

Session 20-02 a Regular Meeting of the Homer City Council was called to order on January 27, 2020 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, EVENSEN, HANSEN-CAVASOS, LORD, SMITH, VENUTI

STAFF: CITY MANAGER KOESTER
CITY CLERK JACOBSEN

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 20-015**, from City Manager Re: Adopting Council Initiated 2020 Priorities. Written Public Comments.; **Ordinance 20-07**, An Ordinance of the City Council of Homer, Alaska Amending the Capital Budget and Authorizing the Expenditure of up to \$100,000 in Pass Through Funds for Repairing Damage to the Deep Water Dock. City Manager/Public Works Director. Memorandum 20-017 with revisor corrections.; **Resolution 20-012**, A Resolution of the City Council of Homer, Alaska Reopening the Homer Accelerated Water and Sewer Program for Citizen Initiated Special Assessment Districts Under HCC 17.02.040, Directing the Planning Commission to Provide Input on Criteria for Evaluation, and Scheduling a Worksession for Council to Provide Input on Appropriate Metrics for the Fiscal Health of the Fund. Mayor/Lord. Proposed Amendments from Councilmember Aderhold.; **ANNOUNCEMENTS / PRESENTATIONS / REPORTS, Mayor's Report** Juneau Travel Report **NEW BUSINESS Memorandum 20-020** City Manager Hiring Next Steps, Copy of Candidate Scoring Rubric; **RESOLUTIONS Resolution 20-015(S)** A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Homer Airport Terminal Roof Replacement Project to the firm of Homer Roofing, LLC of Homer, Alaska in the Amount of \$93,400, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Memorandum 20-023 from Public Works Director as backup.

LORD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

Mayor Castner recognized February 14th as Brother Asaiah Bates Day, and shared about Asaiah Bates time on City Council in 1973 and encouraged people to fondly remember the temperance he brought to that divided Council and to the community.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Larry Slone, city resident, commented Ordinance 20-06 is a step in the ongoing process administrative process for a port expansion.

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 Meeting Minutes of January 13, 2020. City Clerk. Recommend Adoption.
- b. Memorandum 20-013 from Mayor Re: Appointments to the Port & Harbor Advisory Commission and the ADA Compliance Committee. Recommend approval.
- c. Memorandum 20-014 from Deputy City Clerk Re: Liquor License Renewal for Cosmic Kitchen. Recommend approval.
- d. Memorandum 20-015 from City Manager Re: Adopting Council Initiated 2020 Priorities. Recommend approval.
- e. Memorandum 20-019 from Mayor Re: Approving the City Manager Hiring Advisory Committee Appointments and their Charge. Recommend approval.
- f. Ordinance 20-06, An Ordinance of the City Council of Homer, Alaska Amending the FY 2020 Capital Budget by Appropriating Funds in the Amount of \$750,000 from the General Fund Fund Balance for the Purpose of Reinitiating and Conducting a U.S. Army Corps of Engineers General Investigation Study for the Homer Large Vessel Port Expansion. Smith/Lord. Recommended Dates Introduction January 27, 2020 Public Hearing and Second Reading February 10, 2020

Memorandum 20-016 from Port Director as backup

- g. Ordinance 20-07, An Ordinance of the City Council of Homer, Alaska Amending the Capital Budget and Authorizing the Expenditure of up to \$100,000 in Pass Through Funds for Repairing Damage to the Deep Water Dock. City Manager/Public Works Director. Recommended dates Introduction January 27, 2020 Public Hearing and Second Reading February 10, 2020

Memorandum 20-017 from Port Director as backup

- h. Resolution 20-010, A Resolution of the City Council of Homer, Alaska Approving a Five Year Extension of the Memorandum of Understanding between the City of Homer and

Kachemak City Regarding the Canyon Trails Subdivision and Road Maintenance on Stellers Jay Drive and Golden Plover Avenue. City Manager. Recommend Adoption.

Moved to Resolutions item d. Aderhold.

- i. Resolution 20-011, A Resolution of the Homer City Council Awarding the Contract for the Hazardous Material Survey of the HERC Buildings to the Firm of Environmental Management, Inc. of Anchorage, Alaska in the Amount of \$7,600 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Public Works Director. Recommend approval.

Memorandum 20-018 from Public Works Director as backup

- j. Resolution 20-012, A Resolution of the City Council of Homer, Alaska Reopening the Homer Accelerated Water and Sewer Program for Citizen Initiated Special Assessment Districts Under HCC 17.02.040, Directing the Planning Commission to Provide Input on Criteria for Evaluation, and Scheduling a Worksession for Council to Provide Input on Appropriate Metrics for the Fiscal Health of the Fund. Mayor/Lord. Recommend approval.

Moved to Resolutions item c. Lord.

- k. Resolution 20-013, A Resolution of the City Council of Homer, Alaska Approving a Memorandum of Agreement between the Kenai Peninsula Borough Regarding a Regional Application to Assistance to Firefighters Grant Program and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

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

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

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

- a. Special Meeting Report

The special meeting was canceled

b. Committee of the Whole Report

Councilmember Lord reported Council discussed the items that were moved from the Consent Agenda. They also discussed the City Manager next steps addressing scheduling their application review on February 3rd, the scoring rubric, and calendaring for telephonic interviews; and heard an update on police station project from Public Works Director Meyer.

c. Mayor's Report

- i. Brother Asaiah Bates Day February 14, 2020
- ii. Congenital Heart Defect Awareness Week February 7-14, 2020

Mayor Castner announced Congenital Heart Defect Awareness Week and reviewed his travel report to Juneau where he participated in meetings regarding the Alaska Marine Highway System.

d. Borough Report

e. Library Advisory Board

f. Planning Commission

Scott Smith, Planning Commissioner, reported at their last worksession they had a presentation from the Alaska Division of Geological and Geophysical Surveys to discuss an update of landslides and coastal erosion studies. At their regular meeting they approved decision and findings documents for CUPs to add a second floor to a business and for multiple buildings on a lot on the Sterling highway. They also made recommendations regarding the Borough's Ordinance 2019-24, Subdivision Private Streets and Gated Subdivisions, and discussed the Medical Zoning District.

In response to questions, Mr. Smith explained the proposed boundaries of the Medical District along the Bartlett Corridor with a couple of extensions toward Main Street, existing medical facilities won't be impacted, and new facilities outside the proposed district would have to use the Conditional Use Process. There was brief discussion regarding notification to property owners in the area.

g. Economic Development Advisory Commission

h. Parks Art Recreation and Culture Advisory Commission

i. Port and Harbor Advisory Commission

Mark Zieset, Port and Harbor Advisory Commissioner, reported the Commission continues discussion on parking needs on the spit and utilizing space appropriately. They've come up with some bullet points to submit to Council, that the Commission asks they consider

regarding the upcoming parking study. He noted the Seattle Boat Show is this week and the Harbormaster is there promoting our harbor.

- j. Americans with Disabilities Act Compliance Committee

PUBLIC HEARING(S)

- a. Ordinance 20-01, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2020 Operating Budget to Fund Anticipated Repairs to the Seawall by Establishing Authority in the 2020 Budget for Emergency Repairs to the Seawall. City Manager. Introduction January 13, 2020, Public Hearing and Second Reading January 27, 2020.

Mayor Castner opened the public hearing. There were no comments and the hearing was closed.

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-01 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 20-02, An Ordinance of the City Council of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Lot 9 Tract A, Nils O Svedlund Subdivision Amended Excluding any Portion within Lot 9A Thomas Shelford Subdivision '68 Addition a Portion of the Residential Office (RO) Zoning District, to Central Business (CBD) Zoning District. Planning Commission. Introduction January 13, 2020, Public Hearing and Second Reading January 27, 2020

Mayor Castner opened the public hearing. There were no comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-02 BY READING OF TITLE ONLY

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 20-03, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.70.040, Permit Terms to Require an As-Built Survey be Submitted to the

City Planner After Completion of any Building or Structure. Planning Commission.
Introduction January 13, 2020, Public Hearing and Second Reading January 27, 2020

Mayor Castner opened the public hearing.

Larry Slone, city resident, shared his disagreement with this amendment because increased regulation and the added expense to a property owner.

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-03 BY READING OF TITLE ONLY.

Councilmember Evensen commented he's on the fence about requiring as-built surveys, he's talked to staff and understands the need, but also has concerns about the financial burden to property owners, and potential challenges of finding a qualified person who offers the service. He noted it wouldn't be required for a building less than 200 square feet, and a lot of sheds wouldn't be impacted.

Councilmember Smith understands the property owner concerns, but we have a permitting process where plans are submitted to the Planning office, then there isn't a way to ensure they followed what they're permitted to do. There are too many people who've taken great license and build to close to, or in to, the setback, then it becomes a problem to everyone else.

Councilmember Lord concurred with Mr. Smith and emphasized the importance as density increases in the City. This change is borne out of problems and this seems like a reasonable solution.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Ordinance 20-04, An Ordinance of the City Council of Homer, Alaska Amending the Capital Budget and Authorizing \$20,825 Additional Pass Through Funds for the Alaska Department of Transportation (ADOT) Lake Street Project. City Manager/Public Works Director. Introduction January 13, 2020, Public Hearing and Second Reading January 27, 2020

Mayor Castner opened the public hearing. There were no comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-04 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- d. Ordinance 20-05, An Ordinance of the Homer City Council Adopting the Industrial Waste Disposal Permit. City Manager. Introduction January 13, 2020, Public Hearing and Second Reading January 27, 2020

Mayor Castner opened the public hearing. There were no comments and the hearing was closed.

LORD/EVENSEN MOVED TO ADOPT ORDINANCE 20-05 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

CITY MANAGER'S REPORT

- a. City Manager's Report

Councilmembers Smith and Evensen shared their interest in having Parks, Art, Recreation and Culture Advisory Commission evaluate the land sale and provide some recommendations to Council. City Manager Koester said she'll work with them to draft a memo making that request for the next meeting.

Councilmember Venuti commented regarding the Beluga Slough trail extension and that it's a unique opportunity to move forward. City Manager Koester noted this is something proposed by outside organizations but could meet with her to discussion options for the City.

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 20-020 from City Manager Re: City Manager Hiring Next Steps

City Manager Koester noted Council discussed this topic during Committee of the Whole. Mayor Castner reviewed the memos deliverables and re-established Council's concurrence on the following items:

- February 3rd Special Meeting and February 12th and 14th for telephonic interviews,
- HR collation of interview questions, and

- rubric with broader scoring criteria
- b. Memorandum 20-021 from Planning Commission Re: Recommendations on KPB Ordinance 2019-24 Subdivision Private Streets & Gated Subdivisions.

LORD/ADERHOLD MOVED TO APPROVE THE MEMORANDUM FROM THE PLANNING COMMISSION AND SUBMIT IT TO THE BOROUGH ASSEMBLY.

There was brief discussion that this memorandum includes the recommendations from the Planning Commission, as requested and Resolution 20-014 is a statement from the Council.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

RESOLUTIONS

- a. Resolution 20-014, A Resolution of the City Council of Homer, Alaska Requesting the Kenai Peninsula Borough not to Enact Ordinance 2019-24(S) Adopting KPB Chapter 20.80, Subdivisions Private Streets and Gated Subdivisions. Lord.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 20-014 BY READING OF TITLE ONLY.

Councilmember Lord explained it came to her attention that the City of Kenai submitted a similar ordinance. As a home-rule city they had concerns that there were concerns that enough consideration hadn't been given to the change. She also explained there is existing Borough code where a gated subdivision or private street can be developed in a new subdivision, and also a way to convert public roads to private roads through an exception process. In looking at other borough communities comments and our Planning Commissions memo, this feels like it hasn't been worked through the communities very well and she doesn't think its high on our priority list to be devoting commission and staff time to.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Resolution 20-015, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Homer Airport Terminal Roof Replacement Project to a Firm to be Announced in an Amount to be Disclosed and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Resolution 20-015(S), A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Homer Airport Terminal Roof Replacement Project to the firm of Homer

Roofing, LLC of Homer, Alaska in the Amount of \$93,400, and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

LORD/VENUTI MOVED TO ADOPT RESOLUTION 20-015 BY READING OF TITLE ONLY.

There was no discussion.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

LORD/VENUTI MOVED TO SUBSTITUTE RESOLUTION 20-015(S) FOR 20-015.

Councilmember Evensen commented he was pleased it went to a local bidder.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Resolution 20-012, A Resolution of the City Council of Homer, Alaska Reopening the Homer Accelerated Water and Sewer Program for Citizen Initiated Special Assessment Districts Under HCC 17.02.040, Directing the Planning Commission to Provide Input on Criteria for Evaluation, and Scheduling a Worksession for Council to Provide Input on Appropriate Metrics for the Fiscal Health of the Fund. Mayor/Lord. HAWSP

LORD/EVENSEN MOVED TO ADOPT RESOLUTION 20-012 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO AMEND AND REPLACE LINES 50-52 WITH THE FOLLOWING TEXT: WHEREAS, ALTMAN & ROGERS CO. FOUND, AND MANAGEMENT CONCURRED, THAT WHEN THE WATER AND SEWER UTILITY FUND WAS CONVERTED FROM AN ENTERPRISE FUND TO A SPECIAL REVENUE FUND IN 2010, THE BEGINNING BALANCES FOR THE UTILITY OPERATIONS AND HAWSP FUNDS WERE INCORRECTLY REPORTED AND RECOMMENDED A TRANSFER OF \$3.1 MILLION FROM UTILITY OPERATIONS INTO HAWSP TO PROPERLY REFLECT BALANCE, WHICH WAS ACCOMPLISHED BY ORDINANCE 19-58.

Councilmember Aderhold explained this amendment corrects the dollar amount and clarifies the reasoning to re-open the program.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ADERHOLD/LORD MOVED TO AMEND AND REPLACE LINE 78 WITH THE FOLLOWING BULLET TEXT: THE CURRENT METHOD FOR ESTABLISHING HAWSP SADS IS FIRST COME FIRST SERVED,

TRACKED BY THE CLERK'S OFFICE. IS THIS THE MOST APPROPRIATE METHOD OR SHOULD A DIFFERENT METHOD BE EMPLOYED?

Councilmember Aderhold explained this clarifies the question of the last bullet point regarding looking at alternative methods.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Lord noted there is a worksession scheduled for March 9th to address the topics referenced in the resolution.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- d. Resolution 20-010, A Resolution of the City Council of Homer, Alaska Approving a Five Year Extension of the Memorandum of Understanding between the City of Homer and Kachemak City Regarding the Canyon Trails Subdivision and Road Maintenance on Stellers Jay Drive and Golden Plover Avenue. City Manager.

ADERHOLD/LORD MOVED TO POSTPONE TO FEBRUARY 10, 2020.

There was brief comment the City is waiting for a response from Kachemak City regarding the MOU.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

COMMENTS OF THE AUDIENCE

Dennis Young, President of ILW Alaska Longshore Division, commented regarding M/V Iberain Bulker that came into port in Homer. It was the first time in Homer's history to have a vessel intending to have cargo loaded without local longshoremen performing the tasks. That vessel didn't meet Coast Guard requirements, and the Tufty came in to load. He explained all the major ports across the State have labor agreements and union longshoremen that have historically performed the loading and unloading of foreign cargo vessels. He had conversations with the Harbormaster, but then read a statement the Harbormaster made to the newspaper that the city wanted to be competitive port and that's why it's an open port, and he finds that puzzling. Homer is only competing with itself as there isn't a port near that has the ability to do what the Port of Homer port can do. It's the only terminus this side of the peninsula has. He encouraged seriously considering and protecting the work opportunity for the local longshoremen.

Larry Slone, city resident, commented regarding Ordinance 20-03, he commented taking it to the next step of health benefits and the city's responsibility for the physical health of the resident. He requested the city provide masks to residents in response to the Coronavirus outbreak.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti was not in attendance.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen announced an opening on the Library Advisory Board.

COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

COMMENTS OF THE MAYOR

Mayor Castner had no comments.

COMMENTS OF THE CITY COUNCIL

Councilmember Evensen said he enjoyed the recent library tour and was impressed to learn that up to 450 people come through the library daily. He appreciated the staff's time and information. He will be absent from the next meeting.

Councilmember Venuti commented about impacts of the reduced ferry service to the high school and shared an example that the Debate Team budgeted last year for travel to Juneau using the ferry and now have to find funding to fly. She appreciates the Mayor's participation in the meetings and hope it makes an impact on getting ferry service back. She thanked Mr. Young for his comments regarding Longshoremen, and reminded listeners about the upcoming Winter Carnival.

Councilmember Lord noted the Governor's state of the State address is happening now. She signed up to be on the AML Legislative Committee and she'll provide updates on their meetings. There is a lot going on and information can be found at akleg.gov, the Legislative Information Office in town, and live streaming Gavel to Gavel. The Paul Banks PTA is hosting a budget 101 for school funding on Thursday at Paul Banks. She said it's been a tough couple of weeks and recalled her Grad School advisor explaining the most important things are being kind to children, respecting your elders, and telling the people you love that you love them.

Councilmember Smith also thanked Mr. Young for his comments about Longshoremen, and shared briefly about his time working as a Longshoreman, it's difficult and dangerous labor. He commented about the importance of taking ownership in being prepared in the case of an

emergency, and noted the Kenai Peninsula Borough has information on emergency preparedness, as well as the Homer Volunteers Fire Department. He commented about Dave Schroer, Councilmember in the early 70's and people characterized him by things he didn't agree with, but the great thing is we can have diversity in opinion and still get along and be great neighbors. He thanked everyone who participated and helped with the Celebration of Life for Gary Thomas, he appreciated Gary and the difference he made for us. Brendan Rider, a young man in his mid-20's, died from pneumonia recently, so we need to be proactive in taking care of our personal health. Kobe Bryant also died recently. There's no clock, and it goes back to the sage advice of Rachel's advisor, to do what's important.

Councilmember Aderhold agreed she's feeling the loss in the community and worldwide. We've also lost Marge Tillion and Ron Senungetuk, it makes Homer feel a little smaller. Wednesday is Project Homeless Connect, she's thrilled that people stepped up to make this happen and is sorry she's unable to participate this year. In talking about how different departments go above and beyond, she recognized the Library staff and their efforts in bringing together the 2020 Lit Lineup, the categories and lineup they've put together is great and loves that our librarians put their time and effort in highlighting books for a wide variety of people to read over the year. She recalled a story of her Master's Advisor getting some grief over eating meat among a group with some vegetarians, and referring to her Coke as porpoise blood.

Councilmember Hansen-Cavasos thanked the Council for excusing her at the last meeting, she had the opportunity to travel to Oregon to visit the college her daughter has been accepted to. She also toured of the library, it was great and what stood out to her was that everyone is treated the same when they come in the door, regardless of who they are or their circumstances. She noted that South Peninsula Hospital is good about putting out information, and people can go to their local provider, whoever they see in the community, and get useful information on masks.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:27 p.m. The next Regular Meeting is Monday, February 10, 2020 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.

Melissa Jacobsen, MMC, City Clerk

Approved: _____