

Session 18-20 a Regular Meeting of the Homer City Council was called to order on August 13, 2018 at 6:00 p.m. by Mayor Pro Tempore Donna Aderhold 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

**ABSENT:** MAYOR ZAK, VENUTI (both excused)

**STAFF:** CITY MANAGER KOESTER  
CITY CLERK JACOBSEN  
PORT DIRECTOR HAWKINS  
DEPUTY CITY PLANNER ENGBRETSSEN

Council met as Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers and discussed 2019 Budget Priorities, Consent Agenda and Regular Meeting Agenda items.

Department Heads may be called upon from time to time to participate via teleconference.

Mayor Zak attended and sat in the audience.

#### **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: **ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS** Memorandum from Library Advisory Board Re: IMLS Future Funding Support

Mayor Pro Tem Aderhold asked for a motion for the approval of the agenda as amended.

ERICKSON/LORD SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

#### **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

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

## 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 from July 23, 2018. Recommend adoption.
- B. **Memorandum 18-087** from Mayor Re: Reappointment of Roberta Highland to the Advisory Planning Commission. Recommend approval.
- C. **Memorandum 18-088** from City Clerk Re: Liquor License Amendment for Light House Grill. Recommend approval.
- D. **Memorandum 18-089** from City Clerk Re: Marijuana Retail Store License Renewal for Uncle Herbs. Recommend approval.
- E. **Memorandum 18-090** from City Council Re: Council Guidance to the HERC Task Force on HERC 2. Recommend approval.
- F. **Ordinance 18-37**, An Ordinance of the City Council of Homer, Alaska, Amending the 2018 Capital Budget by Appropriating up to \$48,590 from the Homer Accelerated Roads and Trails Program (HART) for Traffic Calming and Safety Improvements on Karen Hornaday Park Road. Stroozas. Recommended dates, Introduction August 13, 2018, Public Hearing and Second Reading August 27, 2018.

Moved to Ordinances, Item B. Aderhold.

- G. **Ordinance 18-38**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 2 to Repeal Homer City Code 2.32.020, and Enact Chapter 2.58 Entitled "Commissions and Boards" to Consolidate all General Provisions Regarding Boards and Commissions and to Provide for General Policies and Procedures for Boards and Commissions. Recommended dates, Introduction August 13, 2018, Public Hearing and Second Reading August 27, 2018.

Memorandum 18-091 from City Clerk as backup

- H. **Resolution 18-057**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Fish Dock Waterline and Heat Trace Replacement Project to Peninsula Plumbing and Heating, Inc. of Soldotna, Alaska, in the amount of \$92,290, and

Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Port Director. Recommend adoption.

Memorandum 18-077 from Port Director as backup

- H. **Resolution 18-067**, A Resolution of the City Council of Homer, Alaska Expressing Support for a Homer Wilderness Leader's (HoWL) Application to the Recreational Trail Grant Program of the State of Alaska Division of Parks and Outdoor Recreation to re-Establish Trail Corridors, Improve Tread, Repair Facilities and Assist Alaska State Parks with Needed Trail Project Work. Aderhold. Recommend adoption.

Ordinance 18-37 moved to Ordinances, Item B. Aderhold.

Mayor Pro Tem Aderhold asked for a motion to adopt the recommendations of the consent agenda.

ERICKSON/LORD SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **VISITORS**

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

- A. Borough Report

Assembly member Kelly Cooper reported on Kachemak Silo K-12 School that's on the ballot in the fall. This is something the Assembly has been working on this since 2011. The project budget is \$15,400,000 and the Borough received a grant for \$10,010,000 that expires next year. When people ask if we need a school out there, yes, we do. Statutorily we are required to provide a school out there, the switchback is not Borough maintained road so it's considered a remote location, and a new school is the best way to move forward. If the bond is approved the cost to assessed properties will be \$4.95 per \$100,000, and they will be doing outreach throughout the Borough. Currently the school is housed in three small residential properties that were patched together, it was never intended to be permanent, and they've reached the end of their viable use. The size of the building is mandated by the State Department of Education, regardless of the location. We are required to build the school and if the bond issue doesn't pass, the cost will go up because the \$10 million grant will expire. She encouraged

everyone to help educate the public on this and help them understand this is the best and most affordable option.

Assembly member Cooper also reported on ordinances establishing the Land Trust Investment Fund that will manage the funds with guidelines and restrictions; creating a requirement that property owners pay off the remaining balance of any special assessments on property to be subdivided before a final plat can be recorded; and a Borough wide excise tax on cigarettes and tobacco products, with the exception of cannabis products at this time since so many people use it for health.

B. Commissions/Board Reports:

1. Library Advisory Board

Mark Massion, Library Advisory Boardmember, commented regarding their memo in the supplemental packet on the Museum and Library Service Act. He explained the Board is asking Council to sponsor a resolution requesting the bill be passed and encouraging Senator Sullivan and Representative Young to sign on as co-sponsors, Senator Murkowski is already a co-sponsor. The bill funds a lot of things libraries and museums do in the United States, its worth about \$2 million to the State of Alaska, and about \$7,000 to \$12,000 for our library. It's an important bill. Mr. Massion commented about the board's last meeting noting they are working on some policy updates and a library cooperation grant to improve library resources for small businesses. Over 400 people participated in the various summer reading programs, they are looking forward to working with the new student representative, and he noted issues with the library surveillance cameras that are working fine now but no longer supported.

Mayor Pro Tem Aderhold commented she would sponsor a resolution.

2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission

4. Parks Art Recreation and Culture Advisory Commission

Robert Archibald, Parks Art Recreation and Culture Advisory Commissioner, commented they will continue to discuss Karen Hornaday Park, probably forever. It's important to the group and he thanked council for their consideration of the Ordinance 18-37 tonight.

5. Port and Harbor Advisory Commission

**PUBLIC HEARING(S)**

A. **2019 Budget Priorities**

Mayor Pro Tem Aderhold opened the public hearing. There were no comments and the hearing was closed.

- B. **Ordinance 18-36**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2018 Operating Budget to Provide for Needed Replacement of the Water Line on the Fish Dock by Appropriating Funds from the Port & Harbor Depreciation Reserves in the amount of \$62,290. City Manager/Port Director. Introduction July 23, 2018, Public Hearing and Second Reading August 13, 2018.

Mayor Pro Tem Aderhold opened the public hearing. There were no comments and the hearing was closed.

Mayor Pro Tem Aderhold asked for a motion for the adoption of Ordinance 18-36 by reading of title only for second and final reading.

ERICKSON/LORD SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- C. **Resolution 18-064**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Water and Sewer Rates and Updating the Fee Schedule Accordingly. City Manager/Finance Director. Public Hearing August 13, 2018.

Memorandum 18-080 from Finance Director as backup

Mayor Pro Tem Aderhold opened the public hearing. There were no comments and the hearing was closed.

Mayor Pro Tem Aderhold asked for a motion for the adoption of Resolution 18-064 by reading of title only.

ERICKSON/LORD SO MOVED

Councilmember Lord commented that she's fielded some questions from citizens and since others may have the same questions, she shared the reassurance that there's no change in the structure and a gallon of water is a gallon of water. The quantity used will dictate how much savings is seen from the reduction in a monthly meter fee. She also noted that water and sewer

is a utility fund, different from the general fund, and the utility fund is paid for by the users through this fee structure.

Mayor Pro Tem Aderhold noted the public comments included in the packet and explained that sewer only users who don't think they use 3000 gallons per month can talk to the city about paying a meter fee and having their water metered to calculate what the sewer amount actually is.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- D. **Resolution 18-065**, A Resolution of the City Council of Homer, Alaska, Amending the Fee Schedule Under Planning and Zoning Fees; Zoning Permit Fees to add a \$100 Annual Zoning Permit Fee for Employee Occupied Recreational Vehicles in Marine Commercial and Marine Industrial Zoning Districts and Amending Administrative Fees Deleting Reference to Credit Card Acceptance and Minimums. City Clerk. Public Hearing August 13, 2018.

Memorandum 18-086 from City Manager as backup

Mayor Pro Tem Aderhold opened the public hearing. There were no comments and the hearing was closed.

Mayor Pro Tem Aderhold asked for a motion for the adoption of Resolution 18-065 by reading of title only.

ERICKSON/LORD SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **ORDINANCE(S)**

- A. **Ordinance 18-35**, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 3.05.005, Budget Assumptions, by Adding a Requirement the City Manager Present the Council with Information on Inflationary Pressures on the City Budget. Lord. Introduction June 25, 2018, Public Hearing July 23, 2018 and Postponed for Second Reading August 13, 2018.

**Ordinance 18-35(S)**, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 3.05.005, Budget Assumptions, by Adding a Requirement the City Manager Present the Council with Information on Inflationary Pressures on the City Budget. Smith.

Mayor Pro Tem Aderhold announced the following motion was on the floor from July 23<sup>rd</sup>:

*Erickson/Venuti so moved for the adoption of Ordinance 18-35 by reading of title only for second and final reading.*

Mayor Pro Tem Aderhold asked for a motion to substitute Ordinance 18-35(S) for 18-35.

ERICKSON/STROOZAS SO MOVED

Councilmember Erickson shared concerns with comparing ourselves to other communities, especially when their economics are different than ours. Soldotna and Kenai are both Home Rule cities and can tax differently. She's also concerned about the City Manager's office having to do additional work since they already provide us with the Anchorage CPI.

Councilmember Lord noted the requirement for a parity study as a non-binding guide for salary administration. She doesn't support the substitute, it doesn't harm us to have the information, and the idea of having external parity is in part for employee retention and recruitment. The information will provide them with more information and context for decision making in the budget process. She supports the original ordinance, it doesn't hurt, and we generally end up having questions about what's happening up the road.

Mayor Pro Tem Aderhold asked City Manager Koester about the impact of reaching out to communities around us on an annual basis. City Manager Koester responded the HR Director generally keeps tabs on what other communities are doing to be able to answer questions during the budget process, so she doesn't anticipate it being a huge additional workload since its information they need to have internally.

VOTE (motion to substitute): YES: SMITH, STROOZAS, ERICKSON  
NO: ADERHOLD, LORD

Motion failed for lack of a majority, and Ordinance 18-35 was back on the floor for discussion.

Councilmember Smith cited 4.2.2 External Parity from the personnel regulations which says external parity will not be a basis for determining individual salaries or cost of living increases on a yearly basis and explained a cost of living allowance is something that has always been on the City Manager's radar, although she hasn't always recommended one. He recognizes that the Employee Committee wants an assurance that a COLA is considered and weighed on an annual basis, but the way this is written and presented is taking it out of the City Manager's

hands. He thinks it's the City Manager's responsibility to look at what other communities are doing and look at what our budget can do, and make the recommendation. Looking at the other community's information annually is contrary to the personnel regulations.

Councilmember Lord commented in this last budget cycle a COLA wasn't recommended by the City Manager, there was pushback from the Employee Committee on it, and the conversations had around the council table led to a lot of hard feelings around the community. She believes the City Manager does her job very well, but this is a proposed code change, not about the City Manager doing her job. Councilmember Lord added that the tenor of the past conversation wasn't appropriately taking into account COLA or otherwise, the fixed challenge we have with inflationary pressures across the board. It's the Council's job to have all the contextual knowledge we need to evaluate the City Manager's proposed budget, and pass a budget with administration input and also input from the citizens. She believes this change provides Council, into the future, with a broader context of what's happening around us to make good budgetary decisions.

VOTE (main motion): YES: ADERHOLD, LORD  
NO: STROOZAS, SMITH, ERICKSON

Motion failed.

- B. **Ordinance 18-37**, An Ordinance of the City Council of Homer, Alaska, Amending the 2018 Capital Budget by Appropriating up to \$48,590 from the Homer Accelerated Roads and Trails Program (HART) for Traffic Calming and Safety Improvements on Karen Hornaday Park Road. Stroozas. Recommended dates, Introduction August 13, 2018, Public Hearing and Second Reading August 27, 2018.

Mayor Pro Tem Aderhold asked for a motion for the introduction of Ordinance 18-37 by reading of title only.

ERICKSON/SMITH SO MOVED

Mayor Pro Tem Aderhold commented there was public testimony at the Committee of the Whole regarding this ordinance and she would like to have a copy of information from the Karen Hornaday Park Master Plan to compare with what is being proposed in the ordinance.

Councilmembers Smith and Stroozas acknowledged the design in the master plan is very costly and this proposal is an effort to address the safety concerns regarding the road and pedestrian traffic. This proposal is better than not doing anything.

Councilmember Lord noted that PARCAC meets before the Councils next meeting and it would be good to have some more feedback on this specific plan as they were part of the conversation to get to this point.



Councilmember Erickson asked for information about available HART funds and if the plan can be phased to address safety issues now and still be in line with the master plan.

City Manager Koester said she will have follow up information in the next packet.

VOTE (introduction): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **CITY MANAGER'S REPORT**

#### A. City Manager's Report

City Manager Koester noted her information on what to do with the old police station and the recommendation to hold a worksession on September 10<sup>th</sup> with the Public Works Director and Fire Chief to go over the pros and cons of the options provided. She encouraged Councilmembers email her questions they have so she can address them. Worksession sept 10 to go over pros & cons, in mean time send questions. She also touched on the Seafarer's Memorial Parking improvements, noting the City will be applying for a conditional use permit in hopes of being able to move dredged material to the area in the fall.

Councilmembers Stroozas, Smith, and Erickson commented regarding the price reduction for the old library lot and recommended taking the lot off the market at this time.

#### B. Bid Report

### **CITY ATTORNEY REPORT**

### **COMMITTEE REPORT**

#### A. Americans with Disabilities Act Compliance Committee

#### B. HERC Task Force

Deb Lowney, task force member, provided a brief update on the groups work. She noted that Crisi Matthews was elected as Chair and thanked Larry Slone for his service as Chair. Ms. Lowney explained there is a lot of information to work through and they working in small groups to decipher it and address the tasks assigned to bring back to the table at meeting time.

### **PENDING BUSINESS**

### **NEW BUSINESS**

## **RESOLUTIONS**

### **COMMENTS OF THE AUDIENCE**

Joel Cooper, non-resident, HoWL Board President thanked Council for passing Resolution 18-067.

Robert Archibald, city resident, commented regarding Woodard Creek and Karen Hornaday Park. He's been working on this with the person who wrote the master plan in 2009. In communication with him, his comment was "its unrealistic to think the entire road will ever be re-aligned as outlined in concept B-2, the one agreed on." A master plan is a guidance document, it's not written in stone. He pointed out a lot of discussion has gone on about this. Regarding the road, he thinks we've been lucky no one has been hurt. Another thing the writer of the master plan recommends is hiring a landscape architect to take a look at this. He noted kids like to play around rocks and thinks they need to a look at this. He wants it to be safe and functional.

Mike Storm, HoWL Executive Director, thanked Council for passing the resolution in support of the RPT Grant. It will be a great help for HoWL as an organization but also the Homer community.

Deb Lowney, city resident, thanked council for another opportunity for PARCAC to review their recommendation, and have a little more conversation with people who have invested energy and time into the park.

### **COMMENTS OF THE CITY ATTORNEY** **COMMENTS OF THE CITY CLERK**

City Clerk Jacobsen commented that absentee in person voting is open for the State Primary Election, Election Day is August 21<sup>st</sup>, and candidacy filing for the City Election for Mayor and two City Councilmembers closed Wednesday at 4:30 p.m.

### **COMMENTS OF THE CITY MANAGER**

City Manager Koester had no comments.

### **COMMENTS OF THE MAYOR** **COMMENTS OF THE CITY COUNCIL**

Councilmember Smith wished everyone a great evening.

Councilmember Lord said August 21<sup>st</sup> is the first day of school and encouraged everyone to be mindful of new traffic patterns around town with school busses and more traffic during school hours.

Councilmember Erickson commented that there will also be a cruise ship in town on August 21<sup>st</sup> so there will be even more busses and pedestrians out and about, she noted it's been encouraging that the visitors from the cruise ships have been spending money around town and it's been good to get that feedback from store owners. She also reminded everyone that the fair is this weekend in Ninilchik, and encouraged everyone to drive safe as fall approaches.

Councilmember Stroozas commented it's good to see Mayor Zak in the audience and encouraged him to continue being positive because it goes a long way in the healing process. The Homer Elks have finished most of their work at the Skate Board Park, there is a little more painting and resurfacing asphalt with sealer. When you see Elks in our community, say thank you because Elks care and Elks share.

Mayor Pro Tem Aderhold said she had a wonderful time biking across Iowa and confirmed that it is not flat. She got to know former Homer resident Steve Herbert, who has some drawings on the wall in the Council Chambers. It was good to hear his stories from the 90's and learn about Iowa from his perspective. She met most of the Mayors in the towns they stayed over in, it was interesting and eye opening.

### **ADJOURN**

There being no further business to come before the Council, Mayor Pro Tem Aderhold adjourned the meeting at 7:10 p.m. The next Regular Meeting is Monday, August 27, 2018 at 6:00 p.m., Worksession at 4:00 p.m. and 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.

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MELISSA JACOBSEN, MMC, CITY CLERK

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