

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.

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

BURGESS/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The Council conducted a Worksession from 4:00 p.m. to 4:36 p.m. to discuss Land Allocation Plan and Lillian Walli Subdivision. From 5:00 p.m. to 5:45 p.m. the Council heard a report on the PARC Needs Assessment from Heather Stewart of Agnew::Beck and discussed Consent 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: **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

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

LEWIS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Kevin Hogan, city resident, agreed with the hiring of an assistant city manager. He called the argument for the Mental Health Land Trust sale weak as there is no benefit to the public. Erroneous information in the Land Allocation Plan needs further review. He provided written input on the LAP.

RECONSIDERATION

CONSENT AGENDA

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

- A. Homer City Council unapproved 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.

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

LEWIS/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

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

Heather Stewart, Agnew::Beck, provided a summary of the PARC Needs Assessment. The full report is posted on the City's website. The assessment was made to determine resources and prioritize the needs of Homer with a 10 to 15 year outlook. Anchor Point, Diamond Ridge, Fritz Creek and Homer were all included in the survey that was to provide a broad representation from the community on recreation needs, arts, culture, and economic development. The assessment started in the fall of 2014 with a gap analysis in the winter producing the following results:

What are the existing and potential PARC resources in our community?

- Indoor space needs are a priority
- Some outdoor facilities need maintenance, repair, and expansion
- Need for more coordination among providers.

Which programs and facilities does the community want?

- Multi-purpose community center
- Stabilize financial future of Kevin Bell Ice Arena
- Upgrades and maintenance to existing facilities

How big is the gap between what we have and what we want?

- (Smaller) Number of identified needs can be met with existing facilities and providers
- (Larger) Large capital investments

What are future trends?

- Senior population is growing
- Youth population trends less clear
- Outdoor and indoor activities are popular

How important are PARC activities to Homer's quality of life?

- Very 43.6%; Important 15.7%; Somewhat 24.3%, Not very 7.1%, Not at all 8.7%, Not sure 0.6%

How can new programs and facilities be funded?

- Property taxes 12.2%, Sales tax 17.2%, Other taxes 18.3%, Reallocate existing funding 25%, Don't fund at all 18%, Not sure 9.3%

Support for a new multi-purpose community center: a priority 30.1%, a priority 5-10 years from now 26.7%, not a priority 39.2%, not sure 3.9%. The poll revealed 53.6% support for the City to provide funding to Kevin Bell Ice Arena of \$10,000 to \$15,000 per year.

The Council asked that the survey results be broken down to individual communities rather than the general 99603 to cover Fritz Creek, Diamond Ridge, and Homer.

B. Linda Anderson, Lobbyist, Anderson Group, LLC

Linda Anderson, City Lobbyist, reported a lot of people have been working hard in Juneau to bring resolution and the session to an end. An adjournment is expected this evening. The budget was adopted with \$3 billion shortfall of funds. The budget could take them through October or November; then they will have to come back to the drawing board. The Legislature did not get support to draw funds from the Constitutional Budget Reserve, but used funds in the Statutory Budget Reserve.

Ms. Anderson had two great visits with Mayor Wythe and City Manager Koester traveling to Juneau. They were able to sit through the budget presentation. The revenue stream is \$2.2 billion and they are spending \$5.5 billion. The gap is more dramatic than ever experienced and the challenge of any legislator beyond anything they have ever seen. It is tough for them to figure out what their constituents want and to have a functioning state government.

The operating budget forecast for next year is built on \$66 per barrel oil; FY 14 was \$107. The gap is much bigger than forecasted. The sentiment in Juneau is not one that will be saved in a year or two. Department of Revenue has projected \$86 per barrel for 2017. The operating budget overall was reduced from \$5.5 billion to \$5.2 billion.

The capital budget for FY 15 was almost \$600M in general fund dollars; FY 16 included \$122M. Only general funds that were required to draw federal money were included, allowing the City's \$1.1M water/sewer project. It is the only major project in the area. Next year there is no more capital budget to cut.

At the very end of the session there was legislation on income and sales tax and using permanent fund earnings. The Governor has said he intends to take the discussion of revenues to the public starting this summer. There will be an education process to hear the facts and decide what kind of government Alaskan's want.

Homer may see a reduction in community jail funding of 30%, or a \$200,000 cut. Mayor Wythe and City Manager Koester had a meeting with the Commission of Corrections while in Juneau. They have the authority to allocate funds and cuts where they need to. They learned directly that the money serves the state inmates and we are hopeful for funding.

Municipal maintenance funding was cut, a \$60,000 impact along with \$20,000 cut from revenue sharing. Municipal funding is intact for the next few years, but it is a diminishing number.

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.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion to substitute Ordinance 15-10(S) for Ordinance 15-10.

BURGESS/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a motion for the adoption of Ordinance 15-10(S) by reading of title only for second and final reading.

BURGESS/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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.

Mayor Pro Tempore Roberts called for a motion for the adoption of Ordinance 15-11 for introduction and first reading by reading of title only.

BURGESS/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

CITY MANAGER'S REPORT

- A. City Manager's Report

Mental Health Trust Land Sale

The Council had lingering questions after the April 13 City Manager's report regarding the Mental Health Trust land at the mouth of the harbor.

In 2013 while acquiring right of way for the construction of the Homer Spit Trail it came to the City's attention that what is known as 'Lot 42' at the mouth of the harbor was not wholly owned by the City. This is where the trail to Coal Point Park is and where rip rap was installed to protect the trail from erosion along the mouth of the harbor. It is a confusing title situation: likely what happened is in the 90's the small boat harbor was re-platted without recognizing the Trust owned the property. From the best the City can tell DNR owns a small 30 foot strip, the City owns the triangle of land at the back corner of the lot, and the Trust owns the rest, including an oddly configured strip of land that goes through the mouth of the

harbor. There are many reasons it is in the best interest of the City to have clear title to this land: it is the mouth of the harbor, is crossed by a City trail, and its location close to the fish dock makes it an ideal space for potential economic development opportunities. Icicle is the current lessee and they use the land for storage.

The Trust is amendable to the sale of the land and is moving forward with having the parcel appraised (see attached letter RE: Agreement of Appraisal Scope of Services). The direction to the appraiser includes appraising it as raw land with no improvements (i.e., the rip rap that the City installed cannot be used to increase the value of the lot). Also, the land that extends into the harbor will be assessed as tidelands. Further action and any decision on whether or not to purchase the land will come before Council after the appraisal is complete, sometime later this summer.

Lake Street Rehabilitation

The 2015 amendment to the Statewide Transportation Improvement Plan (STIP) delays funding for Lake Street Rehabilitation (Rehabilitate pavement of approximately 0.47 miles, construct a sidewalk on both sides of the road, improve the intersection at Pioneer to enhance safety, and provide drainage improvements).

Over \$300,000 was scheduled to be spent this year on initial stages of the project. This has been delayed until 'after 2015.' City Planner Abboud submitted public comment from the City expressing the need for the project in the attached letter.

Main Street Intersection

DOT has selected an alternative for Main Street Intersection Improvements. Known as 'option 3' in the public meetings held, it is a stop light with a turning lane. The attached letter from DOT explains their reasons for not selecting a roundabout (cost of right of way acquisition) and the need for a turning lane (safety). According to conversations City Planner Abboud has had with DOT, if ROW acquisition goes smoothly, they plan on advertising for project construction in 2016. A 4-directional flashing red beacon will be installed at the Pioneer and Main Street intersection by October 31 of this year.

Kachemak Drive

As you are aware, approximately 100 feet of Kachemak Drive sloughed into Mud Bay around 8am Sunday morning April 19 about ½ mile in from the intersection of Ocean Drive/Homer Spit Road and Kachemak Drive. City of Homer Police Department was on the scene early, barricaded the road and contacted AKDOT/PF. As of Monday April 20 DOT was hoping to complete repairs in one week. Under that timeline the road should be repaired by the time of the Council meeting. I hope to be able to provide additional verbal updates at the meeting. The City is very interested in Kachemak Drive being repaired quickly. With summer season around the corner there are boats that need to travel to the harbor, people who need to be able to quickly get to their boats and shops, and many other businesses along Kachemak Drive, including the old airport, where convenient access is critical, not to mention the many residences along Kachemak Drive. Kachemak Drive is also a Tsunami evacuation route and

having it closed is a safety concern. We will be following the repairs closely and applaud DOT for understanding the need to respond quickly to the situation.

Assistant City Manager

I am planning on evolving the Community and Economic Development Coordinator position to an Assistant City Manager position. Many of the job duties and functions will remain the same. The Assistant job description pulls some things that I was doing for the City over to the City Manager job (legislative relations, coordinating strategic doing, and representation on certain boards for the City) and adds coordinating the Social Media Policy, land management, and eventually some supervisory authority.

Eleven people report directly to the City Manager. In order for every Department/Division to get the attention it deserves from their manager, in time I foresee the Assistant taking over the supervision of a couple Departments or Divisions. However, I want to wait until I have some time under my belt with all of the Departments/Divisions and the Assistant has time in the position to have an understanding of how to structure the best possible fit for the City.

The Assistant City Manager will be expected to maintain grant research and oversight, though actual grant writing will depend on capacity at the time of the application. In the past 2 years I have not written any substantial grants and have been fully tasked in the Community and Economic Development Coordinator position. A grant writer can be contracted at less than the cost of staff time, would accurately represent the cost of the grant, and in some cases reimbursement can be written into the grant. That being said, in times of declining state revenue, we will need to be turning over more rocks for opportunities and grant research to identify potential opportunities will be an important component of the job.

There are many benefits to an Assistant City Manager position. The Assistant will provide continuity for the Council and staff when the City Manager is absent, allow more representation of the City in the community and more accurately reflects the duties of the position (marketing, economic development, special initiatives by the manager/council). Salary will be absorbed within the current budget. The position will be posted this week.

USCG Solicits Public Comment on Decommissioning Oil Spill Response Equipment Caches

Prince William Sound Regional Citizens' Advisory Council sent the attached notice to the City asking for member organizations to comment in favor of keeping USCG oil spill response equipment Caches in the region. The Coast Guard is recommending decommissioning the caches due to funding constraints. Comments are due by July 1. Please let me know if the Council would like to take any action on this or request further information.

Cook Inlet Harbor Safety Committee

After the Seabulk Pride grounding in 2006, Cook Inlet RCAC received funding to conduct a Risk Assessment for Cook Inlet. Homer was invited to participate and Harbormaster Hawkins represented the City in the study. One of the main recommendations from the Assessment

was to form a Harbor Safety Committee (HSC). According to Hawkins, the HSC is a group of industry professionals coming together to address specific maritime safety issues who will then make advisory motions to the USCG Captain of the Port (person in charge). This management method has proven to be very effective in other major US waterways. The need for such an organization is justified given the volume of large vessel traffic and sensitive cargo in Cook Inlet. Nuka Research is soliciting comments of the draft charter (see attached letter from Nuka Research and draft charter). With your approval, I will draft a letter from the City expressing support for the Harbor Safety Committee and reinforcing the need to keep safety and protecting Kachemak Bay and Cook Inlet a top concern. Comments are due by May 20.

Cook Inlet Waterways Suitability Assessment for Cook Inlet

Alaska LNG has submitted a Waterways Suitability Assessment for Cook Inlet. The first meeting was a planning session held in Anchorage on March 31st. Harbormaster Hawkins attended and will be following this issue closely due to the potential impact of AKLNG on our Port and Harbor and Kachemak Bay. The assessment is necessary due to the proposed increase in traffic and the size of the proposed fleet. AKLNG is proposing 20 Panamax tankers (thousand foot class) per month for 30 years. The next meeting will be a three day work session in Anchorage.

Enc:

Agreement of Appraisal Scope of Services for Three Mental Health Trust Parcels

Letter to DOT from City Planner RE: 2012-2015 STIP Amendment 14: Need ID 23197, Lake Street Rehabilitation

Letter from DOT RE: Main Street Intersection Alternative Selected

Email from Prince William Sound RCAC Requesting Public Comment on the USCG Decommissioning of Oil Spill Response Equipment

Letter from Nuka Research RE: Cook Inlet Harbor Safety Committee, Draft Charter for Public Review

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

CITY ATTORNEY REPORT

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

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- A. **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.

Mayor Wythe called for a motion for the adoption of Resolution 15-030 by reading of title only.

ROBERTS/ZAK - SO MOVED.

ROBERTS/ZAK- MOVED TO AMEND LINE 21 TO READ MEMORANDUM 15-055.

There was no discussion.

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

Motion carried.

Councilmember Van Dyke asked that a Worksession be held to look at numerous parcels the City owns and to make determinations if they are to be sold or retained. Mayor Wythe explained traditionally we have gone through the LAP page by page but the process has been streamlined. Properties now have a designated use.

BURGESS/VAN DYKE – MOVED TO AMEND C7 THAT THESE 4 PROPERTIES, 10 ACRE LOTS TO LOTS THE CITY IS ACTIVELY LOOKING TO SELL.

The Council discussed the properties that are adjacent to moose habitat and have no right-of-way access. The property is adjacent to the Homer Boat Yard and is not zoned conservation. By confining commercial and industrial activity the City may be saying we are discouraging business. If the City is not going to issue conservation on the properties it was suggested they be put back on the tax rolls. The lots have limited legal access to the eastern lots with no legal access to the western lots. Formal delineation will be needed prior to any project planning.

It may be easy to negotiate easement or access or there may be dedicated right-of-way. The process of mitigation and permitting is more expensive. The property may be better served by land conservation, moose habitat, or a private individual to get them back on the tax rolls.

It was suggested more information is needed on the land to decide if they be listed for sale. The land could be a money maker for the City in the coming years. Land is an important thing to own, but if the City's lands go back on the tax rolls it could produce several thousand dollars of property tax revenue.

VOTE: (amendment) YES. BURGESS, ZAK, VAN DYKE

VOTE: NO. LEWIS, ROBERTS, REYNOLDS

Mayor Wythe broke the tie vote with a YES.

Motion carried.

Staff was asked to review the deed history of C-10 properties adjacent to Mariner Park to see if they are long term conservation easements that could be added to Mariner Park.

BURGESS/ROBERTS – MOVED TO AMEND E-19 TO DIRECT STAFF TO EXPLORE AND BRING A RECOMMENDATION TO REPLAT THE LOT TO EXTEND VIRGINIA LYNN RIGHT-OF-WAY THROUGH LAKESIDE DRIVE AND BASICALLY JUST CODIFY AND PLAT WHAT IS ALREADY IN PRACTICE. (ACT ON RESOLUTION 09-33.)

The land is currently a 4-wheeler trail and swamp land, but could be included in a special assessment district.

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

Motion carried.

BURGESS/ZAK – MOVED TO AMEND E22 (KACHEMAK DRIVE GOVERNMENT LOT 3) TO RECOMMEND WE LIST THE LOT FOR SALE PENDING APPRAISAL AND ATTEMPT TO CONTACT ADJACENT LAND OWNERS TO SEE IF THEY HAVE AN INTEREST IN PURCHASING.

There are several lots like this on Kachemak Drive that are little or no benefit to the City. Discussion on the process for selling city properties ensued.

Interim City Manager Yoder told the Council lots such as these that benefit one property owner can be offered through a special sale. It is much like a contract with no bid when there is just a single proprietor.

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

Motion carried.

BURGESS/ZAK – MOVE TO AMEND E23 (GOVERNMENT LOT 36 AND HARRY FEYER SUBDIVISION LOT 1 OFF KACHEMAK DRIVE) TO SELL PENDING APPRAISAL.

The road right-of-way is wider in the area. DOT may have need for an expansion of the existing right-of-way.

VOTE: (amendment) YES. ZAK, BURGESS, VAN DYKE

VOTE: NO. ROBERTS, REYNOLDS, LEWIS

Mayor Wythe broke the tie vote with a YES.

Motion carried.

BURGESS/ZAK - MOVED TO AMEND THAT WE ENTERTAIN ALL IDEAS FOR SELLING LOTS IN E-6 LILLIAN WALLI SUBDIVISION.

It is difficult for the property owners within the subdivision to take action until the City does. Interim City Manager Yoder was commended for taking the initiative of amending the covenant restrictions on the Lillian Walli Subdivision.

Discussion on setting aside a lot for a park or water containment ensued. Platting restrictions require an amount of surface area be retained for drainage and parks and a developer is mandated to follow that.

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

Motion carried.

Staff was asked to provide a resolution outlining the way city lands would be available for sale on the City's website. It would make the properties for sale more visible to the public.

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

Motion carried.

COMMENTS OF THE AUDIENCE

Karen Zak, Executive Director of the Homer Chamber of Commerce, announced Clean Up Week. Trash bags are available at the Chamber now and bags may be delivered to the Chamber from 10 a.m. to 2:00 p.m. on Saturday, May 2. The Kachemak Bay Rotary Club and Alaska Waste will be helping with trash pickup. The Lions Club will be cooking hot dogs for participants in the clean up from 11:00 a.m. to 2:00 p.m. at the Chamber. There are prizes as well. The 23rd Annual Shorebird Festival is May 7 – 10. For more information and registration see kachemakbirders.org or kachemakshorebird.org. The birds are returning and we are expecting a big influx of both birds and tourists.

Beauregard Burgess, city resident, encouraged the Council to provide a solution for his roommates and family on Lot D8.

Linda Anderson, Lobbyist for the City of Homer, commented on the re-appropriation request via Resolution 15-004. This was to re-appropriate funds for Waddell Way improvements to the public safety building project. It did not get the re-appropriation of \$600,000; the good news is we did not lose the Waddell Way appropriation.

Mike Illg, city resident and Community Recreation Manager, commented on the Safe Kids Fair held last weekend. It was a fantastic day with a collaborative effort of city departments and entities throughout the community.

Nancy Hillstrand, city resident, reminded the Council about habitat values of the properties they want to sell. Wetlands are extremely important to the birds, fish and the moose. She cautioned the Council to be careful of the bench and not be so concerned about the economics.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

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.

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.

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.

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.

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.

JO JOHNSON, MMC, CITY CLERK

Approved: _____