

Session 20-12 a Regular Meeting of the Homer City Council was called to order on March 23, 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:** COUNCILMEMBER: SMITH

**TELEPHONIC:** COUNCILMEMBERS: ADERHOLD, LORD, HANSEN-CAVASOS, VENUTI AND  
EVENSEN

**STAFF:** CITY MANAGER KOESTER  
CITY CLERK JACOBSEN  
DEPUTY CITY CLERK KRAUSE  
PERSONNEL DIRECTOR BROWNING

Mayor Castner addressed the listening public noting for the record who was physically present in the Cowles Council Chambers and what steps were currently being taken with regards to the COVID 19 pandemic and Emergency Declarations.

SMITH/VENUTI MOVED TO SUSPEND THE RULES TO ALLOW COUNCILMEMBERS TO PARTICIPATE TELEPHONICALLY TO SUPPORT SOCIAL DISTANCING AS AN EFFORT TO MITIGATE THE SPREAD OF COVID 19 IN OUR COMMUNITY.

There was no discussion.

VOTE: YES. SMITH, VENUTI, EVENSEN, LORD, ADERHOLD, HANSEN-CAVASOS

Motion carried.

**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** Homer City Council unapproved Special Meetings of February 25 and 26, and March 9, 2020 and Regular Meeting Minutes of March 9, 2020. Copy of meeting minutes **VISITORS** City of Homer, South Peninsula Hospital, and Public Health will provide a COVID-19 update. **ORDINANCES** Ordinance 20-18, An Emergency Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 5.42 Single Use Plastic Carryout Bags by Adding Section 5.42 Suspending the Chapter until the State of Emergency Due to COVID-19 is Lifted. Smith. **RESOLUTIONS** Resolution 20-030, A Resolution of the City Council of Homer, Alaska, Approving an Employment Contract for Interim City Manager with Marvin Yoder and Authorizing the Mayor to Execute the Appropriate Documents. City Manager. Amended contract.

LORD/VENUTI MOVED TO ADOPT THE CONSENT 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**

Larry Slone, city resident, commented with regard to Resolution 20-028, Amending the Personnel Regulations; Resolution 20-029, Ratifying the Disaster Emergency Declaration and Resolution 20-030, Approving Employment Contract for Interim City Manager Marvin Yoder, he approves all three. There was discussion at the Committee of the Whole about shutting down the Homer Library for those folks with no place to go and thinks that this declaration was absolutely necessary and as pointed out by Councilmember Smith earlier that there is no natural immunity to this virus and it is extremely contagious and they need to restrict access and be involved in flattening the curve and this involves social distancing to flatten the curve and he highly concurs.

City Clerk Jacobsen read the following public comments into the record:

Terry Jones,

*"Please reverse the ban on plastic grocery bags. The reusable cloth bags are unsanitary and dangerous to the health of all the workers that handle them. They also are dangerous to fellow customers as the germs from them can transfer from the bag to the carts and onto the belt that transfers the groceries.. then onto the checkers hands. This is totally not safe."*

Cassie Lawver,

*"Hello all, I am writing to support Ordinance 20-14. But I believe it should be amended to include the lift on the ban is due to limiting the spread of the CORVID-19 virus. As our community is doing everything we can to protect its citizens during this pandemic, taking this step is the responsible thing to do. I hope you consider amending to state the above and then pass this ordinance."*

She provided the following six links which were provided to the City Council

<https://nypost.com/2020/03/14/using-tote-bags-instead-of-plastic-could-help-spread-the-coronavirus/>

[https://www.unionleader.com/news/health/coronavirus/grocers-now-banned-from-using-customers-reusable-bags/article\\_f6e76317-11d1-5405-a094-ade6744bba58.html](https://www.unionleader.com/news/health/coronavirus/grocers-now-banned-from-using-customers-reusable-bags/article_f6e76317-11d1-5405-a094-ade6744bba58.html)

<https://patch.com/massachusetts/beverly/ma-coronavirus-grocery-stores-want-plastic-bag-ban-ended>

<https://www.wsj.com/articles/war-on-plastic-takes-a-back-seat-in-coronavirus-crisis-11584624140>

<https://reason.com/2020/03/20/state-governments-are-delaying-their-plastic-bag-bans-during-covid-19-pandemic/>

<https://www.washingtonexaminer.com/opinion/plastic-bag-bans-arent-helping-us-fight-against-coronavirus>

Ms. Lawver followed up with a second email stating she supported Ordinance 20-18 asking Council to please pass it.

Ralph Crane, City Resident:

*“Good Evening, Mayor Castner and Members of the Homer City Council I’m asking you to support Homer Ordinance 20-14 and vacation the current plastic bag ban ordinance until the current COVID-19 pandemic has sufficiently subsided.*

*My reasoning is simply this;*

- 1. Recently released research regarding the survivability of COVID-19 pathogens indicates that the virus can remain active and transferable on many solid and soft surfaces from a few hours to several days and even longer under certain environmental conditions.*
- 2. The “Bring Your Own Bag” (BYOB) concept now in use in Homer encourages bags made of whatever material an individual desires to use and has absolutely no controls in place over the maintenance, storage, or condition of the BYOB containers.*
- 3. In my recent discussions with retail clerks in our grocery stores, the condition of some bags placed upon the food handling surfaces of shopping carts, floors, and cashier belts/stands is sometimes “disgusting”, “smelly”, “gross”... not surprising when one walks around the grocery store parking lot and merely glances into the interiors of some vehicles as I have, prior to this email.*
- 4. The single use bags previously given out by grocery store cashiers are at least newly manufactured and, I reasonably suspect, have never been stored in a private vehicle full of “whatever”, including at least traces of pet and human feces and bodily fluids, and thus, could be safely assumed to be at least cleaner than those that are.*
- 5. Our official advice from members of the medical and governmental fields is to distance, wash hands, avoid touching the face and other people...that is wise and proven advice yet we still allow this high risk behavior of BYOB into food centers, compromising such advisable cleanliness practices.*

*For these reasons, I am respectfully requesting that you support the safety and welfare of all users of Homer food centers by supporting at least this proposed temporary vacation of the current plastic bag ban.”*

Mr. Crane followed up with an email that this comment applies to Ordinance 20-18 also.

Kate Finn

*“OK Dear Council and Mayor, I’d like to talk about Ordinance 20-14, “Extending the deadline date for single use plastic carry out bags” First of all I could almost-maybe-kinda accept this for seasonal businesses only. However the way it seems to be written, it does not limit this extended use to seasonal businesses.....so here we are again!!*

*On hearing that a seasonal version of this was coming up, as I shopped, I re-envisioned how to sustain this really important NON-use of single use plastic bags during the CoVid-19 pandemic:*

*1-It seems to me the biggest “fomite” (object or material which are likely to carry infection) in the stores is the shopping carts. And i believe i am correct in finding, that plastic and steel have about the same retention time for sustaining infection capacity. Sites do vary, but steel, plastic and cardboard all can sustain infection potential for about 48-72 hours.*

*2-When we bring our own re-usable plastic bags, no-one else needs, in any way, to be touching them—we don’t share these bags. We bring them, fill them, and take them home. And many of us wash them.*

*3-It would make sense, if one feels especially vulnerable, to wear gloves to handle the cart and to pick items off the shelves. Personal gloves that we wear and wash anyhow-sustainably.*

*In summary:*

*We DO NOT need to re-allow single use plastic bags!!*

*\*1st to remember is that Co-Vid survives in the air for hours, so social distancing is basic.*

*\* Transmission of the virus can really be mitigated by not touching the shopping carts or the items on the shelves, that dozens to hundreds of people may have handled—gloves might be best suited for this—personal, reusable, washable gloves.*

*\*Wiping the cart, handles especially with a disinfectant cloth, could help reduce transmission.*

*\*Bring your own reusable bags where-ever you shop!!*

*Thank you as always council for you work, your attention and your time!!”*

Brian Nahmis,

*“To The Homer city Council*

*My name is Brian Nahmis I am a manager at Save U More here in Homer and wanted to express my concern about the use of personal bags for groceries. We are no longer are going to allow them in the store until the coronavirus is under control. Safety for our employees is first, Our employees are starting to get concerned about their own health and rightfully so. We would greatly appreciate you considering allowing us to bring back the T-shirt bags until we are through this health crisis. We have limited supplies as it stands now to properly sanitize our register area and belts. By allowing the T-shirt bags to come back for a brief time we can limit the spread of this virus to our employees. I myself am in one of the high risk categories, If we can’t keep employees then we would have to close the doors so anything we can do to prevent this would be*

*greatly appreciated. We also cannot guarantee our access to paper bags, so we need some options. The T-shirt bags are sanitary and that's a huge plus for the time being. Thanks For your understanding and hope your vote yes to allow us a temporary lift on the bag ban."*

Mark Hemstreet, Store Manager, Save U More:

*"Dear Homer City Council Members:*

*I would like there to be some discussion and action taken to temporarily repeal the plastic bag ban in Homer. As manager of the local Save-U-More I have some serious health concerns raised by my cashiers about the reusable bags. Many customers fail to regularly clean their bags and with the corona virus on the increase we feel that the reusable bags may be a significant gateway to spread unwanted germs.*

*Today we have posted signs asking our customers to leave their reusable bags in their car or at home until we are in the clear.*

*In the interest of public health I ask the Homer City Council to repeal the plastic bag ban temporarily so that we can safely serve our customers and help to protect our employees."*

Zack Wallace

*"To Whom it may Concern,*

*My Name is Zack Wallace and I have been an Assistant Manager at the Save-U-More for more than 5 years. Since the reinstatement of the plastic bag ban, our store has worked hard to keep in compliance. I have personally been in communication with Council Member Smith several times over the past few months.*

*During the recent health outbreak, several states (Maine, New York) have already set aside their plastic bag bans for the health and safety of the public. Our staff must interact with a huge percentage of the general public each and every day. From first hand experience I can ensure you that many of the reusable bags brought into our store are far from what one would consider clean.*

*Our hardworking cashiers are very concerned about their health in these times in addition to the health of our customers.*

*I am personally working very hard to get the mandated 2.5 mil bags to our store in order to be in compliance, but I need another 45-60 days to make that happen.*

*For the time being, I would ask the council to set aside the bag ban for a minimum of 90 days, thus allowing us to temporarily use the thinner t-shirt bags. This would help ensure that our employees and customers both feel safe knowing that they are getting a CLEAN, NEW, bag for each and every purchase. Thank You for your time"*

John McCullough

*"To Whom It May Concern*

*I support the bag ban lift due to the COVID 19 pandemic. The use of reusable bags unnecessarily puts people at risk of spreading the virus. This issue should be taken seriously and appropriate action needs to be taken."*

## 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 Meetings of February 25 and 26, 2020, March 9, 2020 and Regular Meeting Minutes of March 9, 2020. Recommend adoption. (Supplemental Packet)
- b. Memorandum 20-041 from Mayor re: Reappointment to the Library Advisory Board and Economic Development Advisory Commission. Recommend approval.
- c. Memorandum 20-042 from Deputy City Clerk re: Liquor License Renewals for Capt. Pattie's Fish House, Little Mermaid, Save U More Liquor #6, Salty Dawg, BPO Elks Lodge #2127 Recommend approval.
- d. Resolution 20-027, A Resolution of the Homer City Council Adopting a Point of Dispensing Plan as Part of the City of Homer Emergency Operations Plan. City Manager/Fire Chief. Recommend adoption.
- e. Resolution 20-031, A Resolution of the City Council of Homer, Alaska, Assigning the Management and Use of the Old Homer Police Station to the Homer Volunteer Fire Department (HVFD) with Operating and Maintenance Costs Associated with the Building Funded out of the HVFD Budget. Smith. Recommend adoption.

Mayor Castner requested a motion to approve the recommendations of the Consent Agenda as read.

SMITH/ADERHOLD- SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## VISITORS

- a. South Kenai Peninsula Opioid Task Force

Mayor Castner stated that the South Kenai Peninsula Opioid Task Force has provided a written report and noted it could be found on page 158 of the Council packet.

- b. City of Homer, South Peninsula Hospital, and Public Health (Unified Command) will provide a COVID-19 update

HVFD Chief Kirko, Jenny Carroll, Public Information Officer (PIO), Lorne Carroll, Public Health Nurse and Derotha Ferraro, South Peninsula Hospital Public Relations and Marketing Director representing the Unified Command provided the following COVID 19 status updates:

- South Peninsula Hospital Briefing
  - Activate EOC on March 8, 2020
  - Teleconference Seven Days a Week
  - Meeting Regularly with City, Borough and State Operations Center
  - Following guidance from State Dept. of Health & Social Service Div. of Public Health
  - All entry into all facilities are restricted and confined to Employees, Persons with Appointments, Persons seeking critical and medical care in the Emergency Room and select pre-approved visitors for patients who do not have symptoms, have not traveled, or been exposed to a confirmed case are admitted.
  - No visitors to Long Term Care is allowed
  - All non-essential surgical procedures and appointments have been postponed
  - Telehealth clinic visits should be starting shortly
  - The cafeteria is closed to the Public and food services have been modified
  - Over 30 Employees are now working from home
  - Testing is conducted only if recommended by a provider who will prequalify the patient in accordance with DHSS established guidelines.
    - the patient will be directed to the designated area in the hospital parking lot and call a number
    - Hospital staff will administered the test to the patient who will remain in the vehicle.
    - Test results take 4-5 days to complete and patients will be notified
    - 25 samples have been submitted 10 results have been received, they were negative.
    - Public can visit the following website for prescreening to eliminate pressure on medical personnel is <https://c19check.com/start> this is a service provided by Emory University Hospital
  - Current priorities are patient and staff safety, reassigning licensed staff to areas of highest need, establishing a different testing location to handle the expected increase, working on the Hospital's part of the Statewide COVID 19 plan – persons with mild will be directed to home care, persons with medium case of symptoms would be treated at the local hospital, persons with severe symptoms would be sent to Anchorage where there are specific hospitals and surgery centers that can house/care for those patients.

- There is a need for supplies – masks, faceshield, swabs. Please check on the website to see what is needed and where to send.
- Those interested in volunteering please check out the state volunteer pool to start getting prequalified

Lorne Carroll, Public Health Center reported on the following:

- Still offering mission critical services to the area with vaccines for flu and preventable diseases
  - EOC for Borough, Tribal locations across the bay, and COH
    - Furthering developing communications which rely on Homer as a hub
  - One person under investigation and one person under monitoring
  - 36 cases state wide at this time
    - There may be community transmission going on since there are cases that did not travel
  - Provided a synopsis of processes and actions of health providers if a known or suspected case

Jenny Carroll, City of Homer, Public Information Officer

- Anne Zink reported that in comparison to the Lower 48 the transmission rate for Alaska is very low.
  - This relates to the ability for the State to contain the spread by non-medical means
  - Assist in flattening the curve
  - Promoting the Public health and well being
  - Messaging to flatten the curve which helps keep the health care workers safe
  - If the rise in cases occurs this would affect the ability to effectively care for all health related issues
  - Encouraging social distancing, all persons traveling into the state should be in quarantine for 14 days, checking the city website with information for the public to include mailings, notices, and on Thursday and new website and call in phone

Chief Mark Kirko, Homer Volunteer Fire Department, Emergency Operations Center, Homer

- EOC functioning and performing telephonic meetings
- Last of the PPE supplies for Emergency Personnel
  - Committees working on these challenges in house in conjunction with the KPB and Fire personnel
- Working on a Plan with Volunteers in the Community such as shopping, etc.
- Medical Transports in Rural/Bush areas
- Thanked the PIO staff and IT Staff for their efforts in completing tasks



- Working with the Planning Chief to coordinate a list and plan

Discussion following the report included responses to questions on the following:

- Recommendation to schedule a flu shot for those 6 months and older
  - Please call first to arrange
- Isolation locations will rely on the family and friends determining the best solution
  - This is an item that is being worked on for the community
- Use of the Statewide Resource Pool is for licensed medical personnel only
- Working on the details on contacts for that once a system is in place
- All licensed healthcare professionals that are licensed in the state are encouraged to go to <https://www.akrespond.alaska.gov>
- If the virus can live on surfaces such as the plastic bags and there is not a study that indicates but strongly recommended washing hands and surfaces

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

a. Committee of the Whole Report

Councilmember Lord reported Council received an update from the City Manager Koester on the Continuity of Operations Plan (COOP) and discussed the city manager hiring process and Councilmember Evensen's Memorandum 20-040 regarding revisiting two city manager candidates again.

b. Mayor's Report

Mayor Castner stated that when he was recently on a local radio show that he was a small town mayor looking at a global problem and it was way above his pay grade but the three headed monster is when you have a global pandemic with a what they call a novel coronavirus, which means that by being "novel" there is no known immunity, the what they call the HURD immunity is very, very low and incredibly communicable. The second head of this monster are the economic consequences that are falling on everyone equally all around the earth, for us to contract the coronavirus we must come in contact with it but the economic consequences is like nuclear fallout, it is everywhere and immediate. The extreme measures that we are taking to flatten the curve and lower the risk to the population are having real dire consequences to the workforce and to the economic prosperity of the world. The measures that the United States government is taking to try and address some of those problems, just accelerate other problems, such as printing more money and going a couple trillion of dollars further in debt are going to have lingering consequence. The third head of the monster is the psychological effect, and they are already seeing the cracks in that where young people especially are stating that they would rather be sick than broke. We are looking at a virus that one person can infect 3 persons very easily, with a regular virus one person could infect 1.28 persons very easily and after that is passed 10 x you have 14, with this virus you infect 3 and those 3 infect 3 10x down

the line can infect 59,000 people. That is the math of the situation. It is incredibly, incredibly communicable. There is no half measures that need to be taken now. There is no over-reaction. This is incredibly scary. The last time the world saw something like this was 1918 with the Spanish Influenza where 5,000,000 people died. It would be irresponsible for your local elected officials to do anything other than take extreme measures. It is not just us. The President of the United States has declared this a National Emergency. I really hope that people do take this seriously, because this is a death sentence to people at risk. We cannot allow this disease to take hold in Homer and the only way we can do that is by taking these extreme measures. If we are successful everyone is going to say, "Oh, look it was no big deal, nobody got sick." No! We did a really good job, we did a really perfect job, and kept it out of the community and keep everybody safe. There are two outcomes on this thing, someone will come up with a vaccine very quickly, but that is at least a year away according to the Health Officials, the other thing is that you allow the spike to wash through and have everybody get sick and the natural immunity builds up and part of the Herd cannot longer catch it and pass it on but that results in a lot of deaths. You can just look at Italy, the death rate is 4%, the numbers are not to be ignored, we are probably 4 weeks behind Italy. We need to come together as a community and stay safe. There are kids coming back from college, people coming back to get their fishing boats ready and we need to take some measures to protect the community it just does not help to get into discussions with anyone on over-reaction. No one who understands the implications of this disease would think that it is an over-reaction.

c. Borough Report

f. Library Advisory Board

g. Planning Commission

City Clerk Jacobsen read a report as follows:

*The Planning Commission last met on March 4th. The March 18th meeting was cancelled because of the lack of a quorum. The April 1<sup>st</sup> meeting is being cancelled because there are no complete applications. The April 15th meeting is currently scheduled and we understand that Clerks and City Attorney will devise a process for conducting that meeting virtually. The planning staff is presently conducting business via phone and email from the office. They are practicing 6 feet of separation, disinfecting, and hand washing. I hope everyone stays healthy and this virus crisis soon goes away.*

*Respectfully Submitted,*

*Franco Venuti ~ Chair, Homer Planning Commission*

h. Economic Development Advisory Commission

City Clerk Jacobsen read the following report:

1) EDC Chair Karin Marks is working with Councilman Heath Smith in his effort to revise the EDC to better serve the city and to be more efficient with staff time and city resources. They have given attention to purpose section of the EDC Bylaws, as this would need amending if the EDC's commission work is restructured.

2) At our March 10th meeting the EDC discussed looking into job training needs within the community and ways we might be able to gather insight from employers and those seeking work. This topic is also recently being discussed at the borough level during a series of workforce development planning meetings hosted by The Kenai Peninsula Economic Development District (or KPEDD). I was invited to participate, but was unable to attend their March 9th meeting. However, their purpose is to share ideas for growth and identify workforce gaps in our communities, and to identify current and projected industry and community training needs. Commissioner Bill Richardson has volunteered to speak with people at the Homer Job Center for their insights into which job training needs may exist in our area. The option of a brief survey was discussed that would aim to gather community input. We will take up the topic again at our next meeting.

3) KPEDD is getting ready to update their borough-wide Comprehensive Economic Development Strategy (or CEDS), which is done every 5 years. The commission briefly discussed the role of the City of Homer for providing input in this process. The city currently uses the KPEDD CEDS to assist with things like regional plans to apply for federal money for a variety of types of purposes, for example disaster resilience. Chair Marks plans to report back to the group with some information on the process that KPEDD plans to use.

4) Since the EDC is still an active city commission, we still have two open seats open to people in the greater homer area, including outside of city limits.

Report submitted by commission member Nicole Arevalo

i. Parks Art Recreation and Culture Advisory Commission

j. Port and Harbor Advisory Commission

i. Memorandum from Deputy City Planner re: Overslope Recommendations

k. Americans with Disabilities Act Compliance Committee

## **PUBLIC HEARING(S)**

## **ORDINANCE(S)**

- a. Ordinance 20-14, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 5.42, Single Use Plastic Carryout Bags, Section 5.42.040, Exceptions, to Change the Deadline for Providing Single-Use Plastic Carryout Bags from February 14, 2020 to September 15, 2020. Smith. Recommended dates: Introduction March 23, 2020, Public Hearing and Second Reading April 13, 2020.

SMITH/LORD - MOVED FOR INTRODUCTION BY READING OF TITLE ONLY.

Discussion ensued on a request from the seasonal businesses at the last meeting stating that they were not given the opportunity to dispose of their inventory as other businesses open year round. Points made during discussion included:

- extension of this will only extend the deadline from February to September 15, 2020
- Emergency Ordinance 20-18 only suspends the section of city code for 60 days and if the virus clears out
- the science has not changed and there is no ability recycle
- Other communities gave allowances to get through the summer.
- The plastic bags will end up in the community, on the streets or in the landfill, or we can allow the businesses to use up the stock and not incur additional expenses
- This appeared to be a reasonable and fair solution
- The seasonal businesses were closed before the vote
- It is the responsibility of a business owner to be informed on upcoming legislation that may affect them
- Homer is surrounded by critical habitat
- This was approved by the voters and that should not be ignored

VOTE. YES. LORD, ADERHOLD, HANSEN-CAVASOS, SMITH

VOTE. NO. EVENSEN, VENUTI

Motion carried.

- a. Emergency Ordinance 20-15, An Emergency Ordinance of the City Council of Homer, Alaska, Suspending the Proceedings of the City of Homer Advisory Commissions, Board and Committees for 60 Days or Until the COVID-19 Emergency Declaration is Lifted, with the exception of Planning Commission business Related to Quasi-Judicial and Other Time Sensitive Actions Legally Required in Homer City Code, Statute, Order or Regulation, and Review of City Leases on the Homer Spit by the Port and Harbor Advisory Commission. City Manager.

SMITH/ADERHOLD - MOVED TO ADOPT EMERGENCY ORDINANCE 20-15 BY READING OF TITLE ONLY

Discussion by Council centered on clarification of time sensitive items that would require the Planning Commission to have a meeting.

VOTE. YES. HANSEN-CAVASOS, VENUTI, LORD, EVENSEN, ADERHOLD, SMITH

Motion carried.

- a. Emergency Ordinance 20-16, An Emergency Ordinance of the City Council of Homer, Alaska, Amending the 2020 Budget by Appropriating Funds in the Amount of \$50,000

from the General Fund Fund Balance for the Purpose of COVID-19 Preparation and Response. City Manager.

SMITH/ADERHOLD - MOVED TO ADOPT EMERGENCY ORDINANCE 20-16 BY READING OF TITLE ONLY

Discussion by Council with input from the City Manager included the following:

- identifying the restricted fund amount within the general fund and that there was no emergency fund created
- it was indicated in the ordinance that a project account would be established to track the expenses.
- there is no currently no policy or process and Councilmember Lord volunteered to work on that issue.
- all monies expended for the declared emergency be accounted for so the City would possibly be reimbursed from FEMA.

VOTE. YES. EVENSEN, HANSEN-CAVASOS, SMITH, LORD, VENUTI, ADERHOLD

Motion carried.

- a. Emergency Ordinance 20-17, An Emergency Ordinance of the City Council of Homer, Alaska, to Allow for Telephonic Meetings of Homer City Council to Mitigate Spread of Novel COVID-19. City Manager.

SMITH/LORD MOVED TO ADOPT EMERGENCY ORDINANCE 20-17 BY READING OF TITLE ONLY

Discussion by Council included inclusion of video conference meetings.

EVENSEN/SMITH MOVED TO AMEND EMERGENCY ORDINANCE 20-17 TO ADD THE WORDS “OR WEB HOSTED” AFTER TELEPHONIC.

Councilmember Venuti asked if that would include a program called “Zoom”

Councilmember Evensen responded that it would and noted that there were a host of programs available and recently the Assembly approved such use also.

Mayor Castner commented on the existing use of the IPads by Council but hope that they will find a solutions to be able to conduct a meeting.

Council discussed additional sections to amend the ordinance with the words “web hosted” and “internet” to provide more clarification to the amendment.

Mayor Castner requested a motion from Councilmember Evensen to amend the motion on the floor.

Councilmember Evensen deferred to Councilmember Lord for the stating of the amendment.

LORD/SMITH MOVED TO AMEND THE AMENDMENT BY INSERTING "OR WEB HOSTED" ON LINE 7, AFTER THE WORD TELEPHONIC, LINE 24, AFTER THE WORD TELEPHONICALLY; LINE 27, STRIKE THE WORD "AND" BEFORE TELEPHONE AND LINE 28 INSERT THE WORDS AND INTERNET BEFORE THE WORD PROVIDERS

Discussion ensued on the ability to obtain and institute new software and applications by the stretched thin city personnel and that it was in the best interest to hold effective meetings that would also allow the public to hear clearly the business being conducted. Councilmembers expressed their understanding that personnel were consumed with the emergency but it was in the best interests of the city to obtain tools that would provide options to conduct meetings optimally.

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

Motion carried.

There was no additional discussion on the primary amendment as amended.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further comments or discussion on the main motion as amended.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- a. Emergency Ordinance 20-18 , An Emergency Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 5.42 Single Use Plastic Carryout Bags by Adding Section 5.42 Suspending the Chapter until the State of Emergency Due to COVID-19 is Lifted. Smith.

SMITH/LORD - MOVED TO ADOPT EMERGENCY ORDINANCE 20-18 BY READING OF TITLE ONLY.

Discussion ensued on the following:

- Short term solution

- Consideration for the health and safety of the employees as well as the public
- Public comments received were very persuasive
- There is no evidence to support the overarching health risks associated with personal use bags but this will be a simple fix to provide some assure to the public in general
- The public could use gloves and just put items in a cart then put the items into their personal bags at the car
- Local stores requesting the ban to be rescinded and whether they do so or not the stores will not be allowing them into their facility
- Consideration of testimony provided by local health officials on the likelihood of the virus living on plastic bags does not support them rescinding the ban

VOTE. YES. VENUTI, SMITH, ADERHOLD, LORD, EVENSEN, HANSEN-CAVASOS

Motion carried.

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

#### **a. City Manager's Report**

City Manager Koester reported on the following:

- the city ranked number five in the nation for a grant for the raw water main transmission line which is cast iron and from FEMA that was issued from the last emergency declaration of the state when they had the earthquake. This is going to be great, they still have another round of review to work through; Jenny Carroll who is a great PIO but also an excellent grant writer and this will protect the city and residents from additional vulnerability.
- City Manager transition between Mr. Yoder and herself plan on a telephonic transmission on the duties and responsibilities. Chief Kirko will be taking over the Incident Command, he has instrumental in requirements of EOC/ICS and there is a lot to do just to keep the city going and incidentals.
- She will be finishing up with the city the first week of the April dependent on how things finish up with Mr. Yoder
- Scheduling teleconference meeting with each Councilmember and Mr. Yoder to go over their priorities and focus.

Councilmember Aderhold appreciated the report, and could not believe that this was Katie's last meeting.

Councilmember Lord thanked Katie for everything, but wanted to give a big shout out to Jenny Carroll for her grant writing and her report on the standing for the grant for the raw water main is great. Thank you.

Councilmember Venuti knew this was Katie's last meeting but wished she was present to give her a cake, she really appreciated her. She expressed her hopes that Marvin Yoder continues Katie's personal style with her reports to the Council. Your voice comes through your reports and hopes he does the same. Thank you so much.

Councilmember Hansen –Cavasos thanked Katie for everything.

Councilmember Evensen commented many, many thanks Katie.

Councilmember Smith had no comments or questions for the City Manager.

### **PENDING BUSINESS**

a. Resolution 20-020(A), A Resolution of the City Council of Homer, Alaska Establishing a **Library Endowment** Field of Interest Fund with the Homer Foundation, Outlining the Process for Oversight of those Funds and Authorizing the City Manager to Execute the Appropriate Documents. Aderhold/Venuti.

Resolution 20-020(A)(S), A Resolution of the City Council of Homer, Alaska Establishing a **Library Endowment** Field of Interest Fund with the Homer Foundation, Outlining the Process for Oversight of those Funds and Authorizing the City Manager to Execute the Appropriate Documents. Aderhold/Venuti.

VENUTI/ADERHOLD MOVED FOR THE SUBSTITUTION OF RESOLUTION 20-020(A) (S) FOR RESOLUTION 20-020(A)

A brief discussion by Council ensued on the shared efforts to amend the resolution and the presentation on the benefits to have an endowment fund for the Library as a means for the public to make donations to support their public library.

VOTE. YES. ADERHOLD, HANSEN-CAVASOS, LORD, VENUTI, SMITH, EVENSEN

Motion carried.

There was no discussion on the Substituted Resolution 20-020(A)(S)

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.



## **NEW BUSINESS**

- a. Memorandum 20-040 from Councilmember Evensen re: Revisiting City Manager Candidates

EVENSEN/VENUTI MOVED TO APPROVE THE RECOMMENDATION IN MEMORANDUM 20-040 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH A CANDIDATE FOR THE POSITION OF HOMER CITY MANAGER.

Council provided lengthy discussion on the prior actions and discussed again the process that was conducted to narrow the selection of applicants, fit for city, qualifications and experience of the candidates and whether they should re-advertise the position. It was believed that there was majority support for one previous candidate over the other but there was also a desire to have 100 percent support of the Council for the selection of the next City Manager and without that there was not a majority.

EVENSEN/VENUTI MOVED TO AMEND THE MOTION TO REMOVE THE WORD CANDIDATE AND INSERT MICHAEL BORK.

Discussion by Council included finding unanimous consent for the candidate, knowing that if they were not successful that they would be entering into a contract for the interim city manager, that there was not a sense of emergency to select a candidate, all decisions by Council did not require unanimous consent as they were elected as individuals; decisions were made as the body, City Council only had two responsibilities when it came to personnel, hiring the city manager and the city attorney , so it was believed that it would be stronger decision if based on 100% agreement.

VOTE.(Amendment). YES. EVENSEN, VENUTI

VOTE.(Amendment). NO. HANSEN-CAVASOS, LORD, ADERHOLD, SMITH

Motion failed.

There was no further discussion on the main motion.

VOTE.(Main motion). YES, HANSEN-CAVASOS, VENUTI, EVENSEN

VOTE.(Main motion). NO. LORD, ADERHOLD, SMITH

Motion failed.

## **RESOLUTIONS**

- a. Resolution 20-028, A Resolution of the City Council of Homer, Alaska, Amending City of Homer Personnel Regulations, Chapter 1, Adding Section 1.8, Emergency or Disaster

Declaration; Chapter 3, Amending Section 3.9, Emergency Appointments; and Chapter 5, Amending Section 5.9.3, Exempt Employees. City Manager/Personnel Director.

SMITH/LORD MOVED THE ADOPTION OF RESOLUTION 20-028 BY READING OF TITLE ONLY.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- b. Resolution 20-029, A Resolution of the City Council of Homer, Alaska, Ratifying the Disaster Emergency Declaration Issued for the City of Homer and Extending the Declaration Due to the Current and Expected Impacts of the COVID-19 Novel Coronavirus Pandemic. Mayor.

Mayor Castner requested a motion for the Adoption of Resolution 20-029 by reading of title only.

VENUTI/SMITH – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- c. Resolution 20-030, A Resolution of the City Council of Homer, Alaska, Approving an Employment Contract for Interim City Manager with Marvin Yoder and Authorizing the Mayor to Execute the Appropriate Documents. City Manager.

Mayor Castner requested a motion for the Adoption of Resolution 20-030 by reading of title only.

VENUTI/LORD - SO MOVED

Councilmember Smith did not want to provide professional development expenses since this would be a short term contract.

SMITH/ADERHOLD – MOVED TO AMEND THE CONTRACT REMOVING ITEM D IN SECTION 2 “OR PROFESSIONAL DEVELOPMENT EXPENSES”

There was a brief discussion on this being a point of contention with Mr. Yoder, that this only deleted Professional Development not Travel and that all travel, professional development

was approved by Council and any meetings such as the Summer AML meeting could be canceled.

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

Motion carried.

There was no further discussion on the main motion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **COMMENTS OF THE AUDIENCE**

Larry Slone, city resident, commented on the appropriateness of the emergency ordinances approved by Council tonight and the effects that will have on the current situation. He did not think the community realized they're importance to control the spread of the virus. He added further comment on the effects of spread, noting that for everyone that has been diagnosed there are 10 others out there that haven't been diagnosed and then there are people who are super spreaders that could infect 100's of people without realizing it. He wished City Manager Koester good luck and agreed with the decisions Council made on the bag ban and hiring a new city manager. He wished the Council stay well.

City Clerk Jacobsen read into the record comments received:

Hello Mr Mayor and Members of the Council My name is Malcolm Milne and I am the president of the North Pacific Fisheries Association which represents over sixty commercial fishing operations based on the Kenai Peninsula. I'd like to make sure that the City of Homer considers the fishing industry an essential service with regards to any upcoming decisions. It will be crucial on many levels to assure that fisherman and processors can operate in these uncertain times. Both sectors are actively working to develop protocols to protect the health and safety of our workers and the communities we operate in as that is fundamental to us being able to prosecute our fisheries and bring food to markets both local and beyond. Thank you for your consideration.

Good evening, I'm David Lewis and a city resident, First off, Thank You Katie for your years of service. It has been an interesting term for you and thank you for putting more women in positions of authority. You will be missed once the powers that be lets you leave here. Secondly, to the Mayor and Council, I wish you luck in the coming months. You are entering uncharted waters. You will be making decisions that will be affecting people and business' in ways we could not have predicted. So again, I wish you all the best and stay healthy.

### **COMMENTS OF THE CITY ATTORNEY**

Counselor Gatti commented on the interesting debate and there are hard decisions that Council will be making and the City Manager hiring is one of those and that they made a good choice; he will be talking with the City Manager and coordinating with the Finance Director on the savings with the Harbor Bonds.

He believes that the city is working very hard on the COVID 19 processes which he believes is very important that the city implement affirmative actions to stem the flow to bring the city and country back to normal

He hasn't worked very long with the City Manager but complimented her dedicated and hardworking individual and wishes her well in Juneau and while he enjoyed working with her he hopes the Council hires someone with the same qualities.

### **COMMENTS OF THE CITY CLERK**

### **COMMENTS OF THE CITY MANAGER**

City Manager Koester commented on the immense amount of work that has been done in the last two weeks, and how exhausted the staff that has shown up tonight are, it has made it really hard to leave and the team has really come together, making incredible sacrifices, especially to see staff volunteering and stepping up to the challenge, including Council making PSA's and not bothering or coming to her for anything. She thanked them for being great and stepping up. She stated that she was a child of Homer and feels like she is being launched out into the world. Katie stated she will be back so she can see everyone, and as a visitor and especially if she can get some of Councilmember Venuti's chocolate cake.

### **COMMENTS OF THE MAYOR**

Mayor Castner stated that City manager Koester has requested a release date if April 3, 2020 and asked Councilmembers if there was any disagreement with that date since it was a week earlier than stated.

Councilmember Smith responded, "Make it so."

City Manager Koester stated that she will probably be leaving sooner and will be working the final week remotely due to possible travel restrictions.

Mayor Castner then reported receiving a call from a Ms. Bolling from Ketchikan who was interested in lobbying for the City. He requested the City Manager to see if the RFP for the Lobbyist could be completed before she left if possible.

Mayor Castner further stated that he understood the stress everyone is under including the stores in trying to provide essentials to the community. HE requested everyone to try to be patient and kind to each other.

### **COMMENTS OF THE CITY COUNCIL**

Councilmember Lord thanked City Manager Koester and City Clerk Jacobsen for running through this process and keeping the public informed. She thanked everyone for their patience. Moving forward, she stated that the RFP for a Lobbyist would be pretty low on her list, hoping that the City Manager and Human Resources will work on getting the Council a plan on hiring process two so that they have something to guide them for this very important decision. A reminder to everybody, that they should know our supply chains are intact, please do not binge buy and create an illusion of shortages that actually do not exist; this actually creates a lot of stress in the community beyond the stress that everyone is feeling. We will be picking up totes on Tuesday from Paul Banks to embark on whatever distance learning looks like for our kiddos and this is a really big undertaking and I appreciate the effort. She related her feelings during this event and noted that this is a moment in time and they will get thru it. She thanked everyone for their patience with the telephonic meetings and echoed the Mayor's sentiments to be kind.

Councilmember Hansen-Cavasos complimented the schools and community, stating that they are amazing and appreciated the Council for working together from afar and requesting the Council's attention on some very important matters.

Councilmember Smith commented that this is not a test and as challenging as that may be and as serious as the circumstances are he would hope that people keep things in perspective. Over the course of time and history they have seen challenging times come before, not only this nation but the world and made it through. He would hope that they can stay positive more than anything and that they do their part. That they are clear with those around us what the expectation to secure the community. People are returning home, he related that his daughter and 8 other college students returned home and they were able to find a place for them for the next two weeks. We may need to get creative in the ways that we provide for those instances and we should not expect any less from anyone in the community. He related a personal experience regarding a family member who had friends in Italy that have passed away from the virus. More importantly he believes that they need to stay positive and on that note related that the singer/actor Kenny Rogers passed away recently at 81, and he had a song that fitted the occasion. He then recited the lyrics to the song by Kenny Rogers called The Greatest:

*Little Boy, in a baseball hat  
Stands in the field with his ball and bat*

*Says I am the greatest player of them all  
Puts his bat on his shoulder and he tosses up his ball*

*And the ball goes up and the ball comes down  
Swings his bat all the way around  
The world's so still you can hear the sound  
The baseball falls to the ground*

*Now the little boy doesn't say a word  
Picks up his ball, he is undeterred  
Says I am the greatest there has ever been  
And he grits his teeth and he tries it again*

*And the ball goes up and the ball comes down  
Swings his bat all the way around  
The world's so still you can hear the sound  
The baseball falls to the ground*

*He makes no excuses, He shows no fears  
He just closes his eyes and listens to the cheers*

*Little boy, in a baseball hat  
Picks up his ball, stares at his bat  
Says I am the greatest the game is on the line  
And he gives his all one last time*

*And the ball goes up like the moon so bright  
Swings his bat with all his might  
And the world's so still as still can be  
And the baseball falls, and that's strike three*

*Now it's supper time and his mama calls  
Little boy starts home with his bat and ball  
Says I am the greatest that is a fact  
But even I didn't know I could pitch like that*

*He says I am the greatest that is understood  
But even I didn't know I could pitch that good.*

Mr. Smith final comment was "It is all perspective."

Councilmember Aderhold thanked the Community and everyone on the front lines and she admitted to being on an emotional rollercoaster herself just like everyone else. Everybody take a deep breath and be kind to one another and be patient with one another. She reminded

everyone that it is still Census season and is something that can be done in social distancing, this will come back to the community in federal Funds so take a few moments and respond. She then reported on attending a three hour Climate Workshop via video conferencing with Councilmember Evensen and Deputy City Planner Julie Engebretsen on March 19, 2020 regarding Climate Planning. The workshop partnering with a non-profit organization called Geo Institute to form a Alaska co-hort on climate planning to seek grant funds to pay for that planning effort. She then expressed her appreciation for City Manager Koester's integrity and professionalism and that Katie had really taught her a lot. She will be missed.

Councilmember Evensen appreciated Councilmember Aderholt's comments on the Climate Planning look for more to come there. He then provided information on the use and effects of bleach in cleaning and recommended the use of alcohol in cleaning which offers better, healthier and safer option. He wished City Manager Koester bon voyage and a great journey and complimented the Mayor on his mayoral report and leadership during the these difficult times.

Councilmember Venuti commented that she did learn to mute, so it wasn't her, she wanted to express a big WOW for those working on the Police Station it is looking really good she took a tour of the new facility and it is really looking great. She expressed her appreciation for KBBI, would not know what they would do without them; city employees for stepping up; HEA for keeping the power on, relating her experiences getting through the Earthquake in Kodiak with power and water. She expressed her appreciation for the Mayor and the proclamation and the issued a request for the community to assist the Food Bank as they are low on donations and funds. Ms. Venuti then expressed her appreciation of City Manager Koester and that she will be missed greatly.

#### **ADJOURN**

There being no further business to come before the Council, Mayor Castner adjourned the meeting at 9:15 p.m. The next Regular Meeting is Monday, April 13, 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.

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Renee Krause, MMC, Deputy City Clerk

Approved: \_\_\_\_\_