

Session 20-21 a Regular Meeting of the Homer City Council was called to order on June 22, 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:** ACTING CITY MANAGER ABBOUD  
CITY CLERK JACOBSEN  
DEPUTY CITY CLERK KRAUSE  
PUBLIC WORKS DIRECTOR KEISER  
FIRE CHIEF KIRKO  
DEPUTY CITY CLERK TUSSEY  
CITY ATTORNEY GATTI

**AGENDA APPROVAL** (Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

Mayor Castner asked for consensus to allow Dr. Anne Zink to present. There was no objection from Council.

Dr. Anne Zink, State of Alaska Chief Medical Officer, responded to questions from the Mayor regarding at what point does the growing number positive cases on the Kenai Peninsula become alarming and how can the City best respond given their limited ability to make mandates. Regarding mandating masks, Dr. Zink responded a first step is for the Council to send a letter to the Governor asking the State for a mask mandate in Homer. Regarding increasing cases on the peninsula Dr. Zink addressed challenges with mandating and less tolerance that results for the mandates as things move forward. The challenge is to find new and different ways to mitigate. She shared comments regarding new masking efforts, mitigation steps that Seward is taking related to July 4<sup>th</sup>, Big Groups planning sessions being held to work with communities and organizations. Addressing risks and benefits is important when considering strategies used to move forward with things like events, health care capacity, and closures. Regarding mitigating the disease, the more we can get the population be able to make the individual choices themselves to wear a mask, wash hands, and stay at least 6 feet apart and the better off we are.

Mayor and Council engaged in discussion with Dr. Zink regarding testing in our area and challenges with mitigating spread with increased gathering in Homer, as well as people travelling to Homer.

The following changes were made: Consent agenda: Ordinance 20-32, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing

Expenditure of \$98,000 from the HART Roads Fund for the Planning, Design and Permitting of the Main Street Storm Drain and Sidewalk Project. City Manager/Public Works Director. Recommended dates: introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020. Written Public Comment; Ordinance 20-36, an Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$36,000 from the HART Trails Fund for the Small Works Trails Maintenance Program and calling for the development of a Trails Program, to include a Trails Financial Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020. Written Public Comment. Public Comment; City Manager's Report Updated FY 20 1st Quarter Expenditure Report, City of Homer General Fund May 2020 Report, Updated General Fund 2019 4th Quarter Report, Photos of Culvert Failures on Fairview Avenue, Letter from Alaska Food Hub/Cook Inletkeeper requesting use of the HERC facility; New Business Memorandum 20-092 from Deputy City Clerk re: Recommendation to Rescind Motion to Adopt Resolution 20-056; draft of 20-056(A) showing edits referenced in the memorandum; Ordinances Pull Ordinance 20-38, An Ordinance of the City Council of Homer, Alaska, Authorizing the Kenai Peninsula Borough to Distribute CARES Act Funding to Businesses with a Physical Location within City Limits that do not Have Sales within City Limits. Mayor. Ordinances pull item c. Ordinance 20-38.

LORD/ADERHOLD MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

### **PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA**

### **RECONSIDERATION**

**CONSENT AGENDA** (Items listed below will be enacted by one motion. If a separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- a. Homer City Council unapproved Regular Meeting Minutes of June 8, 2020 and Special Meeting Minutes of June 9 and 10, 2020. Recommend adoption.

June 8, 2020 Regular Meeting Minutes moved to New Business. Mayor.

- b. Memorandum 20-091 from Deputy City Clerk re: Approval of New Liquor License Application for The Broken Oar. Recommend approval.

- c. Ordinance 20-28, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.060(c) Signs on Private Property, Tables 1, 2, and 3. Planning Commission. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-081 from Acting City Manager as backup

- d. Ordinance 20-29 An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.46 Small Boat Harbor Overlay Zoning District, Section 21.46.060 Architectural Standards, to Remove the Requirement for Gabled Roofs. Planning Commission. Recommended dates: introduction June 22, 2020. Public Hearing and Second reading July 27, 2020

Memorandum 20-082 from Acting City Manager as backup.

- e. Ordinance 20-31, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$90,000 from the HART-Roads Fund to update the City's 1979 Drainage Management Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-084 from Public Works Director as backup

- f. Ordinance 20-32, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$98,000 from the HART-Roads Fund for the Planning, Design and Permitting of the Main Street Storm Drain and Sidewalk Project. City Manager/Public Works Director. Recommended dates: introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020

Memorandum 20-085 from Public Works Director as backup

- g. Ordinance 20-33, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing of \$175,000 from the HART-Roads Fund for the Small Works Road Repair Program and calling for the development of a Roads Financial Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-086 from Public Works Director as backup

- h. Ordinance 20-34, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$110,000 from the HART-Roads Fund for Small Works Drainage Improvement Program. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-087 from Public Works Director as backup

- i. Ordinance 20-35, An Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$95,000 for the Planning, Design, and Permitting for the City of Homer Fuel Island Replacement Project. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-088 from Public Works Director as backup

- j. Ordinance 20-36, an Ordinance of the City Council of Homer, Alaska, Amending the 2020-2021 Operating Budget and Authorizing Expenditure of \$36,000 from the HART-Trails Fund for the Small Works Trails Maintenance Program and calling for the development of a Trails Program, to include a Trails Financial Plan. City Manager/Public Works Director. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-089 from Public Works Director as backup

- k. Ordinance 20-39, An Ordinance by the City Council of Homer, Alaska, Amending the FY 2020 Capital Budget to Appropriate \$20,680 to Support the Additional Assistance Provided by Alaska Municipal League during the COVID 19 Public Health Emergency. Mayor. Introduction June 22, 2020, Public Hearing and Second Reading July 20, 2020.

Moved to Ordinances item c. Lord.

- l. Resolution 20-059, A Resolution of the City Council of Homer, Alaska, Approving and Accepting a Donation of Real Property Described as T6S R13W SEC 19 Seward Meridian HM2007031 Foothills Sub, Sunset View Estates S Addn, No 2 Phase 1 Lot 2, Block 2 from Sunset View Estates, LLC for Continued Use as a Storm Water Retention Area. City Manager.

Memorandum 20-079 from Deputy City Planner/Public Works Superintendent as backup

- m. Resolution 20-060, A Resolution of the City Council of Homer, Alaska Approving the Request for Proposals for a City Lobbyist. City Manager.

Venuti/Aderhold. Recommend adoption.

Item k. moved to Ordinances item c. Lord

City Clerk Jacobsen read the consent agenda and recommendations.

LORD/VENUTI MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried

## **VISITORS**

### a. South Kenai Peninsula Opioid Task Force Quarterly Update (10 minutes)

Stephanie Stillwell, facilitator for the South Kenai Peninsula (SKP) Opioid Task Force, shared that the task force is continuing their work and aligning with recommendations for the health and wellness of the community by holding their task force and working group meetings via Zoom. The task force continues to meet on the 4<sup>th</sup> Wednesday of every month, everyone is welcome to attend the meeting as well as get involved with the working groups. Last year they put a lot of energy into their strategic planning and their strategic priorities, including reducing stigma, focusing efforts on prevention, increasing access to effective and affordable treatment, and increasing task force capacity. With COVID-19 they've had to adjust and focus on how to remain visible and connected in the community. They're creating a new website that will be live in the next few weeks, [www.allthingsaddiction.net](http://www.allthingsaddiction.net) that will be home to all the task force initiatives and meeting information, and a SKP specific site for resources for all things related to addiction. She shared about additional efforts on their social media campaign through Facebook, treatment and recovery services continue to be available, expanded services, and SetFree Alaska is making progress toward getting started and hope to open in July.

### b. Unified Command Update (20 minutes)

Derotha Ferraro, South Peninsula Hospital (SPH) Public Information Officer, reported SPH has run 3609 tests and of those, 70 positive, 3381 negative, 158 pending. There have been 4569 tests done on the peninsula and 80 percent were done at SPH. She reviewed who qualifies testing, critical infrastructure worker, fisheries, recent travel out of state, known exposure to a confirmed positive, anyone with any COVID like symptoms or sudden onset of any unexplained symptom, anyone with a provider referral, anyone for pre-procedure screening, and Alaska Marine Highway (AMH) ferry passengers. It's a new requirement that ferry passengers must test 72 hours before boarding. Currently SPH can't guarantee a 72 hour turnaround time because their testing is averaging 4 to 5 days for results, so they're working with AMH on a solution along with other port towns in the same situation. Ms. Ferraro reported that some hospital employees test positive and no patients or residents were exposed or put at risk, and she reviewed the strict return to work protocols and extreme infection prevention measures that SPH has in place to protect those receiving care and the care givers.

Lorne Carroll, Public Health Nurse, noted the thoughtful layered approach taken to COVID response by SPH, the State of Alaska, and our community because this is a complicated situation. To maintain this approach there has been increased access to data, increased understanding of what the data means, increased access to evaluation and testing, and increased access to necessary pieces of the healthcare. He reported globally we're at 9 million cases, U.S. 2.3 million cases and 120,000 deaths, in Alaska were at 755 total cases, 61 hospitalizations, 63% of our cases have recovered. On the peninsula we have 2% of the State population and 10% of the total Alaska cases. Southern Kenai Peninsula (SKP) is at 76 cases total, 37 are in Homer. 60% of the total SKP cases have recovered. He reported on the uptick in COVID index case investigations and contact tracing over the past few weeks and explained the efforts that go into tracing and follow-up, and shared his appreciation with the Unified Command team efforts for the Tustumena response.

Rachel Tussey, City of Homer Deputy Public Information Officer, reported on the City's public information efforts that include continual information update on the City website, signage, radio ads, and the COVID call line, which has received 210 calls since March 26<sup>th</sup>.

Fire Chief Mark Kirko thanked the Unified Command team for their phenomenal job over the last six months. He acknowledged the great work by SPH regarding testing, and the team's effective response to the Tustumena. He shared about his experience getting tested recently, how easy and well done it was. He reported the EOC is looking at the City of Seward's draft recovery plan and he's thinking additionally about the sustained maintenance of the problem as we continue to work this to the best of our ability, and flatten the curve again. It will be important to look at public event gathering, upcoming holidays, and providing information on best safety practices. They're thinking about what re-opening the school system looks like if it happens, and what do those parameters look like. They're also looking at short and long range budgetary issues from the EOC perspective. He acknowledged the importance of the EOC being aware of public feedback and requests so they can work that into their tactical planning and strategies.

In response to questions Chief Kirko shared information about messaging for the upcoming July 4<sup>th</sup> holiday weekend and that he's willing to assist with a letter to the Governor regarding possible mandates for the City, if Council is interested.

Councilmember Aderhold requested a letter to the Governor be added to their July 1<sup>st</sup> special meeting agenda.

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

a. Committee of the Whole Report

Councilmember Lord reported Council addressed questions to the Public Works Director regarding the ordinance submitted for introduction under the consent agenda, the donation

to the library and how to confirm donations are used to fulfill the wishes of the donor, and discussed Resolution 20-058 regarding the loan application for improvements to the seawall with City Attorney Gatti.

b. Worksession Report

Councilmember Aderhold reported their worksession was devoted to discussion on uses for upcoming CARES Act funds coming to Homer. She and Councilmember Lord will be working to bring a proposed plan back for their July 27<sup>th</sup> meeting.

c. Mayor's Report

Mayor Castner reported we aren't COVID-19 all the time. A lot of work is being done in the City, things are progressing and departments are working, as seen in new resolutions and ordinances. We aren't at the same pace as before COVID, but still tackling big issues that will help the town recover. He said it's incumbent on everyone to take care of themselves and not fault others on how they are caring for themselves. Remember the virus is still out there and please be safe.

d. Borough Report

KPB Assembly President Kelly Cooper reported at their last meeting the Borough Mayor introduced an ordinance declaring the Borough a 2<sup>nd</sup> amendment sanctuary that is scheduled for public hearing on July 7<sup>th</sup>, she has concerns with the language and will be proposing some amendments showing support for the 2<sup>nd</sup> amendment while encouraging firearm safety training and cleaning up language that may suggest authority the Borough doesn't have, to help clarify that for the public. They passed an ordinance to accept CARES Act funding from the State, administration is setting up a grant application process for businesses outside city limits. The ordinance establishing a Resilience and Security Advisory Commission passed, all the incorporated city's provided resolutions of support and will give public notice when applications can be submitted to serve on the Commission. There was a request to reconsider the hybrid vote by mail ordinance and the reconsideration didn't pass and the Mayor has stated he will veto the ordinance, and two Assembly members have submitted a referendum petition application to the Clerk to have this go to the voters. If the petition is certified sponsors will have to submit 1,362 signatures by July 27<sup>th</sup> to have it on this year's ballot. They're working through the process of re-opening their assembly chambers responsibly and have received positive feedback from constituents on using the Zoom platform. They plan to use some of the CARES Act money to develop a platform that accommodates their legislative software with Zoom.

e. Library Advisory Board

i. Library Advisory Board June 2020 Report

f. Planning Commission

g. Economic Development Advisory Commission

Karin Marks, Economic Development Advisory Commission (EDC) Chair, appreciates the Council's introduction of Ordinance 20-28 regarding the sign code for multi-tenant buildings. This was a business suggestion coming out of the Business Retention and Expansion Survey and the EDC and Planning Commission and staffs working together to bring this about. The EDC met on June 9<sup>th</sup> and discussed ideas with updating their bylaws, particularly concerning CEDS, and looked at goals and strategies in an effort to make them more specific and have clear deliverables.

h. Parks Art Recreation and Culture Advisory Commission

Robert Archibald, Parks Art Recreation and Culture Advisory (PARCAC) Commissioner, reported on PARCAC meeting of June 18<sup>th</sup>. Public Works Director Keiser was there and shared some of her idea. It was exciting to hear about her background with parks. She also provided a COVID-19 update. Deputy City Planner Engebretsen reported a subdivision is going in next to Jack Gist Park that might change some of the complexion and operations of the park, and may also mean water and sewer might come that would benefit the park. Parks Maintenance Coordinator Steffy reported on a heavy level of usage at all the parks. Park Hosts are helping to maintain COVID separation, hand wash stations and an extra porta-restroom have been placed at Mariner Park. Karen Hornaday Park Campground has an area designated as a special use area for those under quarantine, sheltering, or economically displaced due to COVID. The Commission approved a donation request for a bench along the Spit Trail in memory of the donor's mother. The Commission shared their appreciation for Mr. Steffy and his staffs many hours of work maintaining the sanitary conditions of the restrooms. Community Recreation Manager reported on their programs opening up with strict COVID related protection protocols. They discussed CIP projects and funds for community trail infrastructure and maintenance that were addressed in ordinances on today's agenda. The Commission supports the HART Trail fund vision as submitted in the memo from the Public Works Director.

i. Port and Harbor Advisory Commission

j. Americans with Disabilities Act Compliance Committee

Mayor Castner called for a break at 7:41 p.m. and reconvened the meeting at 7:51 p.m.

**PUBLIC HEARING(S)**

- a. Ordinance 20-26, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.36 Vegetation in Rights-of-Way Sections 11.36.010 Vegetation in Rights-of-Way; 11.36.020 Removal of Vegetation in Rights-of-Way and Rights-of-Way Maintenance; Repealing 11.36.030 Removal for Compliance-Public Works Director Discretion and Reenacting 11.36.030 Annual Road Maintenance Plan; and Enacting 11.36.040 Public Notice and 11.36.050 Emergency Authority. City Manager/Public Works Director. Introduction June 8, 2020 Public Hearing and Second Reading June 22, 2020.



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

LORD/EVENSEN MOVED TO ADOPT ORDINANCE 20-26 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Aderhold commented that overall she's onboard with ordinance, but feels this isn't the proper to place to deal with the climate change issue, noting a statement about climate change when it comes to an existing right-of-way. Trees don't belong where we're trying to move people and if we want to deal with trying to retain trees, which she agrees with, it needs to be more of a planning level effort when developing subdivisions and building areas. She isn't proposing any amendments, but wanted to share that statement.

Councilmember Evensen commented in support of the reference to climate change in the ordinance and that it doesn't take a one size fits all approach, but a different size for different sized roads in our community.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 20-27, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating a Donation from Arnold C. Wallace in the Amount of \$5000 for the Children's Room at the Homer Public Library. City Manager/Library Director. Introduction June 8, 2020 Public Hearing and Second Reading June 22, 2020.

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-27 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **ORDINANCE(S)**

- a. Ordinance 20-30, An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Operating Budget and Authorizing Expenditure of Design Funds for the Seawall Armor Rock Installation Project. Aderhold/City Manager. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

Memorandum 20-083 from City Engineer as backup  
Memorandum 20-072 from City Engineer as backup  
Memorandum 20-073 from City Engineer as backup

LORD/ADERHOLD MOVED TO INTRODUCE ORDINANCE 20-30 BY READING OF TITLE ONLY.

Councilmember Aderhold noted Council discussed this at Committee of the Whole and this is part of the process for moving forward with the armor rock project at the seawall. We need to spend some money to understand more of what the costs will be and be able to refine the cost estimate for the property owners.

Councilmember Venuti thanked Councilmember Aderhold for working hard on this and also Public Works Director Keiser for her explanations. She thinks it's important to move quickly with the project since the season's ending. She doesn't take this lightly but agrees we need to move.

Councilmember Evensen shared his concern about the cost of design for something the city doesn't want to be involved with for the long term and asked for historical information about this seawall.

Councilmember Aderhold encouraged contacting administration for historical information. She briefly summarized that there is an Army Corps of Engineers (ACOE) permit that determines the City is the entity that has to take action on the permit. The City owns two lots and what used to be right-of-way, so a small portion is paid for by the City and the remainder of the funds come from the seawall maintenance fund that's paid into by the property owners themselves. The property owners have asked us to move forward and need us to. There aren't enough funds in the maintenance account to make needed repairs if the armor rock project doesn't go in. Property owners have gone to the ACOE and asked for a permit to do their own rip-rap along their own property and have gotten a no, because the city's in control of the permit.

Mayor Castner asked how the 2020 operating budget is being amended. Councilmember Aderhold responded the maintenance fund for the property owners comes to the city through a mil rate on the properties, those tax funds come to the City and are put into a special project fund used specifically for the seawall maintenance. The other funds are what the city puts aside for its portion.

Councilmember Lord commented in support of the ordinance, it's getting closer to fall and winter and the idea of getting this moving forward is optimistic and this is a critical step to get us on target.

Councilmember Evensen questioned if the city funds the design, what happens if the special assessment district (SAD) isn't formed, and how would the city be reimbursed. Councilmember Aderhold explained the city wouldn't be out the entire cost, only its portion, close to \$6,000.

The property owner are contributing close to \$42,000 for the project. She shared concern about the cost and the dwindling fund, but there needs to be enough information to develop an understanding of what the SAD will cost the property owners.

Councilmember Smith he looks at this as providing a vehicle to get to yes. The reality is the wall as currently constructed won't weather the storms of the future and some resolution has to be reached. The better the information, the better decision they can make.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Ordinance 20-37, an Ordinance of the City Council of Homer, Alaska Extending the Moratorium on Applications for Professional Offices and Medical Clinics in the Residential Office District and Directing the Planning Commission to Make a Recommendation to the City Council for the Creation of a Medical District in the Vicinity of the South Peninsula Hospital that was established in Ordinance 19-49(S)(A) to September 15, 2020. Smith. Recommended dates: Introduction June 22, 2020. Public Hearing and Second Reading July 27, 2020.

LORD/SMITH MOVED TO INTRODUCE ORDINANCE 20-37 BY READING OF TITLE ONLY.

There was brief discussion whether this is an adequate extension for the moratorium. Acting City Manager Abboud believes it is, but will address a future extension if needed. They also addressed some process and reasoning behind a proposed medical district.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 20-38, An Ordinance of the City Council of Homer, Alaska, Authorizing the Kenai Peninsula Borough to Distribute CARES Act Funding to Businesses with a Physical Location within City Limits that do not Have Sales within City Limits. Mayor. Introduction June 22, 2020, Public Hearing and Second Reading July 20, 2020.

Pulled under agenda approval.

- e. Ordinance 20-39, An Ordinance by the City Council of Homer, Alaska, Amending the FY 2020 Capital Budget to Appropriate \$20,680 to Support the Additional Assistance Provided by Alaska Municipal League during the COVID 19 Public Health Emergency. Mayor. Introduction June 22, 2020, Public Hearing and Second Reading July 27, 2020.

LORD/VENUTI MOVED TO INTRODUCE ORDINANCE 20-39 BY READING OF TITLE ONLY.

LORD/ADERHOLD MOVED TO AMEND TO DELETE LINE 7 IN THE TITLE AND REPLACING IT WITH THE WORD APPROPRIATING, LINE 10 ADDING AT THE END OF HEALTH EMERGENCY “FROM THE CITY’S COVID-19 FUND, AND UNDER SECTION 1 AMENDING THE FINANCE PIECE TO REFLECT THAT THE FUNDS WILL BE APPROPRIATED FROM THE CITY’S COVID-19 FUND.

Councilmember Lord explained she spoke with the AML Executive Director and confirmed that the stipulations about revenue replacement and those things are specific to governments as the direct grantee from the federal funds. The money AML is requesting is CARES Act eligible and as such all those funds should be coming from our CARES Act fund.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmember Aderhold requested the acronyms in the ordinance be spelled out when it comes back for public hearing.

VOTE (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

## **CITY MANAGER'S REPORT**

### a. City Manager's Report

Councilmember Lord asked about SBERG roll out timeline and Acting City Planner Abboud explained Jody Mastey is on board and in the process of setting up communications, educational materials and informational fliers, procedures, FAQ’s, paper applications, and website setup. June 26<sup>th</sup> is the target date to be open for applications. She noted there were suggestions brought forward from the Borough regarding SBERG policies and addressing tax delinquency, and she’ll work with administration and the Borough to bring forward a resolution to clarify and be more consistent with the Borough.

Councilmember Aderhold noted the information included regarding the contract with HDR and she reminded the group she used to work for HDR, it’s been more than three years so there’s no conflict of interest, but wanted to disclose. She addressed the information provided about departments cutting costs, which is appreciated, but we also need to look at the big picture and what we’re accomplishing by cutting further. She encouraged that departments think strategically, if there are cuts to be made, what makes the most sense.

Councilmember Smith appreciated the updated information regarding the police station debt repayment fund. He asked if it changes the number for our excess tax revenue collected last year that have been reported. Acting City Manager Abboud said he’d follow up, but it looks to be so.

Councilmember Venuti commented regarding the dangerous the parking is before people before they get out on the spit, and wonder what ideas are for addressing that. Acting City Manager Abboud explained with the erosion of camping areas on the spit, people are parking and camping on the fog line. Public Works and Port and Harbor are working together to develop some solutions to keep people off the fog line, and opening some parking in another area close by. They're also bringing a parking enforcement officer back to help with the parking situations.

Councilmember Aderhold asked if we're hiring temporary staff in direct response to COVID, when is it appropriate to use general fund dollars and when to use the COVID funds. Acting City Manager Abboud responded it's being evaluated on a case by case basis and shared the City is hiring a COVID Compliance Janitor whose job is specific to compliance and will take part in meetings and working with staff to ensure we're doing the right things.

Councilmember Lord asked if additional action is needed from Council regarding boosting the internet at the Library, she thinks it's a great idea. Acting City Planner Abboud responded he doesn't believe so at this point, he will do is best to continue to provide an anticipated list of expenses for their review, and noted we may need availability of funds in certain circumstances.

## **PENDING BUSINESS**

## **NEW BUSINESS**

Mayor Castner requested that the June 8, 2020 meeting minutes be moved to item a.

LORD/ADERHOLD SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- a. Homer City Council unapproved Regular Meeting Minutes of June 8, 2020

LORD/ADERHOLD MOVED TO ADOPT THE MINUTES FROM THE JUNE 8<sup>TH</sup> REGULAR MEETING

Mayor Castner explained that he made a ruling on the motion to adopt Resolution 20-056 with four yeas and two nays because he was unaware it required a  $\frac{3}{4}$  majority or five votes. Had he announced it required five votes, it may have turned out differently. The minutes reflect that it was later discovered but he prefers the minutes reflect the ruling is was incorrect. He asked for a motion to correct the minutes so the notation of the incorrect ruling was made at that time and not at a later time.

LORD/EVENSEN SO MOVED

Mayor Castner shared that he doesn't accept the footnote as a correction to the error at the meeting, it gives the appearance that someone over-ruled the ruling he made. He wants it clarified that the error was with his declaring that a 4-2 vote passed. Since it involves the seawall he wants to procedurally correct it.

Councilmember Aderhold commented she's uncomfortable with the amendment, and perhaps it could be stated another way, but she feels the minutes reflect what happened at the meeting.

Councilmember Smith noted that no one caught the error in the vote at the meeting so we're all culpable.

Councilmember Lord commented the minutes reflect what happened and the footnote reflects the error that was made. This is clear what happened at the meeting and what the follow-up was.

VOTE: YES: VENUTI

NO: SMITH, ADERHOLD, LORD, EVENSEN, HANSEN-CAVASOS

Motion failed.

There was no further discussion on the motion to approve the minutes.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Memorandum 20-092 from Deputy City Clerk re: Recommendation to Rescind Motion to Adopt Resolution 20-056

LORD/ADERHOLD MOVED TO RESCIND THE MOTION TO ADOPT RESOLUTION 20-056 FROM THE JUNE 8<sup>TH</sup> REGULAR MEETING.

There was discussion to clarify the Mayor had requested this come back to Council so they'd have an opportunity to vote with the understanding five votes were required to pass the inaction of a special assessment district (SAD) in the resolution, and to review the process information provided in Memorandum 20-092. City Clerk Jacobsen explained that if the motion to rescind passes, the resolution would be back before the Council to make a motion to adopt and either vote up or down, or make amendments and vote.

There was also discussion of voting to rescind the motion, and then vote down Resolution 20-056 and have clean resolution to initiate a SAD that includes the expanded district at their July 1<sup>st</sup> special meeting.

VOTE (motion to rescind): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Evensen expressed his concern about the City's responsibility in initiating the SAD.

It was clarified that the SAD is the same whether it's initiated by the Council or by a property owner, from the point of the neighborhood meeting on. Council initiated doesn't transfer responsibility from the property owner to the City. We just need to be very clear and transparent in our conversation throughout the development what the City's role is, our obligation, what we own and don't own, and what we will and won't do.

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-056 BY READING OF TITLE ONLY.

There was brief discussion regarding process. Councilmember Aderhold suggested voting the motion down and she'll work with staff on a new resolution for the July 1<sup>st</sup> meeting.

VOTE: NO: ADERHOLD, HANSEN-CAVASOS, LORD, VENUTI, SMITH, EVENSEN

Motion failed.

## **RESOLUTIONS**

### **COMMENTS OF THE AUDIENCE**

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

City Attorney Gatti had no comments.

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

City Clerk Jacobsen had no comments.

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

Acting City Manager Abboud recognized the hard work staff has done for tonight's meeting and kudos to everyone who's working on this response. It's been very stressful for months on end, he's proud of all the work that's being done under the circumstances. He noted in the City Manager's report there was a request from the Food Hub and was looking for some feedback regarding the request. They can address it at an upcoming meeting.

### **COMMENTS OF THE MAYOR**

Mayor Castner said he had someone visit who said they'd been in the big sporting goods store in Anchorage and they said May was a record month for selling camping equipment. As we were running the meeting he had some email correspondence with Dr. Zink and she has connected with Counselor Gatti and delivered a hopeful message to keep working on the messaging together.

## **COMMENTS OF THE CITY COUNCIL**

Councilmember Evensen encouraged everyone to practice mutual respect during the meeting.

Councilmember Lord shared about her recent camping trip to Denali that was self-contained, they had their masks and used curbside pickup for some supplies. She appreciates the library and efforts their making to provide service to the public, and she thanked Acting City Manager Abboud for stepping into the City Manager position. She reminded and encourage citizens to wear there masks, practice social distancing, and be kind and patient. This is hard for everyone.

Councilmember Smith recognized Sunday was Father's Day and hoped everyone paid respect or had fond memories of their fathers. He appreciated seeing all the flags out on Flag Day, and recognized the Juneteenth celebration. He's thankful we can be a part of the present and future, and not necessarily be tied to the past. He's also excited to see the progress on the Police Station, and reminded everyone the Census is still on going and it's important to participate.

Councilmember Storm thanked all the fathers, wannabe dads, helpful dads, step-dads, and grandfathers, it was a wonderful day. She just went back to work after having to quarantine. She was grateful to have the ability to work from home.

Councilmember Aderhold commented about the Juneteenth celebration at WKFL Park, people were distancing and wearing masks, and it was a great opportunity to experience Juneteenth. She appreciates all who were involved in putting it together. She thanked KBBI for the PSA's, she's been getting good feedback about it. She loves the artwork at the Police Station. She wished everyone a happy summer.

Councilmember Venuti said she also appreciates the PSA's, KBBI, Rachel Tussey for her time preparing them and her everyone who's made time to record them. She commented about Main Street sidewalks and is happy they're moving ahead on that. The Peony Festival is coming up, and the Halibut Tournament was canceled. She encouraged people to wear masks, social distance, and wash their hands often, and wished a happy July 4<sup>th</sup>.

## **ADJOURN**

There being no further business to come before the Council Mayor Castner adjourned the



meeting at 9:29 p.m. The next Regular Meeting is Monday, July 20, 2020 at 6:00 p.m. Committee of the Whole at 5:00 p.m., and a Special Meeting on Wednesday, July 1, 2020. All meetings are scheduled to be held virtually in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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Melissa Jacobsen, MMC, City Clerk

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