

Session 18-13 a Regular Meeting of the Homer City Council was called to order on May 14, 2018 at 6:00 p.m. by Mayor Bryan Zak at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: ADERHOLD, ERICKSON LORD, SMITH, STROOZAS, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
CITY ATTORNEY WELLS
HARBORMASTER HAWKINS
LIBRARY DIRECTOR DIXON

Council met at 3:30 for a Special Meeting to hold two executive sessions and as Committee of the Whole at 5:00 to discuss consent agenda and 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 2.08.040.)

The following changes were made: CONSENT AGENDA Memorandum 18-056 from Mayor Zak Re: Appointments of Larry Slone, Michael Haines, Paul Knight, Karin Marks, Chrisi Matthews, Barry Reiss, and David Derry to the HERC Task Force. Written public comment. PUBLIC HEARING Ordinance 18-23(S), An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating an FY 2015 State Homeland Security Program Reallocation Grant for an Amount not to Exceed \$51,912.00 to Replace Mobile Radios in the City's **Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents.** City Manager. Attachment to Memorandum 18-060 as backup. PENDING BUSINESS Resolution 18-041(S), A Resolution of the Homer City Council Amending the Fee Schedule under Port and Harbor Department and Port of Homer Terminal Tariff No. 1 to add a ~~\$5~~ \$7.00 Parking fee Impact Levy for Vehicles and Trailers Utilizing the Small Boat Harbor Public Launch Ramp. Smith/Port & Harbor Advisory Commission. RESOLUTIONS Resolution 18-046, A Resolution of the City Council of Homer, Alaska, Providing Scoping Comment on the U.S. Army Corps of Engineers Regulatory Division Permit Application POA-2017-271 for the Proposed Pebble Project. Aderhold. Written public comment; and Resolution 18-048(S), A Resolution of the City Council of Homer, Alaska, awarding the 2018 Septic Tank Pumping Contract to the firm of Quality Septic, LLC of Eagle River, Alaska, in the amount of \$32,053 and authorizes the City Manager to execute the appropriate documents. Memorandum 18-066 from Public Works Inspector as backup

ADERHOLD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

A. Peace Officers Week May 14-18

Councilmember Stroozas read and presented the Proclamation to Sergeant Dave Shealy and Officer Morgan Tracy. Sergeant Shealy thanked Mayor and Council for the proclamation. The proclamation means a lot to the officers here and nationwide who deal with the daily tasks of police work. **It's good to be able to have the recognition of the officers and honor the officer that have given the ultimate sacrifice in the line of duty.**

C. Kids to Park Day May 19

Councilmember Smith read the proclamation.

D. National Public Works Week May 20-26

Councilmember Aderhold read the proclamation.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Deb Lowney, city resident, commented in support of appointing a member of the Parks Art Recreation and Culture Advisory Commission to the HERC Task Force, and appreciated the Kids to Park Day Proclamation.

McKibben Jackinsky, city resident, commented in opposition to Resolution 18-045. A written copy of her comments was included as a laydown.

Ron Keffer, city resident, commented in support of appointing a member of the Parks Art Recreation and Culture Advisory Commission and a Council member to the HERC Task Force, and in opposition to Resolution 18-045.

Holly Van Pelt, city resident, commented in support of appointing a member of the Parks Art Recreation and Culture Advisory Commission and a Council member to the HERC Task Force.

Larry Slone, city resident, commented in support of the appointment of the HERC Task Force as presented in the packet.

Robert Archibald, city resident, commented in opposition to Resolution 18-046.

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 Regular Meeting Minutes of April 23, 2018. City Clerk. Recommend adoption.
- B. Memorandum 18-056 from Mayor Zak Re: Appointments of Larry Slone, Michael Haines, Paul Knight, Karin Marks, Chrisi Matthews, Barry Reiss, and David Derry to the HERC Task Force. Recommend Approval.

Moved to New Business item C. - Aderhold

- C. Memorandum 18-057 from City Clerk Re: Travel Authorization for Attendance at Kenai Peninsula Borough Joint Worksession. Recommend Approval.
- D. Ordinance 18-28, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Land and Water Conservation Fund Grant in the Amount of \$263,340 to Replace the Ramp 2 Restroom and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates Introduction May 14, 2018 Public Hearing and Second Reading May 29, 2018

Memorandum 18-058 from Special Projects & Communications Coordinator Carroll as backup

- E. Resolution 18-043, A Resolution of the Homer City Council Approving a One Year Extension of the Prisoner Meal Contract with Homer Senior Center, Inc. City Clerk. Recommend adoption.
- G. Resolution 18-044, A Resolution of the City Council of Homer, Alaska, Opposing HB 409 – An Act Relating to Identification Cards; Relating to Permanent Motor Vehicle Registration; Relating to Vehicle Registration Rates; Relating to Changes of Address; **Relating to Driver’s License Fees**; and Relating to Financial Responsibility for Motor Vehicles. Aderhold. Recommend adoption.
- H. Resolution 18-045, A Resolution of the City Council of Homer, Alaska, Supporting the **Community Advisory Council’s Request to the Alaska Legislature** for Support of Alaska Gasline Development Corporation Third Party Program Receipt Authority. Stroozas. Recommend adoption.

Moved to Resolutions item D. - Aderhold

City Clerk Jacobsen read the consent agenda as amended.

ADERHOLD/LORD MOVED TO ADOPT THE CONSENT AGENDA AS READ

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- A. KPBSD After School Program - Eric Waltenbaugh, Principal West Homer Elementary, Todd Hindman Principal Fireweed Academy, and Eric Pederson, Principal Paul Banks Elementary (10 minutes)

Principals Waltenbaugh, Hindman, and Pederson presented to the Council on the need for consistent after school programs that addressed the hardship of afterschool care for our students. The data in the packet from the most recent survey still shows a lot of support from families. They met with the Boys and Girls Club, it was their desire for the club to come in and use the schools and partner with them, but they have declined to open a clubhouse here. They reviewed some of the after school programs available through the schools currently, but they operate two or three times a week for a limited time. What they are hearing from parents is it **doesn’t meet the need for consistent, quality afterschool** care they can count on. The Borough

has agreed to partner and support the program in covering costs for the use and maintenance of the buildings. Their request for the City is to partner with the schools to develop a program like Boys and Girls Club and provide financial assistance for the program. The estimate for the cost of running a program at both buildings will be about \$95,000 per year in personnel salary. The amount is offset based on a competitive pricing of the program.

Brief discussion followed, and Councilmembers Lord and Venuti commented they would discuss this with the City Manager and consider this request.

ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS
(10 minute limit per report)

Assembly member Cooper commented the afterschool program is a wonderful plan and envisions it would eventually become a non-profit that could accept donations and funds. She looks forward to hearing more. She reported on the upcoming final budget worksession and reviewed the proposals being considered. **The Mayor's budget proposes-**

- **\$820,000 for the Kenai Peninsula College, it's lower than last year's budgeted amount**
- **\$100,000 for Kenai Peninsula Tourism and Marketing Council Mayor's a cut from \$306,000**
- \$100,000 for Kenai Peninsula Economic Development District up from \$75,000
- \$100,000 for Small Business Development Center from \$94,000

Other budget items being considered by the Assembly meeting-

- School district funding which is still \$658,000 below the cap
- Mil Rate for this year and a 5% sales tax increase
- Facing a \$4 million deficit this year
- Flat sales tax and mil rate for 10 years
- A proposal to raise the mil rate six tenths of 1 mil for this coming year, then half percent sales tax increase on the ballot and if it passes the mil rate reverts back to the 4.5; and if the Borough ever raises mil rate above 4.5, the half percent sales tax sunsets.
- **The Mayor's \$4.5 million land trust transfer is up for reconsideration, it failed with the assembly last time.**
- Kachemak Silo deed funds are \$8.9 million, the bond issue on the ballot will be for \$3.5 million. It equates to \$1.05 per \$100,000 of taxable value on properties.
- A laydown has been presented for a 12% bed tax, and it would be exempt from Borough sales tax.
- An ordinance to appeal the sales tax exemption for non-prepared foods.

She heard loud and clear from municipalities last week, when the Borough does large or multiple sales tax increases, **we hurt the city's ability to raise funds they need. She shared other features of the proposed budget and said the final hearing on the budget will be June 5th.** She also reported the ordinance amending the hospital boundary has been postponed to June 19th.

- B. Commissions/Board Reports:
1. Library Advisory Board

Mark Massion, Library Advisory **Boardmember reported on the Board's work on library copy fees and their recommendation not to increase the fees, and the appointment of the student who applied for the Student Representative seat on the Board. He also commented about the Reciprocal Book Borrowing Program, the Bookmobile is getting started again, Chess Camp for kids for 6-12-yearolds. The Board doesn't meet again until August.**

2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission
 - a. Memorandum from Parks, Art, Recreation and Culture Advisory Commission Re: Support for Trail Design Funding

Robert Archibald, Parks Art Recreation and Culture Advisory Commissioner, reported the Commission heard a presentation from Joel Cooper regarding the ADA Accessible Trail plan for the KHLT Property and they support the City providing HART funds for the design of the trail. They approved a recommendation that the improvement of the ADA **ramp at the Fishin' Hole** be included on the CIP. Mr. Archibald noted there may be money from Fish and Game for the improvements and recognized Dave Brann who went out and shoveled off the ramp, which helped draw attention to the need for improvements. The Commission held a worksession at Hornaday Park to discuss safety improvements to the park road per the memo from Councilmember Stroozas, and they continue to discuss the safety signage.

5. Port and Harbor Advisory Commission

Port and Harbor Advisory Commissioners Mike Stockburger and Steve Zimmerman commented the Commission has been working on the lease policy ordinance and request Council postpone Ordinance 18-16 to their June 11th meeting to allow the Commission an opportunity to finish their review at their May 23rd meeting. They also commented on the Commissions support of Resolution 18-041 to institute a parking levy for vehicles and trailers launching at the public ramp. They recommended a levy of \$7.00 per launch and \$70 per year. They also support implementing the fee as soon as the harbor staff can, and request the revenue not be earmarked but for general harbor use.

Mayor Zak called for a recess at 7:20 p.m. The meeting resumed at 7:25 p.m.

PUBLIC HEARING(S)

- A. Ordinance 18-16, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 18.08, Codifying Certain Lease Policy and Procedures; Expanding Lease Review to include Recommendations by Appropriate City Commissions; Removing References to the Lease Committee; and Requiring Essential Lease Terms to be Approved by City Council. Erickson/Smith. Introduction March 27, 2018, Refer to Port and Harbor Advisory Commission; Second Reading and Public Hearing May 14, 2018.

Memorandum 18-035 from City Attorney as backup

Memorandum 18-059 from Port and Harbor Advisory Commission as backup

Mayor Zak opened the public hearing.

Ron Keffer, city resident, encouraged Council to take their time with changes to the lease policies. **He doesn't see a great need to make these changes.**

There were no further comments and the hearing was closed.

SMITH/ERICKSON MOVED TO POSTPONE ORDINANCE 18-16 TO ALLOW THE PORT AND HARBOR COMMISSION TIME TO COMPLETE THEIR REVIEW.

There were brief comments in support of the postponement.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- B. Ordinance 18-20, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 19.04.050 "Cemetery Lot Deeds – Issuance by City" and 19.04.050 "Cemetery Lot Deeds – Transfer or Assignment". City Clerk. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Memorandum 18-047 from City Clerk as backup

Mayor Zak opened the public hearing.

There were no public comments and the hearing was closed.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 18-20 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- C. Ordinance 18-21, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 4.10.010(a) “Declaration of Candidacy - Time” and Homer City Code 4.20.010 “Election Board” to Allow Students at Least 16 Years of Age and Qualified Through the Youth Vote Ambassador Program Outlined in Alaska Statutes 15.10.108 to Serve as Election Judges in City Elections. City Clerk. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Mayor Zak opened the public hearing.

There were no public comments and the hearing was closed.

VENUTI/ADERHOLD MOVED TO ADOPT ORDINANCE 18-21 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- D. Ordinance 18-22, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for Calendar Year 2017 in the Amount of \$31,532.50 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Mayor Zak opened the public hearing.

There were no public comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 18-22 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- E. Ordinance 18-23, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating an FY 2015 State Homeland Security Program Reallocation Grant for an Amount not to Exceed \$51,912.00 to Replace Mobile Radios in the City's Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Ordinance 18-23(S), An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating an FY 2015 State Homeland Security Program Reallocation Grant for an Amount not to Exceed ~~\$51,912.00~~ \$26,874.51 to Replace Mobile Radios in the City's Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Memorandum 18-060 from Special Projects & Communications Coordinator Carroll as backup

Mayor Zak opened the public hearing.

There were no public comments and the hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 18-23 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

LORD/ADERHOLD MOVED TO SUBSTITUTE 18-23(s) FOR 18-23

There was no discussion.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion on Ordinance 18-23(A)

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- F. Ordinance 18-24, An Ordinance of the City Council of Homer, Alaska, Amending the FY18 Operating Budget by Authorizing the Expenditure of an Additional \$79,452 from the Homer Accelerated Road & Trail Fund to Complete the Greatland Street Extension. City Manager/Public Works Director. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Memorandum 18-050 from Public Works Director as backup

Mayor Zak opened the public hearing.

There were no public comments and the hearing was closed.

ADERHOLD/SMITH MOVED TO ADOPT ORDINANCE 18-24 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- G. Ordinance 18-25(A), An Ordinance of the City Council of Homer, Alaska Amending the FY2018 Capital Budget by Appropriating ~~\$102,500~~ \$37,500 from the Police Station Reserve for the Purpose of Funding ~~10% Design~~, Geotechnical Investigation and Site Survey for the New Police Station. Mayor/Council. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Mayor Zak opened the public hearing.

There were no public comments and the hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 18-25 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

H. Ordinance 18-26(A), An Ordinance of the City Council of Homer, Alaska Authorizing the City to Issue General Obligation Bonds in the Principal Amount of not to Exceed \$5,000,000 to Finance Public Safety Operating and Infrastructure, Including Construction of a Police Station; Amending HCC 9.16.100 to Provide for an Increase in the Rate of City Sales Tax From 4.5% to 5.5% from June 1 through August 31, with .8% 4.85%, with .05% of the Increase Providing Funds to Pay Debt Service on the General Obligation Bonds and Expiring on ~~August~~ December 31 of the Year when the City has Received Sufficient Funds from the Increase to Pay all of that Debt Service; and Submitting the Question of the Issuance of Such Bonds and Such Sales Tax Rate Increase to the Qualified Voters of the City at the ~~October 2, 2018 Regular~~ June 26, 2018 Special Election Mayor/Council. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Ordinance 18-26(A)(S), An Ordinance of The City Council of Homer, Alaska, Authorizing the City to Issue General Obligation Bonds in the Principal Amount not to Exceed \$5,000,000 to Finance the Acquisition and Construction of a Police Station; Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax from 4.5% to 5.5% ~~From June 1 Through August 31, With 0.8%~~ 4.85% With 0.3% of the Increased ~~Rate To Provide~~ Providing Funds to Pay Debt Service on the General Obligation Bonds ~~With 0.8%~~ 0.3% Of The Sales Tax Rate Increase And Expiring On ~~August~~ December 31 of the Year when the City has Received Sufficient Funds from ~~that 0.3% Sales Tax Rate~~ the Increase to Pay all of that Debt Service; ~~and Submitting~~ the Question of the Issuance of Such Bonds and Such Sales Tax Rate Increase to the Qualified Voters of the City at a Special Election to be Held on the October 2 June 26, 2018 Regular Election. Mayor/Council.

Memorandum 18-051 from City Manager as backup

Mayor Zak opened the public hearing.

Ron Keffer, city resident, commented in support of Ordinance 18-26(A)(S) with the exception of the special election. He thinks it will have a better chance of passing in the fall.

Deb Lowney, city resident, agrees with Mr. Keffer. She also has concerns about the June date for a special election.

There were no public comments and the hearing was closed.

ADERHOLD/ERICKSON MOVED TO ADOPT ORDINANCE 18-25(A) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

LORD/ADERHOLD MOVED TO SUBSTITUTE 18-25(A)(s) FOR 18-25(A)

There was no discussion.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Smith initiated discussion about including language on .05% of sale tax that will remain after the bond debt is paid off. Currently the language only references that of the .35% sales tax increase, .3% will expire once the bond is paid off, **but doesn't address the** remaining .05%.

Some members agreed with Councilmember Smith and others felt the language was clear and no change is needed.

City Attorney Wells explained Attorney Klinkner has reviewed the ordinance and ballot language to ensure validity of the bond process. She suggested they could amend line 102 to read 0.35% sales tax rate increased from 4.5% to 4.85%. That may improve the clarity of the question.

ADERHOLD/LORD MOVED TO AMEND LINE 102 TO READ 0.35% SALES TAX RATE INCREASED FROM 4.5% TO 4.85%

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ADERHOLD/VENUTI MOVED TO AMEND AND REMOVE ALL REFERENCE TO A SPECIAL ELECTION AND REPLACE IT WITH THE OCTOBER REGULAR ELECTION.

Discussion ensued regarding the benefits and challenges of holding a special election in June.

Councilmembers Smith, Erickson, and Stroozas agreed that addressing this in June will allow Council to be able move forward on the project sooner, rather than putting it off until the fall. It will also be beneficial to put it to the voters now because it's unclear what the Borough is going to do on their October ballot and they could propose something that would put this project at greater risk of not passing.

Councilmembers Aderhold, Lord, and Venuti shared concerns about a low voter turnout with a special election and of having an effective public education campaign.

Council considered whether there is benefit in having the special election in July or August, instead of June, but no amendment was proposed.

VOTE (amendment): YES: VENUTI
NO: ADERHOLD, LORD, SMITH, STROOZAS, ERICKSON

There was no further discussion.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- I. Ordinance 18-27(A), An Ordinance of the City Council of Homer, Alaska, Appropriating Funds in the Amount of \$5,000 from the Police Station Reserve Fund for a Public Information Campaign in Support of the Ballot Proposition to Issue General Obligation Bonds of \$5 Million Dollars to Finance the Construction of a Police Station and Provide for an Increase in the Rate of City Sales Tax from 4.5% to ~~4.8% with 0.25%~~ 4.85%, with 0.3% of the Increase Providing Funds to Pay Debt Service on the General Obligation Bonds which will Expire on December 31 the Year when the City has Received Sufficient Funds from the Increase to Pay all of that Debt Service, Including Information that may Influence the Outcome of the Election on The Proposition. Smith. Introduction April 23, 2018, Public Hearing and Second Reading May 14, 2018.

Mayor Zak opened the public hearing.

There were no public comments and the hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 18-25 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

CITY **MANAGER'S REPORT**

- A. City Manager's Report

City Manager Koester commented with the approval of the Special Election we'll be adding a special meeting in July to certify the results. She noted the AML Summer Conference and asked members to contact the City Clerk if they are interested.

B. Bid Report

CITY ATTORNEY REPORT

City Attorney Wells commented briefly regarding the scope of the attorney's roll when advising council as opposed to the administration. The City Attorney represents the Municipal Corporation first and foremost, but the representations come through the members of Council and City Administration. There are rules of professional conduct, statues, and city code that come into play. As City Attorney she represents the City of Homer, and to the extent there's ever a divergence in the interest of the City and a Councilmember, then her duty is to represent that interest of the City.

COMMITTEE REPORT

A. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee continued discussing the transition plan and will be presenting to the Port and Harbor Advisory Commission and sharing results of the survey of harbor facilities and explaining the findings.

PENDING BUSINESS

A. Resolution 18-037(S), A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule Under Library Fees to Increase Copy Fees. Smith.

Memorandum 18-052 from Library Director as backup
Memorandum 18-061 from Library Advisory Board as backup

Motion on the floor from April 23rd-

SMITH/VENUTI MOVED TO ADOPT RESOLUTION 18-037(s)

There was brief discussion acknowledging the discussion and recommendation of the Library Advisory Board.

VOTE: YES: ERICKSON, SMITH, STROOZAS
NO: LORD, VENUTI, ADERHOLD

Mayor Zak voted no to break the tie.

Motion failed.

- B. Resolution 18-041, A Resolution of the Homer City Council Amending the Fee Schedule under Port and Harbor Department and Port of Homer Terminal Tariff No. 1 to add a Parking Fee for Vehicles and Trailers Utilizing the Small Boat Harbor Public Launch Ramp. Smith.

Resolution 18-041(S), A Resolution of the Homer City Council Amending the Fee Schedule under Port and Harbor Department and Port of Homer Terminal Tariff No. 1 to add a Parking Fee for Vehicles and Trailers Utilizing the Small Boat Harbor Public Launch Ramp. Smith.

Memorandum 18-062 from Port & Harbor Advisory Commission as backup
Memorandum 18-065 from Port Director/Harbormaster as backup

The following motion is on the floor from the April 23rd meeting-

SMITH/ERICKSON MOVED TO ADOPT RESOLUTION 18-041

ADERHOLD/LORD MOVED TO SUBSTITUTE 18-041(S) FOR 18-041

There was no discussion.

VOTE (substitute): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

SMITH/ERICKSON MOVED TO POSTPONE TO MAY 29, 2018 FOR PUBLIC HEARING

There was no discussion.

VOTE (postponement): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

NEW BUSINESS

- A. Memorandum 18-063 from City Clerk Re: Reconsideration of AK Loven It, LLC Marijuana Cultivation License

Mayor Zak asked if the licensee would like to make comments to the Council. The licensee **stated from the audience that he's just here to see what they decide.**

ADERHOLD/VENUTI MOVED TO APPROVE THE STANDARD MARIJUANA CULTIVATION LICENSE FOR ALASKA LOVEN IT, LLC.

Councilmember Smith commented he still struggles with this and still questions their ability to understand or know the law.

Councilmember Lord and Aderhold shared appreciation for the applicants working to improve their plan and resolve their issues.

VOTE: YES: LORD, VENUTI, STROOZAS, ERICKSON, SMITH, ADERHOLD

Motion carried.

B. Memorandum 18-064, from City Clerk Re: New Natural Gas Assessment Deferral Application

Mayor Zak asked if the applicant would like to make comments to the Council. The applicant was not in attendance.

ERICKSON/ADERHOLD MOVED TO APPROVE THE DEFERRAL

Discussion ensued, and questions were raised regarding the **applicant's** payment status, how penalties and interest play in to the fiscal note, and if the applicants are using natural gas.

City Manager Koester and City Clerk Jacobsen were unable to answer the questions. City Clerk Jacobsen commented based on the information provided, that the applicants qualify for the deferment as outlined in City Code.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Mayor Zak called for a recess at 9:10 p.m. and the meeting reconvened at 9:25 p.m.

C. Memorandum 18-056 from Mayor Zak Re: Appointments of Larry Slone, Michael Haines, Paul Knight, Karin Marks, Chrisi Matthews, Barry Reiss, and David Derry to the HERC Task Force.

Council discussed how to go about including a Parks Art Recreation and Culture Advisory Commissioner as a member. They considered removing an applicant and replacing with a PARCAC Commissioner and increasing the number of members.

ADERHOLD/LORD MOVED TO POSTPONE TO MAY 29 AND THAT THE MAYOR INCLUDED A MEMBER OF PARCAC.

Mayor Zak asked if they vote down the motion to postpone, Council could help him review the appointees and decide what change to make.

VOTE: NO: SMITH, ERICKSON, LORD, STROOZAS, ADERHOLD, VENUTI

Motion failed.

Councilmembers began giving feedback and recognized it is more appropriate for the Mayor to address the concerns and bring an updated list to the next meeting

ADERHOLD/VENUTI MOVED TO POSTPONE MEMORANDUM 18-056 TO THE MAY 29TH MEETING AND THAT THE MAYOR INCLUDE A REPRESENTATIVE FROM PARCAC AS A MEMBER OF THE TASK FORCE.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

RESOLUTIONS

- A. Resolution 18-046, A Resolution of the City Council of Homer, Alaska, Providing Scoping Comment on the U.S. Army Corps of Engineers Regulatory Division Permit Application POA-2017-271 for the Proposed Pebble Project. Aderhold.

VENUTI/ADERHOLD MOVED TO ADOPT RESOLUTION 18-046 BY READING OF TITLE ONLY.

Councilmember Aderhold noted that this is in response to the process for providing comments to ACOE regarding the Pebble Project.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- B. Resolution 18-047, A Resolution of the City Council of Homer, Alaska, Supporting Kenai Peninsula Borough Ordinance 2018-12 Increasing the Borough Sales Tax Rate from 3.0

Percent to 3.5 Percent, Subject to the Approval of the Voters, for the Purpose of Funding Education. Mayor.

Mayor Zak asked for a motion for the adoption of Resolution 18-047 by reading of title only.

No motion was offered.

- C. Resolution 18-048, A Resolution of the Homer City Council Awarding the 2018 Septic Tank Pumping Contract to a Firm to be Announced in an Amount to be Announced and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 18-048 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO SUBSTITUTE RESOLUTION 18-048(S) FOR 18-048

There was no discussion.

VOTE (substitute): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- D. Resolution 18-045, A Resolution of the City Council of Homer, Alaska, Supporting the **Community Advisory Council's Request** to the Alaska Legislature for Support of Alaska Gasline Development Corporation Third Party Program Receipt Authority. Stroozas. Recommend adoption.

STROOZAS/SMITH MOVED TO ADOPT RESOLUTION 18-045 BY READING OF TITLE ONLY.

It was noted that the legislative session has **ended so they aren't able to act on this now.**

Councilmember Aderhold suggested postponing to early next year when they are back in session and more information could be made available to them.

City Clerk Jacobsen noted that it would be more appropriate to vote the motion down and bring back a new one next year at the appropriate time.

VOTE: NO: VENUTI, SMITH, STROOZAS, LORD, ADERHOLD

Motion failed.

COMMENTS OF THE AUDIENCE

Deb Lowney, city resident, commented she appreciates the after-school program is being looked at, our community has many challenges with limited child care opportunities. She also commented about the number of applicants they had for the task force, it speaks volumes about the amount of interest the community has in the HERC.

Robert Archibald, city resident, agreed with Ms. Lowney's comments and appreciates the postponement of Memo 18-056.

COMMENTS OF THE CITY ATTORNEY

City Attorney Wells left earlier in the meeting.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented that Carla Stanley, the City's representative on the Cook Inlet RCAC left Annual Reports for the Council.

COMMENTS OF THE CITY MANAGER

City Manager Koester commented the City needs election workers for the June 26th Special Election and encouraged **people to contact the City Clerk's office for more information.**

COMMENTS OF THE MAYOR

Mayor Zak thanked **everyone for the birthday wishes and the birthday card. There isn't any place he'd rather spend his birthday.**

COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas announced the first cruise ship will be in town tomorrow and reminded everyone to keep an eye out for pedestrians around town.

Councilmember Venuti commented there is still an opportunity to participate in the upcoming **writer's conference and to contact the college for more information.**

Councilmember Aderhold commented that it was a busy weekend with the Shorebird Festival and the opening of the Boat House Pavilion. She encouraged everyone to go see the pavilion and the giving fish. She also commented she will be absent at the next meeting.

Councilmember Smith recognized that yesterday was Mother's Day. He also encouraged people to go see the Boat House Pavilion and said he ran into his junior high school teacher Dave Schroer, who shared some wisdom from his time as a City Councilmember. Lastly, he **commented there was a lot of discussion on some topics tonight, some that didn't go his way** and he talked about a story that he heard as a child about a kid with a very long name who fell **in a well and the person who wanted to save him, couldn't because she kept having to waste** time repeating his long name. He believes in the political process and in transparency, but also believes that if we belabor the process and draw it **out to certain lengths, we don't do ourselves** or our residents any justice, and in some cases, it just shows dysfunction. He thanked everyone for their time this evening.

Councilmember Lord commented the Shorebird Festival was super fun and her 4 year-old got her 2nd year junior birder award. She thanked everyone for their efforts for the event. She has been appreciating the Caldecott books at the library. Relating to the presentation tonight, she commented about a book she read, *Dispatches from Pluto* and one anecdote about the importance of a good education system bringing new business into a community. She also commented Senate Bill 92, the Derelict Vessel Act, passed both houses and headed to the Governor. She worked on that and recognized Harbormaster Hawkins and Attorney Wells for their efforts on the issue.

Councilmember Erickson thanked Councilmembers for joining her on stage for Brouhaha, it was fun, and people enjoyed it. She also thanked the police officers for all they do in our community and shared how an officer recently helped her daughter when she encountered a moose while out with her dog.

ADJOURNMENT

There being no further business to come before the Council Mayor Zak adjourned the meeting at 9:55 p.m. The next Regular Meeting is Tuesday, May 29, 2018 at 6:00 p.m., Committee of the Whole at 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.

MELISSA JACOBSEN, MMC, CITY CLERK

Approved: _____