

**ACTION AGENDA**  
**Monday, June 27, 2016**  
**Committee of the Whole**  
**Regular Meeting**

**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 Van Dyke was excused.

**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. Ordinance 16-38**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 20, Animals, Regarding the Regulation and Impoundment of Animals, and Penalties for Animal Violations. City Manager/Police Chief.

Memorandum 16-111 from Deputy City Clerk as backup.

Memorandum 16-114 from City Attorney as backup.

**4. CONSENT AGENDA**

**5. REGULAR MEETING AGENDA**

**6. COMMENTS OF THE AUDIENCE**

There was one who commented.

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

Mayor Wythe adjourned the meeting at 5:46 p.m.

## **REGULAR MEETING AGENDA**

Session 16-14 a Regular Meeting of the Homer City Council was called to order on June 27, 2016 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: ADERHOLD, LEWIS, REYNOLDS, SMITH, ZAK

ABSENT: VAN DYKE (excused)

STAFF: CITY MANAGER KOESTER  
CITY CLERK JOHNSON  
DEPUTY CITY CLERK JACOBSEN  
PORT AND HARBOR DIRECTOR HAWKINS  
LIBRARY DIRECTOR DIXON  
CITY PLANNER ABOUD  
POLICE CHIEF ROBL

Mayor Wythe ruled Councilmember Van Dyke's absence as excused. No objection was voice by Council.

### **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 change was made: **Ordinance 16-30(S-2)(A)**, Bond Rate Forecast

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

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

There were no public comments.

### **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 and Regular meeting minutes of June 13, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-108**, from Deputy City Clerk, Re: Seasonal Addendum to Liquor License for Grace Ridge Brewing, Inc.
- C. **Ordinance 16-36**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating \$9,970.00 From Sewer Reserves for the Removal of an Underground Fuel Storage Tank at the Sewer Treatment Plant. City Manager/Public Works Director. Recommended dates: Introduction June 27, 2016, Public Hearing and Second Reading July 25, 2016.

Memorandum 16-109 from Public Works Director as backup.

- D. **Ordinance 16-37**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Donation From Paul M. Hertzmann, Inc., Vintage Photography of San Francisco, California, in the Amount of \$1,000.00 for the Homer Public Library and Stipulating That the Funds be Segregated and Used by the Library in Support of Its Mission to Provide Library Services. City Manager/Library Director. Recommended dates: Introduction June 27, 2016, Public Hearing and Second Reading July 25, 2016.

Memorandum 16-110 from Library Director as backup.

- E. **Ordinance 16-38**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 20, Animals, Regarding the Regulation and Impoundment of Animals, and Penalties for Animal Violations. City Manager/Police Chief. Recommended dates: Introduction June 27, 2016, Public Hearing and Second Reading July 25, 2016.

Memorandum 16-111 from Deputy City Clerk as backup.

Memorandum 16-114 from City Attorney as backup.

- F. **Resolution 16-074**, A Resolution of the City Council of Homer, Alaska, Placing a Moratorium on All New Water or Sewer Special Assessment Districts Until the Debt Service Ratio for the Homer Accelerated Water and Sewer Fund is Above 1.25 and Directing the Homer Advisory Planning Commission to Develop Procedures for Applying and Lifting the Debt Service Ratio Restrictions. City Manager. Recommend adoption.

- G. **Resolution 16-075**, A Resolution of the Homer City Council Updating the Library Mission Statement. City Clerk/Library Advisory Board. Recommend adoption.

Memorandum 16-112 from Library Advisory Board as backup.

- H. **Resolution 16-076**, A Resolution of the City Council of Homer, Alaska, Approving a Contract for General Counsel Legal Services to the Firm of Birch Horton Bittner and Cherot in the Monthly Amount of \$11,500.00 and Authorizing the City Manager to Execute the Appropriate Documents. Mayor/City Council. Recommend adoption.

Memorandum 16-113 from City Manager as backup.

The consent agenda was approved by consensus of the Council.

## **6. VISITORS**

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

- A. Mayor's Proclamation – July as Parks and Recreation Month

Mayor Wythe acknowledged July and Parks and Recreation Month and encouraged that everyone get out and enjoy the parks, July should be a great month.

- B. Mayor's Proclamation – July 4<sup>th</sup> Parade 2016

Mayor Wythe read and presented the proclamation to Jan Knutson of the Chamber of Commerce. Ms. Knutson commented on this year's parade events and handed out parade flyers to display.

- C. Borough Report

- D. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
  - a. Minutes of June 15, 2016
3. Economic Development Advisory Commission

4. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner Louise Ashmun reported they have started updating their bylaws and working on receiving new art for the Library. The commission addressed a neighbors complaints about the noise at the disk golf course and started the discussion about what might work to reduce issues between neighbors and park users, including hours, physical barriers, and working with the Disc Golf Association to do some self-monitoring of the area. They are continuing to review and revise beach policy to correlate with the new ordinance about driving on the beach and to get signage for the new rules. They are hoping the Council can take action on a recommendation from the Commission about dogs and leashes on city beaches and parking lots and are working hard to get Homer to embrace the notion of cleaning up after their pets. With relation to budgeting they discussed potential CIP projects and changing trail money to leverage matching grants for building small greenway projects to increase trail connectivity. Ms. Ashmun said the commission appreciates Council and thanked them for the work they do working with and for the Commission.

5. Port and Harbor Advisory Commission

6. Cannabis Advisory Commission

Councilmember Lewis reported the Commission is working with the City Attorney on an excise tax on cannabis products.

E. Thank You From Kachemak Nordic Ski Club

F. Thank You From Homer Food Pantry

G. Huffington Post Article - 8 Quirky Spots Where You're Free To Be You And Me

**8. PUBLIC HEARING(S)**

A. **Ordinance 16-30(S-2)(A)**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City to Issue General Obligation Bonds in the Principal Amount of Not to Exceed \$12,000,000 to Finance the Acquisition and Construction of a Police Station; Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1 Through September 30, With the Increase Providing Funds to Pay Debt Service on the General Obligation Bonds and Expiring on September 30 of the Year When the City Has Received Sufficient Funds From the Increase to Pay All of That Debt Service; and Submitting the Question of the Issuance of the Bonds and the Sales Tax Rate Increase to the Qualified Voters of the City at the October 4, 2016 Regular City Election. Smith. Introduction May 23, 2016, Public

Hearings June 13 and 27, 2016, and Second Reading June 27, 2016.

Memorandum 16-091 from City Attorney as backup.

Memorandum 16-092 from City Manager as backup.

There were four who commented.

Amended to change 5.5% to 5.15% on lines 12, 81, and 87; and 1% to .65% on lines 81 and 87.

ADOPTED as amended with discussion.

- B. **Ordinance 16-31**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant From the Kenai Peninsula Borough for Calendar Year 2015 in the Amount of \$27,055.00, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

There was one who testified.

Amended to change line 27 to read Deep Water Dock North mooring buoy.

ADOPTED with discussion.

- C. **Ordinance 16-32**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating \$64,149 From the Fire Donations Fund to Purchase an Advanced Patient Care Simulator. City Manager/Fire Chief. Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-096 from Fire Chief as backup.

There was no public testimony.

ADOPTED without discussion.

- D. **Ordinance 16-33**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 21.41.040, Basis for Establishing Flood Hazard Areas, Adopting the Flood Insurance Study for the Kenai Peninsula Borough and Incorporated Areas, Alaska Dated October 20, 2016 With Accompanying Flood Insurance Rate Maps (Firms). Planning. Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-102 from City Planner as backup.

There was no public testimony.

ADOPTED without discussion.

- E. **Ordinance 16-34**, An Ordinance of the City Council of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Portions of the Urban Residential (UR) and Residential Office (RO) Zoning Districts to Central Business (CB) Zoning District. Planning. Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-103 from City Planner as backup.

There was one who testified.

ADOPTED without discussion.

- F. **Ordinance 16-35**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Authorizing the Expenditure of \$65,000 for the Purchase of Two Used Police Vehicles From the Police Fleet Reserves and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-104 from Police Lieutenant as backup.

There was no public testimony.

ADOPTED without discussion.

## **9. ORDINANCE(S)**

## **10. CITY MANAGER'S REPORT**

### **A. City Manager's Report**

City Manager Koester commented in addition to her written report she was asked to provide a letter of support from the City for a trails grant application for the Homer Cycling Club. It's for funds to build mountain bike trails up near Diamond Ridge and Diamond Creek

Recreational Area. The grant at this stage is planning insight and to bring a professional in. Given the amount of time before the next meeting she wanted to get a nod from the Council to draft the letter and include it in the next Manager's report.

**11. CITY ATTORNEY REPORT**

**12. COMMITTEE REPORT**

- A. Employee Committee Report
- B. Public Safety Building Review Committee
- C. Americans with Disabilities Act Compliance Committee

**13. PENDING BUSINESS**

**Resolution 16-063**, A Resolution of the Homer City Council Maintaining the Water and Sewer Fees at the 2016 Rate and Updating the Homer Fee Schedule Accordingly. City Manager/Finance Director. Postponed from June 13, 2016.

**Resolution 16-063(S-2)**, A Resolution of the Homer City Council Maintaining the Water Fees at the 2016 Rate and Amending the Sewer Fees for Sewer Only Customers and Kachemak City Customers and Updating the Homer Fee Schedule Accordingly. Mayor.

Memorandums 16-093 and 16-107 from City Manager as backup.

ADOPTED substitute resolution with discussion.

**14. NEW BUSINESS**

**15. RESOLUTIONS**

**16. COMMENTS OF THE AUDIENCE**

There were three who commented.

**17. COMMENTS OF THE CITY ATTORNEY**

City Attorney Wells 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 commented the actual number for the public safety building is being honed in. At the last meeting that number was less than \$12 million already and we are just trying to whittle it down. She said there is a schedule in place for the public outreach and she believes it is available on line. It will be a concerted effort by the building committee to do outreach to the community. Just as there have been very few people here to make comment there have been basically two people from the general public consistently concerned, interested, and participating in the process. It is a big project, it just hasn't had a lot of public participation at the meeting themselves. She thanked everyone for coming in tonight.

#### **21. COMMENTS OF THE CITY COUNCIL**

Councilmember Smith thanked Mr. Adams and Zitzman for their input. He encouraged more public participation on the public safety building if people want to see and show some power in helping guide that process. Without public feedback there is no way for them to form what they present to council. He continues to support the new building but shares the concerns with others about the price tag. He knows Mr. Castner wants to do an educational program but money is money and \$12 million is going to be a tough sell. He thinks there is work to do and looks forward to it being done.

Councilmember Lewis thanked Kachemak City for all they have given to the town. He knows they have contributed a lot of money to the rink and they probably will to soccer as well as other other organizations. He knows people who live there who use a lot less than the 3000 gallons. In the long run they can get meters and save a fair amount of money there.

Councilmember Reynolds commented the first syringe exchange program; they are calling the program The Exchange. They had participants come by, some dropping off syringes others picking up new supplies, some were able to take advantage of hepatitis C and HIV testing, and they were able to get some Narcan kits out. The kits are the first line of response if someone has an overdose happening. The next one is July 5 from 5:00-7:00 p.m. Some of the questions that came up centered around personal safety of coming to the exchange and if there was risk of being pulled over after participating in the exchange. They were able to reassure people that the police have been involved in getting the syringe exchange program in place and see the value of it. If anyone has questions about the program they can call Kachemak Bay Family Planning at 235-3136 to be connected with people who can answer questions. She thanked NOAA for the opportunity to tour their vessel Rainier; it was very

informative and interesting. Tomorrow from 5:00 – 7:00 p.m. there is a reception and mural tour for the Peonies on Pioneer project.

Councilmember Aderhold commented on Wednesday and Friday 1:00 -3:00 p.m. there will be discovery labs hosted by the Kachemak Bay Research Reserve and encouraged people to attend. This lab is near and dear to her because it will be about Gulf Watch Alaska.

Councilmember Zak commented about his observation of the tourist visiting this season. That the chamber the number of visitors per day has doubled and they are taking pictures around Homer, so the stories about us living in igloos and its dark is no longer the case, the word is out and Homer is being discovered. One of the most creative things he's seen around town are the buckets with flags at the cross walks. It's great to see the creative people people in the community coming up with ideas to improve safety. He reminded everyone there are lots of visitors here so we need to be aware of them and watch out for pedestrians. A lot of the tourist he talks to really appreciate our communities hospitality.

## **22. ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:20 p.m. The next Regular Meeting is Monday, July 25, 2016 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.