



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

**City of Homer
Action Agenda
City Council Worksession
Committee of the Whole
Regular Meeting
Monday, October 14, 2019
Council Chambers**

WORKSESSION

CALL TO ORDER, 4:00 P.M.

Mayor Castner called the meeting to order at 4:02 p.m.

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)

- BDO 2018 Audit Report

COMMENTS OF THE AUDIENCE (3 minutes)

5 people commented.

ADJOURNMENT NO LATER THAN 4:50 P.M.

Next Regular Meeting is Monday, October 28, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the worksession at 4:55 p.m.

COMMITTEE OF THE WHOLE

CALL TO ORDER, 5:00 P.M.

Mayor Castner passed the gavel to Pro Tem Smith without prior notices and left the room.

Mayor Pro Tem Smith called the meeting to order at 5:00 p.m.

Department Heads may be called upon 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)

Mayor Castner returned to the meeting at approximately 5:15 and resumed the gavel.

- 2020-2021 Budget

COMMENTS OF THE AUDIENCE (3 minutes)

Three people commented.

ADJOURNMENT NO LATER THAN 5:50 P.M.

Next Regular Meeting is Monday, October 28, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the meeting at 5:42 p.m.

REGULAR MEETING AGENDA

Session 19-27 a Regular Meeting of the Homer City Council was called to order on October 14, 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
CITY ATTORNEY GATTI

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: **CITY MANAGERS REPORT** Written public comment; **NEW BUSINESS Memorandum 19-134** from City Clerk Re: Affidavit filed to Initiate a Contest of the Residency of a

Candidate in the October 1, 2019 Regular Election. Copy of affidavit to contest and written public comment; **RESOLUTIONS Resolution 19-073**, A Resolution of the City Council of Homer, Alaska Imposing a Moratorium for Cutting, Clearing or Removal of Trees and Vegetation located Within the Vehicle Right of Ways Between October 1, 2019 and May 1, 2020. Mayor. **Resolution 19-073(S)**, A Resolution of the City Council of Homer, Alaska, Establishing a Moratorium on Cutting, Clearing or Removal of Trees and Vegetation Located within Public Rights of Way (ROW) between October 15, 2019 and May 1, 2020, and Establishing a ROW Policy Evaluation Team. Lord/Aderhold. Written public comment **Resolution 19-074**, A Resolution of the City Council of Homer, Alaska Certifying the Results of the City of Homer Regular Election held October 1, 2019 to Elect Two Councilmembers and Decide one Proposition. City Clerk/Canvass Board. Written public comment.

APPROVED as amended

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Twenty six people commented.

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. Homer City Council Unapproved Regular Meeting Minutes of September 23, 2019. City Clerk. Recommend adoption.
- b. Memorandum 19-130 from Deputy City Clerk Re: Liquor License Renewal for Homer Brewing Company. Recommend approval.
- c. Ordinance 19-44, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating an FY2017 State Homeland Security Program Reallocation Award for an Amount no to Exceed \$53,324.58 to Replace Mobile Radios in the City's Radio Communication System and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates Introduction October 14, 2019, Public Hearing and Second Reading October 28, 2019.

Memorandum 19-131 from Fire Chief as backup

- d. Ordinance 19-45, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating an FY2019 State Homeland Security Program Grant in the Amount of \$255,005 for a Back Generator at the Fire Hall and a Dispatch Console for the Police Department and Appropriating \$24,704 from the Police Station Reserve Account to Purchase a Computer Hardware Integrated Workstation to House the Dispatch Console. City Manager. Recommended dates Introduction October 14, 2019, Public Hearing and Second Reading October 28, 2019

Memorandum 19-132 from Police Chief as backup

- e. Ordinance 19-46, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 2.60, Parks, Art, Recreation, and Culture Advisory Commission, Section 2.60.010(A) Created-Membership, to Reduce the Number of Members from Nine to Seven. Aderhold. Recommended dates Introduction October 14, 2019, Public Hearing and Second Reading October 28, 2019
- f. Ordinance 19-47, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 2.76 Economic Development Advisory Commission, Requiring Economic Finding to Accompany Recommendations from City Commission, Establishing an Official Mayoral Appointment to the Kenai Peninsula Economic Development District Board of Directors City of Homer Seat and Encouraging Appointment of Task Forces to Address Timely Community Issues, and Amending Homer City Code 2.58.020 Creation of City Boards and Commissions to Delete (e) Economic Development Advisory Commission. Lord/Erickson. Recommended dates Introduction October 14, 2019 Public Hearing and Second Reading November 25, 2019

Moved to Ordinances item c. Lord.

- g. Resolution 19-070, A Resolution of the City Council of Homer, Alaska, Amending the Parks, Art, Recreation and Culture Advisory Commission Bylaws by Renaming Articles in a Manner that more Efficiently Outlines the Commission's Internal Operations; and Amending Articles Titled Name and Authorization, Purpose, Members, Officers, Meetings, Committees, Bylaw Amendments, and Teleconferencing. Aderhold.

Memorandum 19-133 from PARCAC as backup

Item f. moved to Ordinance item c. Lord.

APPROVED without discussion.

VISITORS

- a. 2018 Audit Report - BDO (10 Minutes)

This presentation may be rescheduled.

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

- a. Worksession Report

City Manager Koester reported BDO presented the 2018 audit. It was a clean audit and Assurance Partner Bikky Shrestha reviewed a lot of the process that was used and answered questions from Councilmembers.

- b. Committee of the Whole Report

Councilmember Smith reported Council discussed the consent and regular meeting agenda and the City Manager presented the draft biennial budget.

c. Mayor's Report

Mayor Castner welcomed City Attorney Michael Gatti to his first council meeting. He reported on the North Pacific Fisheries Council meetings and that there is a builder's association coming to Homer this week. He also shared Governor Dunleavy will be in Homer on Thursday and speaking at or around 2:30 in the afternoon.

d. Borough Report

Assembly member Kelly Cooper reported the Borough election brought three new members to the body from Nikiski, Central Peninsula and Soldotna, and both propositions failed. The Borough Comprehensive Plan is nearing completion, the draft can be viewed on the Borough website, and there will be a public hearing November 5th. Unincorporated communities have begun their meetings for the Community Assistance Program. The program may be gone in the next few years so it's important for those communities to make the best use of that money. The Fire Departments for the City of Kenai, Nikiski, and Central Emergency Services received a State grant to purchase new Self Contained Breathing Apparatus. An ordinance has been introduced to hire a contractor to manage the large amount of beetle kill coming to the land fill. She's co-sponsored a resolution requesting public land managers at state and federal level to take reasonable actions to prevent, limit, and mitigate wildfires on the Peninsula, in response to the impacts of the recent fires. The Borough received a \$55,000 grant for cyber security vulnerability assessment and disaster management training. She encouraged the City to evaluate its program also. Lastly the ordinance for regarding subdivision private streets and gated subdivisions has been postponed until to December 3rd to allow each of the cities to review and give input.

e. Library Advisory Board

Connor Schmidt, Library Advisory Board member, reported the Board has been discussing the creation of an endowment fund for the library. The idea is to have a community foundation that would hold on to the endowment fund and it would create mechanism to received donations of larger goods or things that are not cash. He also commented on upcoming events including Friends of the Library Week, the Fall Plant and Book Sale, and a showing of The Public, a movie about what happens when unsheltered patrons refuse to leave the Cincinnati Public Library on a cold night.

f. Planning Commission

g. Economic Development Advisory Commission

Karin Marks, Economic Development Advisory Commission Chair, commented there is a joint worksession scheduled on Wednesday with the Planning Commission, PARCAC, and EDC to discuss the Wayfinding and Streetscape proposal. At their meeting on Tuesday they discussed the draft ordinance to disband the Commission, with Councilmembers Lord and Smith. Although many feel the current structure of the EDC is flawed and some tasks are no longer

needed, the current commissioners feel their time has not been wasted, but they are also open for changes and new ideas. After further discussion it was agreed there would be more work done to make sure the best possible alternative can be reached.

h. Parks Art Recreation and Culture Advisory Commission

i. Port and Harbor Advisory Commission

Mark Zeiset, Port and Harbor Advisory Commissioner, thanked Council for their continued support of the harbor. He reported in November the Port and Harbor will be represented at Pacific Marine Expo in Seattle, the largest fish expo in the northwest. They'll be partnering with the Marine Trades Association to support and promote Homer.

j. Americans with Disabilities Act Compliance Committee

PUBLIC HEARING(S)

- a. Ordinance 19-42, An Ordinance of the City Council of Homer, Alaska, Instituting the Industrial Pretreatment Discharge and Waste Disposal Manual. City Manager. Introduction September 23, 2019 Public Hearing and Second Reading October 14, 2019

There were no public comments.

ADOPTED with discussion.

- b. Ordinance 19-43(S)(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 7.06.020, "Use of Improperly Muffled Engine Brakes Prohibited", to Prohibit the Use of Muffled Engine Brakes to **Except on** Certain Roads within the City of Homer. City Manager/Police Chief. Introduction September 23, 2019, Public Hearing and Second Reading October 14, 2019.

Two people commented.

ADOPTED with discussion.

- c. 2020-2021 Budget

Two people commented.

ORDINANCE(S)

- a. Ordinance 19-48, An Ordinance Of The City Council of Homer, Alaska Amending the FY 2019 Capital Budget by Re-Appropriating \$35,000 from Homer Education and Recreation Center (HERC) Demolishment Study Approved in Ordinance 19-35(A)(S) to Contract with Grow Economy to Write and Apply for a United States Economic Development Administration Planning Grant for the Demolition of The Homer Education and Recreation Complex (HERC) and the Development of a Regional Innovation Plaza at the HERC, Provide Matching Funds to the Grant, and Authorizing

the City Manager to Execute the Appropriate Documents. Smith/Stroozas.
Recommended dates Introduction October 14, 2019 Public Hearing and Second
Reading October 28, 2019

POSTPONED to October 28, 2019 with discussion

- b. Ordinance 19-49, An Ordinance of the City Council of Homer, Alaska Imposing a Temporary Six-Month Moratorium on Applications for Professional Offices and Medical Clinics in the Residential Office District and Directing the Planning Commission to Make a Recommendation to the City Council for the Creation of a Medical District in the Vicinity of the South Peninsula Hospital During this Time Frame. Smith. Recommended dates Introduction October 14, 2019 Public Hearing and Second Reading October 28, 2019

INTRODUCED AND REFERRED to the Planning Commission with discussion.

- c. Ordinance 19-47, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 2.76 Economic Development Advisory Commission, Requiring Economic Finding to Accompany Recommendations from City Commission, Establishing an Official Mayoral Appointment to the Kenai Peninsula Economic Development District Board of Directors City of Homer Seat and Encouraging Appointment of Task Forces to Address Timely Community Issues, and Amending Homer City Code 2.58.020 Creation of City Boards and Commissions to Delete (e) Economic Development Advisory Commission. Lord/Erickson. Recommended dates Introduction October 14, 2019 Public Hearing and Second Reading November 25, 2019

POSTPONED to February 10, 2020 with discussion

CITY MANAGER'S REPORT

- a. City Manager's Report

City Manager Koester highlighted the response to questions Councilmembers had regarding potential next steps for the seawall and what bonded indebtedness would look like, and maps of coastal erosion and the neighborhood. She will continue working on what a major maintenance project would look like for the seawall.

There was brief discussion clarifying the information on the Council retreat, and supporting participating in the AML Block Party. They also addressed the process for submitting information to the City Attorney per the Council's Operating Manual.

PENDING BUSINESS

- a. Resolution 19-068, A Resolution of the Homer City Council Adopting the Industrial Waste Disposal Permit, Commercial Waste Disposal Permit, Water/Sewer Extension Permit, Water Filling Station Permit, and Utility Construction Project Permit as Part of the Public Utility System Application Process. City Manager.

Resolution 19-068(S), A Resolution of the Homer City Council Adopting the ~~Industrial Waste Disposal Permit, Commercial Waste Disposal Permit, Water/Sewer Extension Permit, **and** Water Filling Station Permit, and Utility Construction Project Permit~~ as Part of the Public Utility System Application Process. City Manager.

ADOPTED Substitute as amended with discussion

Amended: Line 8 read Water/Sewer Extension Permit, **and** Water/Sewer Connection Permit

NEW BUSINESS

- a. Memorandum 19-134 from City Clerk Re: Affidavit filed to Initiate a Contest of the Residency of a Candidate in the October 1, 2019 Regular Election.

APPROVED investigation with discussion

- b. Memorandum 19-135 from City Clerk Re: Travel Authorization for Mayor and Councilmembers to Attend the Alaska Municipal League 69th Annual Local Government Conference in Anchorage, Alaska, November 18-22, 2019.

APPROVED with discussion

RESOLUTIONS

- a. Resolution 19-071, A Resolution of the City Council of Homer, Alaska Accepting the 2018 Comprehensive Annual Financial Report with Audit and Financial Statements and Acknowledging the Management Letter Submitted by the City's Independent Auditor, BDO, USA, LLP and Authorizing the City Manager to Execute the Financial Report. City Manager/Finance Director.

POSTPONED to November 25, 2019 with discussion

- b. Resolution 19-072, A Resolution of the City Council of Homer, Alaska Awarding the Contract for Third Party Accounting Analysis of HAWSP History and Reporting to the firm of Altman Rogers & Co. in the Amount of \$12,500 plus \$300 for Travel and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Finance Director.

Memorandum 19-138 from Finance Department as backup

APPROVED without discussion

- c. Resolution 19-073, A Resolution of the City Council of Homer, Alaska Imposing a Moratorium for Cutting, Clearing or Removal of Trees and Vegetation located Within the Vehicle Right of Ways Between October 1, 2019 and May 1, 2020. Mayor.

Memorandum 19-137 from Mayor as backup

Resolution 19-073(S), A Resolution of the City Council of Homer, Alaska, Establishing a Moratorium on Cutting, Clearing or Removal of Trees and Vegetation Located within Public Rights of Way (ROW) between October 15, 2019 and May 1, 2020, and Establishing a ROW Policy Evaluation Team. Lord/Aderhold.

ADOPTED Substitute with discussion

- d. Resolution 19-074, A Resolution of the City Council of Homer, Alaska Certifying the Results of the City of Homer Regular Election held October 1, 2019 to Elect Two Councilmembers and Decide one Proposition. City Clerk/Canvass Board.

Resolution 19-074(S), A Resolution of the City Council of Homer, Alaska Certifying the Results of the City of Homer Regular Election held October 1, 2019 to Elect Two Councilmembers and Decide one Proposition.

Memorandum 19-136 from City Clerk as backup

ADOPTED Resolution 19-074 with discussion

New Councilmembers Hansen-Cavasos and Evensen were sworn in.

COMMENTS OF THE AUDIENCE

Nine people commented

COMMENTS OF THE CITY ATTORNEY

Attorney Gatti commented it was an interesting meeting and he's thankful to represent the City.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen said she's enjoyed of working with Councilmembers Stroozas and Erickson on the Planning Commission and Councilmember Erickson on the Economic Development Advisory Commission, and also on Council. She appreciates their service to the community.

COMMENTS OF THE CITY MANAGER

City Manager Koester took a moment to defend city employees. There's been a lot of vilification of the Public Works Department tonight and she appreciates that the Council will come together to give direction to Public Works. It's important to remember these are people who are doing their jobs to clear and maintain rights of way. There are almost 4000 parcels in city limits and many have a road that fronts them, and there's a ditch and an ambulance has to be able to get to your house, along with a snow plow has to plow. Just remember they are human beings who have to get up at 4:00 a.m. during to start the plow routes. They schedule their time off around snow storms because they know even if they aren't on call, they'll probably be called in to ensure everyone can get to their jobs. She knows it's not perfect and she

appreciates the opportunity to improve, but she knows they are hardworking friends and neighbors.

COMMENTS OF THE MAYOR

Mayor Castner said he doesn't have a vendetta against Public Works but he believes there are 100 people who work for the city and 7000 people who live in the city. The 7000 people who live here should be the ones that derive what the policies are for their neighborhoods, their quality of life, their health and happiness, and he feels that as an elected Mayor it's his job to provide a voice for the citizens of the city, and Katie Koester can be the advocate for the employees. He thanked Councilmembers Stroozas and Erickson. He knows they've had a kind of divided Council, but he think they've worked hard to try to find the center of the town and public opinion.

COMMENTS OF THE CITY COUNCIL

Councilmember Venuti thanked Councilmembers Erickson and Stroozas for their service to the community, it was enjoyable working with them. She's sad to see them leave, but looks forward to working with the new members. She thanked the voters for passing the plastic bag ban, the Better Bags group is fabulous, and boomerang bags are a great solution. She's proud of Homer. She thanked the Election Canvass Board, there were no problems with the numbers, it was a well done election, despite the conflict now. The election workers were friendly and did their job. She shared that she participated in Lunch with a Councilmember today and had great discussions, and commented about part time class offerings available at the college.

Councilmember Smith welcomed the new councilmembers, as they've seen, things can get interesting quick. He thanked Councilmembers Erickson and Stroozas, he's grateful for their contribution and the diversity of the Council during their time, he thinks that's what's best for the community. He shared some reflections from his recent road trip and read the poem *The Spider and the Fly*.

Councilmember Lord responded to public comment that there are more permits being address that will be coming forward, and that the moratorium on clearing applies to rights of way city wide. She commented that everyone sitting at this table and everybody working for the city is a member of this community. We don't all get it right every time, which includes elected officials and members of this organization, but the city is "of the people" and if and when people have concerns we have an opportunity to work together to make things better. She believes we have a strong administration with good experience and a proactive supportive ethic, and works hard for the city. She highlighted the services of the city that provide a foundation for all the people, their families, and the businesses. She said she'll be going to the Pacific Marine Expo to be at the UFA booth to talk about the Harbormasters Association, vessel registration and titling laws in the State, and anything else people want to talk about. She shared about her recent trip to Juneau for the annual Harbormasters Association meeting. She thanked Councilmembers Erickson and Stroozas, and welcomed the new Councilmembers.

Councilmember Erickson said the last three years have been quite a ride. She shared her appreciation for being at the table, she implored new Councilmember Evensen take on the efforts for the Baycrest Subdivision issues, and shared her appreciation for what she feels each member has brought to the table during her time on the Council.

Councilmember Aderhold welcomed the new Councilmembers and thanked Councilmembers Stroozas and Erickson for their service to the community. She shared her appreciation for City staff who work hard and are members of our community. She noted the customer feedback quarterly comment card report that was provided as a laydown and most of the things in the report are complements to City staff. She recognizes those who have shared about disparaging experiences, which is theirs to own. By and large our staff is professional and good at their jobs. She has an expectation that our Mayor will conduct himself professionally and when he writes memos he will do so professionally. She believes the memo provided tonight was not professional. She appreciated all the public comments tonight, it is always helpful in decision making.

Councilmember Stroozas welcomed the new Councilmembers and wished them the best for successful terms. He shared some of his history of coming to Homer beginning in 2000 and becoming involved in City government in 2006. He has appreciated the opportunity to serve. He's looking forward to being retired again and having more time to spend with family, and said he has appreciated working with everyone.

ADJOURNMENT

Next Regular Meeting is Monday, October 28, 2019 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the meeting at 10:27 p.m.