

ACTION AGENDA
Monday, May 11, 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 4:02 p.m.

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

The agenda was approved by consensus of the Council.

3. STRATEGIC DOING

Memorandum 15-062 from City Manager as backup.
Memorandum 15-064 from City Planner as backup.

4. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

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

Mayor Wythe adjourned the meeting at 4:52 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.

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. OPEN WORLD TEAM RUSSIAN GROUP, visiting from Yakutsk, Siberia, Russia

4. **HOMER ACCELERATED WATER AND SEWER PROGRAM (HAWSP) AND HOMER ACCELERATED ROADS AND TRAILS PROGRAM (HART) FUNDS OVERVIEW**
5. **CONSENT AGENDA**
6. **REGULAR MEETING AGENDA**
7. **COMMENTS OF THE AUDIENCE**

There were two who commented.

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

Mayor Wythe adjourned the meeting at 5:44 p.m.

REGULAR MEETING AGENDA

Session 15-18 a Regular Meeting of the Homer City Council was called to order on May 11, 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, VAN DYKE, ZAK
	ABSENT:	ROBERTS (excused)
	STAFF:	CITY MANAGER KOESTER CITY CLERK JOHNSON FINANCE DIRECTOR LI FIRE CHIEF PAINTER PORT AND HARBOR DIRECTOR HAWKINS

Mayor Wythe ruled Councilmember Roberts' absence as excused. There was no objection from the Council.

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:

CONSENT AGENDA - Memorandum 15-058 renumbered to 15-066; Memorandum 15-059 renumbered to 15-067; **CITY MANAGER'S REPORT** - City Manager's Report Supplemental.

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were two 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 Regular meeting minutes of April 27, 2015. City Clerk. Recommend adoption.
- B. **Memorandum 15-058 066**, from Mayor, Re: Appointments Chad Jones, Carrie Harris, David Etzwiler, Shane Monroe, Aryn Young, Councilmembers Beauregard Burgess and David Lewis, Police Chief Mark Robl, and Planning Commissioner Don Stead to the Cannabis Advisory Commission.
- C. **Resolution 15-033**, A Resolution of the Homer City Council Extending the City of Homer Prisoner Meal Service Contract for One Year to the Firm of Homer Senior Citizens, Inc. of Homer, Alaska, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum 15-059 **067** from Police Chief as backup.

- D. **Resolution 15-034**, A Resolution of the City Council of Homer, Alaska, Requesting That the North Pacific Fishery Management Council Take Action to Reduce the Quantity of Halibut Bycatch in the Bering Sea Aleutian Island Fisheries by Setting New Bycatch Limits Which Lower Halibut Prohibited Species Catch Caps by 50% of the Current Limits. Reynolds. Recommend adoption.
- E. **Memorandum 15-060**, from City Manager, Re: Capital Improvement Plan Schedule for 2016 - 2021 & FY 2017 Legislative Requests.

The consent agenda was approved by consensus of the Council.

6. VISITORS

- A. Senator Gary Stevens and Representative Seaton, Legislative Update

Senator Stevens and Representative Seaton provided an overview of the legislative session.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Recognition and Swearing In of EMT and Firefighter Recruits

Mayor Wythe administered the oath of office to EMTs and Firefighters.

B. Mayor's Proclamation, National Public Works Week – May 17 - 23, 2015

Mayor Wythe read and presented the proclamation to Public Works Superintendent Dan Gardner.

C. Mayor's Proclamation, National Police Week – May 10 - 16, 2015 and Memorial Day May 15, 2015

Councilmember Van Dyke read and presented the proclamation to Police Sergeant Dave Shealy.

D. Mayor's Proclamation, National Hospital Week - May 10 - 16, 2015

Councilmember Reynolds read and presented the proclamation to Shara Sutherlin and Derotha Ferraro of South Peninsula Hospital.

E. Mayor's Proclamation, National Nursing Home Week - May 10 - 16, 2015

Councilmember Zak read and presented the proclamation to Shara Sutherlin and Derotha Ferraro of South Peninsula Hospital.

F. Borough Report

G. Commissions/Board Reports:

1. Library Advisory Board

Amy Alderfer, Library Advisory Board Member, reported on the western library lot. A trail has been cleared and the library, Friends of the Homer Library, and the Library Advisory Board are working together to connect the lot with the library's missions and programs. It will be a safe place to walk with increased lighting and provide space for more library programs. The groups are working with public works, the police, and an architect for planned development. Summer reading programs are underway for all ages. It is an opportunity to read, create, and discover at the library. The library is fortunate to have received donated and discarded books.

These books are used for periodic book sales and donations to Haven House, the jail, the Food Pantry, the Fritz Creek Library, and the Senior Center. The library promotes literacy and learning for the enrichment of our community.

2. Homer Advisory Planning Commission
 - a. Minutes of April 15, 2015
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission
5. Port and Harbor Advisory Commission

8. PUBLIC HEARING(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. 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 from discussion due to her standing conflict of interest with gas line related subjects. She passed the gavel to Councilmember Lewis.

There was one who testified.

ADOPTED with discussion.

Councilmember Lewis returned the gavel to Mayor Wythe.

- B. **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. Introduction April 27, 2015, Public Hearing and Second Reading May 11, 2015.

Memorandum 15-052 from City Manager as backup.

There was no public testimony.

ADOPTED without discussion.

9. ORDINANCE(S)

- A. **Ordinance 15-13**, An Ordinance of the Homer City Council, Enacting Homer City Code Chapter 9.20, Hotel Tax; and Submitting to the Qualified Voters of the City at the October 6, 2015 Regular City Election the Question of Levying a Tax of 2.5% in Addition to the General City Sales Tax on Rent for Occupancy of a Room in a Hotel, Motel, Inn, Bed and Breakfast or Similar Structure. Lewis. Recommended dates: Introduction May 11, 2015, Public Hearing and Second Reading May 26, 2015.

Memorandum 15-065 from City Manager as backup.

Councilmember Zak was excused due to a conflict of interest.

ADOPTED with discussion.

Councilmember Zak returned to his seat.

10. CITY MANAGER'S REPORT

- A. City Manager's Report

1. Memorandum 15-061 from Port and Harbor Director, Re: Certified Port Executive Program Report
2. Memorandum 15-063 from Personnel Director, Re: 2015 Benefit Broker/Consultant RFP

- B. Supplemental City Manager's Report

City Manager Koester reported the new port and harbor building is ready for staff to move into this weekend. There will be an official grand opening on June 11 at 5:00 p.m. She asked for ideas from the Council to make it extra special.

Homer High School Sophomore Robert Martin has been selected to attend the 2015 Congress of Future Science and Technology Leaders conference in Boston this summer. It is an honorable nomination for the Homer student.

City Manager Koester referenced the supplemental report that includes information on the loan with the Kenai Peninsula Borough for the gas line. The terms of the loan do not allow us to make payments with any funds other than property assessments. Free Main Allowance (FMA) funds are not to be used to pay the loan. It is problematic when any parcels are exempted from the final assessment roll such as condominiums or future exempted parcels.

A letter from the attorney to the Borough talks about amending the loan agreement. An amendment will require assembly action. Borough administration is very amenable in working with us. We have over \$1M in the FMA that could be used. We need to resolve this issue before bringing forward other potential exemptions from the gas line assessments.

The Borough Planning Department sent a notice for conveyance of land for a public purpose. This includes a notice of lots that will be put up for auction, with municipalities getting a first look. Our planning department has identified a 40-acre parcel in the Bridge Creek Watershed that would be beneficial for the City to own. With the Council's consent City Manager Koester will submit a form to be considered to purchase the parcel to protect our watershed. The deadline is May 20. The City would be responsible for back taxes of \$3,000 for a parcel assessed at \$47,000. We will need to prove a public purpose to protect our watershed.

The Parks and Recreation Advisory Commission has requested a Worksession for the June 8 meeting on beach policy.

C. Bid Report

11. CITY ATTORNEY REPORT

A. City Attorney Report of April 2015

12. COMMITTEE REPORT

A. Public Arts Committee

B. Permanent Fund Committee

C. Employee Committee Report

City Manager Koester requested this committee be kept in an active status for future discussions on healthcare.

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

16. COMMENTS OF THE AUDIENCE

There were no comments of the audience.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

18. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

19. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

20. COMMENTS OF THE MAYOR

Mayor Wythe recognized the proclamations for the hospital, nursing homes, peace officers, and public works. She encouraged people to stop by the hospital to see the excellent care facility. If you see police officers and public works employees, thank them for the service they provide to the community. Help is needed for the Homer High School graduation event as requested on the flyer at City Hall.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Zak thanked Councilmember Reynolds for the resolution on the halibut bycatch. It is great to see both the commercial and sports fishermen are affected by the bycatch. It is the community coming together to address and take action on something that has affected us economically. He thanked the Seldovia Village Tribe for sharing their annual report that lists their mission goals and objections. He acknowledged the visiting Rotarians from Russia through the International World Vision Exchange. Steve Yoshida had a lot to do with their visit; he was one person in the community who visited Russia on a peace exchange and spoke to the students about world peace. The Rotarians are taking tours of our facilities and taking ideas back to their communities.

Councilmember Van Dyke commented on his disadvantage sitting between Councilmembers Zak and Burgess who can orate very well. With reading the Mayor's Proclamation he exceeded his talking ability for the night. Representative Seaton and Senator Stevens gave a pretty good insight on the financial status of the state. He liked the recommendation from Councilmember Reynolds about the halibut bycatch. It has gotten under his skin for a long time; he believes any bycatch is too much.

Councilmember Reynolds expressed appreciation at participating by phone at the last council meeting. While in D.C. she was able to meet with Congressman Young, Senator Sullivan, and staff of Senator Murkowski's. She provided information on the Deep Water Dock, the East Boat Harbor Expansion, and Public Safety Building projects. They provided suggestions of funding sources and grant opportunities. Her travel to D.C. was at no expense to the City as she was there on other business. She thanked the Rotary for bringing visitors from Russia. She thanked and congratulated the volunteer firefighters and EMT. It is a tremendous amount of work and commitment, showing a devotion to the community. She gave a huge shout out to the graduates at Homer Flex School and wished them well with their upcoming lives.

Councilmember Burgess thanked Robert Archibald about the information on the oil caches. It is important to the community to have fast oil response spill gear on hand. He issued a huge thanks to the EMTs and firefighters; our lives depend on them. As schools face funding shortfalls, the roads crumble, and public safety funding is reduced, he reminded people what they voted on two years ago to reduce the amount of taxation on state oil revenues. Congratulations, you now live in a state with a constitutional mandate to vouch-safe the financial mineral resources of your state for your benefit yet you live in a state where we actually pay oil companies for the privilege of giving them our oil. Keep it in mind as you are making voting decisions and digesting propaganda of the oil companies of which you are a satellite conglomerate. He thanked public works who does a lot here in town. We have a good public works department with the tremendous amount of work they manage to get done. He is considering an ordinance to more specifically outline the way in which local peace officers can respond to federal issues or conflict of interest with Patriot Act requirements, specifically habeas corpus requirements and the obligation to have a warrant. Under the Patriot Act you can black bag people, disappear them, or search their homes. He will be meeting with the police chief in the upcoming weeks to discuss possibilities for outlining procedures. It is important we make sure citizens have right to due process, fair trial, and to know what charges are being laid against them whether or not the Congress decides to follow the Constitution or not. It was encouraging to see people from a sister country here; it is always interesting to see what prejudices and preconceptions we have from the propaganda machines of our own government and their government. It is important that people know there are real people at the other end of the line. It is good to realize we are all normal humans and probably just want to get along.

Councilmember Lewis commented on last week's college graduation where Francie was the keynote speaker. He is not sure if the State Legislature passed the banning of Planned Parenthood from sex education in the schools. With all the news and Texas being one of the great states that has been there so they didn't get a federal takeover, in one of their schools that practiced abstinence and had a huge chlamydia outbreak amongst the teenagers. Now we want to ban Planned Parenthood from sex education in the schools. We really need to think about that.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:28 p.m. The next Regular Meeting is Tuesday, 26, 2015 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.