

Session 12-28 a Regular Meeting of the Homer City Council was called to order on September 24, 2012 at 6:00 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 PLANNER ABOUD
COMMUNITY & ECONOMIC DEVELOPMENT
COORDINATOR KOESTER
FINANCE DIRECTOR MAURAS
FIRE CHIEF PAINTER
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR PETERSEN
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Council met for a Special Meeting in Executive Session on court case Dietzmann vs. City of Homer from 4:00 p.m. to 4:56 p.m. Council met as a Committee of the Whole from 5:00 p.m. to 5:46 p.m. to discuss 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 agenda was approved by consensus of the Council with the following changes: **PUBLIC HEARINGS -2013-2018 Capital Improvement Plan & FY 2014 Legislative Requests**, Written public comment. **CITY MANAGER'S REPORT** - Kenai Peninsula Borough Local Disaster Emergency Declaration by Mayor Navarre. **PENDING BUSINESS - Mayor's Veto of Ordinance 12-36(A)**, An Ordinance of the Homer City Council, Enacting Homer City Code Chapter 5.42 Prohibiting Sellers from Providing Customers with Disposable Plastic Shopping Bags. Lewis/Burgess. Written public comment. **RESOLUTIONS - Resolution 12-082(S)**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Snow Removal and Sanding Services 2012/13, 2013/14, and 2014/15 to the Firm of **Clark Plowing of Homer, Alaska**, in the Amount of **\$680.00 Total Trip Bid and Pursuant to the Bid Schedule Submitted** and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Memorandum 12-150 from Public Works Superintendent as backup.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Mayor Hornaday displayed his cloth bag he won at the senior dance.

Brenda Dolma, city resident, supports Ordinance 12-36(A).

Deb Lowney, city resident, supports Ordinance 12-36(A). She noted the amount of trash in various areas of town. She discouraged people from picking up dog feces in the plastic bags; biodegradable bags should be used instead.

Roberta Highland, city resident, supports Ordinance 12-36(A). She opposes Resolution 12-081 as some people do not want or need natural gas. It is still a fossil fuel and still leaves a carbon footprint. She urged people to build smaller homes and wear long johns in the house.

Megan Murphy, Homer resident, supports Ordinance 12-45 as the HERC building can benefit many sectors of the community. She supports Ordinance 12-36(A) in conjunction with the Climate Action Plan.

Ralph Brosches, city resident, supports Ordinance 12-36(A).

Kevin Walker, Kachemak City resident, commented on Ordinance 12-36(A) and Resolution 12-081. He supports the ban on plastic bags. At the Kachemak City council meeting last week he learned the natural gas tariff is \$17 per ft., \$34 in Kachemak City, and \$31 in Homer. Enstar should tell us why the cost is so much greater than the tariff.

Rachel Lord, city resident, advocated for Ordinance 12-36(A). As a community we have a responsibility to know where trash goes. We should increase individual responsibility of waste management.

David Raskin, Kachemak City resident, supports Ordinance 12-36(A). Homer is dependent on ocean resources and halibut and salmon are contaminated by plastic bags. A simple solution is to use cloth bags.

Jack Wiles, Homer resident, supports Ordinance 12-36(A). The ban is for one category of plastic bags making it flexible for merchants and easy for the consumer. There are no places to recycle at McNeil, Anchor Point, or local businesses.

George Matz, Homer resident, supports Ordinance 12-36(A). He looks forward to having to change the plastic bag habit.

Billy Pepper, city resident, supports Ordinance 12-36(A).

Robert Archibald, city resident, supports Ordinance 12-36(A). He commented on Resolution 12-081 the gas pipe line that is funded by the State of Alaska and City of Homer. It will become the asset of a Canadian corporation. He is looking forward to more dialogue on the gas line.

Beth Cumming, city resident, supports Ordinance 12-36(A). We should eventually eliminate all plastics and all things dependable on petroleum, a non renewable resource.

Larry Sloan, city resident, urged Council to uphold the Mayor's veto of Ordinance 12-36(A). He opposes plastic bags because they are a blight on the landscape and degrade the environment. He suggested approaching it with a united front with everyone on board. Reintroduce it at the commission level and let it work its way up.

Sue Mauger, Homer resident, supports Ordinance 12-36(A). We are ready to get rid of plastics and the Council is not taking too much of a lead in banning the bags.

Rika Moew, city resident, supports Ordinance 12-36(A). It is either now or later. She admires the forward thinking of the Council in passing the ordinance once, consistent with the Climate Action Plan.

Sue Post, Homer resident and business owner, commented Costco has never used plastic bags and it has not affected their business. She supports Ordinance 12-36(A) and thinks it will be a great cottage industry for someone to make cloth bags.

Patrick Chandler, Homer resident, reported the Center for Alaskan Coastal Studies marine debris cleanup program removed thousands of pounds of debris from beaches, most of it plastics. He supports Ordinance 12-36(A) as a positive step with a long term effect on marine debris.

Will Slight, city resident, voiced support for Ordinance 12-36(A). He can't see viable businesses going under or anyone being burdened. Businesses will save money and the ban will enhance use of cardboard boxes. The sooner we take a small step to start, the better.

John Whittier, Homer resident, supports Ordinance 12-36(A) to create a healthy habitat and ocean. Banning plastic bags requires leadership and vision.

Kevin Kritz, city resident, supports Ordinance 12-36(A). The community of Modbury, England is similar to the size of Homer and a ban on plastic bags passed there. The ban will be successful, add revenue to the city, and makes good environmental sense.

Steve Collins, city resident, supports Ordinance 12-36(A).

Elizabeth Neumann, Anchor Point resident, supports Ordinance 12-36(A). There are no plastic bags in Portland, Oregon.

Ted Schmidt, Homer resident, mimicked Robert Archibald's comments on the gas line. The City and Borough are going to make out well with increased assessments on properties. People's finances are already stretched to the limit.

Amy Backus, city resident, supports Ordinance 12-36(A). Plastic bags have been banned in San Francisco for years.

Lee Post, Homer resident, supports Ordinance 12-36(A). Already 21 countries have banned plastic bag and 80 cities in the United States have banned bags. Homer is the first place to ban nuclear power.

Matt Tucker, Homer resident and teacher, supports Ordinance 12-36(A). Students will see progressive thinking and forward action.

Jeannie Walker, Kachemak City resident, supports Ordinance 12-36(A). She appreciates the argument that it should be education over legislation, but we have had decades of education with no impact.

Sharon Bauer, city resident, supports Ordinance 12-36(A).

Karin Marks, Homer resident and business owner, commented on Ordinance 12-36(A). Regardless of what happens there is a lot of good that has occurred. Small businesses seem to be singled out, but she will comply with the bag ordinance.

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 Special and Regular Meeting minutes of September 10, 2012. City Clerk. Recommend adoption.

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

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS

- A. **Old Town Neighborhood Association**, Brianna Allen and Asia Freeman, Pedestrian Safety

Asia Freeman and Brianna Allen presented a project to improve pedestrian safety in Old Town. In 1965 was the beginning of neglect to the area as infrastructure moved up the hill to safer areas of town. The community has slowly embraced the beauty of Old Town as the entrance to Islands and Ocean Visitor Center and Bishops Beach. Infrastructure is not really in place to insure safety for pedestrians and bicyclists. The narrow road has 8 ft. wide areas for walkways, not making it feasible for paths to be maintained by the City. The people's garden project is underway with a

\$5,000 grant to purchase fruit trees and edible berry bushes. Revocable pedestrian easements for pathways are being sought for people to walk safely. Murals have been painted on the Bunnell Avenue as a pull towards community, safety, and beautification.

Sharon Whytal works at the Public Health office in Old Town. She is aware of pedestrians in the area and appreciates the efforts of gentle signage. It is at a point where more attention is needed in the area. Homer has set healthy lifestyle choices as a priority and the greatest health impact is through walking.

Asked about revocable easements and if they had thought about a LID/SAD (Special Assessment District) for the sidewalks, Ms. Freeman answered the revocable easements are a good faith effort without binding people. It is an opportunity to share land with pedestrians. People will walk in a designated space. It is hoped to win landowners over to the idea of a permanent easement. The association is less interested in the idea of maintaining the existing traffic pattern. They would like main walks and side drives. As people approach the beach they will slow down. The area will have visual reminders, aesthetic enhancements, and speed deterrents.

B. Center for Alaskan Coastal Studies, Patrick Chandler, Marine Debris

Patrick Chandler, Center for Alaskan Coastal Studies, made a PowerPoint presentation on the debris on the beaches and the impact the Japan tsunami has had on marine debris. Alaska has one of the largest coastal areas with marine debris. Before tsunami debris arrived there have been a significant number of debris problems. For decades we have been getting debris from across the Pacific, Russia, China, Japan, local commercial fishing debris, and recreational debris. This year brought special concerns with tsunami debris showing up. Monitoring efforts started with NOAA and the Marine Conservation Alliance Foundation. Significant increases of Styrofoam have been found in Yakutat and Sitka.

The Alaska Department of Environmental Conservation is doing aerial surveying from Ketchikan to Dutch Harbor coastlines. They are videoing all beaches from south to north, flying at 500 to 1,000 ft. but you can zoom pictures into a 10 ft. perspective. Montague Island guards half of Prince William Sound. It has accumulated significant amounts of debris. The entire rec line is white with Styrofoam, blue board insulation and yellow polyurethane. The debris is coming from houses and buildings that were destroyed by the Japan tsunami. Hundreds of large Styrofoam buoys used as aquaculture in Japan and Korea have washed up. An incredible amount of debris is out there with a huge amount of Styrofoam. In Kachemak Bay we are seeing scattered items, including kerosene canisters. There will be disposal issues with the big influx of marine debris coming in. Container spill debris and water bottles are also common in Alaska. As a Homer project, sculptures are being made of the plastic debris to promote awareness of marine debris. Citizens may get involved in the cleanup effort through the Center for Alaskan Coastal Studies.

C. Tidal Incubator Project, Representative Paul Seaton and Kris Holderied, NOAA

Representative Seaton and Kris Holderied of NOAA presented the Tidal Incubator Project, a collaboration of various entities for tidal energy research. The Homer test site will take

advantage of Kachemak Bay's model location for such a project, including its proximity to the electric grid, shore support, Deep Water Dock, extreme tides, clear water, marine trades and research institutions. Currently the group includes the City of Homer, Kenai Peninsula Borough, NOAA Kasitsna Bay Laboratory, University of Alaska Anchorage, Dean of Department Engineering Anchorage, private industry, Kachemak Bay Research Reserve, Homer Electric Association, Department of Energy, and Homer Chamber of Commerce. They are looking forward to developing a project that will be meaningful and receive funding from the State. Most cities around Alaska are on the coast and all have docks. If we can develop something that can utilize the dock structure we will be able to integrate it in. It will be a test bed for sensors and instruments. An anchoring system on the Deep Water Dock would be an area that people could plug into. Representative Seaton suggested Council might want someone from the Economic Development Advisory Commission to be involved. It will be a very big economic generator for the City. Significant amounts of money are put into developing tidal energy.

Kris Holderied, NOAA representative, added good site characterization is required for this kind of test bed. Homer already has a lot of what they look for. Tidal currents are close to the electrical grid, we have dock infrastructure, we have backbone information that includes sea floor mapping, far field and current meter data from NOAA, and a circulation model by NOAA. Kachemak Bay Research Reserve has weather, water quality, and habitat mapping data. There are local resources and partnerships between local, State, Federal, and University folks already in play. We have the place, group of people, expertise, and information. Benefits include the development of renewal energy for coastal communities and the ability to test marine sensors for research purposes, for the oil and gas industry, and for marine science and industry needs. It could be a good growth industry by bringing good jobs to the community.

**ANNOUNCEMENTS/PRESENTATIONS/BOROUGH
REPORTS**

REPORT/COMMISSION

A. Mayor's Recognition – Homer Volunteer Fire Department, 60 years

Mayor Hornaday read and presented the recognition to Fire Chief Bob Painter.

Mayor Hornaday called for a recess at 7:39 p.m. and reconvened the meeting at 7:45 p.m.

B. Borough Report

C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

Robert Archibald, Parks and Recreation Advisory Commissioner, reported on the numerous park projects underway. HoPP (Homer Playground Project) recently had a workday at Karen Hornaday Park spreading gravel and wood chips. Public Works has been working on drainage at the park, but it will require more funding to find a solution. There is now funding for Jack Gist Park. The Spit trail is being engineered and designed and will be a real asset for the community. Mariner Park driveway will be removed and relocated. The old Beluga Slough Trail has been removed and the new material is going in. In budget preparations he hopes Council looks at parks and recreation funding favorably.

5. Port and Harbor Advisory Commission

PUBLIC HEARING(S)

A. 2013-2018 Capital Improvement Plan & FY 2014 Legislative Requests

Mayor Hornaday opened the public hearing.

Kris Holderied, city resident, supports funding for the Pratt Museum as a high priority in the CIP. It is a crucial time for the Pratt with the new building project. The schematic design for the new building is amazing with climate control, room for research on collections, and ease of getting exhibits in the building.

Carol Swartz, area resident, supports the Pratt Museum's new facility. The project promotes economic vitality by strengthening the arts industry and promoting arts as a complement to tourism and industry. She asked that the Pratt be placed as high on the CIP as possible. At this time 22% of the project cost has been secured in cash and pledges.

Mayor Hornaday closed the public hearing.

B. **Ordinance 12-42**, An Ordinance of the City Council of Homer, Alaska, Approving the Purchase Agreement and Appropriating Funds in the Amount of \$106,000 for the Acquisition of Lot 75, Bunnells Subdivision. City Manager. Introduction September 10, 2012, Public Hearing and Second Reading September 24, 2012.

Memorandum 12-093 from Public Works Director as backup.

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

Mayor Hornaday called for a motion for the adoption of Ordinance 12-42 by reading of title only for second and final reading.

WYTHE/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- A. **Ordinance 12-43**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Legislative Grant in the Amount of \$100,000 for Dredging at the Nick Dudiak Fishing Lagoon. City Manager. Recommended dates: Introduction September 24, 2012, Public Hearing and Second Reading October 8, 2012.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-43 for introduction and first reading by reading of title only.

LEWIS/WYTHE- SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Ordinance 12-44**, An Ordinance of the City Council of Homer, Alaska, Amending the 2012 Operating Budget by Appropriating \$155,000 from the General Fund for the Nick Dudiak Fishing Lagoon Dredging Project. City Manager. Recommended Dates: Introduction September 24, 2012, Public Hearing And Second Reading October 8, 2012.

Memorandum 12-147 from Public Works Director as backup.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-44 for introduction and first reading by reading of title only.

WYTHE/LEWIS - SO MOVED.

WYTHE/ROBERTS – MOVED TO AMEND THE TITLE AND SECTION 1 AND ADD AN ADDITIONAL ACCOUNTING LINE: APPROPRIATING \$100,000 FROM THE FISHING HOLE FUND AND THE REMAINING \$55,000 FROM THE GENERAL FUND; ON THE ACCOUNTING LINE ADD THE APPROPRIATE ACCOUNT FOR THAT MONEY THAT WAS ALREADY ALLOCATED FOR THE FISHING HOLE FUND.

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

Motion carried.

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

Motion carried.

- C. **Ordinance 12-45**, An Ordinance of the City Council of Homer, Alaska, Appropriating \$15,000 from the Leased Property Reserve Account for an Engineering Review and Report Regarding Code Compliance Related Improvements that Might be Required at the Homer Education and Recreation Complex (HERC Building) if There is a Change in Occupancy. City Manager. Recommended Dates: Introduction September 24, 2012, Public Hearing And Second Reading October 8, 2012.

Mayor Hornaday called for a motion for the adoption of Ordinance 12-45 for introduction and first reading by reading of title only.

WYTHE/BURGESS – SO MOVED.

Councilmember Wythe commented the engineering review is an important step as it will identify what updates are required for using the building for alternative uses.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 12-148 from Community and Economic Development Coordinator, Re: 2013 Economic Outlook Forum Sponsorship
2. Memorandum 12-149 from Art Selection Committee for Public Restroom Projects, Re: Recommendation to Re-Advertise the Request for Proposals

City Manager Wrede reported the Budget 2013 will be delivered to Council this week. There are parts of the budget he is pleased about, but other parts are a struggle. He is proud to say the water/sewer budget is balanced and looking good. The Port and Harbor Enterprise Fund is doing well. Fees were raised recently to grow the deprecation fund and pay for the bond sale. Fees for operations were not raised, but continue to go up. The General Fund is a different story. He is struggling with a \$300,000 deficit to balance it. There is an astronomical increase in the cost of health care insurance. It is causing us to put some things on hold that we should be doing.

City Manager Wrede noted Katie's memo on the Economic Outlook Forum. They will be holding their forum in Homer and it will draw a lot of people from all over. He asked for Council's input in spending \$1,000 to sponsor the event. It is customary for the sponsor of the event to pay a portion of the cost. There was no input or objection from the Council.

B. Bid Report

CITY ATTORNEY REPORT

COMMITTEE REPORT

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee
- D. Lease Committee
- E. Port and Harbor Improvement Committee
- F. Employee Committee Report
- G. Water and Sewer Rate Task Force

PENDING BUSINESS

- A. **Ordinance 12-36(A)**, An Ordinance of the Homer City Council, Enacting Homer City Code Chapter 5.42 Prohibiting Sellers from Providing Customers with Disposable Plastic Shopping Bags. Lewis/Burgess. (Vetoed by Mayor Hornaday September 7, 2012)

Memorandum 12-143 from City Clerk as backup.

Mayor Hornaday called for a motion to override Mayor's veto of Ordinance 12-36(A).

LEWIS/BURGESS – SO MOVED.

Councilmember Burgess reminded everyone this only restricts the use of sellers providing a very specific type of thin walled plastic bags. You can still use plastic bags for fruit, vegetables, medicine, and a host of other items. The resolution ensures retailers can use their existing supplies until they are all gone, even past the implementation date. There is plenty of time before the plastic bag ban implementation date (January 1, 2013).

Councilmember Wythe will continue to oppose the plastic bag ban, not because she is a great supporter or non supporter of plastic bags. A number of people testified tonight in opposition and they themselves said they have difficulty using a cloth bag. If you are a prominent supporter of getting rid of the plastic bag and you cannot yourself use a regular shopping bag, that to her says something. We do not need to be forced to have a conscious decision as to how we treat our environment. There is a petition signed by over 300 people and that is their point too. It is not that they are opposed to plastic bags; they are opposed to being required to do something by this Council. Every person has the choice. People do not want Council telling them what they can or cannot do.

Councilmember Roberts will continue to support banning plastic bags. She has thought about it a lot and talked about it to many people. The ordinance as written could have some changes. She would like to hear from the business community. The Climate Action Plan was passed and many of the goals in the plan are similar to the plastic bag ban. Another councilmember commented that the business community can take care of this. Two years ago Councilmember Lewis brought forward a similar ordinance to charge 25¢ per bag and there have been no changes since then.

Councilmember Howard will support the Mayor's veto. She thanked the writers of the ordinance for bringing it forward. She has pledged to her children to use cloth bags; she just doesn't like the idea of being told to do it.

Councilmember Burgess commented it is an issue of public health and greatly impacts the maritime community. He asked that a viable alternative be brought forward from the public if they have one.

VOTE: YES. ROBERTS, ZAK, BURGESS, LEWIS

VOTE: NO. WYTHE, HOWARD

Motion carried.

Ordinance 12-36(A) stands as adopted August 27th with an effective date of January 1, 2013.

NEW BUSINESS

- A. **Memorandum 12-146** from Deputy City Clerk, Re: Confirmation of Election Workers for the Regular City of Homer Election - October 2, 2012 and All Processes Thereof Pursuant to Homer City Code and Deemed Necessary by the City Clerk. Page 133

Mayor Hornaday called for a motion to approve the recommendations of Memorandum 12-146 to confirm election workers for the October 2nd election.

WYTHE/BURGESS – SO MOVED.

Councilmember Howard thanked the folks that step up for the duty. It requires long hours but is a necessary task.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

- A. **Resolution 12-081**, A Resolution of the City Council of Homer, Alaska, Accepting and Approving the Improvement Plan Submitted by the City Manager for the Proposed Natural Gas Distribution System Special Assessment District. City Manager.

Mayor Hornaday called for a motion for the adoption of Resolution 12-081 by reading of title only.

BURGESS/LEWIS – SO MOVED.

Councilmember Wythe recused herself due to her ongoing conflict of interest on the natural gas line. Mayor Hornaday excused her from participation.

City Manager Wrede reported we are on a tight time schedule to have any chance of starting construction next year. We are targeting the end of January to have the Special Assessment District (SAD) approved if Council agrees to go that direction.

Charlie Pierce, Division Manager for Enstar, answered a question posed by Councilmember Lewis: If one subdivision opposed the district, could they opt out of the city-wide SAD? Mr. Pierce answered the gas would still need to go through the subdivision that opted out to make the gas flow; therefore it would not be possible to have areas throughout the city opting out. Enstar worked with the City Planners and looked for areas that could be served and eliminated areas that were undeveloped and not served.

Mayor Hornaday called attention to Kachemak Drive with its three separate water and sewer districts. There is a group in the middle that doesn't want water and sewer services and we have to slush water back and forth.

Council adopted Resolution 12-069 on July 23rd establishing natural gas as a city-wide SAD.

Mr. Pierce was asked by Councilmember Burgess to provide assurance to the public why we are taking public funds and giving them to a private entity to build the gas line. Mr. Pierce answered Enstar is a 50 year old company and has had numerous owners over that period. He has been with Enstar for 34 years. Enstar has established a reputable record with a history of running a conservative and safe company, and using the most modern materials for construction of facilities. They follow the most stringent current DOT codes and regulations for the design and construction of any facility. Enstar has some of the best employees in the industry that provide services every day.

Councilmember Burgess asked Mr. Pierce if Enstar encountered horrible economic catastrophe and was bought out by another company that did not hold Enstar's ideals, what is the worst case scenario for the City of Homer? Mr. Pierce answered utilities are generally very consistent and predictable. You do not have to worry about a utility going broke. The Regulatory Commission of Alaska (RCA) oversees and audits their books, and approves any new ownership. The RCA has approved AltaGas Ltd., Enstar's new owner. Prior to AltaGas Ltd., Enstar was owned by Semco Energy, Inc. and still remains a subsidiary of Semco. He doesn't see any concerns. If Enstar is not here running the utility there will be an operator here running the utility and the RCA will be overseeing the rules and regulations they operate under via the tariff.

Councilmember Burgess noted the benefits of a city-wide SAD are extremely low costs to the end user and low financing rates. If it was profitable for a private entity to build the gas line they

would have already done it. The alternative is for the City to become a utility and that would be bad. We are trying to get the best of both worlds. There are checks in place to ensure a private entity follows through with the commitment. Every councilmember is committed to reviewing the contract in detail to avoid fiascos such as the Seawall and other city projects.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Manager Wrede announced there are three neighborhood meetings for the natural gas line scheduled for October 16, 17, and 29 at the Homer High School Commons. The natural gas website is up and running: <http://www.cityofhomer-ak.gov/naturalgas>

Councilmember Wythe returned to her seat.

B. **Resolution 12-082**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Snow Removal and Sanding Services 2012/13, 2013/14, and 2014/15 to the Firm of _____ of _____, _____, in the Amount of \$_____ and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Resolution 12-082(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Snow Removal and Sanding Services 2012/13, 2013/14, and 2014/15 to the Firm of **Clark Plowing** of **Homer, Alaska**, in the Amount of **\$680.00 Total trip Bid and Pursuant to the Bid Schedule Submitted** and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director.

Memorandum 12-150 from Public Works Superintendent as backup.

Mayor Hornaday called for a motion for the adoption of Resolution 12-082 by reading of title only.

LEWIS/WYTHER - SO MOVED.

Mayor Hornaday called for a motion to substitute Resolution 12-082(S) for Resolution 12-082.

LEWIS/WYTHER – SO MOVED.

There was no discussion.

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

Motion carried.

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

Motion carried.

COMMENTS OF THE AUDIENCE

Roberta Highland, city resident, thanked the Mayor and Council for their service. She is excited about the plastic bag situation to see what we can do with it.

Robert Archibald, city resident, commented it is an honor to be in meetings with the Mayor as he runs a tight ship. He hopes the Mayor enjoys what he does henceforth. Tough decisions were made tonight.

Larry Slone, city resident, commented Ms. Wythe spoke very well on the veto override, explaining her reasoning. Council is compelling a significant portion of the community to comply with the plastic bag ban, a very brutal means of accomplishing this task.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

COMMENTS OF THE CITY CLERK

City Clerk Johnson announced absentee voting continues through October 1st at the Clerk's office during regular business hours. She encouraged everyone to get out and vote on October 2nd.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

COMMENTS OF THE MAYOR

Mayor Hornaday commented the services for Don Ronda who passed away were Sunday. There was a good turnout. We have lost a lot of city leaders since he has been here, including Leo Rhode, Hazel Heath, Bob Gervis, Harry Gregoire, and Dennis Novak. One thing they all had in common was a deep love for this funny little town at the end of the road, our cosmic hamlet by the sea.

COMMENTS OF THE CITY COUNCIL

Councilmember Wythe would like people to get out and vote. She is more interested in the volume of people participating than in the direction that they vote. We have a small turnout on a regular basis and she would like to see a larger number. As to the plastic bag ordinance, people should have the ability to choose and select. She hopes it does not turn into a bigger issue and that we can all move forward for it.

Councilmember Lewis asked everyone to get out and vote please.

Councilmember Zak reiterated the pleasure it is to serve with Mayor Hornaday. He will not look forward to losing him on the Council. He thanked the Mayor for his service, the way he runs the meetings, and what he has given to Alaska, not just Homer. He thanked the people that came out and spoke tonight and raised Council's awareness. And it took a plastic bag ordinance to do it! It was the Climate Action Plan before that we have kind of forgotten about. It raised the community's awareness and he would like hear the momentum is spreading. He is looking forward to continuing to serve.

Councilmember Roberts reminded everyone it is Homer High School homecoming weekend. It's blue and gold weekend, a homecoming game Saturday night, and a bonfire Friday night. She invited all to come and enjoy the homecoming.

Councilmember Burgess sent a special thank you to city staff for working so hard on putting the natural gas line packet together. Staff has been putting in some serious long hours. Your City is working really hard to make sure the public is informed and your voice is heard in the process. Please use them and understand how hard they are working for us. Mayor Hornaday is synonymous of what he thinks of when he thinks of a mayor. For as long as he has lived here Mayor Hornaday has been mayor. There are some large shoes to fill.

Councilmember Howard had no comment.

ADJOURNMENT

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 8:32 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: _____