

Session 16-21 a Regular Meeting of the Homer City Council was called to order on October 10, 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 (telephonic), LEWIS, REYNOLDS, SMITH, VAN DYKE, ZAK

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

Councilmember Aderhold has requested telephonic participation or excusal.

Mayor Wythe called for a motion to allow Councilmember Aderhold to participate by telephone.

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Council met for a Worksession from 4:00 p.m. to 4:49 p.m. to hear about dispatch consolidation with the Borough. From 5:00 p.m. to 5:38 p.m. Council met as a Committee of the Whole for a presentation of the 2017 Budget by City Manager Koester and to discuss Consent Agenda and Regular Meeting Agenda items.

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

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: **CONSENT AGENDA - Ordinance 16-50**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled “Pre-Application Conference,” to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code. City Manager/Cannabis Advisory Commission. Memorandum 16-169 from City Planner as backup. **PENDING BUSINESS - Ordinance 16-48(S)**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith. **NEW BUSINESS - Resolution 16-103(S)**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2016 to Elect the Mayor and Two Councilmembers and to Decide Proposition #1 “Shall the City of Homer Incur Debt and Issue General Obligation Bonds in an Amount Not to Exceed Twelve Million Dollars (\$12,000,000) to Finance the Planning, Design and Construction of a Police Station and Related Capital Improvements; and Shall the Rate of City Sales Tax be Increased by Sixty-Five Hundredths of One Percent (0.65%) to Five and Fifteen Hundredths Percent (5.15%) From April 1 Through September 30, for the Purpose of Paying Debt Service on the General Obligation Bonds, Until September 30 in the Year When the City Has Received Funds From the Tax That are Sufficient to Pay All Debt Service on the Bonds”? City Clerk/Canvass Board. Certificate of Incumbency.

Mayor Wythe called for a motion for the approval of the agenda as amended.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Kevin Hogan, city resident, commented on Resolutions 16-098(S-2) and 16-103(S) and Ordinance 16-53. He would like the write-in vote names reported and justification why the lease was not agreed upon with SpitwSpots. He is appalled at the attorney’s advice on the bid protest for the library generator installation and noted the \$9,000 increase to the taxpayers.

Phil Weisman, GCI spokesperson, requested that GCI be able to proceed with lease negotiations as the second bidder for the communication tower. They have the equipment on

the ground and could proceed once a building permit is issued. They can amend their proposal to add more carriers.

Francie Roberts, city resident, offered a huge thank you to Beth Wythe who served the City for twelve years. As a councilmember, Ms. Roberts worked with her for nine years. Mayor Wythe was a dedicated member who came prepared and ready to represent her constituents. She served on numerous committees for various facilities. She hopes her legacy will always continue. Additionally, she thanked Sherry Bess for her service to the City and congratulated those taking over.

Brian Smith, city resident, spoke on Resolution 16-104. He is a volunteer at the animal shelter and a proponent of Sherry Bess. She has done an amazing job for 26 years in managing the Animal Shelter. Amy is wonderful and Council will not be sorry in choosing her to run the shelter. It is a win win for the animals and the town.

RECONSIDERATION

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 September 26, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-159** from Mayor Wythe, Re: Appointment of Mary Montgomery to the Library Advisory Board and Reappointment of Louise Ashmun and Peter Roedl to the Parks Art Recreation and Culture Advisory Commission.
- C. **Ordinance 16-50**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.62.040 Currently Entitled "Pre-Application Conference," to Authorize the City Planner to Recommend to the State of Alaska That It Deny an Application for a Marijuana Establishment That Does Not Comply With Homer City Code and Authorize the City Planner to Recommend That the State Impose Conditions to Approval When Necessary to Ensure Compliance With the Homer City Code. City Manager/Cannabis Advisory Commission. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-163 from Cannabis Advisory Commission as backup.
Memorandum 16-169 from City Planner as backup.

- D. **Ordinance 16-51**, An Ordinance of the City Council of Homer, Alaska, Enacting HCC Chapter 11.36, Vegetation in Rights-of-Way, Providing for the Removal of Vegetation That Interferes With the Reasonable Public Use of a Right-of-Way. City Manager. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-164 from Public Works Superintendent as backup.

- E. **Ordinance 16-52**, An Ordinance of the City Council of Homer, Alaska, Amending the 2016 Operating Budget to Provide for Complete Natural Gas Conversion and Energy Efficient Lighting at the Fire Hall by Appropriating \$115,000 From the Revolving Energy Fund. City Manager/Public Works Director. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

Memorandum 16-165 from Public Works Director as backup.

- F. **Ordinance 16-53**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Issue a Request for Proposal for Lot 11, Homer Spit Subdivision No. 5, for a Long-Term Communications Tower Lease and Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$12,500.00 From Port and Harbor Depreciation Reserves to Fund Tower Consultant Services With Cityscape Consultants, Inc. City Manager. Recommended dates: Introduction October 10, 2016, Public Hearing and Second Reading October 24, 2016.

- G. **Resolution 16-104**, A Resolution of the Homer City Council Awarding the Contract for the Homer Animal Shelter Operation and Management Services to the Firm of Alaska Mindful Paws of Homer, Alaska, in the Amount of \$179,150.00 Per Year for Two Years With Option to Extend, and Authorizing the City Manager to Execute The Appropriate Documents. City Clerk/Police Chief. Recommend adoption.

Memorandum 16-166 from Police Chief as backup.

- H. **Resolution 16-105**, A Resolution of the Homer City Council Amending a Joint Agreement Between the City of Homer and Global Sustainable Fisheries of Alaska (GSFA) for the Purposes of GSFA Obtaining a Grant From the U.S. Department of Commerce and Economic Development Administration (EDA) for Project Funds for Establishing a Sustainable Seafood Processing Industry Within the City of Homer. City Manager. Recommend adoption.

Mayor Wythe called for a motion for the approval of the consent agenda as read.

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

- A. Christine Fontaine, South Peninsula Hospital, Community Project to Create a South Peninsula Forensic Center

South Peninsula Hospital Forensic Nurse Examiners Christine Fontaine and Colleen James presented on Center of Excellence, a concept of a forensic center for Homer. The center would provide services for people who have experienced violence and would be one facility that would allow all teams to come together in working with victims. Currently victims are treated at South Peninsula Hospital right across the hall from the trauma bay. There is no privacy, confidentiality, or safety needs being met. They are looking for a trauma facility that offers privacy and security for forensic exams and interviews.

The Forensic Nurse Examiners asked Council for support in the community's participation, interest, and knowledge. They want the community to know the need and elicit a community-wide response. There are a variety of different funding sources including local, federal, and state funds. They are hoping to make the center a joint process so it doesn't all fall on South Peninsula Hospital.

- B. Tim Dillon, Executive Director, Kenai Peninsula Economic Development District Update

Mayor Wythe called for a recess at 6:37 p.m. and reconvened the meeting at 6:40 p.m.

Kenai Peninsula Economic Development District Executive Director Tim Dillon reported on the resources the organization offers. KPEDD offers:

Regional Partnerships: Build ties to industry associations and communities; coordinate regional-wide economic development with communities.

Infrastructure and Technology: Industry focused infrastructure; transportation infrastructure; and expanded broadband access.

Workforce and Human Capital: Industry partnerships and voc-tech; workforce attraction and retention.

Business Climate and Entrepreneurship: Strengthen existing businesses through business retention and expansion; promote responsible development; develop an entrepreneurial ecosystem.

Quality of Place: Develop Kenai Peninsula brand for residents, visitors and businesses; promote expansion of recreational amenities and public access.

Knowledge Creation and Dissemination: Track and report economic and demographic trends; seek new venues to publicize findings.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. Industry Outlook Recognition to Homer Police Department, by Tim Dillon, Executive Director, KPEDD

Tim Dillon, Executive Director for KPEDD, presented a plaque to Police Chief Robl in recognition of the Homer Police Department for superior dedication to the safety and well-being of Kenai Peninsula residents, businesses, and visitors.

- B. Mayor's Proclamation, National Friends of Libraries Week, October 16 - 22, 2016

Mayor Wythe presented the proclamation to Friends of the Library.

- C. Borough Report

Kenai Peninsula Borough Assembly Member Kelly Cooper thanked Mayor Wythe for her leadership and years of service and Councilmember Van Dyke for his service. She congratulated Shelly Erickson and Tom Stroozas on winning the council seats and thanked David Lewis for running for mayor. She thanked the Council for hosting the Assembly when they conducted their meeting in Homer last month. The Assembly loves coming here and how the Homer people testify. People are well informed, diverse, and wear many hats here.

At tomorrow's meeting the Assembly will take up the ordinance requesting \$325,000 from the general fund to update the comprehensive plan. An update was last done in 2005 at a cost of \$210,000. It benefits all the cities in the Borough and it is critical to keep the plan updated to reflect changing trends, conditions, and laws and regulations.

There is a public hearing on an ordinance amending the procurement and purchasing code. This will allow online bid submissions. It is more secure and will work well; a bidder can still submit a bid in person. Additionally, the Assembly will be certifying the election results. The

bonds for solid waste and South Peninsula Hospital passed and everything else went up in a flame. She expressed disappointment at the failure of propositions on the senior property tax exemption and sales tax cap. Reducing the number of planning commissioners failed and is up for reconsideration tomorrow.

The health care task force continues to meet. One subcommittee is looking at addiction and health issues and another is looking at transportation, both non-emergent and emergency services. Yet another subcommittee will look at the deliverables for the whole plan.

Asked about plans for an addiction facility, Assembly Member Cooper reported an inpatient facility is needed. The idea will go from the subcommittee to the task force, then to the Assembly, and finally to the voters. The cost of addiction in our communities is not just the cost of healthcare. It is the cost to our society. She is a big advocate for inpatient treatment for both drug and alcohol.

Healthcare reform is changing a fee per service to population health. We will be rewarded for keeping people healthy as opposed to hip and knee replacements. In focusing on the four main reasons people become ill: obesity, lipids, diabetes and stroke; when those are under control the costs go down. We have the highest cost of healthcare with the lowest quality of services in the world.

D. Commissions/Board Reports:

1. Library Advisory Board

Marcia Kuszmaul, Library Advisory Board Member, acknowledged the work done by Library Director Ann Dixon and her staff. The third quarter was the fourth straight quarter of double digit growth for the Library in circulation. From July through September 45,054 items were checked out of the Library, an 18% growth year over year. There are 14,000 items circulated from the Library every month. The meeting room use is at 16%, and new library card sign-up is 9% ahead of last year. The LAB is holding a Worksession on Tuesday, October 25th at 5:00 p.m. to discuss strategies and priorities to ensure the Library continues to provide the best service possible to the community. She announced the book sale on Friday, October 14th from 6:00 to 8:00 p.m. run by the Friends and membership opportunities with the Friends.

2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission

Councilmember Smith announced the October 11th meeting.

4. Parks Art Recreation and Culture Advisory Commission
 - A. Memorandum 16-160 from PARCAC, Re: Jack Gist Park Noise Concerns
 - B. Memorandum 16-161 from PARCAC, Re: Match Funds from Homer Animal Friends to Purchase Doggie Bags and Dispenser/Receptacles
 - C. Memorandum 16-162 from PARCAC, Re: Committee to Start an Outreach Program to Pet Owners
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

Mayor Wythe called for a recess at 7:17 p.m. and reconvened the meeting at 7:23 p.m.

PUBLIC HEARING(S)

A. 2017 BUDGET

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

- B. Resolution 16-101(A)**, A Resolution of the Homer City Council Adopting the 2017-2022 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for State Fiscal Year 2018. Mayor/City Council.

Memorandum 16-167 from Special Projects and Communications Coordinator as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Motion on the floor from the September 26th meeting: MOTION FOR THE ADOPTION OF RESOLUTION 16-101(A).

LEWIS/REYNOLDS - MOVED TO ADD THE HOMER LARGE VESSEL HARBOR AS A LEGISLATIVE PRIORITY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

REYNOLDS/LEWIS – MOVED TO ADD THE PUBLIC SAFETY BUILDING AS A LEGISLATIVE PRIORITY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ZAK/REYNOLDS - MOVED TO REVERSE THE ORDER, WITH THE PUBLIC SAFETY BUILDING AS NUMBER ONE AND HOMER LARGE VESSEL HARBOR AS THE SECOND CHOICE.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. **Ordinance 16-47**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating FY 2016 State Homeland Security Program Grants for Upgrading the City's Radio Communication System in the Amount of \$343,363.40, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

Memorandum 16-149 from Special Projects and Communications Coordinator as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 16-47 by reading of title only for second and final reading.

LEWIS/REYNOLDS - SO MOVED.

There was brief discussion if the ordinance should be postponed until discussion of the consolidated dispatch was complete. The equipment is needed regardless of who is providing dispatch service. Asked if the grant could be transferred to the Borough, Police Chief Robl answered it may be possible to reallocate the grant, but we are past the deadline to accept it.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Ordinance 16-49**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$180,000.00 From Port and Harbor Depreciation Reserves to Purchase New LED Lights for Seven High Mast Light Poles at the Harbor and Authorizing the City Manager to Issue a Request for Proposals. City Manager/Port and Harbor Director. Introduction September 26, 2016, Public Hearing and Second Reading October 10, 2016.

Memorandum 16-143 from Port and Harbor Director as backup.

Mayor Wythe opened the public hearing. In the absence of public testimony, Mayor Wythe closed the public hearing.

Mayor Wythe called for a motion for the adoption of Ordinance 16-49 by reading of title only for second and final reading.

LEWIS/REYNOLDS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

Real Estate Sales

The City has finalized the sale of several parcels in the Kachemak Drive area. They were recommended for sale in the Land Allocation Plan and by Resolution 16-069. These parcels are now on the tax rolls, and several are now on the assessment rolls for water and sewer along Kachemak Drive. The proceeds from these transactions are deposited into the Land Reserve fund.

Cooper Landing Bypass

The Borough has asked municipalities to weigh in on the preferred alternative for Cooper Landing Bypass (MP45-60), a project with over 30 years in the planning stages. The Borough has significant concerns with the G-South Alternative, which exposes a lot of traffic, and potential for contamination to the Kenai River. They are advocating for a delay in the Record of Decision for this project, increased opportunity for public comment on the alternatives, and a more thorough consideration of the impacts of the alternatives of the Kenai River and watershed. I have attached information from the Borough on this topic, including Resolution 2016-049 that they passed with an accompanying memo that is quite informative. They have also drafted a sign-on letter for Borough municipalities to consider. Would Council be interested in signing this letter and/or weighing in with a resolution?

Potential Changes to Title 4, Regulation of Alcoholic Beverages

I have been following a statewide issue that I want to bring Council up to speed on and solicit any input you have. Changes to Title 4 of Alaska's Statutes, which regulates alcoholic beverages, have been undergoing review over the past several years to address some needed updates and revisions. The set of recommended revisions to Title 4 has recently been released.

One of the recommendations, P-3, regarding Public Convenience Licenses, could potentially have long-term consequences for Homer's robust restaurant industry. Homer has 12 Public Convenience Licenses, and while the report states these licenses have not been associated with significant enforcement problems, Title 4 reviewers claim their issue circumvents the population limitation system intended to control the number of retail access points to alcohol in a community and is an administrative burden on the ABC Board.

Recommendation P-3 would place a permanent moratorium on issuing new Public Convenience Licenses, and convert existing licenses to a new license type, Seasonal REPL Tourism License. These function similarly as a Public Convenience License, but can only be operated for six months of the year. Seasonal REPL's are intended to respond to the demands of the seasonal visitor market; their number will be limited by a city's population, modified by DCCED-generated visitor counts.

I have been contacted by other Kenai Peninsula cities and have discussed potential consequences with the Chamber of Commerce's Legislative Affairs Committee: negative

impact on important year-round businesses (Fat Olives, Café Cups, Two Sisters Bakery for example) and the lost potential to attract new businesses – including the emerging micro-brewery/winery industry. The Kenai Peninsula holds nearly half the 57 Public Convenience Licenses in the state and will feel the impact of this rolling-back proportionally more than other parts of the state.

I will be following this issue closely as I believe it has the potential to adversely economic impact Homer. I will keep Council updated on any opportunity for formal input from the City. I have attached an excerpt from the extensive review of Title 4 that is relevant to this issue and a letter that the City of Soldotna wrote that sums up the concerns of small peninsula hub cities.

City Manager Koester referenced the State’s preferred alternative for Cooper Landing Bypass in her report. The Borough has asked for input. The State has chosen an alternative route that exposes a lot of traffic, has potential for contamination to the Kenai River, and is the most expensive alternative. The majority of the Council expressed support of Mayor Navarre’s letter to ADOT requesting a delay of a decision on the project and reconsideration of the selection of G South Alternative as the preferred alternative.

City Manager Koester commented on potential changes to public convenience liquor licenses by the ABC Board. She will be following the situation closely and will keep Council updated.

CITY ATTORNEY REPORT

City Attorney Holly Wells referenced her written report for the last two months of attorney services. She and the law firm have worked with Mayor Wythe both as a councilmember and the mayor. It has been an honor for her to work with Mayor Wythe and a great place for her to grow up as an attorney under her tutelage.

COMMITTEE REPORT

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

Mayor Wythe reported the committee is charged with completion of the renovations to the Fire Hall. They will meet on Wednesday, October 12th at 5:30 p.m. After the project is completed they will disband.

- C. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the committee will not be meeting this month. She announced a committee member opening on the committee.

PENDING BUSINESS

- A. **Ordinance 16-48**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.04.030 to Permit City Employees and the City Manager to Make Local Office Campaign Contributions and Amending HCC 1.18.030 to Add HCC 1.18.030(Q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Mayor. Postponed from September 26, 2016.

Ordinance 16-48(S), An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.030 to Add HCC 1.18.030(q), Which Incorporates HCC 2.04.030, and Its Prohibition Against Council Member Influence and Direction of City Employees and the City Manager, Into the Homer Ethics Code. Smith.

Motion on the floor from September 26: MOTION FOR THE INTRODUCTION OF ORDINANCE 16-48 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: YES. SMITH, LEWIS, ADERHOLD, REYNOLDS, ZAK, VAN DYKE

Motion carried.

SMITH/REYNOLDS – MOVED TO SUBSTITUTE ORDINANCE 16-48 FOR ORDINANCE 16-48(S).

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ZAK/REYNOLDS – MOVED TO SCHEDULE A PUBLIC HEARING AND SECOND READING ON OCTOBER 24, 2016.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 16-098(S)**, A Resolution of the Homer City Council Awarding the Contract for the Homer Library Emergency Generator Installation to the Firm of Puffin Electric, Inc. of Homer, Alaska, in the Amount of \$31,550.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Resolution 16-098(S-2), A Resolution of the Homer City Council Awarding the Contract for the Homer Library Emergency Generator Installation to the Firm of Puffin Electric, Inc. of Homer, Alaska, in the Amount of \$31,550.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 16-168 from City Attorney as backup.

Motion on the floor from September 26: MOTION FOR THE ADOPTION OF RESOLUTION 16-098(S) BY READING OF TITLE ONLY.

Councilmember Smith was excused due to his ongoing conflict of interest.

Mayor Wythe called for a motion to substitute Resolution 16-098(S-2) for Resolution 16-098(S).¹

Councilmember Lewis declared a potential conflict of interest as an employee of Puffin Electric ran a campaign for him as *Friends of David Lewis*. The amount of funds raised for the campaign is unknown, but most likely less than \$5,000.

City Attorney Wells advised Council to err on the side of caution and excuse Councilmember Lewis since we do not have a monetary value for the campaign contribution.

Councilmember Lewis was excused from participation.

There was no discussion.

VOTE: (substitute) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmembers Smith and Lewis returned to their seats.

NEW BUSINESS

- A. **Resolution 16-103**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2016 to Elect the Mayor and Two Councilmembers and to Decide Proposition #1 “Shall the City of Homer Incur Debt and Issue General Obligation Bonds in an Amount Not to Exceed Twelve Million Dollars

¹ Formal motion to substitute was not made, although the recording reflects Council clearly approved (S-2) by unanimous consent.

(\$12,000,000) to Finance the Planning, Design and Construction of a Police Station and Related Capital Improvements; and Shall the Rate of City Sales Tax be Increased by Sixty-Five Hundredths of One Percent (0.65%) to Five and Fifteen Hundredths Percent (5.15%) From April 1 Through September 30, for the Purpose of Paying Debt Service on the General Obligation Bonds, Until September 30 in the Year When the City Has Received Funds From the Tax That are Sufficient to Pay All Debt Service on the Bonds”? City Clerk/Canvass Board.

Resolution 16-103(S), A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 4, 2016 to Elect the Mayor and Two Councilmembers and to Decide Proposition #1 “Shall the City of Homer Incur Debt and Issue General Obligation Bonds in an Amount Not to Exceed Twelve Million Dollars (\$12,000,000) to Finance the Planning, Design and Construction of a Police Station and Related Capital Improvements; and Shall the Rate of City Sales Tax be Increased by Sixty-Five Hundredths of One Percent (0.65%) to Five and Fifteen Hundredths Percent (5.15%) From April 1 Through September 30, for the Purpose of Paying Debt Service on the General Obligation Bonds, Until September 30 in the Year When the City Has Received Funds From the Tax That are Sufficient to Pay All Debt Service on the Bonds”? City Clerk/Canvass Board.

Mayor Wythe called for a motion for the adoption of Resolution 16-103 by reading of title only.

LEWIS/REYNOLDS – SO MOVED.

Mayor Wythe called for a motion to substitute Resolution 16-103(S) for 16-103.

LEWIS/REYNOLDS – SO MOVED.

There was no discussion.

VOTE: (substitute) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. SWEAR-IN NEWLY ELECTED MAYOR AND COUNCILMEMBERS

City Clerk Johnson administered the Oath of Office to newly elected Mayor Bryan Zak and Councilmembers Tom Stroozas and Shelly Erickson.

RESOLUTIONS

COMMENTS OF THE AUDIENCE

Joanne Lofgren, Homer resident, congratulated newly elected members and those currently serving. As a Diamond Ridge resident she hears elected officials say outside residents take from the City without paying their way. She takes offense to that since they have their own fire, water, and sewer services, drive on state or borough roads, and pay property taxes to support the local entities. When the elected officials run for a borough or state office people who listen to the council meetings on the radio remember their votes and have heard what has been said against them.

Tom Zitzmann suggested the City purchase a common software package for GoToMeeting. It is an inexpensive way to invite the attorney to attend council meetings and could enhance the experience of the public. He is disappointed at the low turnout in the last election. No one in the city thinks the need for the cop shop is not there, but there was not a firm cost. He encouraged Council to look at 15-20 year increments and fund for them. When the population expands you could add on to the facility. He thanked Mayor Wythe for all the hard work she has done. It is a labor of love and public service.

Mayor Wythe called for a recess at 8:05 p.m. and reconvened the meeting at 8:20 p.m.

Mayor Zak read the recognition to outgoing Mayor Wythe.

Mayor Pro Tempore Lewis read the recognition to outgoing Councilmember Van Dyke.

COMMENTS OF THE CITY ATTORNEY

City Attorney Wells had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Johnson thanked the candidates for participating in a clean and respectful campaign. She thanked the voters that came out to vote early and on Election Day. She thanked Mayor Wythe for her long service to the community. It's been a pleasure working with you and you will always be remembered for your unwavering support of the employees.

COMMENTS OF THE CITY MANAGER

City Manager Koester thanked Councilmember Van Dyke for his service. She appreciates his quiet and thoughtful manner. When you speak you really have something to say, and we all listen. It's a valuable skill.

She hopes Mayor Zak knows the big shoes to fill include shoe shopping in Juneau when they go together. Mayor Wythe has been a tremendous role model and support for me. She has believed in me more than I have believed in myself and has empowered me to do more than I ever thought I was capable of doing. That is mentorship. That is service. That is women leaders helping other women leaders and cultivating them. She presented Mayor Wythe a book, *The Road to Character* by David Brooks. Mayor Wythe has tremendous character and virtue and she wants her to be inspired by that to continue to serve and participate in our community. It is a tremendous asset and you will definitely be missed at this table, but I know you will still be in our community.

COMMENTS OF THE MAYOR

Mayor Wythe offered her comments at the end of the meeting.

COMMENTS OF THE CITY COUNCIL

Councilmember Lewis said it was a pleasure and honor serving with Mayor Wythe for the last eight years. It was a pleasure and honor serving with Gus for the last three years and he enjoyed his support of the rink.

Councilmember Smith said he only had the pleasure of serving one year with the two of them. He equally expressed his gratitude for the public service that they rendered our community because there is a small percentage of people that will step up and fill the shoes that you two have. The time commitment and caring it takes to do that is exemplary. He appreciates the hard work they did. He congratulated the Girls and Boys Cross Country Teams. They both took State this year. The girls repeated and the boys stepped up and followed suit. He thanked those that turned out to vote. It was an increase over our past year, but 33% is still rather appalling. The amount of apathy that exists within our population is kind of troubling. He hopes we continue to try to get people to express the way they care about their community through their voting and activities. Today is World Mental Health Day. It is personal to me because of my mother's troubles. It is important to be connected with it and recognize that it is an illness and there are things we can do within our communities to help those people. He appreciates Tom Zitzmann expressing his point of view of the outcome of the election and Proposition 1. Councilmember Smith is fully supportive and committed to getting our Police Department a new facility. He will do what he can to help move the project forward in whatever different form it has to meet the needs of our community and have the support of our voters.

Councilmember Van Dyke is pleased he served and is glad he did what he did. He recommends it to anyone that has aspirations. He thanked everyone for the warm welcome

when he first became a councilmember and the gracious farewell. He wished everyone the best, especially the City.

Mayor Zak thanked Gus for his service. He knows he will be going elk hunting soon, so he wished him great success in his future real soon. If you put half the effort you put into the city council you will come back with a Boone and Crockett. To Mayor Wythe the one thing that stood out in his mind of her accomplishments was her continued learning and education. You got your master's degree while serving as our mayor. You are always challenging yourself and challenging us as councilmembers. That was really inspiring to me. He greatly appreciates her leadership and looks forward to future times together. He looks forward to her continued service to the community. When you prepare yourself for engagement with the community and seek guidance, you will always keep us in your heart. We have heard from Assemblywoman Cooper tonight on the importance of the State and where we are as a community. He welcomed Tom Stroozas and Shelly Erickson as councilmembers who are now part of the team. At the council table there is not one of us who is not qualified to be here. We have worked hard to get here and will work hard for this community. He is excited about the future.

Councilmember Reynolds thanked everyone that voted. She was pleased to see an increase and hope it is warming up for a good voter turnout next month. She shares the concern that 33% is still a very low number. It is so easy to vote now between absentee and early voting, and on voting day. She personally likes showing up on voting day because she gets stickers. She was shocked to see that Lunch with a Councilmember was a Best Bet. She was at the Library from noon to 1:00 p.m. today. It was an interesting discussion with the people that were able to be there. She encouraged people to look forward to the opportunity on the first council meeting each month. Today is Indigenous Peoples' Day. She thanked Governor Walker for recognizing that on behalf of the State of Alaska. The syringe exchange is still going strong. They are open from 5:00 to 7:00 p.m. at the Hospital Training Center on the first and third Tuesday of every month. Last week there were quite a few people who were able to come in and receive services. A relatively small amount of money is needed to keep the program running. They have about used the first \$1,000 which has taken them through three or four months. She welcomed Shelly and Tom. She looks forward to working with them and finding how that all meshes together. She enjoyed getting to know Gus better as a councilmember. To Mayor Wythe she echoed what Katie said about women leaders leading women, supporting them, and lifting them up. She thanked Mayor Wythe for her guidance and mentorship.

Mayor Wythe thanked everyone for their nice words. In her history in the City of Homer, the 33% voter turnout was the best she has ever seen for an election. As bad as it may seem, it is so much better than where we have been for a number of years. She's sure it was due to all the things on the borough ballot that people didn't want to vote for. She appreciates people coming out for the election. She thanked Sherry Bess for her time and wished her the best. She has provided services to the City of Homer for a number of years. She is sure our animal shelter will continue under great guidance. Mayor Wythe congratulated Bryan, Shelly, and

Tom. She wished them the best of luck. You have a lot of hurdles ahead starting Monday, the 17th. The next three months are crazy busy for you, but you will do a good job. She reminded Bryan he can sit anywhere at this table he wants, but there is nothing in the world that will help you as much as the city manager sitting right beside you. In her entire career she has had the city manager right beside her. That has always been the most valuable thing to her at the table to reach over and ask questions. She was disappointed, but not surprised about the public safety building. Generally as a society we enjoy having public services if they are for free or somebody else will pay for them. The time of free and someone else paying for them is gone. We have to decide if we want to accept the risk of doing nothing. One event will spend all the money that could have been used to build a building. Or do we want to accept the responsibility of living in and creating a risk free environment for our employees? That is the challenge she leaves for a public safety building with this Council. As to central dispatch, all things in life are not about money. Some things are about the service you can provide to your community. Soldotna cannot provide that service to your community. We had a lineman that got burned; they dropped the call three times because they were having to call from a cell phone. They dropped the call three times getting it to Homer. You cannot replace what you get when you have local dispatch with having a central dispatch system. Those are things to think about. All things in life are not about money. Thank you so much for twelve years.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:43 p.m. The next Regular Meeting is Monday, October 24, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession 4:00 p.m. A Worksession is scheduled for Monday, October 17, 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.

JO JOHNSON, MMC, CITY CLERK

Approved: _____