

Session 12-27 a Special Meeting of the Homer City Council was called to order on September 24, 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,
WYTHE, ZAK

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
ATTORNEY KOZIOL
ATTORNEY WELLS (telephonic)
AML/JIA EXECUTIVE DIRECTOR SMITH
POLICE CHIEF ROBL

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 comments of the public.

NEW BUSINESS

- A. **Memorandum 12-145**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(C)(1 & 5), Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney-client Privilege (Attorney Koziol Update on Pending Court Case: Dietzmann vs. City of Homer).

Mayor Hornaday called for a motion to approve the recommendations of Memorandum 12-145 to meet in Executive Session with Attorney Koziol to discuss court case Dietzmann vs. City of Homer.

WYTHE/LEWIS – SO MOVED.

City Manager Wrede requested Police Chief Robl be allowed to participate in Executive Session and City Attorney Wells be allowed to participate by phone. There was no objection from the Council.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Hornaday called for a motion to adjourn to Executive Session.

WYTHE/LEWIS – SO MOVED.

There was no discussion.

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

Motion carried.

Council adjourned to Executive Session at 4:02 p.m. and reconvened the meeting at 4:53 p.m.

Mayor Pro Tempore Wythe stated Council met with legal counsel and received an update regarding the Dietzmann case.

COMMENTS OF THE AUDIENCE

Donna Rae Faulkner, city resident, thanked everyone at election time for their service. She supports Council in taking a leadership role for banning plastic bags. It is an important issue for Homer. In many places there are bans that are successful.

Jane Crossett, Homer resident, opposes the ban on plastic bags. She lives on a limited income without functional plumbing. She uses the bags to line buckets, as a catch for the bathtub drain, and to store winter clothing.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:56 p.m. The next Regular Meeting is Monday, October 8, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. A Special Meeting is scheduled for Monday, October 15, 2012 at 6:00 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: _____