

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(A), 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.

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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 \$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.

Mayor Castner asked for a motion for the adoption of the consent agenda as read.

VENUTI/LORD MOVED TO APPROVE 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)

- 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 8th 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 17th - 10a-2pm Presentation from Small Business Administration
- Accepting Entries for Art in the Library competition deadline is September 19th at 8:00 p.m.
- September 25th – 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 scheduled staff training and vacations and there are no urgent or pending issues or permits to address.

- 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

Mayor Castner introduced the item into the record by reading of the title and opened the public hearing. There were no comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 19-39 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- 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

Mayor Castner introduced the item into the record by reading of the title and opened the public hearing. There were no comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 19-052 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- 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

Mayor Castner introduced the item into the record by reading of the title and opened the public hearing. There were no comments and the hearing was closed.

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 19-061 FOR SECOND AND FINAL READING¹

Councilmember Lord reported that Jenny Carroll, Special Projects and Communications Coordinator presented to Council the various updates and overview of the Capital Improvement Plan draft and there were a number of things that were discussed.

LORD/ADERHOLD MOVED TO APPROVE THE AMENDMENTS AND UPDATES TO THE MULTIUSE COMMUNITY CENTER PHASE 1 PROJECT.

Points were made on the discussions held on the HERC and a study conducted several years ago the importance of an indoor recreation space supported moving the multiuse community center up on the list and update the priority to a level one.

VOTE. (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

LORD/VENUTI MOVED TO REMOVE THE HOMER CONFERENCE CENTER PROJECT FROM THE CAPITAL IMPROVEMENT PLAN

Discussion ensued on the inclusion of the project in the Capital Improvement Plan at another time could be accomplished but in discussions entertained on the Commission level and due to the feasibility of funding a project such as this, it is not timely.

VOTE. (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

¹ Correction – This was the first hearing and reading for the Resolution 19-061 and will be on the agenda for the September 23, 2019 meeting under Public Hearing for the second and final reading.

Motion carried.

ADERHOLD/ LORD MOVED TO APPROVE THE AMENDMENTS TO THE FIRE DEPARTMENT FLEET MANAGEMENT AND REMOVING RESCUE 1 REMOUNT

Discussion ensued on the due diligence conducted by the new Fire Chief and review of the community needs and these amendments reflect his recommendations.

VOTE. (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ADERHOLD/VENUTI MOVED TO ADD THE NEW PUBLIC WORKS FACILITY TO THE CAPITAL IMPROVEMENT PLAN AS A MID RANGE PROJECT

Discussion on the review of the project and updated the project to reflect update Tsunami inundation mapping, the future need of relocating the Maintenance Department which is currently housed in HERC 2 and the general reason that the Public Works Department has outgrown the current facility. It was noted that the area could be repurposed in needed snow storage and public use area due to the proximity to the Beluga Slough, Animal Shelter and conservation land.

VOTE. (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Lord requested guidance on adding the new projects before making the motion.

LORD/ADERHOLD MOVED TO AMEND THE CAPITAL IMPROVEMENT PLAN WITH THE FOLLOWING NEW PROJECTS:

- Homer Harbor Cathodic Protection – Mid Range
- Public Works Raw Water Transmission Main Replacement - Mid Range
- ADA Committee Projects:
 - o City Hall Access Barrier Removal – Mid Range
 - o Public restroom Barrier Removal – Mid Range
 - o Nick Dudiak Fishing Lagoon Accessible Ramp & Retaining Wall – Mid Range
 - o Removing Parking & Pavement Accessibility Barriers at City Facilities – Mid Range
 - o ADA Self Evaluation and Transition Plan for City Parks, Trails and Campgrounds – Mid Range
- Fire Department Fire Hall Expansion, Phase 1 – Mid Range

Discussion ensued on the description for each of the projects is included in the draft Capital Improvement Plan document.

City Manager Koester responded to Councilmember Lord regarding prioritization of the Fire Hall Expansion Project and noted that either range of mid or long term would be appropriate as long as it was acknowledged that there may be projects that were taken up prior to this project.

Councilmember Lord stated that she was comfortable in placing the Fire Hall Expansion Project in the mid-range category, she wanted to consider the Department input and thinking about the existing police building will be soon vacated and the shared location.

VOTE. (Amendment) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Stroozas commented he wanted to add a new project to the capital Improvement.

STROOZAS/SMITH MOVED TO ADD PREPARING HOMER AIRPORT FOR COMMERCIAL JET SERVICE

Discussion ensued on the points pro and con to include the project as a long range project for the future potential, the information provided was not current, the current economic situation of the state and dependency on the State of Alaska does not necessarily affect a long range project, effects of TSA requirements on the City, this project would address seasonal summertime service, the projected costs of needed upgrades, questionable economic benefits to the city

VOTE. (Amendment). YES, VENUTI, SMITH, STROOZAS

VOTE. NO. ADERHOLD, LORD

Motion failed.

ADERHOLD/LORD MOVED TO PRIORITIZE THE FIVE PROJECTS FOR THE LEGISLATIVE REQUEST AS

1. HOMER BARGE MOORING AND LARGE VESSEL HAUL OUT REPAIR FACILITY
2. LARGE VESSEL PORT EXPANSION
3. STORM WATER MASTER PLAN
4. MAIN STREET SIDEWALK NORTH
5. MULTI-USE COMMUNITY CENTER, PHASE 1

There was no discussion.

VOTE. NON-OBJECTION. UANIMOUS CONSENT.

Motion carried.

LORD/VENUTI MOVED TO ESTABLISH THE FEDERAL PRIORITY PROJECTS AS:

1. HOMER BARGE MOORING AND LARGE VESSEL HAUL OUT REPAIR FACILITY
2. LARGE VESSEL PORT EXPANSION

Councilmember Lord provided explanation on the process to select the projects as the top five for State support and then the top two to submit for Federal support.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried

There were no further amendments to the Capital Improvement Plan.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 19-061 AS AMENDED

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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.

Councilmember Venuti commented on the volume in the City Manager's report and that Ms. Koester had certainly been super busy. Ms. Venuti stated that she was interested in the 50 yrs with the Kachemak Bay State Park and was agreeable with the suggestion outlined and looked forward to seeing what they come up with and going through the process.

Councilmember Stroozas commented on the input for the Alaska LNG Project and he made a few points as follows:

- In Alaska the project will reduce greenhouse gas emissions through the use of natural gas versus burning of wood and coal. This would be extremely beneficial to the Fairbanks area.
- Through potential sales of natural gas to Asian countries this will reduce greenhouse gas and provide a cleaner energy source to a significant portion of the total world population. Asia population is equivalent to 59.76% of the total world population.
- Construction of a gas pipeline will supply Alaskans with gas and improve air quality.
- Construction jobs – Total over eight years equals 29,100 with the peak employment during the project's 4th year at 7,620 jobs.
- Connection to the Interior Gas Utility will provide assurance of a long-term, economic energy supply for Fairbanks and North Pole residents, commercial and industrial users.
- \$7.1 billion of materials and services will be purchased in Alaska.
- Liquefaction Facility will be located in Nikiski, an area that has served as an industrial area for the past 50+ years.

Mr. Stroozas acknowledged that he would be bringing a Resolution forward for the next meeting.

Councilmember Aderhold requested Councilmember Stroozas to tie the request in the Resolution to Homer and why it would be beneficial to Homer. Ms. Aderhold then commented on the benefits and reason to making safety a priority and as a city they should look into and appreciated the attention by the City Manager and noticed the decline in claims. She noted the importance of the health and safety of the employees.

Councilmember Smith commented that improvement is needed and that it is mandatory and should be required and how they go about a conversation could be had.

Councilmember Aderhold added comment on safety and related her experience related to behavior based safety program and not sure the city wants to go all the way down that but there are elements that are worthwhile to encourage addressing safety issues as you come upon them. Notice of personal responsibility for personal safety.

City Manager Koester thanked the Council for their recommendations and she is looking for direction such as bringing in a specialized consultant to work with the departments. She would like to work on taking the next steps for making the Safety program even more beneficial.

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

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

ADERHOLD/LORD MOVED TO SUBSITUTE ORDINANCE 19-19(S-2) (A) FOR ORDINANCE 19-19(S) (A)

Councilmember Aderhold reported working with the City Attorney to make a few amendments to Lines 68-70, reviewed existing City Code it was determined that could be deleted, notice a few minor language revisions needed and noted several areas that would require change by Council via ordinance and added the recommendation from the Planning Commission.

Mayor Castner questioned the effective date is midnight tonight will this affect previous decision made earlier this year.

Councilmember Aderhold responded that she did not believe it would affect that decision and then recommended that Council make a motion to remand the ordinance to the Planning Commission since there is not a pressing deadline that is directing this and or postpone this ordinance till the next meeting then have a Public Hearing since there has been substantive changes in her opinion.

VENUTI/ADERHOLD MOVED TO REMAND ORDINANCE 19-19 (S-2) (A) TO THE PLANNING COMMISSION FOR REVIEW.

Discussion ensued on the inclusion of Lines 62-64, postponement or remand of the ordinance to the Planning Commission and applicable boundaries.

VOTE. YES. ADERHOLD, LORD, VENUTI

VOTE. NO, STROOZAS, SMITH

Motion failed.

ADERHOLD/VENUTI MOVED TO POSTPONE TO THE NEXT MEETING AND HOLD A PUBLIC HEARING.

Discussion ensued on the Ordinance was remanded to the Commissions and the belief that the changes made required an additional public opportunity for comment.

Councilmember Aderhold requested input from the Clerk on the changes being substantive.

Deputy City Clerk Krause requested a recess in order to review the changes in their entirety.

Mayor Castner called for a five minute recess at 7:13 p.m. The meeting was called back to order at 7:18 p.m.

Deputy City Clerk Krause reported that in reviewing the amendments to Ordinance 19-19 (S-2)(A) compared to Ordinance 19-19(S)(A) in accordance with Robert's Rules the amendments were not substantive, however the Council can err to the side of caution and for the matter of clarification for the public forward to public hearing.

VOTE. YES. LORD, ADERHOLD, VENUTI

VOTE. NO. SMITH, STROOZAS

Motion failed.

Mayor Castner commented that he believed the vast majority of this work is good work however is concerned about the effective date and the type of controversy it would cause in this form.

Councilmember Aderhold requested confirmation on the Main Motion on the floor was to adopt Ordinance 19-19(S-2(A)).

VOTE. YES. VENUTI, LORD, ADERHOLD

VOTE. NO. STROOZAS, SMITH.

Motion failed.

Mayor Castner noted that it brings the Ordinance 19-19(S) (A) to the floor.

ADERHOLD/ MOVED TO STRIKE LINES 68-70

LORD MOVED FOR A POINT OF ORDER.

Councilmember Lord noted that the lines 68-70 have already been struck from the Ordinance before them.

Mayor Castner inquired if Councilmember Aderhold had any additional amendments.

Councilmember Aderhold responded that she did but requested a five minute recess in order to get those amendments by the City Attorney regarding language in order.

Mayor Castner called for a five minute recess at 7:25 p.m. The meeting was called back to order at 7:30 p.m.

ADERHOLD/LORD MOVED TO AMEND LINE 51 TO INSERT THE WORD "CITY" BEFORE THE WORDS WATER SERVICE.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ADERHOLD/LORD MOVED TO REMOVE THE WORD "PERMITTING" IN LINE 59

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ADERHOLD/LORD MOVED TO INSERT THE WORD "CITY" BEFORE THE WORDS "WATER SERVICE" IN LINE 59

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Castner inquired if there were any additional amendments.

SMITH/STROOZAS – MOVED TO DELETE LINES 86-88.

Discussion ensued on the basis to remove the incorporation of all city laws, policies and procedures and the intent to leave it clear and not open to interpretation.

VOTE. NO. STROOZAS, SMITH, LORD, VENUTI, ADERHOLD

Motion failed.

SMITH/ADERHOLD MOVED TO STRIKE LINES 91-93.

Brief discussion on support to remove the language from the ordinance.

VOTE. NON-OBJECTION, UNANIMOUS CONSENT.

Motion carried.

SMITH/STROOZAS MOVED TO STRIKE AND REPLACE LANGUAGE IN LINES 95 – 97 WITH “UPON THE CITY APPROVING EXTRATERRITORIAL CONNECTION TO A CITY WATER MAIN THE CITY WILL AMEND ITS WATER SERVICE AREA WITH THE RCA WITH SUCH LOTS.”

Discussion ensued on the requirement for the certificate by the RCA; there are City lots that are not in the service area that are currently being provided with city water; hesitation and concerns expressed to removing the requirements of state law; concern expressed on the removal of this section from the ordinance and being more proscriptive than state law; what effect that would have on any possible additional provisions; the ability of the City to restrict use/delivery of the commodity when required; and that the overall impact to the system will be minimal.

VOTE. YES, SMITH, STROOZAS

VOTE. NO. LORD, VENUTI, ADERHOLD

Motion failed.

Mayor Castner inquired if there were any additional amendments. There were none and noted that brings the main motion as amended before them.

VOTE. YES, VENUTI, ADERHOLD, LORD

VOTE. NO. SMITH, STROOZAS

Motion failed.

- 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

ADERHOLD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 19-38(A) (S) FOR ORDINANCE 19-38(A)

Councilmember Aderhold requested clarification from City Manager Koester on the amendments to the ordinance.

City Manager Koester explained the amendments to the ordinance in the packet as follows:

- Add a temporary project manager and reduce the airport roof design to bring that project a little more in-house
- Correct an error in the amount reflected for library security cameras
- Accept funds gained for services and equipment provided for the North Fork Fire
- Reflect the amendment made by Council for a demolition study

City Manager Koester further advised that the substitute ordinance included in the Supplemental Packet reflected amendments by the Mayor to remove the following:

- Temporary Project Manager language
- Airport Design Funding

She reported that she worked with the Mayor on these amendments and in working with the Mayor on these amendments to basically address Council's concerns with adequate oversight on that project and she intends to work with the Mayor to bring those two amendments back before Council at a later date on how to approach the roof at the airport.

Councilmember Lord clarified the ordinance on the table before them included the Project Manager and Roof Project.

City Manager Koester explained that the Ordinance before them did include those items and the Ordinance denoted as (S-2) removed them totally.

Discussion ensued on the desire to further refine the numbers for the Project Manager and the airport project, the need for the project manager's experience and picking up those items at a later meeting, the requirement for additional meetings and a delay, the desire to accomplish this work, defining costs and performing due diligence on the front end so that projects are accomplished within the budget, the inclusion of funds for the demolition study when information is already in hand, specificity of funding required to accomplish the work desired, and confidence in city personnel.

City Manager Koester expressed confidence in Administration working with either option and has confidence in Council's decision.

Mayor Castner offered some input on the project manager that his currently employed and believes that his expertise will provide the evaluation and information that will satisfy Council.

Councilmember Aderhold commented in support of having the allocation for the project manager and demolition study.

Mayor Castner provided clarification on the Ordinance on the floor before them.

VOTE. YES. ADERHOLD, LORD, VENUTI, STROOZAS, SMITH

Motion carried.

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.

Mayor Castner read the title into record noting the correction to the title.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 19-060(S)

There was a brief summary on the actions of the Council and clarified with the Clerk on the correction.

VOTE. YES. LORD, ADERHOLD, STROOZAS, SMITH, VENUTI

Motion carried.

COMMENTS OF THE AUDIENCE

John Mink, city resident, commented on a recent experience working with Pat McNary and testified to his professionalism, he noted that there were no solar panels included on the new police station.

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 1st 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 to 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 15th 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.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:26 p.m. The 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.

Renee Krause, MMC, Deputy City Clerk

Approved:_____