

**Action Agenda
Special Meeting
Committee of the Whole
Regular Meeting
January 28, 2019**

SPECIAL MEETING AGENDA

Session 19-02 a Special Meeting of the Homer City Council was called to order on January 28, 2019 at 4:00 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: ERICKSON, LORD, SMITH, STROOZAS, VENUTI

ABSENT: ADERHOLD (excused)

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
CITY ATTORNEY WELLS

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

Approved by consensus

3. **PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA**

4. **NEW BUSINESS**

- A. **Memorandum 19-018**, from City Clerk Re: Request for Executive Session Pursuant to AS §44.62.310(a-c)(1 & 5) Matters, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect Upon the Finances of the Government Unit and Attorney Client Privilege. (Griswold v. City of Homer, 3HO-14-00243CI; Griswold v. City of Homer, 3HO-15-00009CI; Griswold v. City of Homer, 3HO-15-00021; and Griswold v. Homer Planning Commission, 3HO-18-00240CI)

FAILED with discussion and lack of a motion

5. **COMMENTS OF THE AUDIENCE**

6. **ADJOURNMENT NO LATER THAN 4:50 P.M.**

Next Regular Meeting is Tuesday, February 11, 2019 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.

Mayor Castner adjourned the meeting at 4:10 p.m.

COMMITTEE OF THE WHOLE AGENDA

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

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

Councilmember Aderhold participated telephonically.

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

APPROVED by consensus

3. UPDATE ON THE HERC COMMUNITY CONVERSATION HELD JANUARY 22ND AND RESOLUTION 19-006, A RESOLUTION OF THE CITY COUNCIL OF HOMER, ISSUING A REQUEST FOR LETTERS OF INTEREST FOR TENANTS TO OCCUPY THE HOMER EDUCATION AND RECREATION COMPLEX (HERC 1). ADERHOLD/ERICKSON.

4. CONSENT AGENDA

5. REGULAR MEETING AGENDA

6. COMMENTS OF THE AUDIENCE

There were three who commented.

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

Next Regular Meeting is Monday, February 11, 2019 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.

Mayor Castner adjourned the meeting at 5:35 p.m.

REGULAR MEETING AGENDA

Session 19-03 a Regular Meeting of the Homer City Council was called to order on January 28, 2019 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 (telephonic), ERICKSON, LORD, SMITH, STROOZAS, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
HARBORMASTER HAWKINS
PUBLIC WORKS DIRECTOR MEYER
CITY ATTORNEY WELLS

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

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: **VISITORS** Opioid Task Force Quarterly Update – Copy of presentation slides; **ORDINANCES Substitute Ordinance 19-07(S)**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget by Appropriating FY2019 Community Assistance in the Amount of \$177,172.05 from the Police Station Fund to Set Free Alaska for the Purpose of Securing Matching Funds to Establish an Addiction Treatment Center in Homer. Smith/Erickson, Letters of Support; **CITY MANAGER’S REPORT** Thank you letter from Homer Council on the Arts; **RESOLUTIONS Substitute Resolution 19-007(S)**, A Resolution of the City Council of Homer, Alaska, Establishing a Transportation Advisory Task Force with the Expressed Purpose of Advising the Advisory Planning Commission on the Homer Area Transportation Plan. Erickson; Amend item 8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION/COMMITTEE REPORTS Item B to City Attorney Report.

APPROVED by consensus

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

None

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 January 14, 2019. City Clerk. Recommend adoption.
- B. **Memorandum 19-012** from Mayor Re: Reappointment of Mark Zeiset and Steve Zimmerman to the Port and Harbor Advisory Commission. Recommend approval.
- C. **Memorandum 19-013** from City Clerk Re: Liquor License Renewal for the Kannery Grill. Recommend approval.
- D. **Memorandum 19-014** from Homer City Council Re: Planning Commission Review of Updates to Homer Transportation Plan. Recommend approval.
- E. **Memorandum 19-015** from Mayor Appointing Councilmember Aderhold to the KPB Election Stakeholder's Group. Recommend approval.
- F. **Memorandum 19-016** from Councilmembers Smith and Erickson Re: Planning Commission Review of Regulatory Requirements for Flood Elevation on the Homer Spit. Recommend approval.
- G. **Memorandum 19-017** from City Clerk Re: Vacation of a Portion of Eric Lane right-of-way West of West Hill Road as dedicated on Lillian Walli Estate Plat HM 88-16. Recommend approval.

APPROVED without discussion.

7. VISITORS

- A. Opioid Task Force Quarterly Update (10 minutes)

Stephanie Stillwell, facilitator of the South Kenai Peninsula (SKP) Opioid Task Force, addressed the SKP Roadmap for Success in Treatment and Recovery from Substance Use Disorder. In 2017 the group assessed what services were available and identified gaps in services including no detox facility on the peninsula, no residential treatment facility, limited recovery efforts and 12 step programs, limited accessible treatment services for addiction, and no sober living or peer support services. She reported some of those gaps have been filled over these two years that include:

- A detox facility available through Central Peninsula Care Transitions
- Full time services are now available through CICADA
- Expanded services through Ninilchik Traditional Council Clinic including Peer Support Staff and an office in Homer
- Expanded services through South Peninsula Hospital including medication assisted treatment for pregnant women, and medication assisted treatment in the emergency department
- Improved relationships between law enforcement and treatment services
- Growth with all the agencies that have been engaged with the Task Force
- Peer Support and Recovery Groups
 - including NA and AA groups,
 - Parent to Parent Support Group,
 - Fit to Recover Program,
 - The syringe exchange program

Ms. Stillwell reported there will be a Peer Support Training in April and May and the Task Force continues to work on prevention efforts. They are continuing the community conversation, and events and outreach efforts to de-stigmatize addiction and recovery.

B. Set Free Alaska, Substance Abuse Treatment (10 minutes)

Philip Licht, Executive Director of Set Free Alaska, shared a success story of four men who participated in and graduated from an 18 month intensive program with over a year of sobriety, they were all employed, and through the program were able to get their driver's licenses back and become productive members of the community. He explained Set Free Alaska is a Christian program and their vision is Freedom from Addiction. They have a belief that everyone is valuable, they have incredible worth, and they have something to give this world, and the program champions them in the road to recovery. Their program services all individuals regardless of their belief system, gender, and age, through evidence based, best practice means.

Mr. Light provided an overview of Set Free Alaska's program in the Valley where they have an outpatient adult counseling program that serves about 130 people, and a 16 bed women's residential facility that serves women with children and/or women who are pregnant. They have a children's behavioral health program for kids who have are struggling because of traumatic experiences and treat them to the end of prevention because they are at high risk to

become substance abusers later in life. There are around 50 kids in that program. They have 45 to 50 professional staff members and peers that include seven graduated clients who are in recovery and have been hired and give back to the program. They've been certified by the State since 2010 and he shared the statistics of the positive results and success with their program, which are significantly and statistically greater than the statewide average for outpatient and residential treatment services. Initially the thought for Homer was sober support and outpatient but after receiving feedback from the Task Force, providers and the community, the real need is residential services and the majority of the clients that are being referred are men. They have decided to move toward a men's residential facility and it's a project that is substantially more expensive to launch. Set Free Alaska submitted a proposal for a \$1.5 million grant and he feels they have a strong possibility to launch and sustain the program within one year's time. They have commitment of a \$400,000 donation towards a facility, a \$200,000 invitation for a grant to go toward the project, and are asking for consideration of the \$177,172 from the city. This will help leverage other funding toward the project and help show the State there is a local match. This will bring money into the local economy with the remodel, and bringing in staff. He noted the letters of support for the grant that were provided by local organizations.

**8. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/
COMMISSION/COMMITTEE REPORTS**

A. Mayor Pro Tem Report on Committee of the Whole Discussion

Councilmember Smith reported Council discussed the HERC community conversation that was held on January 22nd and Resolution 19-006 regarding requesting letters of interest from potential users.

B. Councilmember Report on Worksession Discussion (when applicable)

Mayor Castner reported there was a Special Meeting scheduled instead of a worksession. There was no action taken to go into executive session and it was rescheduled to their next meeting to allow for better notification of the topics to be addressed.

C. Borough Report

Kelly Cooper, Borough Assembly Member, reported the Governor introduced legislation that pulls back the one time appropriation of \$20 million to public education, which equates to \$1.4 million for the Borough. She encouraged people to look at the information on the website and reach out to legislators. The assembly has appropriated \$425,000 for the design and replacement of the boiler plant at Homer High School, and people should expect to see additional things come up to be replaced at these aging buildings. They approved the lease purchase of two diagnostic ultra sound machines for South Peninsula Hospital funded through

the SPH Service Area Capital Project fund, entered into agreement to ask for an extension for the Kachemak Silo school project, appropriated \$450,000 for earthquake response and repairs, and are participating in AML working group to establish a centralized sales tax administrator for online sellers. The assembly introduce ordinances to appropriate \$2,322,000 for phase II closure of the Homer Landfill, and to adopt the 2018 Homer Comprehensive Plan. They accepted the final installment of \$75,000 from the Tesoro Foundation Grant for their Public Safety Communication Center. She and Assembly Member Smalley have introduced an ordinance to enact local provisions for the protection of whistleblowers. The Assembly established the Borough's 2019 State Capital Project Priorities for road projects allowing them to apply for grants to supplement road projects, and established Capital Project Priorities for Public Safety. Their number one priority is the self-contained breathing apparatus for all borough and municipal fire department volunteers, and that includes the City of Homer.

There was brief discussion about the age of the roof at the high school and that the City had a section in code regarding whistle blowers.

D. Commissions/Board/Committee Reports (5 minute limit per report)

1. Library Advisory Board

Kate Finn, Library Advisory Boardmember reported the Board hasn't met since her last report and gave an overview of upcoming events at the library.

2. Homer Advisory Planning Commission

3. Economic Development Advisory Commission

Karin Marks, Economic Development Advisory Commission Chair, reported the Commission continues their work on wayfinding, streetscape, and walkability. Now that there is discussion on the Transportation Plan which correlates with what the Commission is talking about, they are looking at trying to bring other interested parties into the discussion and trying to figure out how to consolidate this and do it in a workable form to have a chance to vet some of the ideas before they bring them to Council.

4. Parks Art Recreation and Culture Advisory Commission

Dave Lewis, Parks Art Recreation and Culture Advisory Commissioner, reported the Commission met on January 17th and discussed the Ben Walter's Park Celebration scheduled for Friday, February 8th from 4:00 to 7:00 p.m., hosting the March 29th Native Youth Olympics, the RFP for Art for the Police Station Project, and donation of a bench to the City.

5. Port and Harbor Advisory Commission

Steve Zimmerman, Port and Harbor Advisory Commission Chair, reported at their last meeting the recommended a lease amendment for Alaska Custom Seafoods with conditions that the Commission and Council receive immediate notification from city administration when there is a problem, rather than trying to handle it in-house. They reviewed the Land Allocation Plan and recommend adding one small piece of property to be available for overslope development lease across from Lot 9A on Fish Dock Road. The Anchorage Boat Show is next month and the Marine Trades Association and the City participate in that, it's a great show and introduces Homer to people who haven't been here yet. He encouraged people to attend if they're in Anchorage.

6. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold report the committee hasn't met since her last report.

7. Attorney Report

City Attorney Wells provided a brief summary of legal work the firm has been doing for the last month including the Griswold matters, most recently Mr. Griswold's appeal of the Hearing Officer's decision granting and approving a conditional use permit on a local bike shop. They've been looking at the implications of a Federal District Court case involving Juneau and the imposition of use fees, and clarifying Homer City Code regarding public utilities, waste water and water systems, and how fees are assessed, to make it easier to understand and more user friendly.

9. PUBLIC HEARING(S)

- A. **Ordinance 19-01**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget to Provide for Replacement of the Water Treatment Plant Chlorine Generation Cell by Appropriating Funds from the Water Reserve Fund in the Amount of \$23,600. City Manager/Public Works Director. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

Memorandum 19-005 from Public Works Director as backup

ADOPTED without discussion.

- B. **Ordinance 19-02**, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Capital Budget to Provide for Rehabilitation of the Spit Fish Grinding Lift Station by Appropriating Funds from the Harbor Reserve Fund in the Amount of \$31,275. City Manager/Harbormaster. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

Memorandum 19-006 from Public Works Director as backup

ADOPTED without discussion.

- C. **Ordinance 19-03**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Revolving Energy Fund to Provide for Lighting Upgrades at Six City Buildings in the Amount of \$69,175. Stroozas. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

Memorandum 19-007 from Public Works Director as backup

ADOPTED without discussion.

- D. **Ordinance 19-04**, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code Chapter 2.96, Civil Defense. Mayor. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

ADOPTED without discussion.

- E. **Ordinance 19-05(A)**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.08.100-2.08.120 Regarding Telephonic Participation at Meetings. Erickson. Introduction January 14, 2019, Public Hearing and Second Reading January 28, 2019.

ADOPTED with discussion.

10. **ORDINANCE(S)**

- A. **Ordinance 19-06**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Operating Budget to Fund Anticipated Repairs to the Seawall by Establishing Authority in the 2019 Budget for Emergency Repairs to the Seawall. City Manager. Recommended dates Introduction January 28, 2019, Second Reading and Public Hearing February 11, 2019.

INTRODUCED without discussion.

- B. **Ordinance 19-07**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Capital Budget by Appropriating FY2019 Community Assistance in the Amount of \$177,172.05 from the Police Station Fund to Set Free Alaska for the Purpose of Securing Matching Funds to Establish an Addiction Treatment Center in Homer. Smith/Erickson.

Recommended dates Introduction January 28, 2019, Second Reading and Public Hearing February 11, 2019.

Letters of Support

INTRODUCED with discussion.

11. CITY MANAGER'S REPORT

- A. City Manager's Report
- B. Bid Report

12. PENDING BUSINESS

13. NEW BUSINESS

14. RESOLUTIONS

- A. **Resolution 19-006**, A Resolution of the City Council of Homer, Alaska, Issuing a Request for Letters of Interest for Tenants to Occupy the Homer Education and Recreation Complex (HERC 1). Aderhold/Erickson.

ADOPTED with discussion as amended

Amended to add a bullet between lines 30 and 31 that reads Allow for Community Recreation Activities.

- B. **Resolution 19-007**, A Resolution of the City Council of Homer, Alaska, Establishing a Transportation Advisory Task Force with the Expressed Purpose of Advising the Advisory Planning Commission on the Homer Area Transportation Plan. Erickson.

POSTPONED to February 25, 2019

15. COMMENTS OF THE AUDIENCE

There were nine who commented.

16. COMMENTS OF THE CITY ATTORNEY

City Manager Wells reported earlier in the meeting.

17. COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

18. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comment.

19. COMMENTS OF THE MAYOR

Mayor Castner thanked Council for their work tonight. He explained he's been working with Administration on the budget and looking at how money moves in the City. He looked into the natural gas line debt and reported on an issue he discovered. It was his understanding, as well as Representative Seaton, and City Administration that they gave an aid to construction to Enstar in the amount of \$2.5 million that was going to be paid back at \$1 per thousand cubic feet of gas. He spoke to John Simms, president of Enstar, and found out that an internal rate of return of 11.075% was added. In reviewing the City's files, this isn't something the City inadvertently agreed to, it was something the Regulatory Commission had approved prior to our getting involved in the gas business. He ensure everyone that this is being addressed and the City has expert legal counsel experienced in regulatory filings working to resolve this.

20. COMMENTS OF THE CITY COUNCIL

Councilmember Venuti thanked the Mayor for this information, and for the information he shared regarding New York's efforts to ban plastic. That is coming up here locally and she doesn't want people to forget about it.

Councilmember Smith thanked the Mayor for looking into the Enstar issue. He also thanked community members who came out and testified tonight, and Mr. Licht for his presentation.

Councilmember Lord also thanked everyone for testifying and everyone who's paying attention to what's happening in the City. Addiction is so challenging because it's a community social issue and also deeply personal. She appreciated Mr. Licht's comments about treatment for everyone, regardless of faith. It's important to remember that open service doesn't have to come from a secular place. She highlighted things going on and programs she's been participating in with her kids including skiing, ice skating, SPARK open gym, the pool, the library, Bay Club kids rock climbing, SPROUT activities, and PTA after school programs at Paul Banks.

Councilmember Erickson thanked Set Free Alaska and the Opioid Task Force for being here tonight. She recognized Aaron Weisser for his efforts in putting together the New Year's Eve Fireworks event. She said she enjoyed seeing the dogs come through for the Tustumena 200 race, and encouraged people get out and enjoy the upcoming Winter Carnival and other

February events. She shared stories about her grandparents and winter carnival parade floats from the 1950's.

Councilmember Aderhold commented she prefers to be there in person, but she's at the Alaska Marine Science Symposium. Today was interesting and enlightening with keynote speakers sharing information about the status of our oceans. Over the weekend she had the opportunity to attend and Alaska Common Ground Community Forum that was on the cost of Alaska's economic rollercoaster and she encouraged everyone to look up the information on their website. There were six diverse panelists and an economist from ICER. Key topics were on uncertainty, which is bad for investment and increases costs. We are in a very uncertain time in the State with the new administration and one thing the group had consensus on was the need for the State to have diverse revenue sources. The CEO of Northrim Bank was a panelist and said we need to be invested in the State we live in, we cannot rely on industry to pay for everything, and a quote was "All of Alaska Together." She encourage people to participate in the Big Read events and look at the Story Walk with the story boards of cartoons by Roz Chast.

Councilmember Stroozas thanked the Mayor for his work on the issue with Enstar. He thanked everyone who came to the Hospice spaghetti feed fundraiser on Saturday night, and thanked all the local merchants who contributed to the auction.

21. ADJOURNMENT

Next Regular Meeting is Monday, February 11, 2019 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.

Mayor Castner adjourned the meeting at 8:04 p.m.