

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: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER
PORT DIRECTOR HAWKINS
CITY ATTORNEY WELLS
CITY ATTORNEY 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)

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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

Ron Keffer, city resident, commended in support of rescinding Ordinance 19-09(S). He cited several reasons including the letter from Kachemak City Mayor Overway that Mayor Castner did not provide to Council at the last meeting, the letter sent by the Mayor in response, and concerns on the precedent of approving this ordinance.

Taz Tally, nonresident, commented in support of rescinding Ordinance 19-09(S). He is a resident of Kachemak City and thinks it's premature to move forward with the water extension project in its current form. He shared an experience of Kachemak City's endeavor into assuming the duties and responsibilities of maintaining their road system. After researching what would be involved and holding a referendum and the community voted against it. He encouraged this Council to use more due diligence as is needed when making infrastructure decisions.

Larry Slone, city resident, commented in opposition of rescinding Ordinance 19-09(S). He thinks this is a turf fight between two entities, with the argument being whether the process was completed properly or not versus the practicality of what they need.

Steve Gibson, city resident, commented he favors getting water to Kachemak City, but not with a Mayoral negotiation that is then franked by Council and could be changed for every property holder. He thinks this is getting the City into trouble, if they aren't consistent in the process.

Scott Adams, city resident, commented in opposition to rescinding Ordinance 19-09(S). Part of the annexation policy was because water was going outside city limits. The line goes past the properties and they pay a share for the line and they should be able to use the water. He supports setting the \$100,000 aside and making an agreement that works. He'd rather see that happen than dumping the water into the bay.

Mike Arno, business owner in Kachemak City and in Homer, shared his concern with one business being allowed to have water in Kachemak City and not another. His business fronts the water line and when he applied for water was told he couldn't unless he annexed into the city. But if he had an extra \$100,000 then he could have? If this is allowed to go, he'll have his application for water, and the City will have to tell him why he can't have it. He questioned how the dollar amount was determined, and said if it went to court he expects it would be determined the City accepted a bribe for someone else to have water.

Francie Roberts, city resident, commented in support to rescinding Ordinance 19-09(S). The Council didn't receive all the information at the last meeting and they can't make good decisions without all the information. Allowing businesses outside city limits to hook up to

water would negatively impact revenue to the city because others would develop out there. She commented that in the letters it seems there's more going on than what the ordinance addresses, and she's concerned about the capacity of our reservoir.

Jack Cushing, city resident and former Mayor, comment regarding the inequity of providing water service to a business outside the city versus inside the city. Businesses outside are collecting different property and sales tax, and have different zoning requirements. He agrees with most of the comments tonight. He noted Kachemak City hasn't paid any money toward the water line, and shared some history of how the line was funded. He expressed concern that there isn't a clear indication of what the \$100,000 fee is, there are a number of things collected from a new user on a line. He thinks they need to stand down the issue and get a policy together before proceeding.

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)*

ADERHOLD/LORD IN ACCORDANCE WITH THE NOTICE GIVEN ON THE PUBLISHED AGENDA MOVED TO RESCIND ORDINANCE 19-09(S) ACCEPTING AND APPROPRIATING A \$100,000 SERVICE EXTENSION FEE AND AUTHORIZING THE EXTENSION OF CITY OF HOMER WATER SERVICES TO LOT 2B, PUFFIN ACRES MILEPOST 3, EAST END ROAD IN KACHEMAK CITY.

Councilmember Aderhold first noted the process that if the motion to rescind passes she will work with the City Manager and administration to come back to the next meeting with an ordinance to clarify Homer's policy regarding water connections outside city limits and lay out a framework for evaluating changing the policy in coordination with Kachemak City. She basically supports the project, but she's not willing to go against Kachemak City, their code, State Statute, and Homer policy to get there. She cited Kachemak City Code's reference that properties should be treated fairly and equitably, and state statutes requirement that an ordinance is needed from Kachemak City for us to be able extend utilities services to their jurisdiction. She believes the decision made at the last meeting is the equivalent of spot zoning, done in someone else's jurisdiction, and it disregards the idea of fairness and equitability, something Council worked diligently toward with the revision of the lease policies last year. Ms. Aderhold expressed the following reasons to rescind Ordinance 19-09,

- The ordinance potentially violates State Statutes;
- The belated receipt of a letter from Kachemak City addressed to the City of Homer that stated their Council's position that all 16 properties that front the East Road water main be treated fairly and equitably and that we work with their Council on a process to allow properties to connect;

- The letter applies to the property in this ordinance;
- Our Mayor knowingly withheld the letter at our last meeting and his statements at the meeting implied no letter existed;
- HCC 1.18.030(a) states City Officials shall not knowingly make false statements to influence an official action, and (h) addresses Inappropriate use of Office to unduly influence the decisions of others;
- The Mayor used City of Homer letterhead to coerce the governing body of Kachemak City to do what he wanted them to do, and they provided a letter of non-objection to the ordinance included in the packet, which she feels is an inappropriate use of City letterhead and the Office of the Mayor.

Councilmember Aderhold added the ends don't justify the means. In this case the ends are providing water to a project that will clearly benefit from it and the means included ignoring our policy and Kachemak City Code, rejecting a letter from Kachemak City outlining process for fairly and equitably treating all 16 properties that front the main, withholding information from City Council, and strong arming the Kachemak City governing body. We have an opportunity to make this right by rescinding this ordinance.

Councilmember Smith commented Kachemak City Code also states no water connection or extension shall be installed unless... so that stuff will yet be resolved. State statutes refers to "before a power authorized by the subsection maybe exercised inside the boundaries of another municipality, the approval of the other municipality must be given by ordinance", and that can still be done. He thinks the malfeasance brought forward is out of order and it's just her interpretation of what's happened. What we've done is legal, it may not be appreciated by some, and the idea we can continue to mull over defeat and find other was to object, he thinks, is just bad form.

Councilmember Lord noted she's made her points clear throughout the conversations on this ordinance, and she fully supports the motion to rescind, not based on mulling over defeat, but based on the fact that information was withheld from them. They can have different opinions on how we do things and on policy, but Council represents the City of Homer and its people and the only way we're going to be trusted as a body and public institution is if we are working with full transparency. That letter was addressed to the City of Homer and is a matter of public record. She was concerned by the Mayor's action to vote, not the vote itself as she'll continue to lose on policy matters, that's part of how it works. She thinks this decision will pull them down a deep hole, Mr. Arno spoke to her concerns pretty thoroughly, which are process based and legal issues she's concerned about. Her support to rescind has almost nothing to do with her policy feelings on the matter, but with what she believes is most important if we are to be respected as a body and have transparency and working in good faith with one another. In so far as our Mayor is going to act as a member of the body, which she believes is appropriate, we have to come up with a way that we institute trust and integrity in how we deal with one another. The degree to which any Mayor is dealing with business negotiations that are generally under the purview of the City Manager, she emphasized the importance of having

trust and integrity interwoven into what we do. Rescinding this is an important step to moving forward productively and positively to try to get this right.

Councilmember Venuti commented she supports the motion to rescind based on the Mayor's vagueness at the last meeting regarding the letter and then finding out there was a letter. Her other concern is why East End Partners, LLC hasn't been in on this, but the Mayor seems to be the spokesperson. She likes to believe when the Mayor speaks he's going to share his intent, and she was surprised by the Mayor's vote. She appreciates the public who commented and that the letters were included in the packet, and thinks the correct way forward is to rescind this and have discussion with all the parties involved so we're all on a level playing field.

Councilmember Stroozas said he thinks everyone knows how he feels about stranded infrastructure, and this is an opportunity to begin to push a product we need to sell through the infrastructure. He likened this to the Greatland Road extension where a number of people in the community complained about the route and people who were against it think it's the greatest thing because they see the benefit.

Councilmember Erickson believes it's prudent to look at laws and sometime we'll find things have changed. Things have changed since the last time they proposed extending water to Kachemak City and she appreciates that the Mayor has tried to help with a number of different issues. She thinks they've been caught in a hard spot and need to revisit some of the rules and appreciates the willingness to look at it. When looking at our laws and at what's working and not working, it takes time. When there's a project moving forward, they don't always have time to go through the process because it can become a financial detriment to a project as big as this. She thinks it's important to consider the health and safety of the roads and those intersections where the project is going to be. There is also the issue of sewer billing for delivered water rather than metered water. She added Kachemak City is supportive of this project but bringing other lots is their issue to deal with.

Councilmember Lord noted Councilmember Smith had shared some thoughts about the letter and asked Councilmembers Stroozas and Erickson if they would offer some feedback on that, she was disappointed they hadn't addressed it in their comments. She also asked if they and Councilmember Smith would share their comments or thoughts about Mr. Arno's point about other's who want to connect to the water, how to negotiate with individuals, and the legal liability this may set the City up for.

Councilmember Erickson responded that she has enough relationship with the Kachemak City Mayor and Council that she knows where they stood and how they were thinking, but that we were ultimately getting the letter of support.

Councilmember Stroozas responded when we voted at our last meeting, we didn't have a letter, but the Mayor said Kachemak City didn't object to this water service, and then the letter came. That should be nerve calming enough.

Councilmember Aderhold responded to Councilmember Smith's alluding that she doesn't like to lose. She clarified that she's lost a lot at this table and will continue to lose, but this isn't about winning or losing, it's about good solid policy we can stand on and isn't open for litigation. She brought this forward when she realized a letter that Kachemak City specifically outlined a process for equitably providing water to all 16 lots was withheld from them. To her that made all the difference. She feels like they need to step back, work with Kachemak City Council, and treat all properties equitably.

Councilmember Venuti agrees with Councilmember Lord's concerns about what is the next person going to have to pay. What's Mr. Arno going to have to pay? It's a good question and she'd like an answer.

Councilmember Smith clarified that the developer offered the \$100,000 and Council had the opportunity to amend the amount, so no one's excused from the opportunity to amend or erase that amount. We provide them water no matter what, that area developed without city water, and the lack of city water won't stop development. Regarding the letter, they're making it sound like the Mayor made the choice he wouldn't show it to council because it'll hurt the chances of it passing. The votes wouldn't have changed if they'd seen the letter. He doesn't agree with the Mayor not providing the letter, it should have been out in the open, but at the end of the day, it changes nothing in the way council voted, or the opinion of those who have spoken.

Councilmember Erickson added that the assessment amount to the Kachemak City lots is at \$16,000 and from the conversation, those lots would have to pay that water assessment, so she thinks that's what Mr. Arno would have to pay. The other people offered that amount to hook up instead of \$16,000 was foolish because they should have gone for the assessment, but we are thankful for the \$100,000 because it pays back something.

Councilmember Stroozas added the \$100,000 goes into the HAWSP fund and will leverage to about \$400,000 in new infrastructure for the City of Homer for the water and sewer system. It's a wonderful opportunity to be able to leverage something like that.

Councilmember Lord commented no one can come and offer the City \$16,000 to pay an assessment in Kachemak City. We are not able to levy an assessment against another city's property owners. The opportunity for people in Kachemak City to hook up to the line in the normal way would be that Kachemak City would pay us the amount owed on that side of the road, and they would go through their own public process to recoup that money. That's how large infrastructure projects are paid for. She questions if we can legally take the "service extension fee" which she doesn't believe is a term that exists in our code. Her understanding is the money was a negotiating conversation with the Mayor and the developer and that if they wanted to connect they'd need to come up with a number that would get the City Council's attention.

Councilmember Smith responded that he takes exception with how this water project was structured in the first place, saying that Kachemak City has to pay a percentage of the cost and then say by resolution they can't hook up to it because we can't assess them. He noted the percentages paid by the property owners on the City side that included a 25% discount using HAWSP fund, arguing the notion of fairness, it was a bad deal from the beginning. He wants them to do good things and be above board, but he doesn't think rescission is the way it will get done.

Councilmember Venuti questioned what the way is to getting it done, if rescission isn't the answer. Councilmember Aderhold has volunteered her time to bring something back at the next meeting, why not wait two weeks to see what she comes up with. The points made about recognizing the need to work on policy sounds like support for rescinding and bringing something else back. It's a perfect time to rethink their votes.

VOTE: YES: ADERHOLD, LORD, VENUTI
NO: STROOZAS, SMITH, ERICKSON

Mayor Castner stated the motion failed. City Clerk Jacobsen asked for clarification from the Mayor whether he was casting a no vote, or an abstention. Mayor Castner said he wasn't abstaining, the vote was a three/three tie, it failed, and he's not voting.

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 FY 2021 Legislative Request Schedule. Recommend approval.

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

Memorandum 19-043 from Public Works Director as backup

City Clerk Jacobsen read the consent agenda and recommendations.

VENUTI/ERICKSON MOVED TO APPROVE THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT
Motion carried.

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

Mayor Castner opened the public hearing.

Chris Newby, city resident and seawall property owner, commented in support of the ordinance. He agrees there is a need for a professional to look at the seawall, assess how it's performed, what repairs are needed, and possible improvement of the wall.

Paul Hueper, city resident and seawall property owner, supports a long term solution. There are a lot of issues that need to be addressed. He shared some history of the project, including a lawsuit from '05-'09 and an Army Corps of Engineers permit issued in the City's name back in '03. In the lawsuit the permit was discovered and when Troy Jones went to do some work, ACOE said only the City can do work on the seawall. That permit is the start of where this needs to go, as the permit says the City is responsible for the seawall in perpetuity for cost and maintenance. The lawsuit determined the property owners had to pay for it, but really it's the City's responsibility.

Pat Irwin, city resident and seawall property owner, agrees that we need a solution because the wall isn't sustainable as it is. He supports an engineer's report and see what their options are. We need a solution.

Larry Slone, city resident, concurs that the engineers report should occur. He referenced information in the packet regarding the Climate Action Plan that highlights shoreline erosion is becoming more pronounced and increasing extensive along Homer's shoreline.

Kathy Sarns-Irwin, city resident and seawall property owner, supports getting an engineer's report, it's a first step toward what needs to be done in the future. It's forward thinking and a good positive step.

There were no further comments and the hearing was closed.

Mayor Castner asked for a motion for the adoption of Ordinance 19-13 by reading of title only for second and final reading.

ERICKSON/VENUTI SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- 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

Mayor Castner opened the public hearing.

Roseleen Moore, city resident and Northern Enterprise representative, commented in support of the ordinance. There are a lot of steps in this process that have taken a lot of time, and this will get them on a timeline to start construction this summer.

There were no further comments and the hearing was closed.

Mayor Castner asked for a motion for the adoption of Ordinance 19-13 by reading of title only for second and final reading.

ERICKSON/VENUTI SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

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

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.

PENDING BUSINESS

NEW BUSINESS

- A. **Memorandum 19-042** from Special Projects Coordinator Re: 2020-2025 Capital Improvement Plan and FY 2021 Legislative Request Schedule.

Mayor Castner asked for a motion for the approval of Memorandum 19-042.

ADERHOLD/VENUTI MOVED TO APPROVE MEMORANDUM 19-042

ADERHOLD/ERICKSON MOVED TO AMEND THE SCHEDULE TO ADD ADA COMPLIANCE COMMITTEE ON JUNE 13TH.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion on the main motion as amended.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

RESOLUTIONS

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

Mayor Caster asked for a motion for the adoption of Resolution 19-022 by reading of title only.

ERICKSON/ADERHOLD SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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 Koester 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.

ADJOURN

There being no more business to come before the Council Mayor Castner adjourned the meeting at 8:00 p.m. The 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.

Melissa Jacobsen, MMC, City Clerk

Approved: _____