterly finance report. As a councilmember she is tasked with overseeing the budget on behalf of the citizens of Homer. When we passed the Fireweed and Cottonwood improvement area she was heartened to see that people from the area contributed money. It gave her good faith that they were sincere about trying to find a solution to their roads. She hopes their road problems are solved. She agrees with Councilmember Burgess that the PARC Needs Assessment didn't give her as much information as she wanted. After we took the first survey she thought we had a discussion on the statistical sample survey. We were told they would address some of those concerns. She is disappointed that she did not see what the citizens of Homer wanted versus overall zip code citizens. She thanked the public employees who give a lot to the city and thanked Marvin who did a great job and will be missed.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:04 p.m. The next Regular Meeting is Monday, May 11, 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.