

Session 12-18 a Special Meeting of the Homer City Council was called to order on June 25, 2012 at 4:00 p.m. by Mayor James C. Hornaday 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: BURGESS, HOWARD, LEWIS, ROBERTS,
WYTHER, ZAK

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
CITY ATTORNEY KLINKNER (telephonic)

AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were no public comments.

NEW BUSINESS

- A. **Memorandum 12-099**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 2), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Subjects that Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion. (City Attorney Contract/Update on Tony Neal vs. City of Homer re: Deed Restriction Ben Walters Park - Beluga Lake Ice Skating)

Mayor Hornaday called for a motion for the approval of the recommendations of Memorandum 12-099 for Executive Session to discuss City Attorney Contract/Update on Tony Neal vs. City of Homer re: Deed Restriction Ben Walters Park - Beluga Lake Ice Skating.

WYTHER/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. ROBERTS, WYTHER, ZAK, HOWARD, BURGESS, LEWIS

Motion carried.

Council adjourned to Executive Session at 4:03 p.m. and reconvened the meeting at 4:36 p.m.

Mayor Pro Tempore Wyther reported Council conferred with the attorney and staff and provided direction for the Neal case and now are prepared to proceed with our pending business Resolution 12-053.

PENDING BUSINESS

- A. **Resolution 12-053**, A Resolution of the City Council of Homer, Alaska, Extending the Contract for General Counsel Legal Services with the Firm of Birch, Horton, Bittner, Inc. for the Period of August 1, 2012 through July 31, 2013 in the Amount of \$11,000.00 per Month and Authorizing the Mayor to Execute the Contract. City Clerk.

Resolution 12-053(S), A Resolution of the City Council of Homer, Alaska, Extending the City Attorney Contract with Birch, Horton, Bittner, Inc. for the Period of August 1, 2012 through July 31, 2016 in the Amount of \$11,000.00 per Month through July 31, 2014 and \$11,550.00 per Month Thereafter, and Authorizing the Mayor to Execute the Contract. City Clerk.

Motion on the floor from June 11: MOTION FOR THE ADOPTION OF RESOLUTION 12-053 BY READING OF TITLE ONLY.

LEWIS/WYTHE – MOVED TO SUBSTITUTE RESOLUTION 12-053(S) FOR RESOLUTION 12-053.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Motion carried.

COMMENTS OF THE AUDIENCE

There were no comments of the audience.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:39 p.m. The next Regular Meeting is Monday, July 23, 2012 at 6:00 p.m. and Committee of the Whole 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, CMC, CITY CLERK

Approved: _____