



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, September 23, 2019 at 4:00 PM
City Hall Cowles Council Chambers**

Worksession Agenda

CALL TO ORDER, 4:00 P.M.

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

Councilmember Smith was excused.

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

Amended to include a Memorandum from City Manager Koester Re: Seawall Debt Service and Corresponding Mil Rate, Bonding Scenarios with attachments from the Alaska Municipal Bond Bank Authority.

APPROVED as amended by consensus.

DISCUSSION TOPIC(S)

Seawall Maintenance and Planning

COMMENTS OF THE AUDIENCE (3 minutes)

There were five who commented.

ADJOURNMENT NO LATER THAN 4:50 P.M.

Next Regular Meeting is Monday, October 14, 2019 at 6:00 p.m., Worksession at 4:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the meeting at 4:48 p.m.

Committee of the Whole Agenda

CALL TO ORDER, 5:00 P.M.

Mayor Castner called the meeting to order at 5:00 p.m.

Councilmember Smith participated telephonically.

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)

Preliminary Budget Assumptions

COMMENTS OF THE AUDIENCE

ADJOURNMENT NO LATER THAN 5:50 P.M.

Next Regular Meeting is Monday, October 14, 2019 at 6:00 p.m., Worksession at 4:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the meeting at 5:26 p.m.

Regular Meeting Agenda

Session 19-28 a Regular Meeting of the Homer City Council was called to order on August 26, 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 (telephonic), STROOZAS, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN
CITY ATTORNEY WELLS

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 Memorandum 19-123** from Mayor Re: Appointment of City Representative to the Cook Inlet Aquaculture Association. **Memorandum 19-123(S)** from Mayor Re: Appointment of City Representative to the Cook Inlet Aquaculture Association for a term of 3 years. **Ordinance 19-43**, An Ordinance of the City Council of Homer,

Alaska, Amending Homer City Code 7.06.020 Use of Improperly Muffled Engine Brakes, to Identify Permitted Areas for Use of Muffled Engine Brakes in the City of Homer. City Manager/Police Chief. **Ordinance 19-43(S)**, 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 Certain Roads within the City of Homer. City Manager/Police Chief and Memorandum 19-130 from Police Chief as backup; **Mayor's Report** October is Domestic Violence Month; **City Manager's Report** Request for Legal Opinion Re: Email from Councilmember Erickson from September 21, 2019, Subject: Easy Street.

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. Homer City Council Unapproved Special Meeting Minutes of August 28, 2019, September 4, 2019 3:00 and 5:30 meetings, September 5, 2019 and Regular Meeting Minutes of September 9, 2019. City Clerk. Recommend adoption.
- b. Memorandum 19-123 from Mayor Re: Appointment of City Representative to the Cook Inlet Aquaculture Association. Recommend approval.

Moved to New Business item d. Aderhold

- c. Ordinance 19-42, An Ordinance of the City Council of Homer, Alaska, Instituting the Industrial Pretreatment Discharge and Waste Disposal Manual. City Manager. Recommended dates Introduction September 23, 2019 Public Hearing and Second Reading October 14, 2019
- d. Ordinance 19-43, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 7.06.020 Use of Improperly Muffled Engine Brakes, to Identify Permitted Areas for Use of Muffled Engine Brakes in the City of Homer. Recommended dates Introduction September 23, 2019, Public Hearing and Second Reading October 14, 2019.

Moved to Ordinances item a. Aderhold

- e. Resolution 19-063, A Resolution of the City Council of Homer, Alaska, Supporting Kenai Peninsula Borough Resolution 2019-047 to Recognize the Recommendations of the Kenai Peninsula Borough's Election Stakeholders Group and Directing Staff to Explore Implementation of the Recommendations, and Signing Kenai Peninsula Borough Joint Resolution 2019-001. Aderhold/City Clerk. Recommend adoption.

Moved to Resolutions item a. Aderhold

- f. Resolution 19-064, A Resolution of the City Council of Homer, Alaska, Amending the Library Advisory Board Bylaws by Removing Article III, Section 4 Regarding Attendance at Friends of the Homer Library Board Meetings. City Clerk. Recommend adoption.

Memorandum 19-124 from Library Advisory Board as backup

- g. Resolution 19-065, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for General Legal Counsel Services to the Firm of Jermain, Dunnagan & Owens, P.C. of Anchorage, Alaska, in the Monthly Fixed Fee Amount of \$12,500 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.
- h. Resolution 19-066, A Resolution of the City Council of Homer, Alaska, Supporting the Construction and Operation of the Alaska Liquefied Natural Gas Project in Response to the Federal Energy Regulatory Commission's Solicitation for Comments Regarding the Project's Environmental Impact Statement. Stroozas. Recommend adoption.

Moved to Resolutions item b. Aderhold

- i. Resolution 19-067, A Resolution of the Homer City Council Amending the Homer Accelerated Roads and Trails (HART) Policy Program Manual to Update Referenced Sections of Homer City Code and Improve Clarity throughout the Manual. City Manager. Recommend adoption.
- j. Resolution 19-068, A Resolution of the Homer City Council Adopting the Industrial Waste Disposal Permit, Commercial Waste Disposal Permit, Water/Sewer Extension Permit, and Utility Construction Project Permit as Part of the Public Utility System Application Process. City Manager. Recommend adoption.

Moved to Resolutions item c. Aderhold

- k. Resolution 19-069, A Resolution of The City Council Of Homer, Alaska, Approving a Lease Assignment from John and Margaret Chapple DBA Homer Spit Campground to Truxton Management Inc. and Authorizing the City Manager to Execute the Appropriate Documents for a Seven Year Three Month Lease with Options for Two

Consecutive Three Year Renewals for a Portion of Lot 49, Homer Spit Subdivision Amended According to Plat No. 89-034, And Lot 50, According to Plat No. 89-034, at an Initial Annual Rate of \$42, 473.44. City Manager. Recommend adoption.

ADOPTED as amended without discussion.

VISITORS

- a. Kenai Peninsula Economic Development District (KPEDD) Update - Tim Dillon (10 minutes)

Tim Dillon, KPEDD Executive Director, gave a tour of the new KPEDD website <https://kpedd.org/> and highlighted key features and dashboards that are available.

- b. HERC Innovation Proposal - Jeremiah and Joshua Riley (10 minutes)

Joshua Riley presented the concept of an Innovation Plaza in Homer using the HERC building. He explained innovation programs provide the framework, support, and facilities that entrepreneurs need to turn their ideas into successful businesses. These range from simple business incubation programs to plazas. They stimulate the economy by attracting and retaining talent, encouraging business growth, and promoting economic diversification. Innovation programs build off existing economic drivers, while encouraging new industries. Funding is available through the U.S. Economic Development Administration (EDA) and other Federal agencies for programs like these. Jeremiah Riley participated telephonically and highlighted the benefits of an Innovation Plaza, potential with the HERC building, and answered questions from Councilmembers.

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

- a. Worksession Report

City Manager Koester reported on the September 16th worksession on Ordinance 19-23(S) Title 14 and 17 re-write, and on the 4:00 p.m. worksession regarding Seawall Maintenance and Planning.

- b. Committee of the Whole Report

Councilmember Aderhold reported Council discussed consent agenda items, a request for a legal opinion regarding Easy Street, and Preliminary Budget Assumptions for the 2020-2021 biennial budget.

- c. Mayor's Report

Mayor Castner announced October is Domestic Violence Awareness Month and Breast Cancer Awareness Month. He also reported on the North Pacific Fisheries Conference being held in

Homer September 30th through October 9th, and gave a brief update on the new Police Station building status.

d. Borough Report

e. Library Advisory Board

Marcia Kuzmaul, Library Advisory Board Chair, commented regarding their bylaw amendment and their continued relations with the Friends of the Homer Library. She noted there will be a Candidate Forum on Wednesday at the Library.

f. Homer Advisory Planning Commission

g. Economic Development Advisory Commission

h. Parks Art Recreation and Culture Advisory Commission

Jon Sharp, Parks Art Recreation and Culture Advisory Commissioner, reported at their last meeting they approved funding to order a new plaque for a park bench that was donated, had great presentations from Deputy City Planner Engebretsen and Parks Maintenance Coordinator Steffy, and discussed the Karen Hornaday Park and road improvements and the need to replace the bathroom at the park.

i. Port and Harbor Advisory Commission

i. Memorandum from Port & Harbor Advisory Commission Re: 2020-21 Budget Item-Lot 42 Amortization Schedule

j. Americans with Disabilities Act Compliance Committee

PUBLIC HEARING(S)

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

Memorandum 19-126 from City Clerk as backup

ADOPTED without discussion.

b. 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. Introduction September 9, 2019, Public Hearing and Second Reading September 23, 2019.

ADOPTED without discussion.

- c. Ordinance 19-41, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 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 & General Commercial 2 Zoning Districts. Introduction September 9, 2019 Public Hearing and Second Reading September 23, 2019.

ADOPTED without discussion.

- d. Ordinance 19-23(S) An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting Homer City Code Title 14 to be Entitled “Homer Public Utility Systems” and Homer City Code Title 17 to be Entitled “Public Assessments” to: 1) Consolidate Water and Sewer System Regulations and Rates; 2) Update Definitions and Common Terms; and 3) Create Uniformity between Service and Assessment Practices and Repealing Homer City Code Chapters 9.08, 13.24 and 13.28 to Relocate Utility Construction Practices and Fees from Homer City Code 13.24 and Homer City Code 13.28 into Titles 14 and 17 and Move Homer City Code 9.08 to Homer City Code 17.03 and Update Assessment Lien Enforcement Provisions to Incorporate State Law Requirements. Lord/Stroozas.

Ordinance 19-23(S-2) An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting Homer City Code Title 14 to be Entitled “Homer Public Utility Systems” and Homer City Code Title 17 to be Entitled “Public Assessments” to: 1) Consolidate Water and Sewer System Regulations and Rates; 2) Update Definitions and Common Terms; and 3) Create Uniformity between Service and Assessment Practices and Repealing Homer City Code Chapters 9.08, 13.24 and 13.28 to Relocate Utility Construction Practices and Fees from Homer City Code 13.24 and Homer City Code 13.28 into Titles 14 and 17 and Move Homer City Code 9.08 to Homer City Code 17.03 and Update Assessment Lien Enforcement Provisions to Incorporate State Law Requirements. Lord/Stroozas.

Memorandum 19-125 from City Attorney as backup

ADOPTED Substitute (S-2) with discussion.

ORDINANCE(S)

- a. Ordinance 19-43, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 7.06.020 Use of Improperly Muffled Engine Brakes, to Identify Permitted Areas for Use of Muffled Engine Brakes in the City of Homer. Recommended dates Introduction September 23, 2019, Public Hearing and Second Reading October 14, 2019.

Ordinance 19-43(S), 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 Certain Roads within the City of Homer.
City Manager/Police Chief

Memorandum 19-130 from Police Chief as backup

INTRODUCED Substitute as amended without discussion.

Amended line 9 to delete “to” and insert “except on”

CITY MANAGER'S REPORT

a. City Manager's Report

City Manager Koester commented at Committee of the Whole there was discussion regarding a request for a legal opinion and noted that she will have a place for these type of requests in her report going forward. She reported that she learned this afternoon the City was awarded a grant through Homeland Security to fund a backup generator for the Fire Hall and radios for the Police Station.

There was brief discussion about relocating a generator to the new Police Station and installing the new one at the Fire Hall, and about scheduling tours to see the progress of the new Police Station.

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 19-127 from Councilmembers Aderhold and Venuti Re: Council Retreat Planning

APPROVED as amended with discussion.

Amended retreat tentative date of January 11, 2020.

- b. Memorandum 19-128 from City Manager Re: Third Party Analysis of HAWSP History and Reporting

APPROVED with discussion.

- c. Memorandum 19-129 from City Clerk Re: Economic Development Advisory Commission Councilmember Appointment

INFORMATIONAL with discussion.

- d. Memorandum 19-123 from Mayor Re: Appointment of City Representative to the Cook Inlet Aquaculture Association. Recommend approval.

Memorandum 19-123(S) from Mayor Re: Appointment of City Representative to the Cook Inlet Aquaculture Association for a three year term.

APPROVED substitute with discussion.

RESOLUTIONS

- a. Resolution 19-063, A Resolution of the City Council of Homer, Alaska, Supporting Kenai Peninsula Borough Resolution 2019-047 to Recognize the Recommendations of the Kenai Peninsula Borough's Election Stakeholders Group and Directing Staff to Explore Implementation of the Recommendations, and Signing Kenai Peninsula Borough Joint Resolution 2019-001. Aderhold/City Clerk.

APPROVED with discussion.

- b. Resolution 19-066, A Resolution of the City Council of Homer, Alaska, Supporting the Construction and Operation of the Alaska Liquefied Natural Gas Project in Response to the Federal Energy Regulatory Commission's Solicitation for Comments Regarding the Project's Environmental Impact Statement. Stroozas.

FAILED with discussion.

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

POSTPONED to October 14, 2019 with discussion

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

City Attorney Wells, on behalf of Birch Horton, expressed appreciation for allowing the firm to be a small part of the City for the last decade, and commended the Council on their new legal counsel who she's sure will represent the City effectively and with excellence. On a personal note, she thanked the City employees, Council members, and community members she has worked with over the last 11 years. She commended City Manager Koester, recognizing her leadership, professionalism and dedication, and recognized City Clerk Jacobsen as well.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen announced there are seats open on the Economic Development Advisory Commission and the ADA Compliance Committee, and Student Representative openings on the Parks Art Recreation and Culture Advisory Commission and Port and Harbor Advisory

Commission. Absentee in Person voting is open during normal business hours through September 30th. She thanked City Attorney Wells for the support from her and her firm over the years, she has been great to work with in dealing with the issues that come through the City Clerk's office.

COMMENTS OF THE CITY MANAGER

City Manager Koester said it's been a pleasure to work with City Attorney Wells and appreciates the professionalism of her and her firm in the transfer to the new firm.

COMMENTS OF THE MAYOR

Mayor Castner hopes they can put together an extended worksession on budget policies in early November as they work through the budget. He looks forward to engaging with the two year budget cycle and incorporating the best way Council wants to receive reports during the cycle.

COMMENTS OF THE CITY COUNCIL

Councilmember Venuti congratulated Dan Miotke on his promotion to Assistant Fire Chief and thanked City Attorney Wells for all her work. She reminded everyone to drive with their headlights on, it's getting harder to see now that it's darker in the mornings.

Councilmember Smith commented about his travels into British Columbia and the beautiful scenery. He noted under the sign when you get in to British Columbia it says "Super Natural". He suggested the thinking about a new catch phrase for Homer. He noted that the polls are open and next Tuesday is Election Day. He encouraged everyone to get out and vote and recognized Councilmembers Stroozas and Erickson for all they've done during their term.

Councilmember Lord congratulated Dan Miotke on his promotion to Assistant Fire Chief and thanked Tim Dillon for presenting the new KPEDD website. She was pleased the schools didn't close and shared appreciation for our local School Board Members for being available to answer questions during the negotiations. She thanked City Attorney Wells for her work on the title 14 and 17 re-write and for all of her and her staffs support. She'll be attending the Alaska Association of Harbormasters and Port Administrators Conference in Juneau next week.

Councilmember Erickson thanked Councilmembers Lord and Stroozas for their work on the title 14 and 17 re-write and City Attorney Wells for her OMA trainings. She thanked Debbie Speakman for her work with the Chamber of Commerce and Jan Knutson for stepping in as Interim Director. Lastly she thanked all the volunteers who work in our visitor industry for all they do to promote Homer.

Councilmember Aderhold thanked City Attorney Wells, she appreciates all she's done for the City. She said there is a Tesla car charging station at Art Shop Gallery. On Saturday she participated in the Inlet-wide Beluga's Count Project on Baycrest Hill. It was fun and there were people from other countries, states, and communities in Alaska. On Friday she attended the Homer High School Climate Strike and was impressed with the adults who came and listened, and also with the students and what they had to say.

Councilmember Stroozas thanked City Attorney Wells and announced Councilmember Lord is presenting tomorrow at the Chamber luncheon. He thanked Joshua and Jeremiah Riley for their presentation and interest in the HERC. He reminded everyone to vote on October 1st and said today is the autumnal equinox, where there is 12 hours of light and 12 hours of darkness.

ADJOURNMENT

Next Regular Meeting is Monday, October 14, 2019 at 6:00 p.m., Worksession at 4:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the meeting at 8:41 p.m.