

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



REGULAR MEETING
6:00 P.M. MONDAY
MARCH 14, 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 THOMAS KLINKNER
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

Worksession 4:00 p.m., Special Meeting 4:20 p.m., and Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Councilmember Smith 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. **Ordinance 16-04(A)(S-2)(A)**, An Ordinance of the City Council of Homer, Alaska, Amending **Homer City Code 21.12, Rural Residential**; Homer City Code 21.18, Central Business District; Homer City Code 21.24, General Commercial 1; Homer City Code 21.26, General Commercial 2; Homer City Code 21.27, East End Mixed Use; Homer City Code 21.40 to Identify the Zoning Districts Permitting Marijuana Facilities and Adopting Chapter 21.62 Entitled "Marijuana Facilities" Regarding General Land Use Requirements for Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities **to be Effective Only Upon Certification of a Majority Vote Rejecting 16-07 the**

Proposition to Prohibit Marijuana Establishments in the City at the General Election to be Held in the City on October 4, 2016. a Special Election to be Held in the City on April 19, 2016. Mayor.

Memorandums 16-016 and 16-032 from City Clerk as backup.

Memorandums 16-017 and 16-023 from City Planner as backup.

Memorandum 16-036 from Police Chief as backup.

Memorandum 16-037 from Police Chief and Fire Chief as backup.

Memorandums 16-040 and 16-046 from Deputy City Clerk as backup.

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 February 22, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-041**, from Mayor Wythe, Re: Reappointment of Marcia Kuszmaul to the Library Advisory Board and Appointments of Patrick Brown, Rick Malley, Linda Munns, Tess Dally, and Councilmember Donna Aderhold to the Americans With Disabilities Act Compliance Committee.
- C. **Ordinance 16-08**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 19.08.030, Parking or Camping Prohibited-Enforcement, Regarding Winter Camping. Aderhold. Recommended dates: Introduction March 14, 2016, Public Hearing and Second Reading March 29, 2016.

Memorandum 16-050 from City Manager as backup.

- D. **Ordinance 16-09**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$39,300 From Port and Harbor Reserves for the Construction of the Sport Fishing Trailer Parking Lot Drainage Improvement and Authorizing the City Manager to Execute All Appropriate Documents Necessary to Complete the Work. City Manager/Port and Harbor Director. Recommended dates: Introduction March 14, 2016, Public Hearing and Second Reading March 29, 2016.

Memorandum 16-042 from Port and Harbor Director as backup.

- E. **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. Recommended dates: Introduction March 14, 2016, Public Hearing and Second Reading March 29, 2016.

Memorandum 16-043 from Public Works Superintendent as backup.

- F. **Ordinance 16-11**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.16.040, Disposition of Scheduled Offenses—Fine Schedule, and Enacting Homer City Code 10.04.085 Use of Load and Launch Ramp, to Regulate the Use of the Load and Launch Ramp in the Small Boat Harbor. City Manager. Recommended dates: Introduction March 14, 2016, Public Hearing and Second Reading March 29, 2016.

- G. **Ordinance 16-12**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$89,000 From Homer Accelerated Roads and Trails Fund for the Design of the Storm Drain Rehabilitation Project and Authorizing the City Manager to Execute All Appropriate Documents Necessary to Complete the Work. City Manager/Public Works Director. Recommended dates: Introduction March 14, 2016, Public Hearing and Second Reading March 29, 2016.

Memorandum 16-049 from Public Works Director as backup.

- H. **Resolution 16-025**, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Continuation of Welding Courses and the Vocational-Technical Program at Homer High School. Lewis. Recommend adoption.
- I. **Resolution 16-026**, A Resolution of the Homer City Council Awarding the Contract for the Ambulance Replacement to the Firm of Rocky Mountain Ambulance Sales and Service of Paragonah, Utah, in the Amount of \$167,000.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Fire Chief. Recommend adoption.

Memorandum 16-045 from Fire Chief as backup.

- J. **Resolution 16-027**, A Resolution of the Homer City Council Awarding the Contract for Waddell Way Road and Water Main Improvements 2016 Project to the Firm of East Road Services, Inc. of Homer, Alaska, in the Amount of \$925,570.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Recommend adoption.

Memorandum 16-048 from Public Works Director as backup.

- K. **Resolution 16-028**, A Resolution of the City Council of Homer, Alaska, Respectfully Requesting the Alaska Legislature Consider Less Severe Cuts to the Alaska Public Broadcasting Commission in the FY17 Budget. Reynolds. Recommend adoption.

- L. **Resolution 16-029**, 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 31 Through March 1 Solely for the Purpose of Gathering Sand and Coal. Reynolds. Recommend adoption.

Memorandum 16-047 from City Clerk as backup.

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

B. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
 - a. Minutes of March 2, 2016
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

6. Cannabis Advisory Commission

8. PUBLIC HEARING(S)

- A. **Ordinance 16-07(A)**, An Ordinance of the Homer City Council Submitting to the Qualified Voters of the City the Question Whether Marijuana Establishments Shall Be Prohibited in the City at ~~the Regular Election to Be Held in the City on October 4, 2016,~~ **a Special Election to Be Held in the City on April 19, 2016** and Prohibiting Marijuana Establishments in the City Until Certification of the Result of the Election on That Question. Mayor. Introduction February 22, 2016, Public Hearing and Second Reading March 14, 2016.

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

- A. City Manager's Report
- B. Bid Report

11. CITY ATTORNEY REPORT

- A. City Attorney Report – February 2016

12. COMMITTEE REPORT

- A. Public Arts Committee
- B. Employee Committee Report
- C. Public Safety Building Review Committee

13. PENDING BUSINESS

- A. ***If Reconsidered* - Ordinance 16-04(A)(S-2)(A)**, An Ordinance of the City Council of Homer, Alaska, Amending **Homer City Code 21.12, Rural Residential**; Homer City Code 21.18, Central Business District; Homer City Code 21.24, General Commercial 1;

Homer City Code 21.26, General Commercial 2; Homer City Code 21.27, East End Mixed Use; Homer City Code 21.40 to Identify the Zoning Districts Permitting Marijuana Facilities and Adopting Chapter 21.62 Entitled “Marijuana Facilities” Regarding General Land Use Requirements for Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities **to be Effective Only Upon Certification of a Majority Vote Rejecting 16-07 the Proposition to Prohibit Marijuana Establishments in the City at the General Election to be Held in the City on October 4, 2016. a Special Election to be Held in the City on April 19, 2016.** Mayor.

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Memorandums 16-017 and 16-023 from City Planner as backup.

Memorandum 16-036 from Police Chief as backup.

Memorandum 16-037 from Police Chief and Fire Chief as backup.

Memorandums 16-040 and 16-046 from Deputy City Clerk as backup.

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 16-024**, A Resolution of the City Council of Homer, Alaska, Calling for a Special Election to be Held in the City on April 19, 2016, for the Purpose of Submitting to the Qualified Voters of the City a Proposition asking the Question Whether Marijuana Establishments Shall be Prohibited in the City. Mayor.

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 Tuesday, March 29, 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, March 21, 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.