



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

**City of Homer
Action Agenda
Committee of the Whole
Regular Meeting
Monday, June 28, 2021
City Hall Cowles Council Chambers via Zoom Webinar**

COMMITTEE OF THE WHOLE AGENDA

CALL TO ORDER, 5:00 P.M.

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

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

APPROVED without discussion.

CONSENT AGENDA

REGULAR MEETING AGENDA

DISCUSSION TOPIC(S)

COMMENTS OF THE AUDIENCE

One person commented.

ADJOURNMENT NO LATER THAN 5:50 P.M.

Next Regular Meeting is Monday, July 26, 2021 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the meeting at 5:50 p.m.

REGULAR MEETING AGENDA

Session 21-16 a Regular Meeting of the Homer City Council was called to order on June 28, 2021 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 ADERHOLD, VENUTI, EVENSEN, LORD, SMITH, HANSEN-CAVASOS

STAFF: CITY MANAGER DUMOUCHEL
CITY CLERK JACOBSEN
FINANCE DIRECTOR WALTON
PUBLIC WORKS DIRECTOR KEISER
PERSONNEL DIRECTOR BROWNING
PORT DIRECTOR HAWKINS
CITY PLANNER ABBODD
FIRE CHIEF KIRKO
SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR CARROLL
DEPUTY CITY CLERK TUSSEY
CITY ATTORNEY GATTI

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

Mayor Castner read the supplemental items and changes: **PUBLIC HEARINGS Ordinance 21-36 and 21-36(S)**, An Ordinance of the City Council of Homer, Alaska Adopting the Fiscal Years 2022 and 2023 Capital Budget. City Manager. Memorandum 21-117 from City Manager as backup. **ORDINANCES Ordinance 21-41**, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.18.020, Central Business District, 21.24.020 General Commercial 1, 21.26.020 General Commercial 2, 21.27.020 East End Mixed Use, 21.62.020 Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities to Include a Consumption Endorsement as Defined by State Law. Planning Commission. June 2, 2021 Planning Commission minutes excerpt as backup; **Ordinance 21-43**, An Ordinance of the City Council of Homer, Alaska Submitting a Ballot Question of Limitation of Terms for the Mayor and City Council Members at the October 5, 2021 Regular Municipal Election. Evensen/Mayor. Term limit article provided by Councilmember Evensen as backup. **PENDING BUSINESS Ordinance 21-26**, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 10.08.210 Vessel Speed Limits, Renaming the Section, Extending the No Wake Zone throughout City Tidelands, and Closing Louie’s Lagoon and the Entrance to Beluga Slough to Motorized Vessels and Amending the FY21 Operating Budget to Authorize Expenditure of up to \$2,000 for Motorized Vessel Regulation Changes. Lord. Written public comments.

APPROVED as amended without discussion.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

Mayor Castner commented.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Five people commented.

RECONSIDERATION

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

- a. Homer City Council Unapproved Special and Regular Meeting Minutes for June 14, 2021. City Clerk. Recommend Adoption.
- b. Memorandum 21-104 from Mayor Castner re: Reappointment of Roberta Highland and Scott Smith to the Planning Commission. Recommend approval.
- c. Memorandum 21-105 from City Clerk re: Liquor License Renewal for American Legion Post #16 and Boardwalk Fish and Chips. Recommend approval.
- d. Ordinance 21-37, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating a State of Alaska Department of Public Safety Coronavirus Emergency Supplemental Funding Program Grant in the Amount of \$28,584.31 for Reimbursement for the Purchase of Respirators, and Cleaning and Sanitizing Equipment. City Manager/Police Chief. Recommended dates Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-106 from Police Chief as backup.

- e. Ordinance 21-38, An Ordinance of the City Council of Homer, Alaska Amending the FY2021 Capital Budget by Appropriating \$150,000 from the Homer Accelerated Roads and Trails (HART) Fund for the Implementation of the Iris Court Drainage Improvement Project. City Manager/Public Works Director. Recommended dates Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-107 from Public Works Director as backup.

- f. Ordinance 21-39, An Ordinance of the City Council of Homer, Alaska Amending the FY 2021 Capital Budget by Appropriating an Additional \$180,657 from the Homer Accelerated Roads and Trails (HART) Fund for the Design of Phase 1 of the Mt. Augustine Road Drainage Improvement Project. City Manager/Public Works Director. Recommended dates Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-108 from as Public Works Director as backup.

- g. Ordinance 21-40, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 2.08.120 Teleconference-Limitations. City Clerk. Recommended dates Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-109 from City Clerk as backup.

- h. Ordinance 21-42, An Ordinance of the City Council of Homer, Alaska Authorizing the City Manager to Expand a Non-Exclusive Public Utility Easement on the Homer Spit and Authorizing the City Manager to Negotiate and Enter into an Agreement with Alaska

Communications Internet, LLC (ACS) for Payment to the City in the amount of Seventy Five Thousand Dollars (\$75,000) as Compensation for the City's Efforts in Expanding the Easement and for Past use of the Property without Authorization by ACS. City Manager/Port Director. Recommended dates Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-111 from Port Director as backup.

- i. Resolution 21-046, A Resolution of the City Council of Homer, Alaska (hereinafter Municipality) Accepting Coronavirus State and Local Recovery Funds Award to Non-Entitlement Units of Local Government (NEUs) from the Alaska Department of Commerce, Community and Economic Development (hereinafter Department). City Manager. Recommend adoption.

Memorandum 21-118 from City Manager as backup.

- j. Resolution 21-047, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Homer Harbor Commercial Barge Ramp Repair Project and Spit ADA Parking Pads Project to Dutch Boy Landscaping and Paving of Homer, Alaska in the Amount of \$49,100 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend Adoption.

Memorandum 21-115 from Public Works Director as backup.

- k. Resolution 21-048, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Woodard Creek Culvert Project to Qayaq Construction LLC of Wasilla, Alaska in the amount of \$324,997 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/ Public Works Director. Recommend adoption.

Memorandum 21-116 from Public Works Director as backup.

- l. Resolution 21-049, A Resolution of the City Council of Homer, Alaska Adopting Joint Resolution 2101-001 of the Assembly of the Kenai Peninsula Borough and Councils of the Cities of Homer, Kenai, Seldovia, Seward, and Soldotna for the Purpose of Intergovernmental Administration of Borough and City Elections. City Clerk. Recommend adoption.
- m. Resolution 21-050, A Resolution of the City Council of Homer, Alaska Amending the Port and Harbor Advisory Commission Bylaws Article V-Meetings to amend Section 1 Meeting Schedule and Removing Sections 2 and 3 Related to Task Scheduling. City Clerk. Recommend adoption.

City Clerk Jacobsen read the consent agenda.

ADOPTED as read without discussion.

VISITORS

- a. Unified Command Report (20 minutes)

Public Health Nurse Lorne Carroll, South Peninsula Hospital PIO Derotha Ferraro, City of Homer PIO Jenny Carroll, and Fire Chief Mark Kirko reported.

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

- a. Committee of the Whole Report

Councilmember Lord reported.

- b. Mayor's Report

Mayor Castner reported.

- c. Borough Report

Assembly member Lane Chesley reported.

- d. Planning Commission

- i. Planning Commission Report

Planning Commissioner Roberta Highland reported.

- e. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner Ingrid Harrald reported.

- f. Port and Harbor Advisory Commission

- g. Public Works Campus Task Force

Councilmember Venuti reported.

PUBLIC HEARING(S)

- a. Ordinance 21-32, An Ordinance of the Homer City Council Appropriating Funds for the Fiscal Years 2022 and 2023 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, and Internal Service Funds. City Manager. Introduction May 24, 2021, Public Hearing June 14 and 28, Second Reading June 28, 2021.

Ordinance 21-32(S), An Ordinance of the Homer City Council Appropriating Funds for the Fiscal Years 2022 and 2023 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, and Internal Service Funds. City Manager.

Memorandum 21-087 from City Manager as backup.

There were no public comments.

ADOPTED Substitute with discussion.

FAILED to reconsider.

- b. Ordinance 21-36, An Ordinance of the City Council of Homer, Alaska Adopting the Fiscal Years 2022 and 2023 Capital Budget. City Manager. Introduction June 14, 2021 Public Hearing and Second Reading June 28, 2021.

Ordinance 21-36(S), An Ordinance of the City Council of Homer, Alaska Adopting the Fiscal Years 2022 and 2023 Capital Budget. City Manager.

Memorandum 21-101 from City Manager as backup.

There were no public comments.

POSTPONED Substitute with discussion to July 26, 2021.

- c. Resolution 21-038(S), A Resolution of the City Council of Homer, Alaska Amending the Homer Fee Schedule Under **Administration Fees**, City Clerk Fees and Planning and Zoning Fees. City Clerk. Follows Ordinance 21-32.

Memorandum 21-095 from City Clerk as backup.

Memorandum 21-083 from City Clerk as backup.

There were no public comments.

ADOPTED without discussion.

- d. Resolution 21-039(S), A Resolution of the City Council of Homer, Alaska Amending the Homer Tariff No. 1 under **Rule 12- Parking** Rule 26-Fish Dock Rates, Rule 35-Upland Storage, and Rule 35-Fish Disposal/Grinding and Fees. Follows Ordinance 21-32.

Memorandum 21-096 from City Clerk as backup.

Memorandum 21-084 from City Clerk as backup.

There were no public comments.

ADOPTED without discussion.

- e. Ordinance 21-33, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 7.20 Snowmachines to include All-Purpose Vehicles. Aderhold. Recommended dates Introduction June 14, 2021 Public Hearing and Second Reading June 28, 2021.

Memorandum 21-091 from City Manager as backup.

There were no public comments.

ADOPTED with discussion.

- f. Ordinance 21-34, An Ordinance of the City Council of Homer, Alaska Amending the 2021 Capital Budget and Authorizing the Expenditure of \$287,692 from the Homer Accelerated Water and Sewer Program to Complete the Tasmania Court Sewer Improvement Project. City Manager/Public Works Director. Introduction June 14, 2021 Public Hearing and Second Reading June 28, 2021.

Memorandum 21-092 from Public Works Director as backup.

One person commented.

APPROVED with discussion.

- g. Ordinance 21-35, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 4.10.030 Review of Candidate Qualifications, 4.35.040 Certification of Election, 4.45 Election Recount, and 4.50 Election Contest. Aderhold/Smith/Hansen-Cavazos. Introduction June 14, 2021 Public Hearing and Second Reading June 28, 2021.

Memorandum 21-113 from City Clerk as backup.

Memorandum 21-093 from Councilmembers as backup.

There were no public comments.

ADOPTED without discussion.

ORDINANCE(S)

- a. Ordinance 21-41, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.18.020, Central Business District, 21.24.020 General Commercial 1, 21.26.020 General Commercial 2, 21.27.020 East End Mixed Use, 21.62.020 Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities to Include a Consumption Endorsement as Defined by State Law. Planning Commission. Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-110 from City Planner as backup.

POSTPONED Introduction to July 26, 2021 and referred back to Planning Commission with discussion.

- b. Ordinance 21-43, An Ordinance of the City Council of Homer, Alaska Submitting a Ballot Question of Limitation of Terms for the Mayor and City Council Members at the October 5, 2021 Regular Municipal Election. Evensen/Mayor. Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-112 from City Clerk as backup.

INTRODUCED with discussion.

CITY MANAGER'S REPORT

a. City Manager's Report

City Manager Dumouchel reported and responded to questions.

PENDING BUSINESS

- a. Ordinance 21-26, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 10.08.210 Vessel Speed Limits, Renaming the Section, Extending the No Wake Zone throughout City Tidelands, and Closing Louie's Lagoon and the Entrance to Beluga Slough to Motorized Vessels and Amending the FY21 Operating Budget to Authorize Expenditure of up to \$2,000 for Motorized Vessel Regulation Changes. Lord. Introduction April 26, 2021 Public Hearing and Second Reading ~~May 10~~ **June 28**, 2021

Memorandums from Commissions as backup.

Memorandum 21-070 from Councilmember Lord as backup.

POSTPONED to July 26, 2021 with discussion.

- b. Resolution 20-077(S), A Resolution of the City Council of Homer, Alaska Adopting a Reserve Fund Policy for the Collection and Use of Water and Sewer Depreciation Reserve Funds **Capital Asset Repair And Maintenance Allowance Fund**. Lord/Aderhold. (Postponed from April 26, 2021)

Memorandum 21-114 from Public Works Director as backup.

Memorandum 21-074 from Public Works Director as backup.

Memorandum 21-042 from Public Works Director as backup.

Memorandum 20-205 from Public Works Director as backup.

Memorandum 20-165 from Finance Director as backup.

POSTPONED to July 26, 2021 with discussion.

NEW BUSINESS

RESOLUTIONS

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

None

COMMENTS OF THE CITY CLERK

City Clerk commented.

COMMENTS OF THE CITY MANAGER

City Manager commented.

COMMENTS OF THE MAYOR

Mayor commented.

COMMENTS OF THE CITY COUNCIL

Councilmembers commented.

ADJOURNMENT

Next Regular Meeting is Monday, July 26, 2021 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Mayor Castner adjourned the meeting at 9:22 p.m.