



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

**City of Homer
Action Agenda
City Council Special Meeting
Worksession
Committee of the Whole
Regular Meeting
Monday, January 10, 2022 at 2:00 PM
City Hall Cowles Council Chambers In-Person & via Zoom Webinar**

SPECIAL MEETING

Session 22-01 a Special Meeting of the Homer City Council was called to order on January 10, 2022 by Mayor Ken Castner at 2:00 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, DAVIS, ERICKSON, HANSEN-CAVASOS, LORD, VENUTI

STAFF: CITY MANAGER DUMOUCHEL
CITY CLERK JACOBSEN
CITY ATTORNEY GATTI
ATTORNEY BOWMAN

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

APPROVED agenda without discussion.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA (3 minute time limit)

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 22-016 from City Clerk re: Request for Executive Session Pursuant to AS 44.62.310 (C)(1 & 3) Matters, the Immediate Knowledge of Which would Clearly have an Adverse Effect upon the Finances of the Government Unit, Pending Litigation, and Attorney/Client Privilege. (VanZant et al vs City of Homer 3HO-20-00251 CI)

APPROVED with discussion.

COMMENTS OF THE AUDIENCE

ADJOURNMENT NO LATER THAN 3:50 P.M.

Next Regular Meeting is Monday, January 24, 2022 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 3:50 p.m.

WORKSESSION

CALL TO ORDER, 4:00 P.M.

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

DISCUSSION TOPIC(S)

- a. Homer Green Stormwater Management System - Public Works Director Jan Keiser

COMMENTS OF THE AUDIENCE (3 minutes)

ADJOURNMENT NO LATER THAN 4:50 P.M.

Next Regular Meeting is Monday, January 24, 2022 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 4:50 p.m.

COMMITTEE OF THE WHOLE

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)

- a. Resolution 22-006, A Resolution of the City Council of Homer, Alaska Approving the City of Homer 2022 Land Allocation Plan. City Manager. Recommend adoption.

Memorandum 22-012 from Deputy City Planner & Special Projects Coordinator as backup.

COMMENTS OF THE AUDIENCE

One person commented

ADJOURNMENT NO LATER THAN 5:50 P.M.

Next Regular Meeting is Monday, January 24, 2022 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 5:30 p.m.

REGULAR MEETING

Session 22-02 a Regular Meeting of the Homer City Council was called to order on January 10, 2022 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, DAVIS, ERICKSON, HANSEN-CAVASOS, LORD, VENUTI

STAFF: CITY MANAGER DUMOUCHEL
CITY CLERK JACOBSEN
DEPUTY CITY CLERK TUSSEY
CITY PLANNER ABOUD
LIBRARY DIRECTOR BERRY
FINANCE DIRECTOR WALTON
SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR CARROLL
IT TECHNICIAN SULCZYNSKI
PUBLIC WORKS DIRECTOR KEISER
CITY ATTORNEY GATTI
ATTORNEY BOWMAN

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

Supplemental Items to the packet – **CONSENT AGENDA** Ordinance 22-04, An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$350,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director. Ordinance 22-04(S), An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating ~~\$350,000~~ **\$400,000** from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director. Memorandum 22-016 from Public Works Director as backup, and a laydown written public comment on Ordinance 21-68 funding a portion of the Homer Business Advisory for SBDC.

APPROVED without discussion.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

- a. Homer City Council Unapproved Special and Regular Meeting Minutes of December 13, 2021. City Clerk. Recommend adoption.
- b. Memorandum 22-001 from Mayor Castner Re: Term Expiration Update for Library Advisory Board Student Representative. Recommend approval.
- c. Memorandum 22-002 from Deputy City Clerk Re: Liquor License Renewals for Finn's and Little Mermaid. Recommend approval.
- d. Memorandum 22-003 from Deputy City Clerk Re: Standard Marijuana Cultivation License Renewal for Alaska Loven It, LLC and Marijuana Product Manufacturing Facility License Renewal for Cosmic Seaweed, LLC. Recommend approval.
- e. Memorandum 22-004 from City Clerk Re: Travel Reimbursement for Mayor Castner's Attendance at the Kenai Peninsula Borough City Mayor's Meeting in Soldotna, Alaska and the Kenai Peninsula Economic Development District Industry Outlook Forum in Kenai, Alaska on January 5 and 6, 2022. Recommend approval.
- f. Ordinance 22-01, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Authorizing the Expenditure of \$62,000 from the Land Fund to Acquire Two Parcels of Land and Drainage Easements Across Two Additional Parcels within the Bridge Creek Watershed Protection District and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. Erickson/Aderhold. Recommended dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-005 from Deputy City Planner & Special Projects Coordinator as backup

- g. Ordinance 22-02, An Ordinance of the City Council of Homer, Alaska Amending Title 21.55.090(a)(1) Required Number of Parking Spaces to Change the Parking Requirements for Detached One Bedroom or Efficiency Dwelling Units. Planning Commission. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-006 from City Planner as backup.

- h. Ordinance 22-03, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Authorizing the Expenditure of an Amount not to Exceed \$45,000 from the Homer Accelerated Water and Sewer Program Fund to Reimburse a Private

Developer for the Design and Construction of the Pennock Street Water Main Gap. City Manager/Public Works Director. Recommended dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-007 from Public Works Director as backup.

- i. Ordinance 22-04, An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$350,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-008 from Public Works Director as backup.

Moved to Ordinances item b. Aderhold.

- j. Ordinance 22-05, An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$60,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new F550, 2-Ton 4x4 Truck. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-009 from Public Works Director as backup.

- k. Resolution 22-001, A Resolution of the City Council of Homer, Alaska Confirming the City Manager's Appointment of Melissa Jacobsen as Acting City Manager for Calendar Year 2022. City Manager. Recommend adoption.
- l. Resolution 22-002, A Resolution of the City Council of Homer, Alaska Confirming the Appointment of Elizabeth Walton as Treasurer and Jenna DeLumeau as Deputy Treasurer for Calendar Year 2022. City Manager. Recommend adoption.
- m. Resolution 22-003, A Resolution of the City Council of Homer, Alaska Designating Signatories of City Accounts and Superseding any Previous Resolutions so Designating. City Manager/Finance Director. Recommend adoption.
- n. Resolution 22-004, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Alder Lane Water Main Construction Project to Scott's Plumbing of Kodiak, Alaska in the Amount of \$269,930 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 22-009 from Public Works Director as backup.

- o. Resolution 22-005, A Resolution of the City Council of Homer, Alaska Correcting the Final Assessment Roll Adopted by Resolution 21-078, Confirming the Corrected Assessment Roll, Establishing Delinquency, Penalty, and Interest Provisions for the Seawall Improvement Special Assessment District for Armor Toe Improvements, and Superseding Resolution 21-078. City Clerk. Recommend adoption.

Memorandum 22-011 from City Clerk as backup.

- p. Resolution 22-006, A Resolution of the City Council of Homer, Alaska Approving the City of Homer 2022 Land Allocation Plan. City Manager. Recommend adoption.

Memorandum 22-012 from Deputy City Planner & Special Projects Coordinator as backup.

- q. Resolution 22-007, A Resolution of the City Council of Homer, Alaska Adopting an Alternative Allocation Method for the FY2022 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area. City Manager. Recommend adoption.

Memorandum 22-013 from Port Director as backup.

- r. Resolution 22-008, A Resolution of the City Council of Homer, Alaska Increasing the Membership of the American with Disabilities Act (ADA) Compliance Committee from Five to Seven Members. Aderhold. Recommend adoption.

Memorandum 22-014 from ADA Compliance Committee as backup.

Item i. was moved to Ordinances item b. Aderhold.

APPROVED recommendations without discussion.

VISITORS

- a. Homer Chamber of Commerce Marketing Update - Brad Anderson, Executive Director (10 Minutes)

Brad Anderson, Executive Director, and Tom Soderholm, Board of Director President, presented the Homer Chamber of Commerce's annual marketing update.

- b. Prince William Sound and Cook Inlet Regional Citizens Advisory Councils Report on Alaska Department of Environmental Conservation's Proposed Changes for Oil Spill Prevention & Response Regulations - Robert Archibald and Carla Stanley (10 Minutes)

Prince William Sound RCAC Homer representatives Robert Archibald and Carla Stanley, and RCAC staff Betsi Oliver and Vinnie Catalano, gave a breakdown on the proposed changes for oil spill prevention and response regulations from the Alaska Department of Environmental Conservation.

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

- a. Worksession Report

City Manager Dumouchel reported.

- b. Committee of the Whole Report

Councilmember Aderhold reported.

- c. Mayor's Report

Mayor Castner reported.

- d. Borough Report
- e. Planning Commission
- f. Economic Development Advisory Commission

EDC Chair Karin Marks reported.

PUBLIC HEARING(S)

- a. Ordinance 21-68, An Ordinance of the City Council of Homer, Alaska Appropriating \$25,000 from the General Fund for Fiscal Year 2022 to Fund Part of the Homer Business Advisor Position for the Alaska Small Business Development Center and Authorizing the City Manager to Negotiate and Execute Appropriate Documents. Venuti/Erickson. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-206 from Economic Development Advisory Commission as backup

Six people testified.

ADOPTED with discussion.

- b. Ordinance 21-69, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Appropriating \$70,485 from the Homer Accelerated Water and Sewer Program (HAWSP) Fund for Installation of a Water Main Extension as part of the Alaska Department of Transportation and Public Facilities Repaving Project. City Manager/Public Works Director. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-207 from Public Works Director as backup

One person testified.

ADOPTED amended with discussion.

- c. Ordinance 21-70, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 15.10.010 to Include Oscar Munson Subdivision Lot 34 in the Ocean Drive Loop Special Service District. City Manager/Public Works Director. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-208 from Public Works Director as backup

There was no testimony.

ADOPTED with no discussion.

- d. Ordinance 21-71, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Appropriating an Additional \$138,399 from the Homer Accelerated Water and Sewer Program (HAWSP) Fund to Complete the Tasmania Court Water and Sewer Improvement Projects. City Manager/Public Works Director. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-216 from Public Works Director as backup

There was no testimony.

ADOPTED with discussion.

- e. Ordinance 21-72, An Ordinance of the City Council of Homer, Alaska Appropriating \$3,400 from the Land Fund to Acquire Tax Foreclosed Property from the Kenai Peninsula Borough and Retaining the Property for the Public Purpose of Determining the Special Assessment Liens and Creating a Clear Title to the Property, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-209 from Deputy City Planner as backup

One person testified.

ADOPTED with no discussion.

- f. Ordinance 21-73, An Ordinance of the City Council of Homer, Alaska Accepting a Healthy and Equitable Community Grant from the State of Alaska Department of Health and Social Services (DHSS) and Authorizing the City Manager to Negotiate and Execute and a Memorandum of Agreement with DHSS and a Sub-Grant Award of the Funds to South Peninsula Hospital to help Maintain Free Community Access to COVID-19 Testing and Vaccines and to Initiate a Community Health Needs Assessment. City Manager. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-210 from Special Projects and Communications Coordinator as backup

There was no testimony.

ADOPTED with discussion.

ORDINANCE(S)

- a. Ordinance 22-06, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Authorizing the Expenditure of an Additional \$80,476.50 from the Homer Accelerated Water and Sewer Program Fund to Complete the Alder Lane Water Improvement Project. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-010 from Public Works Director as backup.

INTRODUCED with discussion.

- b. Ordinance 22-04, An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$350,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-008 from Public Works Director as backup.

Ordinance 22-04(S), An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$350,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director.

Memorandum 22-016 from Public Works Director as backup.

SUBSTITUTED 22-04 for 22-04(S) without discussion.

INTRODUCED substitute with discussion.

CITY MANAGER'S REPORT

- a. City Manager's Report

City Manager Dumouchel reported and answered questions.

PENDING BUSINESS

- a. Ordinance 21-63(S-2), An Ordinance of the City Council of Homer, Alaska Settling the Current and Future Distributions of Income and Debt in the Natural Gas Distribution Special Assessment Bond Sinking Fund. Mayor/City Manager. Introduction October 11, 2021 Public Hearing and Second Reading October 25, 2021 Postponed to November 8, 2021 and December 13, 2021.

Ordinance 21-63(S-3), An Ordinance of the City Council of Homer, Alaska ~~Settling the Current and Future Distributions~~ **Directing Disposition** of Income and Debt **Amounts Held** in the Natural Gas Distribution Special Assessment Bond Sinking Fund, and ~~Accepting and Appropriating Future Free Main Allowance Refunds~~ **Related Matters.** Mayor/City Manager.

Memorandum 21-200 from City Manager as backup

Memorandum 21-191 from City Manager as backup

Memorandum 21-187 from Finance Director as backup

Mayor Castner announced there is a motion on the floor from the December 13th meeting by Lord/Aderhold to adopt Ordinance 21-63(S-2) by reading of title only for second and final reading.

SUBSTITUTED 21-63(S-3) for 21-63(S-2) without discussion.

Amended line 75. Lord.

ADOPTED substitute as amended with discussion.

- b. Resolution 21-073, A Resolution of the City Council of Homer, Alaska Updating the City of Homer Gift, Donation, and Art Policies, Procedures, and Guidelines to add a section on Murals, and Amend Language and Processes.

Memorandum 22-016 from City Clerk as backup

Memorandum 21-175 from City Clerk as backup

POSTPONED to February 28, 2022.

NEW BUSINESS

- a. Memorandum 22-015 from City Clerk Re: Travel Authorization for Mayor and Councilmembers to attend the AML Winter Legislative Conference held February 16-18, 2022 in Juneau, Alaska.

APPROVED with discussion for travel for Councilmembers Lord, Davis, and Erickson.

RESOLUTIONS

- a. Resolution 22-009, A Resolution of the City Council of Homer, Alaska Providing Input into the Alaska Department of Environmental Conservation on Proposed Changes to the Regulations on Oil Discharge Prevention and Contingency Plans. Aderhold.

ADOPTED with discussion.

- b. Resolution 22-010, A Resolution of the City Council of Homer, Alaska Appreciating and Commending the Delegates of the 2021 Conference of Young Alaskans and Recognizing the Resolutions they Passed. Aderhold.

ADOPTED with discussion.

COMMENTS OF THE AUDIENCE

Two people commented.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti commented.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel commented.

COMMENTS OF THE MAYOR

Mayor Castner commented.

COMMENTS OF THE CITY COUNCIL

Councilmembers commented.

ADJOURNMENT

Next Regular Meeting is Monday, January 24, 2022 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 8:23 p.m.