



## **Homer City Hall**

491 E. Pioneer Avenue

Homer, Alaska 99603

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## **City of Homer**

### **Action Agenda**

**City Council Worksession**

**Committee of the Whole**

**Regular Meeting**

**Monday, September 9, 2019 at 4:00 PM**

**City Hall Cowles Council Chambers**

### **WORKSESSION**

#### **CALL TO ORDER, 4:00 P.M.**

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

Councilmember Erickson was excused.

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

APPROVED by consensus

#### **DISCUSSION TOPIC(S)**

A. Fund Balance 101

#### **COMMENTS OF THE AUDIENCE** (3 minutes)

One person commented.

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

Next Regular Meeting is Monday, September 23, 2019 at 6:00 p.m., Worksession at 4:00 p.m. Committee of the Whole at 5:00 p.m. and a Worksession on September 16, 2019 at 3:00 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 4:50 p.m.

### **COMMITTEE OF THE WHOLE**

#### **CALL TO ORDER, 5:00 P.M.**

Mayor Castner called the Committee of the Whole to order at 5:00 p.m.

Councilmember Erickson was excused.

Department Heads may be called on to participate.

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

APPROVED by consensus

**CONSENT AGENDA**

**REGULAR MEETING AGENDA**

**DISCUSSION TOPIC(S)**

A. Revenue Sources for General Fund

**COMMENTS OF THE AUDIENCE**

One person commented.

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

Next Regular Meeting is Monday, September 9, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. and a Special Meeting on August 28, 2019 at 3:00 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 5:26 p.m.

**REGULAR MEETING AGENDA**

Session 19-27 a Regular Meeting of the Homer City Council was called to order on September 9, 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, LORD, SMITH, STROOZAS, VENUTI

**ABSENT:** ERICKSON (Excused)

**STAFF:** CITY MANAGER KOESTER  
DEPUTY CITY CLERK KRAUSE

**AGENDA APPROVAL** (Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

The following changes were made: **Consent Agenda** Resolution 19-061, A Resolution of the Homer City Council Selecting Alliant Insurance Services, Inc. to Provide Marine General Liability, Workboat Hull and Equipment, and Workboat Protection and Indemnity Insurance Coverages for the Homer Harbor and Authorizing the City Manager to Execute the Appropriate

Documents. Resolution with Corrected number and Letter from Alliant dated September 5, 2019 with updated comparison as backup. **Pending Business** Ordinance 19-38(A)(S) An Ordinance of the City Council of Homer, Alaska, Amending the FY2019 Operating and Capital Budgets to Provide for Necessary Mid-Year Adjustments by Appropriating and Transferring funds from the General and Water and Sewer Funds. City Manager/Finance Director.

Ordinance 19-38(A)(S-2) An Ordinance of the City Council of Homer, Alaska, Amending the FY2019 Operating and Capital Budgets to Provide for Necessary Mid-Year Adjustments by Appropriating and Transferring funds from the General and Water and Sewer Funds. Mayor.

**Resolutions** Resolution 19-060, A Resolution of the City Council of Homer, Alaska, Expressing its Intent to Enter into a Contractual Agreement with the Firm to be named to Provide Legal Services to the City of Homer. Mayor/Council. Resolution 19-060(S), A Resolution of the City Council of Homer, Alaska, Expressing its Intent to Enter into a Contractual Agreement with the Firm Jermain, Dunnagan & Owens, P.C. of Anchorage, Alaska, to Provide Legal Services to the City of Homer.<sup>1</sup>

APPROVED as amended without discussion.

## **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

## **PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA**

## **RECONSIDERATION**

**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 August 26, 2019. City Clerk. Recommend adoption.
- b. **Memorandum 19-113** from Mayor Re: Appointment of Student Representative to the Library Advisory Board. Recommend approval.
- c. **Memorandum 19-114** from Deputy City Clerk Re: Liquor License Restaurant Designation for Wild Honey Bistro. Recommend approval.
- d. **Memorandum 19-115** from Deputy City Clerk Re: Confirmation of Election Judges for the City of Homer Regular Election October 1, 2019. Recommend approval.
- e. **Resolution 19-057**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the 2019-20-22 Snow Removal and Sanding Services to the Firm of Gregoire Construction of Homer, Alaska, in the Amount of \$570 Per Trip for Snow Removal and

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<sup>1</sup> Resolution 19-060(A) corrected on the record during approval to Resolution 19-060(S)

\$466 Per Trip for Sanding, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Recommend approval.

Memorandum 19-116 from Public Works Superintendent as backup

- f. **Ordinance 19-40**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.27.040, Dimensional Requirements, to Allow Commercial Buildings up to 75 Feet in Height in the East End Mixed Use District with a Conditional Use Permit. Planning Commission. Recommended Dates Introduction September 9, 2019 Public Hearing and Second Reading September 23, 2019

Memorandum 19-121 from Planning Director as backup

- g. **Ordinance 19-41**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.24.020, Permitted Uses and Structures; and Homer City Code 21.26.020, Permitted Uses and Structures, to Expand Manufacturing Activities in the General Commercial 1 and General Commercial 2 Zoning Districts. Planning Commission. Recommended Dates Introduction September 9, 2019 Public Hearing and Second Reading September 23, 2019

Memorandum 19-122 from City Planner as backup

- h. **Resolution 19-058**, A Resolution of the City Council of Homer, Alaska, Acknowledging the Rosebud Court Road Reconstruction and Paving Special Assessment District will not be Created Based on Property Owner Objections. City Clerk. Recommend adoption.
- i. **Resolution 19-059**, A Resolution of the City Council of Homer, Alaska, Noting the Insufficiency of the Petition for Cityview Avenue Road Reconstruction and Paving Special Assessment District. City Clerk. Recommend Adoption.
- j. **Resolution 19-062**, A Resolution of the City Council of Homer, Alaska, Selecting Alliant Insurance Services, Inc. to Provide Marine General Liability, Workboat Hull and Equipment, and Workboat Protection and Indemnity Insurance Coverage for the Homer Harbor and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

ADOPTED without discussion.

## VISITORS

## ANNOUNCEMENTS / PRESENTATIONS / REPORTS (5 Minute limit per report)

- a. Worksession Report –

City Manager Koester reported that they had a presentation on Fund Balance 101 which the City has been reviewing, under the Mayor's guidance, fund balance policies, they have been reviewing different funds and using the funds in different ways. Information was presented on the General Fund, Utility Fund, and Enterprise Fund and how these funds are used and applied for the City Council exercise in trying to understand the city's budget and finances.

b. Committee of the Whole Report

Councilmember Smith reported that they had a discussion on the current revenue sources for the General Funds and the City Manager informed the City Council that the trends are overall moving positive direction.

c. Mayor's Report

d. Borough Report

Kelly Cooper, Borough Assembly representative, thanked Mayor Castner for his work on the Enstar issue which has benefitted the residents and the Borough as well. She reported on the following items:

- Upcoming Borough Election, October 1, 2019 will have two propositions one regarding a change from Borough Mayor to Borough Manager form of government and increasing the cap for sales tax from \$500 to \$1000, noting the increased revenue will help with the State cuts in funding, school district budget and if passed the change in how the Borough will be managed.
- Assembly passed a resolution recognizing the recommendations from the Election Stakeholders Group and a Public Hearing will be conducted on the first item that was introduced at the last assembly meeting which is to appoint members of the service area boards instead of having elected positions. The Borough clerk will be giving presentations between now and October 8<sup>th</sup> but expects to have that postponed until all boards have been educated on that proposed change. South Peninsula Hospital Service Area Board meeting is Thursday, September 12, 2019 and will have a presentation on that change. The public is invited to attend that meeting.
- The Borough Mayor's office has issued an emergency declaration for the Swan Lake and Caribou Lake Fires and the communities fighting the drought in Seldovia and Nanwalek.
- The next Assembly meeting will be in Homer on Tuesday, September 17, 2019 and they are looking forward to meeting with Council members before the meeting.

e. Library Advisory Board

Jacque Petersen, Boardmember, reported that the Board is working on the creation of a planned giving program for funding operations at the Public Library; at the last meeting the members reviewed the gift acceptance policy and reviewed policies from other libraries and

discussed how to integrate planned giving into the library's long term objectives; adopted a Library Strategic Plan for 2020-2025; and discussed the library budget for the next two year budget schedule. Ms. Petersen highlighted the September events:

- Lunch with a Council person resumed today, expressed appreciation for Councilmember Aderhold
- September 17<sup>th</sup> - 10a-2pm Presentation from Small Business Administration
- Accepting Entries for Art in the Library competition deadline is September 19<sup>th</sup> at 8:00 p.m.
- September 25<sup>th</sup> – 6:00 -7:00 pm – Candidate Forum for all candidates for City Council

f. Homer Planning Commission

Scott Smith, thanked the City Council for approving Commissioner Davis as he assisted in attaining their quorum for the recent meeting. They had public hearings on three easement vacations and conducted election of officers. The next meeting has been canceled due to staff absences.

g. Economic Development Advisory Commission

h. Parks Art Recreation and Culture Advisory Commission

i. Port and Harbor Advisory Commission

j. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported that the Committee did not meet.

**PUBLIC HEARING(S)**

- a. Ordinance 19-39, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 1.16.040, Disposition of Scheduled Offenses-Fines Schedule. Lord/Venuti. Introduction August 26, 2019 Public Hearing and Second Reading September 9, 2019

Memorandum 19-102 from Port Director as backup

There were no public comments.

ADOPTED without discussion.

- b. Resolution 19-052, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Tariff and the City of Homer Fee Schedule Under Barge Ramp Cargo Facility. Lord/Venuti. Follows Ordinance 19-39.

Memorandum 19-102 from Port Director as backup

There were no public comments.

ADOPTED without discussion.

- c. Resolution 19-061, A Resolution of the City Council of Homer, Alaska, Adopting the 2020-2025 Capital Improvement Plan and Establishing Capital Improvement Project Legislative Priorities for Fiscal Year 2021.

Memorandum 19-119 from Special Projects and Communications Coordinator as backup

There were no public comments.

ADOPTED as amended.

Amended:

Approved updates and amendments to the Multiuse Community Center Phase 1 project.

Removed the Homer Conference Center (a long range project) from the CIP

Approved updates and amendments to the Fire Department Fleet Management projects, Fleet Management and removed Rescue 1 Remount

Approved relocating the New Public Works Facility to the Mid-Range Section from Long Range section.

Added eight new projects and classified them as follows:

- Port and Harbor Cathodic Protection project – mid range
- Public Works Raw Water Transmission Main Replacement – Mid Range
- ADA Committee – All below projects are Mid-Range
  - o City Hall Access Barrier Removal
  - o Public Restroom Barrier Removal
  - o Nick Dudiak Fishing Lagoon Accessible Ramp & Retaining Wall
  - o Removing Parking & pavement Accessibility Barriers at City Facilities
  - o ADA Self Evaluation & Transition Plan for City Parks, Trails and Campgrounds
- Volunteer Fire Department Fire Hall Expansion Phase 1 – Mid Range

## **ORDINANCE(S)**

### **CITY MANAGER'S REPORT**

- a. City Manager's Report

City Manager Koester requested input from Council on the Prince William Sound Regional Citizens Advisory Council request for comment on Project Planning, Alaska LNG Draft Environmental Impact statement and further direction on how they would like to invest in the safety of the employees.

## PENDING BUSINESS

- a. Ordinance 19-19 (S)(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 14.08, "Water Rules and Regulations" to add HCC 14.08.015, "Water Service Area" and Permitting the City to Provide Water Service Outside the City of Homer so long as the Property Served is Adjacent to a Water Main Installed to Serve City Property and such Service is Required by Law or Authorized by Ordinance and Requiring a Council Approved Agreement Regulating Use, Operation, Installation, and Maintenance of Water Service on the Property. Introduction April 22, 2019, Postponed to May 28, 2019, Public Hearing June 10, 2019, Referred to Planning Commission, Port & Harbor Advisory Commission and Economic Development Advisory Commission, Postponed to August 26, 2019 and September 9, 2019

FAILED with discussion.

Ordinance 19-19(S-2)(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 14.08, "Water Rules and Regulations" to add HCC 14.08.015, "Water Service Area" and Permitting the City to Provide Water Service Outside the City of Homer so long as the Property Served is Adjacent to a Water Main Installed to Serve City Property and such Service is Required by Law or Authorized by Ordinance and Requiring a Council Approved Agreement Regulating Use, Operation, Installation, and Maintenance of Water Service on the Property.

Memorandum 19-117 from City Attorney as backup

FAILED with discussion.

- b. Ordinance 19-38(A), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Operating and Capital Budgets to Provide for Necessary Mid-Year Adjustments by Appropriating and Transferring funds from the General and Water Sewer Funds. City Manager/Finance Director. Introduction August 12, 2019, Public Hearing and Second Reading August 26, 2019 Postponed to September 9, 2019

Ordinance 19-38(A)(S), An Ordinance of the City Council of Homer, Alaska, Amending the FY 2019 Operating and Capital Budgets to Provide for Necessary Mid-Year Adjustments by Appropriating and Transferring funds from the General and Water Sewer Funds.

Memorandum 19-099 from Finance Director as backup

Memorandum 19-118 from City Manager as backup

ADOPTED with discussion.

## NEW BUSINESS



## **RESOLUTIONS**

- a. Resolution 19-060, A Resolution of the City Council of Homer, Alaska, Expressing its Intent to Enter into a Contractual Agreement with the Firm to be Named to Provide Legal Services to the City of Homer. Mayor/Council.

Resolution 19-060(S), A Resolution of the City Council of Homer, Alaska, Expressing its Intent to Enter into a Contractual Agreement with the Firm Jermain, Dunnagan & Owens, P.C. of Anchorage, Alaska, to Provide Legal Services to the City of Homer.

ADOPTED with discussion.

## **COMMENTS OF THE AUDIENCE**

There was one who commented.

## **COMMENTS OF THE CITY ATTORNEY**

## **COMMENTS OF THE CITY CLERK**

Deputy City Clerk Krause expressed her appreciation for Council's patience.

## **COMMENTS OF THE CITY MANAGER**

City Manager Koester had no comments.

## **COMMENTS OF THE MAYOR**

Mayor Castner reminded everyone that the Alaska World Arts Festival is ongoing with many events scheduled and most are free. The Cook Inlet Regional Citizens Advisory Council met in Homer due to the water shortage and invited him to attend the meeting was held at the new Aspen Hotel. He will be attending the new Bay Weld boat launch for the largest vessel that they have built. It is a massively large boat, and will be conducting their sea trials here then going down to Juneau. Speaking about the need for larger buildings to handle construction, we have gone from nice fishing vessels to small ships now and the marine trades in this town are something to really marvel at and he is very proud at what they are doing here in the way of marine trades.

## **COMMENTS OF THE CITY COUNCIL**

Councilmember Venuti commented on the marine trades college is a big part of that, due to Jesus and a wonderful program that she has seen so many students achieve success; that boat is big, actually a small ship, it is an amazing thing. She reminded everyone on the voting coming up on October 1<sup>st</sup> and hope everyone is an informed voter and attends the Candidate Forum mentioned by Jacque Petersen at the Library. There will be a vote on a plastic bag ban and encourage everyone to read the research on plastic bags. Ms. Venuti reported that you can

actually vote starting next week, everyone's voice is very important, she emphasized encouragement to everyone to vote.

Councilmember Smith commented on the upcoming elections and the items on the ballot noting that historically there has been a pathetic turnout and noted that those that were listening tonight were not the ones that needed to hear this but he encouraged those people listening to reach out to their circle and encourage them to be active at the polls and be informed on the issues on the ballot and go to the polls. Mr. Slone mentioned tonight that the 40% of the assessed land value was tax exempt but it is closer to 45% and this should get your attention and be considered when they start the discussion on property tax and what it is to have an increase in tax revenue over any time. He noted the new flag in the Council Chambers represents the City of Homer being an official Purple Heart City, they did not previously register with the right entity and now they can display it proudly in honor of all who were injured or lost in their service to the country. He hopes that there is resolution at the School Board meeting tonight and avoids a strike and that there is no disruption to the education of our children but understands that there are some very important issues that need to be addressed.

Councilmember Lord commented that they recently had the opportunity to get public land back on the tax rolls but that did not work out. She expressed her appreciation for Renee for her work and noted that the role of the Clerk is a very important job and everybody in the Clerk's Office does a lot and we probably have called upon Renee more than was anticipated during her stint filling in for Melissa. Thank you very much for that. Ms. Lord expressed her appreciation for the attorneys who responded to the RFP and she heard it around the table that it made her feel very proud that so many wanted to do legal work on behalf of the City. On that note Ms. Lord stated she is very proud of the City of Homer, she is proud to live here and immensely proud to be part of the community in a number of different ways that she is, as an individual, a business owner, and a member of her family, and she holds this office with the utmost respect for this office and the role as such. Ms. Lord stated she considers her role to always work on the citizens behalf, in fact was repeatedly asked when she was a candidate what was her agenda. She did not have and still does not have, an agenda; she works toward good government and transparent government. Mr. Slone provided some feedback to her tonight that in his perception her priority may be heavily balanced towards process, than with the public's trust and maintaining the public's trust. She will be considering that further, but does welcome feedback and especially feedback that will make her think. She believes there has been a number of discussions on transparency and the term transparent government and there have been times when transparency and simplicity have been equated with one another and that has rubbed her the wrong way. Clarity to her equals transparency. Clarity does not always mean simple in complex systems. Sometimes she believes simplicity can obscure due to fundamentally lacking the details when detail is required. She stated her goal will be to seriously consider what Mr. Slone has relayed to her and really think about these things; to think about transparency and how she would like to execute her office and how she would like to see the City run in a transparent manner that provides the community maybe not the

simplest answers or solutions but with the most clear and responsible solutions that they are able to come to at this table.

Councilmember Aderhold commented on the Lunch with a Councilmember program, this program is sponsored by the Friends of the Library, six people attended today and there were many topics discussed including Ordinance 19-19 including water to subdivided properties, which is now moot which lead to properties in city limits that do not have water and sewer and cannot get water without getting sewer which lead to the question of why; there were discussions on taxing bear viewing flights which has been discussed at this table before, community center and convention center, keeping trees, an environmental resolution in regards to the fires and when they should be fought or left alone; Port & Harbor and the use of the harbor and freight. This was more like a discussion at the table which was more interesting for her.

Councilmember Stroozas commented that the Jackpot Halibut Derby continues until September 15<sup>th</sup> but this will be the last year in this format. The derby has been conducted for 34 years, it had a great run but the time has come and starting next year it will be conducted similar to the Winter King Derby in the month of June.

#### **ADJOURNMENT**

Next Regular Meeting is Monday, September 9, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. and a Special Meeting on August 28, 2019 at 3:00 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 8:25 p.m.