

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
APRIL 25, 2016
COWLES COUNCIL CHAMBERS

MAYOR BETH WYTHE
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER BRYAN ZAK
COUNCIL MEMBER GUS VAN DYKE
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

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

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Zak has requested telephonic participation.

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

- A. **Resolution 16-029(S)**, A Resolution of the City Council of Homer, Alaska, Amending the Beach Policy for Operating, Stopping or Parking of Motor Vehicles in Beach Areas Prohibited to Add an Exception to the Southern End of the Vacated Easement Formally Known as Shirlene Circle and the Area West of Bishop's Beach Park Access Between the South End of Mariner Park Beach to the East End of the Seawall From October 1 Through March 31 Solely for the Purpose of Gathering Sand and Coal. Reynolds. *Reconsideration issued by Councilmember Reynolds April 12, 2016.*

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 11, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-067**, from Mayor Wythe, Re: Appointment of Sarah Richardson to the Economic Development Advisory Commission.
- C. **Memorandum 16-068**, from Deputy City Clerk, Re: Liquor License for Young's Downtown Restaurant and Inn.
- D. **Ordinance 16-19**, An Ordinance of the City Council of Homer, Alaska, Determining to Retain For a Public Purpose Tax Foreclosed Property in the Homer Recording District, Third Judicial District, State of Alaska Described as SW1/4 NW1/4 Section 4 Township 6S Range 13W Seward Meridian, KPB Tax Parcel No. 173-052-19, Located in the Vicinity of Easy Street and Quinalt Avenue, Last Owner of Record Debra Good. City Manager. Recommended dates: Introduction April 25, 2016, Public Hearing and Second Reading May 9, 2016.
- E. **Ordinance 16-20**, An Ordinance of the City Council of Homer, Alaska, Amending Subsection (A) of HCC 17.04.040, Initiation of District, to Provide That a Special Assessment District May Be Initiated By a Petition Signed By the Record Owners of Real Property That Would Bear Not Less Than 50 Percent of the Assessed Cost of the Improvement. Smith. Recommended dates: Introduction April 25, 2016, Public Hearing and Second Reading May 9, 2016.

Memorandum 16-070 from City Attorney as backup.
- F. **Resolution 16-042**, A Resolution of the City Council of Homer, Alaska, Authorizing the Formation of the Kachemak Drive Phase III Water and Sewer Special Assessment District, and Authorizing the City Manager to Proceed With the Preparation and Construction of the Project. City Clerk. Recommend adoption.
- G. **Resolution 16-043**, A Resolution of the Homer City Council Approving the City of Homer 2016 Land Allocation Plan. Mayor/City Council. Recommend adoption.

- H. **Resolution 16-045**, A Resolution of the City Council of Homer, Alaska, Requesting That the Kenai Peninsula Borough Categorize Snack Food as Prepared Food and Categorize Diapers and Feminine Hygiene Products as Essential Goods for Sales Tax Purposes. Lewis. Recommend adoption.
- I. **Resolution 16-046**, A Resolution of the City Council of Homer, Alaska, Opposing the Proposed Update to Annex B of the Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases (Unified Plan). Aderhold. Recommend adoption.
- J. **Memorandum 16-071**, from Special Projects and Communications Coordinator, Re: Capital Improvement Plan Schedule for 2017 - 2022 & FY 2018 Legislative Requests.

6. VISITORS

- A. Joy Steward, Homer Foundation, 10 minutes
- B. Week of the Young Child, Lisa (Red) Asselin Martin, 10 minutes
- C. Safe & Healthy Kids Fair Committee, Mike Illg and Ginny Espenshade, 10 minutes

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Mayor's Proclamation - Week of the Young Child, April 24 - 30, 2016
- B. Mayor's Proclamation – Municipal Clerks Week, May 1 – 7, 2016
- C. Mayor's Proclamation – Parkinson's Awareness Month, April 2016
- D. Mayor's Proclamation – Clean-Up, Clean-Out, Spruce-Up Day, May 7, 2016
- E. Borough Report
- F. Commissions/Board Reports:
 - 1. Library Advisory Board
 - 2. Homer Advisory Planning Commission

- a. Minutes of March 16, 2016
- 3. Economic Development Advisory Commission
- 4. Parks and Recreation Advisory Commission
- 5. Port and Harbor Advisory Commission
- a. Memorandum 16-069 from Deputy City Clerk, Re: Port and Harbor Advisory Commission Recommendation to Allow Retail Marijuana on the Spit.
- 6. Cannabis Advisory Commission
- 8. PUBLIC HEARING(S)**
 - A. **ERIC LANE LILLIAN WALLI SUBDIVISION ROAD, DRAINAGE AND SEWER SPECIAL ASSESSMENT DISTRICT**
 - B. **Ordinance 16-18(A)**, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 3.20, Recreational Facility Matching Grants; and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of ~~\$900,000~~ **\$225,000** From the Permanent Fund to the Recreational Facility Matching Grant Fund. Lewis. Introduction April 11, 2016, Public Hearing and Second Reading April 25, 2016.
- 9. ORDINANCE(S)**
 - A. **Ordinance 16-21**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$189,000 From the General Fund to The Homer Foundation for Purposes of Constructing the South Peninsula Athletic and Recreation Center. Lewis/Smith. Recommended dates: Introduction April 25, 2016, Public Hearing and Second Reading May 9, 2016.
- 10. CITY MANAGER'S REPORT**
 - A. City Manager's Report

B. Bid Report

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

A. Public Arts Committee

B. Employee Committee Report

C. Public Safety Building Review Committee

D. Americans with Disabilities Compliance Committee

13. PENDING BUSINESS

- A. **Ordinance 16-10**, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget to Allow for the Completion of the 2016 Streets Repaving Project Utilizing Homer Accelerated Roads and Trails (HART) Funds in an Amount Not to Exceed \$638,000. City Manager/Public Works Director. Introduction March 14, 2016, Public Hearing March 29, 2016. Reconsidered April 11, 2016 and Postponed to April 25, 2016.

Memorandums 16-043, 16-062, and 16-072 from Public Works Superintendent as backup.

- B. ***If Reconsidered: Resolution 16-029(S)***, A Resolution of the City Council of Homer, Alaska, Amending the Beach Policy for Operating, Stopping or Parking of Motor Vehicles in Beach Areas Prohibited to Add an Exception to the Southern End of the Vacated Easement Formally Known as Shirlene Circle and the Area West of Bishop's Beach Park Access Between the South End of Mariner Park Beach to the East End of the Seawall From October 1 Through March 31 Solely for the Purpose of Gathering Sand and Coal. Reynolds.

Resolution 16-029(S-2), A Resolution of the City Council of Homer, Alaska, Amending the Beach Policy for Operating, Stopping or Parking of Motor Vehicles in Beach Areas Prohibited, **to Prohibit Vehicles on the Beach at the Bottom of Airport Access Road, to Add An Exception Allow Vehicles From** To the Southern End of the Vacated Easement Formally Known as Shirlene Circle **to the East, to Prohibit Motor Vehicles to the East of Bishop's Beach Park Access, to Prohibit Motor Vehicles South of**

Mariner Park, and to Allow Motor Vehicles and the Area West of Bishop's Beach Park Access Between the South End of Mariner Park Beach to the East End of the Seawall From October ~~31~~ **1** Through March ~~1~~ **31** Solely for the Purpose of Gathering Sand and Coal. Reynolds.

- C. **Resolution 16-041**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program (HART) Policy Manual to Change the Allocation of Costs for Street Reconstruction and New Street Construction, and the Basis for Assessing Such Costs; Amending the HART and Homer Accelerated Water and Sewer Program (HAWSP) Policy Manuals to State That Expenditures Under Each Program is Subject to the Availability of Funds; and Referring Other Revisions of the HART Policy Manual to the Homer Advisory Planning Commission for Its Review and Recommendations. City Manager. Postponed to April 25, 2016. Recommend Public Hearing May 9, 2016.

Memorandum 16-063 from City Manager as backup.

Resolution 16-041(S), A Resolution of the City Council of Homer, Alaska, Amending the Homer Accelerated Roads and Trails Program (HART) Policy Manual to Change the Allocation of Costs for Street Reconstruction and New Street Construction, and the Basis for Assessing Such Costs; Amending the HART and Homer Accelerated Water and Sewer Program (HAWSP) Policy Manuals to State That Expenditures Under Each Program is Subject to the Availability of Funds; and Referring Other Revisions of the HART Policy Manual to the Homer Advisory Planning Commission for Its Review and Recommendations. City Manager.

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 16-044**, A Resolution of the City Council of Homer, Alaska, Supporting Kenai Peninsula Borough Ordinance 2016-09, Amending KPB 5.18.200 to Change the Seasonal Exemption From Sales Taxes of Non-Prepared Food Items to Apply From October 1 to March 31 of Each Year. Lewis.

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Next Regular Meeting is Monday, May 9, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. A Worksession is scheduled for Monday, May 16, 2016 at 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.