

ACTION AGENDA

Monday, December 5, 2016
Committee of the Whole
Regular Meeting

COMMITTEE OF THE WHOLE AGENDA

1. CALL TO ORDER, 5:00 P.M.

Mayor Zak 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. CONSENT AGENDA

4. REGULAR MEETING AGENDA

5. COMMENTS OF THE AUDIENCE

There were five who commented.

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

Mayor Zak adjourned the meeting at 5:53 p.m.

REGULAR MEETING AGENDA

Session 16-24 a Regular Meeting of the Homer City Council was called to order on December 5, 2016 at 6:00 p.m. by Mayor Bryan Zak 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, ERICKSON, LEWIS, REYNOLDS, SMITH, STROOZAS

STAFF: CITY MANAGER KOESTER
CITY CLERK JOHNSON
CITY ATTORNEY WELLS
CITY PLANNER ABOUD
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR BROWNING
POLICE CHIEF ROBL

PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS SUPERINTENDENT GARDNER

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: **PUBLIC HEARINGS - Ordinance 16-54**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2017 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager. Written public comments. **NEW BUSINESS - Memorandum 16-195**, from City Clerk, Re: Vacation of a 20-foot Wide Public Trail Easement Centered Along an Unconstructed Pedestrian Trail That Traverses Lots 1-A and 1-B, as Depicted on Record of Survey Guy Waddell Subdivision No. 3 Junes Addition (HM 2009-40). Written documents from Kenai Peninsula Borough Planning.

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

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

A. Mayor's Recognition, Sherry Bess, Service to the Homer Animal Shelter

Police Chief Robl read and presented the recognition to Sherry Bess.

B. Daniel Zatz, South Peninsula Athletic and Recreation Center (SPARC), 2016 Alaska Community Award of Excellence

Mayor Zak read the community award for Daniel Zatz.

C. Mayor's Recognition, The Homer Foundation, Celebrating 25 Years of Community Philanthropy

Mayor Zak read the recognition and presented it to Homer Foundation representatives.

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were four who commented.

5. RECONSIDERATION

6. 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 November 21, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-185** from Mayor Zak, Re: Appointment of Ingrid Harrald to the Parks Art Recreation and Culture Advisory Commission.
- C. **Memorandum 16-186** from Deputy City Clerk, Re: Liquor License Renewals for the Otter Room and Beluga Lake Lodge.
- D. **Ordinance 16-58**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100 to Clarify That the Mayor Retains the Right to Cast a Tie-Breaking Vote Even When Attending a Council Meeting Telephonically. Lewis. Recommended dates: Introduction December 5, 2016, Public Hearing and Second Reading January 9, 2017.

Moved to Ordinances, Item A. Reynolds.

- E. **Resolution 16-124**, A Resolution of the City Council of Homer, Alaska, Establishing the 2017 Regular Meeting Schedule for the City Council, Economic Development Advisory Commission, Library Advisory Board, Parks Art Recreation and Culture Advisory Commission, Advisory Planning Commission, Port and Harbor Advisory Commission, and Cannabis Advisory Commission. City Clerk.

Memorandums 16-188, 16-189, 16-190, 16-191, 16-192, and 16-193 from City Advisory Commissions as backup.

- F. **Resolution 16-125**, A Resolution of the City Council of Homer, Alaska, Noting the Insufficiency of the Petition for Ocean Drive Loop Road Reconstruction and Paving Special Assessment District. City Clerk.
- G. **Resolution 16-126**, A Resolution of the Homer City Council Requesting the Library Advisory Board to Look Into How Non-City Residents Can Contribute to Library Operations. Erickson.

Memorandum 16-194 from Library Director as backup.

- H. **Resolution 16-127**, A Resolution of the City Council of Homer, Alaska, Disbanding the Public Safety Building Review Committee. Mayor.
- I. **Resolution 16-128**, A Resolution of the City Council of Homer, Alaska, Creating a Police Station Building Task Force and Establishing the Scope of Work and Parameters Under Which the Task Force Will Conduct Its Work. Mayor.

Moved to Resolutions, Item A. Lewis.

- J. **Resolution 16-129**, A Resolution of the City Council of Homer, Alaska, Requesting That the Parks, Art, Recreation and Culture Advisory Commission Explore a Suitable Venue to Display the Sister City Art Collection. Lewis.
- K. **Resolution 16-130**, A Resolution of the Homer City Council Confirming the City Manager's Appointment of Jo Johnson as Acting City Manager for Calendar Year 2017. City Manager.
- L. **Resolution 16-131**, A Resolution of the Homer City Council Approving an Economic Development and Tourism Marketing Agreement Between the City of Homer and the Homer Chamber of Commerce. City Manager.

Moved to Resolutions, Item B. Lewis.

- M. **Resolution 16-132**, A Resolution of the City Council of Homer, Alaska, Approving a Memorandum of Understanding Between the City and The Homer Foundation Setting Forth a Construction Agreement for the Boathouse Pavilion. City Manager.
- N. **Resolution 16-133**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Negotiate and Prepare a Purchase Offer for Kenai Peninsula Borough Parcel No. 17901024, Jack Gist Subdivision Lot 3, in an Amount Not to Exceed Fair Market Value for the Purpose of Enhancing Current Jack Gist Park Facilities. Lewis.

Moved to Resolutions, Item C. Smith.

Item D, Ordinance 16-58 was moved to Ordinances, Item A. Reynolds.

Item I, Resolution 16-128 was moved to Resolutions, Item A. Lewis.

Item L, Resolution 16-131 was moved to Resolutions, Item B. Lewis.

Item N, Resolution 16-133 was moved to Resolutions, Item C. Smith.

The regular meeting agenda was amended to hear Employee Committee report as Item 8 under Announcements and Committee Reports.

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

7. VISITORS

- A. Alaskan Command and Navy Representatives from Pacific Fleet, Military in Alaska and Training Exercises, 10 minutes.

Lieutenant Commander Sanders and EIS Program Manager Stone presented on the Northern Edge 2017 training exercises.

- B. Eric Pederson, Principal, Paul Banks Elementary, Pending Changes to School Bussing, 5 minutes.

Paul Banks Elementary Principal Eric Pederson presented on the new school bus schedule.

- C. Councilmember Lewis, Sister City Teshio, Japan, 10 minutes.

Councilmember Lewis presented slides and a narration of his recent trip to Sister City Teshio, Japan.

8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS (10 minutes)

- A. Borough Report
- B. Commissions/Board Reports:
 - 1. Library Advisory Board

Marcia Kuzmaul, Library Advisory Board Vice Chair, reported on the November statistics for the Library. Circulation, attendance, and internet use have all increased. The staff ratio for reference questions is appropriate in comparison to other libraries. She advised against reductions to the library budget that will affect children who account for a third of all the circulation. Three other states in the United States receive an average of \$4.50 per person return on investment of library services to the community. The LAB is looking forward to exploring ways to increase revenue.

- 2. Homer Advisory Planning Commission
- 3. Economic Development Advisory Commission

4. Parks Art Recreation and Culture Advisory Commission

PARC Advisory Commissioner Robert Archibald reported the commission has been working on the mission statement to include the combined commission (with Public Arts Committee). There are three new commissioners and Ingrid Harrald was appointed tonight. He thanked Councilmember Lewis for speaking to the commission. Former member Dave Brann received a legislative citation from the Legislature for his volunteerism. He questioned why the heavy equipment is still at Bishop's Beach; Fish and Wildlife didn't have an answer why the equipment was still there.

5. Port and Harbor Advisory Commission

6. Cannabis Advisory Commission

Councilmember Reynolds reported the commission is only meeting quarterly and has not met since her last report.

7. Employee Committee

Matt Clarke and Melissa Jacobsen, Employee Committee Co-Chairs, reported on potential cuts to employee COLA and healthcare costs.

C. Alaska Municipal League Reports

1. Mayor Zak
2. Councilmember Stroozas
3. Councilmember Erickson

D. **Memorandum 16-187**, from City Clerk, Re: Kenai Peninsula Borough Planning Commission Denial of a Vacation of a Portion of a Public Right-of-Way and a Road Easement in the City of Homer on Mission Road, in Skyline View Subdivision.

Mayor Zak called for a recess at 7:35 p.m. and reconvened the meeting at 7:45 p.m.

9. **PUBLIC HEARING(S)**

- A. **Ordinance 16-54**, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Year 2017 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager. Introduction October 24, 2016, Public Hearings November 21, 2016 and December 5, 2016, Second Reading December 5, 2016.

There were 19 who testified.

ADOPTED as AMENDED (effective January 1, 2017):

Operating Budget - approved 15% decrease in overtime (\$52,318) to go to The Homer Foundation (\$6,000) and City Hall Reserves (\$46,318).

Capital Budget – amended PW light duty pickup request from 1 new truck at \$30,000 to 2 used trucks at \$40,000. \$10,000 increased draw on PW fleet reserves.

- B. **Resolution 16-109**, A Resolution of the City Council Amending the City of Homer Fee Schedule Under Administrative, Camping, Library, Planning and Zoning, Fire, and Public Works Department Fees. City Clerk. (To follow Budget Ordinance 16-54 - Public Hearings November 21 and December 5, 2016.)

Memorandum 16-175 from City Clerk as backup.

There was no public testimony.

ADOPTED without discussion.

- C. **Ordinance 16-57**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.95.060 and Homer City Code 21.95.070 to Require the Homer Advisory Planning Commission to Review Amendments to Title 21 or the Official Zoning Map Before Such Amendments are Adopted by City Council But Not Necessarily Before Such Amendments are Submitted to City Council for Review. City Manager. Introduction November 21, 2016, Public Hearing and Second Reading December 5, 2016. Recommend: Refer to Planning Commission.

There was no public testimony.

REFERRED to Planning Commission.

Mayor Zak called for a recess at 9:43 p.m. and reconvened the meeting at 9:50 p.m.

10. ORDINANCE(S)

- A. **Ordinance 16-58**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100 to Clarify That the Mayor Retains the Right to Cast a Tie-Breaking Vote Even When Attending a Council Meeting Telephonically. Lewis. Recommended dates: Introduction December 5, 2016, Public Hearing and Second Reading January 9, 2017.

AMENDED: to change he or she to their/they.

INTRODUCED.

11. CITY MANAGER'S REPORT

- A. City Manager's Report

Council discussed supporting the resolution on sustainable fisheries in Kachemak Bay as presented at the Committee of the Whole. It was suggested that City Manager Koester write a letter of support from the Council. After discussion, it was decided a resolution would appear on the January 9th council agenda after the impacts on the environment of Tutka Bay and increasing numbers of pink salmon were explored.

- B. Bid Report

12. CITY ATTORNEY REPORT

There were no questions of City Attorney Wells.

13. COMMITTEE REPORT

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

Councilmember Aderhold reported the committee has not met since her last report and does not have a meeting in December.

14. PENDING BUSINESS

- A. **Resolution 16-107**, A Resolution of the Homer City Council Recognizing Our Duty to Safeguard the Vitality of Ecosystems. Lewis. (Postponed from October 24, 2016.)

Resolution 16-107(S), A Resolution of the Homer City Council Recognizing Our Duty to Safeguard the Vitality of Ecosystems. Lewis/Aderhold.

ADOPTED Substitute Resolution 16-107(S) without discussion.

15. NEW BUSINESS

- A. **Memorandum 16-195**, from City Clerk, Re: Vacation of a 20-foot Wide Public Trail Easement Centered Along an Unconstructed Pedestrian Trail That Traverses Lots 1-A and 1-B, as Depicted on Record of Survey Guy Waddell Subdivision No. 3 Junes Addition (HM 2009-40). The Easement was Formally Granted by Recorded Document, Serial Number 2010-000729-0, Homer Recording District. Located Within the E ½ of the N.E. ¼ of Section 16, Township 06 South, Range 13 West, Seward Meridian, in the City of Homer, Alaska and Within the Kenai Peninsula Borough; KPB File 2016-136; KPB PC Resolution 2016-32.

APPROVED without discussion.

16. RESOLUTIONS

- A. **Resolution 16-128**, A Resolution of the City Council of Homer, Alaska, Creating a Police Station Building Task Force and Establishing the Scope of Work and Parameters Under Which the Task Force Will Conduct Its Work. Mayor.

POSTPONED to January 9, 2017. To be discussed at Worksession too.

- B. **Resolution 16-131**, A Resolution of the Homer City Council Approving an Economic Development and Tourism Marketing Agreement Between the City of Homer and the Homer Chamber of Commerce. City Manager.

POSTPONED to January 9, 2017. Chamber of Commerce to provide correct wording in Marketing Agreement.

- C. **Resolution 16-133**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Negotiate and Prepare a Purchase Offer for Kenai Peninsula Borough Parcel No. 17901024, Jack Gist Subdivision Lot 3, in an Amount Not to Exceed Fair Market Value for the Purpose of Enhancing Current Jack Gist Park Facilities. Lewis.

REFERRED to Parks Art Recreation and Culture Advisory Commission.

17. COMMENTS OF THE AUDIENCE

There were two who commented.

18. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells had no comments.

19. COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comments.

20. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

21. COMMENTS OF THE MAYOR

Mayor Zak said this should be the time of year for celebration. He thanked Council for their good work this year and hard work on the budget. He hopes everyone is safe and has a Happy Holiday. Tonight we have witnessed the care in the community and the caring of our families. He thanked everyone that came to testify tonight and wished everyone a Merry Christmas and Happy New Year.

22. COMMENTS OF THE CITY COUNCIL

Councilmember Lewis had no comments.

Councilmember Smith thanked the employees that showed up to express their concerns and opinions. We represent the people and the representation is done through the services employees provide through their jobs. It is never something we want to underestimate or undervalue. He has to represent what he hears on the streets and what he feels. We have to build something that is sustainable and right now we are not there. He wished all a Merry Christmas and Happy New Year.

Councilmember Stroozas echoed Councilmember Smith's comments to all the city employees and public that showed up to engage in the lively discussion. We have to be mindful of how we spend our money. With all of us working together we will be able to make all our objectives. Getting started earlier on budget amendments is valid and doable. He appreciates his fellow council members, city manager, and city clerk. Council has tough jobs and we don't always end up where we hope to go, but together we'll get there. He wished everyone a Merry Christmas and safe holiday. He will be traveling to Charlotte to see his four grandkids and can't wait to get there.

Councilmember Reynolds thanked everyone for their participation. Council received lots of public comments and over 60 emails. She read them all. Homer does a good job of participating and it is very important to have these discussions and see everyone's passions come to light. She looks forward to seeing everyone in the new year; it will be a good one.

Councilmember Erickson wished everyone a very Merry Christmas and Happy New Year. It is one of the best times of the year with the snow. She thanked all of the employees, who do not have an easy job. In the last weeks she has seen some incredible work done by city employees. We are blessed to have employees that really care and she thanked them.

Councilmember Aderhold participated in Lunch with a Councilmember at the library today. They had a full house with lots of discussion. Many topics were brought up and she appreciates every one of them. She thanked the city employees. We have a stellar group of city employees. She wished everyone Happy Holidays and will see you in 2017.

23. ADJOURNMENT

There being no further business to come before the Council, Mayor Zak adjourned the meeting at 10.23 p.m. The next Regular Meeting is Monday, January 9, 2017 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.