

Session 14-02 a Special Meeting of the Homer City Council was called to order on January 27, 2014 at 4:00 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.

<b>PRESENT:</b>	<b>COUNCILMEMBERS:</b>	BURGESS, LEWIS, ROBERTS, VAN DYKE, ZAK
	<b>ABSENT:</b>	HOWARD (excused)
	<b>STAFF:</b>	CITY MANAGER WREDE CITY CLERK JOHNSON CITY ATTORNEY KLINKNER (telephonic in Executive Session) IT MANAGER POOLOS PERSONNEL DIRECTOR PETERSEN

Councilmember Howard has requested excusal.

Mayor Wythe declared Councilmember Howard's absence as excused. There was no objection from the Council.

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

Mayor Wythe called for a motion to approve the agenda as presented.

LEWIS/ROBERTS – SO MOVED.

Councilmember Burgess arrived at 4:03 p.m.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Ken Castner, city resident, commented on the lawsuit and the City's objection to his claim for attorney fees.

Kevin Hogan, city resident, commented on the time and expense of the lawsuit and Administration's comments on the decision.

## **NEW BUSINESS**

- A. **Memorandum 14-012**, From City Clerk, Re: Request for Executive Session Pursuant to AS §44.62.310(A-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 (A Legal Briefing on Castner vs. City of Homer).

Mayor Wythe called for a motion for approval of the recommendations of Memorandum 14-012 to meet in Executive Session to hear a legal briefing on Castner vs. City of Homer.

VAN DYKE/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

LEWIS/ROBERTS – SO MOVED.

There was no discussion.

VOTE: YES. LEWIS, BURGESS, ROBERTS, ZAK, VAN DYKE

Motion carried.

Council adjourned to Executive Session at 4:10 p.m. and reconvened the meeting at 4:36 p.m.

Mayor Pro Tempore Roberts stated the attorney briefed us on the Castner case and we gave the attorney advice on how to proceed.

## **COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

## **ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 4:37 p.m. The next Regular Meeting is Monday, February 10, 2014 at 6:00 p.m., Committee of the Whole 5:00 p.m., and a Worksession at 4:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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JO JOHNSON, MMC, CITY CLERK

Approved: \_\_\_\_\_