

Session 15-02 a Regular Meeting of the Public Safety Building Review Committee was called to order by Chair Ken Castner at 5:38 p.m. on February 17, 2015 at City Hall Upstairs Conference Room located at 491 E. Pioneer Avenue, Homer, Alaska and opened with the Pledge of Allegiance.

PRESENT: COMMITTEE MEMBERS MIOTKE, ROBL, AND CASTNER

DESIGN TEAM: DALE SMYTHE AND SARA WILSON-DOYLE, STANTEC (TELEPHONIC)

ABSENT: COMMITTEE MEMBERS WYTHE AND PAINTER

STAFF: CAREY MEYER, PUBLIC WORKS DIRECTOR
RENEE KRAUSE, DEPUTY CITY CLERK

AGENDA APPROVAL

The agenda was approved by consensus of the committee.

APPROVAL OF MINUTES

A. Minutes for the January 19, 2015 Regular Meeting

Chair Castner requested a motion to approve the minutes as presented.

ROBL/MIOTKE – SO MOVED.

There was no discussion.

The minutes were approved by consensus of the Committee.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA (3 minute time Limit – Only items on the agenda not for Public Hearing may be commented on)

Tim Yarborough, city resident, stated that his comments go along with the Censure that is later on tonight; he was present during the comments of the committee at last month's meeting and during the exchange between Chief Painter and Chair Castner and as a citizen he felt that Chair Castner was disrespectful and rude, he felt that Chair Castner owed Chief Painter a public apology and the Homer Volunteer Fire Department as well.

Chair Castner responded to Mr. Yarborough that he has included a document of Censure on the agenda for the Committee to act on tonight. He further noted that he had received 6 maybe 7 different people who spoke to him about this subject.

VISITORS

There were no visitors scheduled.

STAFF & COUNCIL REPORT/COMMITTEE REPORT/BOROUGH REPORT

A. Council Report – Mayor Wythe

B. Staff Status Reports – Carey Meyer

Mr. Meyer provided a summary of the actions taken by staff since the last meeting. He provided full size drawings for review of the committee noting that they were included in the packet. He elaborated on some of the following:

- Field Survey Completed
- Utilities Located
- Excavated two test holes under proposed new wing of the building
 - Test hole dry and clean
 - Brownish layer in the first 7 feet
 - Darker materials beyond that, no peat or clay observed
 - Further test hole to the west did have water in it
 - did not appear that it will cause problems
 - Full report will be forth coming
- Site Drawings provide a more definitive solution on how water and sewer will be extended to the site.
- Additional memos on Hazardous Materials and Public Involvement

Mr. Smythe summarized the memorandums on the hazardous materials in response to the demolition and requirements were clarified along with options and clarifications for public involvement and Ms. Doyle was available for questions. These items with Public involvement would require tailoring by the group.

Chief Robl inquired about the existing pedestrian path and the installation of a security fence may conflict. It was pointed out that the one line was the fence and not another. The buildings were shifted a bit south. The turn-around was a dedicated cul de sac and could not be used for parking.

PUBLIC HEARING

There was no public hearing.

PENDING BUSINESS

A. Public Involvement and Funding Strategy Recommendations

1. Memorandum from Katie Koester, Economic & Development Coordinator dated January 19, 2015 re: Possible Funding Options for the Public Safety Building

Chair Castner introduced the item. He noted that everyone was aware of City Council was grappling with finding a way to convert an appropriation for Waddell Way to the early efforts of this project but they do not want to lose it either so are being very cautious on how they are going to proceed.

The City Manager has suggested taking part of that appropriation to perform the engineering for Waddell Way and perform a swap with HART Funds then they could use those remaining funds of the appropriation for this project. He further noted that Council has approved funding although they do not know where they will get those funds.

Mr. Meyer responded that they are only fully funded through 10% and they have “tip toed” in to 35% because they had some funding left over. Council would need to appropriate funds by ordinance to proceed to 35% design and they have not done so.

Chair Castner countered that Council approved the recommendation to proceed to the 35% Design level. Mr. Meyer, and Chief Robl agreed, that Council may have approved the recommendation by resolution but until Council appropriates the funding by ordinance the Design Team/Committee really could not proceed much further. Chair Castner agreed, adding that Council said they were going to do it they just didn't where the money was going to come from "that we were to just take this thing and they would figure it out later, this make it a horse of a different color." Chair Castner further noted that Council will have to act in early March if they are to proceed any further. Mr. Meyer agreed that they will be coming to a standstill pretty quick here.

Mr. Smythe reported that out of the three tasks contracted the remaining dollars amounts were as follows:

Task A - Fire and Police Programming, \$0.
This Task was completed and billed out in full.

Task B. Site Selection and Concept Design, there is \$37,600 remaining.

Task C. Public Involvement there is \$19,685 remaining.

Chair Castner inquired if the committee would like to discuss expending those funds. He admitted to being taken by surprise that Council would need to pass an ordinance appropriating funding before they could proceed.

There was no further discussion.

B. Design Process for Reaching 35% Schematic Design Level

Chair Castner was hoping that the Design Team could develop with the Committee a Check list so that they know what direction they would be going. He again acknowledged that Council will be required to make some policy decisions this spring on how they will go about doing this, because they will be tumbling right into summer and if they are going to do a bond proposition they need to start planning that soon.

Chair Castner thought that now was the time to talk where they are at getting to 35% Design and what they would look at once they are at 35% Design; his understanding of 35% is beyond conceptual, a schematic design of the whole project and location and then they will decide where to go from there; do they start tearing the building down or do they start building as they go or do they go on dwell until they come up with the big package to do it all together. From here to 35% they are proceeding to 100% design.

There was no disagreement from the committee members or design team members attending.

So once they reach 35%, they will have a better idea on how to run the utilities, the bones of the building, the site plan is pretty much figured out and 35% Design, this was a place that he hoped they would be in a future that was predictable and if they don't have the money to get to 35% then it is no longer predictable. In his mind they would then have something to take to the public here are the options this is what it will cost.

Mr. Smythe responded that for getting to 35%, the survey and geotech was absolutely required, but to move the design forward to 35% and how that rolls in to any kind of public involvement or bond proposition issues and sharing with the public which is its own project, Ms. Wilson-Doyle could speak more about; but to move forward efficiently will require the confirmation of how much of the HERC building they are reusing, that floor and are they doing a phased project or just one. If things change in the design you can accommodate it at some level.

Chair Castner responded that he thought they had previously agreed to reuse the foundation of the HERC building on the upper level no matter if they used a phased approach or not to save on the cost of concrete and that they could structurally reinforce the existing foundation if necessary as opposed to tearing everything out of the ground.

Mr. Smythe responded that at issue was where the two buildings would join making the design aspect difficult. Chair Castner stated that at this point without a full committee present they cannot discuss the phasing and there are certain things that they are not going to be discussing; there are a number of things that need to be drug out on the table at once and phasing is one of those issues.

He further noted that public policy discussions need to be initiated at the council level and until they say here are the public policy considerations he is kind of frozen on that deal and the issue of phasing he chooses not to talk about tonight. Mr. Smythe stated that to move forward they will need to confirm those points he stated. He further stated that they will want to lock down several things before moving forward.

Chair Castner reiterated that he feels that everyone agreed to reutilize the upper level slab with any necessary reinforcement in that portion of the HERC building. He further noted that phasing would not affect the decision to reuse that portion of the HERC.

Discussion ensued on the following:

- delivering drawings of the project at 35%
 - included would be details such as HVAC
 - Interior and exterior finishes
- reviewing actual work spaces and adjacencies to include natural, ceiling height, etc.
- review of processes as they work toward the end

C. Demolition and Abatement Costs for Hazardous Materials

Mr. Smythe reported that in house expert; Dennis Morris provided a summary of what would be required. He suggested a new report be completed since the condition of the building has changed. He also provided a rough order of magnitude costs. A suggestion of what could be done to move it forward was also provided.

Mr. Smythe is not sure he can provide assistance with any questions but would get answers to anything he could not answer for the Committee.

The pricing for abatement was listed over \$900,000 due to the trucking costs. Mr. Meyer in response to the Chair explained that there are possible options for disposal of materials locally and that there is no City Code preventing them from filling a lot with the materials. Chair Castner stated for this price they could purchase a lot locally and fill it even if they never used it again or re-sold it. Mr. Meyer

stated that they could locate a steep lot that would benefit from fill to make it buildable. They could locate additional ways to save on costs.

Chair Castner inquired if there would be any objection to having Public Works keep an eye out for a lot that the city can purchase for \$80,000 locally. Mr. Meyer stated that theoretically they could look for a lot, purchase it, fill it then resell it making their money back for the project; they could look into that and would do it without a motion.

Chair Castner stated he likes having a motion for the record.

ROBL/MIOTKE – SO MOVED.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mr. Meyer then commented on the cost estimate provided to demo that building and until testing and a real evaluation are completed on that building they will not have an accurate cost. He would like to do that evaluation to find out. Chair Castner replied that when he was provided a cost estimate and report from Ron Drathman years back the cost was estimated at \$200000 +/- and the amount of asbestos will not change from then to now. He then added that the solution to pollution is dilution, if the amount of waste stream is greater, then the amount of asbestos becomes incidental.

NEW BUSINESS

A. Public Safety Building Civil Site Plan

Chair Castner introduced the item and provided the background of the request from the last meeting and the changes made as follows:

- Removed the Split Level on the back of the Police Station
- removed the retaining wall
- Security fence issues with pedestrian path
- Concern with only one dumpster and location is not convenient to proximity of building
- Public, employee and detainee entrances and access are separated
- Optional automatic security gates available at entrance to parking off Pioneer Avenue and along the side of Fire Station garage
- the space next to the garage is separated from general public usage – no through traffic
- Public Parking for the Facility is located off of the Sterling Highway there will be no public access off of Pioneer Ave

B. Notice of Censure

Chair Castner included the censure since he did not believe the committee would know what steps to take to voice extreme disapproval of an action.

ROBL/MIOTKE – MOVE TO DISCUSS THE CENSURE RECOMMENDATION.

Chair Castner stated he will sign it if the committee passes it and then they can have a discussion on his role on this committee. He further added that if they feel having written the paragraph was prejudicial to the Fire Department and Chief Painter then the committee should censure him for his actions.

Mr. Miotke asked if they could take action on this with only the two of them present.

Chair Castner stated he will tell Ms. Krause that it is approved if Chief Robl and Mr. Miotke voted in favor of it.

Chief Robl stated he was present and it appeared that it bothered Chief Painter more than it bothered him and he could not vote on it.

Chair Castner inquired if Mr. Miotke was given "marching orders" Mr. Miotke expressed a wish to postpone the action until the other members were present.

Chair Castner asked the Clerk to postpone the action until the next scheduled meeting.

C. Memorandum from Deputy City Clerk Re: Next Meeting Date and Deliverables

Chair Castner noted for the record that he was unavailable to attend a meeting the month of March.

Chair Castner stated that he would attend the February 23, 2015 Council meeting and let them know that they will need the funding to reach 35% and he further stated that they will have to reach a point determining where they are going. He related his experience recently attending the Rotary meeting with Chief Robl and they were asked questions, they need to engage the public and make this a community project. They are floundering out there not knowing where the money is coming from; plus some other items. Chief Robl heard his patter regarding not living in fear and was receptive to it. Their community is rapidly aging and will be taking the senior exemptions and will not be voting for bonding. He believes that they are heading to a deflationary period and that is not good. He is convinced that they can come up with a plan.

Discussion on the next meeting date ensued and was determined that March 17, 2015 would be good for those present. Ms. Krause will contact Chief painter and Mayor Wythe to confirm that the date was good for them.

(After the meeting and additional review of the clerk's calendar the meeting date selected was not good and the room was not available so was changed to Wednesday, April 1, 2015 at 5:30 p.m. in the Conference Room upstairs.)

INFORMATIONAL ITEMS

- A. Resolution 14-20 Creation of the Committee and Scope of Work
- B. Public Safety Building Project Fact Sheet
- C. Resolution 15-007(A) Approving the Recommendations of the Committee
- D. Contact List and Strategies Chart
- E. Public Involvement Plan dated June 23, 2014

There were no comments on the informational items.

Chair Castner requested comments of the audience and commented on a candidate for city manager position dropping out.

COMMENTS OF THE AUDIENCE

There were no comments from the audience present.

COMMENTS OF CITY STAFF

Mr. Meyer commented that they will be holding fast until questions posed tonight can be answered. If they are to stick with the schedule and proceed with a bond issue they are going to need some funding pretty quickly to keep the ball rolling. There is a window of opportunity for construction and they could lose a year if they do not take advantage of the season. But he they should not spend the rest of the money until they see a little more light at the end of the tunnel.

Chair Castner responded that they need to get the light lit, because if they don't ask the questions and they don't push for decision they are going to just sit here in "dwell" and he doesn't believe it serve either department well to go into dwell. It especially doesn't do for the police department to go into dwell; they need to do something; they need to act like a city here and step up and get going. They need to make decisions points and if the decision is to wait until oil is back up to \$100 a barrel then that is a public policy decision and Council needs to involve the public and have some discussion about it but from the committee viewpoint, as the guys wanting to get thing done to him they need to be pushing, they are the ramrods of the project and need to push to get some decisions made; if Stantec wants to send Meredith to lead Council in a worksession to show them the options, an independent third party that doesn't have a dog in the fight we need to do it soon and before the gas assessment comes out in June to start talking about the next hit on the taxpayers.

Mr. Meyer reiterated that as Dale indicated there is money left in the public involvement portion and at the next meeting if not before, and as some of the memos in the packet lays out the thoughts on public involvement and that may be part of this project that they can follow through on the original intent of that money being in the budget; they will come back with a specific recommendations for the next meeting and will try to identify some other things within the scope of the work in support of the public and this decision.

Chair Castner asked if he has agreement with the committee that he will go before Council on Monday and ask the following:

- To designate the money to get the project to 35%
- What is Council's process to get them to construction?

He noted that construction and funding go hand in hand. He will not say anything about phasing.

Ms. Krause had no comments.

COMMENTS OF THE COUNCILMEMBER

There were no Council members present.

COMMENTS OF THE CHAIR

Chair Castner stated that when he attended the Rotary meeting with mark he had someone approach him and state he had 3 points to give them:

1. You should never tell us that the equipment is broken because then we are going to have concern on how you are going to maintain a \$30 million dollar building.

The equipment was an air to air handler that was designed for residential use.

2. You should never show us wiring that is improperly wired.

That wiring was com cable and antennae s and there were no chase-way or conduit designed into the building to handle that type of wiring.

3. I helped build the firing range at Blackwater and what's wrong with that.

He could not respond to that point. Chief Robl responded that there is no indoor range facility. The person was talking about a backdrop that was constructed.

Chair Castner then stated that he would not talk about phasing, not talk about the consolidation of the fire department, not talk about public participation in the project because the Mayor doesn't want to talk about that, not going to talk about using the Permanent Fund for the project because the Mayor doesn't want to talk about that and not going to talk about the firing range because Chief Robl doesn't want me to talk about that. These are the five subjects he will not discuss. Eventually he will have to free himself to talk about them because he is a public member and they are public policy decisions that people deserve to talk about and want to have discussed, people call him up and want to talk about these issues with him; he wants to be on the team but needs to be able to process that information; not just tell them, yeah, it's a good idea and to take it to the city council; at some point they are going to have to give some; he really wants the fire department to have the training facilities that are needed, he doesn't know when they would be built but wants the fire department to really have them; Chair Castner believes it is a higher priority to get the people who are working in the police department out of that place that they are so that is where is heart is right now. But he really believes that everyone working for the city needs be properly trained and have the best facilities so they can give us the best level of service. That's what he would say to Chief Painter if he were here.

COMMENTS OF THE COMMITTEE

Chief Robl commented that he has been following what has been going on in the legislature the last couple weeks and there are a lot more negative and pessimistic outlook with the budget than he expected; they are in the slashing and gashing mode down there; he added that they wanted to cut the jail contract but believes that they fought that back fairly well, he doesn't know that they lost the probation officer yet for sure. They have cut back AST on several fronts. It is just a real negative climate and the chance of getting any money out of them is slim to none and Slim just left town. He related that state funding for Kodiak which was a larger facility was over \$2 million dollars and they also recently contributed to Haines for their new facility, so they do have a track record for contributing but this is just bad timing.

Mr. Miotke commented on the Fire Department perspective for the decisions on the shooting range and different parts for phasing should be by consensus of this committee and has been done that way and continue. As far as funding they should be optimistic that oil prices could change and that they should be ready with 35% for when things do change.

Mr. Smythe commented that within the Public Involvement memo in the packet there is a rough order of magnitude of costs that could be beneficial right now.

ADJOURN

There being no further business to come before the Committee the meeting adjourned at 6:47 p.m. The next regular meeting will be **WEDNESDAY, APRIL 1, 2015 AT 5:30 P.M.** at the City Hall in the Conference Room Upstairs at 491 E. Pioneer Avenue, Homer, and Alaska.

RENEE KRAUSE, CMC, DEPUTY CITY CLERK

Approved: _____