

HOMER CITY COUNCIL  
491 E. PIONEER AVENUE  
HOMER, ALASKA  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)



**REGULAR MEETING**  
**6:00 P.M. MONDAY**  
**MAY 23, 2016**  
**COWLES COUNCIL CHAMBERS**

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**

**Worksession 4:00 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**

Councilmembers Zak and Aderhold have requested excusal.

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**

### **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 May 9, 2016. City Clerk. Recommend adoption.

- B. **Memorandum 16-080**, from Mayor Wythe, Re: Reappointment of Franco Venuti to the Planning Commission and to the Kenai Peninsula Borough Planning Commission.
- C. **Memorandum 16-089**, from Deputy City Clerk, Re: Liquor License Location Transfer for Homer Liquor and Wine Company.
- D. **Ordinance 16-24**, An Ordinance of the City Council of Homer, Alaska, Amending Title 5 to Add a New Chapter 5.44 to Prohibit the Extraction of Tetrahydrocannabinol ("THC") or Any Cannabinoid by Use of Materials or Methods Deemed Dangerous to Public Health and Safety, Unless Otherwise Permitted By Law. City Manager/Fire Chief. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-081 from Cannabis Advisory Commission as backup.  
Memorandum 16-082 from Fire Chief as backup.

- E. **Ordinance 16-25**, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 5.20.020, Open Burning - Permit Requirement, by Requiring a Permit to Burn Combustible Materials in an Approved Burn Barrel, and Amending Homer City Code 5.20.030, Trash Burning - Approved Container, by Requiring a Permit to Burn Trash in a Screen Covered Container or Other Trash Burner Approved by the Fire Chief. City Manager/Fire Chief. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-083 from Fire Chief as backup.

- F. **Ordinance 16-27**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$38,000 From Port and Harbor Reserves for the Deep Water Dock Uplands Improvements. City Manager/Port and Harbor Director. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-087 from Public Works Director as backup.

- G. **Ordinance 16-29**, An Ordinance of the City Council of Homer, Alaska, Amending Ordinance 16-10, the Completion of the 2016 Streets Repaving Project, Utilizing Homer Accelerated Roads and Trails (HART) Funds From 638,000 to \$562,506. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-090 from Public Works Director as backup.

H. **Resolution 16-053**, A Resolution of the Homer City Council Awarding the Contract for Real Estate Broker Services to the Firm of Homer Real Estate of Homer, Alaska, for a Period of Three Years With Option to Extend, Compensating the Broker 10% Commission Fee of Each Property the Broker Sells and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

I. **Resolution 16-056**, A Resolution of the City Council of Homer, Alaska, Adopting Written Safety Policy for Employees and Contractors. City Manager/Personnel Director. Recommend adoption.

Memorandum 16-085 from Personnel Director as backup.

J. **Resolution 16-057**, A Resolution of the Homer City Council Adopting an Americans With Disabilities Act Grievance Procedure. Aderhold. Recommend adoption.

K. **Resolution 16-058**, A Resolution of the City Council of Homer, Alaska, Authorizing Participation in the Alaska Statewide Transportation Alternatives Program. Aderhold. Recommend adoption.

L. **Resolution 16-059**, A Resolution of the Homer City Council of Homer, Alaska, Approving a Cooperative Agreement Between the Alaska Department of Fish and Game, Division of Sport Fish, and the City of Homer, Regarding the Fish Cleaning Table Renovation Project at the Nick Dudiak Fishing Lagoon. City Manager/Port and Harbor Director. Recommend adoption.

Memorandum 16-086 from Port and Harbor Director as backup.

M. **Resolution 16-060**, A Resolution of the Homer City Council Electing to Participate in the AMLJIA Loss Control Incentive Program for the City of Homer for the 2015-2016 Policy Year. City Manager/Finance. Recommend adoption.

N. **Resolution 16-062**, A Resolution of the City Council of Homer, Alaska, Establishing a 2016 Mill Rate of 9.962541 Mills for the Ocean Drive Loop Special Service District. City Manager. Recommend adoption.

## 6. VISITORS

A. Bob Letson, South Peninsula Hospital, 10 minutes.

- B. Asia Freeman and Rita Jo Schulz, Pioneer Avenue Revitalization, 10 minutes.

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

- A. Mayor's Proclamation Mary Epperson Day - June 6, 2016

- B. Borough Report

- C. Commissions/Board Reports:

- 1. Library Advisory Board
- 2. Homer Advisory Planning Commission
  - a. Minutes of May 4, 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 16-22**, An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting Homer City Code 2.60, Public Arts Committee; Repealing Homer City Code 2.68, Parks and Recreation Advisory Commission; and Amending Homer City Code 18.07.020, Definitions, Homer City Code 18.07.040, Implementation, Homer City Code 18.07.050, Selection, Homer City Code 18.07.070, Exemptions, Homer City Code 18.07.090, Public Art Fund, and Homer City Code 18.07.100, Ownership and Management of Works of Public Art; to Create the City of Homer Parks, Art, Recreation and Culture Advisory Commission, Prescribe its Duties, and Provide for the Transition From the Former Public Arts Committee and Parks and Recreation Advisory Commission to the New Parks, Art, Recreation and Culture Advisory Commission. City Clerk/Parks and Recreation Advisory Commission. Introduction May 9, 2016, Public Hearing and Second Reading May 23, 2016.

Memorandum 16-073 from Parks and Recreation Advisory Commission as backup.  
Memorandum 16-074 from Public Arts Committee as backup.

- B. **Ordinance 16-23**, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code, Chapter 6.12, Drug Abuse and Paraphernalia. Reynolds. Introduction May 9, 2016, Public Hearing and Second Reading May 23, 2016.

**9. ORDINANCE(S)**

- A. **Ordinance 16-26**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.043, Public Disclosure, to Require Elected City Officials to Disclose Each Business in Which an Immediate Family Member is a Partner, Proprietor or Employee. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.
- B. **Ordinance 16-28**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$1,000,000 From the Permanent Fund for the Purposes of Funding Improvements to the Fire Hall and Exempting This Expenditure From Homer City Code Chapter 3.12, Which Requires Expenditures for Operation and Maintenance Costs to be Taken From Income From the Income Sub-Fund Unless 60% of City Voters Approve the Expenditure. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.
- C. **Ordinance 16-30**, 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 and Improvements to the Fire Hall; 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 Dedicated to Fund Public Safety Operations and Infrastructure, Including Construction of a Police Station and Renovation of a Fire Hall and Submitting the Question of the Issuance of Such Bonds and Such Sales Tax Rate Increase to the Qualified Voters of the City at the October 4, 2016 Regular City Election. Mayor/Council. Recommended dates: 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.

**10. CITY MANAGER'S REPORT**

- A. City Manager's Report
  - 1. Memorandum 16-088 from Port and Harbor Director, Re: Mid-Year Budget Adjustment for Emergency Deep Water Dock Repairs.
- 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 Act Compliance Committee

**13. PENDING BUSINESS**

**14. NEW BUSINESS**

**15. RESOLUTIONS**

- A. **Resolution 16-054**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Recommend Public Hearing on June 13, 2016.

Memorandum 16-084 from Port and Harbor Director as backup.

- B. **Resolution 16-055**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Recommend Public Hearing on June 13, 2016.

Memorandum 16-084 from Port and Harbor Director as backup.

- C. **Resolution 16-061**, A Resolution of the Homer City Council Establishing the Property Tax Mill Levy Rate at 4.5 for 2016. City Manager.
  
- D. **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.

**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, June 13, 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, June 20, 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.