



Homer City Hall
491 E. Pioneer Avenue
Homer, Alaska 99603
www.cityofhomer-ak.gov

City of Homer
ACTION AGENDA
City Council Special Meeting
Committee of the Whole
Regular Meeting
Monday, April 08, 2019

SPECIAL MEETING AGENDA

Session 19-10 a Special Meeting of the Homer City Council was called to order on April 8, 2019 by Mayor Ken Castner at 4:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

STAFF: CITYMANAGER KOESTER
CITYCLERK JACOBS
CITYATTORNEY WELLS
CITYATTORNEY MCKENNA

AGENDA APPROVAL

The following changes were made: **NEW BUSINESS Memorandum 19-040** 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. (Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene.) Letter from Mayor Castner to KBP Mayor Pierce and response from James Baisden, Chief of Staff; Draft KPB Ordinance Re: Enstar RCA Tariff Intervene.

APPROVED as amended.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

NEW BUSINESS

- A Memorandum 19-040** from City Clerk Re: 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. (Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene.)

APPROVED without discussion.

Council adjourned to executive session with the City Manager and City Attorneys at 4:03 p.m.

Mayor Castner reconvened the meeting at 4:44 p.m.

Councilmember Smith reported Council discussed Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene, and gave direction to the City Attorney for the City of Homer to intervene as a party in U-19-014. Further direction was given to continue the work with Kacheamk City and Kenai Peninsula Borough to collaborate on representation of the interest of the rate payers of the Southern Kenai Peninsula before the RCA in this matter.

COMMENTS OF THE AUDIENCE

ADJOURNMENT

Next Regular Meeting is Monday, April 22, 2019 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.

Mayor Castner adjourned the meeting at 4:45 p.m.

COMMITTEE OF THE WHOLE AGENDA

CALL TO ORDER, 5:00 p.m.

Note time: 5:00

AGENDA APPROVAL

APPROVED without discussion.

CONSENT AGENDA

REGULAR MEETING AGENDA

65% DESIGN – NEW POLICE STATION

COMMENTS OF THE AUDIENCE

There were three who commented.

ADJOURNMENT

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Mayor Castner adjourned the meeting at 5:24 p.m.

REGULAR MEETING AGENDA

Session 19-11 a Regular Meeting of the Homer City Council was called to order on April 8, 2019 by Mayor Ken Castner at 6:00 p.m. 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: CITYMANAGER KOESTER
CITYCLERK JACOBS
HARBORMASTER HAWKINS
PUBLIC WORKS DIRECTOR MEYER
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AGENDA APPROVAL (*Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6*)

The following changes were made: **Reconsideration Ordinance 19-09(S)**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor/Smith. Introduction February 11, 2019, Public Hearing February 25, 2019, Postponed to March 11 and March 26, 2019. (*Notice to Rescind issued by Aderhold*); Written public comment, Kachemak City Code Title 6 – Public Utilities., Alaska Statutes 29.35.020 – Extraterritorial jurisdiction., Robert's Rules of Order 11th Edition §35. Rescind; Amend Something Previously Adopted.

City Manager's Report

Memorandum from City Manager Re: Bond Update and Final Terms (provided as a laydown)

APPROVED as amended.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. National Library Week April 7-13
- B. National Library Workers Day, April 9
- C. Celebration of Lifelong Learning, April 13

Mayor Castner announced the three items, noting that this year's Lifelong Learners are Flo Larson and Theo Castellani. He also reported that Sister City Teshio's Mayor Asda passed after battling Leukemia.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

There were eight who commented.

RECONSIDERATION

- A. **Ordinance 19-09(S)**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor/Smith. Introduction February 11, 2019, Public Hearing February 25, 2019, Postponed to March 11 and March 26, 2019. (*Notice to Rescind issued by Aderhold*)

FAILED with discussion.

CONSENT AGENDA

(Items listed below will be enacted by one motion. If a 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. City Council Unapproved Regular Meeting Minutes of March 26, 2019. Recommend approval.
- B. **Memorandum 19-041** from Mayor Re: Appointment of Kalie Petska-Rubalcava to the Advisory Planning Commission. Recommend approval.
- C. **Memorandum 19-042** from Special Projects Coordinator Re: 2020-2025 Capital Improvement Plan and FY2021 Legislative Request Schedule. Recommend approval.

Moved to New Business item A. Aderhold.

- D. **Memorandum 19-044** from City Clerk Re: Travel Authorization for Councilmember Aderhold to attend the CIRCAC Annual Board Meeting April 5, 2019 in Kenai, Alaska
- E. **Ordinance 19-15**, An Ordinance of the City Council of Homer, Alaska Amending the 2019 Capital Budget to appropriate funds in the Amount of \$1,697,865 from the Police Station Project Account for Project Management, Design Support, Early Site Civil Construction and Land Purchase Repayment Associated with the New Homer Police Station Project. City Manager/Public Works Director. City Manager/Public Works Director. Recommended dates Introduction April 8, 2019, Public Hearing and Second Reading April 22, 2019
- F. **Memorandum 19-043** from Public Works Director as backup

Item C moved to New Business Item A Aderhold.

APPROVED without discussion.

VISITORS

ANNOUNCEMENTS / PRESENTATIONS / REPORTS

(5 Minute limit per report)

Committee of the Whole Report

Councilmember Smith reported Public Works Director Meyer provided an update on the 65% design for the new Police Station project. They are on track and in budget.

Special Meeting Report

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Borough Assembly member Kelly Cooper reported they introduced the ordinance regarding additional funding for the school district for FY19 at their last meeting and the Chambers was filled to overcapacity so she had the opportunity to meet their new Fire Marshall, as they moved people in and out. The final hearing will be next week in Seward and the Homer Annex will be open for testimony for this item only. She co-sponsored the ordinance regarding the Enstar RCA Tariff Intervene with Assembly member Dunn and the hearing will be next week. Borough properties for sale by sealed bid and over the counter are posted on the Borough website Land Management page. The Borough will be starting its budget process the first meeting in May and she briefly explained their process.

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

Library Advisory Board

a. National Library Week Information

Mark Massion, Library Advisory Board member reported they have a new Chair, Marcia Kuszmaul, Vice Chair Emilie Springer, and a new member, Gordy Vernon. He also commented regarding upcoming library events for National Library week and

encouraging listeners to reach out to Senators Murkowski and Sullivan to support bills for library funding.

Homer Advisory Planning Commission

- a. Memorandum from City Planner Re: CUP Review
- b. Memorandum from City Planner Re: Climate action Plan

Scott Smith, Planning Commissioner, reported they've been holding worksessions and discussions about ensuring where a building located is on a piece of property. There have been issues where encroachment effects the value of adjacent properties, so trying to figure out a system. They've also been discussing exterior lighting in the rural residential and urban residential districts, climate action plan, and the 35 foot building height limit.

Economic Development Advisory Commission

Parks Art Recreation and Culture Advisory Commission

Ingrid Harrald, Parks Art Recreation and Culture Advisory Commissioner, recognized the efforts of Recreation Coordinator Mike Illg and Parks Maintenance Coordinator Matt Steffy. The Commission has been looking at Karen Hornaday Park road improvements, they've selected Commissioners to participate in the 1% for Art selection for the Police Department, and locating a park bench that was donated. She noted they can expect to receive an email from Commissioner Archibald about the economic benefits of recreation.

Port and Harbor Advisory Commission

Bob Hartley, Port and Harbor Advisory Commissioner, commented the harbor has gotten busy since the Salmon Derby and it isn't slowing down. He also noted there are four vessels hauled out currently. He reported at their March meeting the Commission discussed the tariff for charging smaller landing craft that use the harbor facilities to off load and use the barge ramp. They are looking at how to apply the rates fairly to these smaller vessels.

Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee will meet on Thursday and are finalizing their review of the Transition Plan.

PUBLIC HEARING(S)

- A **Ordinance 19-13**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget to Fund a Coastal Engineer's Analysis of the Seawall by Appropriating \$8,369.78 from the Ocean Drive Loop Special Service District Account and

\$1,837.27 from the City Seawall Reserve Account. City Manager. Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

There were five who commented.

ADOPTED without discussion.

- B. **Ordinance 19-14**, An Ordinance of the City Council of Homer, Alaska Approving a Noncompetitive Lease with Northern Enterprises Boat Yard, Inc. and Authorizing the City Manager to Execute the Appropriate Documents for a New Twenty Year Lease with Options for Two Consecutive Five Year Renewals for an Identified Sixty Square Foot Portion of City Tidelands ATS 612 at an Initial Annual Rate of \$3.65. City Manager. Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

Memorandum 19-039 from Port Director/Harbormaster as backup

There was one who commented.

ADOPTED without discussion.

ORDINANCE(S)

CITYMANAGER'S REPORT

- A. City Manager's Report

City Manager Koester commented the Senate Finance Committee will be taking testimony this Friday at 9:45 a.m. at the Legislative Information Office for our area, so the public can comment at that time. She also introduced Attorney Jack McKenna, with Birch Horton Bitner and Cherot, who was here on the firm's dime to get to know City Council and get familiarized with our process. He does work for the City with Attorney Wells. He and Attorney Wells stepped out a little early to catch their flight back to Anchorage.

- B. Bid Report - informational only

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 19-042** from Special Projects Coordinator Re: 2020-2025 Capital Improvement Plan and FY2021 Legislative Request Schedule.

APPROVED as amended without discussion.

Amended to include the ADA Committee review on June 13, 2019.

RESOLUTIONS

- A **Resolution 19-022**, A Resolution of the City Council of Homer, Alaska Adopting the 2019 Homer Land Allocation Plan. Aderhold.

ADOPTED without discussion.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

COMMENTS OF THE CITY MANAGER

City Manager had no comment.

COMMENTS OF THE MAYOR

Mayor Castner commented he's pleased with how the bonding is coming along. The Council has done a great job with allocating funds and with a balanced approach to spending. He explained his interactions with Kachemak City. He had been promised a letter a long time ago, which he said he noted. At one point Kachemak City got to where they wanted to start negotiating what's next and he said he didn't have any interest and couldn't start tying this together because as soon as he did, Shelly Erickson becomes ineligible to take part, so it becomes a matter of not having seven people making a decision but five people making a decision. That number weighed heavily on him. When Kachemak City didn't give him the letter he was expecting, but one that didn't include the non-objection line which is what he had told Council was coming, he intentionally withheld the letter. He felt it would muddy the water and the negotiation stance they took had nothing to do with the matter at hand. He offered his apology and said he should be held accountable if they think it's that wrong. It was an intentional act on his part but he didn't think it was going to change anything. He thought it would be just as bad to give the letter and have them ask "where are the words Mr. Mayor that say that they don't object because that's what you told us was coming". He added it's really important that we work together because we have some important stuff to do this year. He was supposed to bring the Council together and force them to make decisions without breaking ties, and he doesn't want to lose that momentum they've had over the last five months.

COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas appreciated the Mayors comments they were taken to heart. We have a good City Council and we do a lot of good things, and he sees more good things coming down the road. They were able to come to consensus last year on the Police State project working together as a team and he appreciates each of them.

Councilmember Aderhold agreed they do have a good Council. She appreciates their diversity and thinks a diverse council is the best kind because they look at all sides of things. To her it's not about whether she wins or loses on a vote, it's about whether they have good policy for the City. She's a little concerned the Mayor was making decisions based on the potential conflict of interest of a Councilmember, she doesn't think that's how we should be making decisions on what's brought forward. She thinks they have a ways to go. We need to work on our transparency, be cognizant of this body at this table at this time, and what's good policy. She can't speak to the policy of a Council from 10 or more years ago, only what's at this council.

Councilmember Erickson commented she went to Bethel last weekend, got to walk on tundra, and have dinner with some old friends. She share a story one friend told about when he came to Homer as a principal and advice he got about how we all come from different perspectives and it's important to work together on behalf of or town. She appreciates that and the fact we are holding each other accountable and in the long run, if we're willing to look at ourselves, at the things we're doing, and where we need to change to make a better place and more accountable to the process. She'd like to be part of the process of looking at selling water outside city limits, especially along that trunk line, she thinks it's important to have that conversation.

Councilmember Lord commented since she's been on council she's had the opportunity to have people ask her why she does it. To her it's easy because she believes in local government and appreciates the challenge of sitting down with others to have informed debate about issues that matter. She looks forward to moving forward, she agrees it's a really good Council that's worked through hard things before and will again. She thinks they do that best by having respect for one another, acting with respect, being fully transparent, and having trust and integrity. She appreciates the Mayors apology in terms of withholding the letter, but her concern is that the Council is a body and we work together as such, and bring forward the relevant information. Whatever any one says they think might happen, it's not a bad thing if it doesn't or something changes and it will take more time, whatever the case, at the end of the day she looks forward to them being a group that can work together and disagree transparently and openly. She said she was just back east for her grandmother's memorial service, and while there she learned Jan Flora had died. She was saddened by the news and said she'll miss Jan's phone calls providing her with unsolicited information that she didn't know she needed, but somehow actually did. Jan regularly did that, and she'll miss it.

Councilmember Smith acknowledged there's plenty of work to do when it comes to resolving the matter with Kachemak City. He welcomes the efforts of those opposed to the ordinance proving out what they said tonight about finding some workable amenable resolution. If they're serious about that he welcomes open conversation with both bodies to get the policy cleaned up. It's a mess, it's inequitable, and unfair to our own residents. He looks forward to seeing what's produced.

Councilmember Venuti shared that she and some of the college students will be making pancakes at Homer Flex on Wednesday. Everyone's invited to go on Wednesday, they provide the ingredients and you just have to make the pancakes and talk to the students. She heard ways to be involved, testifying about the budget on Friday, and sending post cards to Senators Murkowski and Sullivan asking them to support the public libraries. She also gets questions like Rachel about why does she serve. She like working with the Council and loves living and serving in Homer.

ADJOURNMENT

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COMMITTEE OF THE WHOLE AGENDA

CALL TO ORDER, 5:00 p.m.

Note time: 5:00

AGENDA APPROVAL

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CONSENT AGENDA

REGULAR MEETING AGENDA

65% DESIGN – NEW POLICE STATION

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Memorandum from City Manager Re: Bond Update and Final Terms (provided as a laydown)

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COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

COMMENTS OF THE CITY MANAGER

City Manager had no comment.

COMMENTS OF THE MAYOR

Mayor Castner commented he's pleased with how the bonding is coming along. The Council has done a great job with allocating funds and with a balanced approach to spending. He explained his interactions with Kachemak City. He had been promised a letter a long time ago, which he said he noted. At one point Kachemak City got to where they wanted to start negotiating what's next and he said he didn't have any interest and couldn't start tying this together because as soon as he did, Shelly Erickson becomes ineligible to take part, so it becomes a matter of not having seven people making a decision but five people making a decision. That number weighed heavily on him. When Kachemak City didn't give him the letter he was expecting, but one that didn't include the non-objection line which is what he had told Council was coming, he intentionally withheld the letter. He felt it would muddy the water and the negotiation stance they took had nothing to do with the matter at hand. He offered his apology and said he should be held accountable if they think it's that wrong. It was an intentional act on his part but he didn't think it was going to change anything. He thought it would be just as bad to give the letter and have them ask "where are the words Mr. Mayor that say that they don't object because that's what you told us was coming". He added it's really important that we work together because we have some important stuff to do this year. He was supposed to bring the Council together and force them to make decisions without breaking ties, and he doesn't want to lose that momentum they've had over the last five months.

COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas appreciated the Mayors comments they were taken to heart. We have a good City Council and we do a lot of good things, and he sees more good things coming down the road. They were able to come to consensus last year on the Police State project working together as a team and he appreciates each of them.

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Councilmember Venuti shared that she and some of the college students will be making pancakes at Homer Flex on Wednesday. Everyone's invited to go on Wednesday, they provide the ingredients and you just have to make the pancakes and talk to the students. She heard ways to be involved, testifying about the budget on Friday, and sending post cards to Senators Murkowski and Sullivan asking them to support the public libraries. She also gets questions like Rachel about why does she serve. She like working with the Council and loves living and serving in Homer.

ADJOURNMENT

Next Regular Meeting is Monday, April 22, 2019 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.

Mayor Castner adjourned the meeting at 8:00 p.m.



Homer City Hall
491 E. Pioneer Avenue
Homer, Alaska 99603
www.cityofhomer-ak.gov

City of Homer
ACTION AGENDA
City Council Special Meeting
Committee of the Whole
Regular Meeting
Monday, April 08, 2019

SPECIAL MEETING AGENDA

Session 19-10 a Special Meeting of the Homer City Council was called to order on April 8, 2019 by Mayor Ken Castner at 4:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

STAFF: CITYMANAGER KOESTER
CITYCLERK JACOBS
CITYATTORNEY WELLS
CITYATTORNEY MCKENNA

AGENDA APPROVAL

The following changes were made: **NEW BUSINESS Memorandum 19-040** 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. (Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene.) Letter from Mayor Castner to KBP Mayor Pierce and response from James Baisden, Chief of Staff; Draft KP Ordinance Re: Enstar RCA Tariff Intervene.

APPROVED as amended.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

NEW BUSINESS

- A. Memorandum 19-040** from City Clerk Re: 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. (Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene.)

APPROVED without discussion.

Council adjourned to executive session with the City Manager and City Attorneys at 4:03 p.m.

Mayor Castner reconvened the meeting at 4:44 p.m.

Councilmember Smith reported Council discussed Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene, and gave direction to the City Attorney for the City of Homer to intervene as a party in U-19-014. Further direction was given to continue the work with Kacheamk City and Kenai Peninsula Borough to collaborate on representation of the interest of the rate payers of the Southern Kenai Peninsula before the RCA in this matter.

COMMENTS OF THE AUDIENCE

ADJOURNMENT

Next Regular Meeting is Monday, April 22, 2019 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.

Mayor Castner adjourned the meeting at 4:45 p.m.

COMMITTEE OF THE WHOLE AGENDA

CALL TO ORDER, 5:00 p.m.

Note time: 5:00

AGENDA APPROVAL

APPROVED without discussion.

CONSENT AGENDA

REGULAR MEETING AGENDA

65% DESIGN – NEW POLICE STATION

COMMENTS OF THE AUDIENCE

There were three who commented.

ADJOURNMENT

Next Regular Meeting is Monday, April 22, 2019 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.

Mayor Castner adjourned the meeting at 5:24 p.m.

REGULAR MEETING AGENDA

Session 19-11 a Regular Meeting of the Homer City Council was called to order on April 8, 2019 by Mayor Ken Castner at 6:00 p.m. 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: CITYMANAGER KOESTER
CITYCLERK JACOBS
HARBORMASTER HAWKINS
PUBLIC WORKS DIRECTOR MEYER
CITYATTORNEY WELLS
CITYATTORNEY MCKENNA

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

The following changes were made: **Reconsideration Ordinance 19-09(S)**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor/Smith. Introduction February 11, 2019, Public Hearing February 25, 2019, Postponed to March 11 and March 26, 2019. (*Notice to Rescind issued by Aderhold*); Written public comment, Kachemak City Code Title 6 – Public Utilities., Alaska Statutes 29.35.020 – Extraterritorial jurisdiction., Robert's Rules of Order 11th Edition §35. Rescind; Amend Something Previously Adopted.

City Manager's Report

Memorandum from City Manager Re: Bond Update and Final Terms (provided as a laydown)

APPROVED as amended.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. National Library Week April 7-13
- B. National Library Workers Day, April 9
- C. Celebration of Lifelong Learning, April 13

Mayor Castner announced the three items, noting that this year's Lifelong Learners are Flo Larson and Theo Castellani. He also reported that Sister City Teshio's Mayor Asda passed after battling Leukemia.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

There were eight who commented.

RECONSIDERATION

- A. **Ordinance 19-09(S)**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor/Smith. Introduction February 11, 2019, Public Hearing February 25, 2019, Postponed to March 11 and March 26, 2019. (*Notice to Rescind issued by Aderhold*)

FAILED with discussion.

CONSENT AGENDA

(Items listed below will be enacted by one motion. If a 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. City Council Unapproved Regular Meeting Minutes of March 26, 2019. Recommend approval.
- B. **Memorandum 19-041** from Mayor Re: Appointment of Kalie Petska-Rubalcava to the Advisory Planning Commission. Recommend approval.
- C. **Memorandum 19-042** from Special Projects Coordinator Re: 2020-2025 Capital Improvement Plan and FY2021 Legislative Request Schedule. Recommend approval.

Moved to New Business item A. Aderhold.

- D. **Memorandum 19-044** from City Clerk Re: Travel Authorization for Councilmember Aderhold to attend the CIRCAC Annual Board Meeting April 5, 2019 in Kenai, Alaska
- E. **Ordinance 19-15**, An Ordinance of the City Council of Homer, Alaska Amending the 2019 Capital Budget to appropriate funds in the Amount of \$1,697,865 from the Police Station Project Account for Project Management, Design Support, Early Site Civil Construction and Land Purchase Repayment Associated with the New Homer Police Station Project. City Manager/Public Works Director. City Manager/Public Works Director. Recommended dates Introduction April 8, 2019, Public Hearing and Second Reading April 22, 2019
- F. **Memorandum 19-043** from Public Works Director as backup

Item C moved to New Business Item A Aderhold.

APPROVED without discussion.

VISITORS

ANNOUNCEMENTS / PRESENTATIONS / REPORTS

(5 Minute limit per report)

Committee of the Whole Report

Councilmember Smith reported Public Works Director Meyer provided an update on the 65% design for the new Police Station project. They are on track and in budget.

Special Meeting Report

Councilmember Smith reported Council discussed Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene, and gave direction to the City Attorney for the City of Homer to intervene as a party in U-19-014. Further direction was given to continue the work with Kacheamk City and Kenai Peninsula Borough to collaborate on representation of the interest of the rate payers of the Southern Kenai Peninsula before the RCA in this matter.

Mayor's Report

Borough Report

Borough Assembly member Kelly Cooper reported they introduced the ordinance regarding additional funding for the school district for FY19 at their last meeting and the Chambers was filled to overcapacity so she had the opportunity to meet their new Fire Marshall, as they moved people in and out. The final hearing will be next week in Seward and the Homer Annex will be open for testimony for this item only. She co-sponsored the ordinance regarding the Enstar RCA Tariff Intervene with Assembly member Dunn and the hearing will be next week. Borough properties for sale by sealed bid and over the counter are posted on the Borough website Land Management page. The Borough will be starting its budget process the first meeting in May and she briefly explained their process.

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

Library Advisory Board

a. National Library Week Information

Mark Massion, Library Advisory Board member reported they have a new Chair, Marcia Kuszmaul, Vice Chair Emilie Springer, and a new member, Gordy Vernon. He also commented regarding upcoming library events for National Library week and

encouraging listeners to reach out to Senators Murkowski and Sullivan to support bills for library funding.

Homer Advisory Planning Commission

- a. Memorandum from City Planner Re: CUP Review
- b. Memorandum from City Planner Re: Climate action Plan

Scott Smith, Planning Commissioner, reported they've been holding worksessions and discussions about ensuring where a building located is on a piece of property. There have been issues where encroachment effects the value of adjacent properties, so trying to figure out a system. They've also been discussing exterior lighting in the rural residential and urban residential districts, climate action plan, and the 35 foot building height limit.

Economic Development Advisory Commission

Parks Art Recreation and Culture Advisory Commission

Ingrid Harrald, Parks Art Recreation and Culture Advisory Commissioner, recognized the efforts of Recreation Coordinator Mike Illg and Parks Maintenance Coordinator Matt Steffy. The Commission has been looking at Karen Hornaday Park road improvements, they've selected Commissioners to participate in the 1% for Art selection for the Police Department, and locating a park bench that was donated. She noted they can expect to receive an email from Commissioner Archibald about the economic benefits of recreation.

Port and Harbor Advisory Commission

Bob Hartley, Port and Harbor Advisory Commissioner, commented the harbor has gotten busy since the Salmon Derby and it isn't slowing down. He also noted there are four vessels hauled out currently. He reported at their March meeting the Commission discussed the tariff for charging smaller landing craft that use the harbor facilities to off load and use the barge ramp. They are looking at how to apply the rates fairly to these smaller vessels.

Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee will meet on Thursday and are finalizing their review of the Transition Plan.

PUBLIC HEARING(S)

- A **Ordinance 19-13**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget to Fund a Coastal Engineer's Analysis of the Seawall by Appropriating \$8,369.78 from the Ocean Drive Loop Special Service District Account and

\$1,837.27 from the City Seawall Reserve Account. City Manager. Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

There were five who commented.

ADOPTED without discussion.

- B. **Ordinance 19-14**, An Ordinance of the City Council of Homer, Alaska Approving a Noncompetitive Lease with Northern Enterprises Boat Yard, Inc. and Authorizing the City Manager to Execute the Appropriate Documents for a New Twenty Year Lease with Options for Two Consecutive Five Year Renewals for an Identified Sixty Square Foot Portion of City Tidelands ATS 612 at an Initial Annual Rate of \$3.65. City Manager. Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

Memorandum 19-039 from Port Director/Harbormaster as backup

There was one who commented.

ADOPTED without discussion.

ORDINANCE(S)

CITYMANAGER'S REPORT

- A. City Manager's Report

City Manager Koester commented the Senate Finance Committee will be taking testimony this Friday at 9:45 a.m. at the Legislative Information Office for our area, so the public can comment at that time. She also introduced Attorney Jack McKenna, with Birch Horton Bitner and Cherot, who was here on the firm's dime to get to know City Council and get familiarized with our process. He does work for the City with Attorney Wells. He and Attorney Wells stepped out a little early to catch their flight back to Anchorage.

- B. Bid Report - informational only

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 19-042** from Special Projects Coordinator Re: 2020-2025 Capital Improvement Plan and FY2021 Legislative Request Schedule.

APPROVED as amended without discussion.

Amended to include the ADA Committee review on June 13, 2019.

RESOLUTIONS

- A **Resolution 19-022**, A Resolution of the City Council of Homer, Alaska Adopting the 2019 Homer Land Allocation Plan. Aderhold.

ADOPTED without discussion.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

COMMENTS OF THE CITY MANAGER

City Manager had no comment.

COMMENTS OF THE MAYOR

Mayor Castner commented he's pleased with how the bonding is coming along. The Council has done a great job with allocating funds and with a balanced approach to spending. He explained his interactions with Kachemak City. He had been promised a letter a long time ago, which he said he noted. At one point Kachemak City got to where they wanted to start negotiating what's next and he said he didn't have any interest and couldn't start tying this together because as soon as he did, Shelly Erickson becomes ineligible to take part, so it becomes a matter of not having seven people making a decision but five people making a decision. That number weighed heavily on him. When Kachemak City didn't give him the letter he was expecting, but one that didn't include the non-objection line which is what he had told Council was coming, he intentionally withheld the letter. He felt it would muddy the water and the negotiation stance they took had nothing to do with the matter at hand. He offered his apology and said he should be held accountable if they think it's that wrong. It was an intentional act on his part but he didn't think it was going to change anything. He thought it would be just as bad to give the letter and have them ask "where are the words Mr. Mayor that say that they don't object because that's what you told us was coming". He added it's really important that we work together because we have some important stuff to do this year. He was supposed to bring the Council together and force them to make decisions without breaking ties, and he doesn't want to lose that momentum they've had over the last five months.

COMMENTS OF THE CITY COUNCIL

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STAFF: CITYMANAGER KOESTER
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CITYATTORNEY WELLS
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AGENDA APPROVAL

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APPROVED as amended.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

NEW BUSINESS

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COMMENTS OF THE AUDIENCE

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Mayor Castner adjourned the meeting at 4:45 p.m.

COMMITTEE OF THE WHOLE AGENDA

CALL TO ORDER, 5:00 p.m.

Note time: 5:00

AGENDA APPROVAL

APPROVED without discussion.

CONSENT AGENDA

REGULAR MEETING AGENDA

65% DESIGN – NEW POLICE STATION

COMMENTS OF THE AUDIENCE

There were three who commented.

ADJOURNMENT

Next Regular Meeting is Monday, April 22, 2019 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.

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REGULAR MEETING AGENDA

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City Manager's Report

Memorandum from City Manager Re: Bond Update and Final Terms (provided as a laydown)

APPROVED as amended.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

- A. National Library Week April 7-13
- B. National Library Workers Day, April 9
- C. Celebration of Lifelong Learning, April 13

Mayor Castner announced the three items, noting that this year's Lifelong Learners are Flo Larson and Theo Castellani. He also reported that Sister City Teshio's Mayor Asda passed after battling Leukemia.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

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RECONSIDERATION

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FAILED with discussion.

CONSENT AGENDA

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Moved to New Business item A. Aderhold.

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- F. **Memorandum 19-043** from Public Works Director as backup

Item C moved to New Business Item A Aderhold.

APPROVED without discussion.

VISITORS

ANNOUNCEMENTS / PRESENTATIONS / REPORTS

(5 Minute limit per report)

Committee of the Whole Report

Councilmember Smith reported Public Works Director Meyer provided an update on the 65% design for the new Police Station project. They are on track and in budget.

Special Meeting Report

Councilmember Smith reported Council discussed Enstar Tariff filing TA-310-4 and RCA order U-19-014 suspending the filing and inviting the Attorney General to intervene, and gave direction to the City Attorney for the City of Homer to intervene as a party in U-19-014. Further direction was given to continue the work with Kacheamk City and Kenai Peninsula Borough to collaborate on representation of the interest of the rate payers of the Southern Kenai Peninsula before the RCA in this matter.

Mayor's Report

Borough Report

Borough Assembly member Kelly Cooper reported they introduced the ordinance regarding additional funding for the school district for FY19 at their last meeting and the Chambers was filled to overcapacity so she had the opportunity to meet their new Fire Marshall, as they moved people in and out. The final hearing will be next week in Seward and the Homer Annex will be open for testimony for this item only. She co-sponsored the ordinance regarding the Enstar RCA Tariff Intervene with Assembly member Dunn and the hearing will be next week. Borough properties for sale by sealed bid and over the counter are posted on the Borough website Land Management page. The Borough will be starting its budget process the first meeting in May and she briefly explained their process.

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

Library Advisory Board

a. National Library Week Information

Mark Massion, Library Advisory Board member reported they have a new Chair, Marcia Kuszmaul, Vice Chair Emilie Springer, and a new member, Gordy Vernon. He also commented regarding upcoming library events for National Library week and

encouraging listeners to reach out to Senators Murkowski and Sullivan to support bills for library funding.

Homer Advisory Planning Commission

- a. Memorandum from City Planner Re: CUP Review
- b. Memorandum from City Planner Re: Climate action Plan

Scott Smith, Planning Commissioner, reported they've been holding worksessions and discussions about ensuring where a building located is on a piece of property. There have been issues where encroachment effects the value of adjacent properties, so trying to figure out a system. They've also been discussing exterior lighting in the rural residential and urban residential districts, climate action plan, and the 35 foot building height limit.

Economic Development Advisory Commission

Parks Art Recreation and Culture Advisory Commission

Ingrid Harrald, Parks Art Recreation and Culture Advisory Commissioner, recognized the efforts of Recreation Coordinator Mike Illg and Parks Maintenance Coordinator Matt Steffy. The Commission has been looking at Karen Hornaday Park road improvements, they've selected Commissioners to participate in the 1% for Art selection for the Police Department, and locating a park bench that was donated. She noted they can expect to receive an email from Commissioner Archibald about the economic benefits of recreation.

Port and Harbor Advisory Commission

Bob Hartley, Port and Harbor Advisory Commissioner, commented the harbor has gotten busy since the Salmon Derby and it isn't slowing down. He also noted there are four vessels hauled out currently. He reported at their March meeting the Commission discussed the tariff for charging smaller landing craft that use the harbor facilities to off load and use the barge ramp. They are looking at how to apply the rates fairly to these smaller vessels.

Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee will meet on Thursday and are finalizing their review of the Transition Plan.

PUBLIC HEARING(S)

- A **Ordinance 19-13**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Operating Budget to Fund a Coastal Engineer's Analysis of the Seawall by Appropriating \$8,369.78 from the Ocean Drive Loop Special Service District Account and

\$1,837.27 from the City Seawall Reserve Account. City Manager. Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

There were five who commented.

ADOPTED without discussion.

- B. **Ordinance 19-14**, An Ordinance of the City Council of Homer, Alaska Approving a Noncompetitive Lease with Northern Enterprises Boat Yard, Inc. and Authorizing the City Manager to Execute the Appropriate Documents for a New Twenty Year Lease with Options for Two Consecutive Five Year Renewals for an Identified Sixty Square Foot Portion of City Tidelands ATS 612 at an Initial Annual Rate of \$3.65. City Manager. Introduction March 26, 2019, Public Hearing and Second Reading April 8, 2019

Memorandum 19-039 from Port Director/Harbormaster as backup

There was one who commented.

ADOPTED without discussion.

ORDINANCE(S)

CITYMANAGER'S REPORT

- A. City Manager's Report

City Manager Koester commented the Senate Finance Committee will be taking testimony this Friday at 9:45 a.m. at the Legislative Information Office for our area, so the public can comment at that time. She also introduced Attorney Jack McKenna, with Birch Horton Bitner and Cherot, who was here on the firm's dime to get to know City Council and get familiarized with our process. He does work for the City with Attorney Wells. He and Attorney Wells stepped out a little early to catch their flight back to Anchorage.

- B. Bid Report - informational only

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 19-042** from Special Projects Coordinator Re: 2020-2025 Capital Improvement Plan and FY2021 Legislative Request Schedule.

APPROVED as amended without discussion.

Amended to include the ADA Committee review on June 13, 2019.

RESOLUTIONS

- A **Resolution 19-022**, A Resolution of the City Council of Homer, Alaska Adopting the 2019 Homer Land Allocation Plan. Aderhold.

ADOPTED without discussion.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comment.

COMMENTS OF THE CITY MANAGER

City Manager had no comment.

COMMENTS OF THE MAYOR

Mayor Castner commented he's pleased with how the bonding is coming along. The Council has done a great job with allocating funds and with a balanced approach to spending. He explained his interactions with Kachemak City. He had been promised a letter a long time ago, which he said he noted. At one point Kachemak City got to where they wanted to start negotiating what's next and he said he didn't have any interest and couldn't start tying this together because as soon as he did, Shelly Erickson becomes ineligible to take part, so it becomes a matter of not having seven people making a decision but five people making a decision. That number weighed heavily on him. When Kachemak City didn't give him the letter he was expecting, but one that didn't include the non-objection line which is what he had told Council was coming, he intentionally withheld the letter. He felt it would muddy the water and and the negotiation stance they took had nothing to do with the matter at hand. He offered his apology and said he should be held accountable if they think it's that wrong. It was an intentional act on his part but he didn't think it was going to change anything. He thought it would be just as bad to give the letter and have them ask "where are the words Mr. Mayor that say that they don't object because that's what you told us was coming". He added it's really important that we work together because we have some important stuff to do this year. He was supposed to bring the Council together and force them to make decisions without breaking ties, and he doesn't want to lose that momentum they've had over the last five months.

COMMENTS OF THE CITY COUNCIL

Councilmember Stroozas appreciated the Mayors comments they were taken to heart. We have a good City Council and we do a lot of good things, and he sees more good things coming down the road. They were able to come to consensus last year on the Police State project working together as a team and he appreciates each of them.

Councilmember Aderhold agreed they do have a good Council. She appreciates their diversity and thinks a diverse council is the best kind because they look at all sides of things. To her it's not about whether she wins or loses on a vote, it's about whether they have good policy for the City. She's a little concerned the Mayor was making decisions based on the potential conflict of interest of a Councilmember, she doesn't think that's how we should be making decisions on what's brought forward. She thinks they have a ways to go. We need to work on our transparency, be cognizant of this body at this table at this time, and what's good policy. She can't speak to the policy of a Council from 10 or more years ago, only what's at this council.

Councilmember Erickson commented she went to Bethel last weekend, got to walk on tundra, and have dinner with some old friends. She share a story one friend told about when he came to Homer as a principal and advice he got about how we all come from different perspectives and it's important to work together on behalf of or town. She appreciates that and the fact we are holding each other accountable and in the long run, if we're willing to look at ourselves, at the things we're doing, and where we need to change to make a better place and more accountable to the process. She'd like to be part of the process of looking at selling water outside city limits, especially along that trunk line, she thinks it's important to have that conversation.

Councilmember Lord commented since she's been on council she's had the opportunity to have people ask her why she does it. To her it's easy because she believes in local government and appreciates the challenge of sitting down with others to have informed debate about issues that matter. She looks forward to moving forward, she agrees it's a really good Council that's worked through hard things before and will again. She thinks they do that best by having respect for one another, acting with respect, being fully transparent, and having trust and integrity. She appreciates the Mayors apology in terms of withholding the letter, but her concern is that the Council is a body and we work together as such, and bring forward the relevant information. Whatever any one says they think might happen, it's not a bad thing if it doesn't or something changes and it will take more time, whatever the case, at the end of the day she looks forward to them being a group that can work together and disagree transparently and openly. She said she was just back east for her grandmother's memorial service, and while there she learned Jan Flora had died. She was saddened by the news and said she'll miss Jan's phone calls providing her with unsolicited information that she didn't know she needed, but somehow actually did. Jan regularly did that, and she'll miss it.

Councilmember Smith acknowledged there's plenty of work to do when it comes to resolving the matter with Kachemak City. He welcomes the efforts of those opposed to the ordinance proving out what they said tonight about finding some workable amenable resolution. If they're serious about that he welcomes open conversation with both bodies to get the policy cleaned up. It's a mess, it's inequitable, and unfair to our own residents. He looks forward to seeing what's produced.

Councilmember Venuti shared that she and some of the college students will be making pancakes at Homer Flex on Wednesday. Everyone's invited to go on Wednesday, they provide the ingredients and you just have to make the pancakes and talk to the students. She heard ways to be involved, testifying about the budget on Friday, and sending post cards to Senators Murkowski and Sullivan asking them to support the public libraries. She also gets questions like Rachel about why does she serve. She like working with the Council and loves living and serving in Homer.

ADJOURNMENT

Next Regular Meeting is Monday, April 22, 2019 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.

Mayor Castner adjourned the meeting at 8:00 p.m.