

ACTION AGENDA
Worksession
Committee of the Whole
Regular Meeting
October 22, 2018

WORKSESSION

1. CALL TO ORDER, 4:00 P.M.

Mayor Castner called the meeting to order at 4:00 p.m.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

APPROVED without discussion.

3. COMPREHENSIVE PLAN

4. COMMENTS OF THE AUDIENCE

There were no public comments.

5. ADJOURNMENT NO LATER THAN 4:50 P.M.

Next Regular Meeting is Monday, November 26, 2018 at 6:00 p.m., Worksession at 4:00 p.m. Committee of the Whole at 5:00 p.m. and a Special Meeting November 5, 2018 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.

Mayor Castner adjourned the meeting at 4:23 p.m.

COMMITTEE OF THE WHOLE

1. CALL TO ORDER, 5:00 P.M.

Mayor Castner called the meeting to order at 5:00 p.m.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

APPROVED without discussion.

3. USI (FKA WELLS FARGO) EMPLOYEE BENEFITS UPDATE

- 4. EMPLOYEE COMMITTEE REPORT**
- 5. CITY MANAGER ANNUAL REVIEW AND CONTRACT PROCESS**
- 6. 2019 BUDGET**
- 7. CONSENT AGENDA**
- 8. REGULAR MEETING AGENDA**
- 9. COMMENTS OF THE AUDIENCE**

There was one who commented.

10. ADJOURNMENT NO LATER THAN 5:50 P.M.

Next Regular Meeting is Monday, November 26, 2018 at 6:00 p.m., Worksession at 4:00 p.m. Committee of the Whole at 5:00 p.m. and a Special Meeting November 5, 2018 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.

Mayor Castner adjourned the meeting at 5:50 p.m.

REGULAR MEETING AGENDA

Session 18-26 a Regular Meeting of the Homer City Council was called to order on October 22, 2018 at 6:00 p.m. by Mayor Ken Castner 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
HARBORMASTER HAWKINS
LIBRARY DIRECTOR DIXON
PERSONNEL DIRECTOR BROWNING
FINANCE DIRECTOR WALTON
FIRE CHIEF KADEL

Worksession 4:00 p.m. Committee of the Whole 5:00 p.m. in Homer City Hall Cowles Council Chambers.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

2. 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 Resolution 18-077**, A Resolution of the City Council of Homer, Alaska Amending the Homer Fee Schedule under Library fees, Public Works Fees, Renaming Camping Fees to Camping and Parks Fees and Amending Camping and Parks Fees. City Clerk. Memorandum from Library Advisory Board as backup. **PUBLIC HEARING 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. Memorandum from Planning Commission as backup. **Ordinance 18-43**, An Ordinance of the City Council of Homer, Alaska Prohibiting Sellers from Providing Buyers with Single-Use Disposable Shopping Bags. Venuti. Introduction September 24, 2018, Public Hearing October 8 and 22, 2018 and Second Reading October 22, 2018. **Ordinance 18-43(S)**, An Ordinance of the ~~Homer City Council Prohibiting Sellers From Providing Buyers Single-Use Plastic Carry Out Bags.~~ **City Council of Homer, Alaska, Submitting A Ballot Question To The Voters At The October 1, 2019 Regular Municipal Election Inquiring Whether To Amend City Code To Prohibit Sellers From Providing Buyers Single-Use Plastic Carry Out Bags.** Initiative and petition process information requested by Councilmember Smith. **RESOLUTIONS Resolution 18-083**, A Resolution of the City Council of Homer, Alaska, Amending the Homer City Council Operating Manual under City Council Agenda and Meeting Conduct Guidelines to Delete Item 3, Mayoral Recognitions and Proclamations and Item 12. City Attorney Report, and Amend Item 8. Announcements/Presentations/Borough Reports Commission Reports to Include Committee Reports; and Updating Conflict of Interest and Code of Ethics Sections. Mayor. Attachment from City Clerk outlining amendments with strikeouts and bold underline. **Resolution 18-085**, A Resolution of the City Council of Homer, Alaska, Amending City of Homer Personnel Regulations, Chapter 3, Section 3.13 Part-Time Appointments, Section 3.14.1 Employment Of Relatives, Chapter 5, Section 5.1.2 Schedule Revisions, Chapter 6, Section 6.1.1 Part-Time Employees, Section 6.2 Leave With Pay, Section 6.8.1 Part-Time, Section 6.9.1 Part-Time, Section 6.10.1 Part-Time, Section 6.11.1 Part-Time, Chapter 7, Section 7.2.1 Probationary Period, Chapter 8, Section 8.8.3 Step 3, Section 8.8.4 Step 4, Section 8.9.3 Political Activity. City Manager/Personnel Director. Written public comment APPROVED as amended.

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were seven who commented.

5. RECONSIDERATION

6. 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 October 8, 2018. City Clerk. Recommend adoption.
- B. **Memorandum 18-110** from Mayor Re: Re-appointment of Robert Archibald to the Parks, Art, Recreation & Culture Advisory Commission. Recommend Approval.
- C. **Memorandum 18-111** from City Clerk Re: Liquor License renewals for Grog Shop, Rum Locker, Homer Liquor & Wine Co., Patel's, and Patel's #2. Recommend approval.
- D. **Memorandum 18-112** from City Clerk Re: New Marijuana Cultivation License for 420 on Main Street. Recommend approval.

Moved to New Business B. Smith.

- E. **Ordinance 18-45**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Project Drive Grant in the Amount of \$27,633 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommended dates Introduction October 22, 2018, Public Hearing and Second Reading November 26, 2018.

Memorandum 18-120 from Police Chief as backup

- F. **Ordinance 18-46**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY 2018 State Homeland Security Grant for Upgrading the City's Radio

Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates Introduction October 22, 2018, Public Hearing and Second Reading November 26, 2018.

Memorandum 18-122 from Police Chief as backup

- G. **Ordinance 18-47**, An Ordinance of the City Council of Homer, Alaska, Adopting the 2018 Homer Comprehensive Plan and Recommending Adoption by the Kenai Peninsula Borough. City Manager. Recommended dates Introduction October 22, 2018, Public Hearing and Second Reading November 26, 2018.

Memorandum 18-115 from City Planner as backup

- H. **Resolution 18-077**, A Resolution of the City Council of Homer, Alaska Amending the Homer Fee Schedule under Library fees, Public Works Fees, Renaming Camping Fees to Camping and Parks Fees and Amending Camping and Parks Fees. City Clerk. (Follows Budget Ordinance)

- I. **Resolution 18-078**, A Resolution of the City Council of Homer, Alaska Maintaining the Port of Homer Tariff No. 1 at the Current Rates. Tariff. City Clerk. (Follows Budget Ordinance)

- J. **Resolution 18-081**, A Resolution of the City Council of Homer, Alaska, Awarding the Art Work Contract for the Fire Hall Improvements Project to Jeffery H. Dean, of Creative Fires Studio, Inc., of Homer, Alaska, in the Amount of \$6,976.80 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend Adoption.

Memorandum 18-119 from Deputy City Clerk as backup

- K. **Resolution 18-084**, A Resolution of the City Council of Homer, Alaska, Awarding a New Five Year Short Term Lease to Alaska Scrap & Recycling, LLC., on a Portion of Lot 12, Homer Spit Subdivision No. 5, in the Amount of 1 Acre (43,560 sq. ft.) at an Annual Rate \$37,897.20 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 18-121 from Port and Harbor Advisory Commission as backup

Moved to Resolutions item H. Lord.

Item D. moved to New Business item B. Smith

Item K. moved to Resolutions item H. Lord

APPROVED without discussion.

7. VISITORS

**8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS
(5 minute limit per report)**

A. Borough Report

Borough Assembly member Kelly Cooper reported that following the election the Borough will be working on plan B for the Kachemak Silo School. The Borough received a State Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management to develop a Mass Care Services Plan that will complement the existing Emergency Management Plan. An ordinance will be introduced by the Land Department authorizing a subservice oil and gas lease to Hilcorp for five parcels in the Anchor Point area and there is community concern as those parcels are down by the beach, but its horizontal drilling and it won't be happening on those spots. A Road Service Area Director has been hired, which will be helpful for people, especially in the winter. They received word that the Court ruled against the Borough on the invocation lawsuit, they didn't meet the requirements for the separation so the Assembly will be deciding if they want to appeal that.

B. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission

Roberta Highland, Planning Commissioner, reported at their last meeting the Commission approved a CUP and a preliminary plat. They held a public hearing to reduce the setback from 20 feet to 10 feet in the central business district and one person spoke against it. The Commission reviewed current status of the rights-of-way in the CBD and they feel the various configurations of the roads deserve more detailed study before changing the setback. At this time they want to do an update on the Transportation Plan and that could provide enough information and detail to evaluate the merits of this setback. They are also working on Green Infrastructure which is an approach to managing wet weather impacts that provide many

community benefits. It has a lot to do with storm water plans and making them work with more natural systems.

3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission

Jon Sharp, Parks Art Recreation and Culture Advisory Commissioner, said the Commission hasn't met since the September 20th meeting and he was available to answer questions. He thanked Council for the re-appointment of Robert Archibald.

There were no questions from Council.

5. Port and Harbor Advisory Commission

9. PUBLIC HEARING(S)

- A. **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. Introduction and Refer to Planning Commission September 10, 2018, Public Hearing and Second Reading, October 22, 2018.

ADOPTED without discussion.

- B. **Ordinance 18-43**, An Ordinance of the City Council of Homer, Alaska Prohibiting Sellers from Providing Buyers with Single-Use Disposable Shopping Bags. Venuti. Introduction September 24, 2018, Public Hearing October 8 and 22, 2018 and Second Reading October 22, 2018.

Ordinance 18-43(S), An Ordinance of the Homer City Council Prohibiting Sellers From Providing Buyers Single Use Plastic Carry Out Bags. **City Council of Homer, Alaska, Submitting A Ballot Question To The Voters At The October 1, 2019 Regular Municipal Election Inquiring Whether To Amend City Code To Prohibit Sellers From Providing Buyers Single-Use Plastic Carry Out Bags.** Venuti.

There were 12 who commented.

ADOPTED Substitute with discussion.

10. ORDINANCE(S)

- A. **Ordinance 18-44**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2019 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, Capital Projects, and Internal Service Funds. City Manager. Recommended dates Introduction October 22, 2018, Public Hearing November 26 and December 10, 2018 and Second Reading December 10, 2018.

Memorandum 18-114 from Mayor Re: Budget Review Process

INTRODUCED with discussion.

- B. **Emergency Ordinance 18-48** An Ordinance of the City Council of Homer, Alaska, Appropriating \$22,000 to Fund Emergency Seawall Repairs and Authorizing a Sole Source Contract with East Road Services to Perform the Repairs. City Manager/Public Works Director.

ADOPTED with discussion.

11. CITY MANAGER'S REPORT

- A. City Manager's Report

There were brief comments in appreciation of the lists of city vehicles that was provided in the Manager's report, and that it emphasizes the need to establish a vehicle replacement schedule and process.

There was also brief comment about the Neighborhood Watch Grant information. City Manager Koester commented the Police Department will work with neighborhood groups to help them get started.

12. CITY ATTORNEY REPORT

13. COMMITTEE REPORT

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

14. PENDING BUSINESS

- A. **Memorandum 18-108** from Councilmember Erickson Re: Council Approval of a Letter to the State of Alaska Requesting Disaster Declaration for Salmon Fishery in Upper Cook Inlet.

APPROVED with discussion.

15. NEW BUSINESS

- A. **Memorandum 18-113**, from City Clerk Re: Selection/Appointment of Mayor Pro Tempore 2018/2019.

AMENDED to add Councilmember Smith as Mayor Pro Tempore.

APPROVED without discussion.

- B. **Memorandum 18-112** from City Clerk Re: New Marijuana Cultivation License for 420 on Main Street. Recommend approval.

APPROVED with discussion.

16. RESOLUTIONS

- A. **Resolution 18-079**, A Resolution of the City Council of Homer, Alaska, Designating Signatories of City Accounts and Superseding any Previous Resolutions so Designating City Manager.

AMENDED to add Councilmember Smith as Mayor Pro Tempore.

ADOPTED without discussion.

- B. **Resolution 18-080**, A Resolution of the City Council of Homer, Alaska, Approving a Memorandum of Agreement between the City of Homer and the Kenai Peninsula Borough Regarding a Regional Application to Assistance to Firefighters Grant Program and Authorizing the City Manager to Execute the Appropriate Documents. City Manager.

ADOPTED without discussion.

- C. **Resolution 18-082**, A Resolution of the City Council of Homer, Alaska, Amending the Homer City Council Operating Manual to Clarify the Duties and Obligations of the Mayor Pro Tempore. Aderhold.

ADOPTED with discussion.

- D. **Resolution 18-083**, A Resolution of the City Council of Homer, Alaska, Amending the Homer City Council Operating Manual under City Council Agenda and Meeting Conduct Guidelines to Delete Item 3, Mayoral Recognitions and Proclamations and Item 12. City Attorney Report, and Amend Item 8. Announcements/Presentations/Borough Reports Commission Reports to Include Committee Reports; and Updating Conflict of Interest and Code of Ethics Sections. Mayor.

ADOPTED as amended with discussion.

Amended: Lines 9-10 and 38 to delete Item 3, Mayoral Recognitions and Proclamations
Strike lines 17-23 referencing proclamations and recognitions,
Line 41 after the word sections to incorporate language from Ordinance 18-14(A)

- E. **Resolution 18-085**, A Resolution of the City Council of Homer, Alaska, Amending City of Homer Personnel Regulations, Chapter 3, Section 3.13 Part-Time Appointments, Section 3.14.1 Employment Of Relatives, Chapter 5, Section 5.1.2 Schedule Revisions, Chapter 6, Section 6.1.1 Part-Time Employees, Section 6.2 Leave With Pay, Section 6.8.1 Part-Time, Section 6.91 Part-Time, Section 6.10.1 Part-Time, Section 6.11.1 Part-Time, Chapter 7, Section 7.2.1 Probationary Period, Chapter 8, Section 8.8.3 Step 3, Section 8.8.4 Step 4, Section 8.9.3 Political Activity. City Manager/Personnel Director.

Memorandum 18-116 from Personnel Director as backup

Memorandum 18-117 from Employee Committee as backup

ADOPTED with discussion.

- F. **Resolution 18-086**, A Resolution of the City Council of Homer, Alaska, Authorizing the City to Apply for an Alaska Clean Water Actions 2019-2020 Grant Phase One of a Storm Water Master Plan in an Amount up to \$60,000 and Expressing its Commitment to Provide a Local 40% Match of Grant Funds. City Manager.

ADOPTED without discussion.

- G. **Resolution 18-087**, A Resolution of the City Council of Homer, Alaska, Approving a New One-Year Contract with Premera Blue Cross, VSP, and Prudential. City Manager.

Memorandum 18-117 from Employee Committee as backup

ADOPTED without discussion.

- H. **Resolution 18-084**, A Resolution of the City Council of Homer, Alaska, Awarding a New Five Year Short Term Lease to Alaska Scrap & Recycling, LLC., on a Portion of Lot 12, Homer Spit Subdivision No. 5, in the Amount of 1 Acre (43,560 sq. ft.) at an Annual Rate \$37,897.20 and Authorizing the City Manager to Execute the Appropriate Documents.
City Manager.

ADOPTED with discussion.

17. COMMENTS OF THE AUDIENCE

There were three who commented.

18. COMMENTS OF THE CITY ATTORNEY

City Attorney Wells was not present.

19. COMMENTS OF THE CITY CLERK

City Clerk Jacobsen confirmed Council scheduled a Special Meeting November 1st at 4:00 p.m. and share the hours for Absentee in Person voting at city hall.

20. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comment.

21. COMMENTS OF THE MAYOR

Mayor Castner had no comment.

22. COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas commented it was an interesting meeting and. In the end it was a good meeting and accomplished some meaningful things.

Councilmember Aderhold thanked the audience for staying with them tonight and said she will be telephonic for the next meeting on November 26th.

Councilmember Erickson thanked President Trump and Senator Sullivan for the Save our Seas Act to aid in ocean clean up. She commented its dark and rainy out and encouraged bicyclists to have reflective items and clothing so motorists can see them on the road.

Councilmember Lord reminded people to vote. Regarding proclamations, she doesn't have the impression there was picking and choosing so much as maybe how open the floodgates were

given who was sitting in the Mayor's seat. She commented Halloween is next week, reminded people to be safe, and thanked the Mt. View residents for being available to the kids and Story Real Estate for collecting candy for those residents to hand out.

Councilmember Smith commented one thing is clear that there will be some growing pains, but he looks forward to working with Mayor Castner. He brought some bags of groceries that he didn't get to use, but wanted to illustrate how much the things we buy include plastics.

Councilmember Venuti thanked everyone who comes to the meetings and who speaks at the meetings. She thanked KBBI for their support and those who listen in on the meetings. She encourage people vote.

23. ADJOURNMENT

Next Regular Meeting is Monday, November 26, 2018 at 6:00 p.m., Worksession at 4:00 p.m. Committee of the Whole at 5:00 p.m. and a Special Meeting November 5, 2018 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.

Mayor Castner adjourned the meeting at 9:30 p.m.