

Session 18-22 a Regular Meeting of the Homer City Council was called to order on September 10, 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, VENUTI

ABSENT: MAYOR ZAK (excused)

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN

Council met for a Worksession at 4:00 p.m. to discuss Old Police Station Building Options and as Committee of the Whole 5:00 p.m. to discuss Revenue Sources for the General Fund, Consent Agenda and Regular Agenda items in Homer City Hall Cowles Council Chambers.

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: **VISITORS** Cook Inlet Regional Citizens Advisory Council Report- Memorandum from Hilcorp Alaska, LLC; **PUBLIC HEARING Ordinance 18-38(S)**, 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. City Clerk. Copy showing strike outs and bold underlined additions; **CITY MANAGER’S REPORT** PERS Timeline from AML

Mayor Pro Tem Aderhold asked for a motion to approve the agenda as amended.

ERICKSON/VENUTI 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

There were no public comments.

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 August 27, 2018. City Clerk. Recommend adoption.
- B. **Memorandum 18-099** from Mayor Pro Tem Re: Appointment of Jeffery Johnson to the Economic Development Advisory Commission. Recommend approval.
- C. **Ordinance 18-40**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating the FY19 State of Alaska Community Assistance Program Payment the Amount of \$177,172.05 to the Police Station Fund. City Manager. Recommended Dates: Introduction September 10, 2018, Public Hearing and Second Reading September 24, 2018.
- D. **Ordinance 18-41**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 21.61.040(b) to Codify the City Council's Role as the Local Regulatory Authority under AS 17.38 and Authorizing Council to Decide Whether to Protest Marijuana Establishment Applications filed with the State of Alaska for Sites Within the City of Homer. City Clerk. Recommended dates Introduction and Refer to Planning Commission September 10, 2018, Public Hearing and Second Reading, October 8, 2018.
- E. **Resolution 18-071**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Library Policies for Circulation, Displays-Exhibits Policy, and Library User Conduct. City Clerk/Library Director. Recommend adoption.
- F. **Resolution 18-072**, A Resolution of the City Council of Homer, Alaska, Approving a Five Year Contract with Alaska Mindful Paws with a 9% Increase over the first Three Years for Homer Animal Shelter Operation and Management, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 18-100 from City Manager as backup

City Clerk Jacobsen read the consent agenda.

Mayor Pro Tem Aderhold asked for a motion for the approval of the recommendations of the consent agenda as read.

ERICKSON/VENUTI SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS (10 minutes each)

A. Carla Stanley, Cook Inlet Regional Citizens Advisory Council Report

Carla Stanley, Homer's representative on the Cook Inlet Regional Citizens Advisory Council (CIRCAC) gave a brief overview of CIRCAC and its makeup. CIRCAC has an environmental monitoring group that is currently studying currents, shoreline, and sediments and scientist Sue Saupe has been working on the ShoreZone mapping program in Cook Inlet and around most of Alaska, with the exception of the Aleutians. She reviewed the memo from Hilcorp Alaska, LLC regarding the Petition for Incidental Take Regulations and Associated Field Activity, noting the federal leases near Homer purchased by Hilcorp. They have purchased some very old infrastructure and have been doing a very good and complete job at cleaning it up. Since 2012 CIRCAC has been requesting the owners of the Drift River Terminal eliminate the old oil tanks and create a pipeline across the inlet so tankers would not have to come into the terminal at the foot of Mt. Redoubt to collect the oil being stored there. After the last eruption of Mt. Redoubt there has been great concern about the potential of a major spill with a more significant eruption. On Friday they learned the pipeline is complete and will be inspected by Nuka Research, with plans to be done by the end of the year. Jill Schaefer from Hilcorp prepared the memo, is willing to give a presentation at an upcoming council meeting, and her contact information is included.

Ms. Stanley explained the Cross Inlet Pipeline that runs from Drift River north, crossing the inlet then south along Nikiski to the oil terminal. This will significantly reduce the number of tankers going to the terminal until it's shut down and the pipeline is turned on. She reviewed some of the inspection information and reported on the Shuyak oil spill that happened earlier in the year where an old cannery building with a bladder containing 3000 gallons of oil and the dock collapsed. It was the most expensive hazardous material clean up in the state. We need to be aware there are buildings like that all over, and if they'd been emptied years ago, this spill would have been avoided. CIRCAC is pushing for an inventory of those things.

CIRCAC received a meritorious award for its work on Cook Inlet risk assessment, waterway safety, and harbor safety, and their certification for another year.

Lastly, she reported Blue Crest Energy off Anchor point has received very positive results in Cosmopolitan Field off Anchor Point, and Nuka Research is doing a pipeline assessment on existing old infrastructure.

B. Derotha Ferraro, South Peninsula Hospital, KPB Ballot Propositions #2 & #3: Proposed changes to the hospital service area boundary

Derotha Ferraro, SPH Director of Public Relations and Marketing, reviewed Kenai Peninsula Ballot Proposition #2 which moves the hospital boundary line FROM Clam Gulch Towers SOUTH to Barbara Drive (midway point) voted on by Central Peninsula Hospital service area and the voters in the proposed area; and Kenai Peninsula Ballot Proposition #3 that expands the South Kenai Peninsula Hospital (SKPH) service area southern boundary from Neptune Bay to all properties south except the City of Seldovia and voted on SKPH service area and the voters in proposed area (Seldovia is First Class City and requires separate agreement). If approved the impact to the SKPH service area will be a \$2,195 to the service area fund. Impact to property owners are:

- Departing property owners continue with a mill rate of 1.18 for obligated debt
- Property owners added in southern zone begin 1.13 mills in FY 2020
- Mill rate reduces for current property owners in SKPHSA, from 2.3 to 2.29 mills

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

A. Borough Report

B. Commissions/Board Reports:

1. Library Advisory Board

Library Advisory Boardmember Mark Massion reported on the Board's work on the library policy updates included in Resolution 18-071. He thanked Council for adopting Resolution 18-068 supporting the Museum and Library Services Act of 2017. He also reported on the Homer Public Library project, funded by a grant from the Alaska State Library, to enhance and expand Library services to local businesses, entrepreneurs, and nonprofits, and encouraged people to participate in the survey on the library website.

2. Homer Advisory Planning Commission

Roberta Highland, Planning Commissioner, reported the Commission continued a public hearing on a Conditional Use Permit (CUP) for a medical clinic and passed a CUP for Bayweld to build an additional fabrication building on their site. The Commission reviewed Ordinance 18-39 to reduce the setback requiring a CUP from twenty feet to ten feet in the central business district. In looking at the streets and different setbacks they found it to be a little more complicated and will be discussing it further at their next meeting.

3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission
 - A. Memorandum from PARCAC Re: Sidewalk Prioritization
5. Port and Harbor Advisory Commission

PUBLIC HEARING(S)

- A. **Resolution 18-070**, A Resolution of the City Council of Homer, Alaska, Adopting the 2019-2024 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2019. Mayor/City Council.

Memorandum 18-101 from Special Projects & Communication Coordinator as backup

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

Mayor Pro Tem Aderhold opened the floor for Councilmember discussion and amendments.

LORD/VENUTI MOVED TO ADD UNDER CITY OF HOMER PROJECTS THE PORT AND HARBOR LARGE VESSEL SLING LIFT PROPOSED BY THE PORT AND HARBOR COMMISSION IN THE 2019-2024 CIP.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ERICKSON/STROOZAS MOVED TO ADD UNDER STATE PROJECTS STERLING HIGHWAY MILE POST 172 DRAINAGE IMPROVEMENTS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

LORD/ERICKSON MOVED TO INCLUDE UNDER CITY OF HOMER PROJECTS PORT AND HARBOR OLD MAIN DOCK REMOVAL.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

LORD/ERICKSON MOVED TO ADD UNDER PROJECTS SUBMITTED BY OTHER ORGANIZATIONS THE POOPDECK PLATT TRAIL PROPOSED BY KACHEMAK HERITAGE LAND TRUST.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

LORD/VENUTI MOVED TO ADD UNDER STATE PROJECTS BAYCREST GATEWAY OVERLOOK IMPROVEMENTS PHASE 3.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was discussion regarding the order of the FY2020 State Legislative Requests and changing Homer Barge Mooring & Large Vessel Haul Out Repair Facility to number 2 and Storm Water Master Plan to number 3. Council also addressed changing FY2020 Federal Legislative Requests to change number two from Storm Water Master Plan to Homer Barge Mooring & Large Vessel Haul Out Repair Facility.

ERICKSON/SMITH MOVED TO AMEND WE MOVE NUMBER THREE HOMER BARGE MOORING AND LARGE VESSEL HAUL OUT TO NUMBER TWO AND STORM WATER MASTER PLAN TO NUMBER THREE.

There were brief comments in support of the motion.

Councilmember Lord commented in going through the process next year perhaps they can look at how they score them internally. She shared her thoughts that pulling out projects with a federal nexus is a different question than the top five state priorities. She thinks getting the storm water planning done is critical to development in the city.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Mayor Pro Tem Aderhold asked if there was a motion to amend the federal legislative requests. There was discussion attempting to clarify if a motion needed to be made regarding changing number two under the federal legislative requests to Homer Barge Mooring and Large Vessel Haul Out Repair Facility. There was confusion whether that was part of the prior motion. City Clerk Jacobsen commented she thought it was part of the motion and Councilmember Erickson said it was her intent when she made the motion.

Mayor Pro Tem Aderhold read the amended list as follows and announced there is another public hearing for the amended resolution on September 24th.

Amended FY2020 State Legislative Requests

1. Large Vessel Port Expansion
2. Homer Barge Mooring & Large Vessel Haul Out Repair Facility
3. Storm Water Master Plan
4. Main Street Sidewalk North
5. Fire Department Fleet Management

Amended FY2020 Federal Legislative Requests

1. Large Vessel Port Expansion
2. Homer Barge Mooring & Large Vessel Haul Out Repair Facility

B. **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. City Clerk. Introduction August 13, 2018, Public Hearing August 27, 2018, Postponed Public Hearing and Second Reading September 10, 2018.

Ordinance 18-38(S), 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. City Clerk.

Memorandum 18-102 from City Clerk as backup
Memorandum 18-091 from City Clerk 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 Ordinance 18-38 by reading of title only.

VENUTI/LORD SO MOVED

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 18-38(S) FOR 18-38

In response to questions, City Manager Koester and City Clerk Jacobsen explained that this change moves the Boards and Commissions section to its own chapter and chapter 2.32 becomes Departments and Directors.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Comments were made in support and appreciation of the work done to help clarify policy.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Koester noted the discussion of a Council retreat during Committee of the Whole and explained she will be following up with a worksession to delve into some more planning details after the election, and will look at scheduling something for the first of the year.

B. Councilmember Stroozas AML Report

CITY ATTORNEY REPORT

COMMITTEE REPORT

- A. Americans with Disabilities Act Compliance Committee
- B. HERC Task Force

HERC Task Force Chair Crisi Matthews provided a brief yet comprehensive review of the Task Force work to date. She including information about the small work groups that are gathering information from different areas to bring back for the task force to review and consider. These areas include:

- Meeting with various businesses and non-profits to discuss needs for community needs
- Outreach to other communities for comparisons
- Outreach to area representatives for possible uses and facility needs
- Extensive research of the building
- Exploring costs of rehabilitation versus demolition of the building
- Creating a new community center, what that might look like and what is the need

She applauded the Mayor's appointments to the Task Force, there are a number of different disciplines and the members have contributed a lot of extra hours into synthesizing the reports that are already in place. They've done four visits to the HERC building to really understand the structure, which has been important in considering options for rehab versus demoing the building. Local architect, Larry Peek, has volunteered to give them some architectural hours to help them make some determinations whether they could meet the 2018 fire code that will be adopted in the next few months.

The group has touched on some financing options but needs understand cost to propose a five year versus ten and twenty year plans, and how much they'd need to ask for and revenue options.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

COMMENTS OF THE AUDIENCE

There were no audience comments.

COMMENTS OF THE CITY ATTORNEY

The City Attorney did not attend.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented that absentee in person voting for the October City and Borough Elections will be available starting September 17th at the City Clerk's office.

COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

COMMENTS OF THE MAYOR

Mayor Zak was absent.

COMMENTS OF THE CITY COUNCIL

Councilmember Smith commented regarding his recent caribou hunting trip to Adak. He said he talked to the Mayor earlier today, he's doing well and in good spirits. It was good to talk to him and he's anxious to be back with us.

Councilmember Venuti shared that she's had an opportunity to go into some of the local businesses now that some of the tourist are gone, and it was nice to have time to talk to the business owners. She reminded everyone to shop locally with the holidays coming up.

Councilmember Stroozas commented about the upcoming City Council candidate debate at Alice's tomorrow from 5:30 to 7:00 p.m. hosted by the Chamber of Commerce.

Councilmember Erickson commented it's been a hard couple of weeks for a lot of people in our town and that our thoughts and prayers are with people. It's been a hard hit for our police department with the loss of Officer Stading. It's a good time to give an encouraging word or hug for those who are hurting.

Councilmember Lord shared condolences to the Stading and Lowney families. She recognized the amount of support our community has to offer to others and to families going through hard times. With the election coming up, it's a great opportunity for us to come together and share different ideas, civilly talk and learn, and come up with solutions. She shared a quote that says "Politics is not the opposite of common ground, politics is the very process of finding common ground and making it inhabitable." She encouraged that we all keep that in mind as we go through this election process.

Mayor Pro Tem Aderhold commented she's been thinking about community a lot these past few days. The two people we've talked about this evening were very much a part of our community in different ways. They each brought their gifts and talents to the community to

make it a better place. Each one of us has a gift and talent we can bring forward to help make our community the place it can be. She hopes everyone will think about that and about their roll, because everyone's is different.

ADJOURN

There being no further business to come before the Council, Mayor Pro Tem Aderhold adjourned the meeting at 7:20 p.m. The next Regular Meeting is Monday, September 24, 2018 at 6:00 p.m., Worksession 4:00 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: _____