

REGULAR MEETING
FEBRUARY 27, 2023

Session 23-04 a Regular Meeting of the City Council of Homer, Alaska was called to order on February 27, 2023 by Mayor Ken Castner at 6:02 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, LORD, VENUTI

STAFF: CITY MANAGER DUMOUCHEL
DEPUTY CITY CLERK TUSSEY
FINANCE DIRECTOR WALTON
PORT DIRECTOR HAWKINS
CITY PLANNER ABOUD
NETWORK ADMINISTRATOR SULCZYNSKI
ECONOMIC DEVELOPMENT MANAGER ENGBRETSSEN
SPECIAL PROJECTS & COMMUNICATIONS COORDINATOR CARROLL
COMMUNITY RECREATION MANAGER ILLG
CITY ATTORNEY GATTI

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

Mayor Castner announced the supplemental items: Under **Consent Agenda**, Written Public Comments for Resolution 23-019 Relinquishing its Privilege to Appoint a Community Representative to the Board of Directors of the Cook Inlet Aquaculture Association. Under **Public Hearings**, Written Public Comments for Ordinance 23-09 Amending the FY23 Capital Budget for the Purchase of an Arctic Shark Ice Removal Attachment; and Written Public Comments and Supplemental Memo from City Manager Dumouchel and Special Projects Manager Foster for Ordinance 23-11 Amending the FY23 Capital Budget for the Purpose of Developing a New Comprehensive Plan and a Complete Title 21 Zoning and Planning Code for the City of Homer.

ADERHOLD/VENUTI MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

4. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Alan Parks commented on Resolution 23-019, noting that regardless if Council has a seat on the Cook Inlet Aquaculture Association they are going to be dealing with contentious issues and they are going to be asked to take a position on it. It’s important to listen to people in these public settings. He thanked the Council for their time and patience.

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Penelope Haas, non-city resident and Vice President of the Kachemak Bay Conservation Society, commented in support of Resolution 23-017, in spending money on comprehensive planning, and how that relates to the harbor expansion project and Homer Spit.

Marilyn Sigmund, city resident, shared her concerns on the harbor expansion project's impact on the habitat, and asked the Council to take a look at this study/plan within the confines of the Comprehensive Plan.

Wes Humbyrd shared his background and reasons for supporting Resolution 23-019.

Nancy Hillstrand, currently serving on the Cook Inlet Aquaculture Association Board of Directors as an alternate, commented in favor of Resolution 23-019.

Roberta Highland, city resident, commented in favor of Resolution 23-019 and commented on Resolution 23-017, sharing her hopes that the Comprehensive Plan will be combined with the Spit Comprehensive Plan which includes the port expansion plan. She voiced her concerns with the harbor expansion project.

5. RECONSIDERATION

6. **CONSENT AGENDA** (Items listed below will be enacted by one motion. If 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.)

- 6.A. Liquor License Renewal for Mermaid Café and Don Jose's; and Liquor License Transfers for Kharacters and Fresh Catch Café. Deputy City Clerk. Recommend adoption.
- 6.B. Marijuana Retail and Product Manufacturing License Renewals for Cosmic Cannabis Company and Cosmic SeaWeed LLC. Deputy City Clerk. Recommend adoption.
- 6.C. Reappointment of Robert Archibald as Homer's Representative to the Prince William Sound Regional Citizens Advisory Council (PWSRCAC). Mayor. Recommend approval.
- 6.D. Ordinance 23-14, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget By Appropriating \$25,000 from the Port Reserves for the Purpose of Purchasing Parking Signage and Mobile Parking Delineation Barriers to Be Used in the Port's Summer of 2023 Parking Improvements Plan. City Manager/Port Director. Recommend introduction February 27, 2023, public hearing and second reading March 13, 2023.
- 6.E. Resolution 23-016, A Resolution of the City Council of Homer, Alaska Awarding a Contract to South Central Construction, Inc. of Anchorage, Alaska in the amount of \$822,844 for the E. Bunnell/Charles Way Water and Sewer Main Extension Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.
- 6.F. Resolution 23-017, A Resolution of the City Council of Homer, Alaska Approving a Contract with Agnew Beck Consulting of Anchorage, Alaska for an Amount not to Exceed \$650,000 for the Purpose of Developing a New Comprehensive Plan and a Complete Update of the Title 21

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Zoning and Planning Code and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.



Moved to Resolution Item 14.A. Aderhold.

- 6.G. Resolution 23-018, A Resolution of the City Council of Homer, Alaska Authorizing a Task Order to HDR Engineering in an Amount Not to Exceed \$63,070 for Grant Writing Services for a FY2023 Federal Port Infrastructure Development Program (PIDP) Grant to Support Replacing Float Systems in Homer's Small Boat Harbor and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director. Recommend adoption.

Moved to Resolution Item 14.B. Aderhold.

- 6.H. Resolution 23-019, A Resolution of the City Council of Homer, Alaska Relinquishing its Privilege to Appoint a Community Representative to the Board of Directors of the Cook Inlet Aquaculture Association. Mayor. Recommend adoption.

Moved to Resolution Item 14.C. Aderhold.

- 6.I. Resolution 23-020, A Resolution of the City Council of Homer, Alaska Approving a Five Year Land Lease Extension with the State Of Alaska Department of Transportation and Public Facilities (ADOT&PF) for the Homer Airport Terminal Building and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.



Deputy City Clerk Tussey read the consent agenda and recommendations.

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

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

7. VISITORS

8. ANNOUNCEMENTS/PRESENTATIONS/REPORTS (5 minutes each)

- 8.A. Work Session Report

City Manager Dumouchel reported on the presentation given by Ronny McPherson, HDR, on the Port Expansion General Investigation Study. We are entering into the beginning of the U.S. Army Corp of Engineers' General Investigation Study, and we'll be able to remove some items from our original scope because the Federal government got underway quicker than expected. Mr. McPherson highlighted the event timeline to-date, what work has taken place under the Owner's Representative Contract so far, next steps HDR will be taking to



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support the City, explained the feasibility study process, and responded to many questions from the Council. The presentation has been posted on the Council Worksession meeting webpage.

8.B. Committee of the Whole

Councilmember Aderhold reported on Council's discussion on Resolution 23-010 and 23-019: Resolution 23-010 is a resolution to issue a task order to the company, HTRW to sample the potential for PCB's in the HERC 2 building associated with demolition. Chris Ottosen with HTRW, LLC gave a brief presentation, responded to questions, and facilitated a technical conversation with Council about regulations and interpretations of regulations, and what that might mean for the cost of demolitions of potentially both HERC buildings. Regarding Resolution 23-19, there was discussion about the pros and cons of the City relinquishing its seat on the Cook Inlet Aquaculture Association. She noted there was quite a bit of public testimony at the end of the meeting regarding both topics.

8.C. Mayor's Report

Mayor Castner reported that he, three councilmembers, the City Manager, and Port Director went to Juneau last week for the Alaska Municipal League, Conference of Mayors, and for lobbying efforts. He voiced how proud he was of all their presentations and how their team did a really good job. He spoke to the value the City's lobbyists and that our level of success was largely due to their organizational skills and the respect they get from the legislature. Mayor Castner then reported on his efforts and communications with the Borough Mayor to consolidate all the fire departments on the southern Kenai Peninsula. The Borough is recommending putting together a working group to talk about it.

8.D. Borough Report

Assembly Member Lane Chesley reported on Peter Micciche receiving more than 50% of the vote at the special borough mayoral election, so there will not be a run-off election. He will be completing Mayor Pierce's term until October. Acting Mayor Mike Navarre is staying on briefly to help with the transition, particularly in the budget process. He shared the conversation he had with Mr. Micciche and how he is really looking forward to working with the City of Homer and Council; he hopes through his work that Homer doesn't feel like it's not part of the Upper Peninsula power hub. Assembly Member Chesley reported on the Master Facility Planning process that the Borough Projects Department, South Peninsula Hospital, and SPH Service Area Board have been engaged in. He noted that the Borough Projects Manager John Hedges and chief financial officer Angela Hannigan would likely be reaching out soon to schedule a worksession with City Council. He stated how he continues to work with Borough Finance Department through the budget process, and thanked Council for their resolution regarding expanding the hours at the Homer solid waste transfer facility.

There was brief discussion on the prospect of going back to holding Borough Assembly meetings outside of Soldotna again; Council would like to see the Borough include in their budget funding to allow meetings to be held in other communities such as Homer as that face-time is valuable.

8.E. Planning Commission

A written report from the Planning Commission was provided in the packet.

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8.F. Parks, Art, Recreation & Culture Advisory Commission

Chair David Lewis reported on the last PARC meeting, highlighting the number of public they had attend, the dog park presentation given by Anna Stoecklin and the large amount of discussion that generated, a presentation from Scott Bartlett from Homer Council of the Arts, the motion of support they gave to the Homer Library's western lot project, and their approval of a temporary disc golf course at the Karen Hornaday Park. The commission held their annual elections and Mr. Lewis was re-elected as Chair and Commissioner Deb Lowney as Vice Chair.

8.G. Library Advisory Board

Boardmember Marcia Kuzmaul reported the new appointment of Lisa "Red" Asselin Martin to the LAB and highlighted aspects of the Library Annual Report provided by Library Director Berry. She reported on current numbers and fund balances for the Library Endowment Fund at the Homer Foundation, and the three motions of recommendations they made to Council: support for the library western lot project, increasing the interlibrary loan fees, and support for a capital improvement budget request for replacing all the chairs in the library. The LAB plans to have their annual review of library policies at their next meeting. She congratulated the Friends of the Homer Library for their fantastic Celebration of Lifelong Learning and for honoring Samantha Cunningham and Thea Person. She noted February was Love Your Library month, the seeds are in the Seed Catalogue, and Rachel Lord will be doing the Lunch with a Councilmember on March 14th.

8.H. Port & Harbor Advisory Commission

Chair Crisi Matthews reported the PHC held elections; she is continuing as Chair and Casey Siekaniec as Vice Chair. She voiced her frustrations and concerns over a lack in communication between the commission and Council, the commission's feelings of what they believe they are responsible for advising Council on, and their eagerness to work on projects, such as the Comprehensive Plan, Port Business Plan, and harbor expansion project, yet are feeling stifled by City staff and miscommunications. She requested the PHC have an appointed councilmember, that the Chair have more authority to direct commissioners in relevant tasks, and more direction from Council; a resolution to enlarge the PHC's sphere of participation in the harbor expansion study was suggested.

Councilmember Lord suggested a joint worksession with PHC since both groups need to be on the same page regarding the harbor expansion project; Council has the fiduciary responsibility of all City dollars, including the harbor enterprise, and commissioners bring a high level of knowledge and value to the table as stakeholders.

Discussion ensued on Chair Matthews' comments, the Council's unanimous agreement to hold a joint worksession, and the need for Council to communicate unitedly and act as a body, not direct commissioners individually.

8.I. Lunch with a Council Member – Council Member Venuti

Councilmember Venuti reported on the Lunch with a Councilmember event that took place February 14th. A total of ten citizens attended, as well as City Manager Dumouchel who was helpful with answering questions geared more towards him. She asked attendees to write down where they see Homer in five years and in 10 years, and then shared the top two from each category: 5 years – public transportation to the Spit, and no free

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parking on the Spit; 10 years – more education on climate change needs for our City, and a large town recreation center. At the end of the meeting there was discussion on the library western lot project that continued on past the event.

8.J. Economic Development Advisory Commission

Commissioner Luke Gamble reported there will be a Kenai Peninsula College Career Fair on March 3rd. State personnel will be attending to offer a great opportunity to learn more about starting a daycare business. He noted that Homer is short on worker housing, with a new facility being built on the Old Sterling Highway, and that many organizations are working on a solution. He reported that EDC is having a joint worksession with the Homer Chamber of Commerce tomorrow evening to compare strategic plans and goals since they are closely aligned.

9. PUBLIC HEARING(S)

- 9.A. Ordinance 23-08, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Section 21.20, Town Center District. Planning Commission. Introduction February 13, 2023, public hearing and second reading February 27, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-08 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 9.B. Ordinance 23-09, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$40,000 from the General Fund Fleet Capital Asset Repair and Maintenance Allowance (CARMA) Fund for the Purchase of an Arctic Shark Ice Removal Attachment and Authorizing a Sole Source Purchase from Ultramech, LLC. City Manager/Public Works Director. Introduction February 13, 2023, public hearing and second reading February 27, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-09 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Lord voiced her enthusiasm for this piece of equipment, and reiterated her concerns for approving appropriation requests such as this outside of the budget cycle. There are competing needs for every general fund dollar; this equipment is important, but how does it stack up against all the other budgeted

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priorities city-wide? She voiced the importance of making budgetary decisions as a whole while reviewing all the needs of the City.

Mayor Castner shared his concerns for there being so many funding appropriation outside of the budget cycle.

Councilmember Aderhold agreed it's hard to make decisions without context and they do need to have a fiscal plan, but they chose to have a two-year budget cycle and there's going to be changes and they have to be able to deal with those changes.

At Councilmember Aderhold's request, City Manager Dumouchel explained his reasoning for deciding to bring this purchase through a CARMA allocation instead of waiting until next budget cycle is because we will have opportunities to use this equipment now and get a lot of public safety value out of it before the end of winter. He reported on his budget work with the City departments/divisions and what kind of items Council can expect in the upcoming budget plan. He expects to have a draft budget before Council by March so they will have three months to consider it before the end of the fiscal year.

In response to Councilmember Erickson, City Manager Dumouchel stated the equipment is already in Homer since it was left here after the company's demonstration. Councilmember Erickson inquired on what happens when we have a remaining balance at the end of our 2-year fiscal period. Mayor Castner noted the funds do not change, they carry on. City Manager Dumouchel explained how in last year's budget they put into the budget when we expect to get a certain surplus that goes under unassigned fund balance, so it's at least acknowledged in the most recent version of the budget.

Councilmember Lord voiced her concerns with the structure of the CARMA fund account. She stated she would like to see any off-budget items that weren't approved in the first budget so the appropriations made in between budget approvals are clear. We're planning to use the CARMA and general funds for certain things, and then as they change, she wants to see how it changes because through those changes the dollars create prioritization. She wants to make sure that they are saying yes or no with open eyes about what prioritizations we're making through those funding decisions and not assuming we're going to be able to pay for all capital requests that are under \$100,000 or \$200,000.

VOTE: YES: VENUTI, ERICKSON, ADERHOLD, DAVIS, HANSEN
NO: LORD

Motion carried.

- 9.C. Ordinance 23-10, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing an Expenditure of \$482,412 from the Homer Accelerated Water and Sewer Program (HAWSP) Fund to Provide Interim Financing to Complete the East Bunnell Ave./Charles Way Water and Sewer Improvement Projects. City Manager/Public Works Director. Introduction February 13, 2023, public hearing and second reading February 27, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-10 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

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There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 9.D. Ordinance 23-11, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating an Amount not to Exceed \$650,00 from the General Fund Capital Asset Repair and Maintenance Allowance (CARMA) Fund for the Purpose of Developing a New Comprehensive Plan and a Complete Title 21 Zoning and Planning Code for the City of Homer. City Manager. Introduction February 13, 2023, public hearing and second reading February 27, 2023.

Mayor Castner opened the public hearing.

Adele Person, city resident, commented in strong support of Ordinance 23-11. She commented that if our staff could do this work in-house for less of a cost they would have already done it. These are highly technical plans that require a lot of outreach to the community with a really big vision of our community. The code update is a really specific and technical update that requires skill that we don't have with staff to this level. The cost is expensive but we've appropriated roughly a million to consider a harbor expansion; the Comprehensive Plan will bring a bigger conversation of do we even want or envision that for our community? She spoke to the value of a Comprehensive Plan as a big guiding document that can address the housing, economic development, and quality of life concerns/issues they are having, and how the code update ties into that. She reiterated her hopes that Council will support this plan.

Karin Marks, city resident and business owner, commented in strong support of Ordinance 23-11 and the importance of having this broad spectrum of technical support to do a project of this size. She spoke to the comments made earlier by Chair Crisi Matthews and the need for Council to use the commissions as they are part of the public process. The Economic Development Advisory Commission did a great amount of work on creating a Strength, Weakness, Opportunity, Threats analysis the past year, and that kind of work can be used by consultants. She suggested Council have joint worksessions with all the commissions and use them as a tool to make their lives and staff's easier.

Bradley Parsons, city resident, Independent Living Center employee, and ADA Advisory Board Member, commented in favor of Ordinance 23-11. He opined that Homer is at a crossroads right now, facing a lot of challenges, and much of that involves housing, transportation, and how we want our core center to look. The current zoning and planning code maintains the status quo, meaning a continuation of development outside city limits and us becoming a community of sprawl, and turning Pioneer and the Bypass into literal bypasses to avoid Homer. In reference to the cost, he pointed out the Main Street sidewalk project was roughly \$1.5 million with much of the costs going to maintaining stormwater culverts due to not planning ahead, and the sidewalks became exponentially more expensive.

Bruce Friend, city resident, commented in favor of Ordinance 23-11 and that moving ahead quickly with a Comprehensive Plan is very important. He shared that he sits on the Port and Harbor Advisory Commission, and when they look to the amount of expansion that's possible, having a plan like this and a broad

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understanding of where this city wants to go is very important. He acknowledged it's a lot of money but we should spend this money to plan ahead; it will allow us to have low income housing in the right places, have transportation where it belongs, and he hopes we can consider this as a small down payment on the future.

There were no further comments and the hearing was closed.

ADERHOLD/DAVIS MOVED TO ADOPT ORDINANCE 23-11 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Mayor Castner called for a 10 minute recess at 7:36 p.m. He called the meeting back to order at 7:46 p.m.

Councilmember Aderhold noted she is in favor of this ordinance and inquired on the overall cost, what are staff's reasons for why the scope can't be scaled back, and the proposed timeline.

City Manager Dumouchel explained:

- The \$650,000 was put together based on experience; several staff members have been through projects like this, both on the private and public side. The bid also came out almost exactly what the City of Valdez paid for the same thing within the past year.
- The City has many good but disjointed plans – e.g. the Spit Comprehensive Plan, the Town Center Plan, old transportation plans, the non-motorized transportation plan, sustainability/climate action plans. This is an opportunity to bring many of these plans into the same decade as a more unified future pitch using the same dollars and not burn the public out on repeated engagement events.
- The need to keep the Comprehensive Plan component together with the Title 21 update is because separating the two will lead to years of separation, and the advantage of doing it all together is setting the big-picture vision and then giving staff the tools to implement it right away. Homer is at an inflection point; we weren't a master plan community and we're paying the price for that in certain places because we didn't expect growth in those areas. The discussions we're having now and visions of where we're going do not match our current plans.
- When Council had this conversation last March, he told everyone this was going to be a really big and expensive project, and if you're not about it, don't do it. Either you're all in or have a different idea. It may be possible to shave off some of the costs or have staff do parts of it, but this is a huge interdisciplinary undertaking and cannot be done by one person or a team of staff that's already impacted. This proposal addresses all the things Council wanted to do and staff is prepared and ready to go down that road assuming Council still wants to follow the vision.

Councilmember Venuti commented they need to remember there are other entities of this community that are also preparing their own plans and be affected by our 20-year plan. City Manager Dumouchel responded that they specifically seek out many of the stakeholders she mentioned as part of the project's engagement process. He emphasized the strong need to lean into the public engagement part to get a robust and effective comprehensive plan.

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Councilmember Erickson voiced her concerns with having to wait for two years for the new plan and code updates to be done to fix some of the planning and zoning code issues they're facing now. She opined the first year should be updating the planning code and the second year be the comprehensive plan.

City Manager Dumouchel strongly suggested keeping to the order of operations, that there will be overlap of both components throughout the 2-year process, and explained how process and procedure changes to planning and zoning code can happen at any time. He noted that Council had appropriated funds about a year ago to update the Design Standards Manual, which addresses some of Councilmember Erickson's concerns, and that Public Works is finalizing a draft document for Council to consider very soon.

Councilmember Lord stated she is in support of this ordinance and all the written and public testimony given that raised questions and concerns. She commented on how the City is required to have a Comprehensive Plan under Title 29, it's a very foundational and important document, and acknowledged that Council was kept apprised of the project. That said, she requested more meaningful interactions and engagements at the Council and board/commission levels beyond just updates for these large projects.

In response to Councilmember Lord's request for clarification on the other plans, City Manager Dumouchel explained the point is to absorb the other plans, such as the Town Center Plan or Spit Comp Plan, as sections covered in the new Comprehensive Plan. Councilmember Lord requested they have conversations on this, how it would look taking the harbor expansion project into account, and that point be made very clear with the consultant.

Councilmember Davis made comments in support of the ordinance. He spoke to the concerns raised about waiting until after the harbor expansion study to have Comprehensive Plan conversations, and referenced the public testimony that explained how this is an opportunity to have conversations as a town about where we want to go in the future in the first year of that 3-year general investigation study process. He voiced his appreciation for staff's hard work on this proposal.

Councilmember Aderhold responded to Councilmember Erickson's comments about outdated zoning code, and how they as a body can take up parts of the code while the comprehensive plan project is ongoing and send it to the Planning Commission for consideration. Councilmember Erickson reiterated her concerns with the zoning code issues and her desire to ensure the Planning Commission can still move forward with their work. Councilmember Lord added comments on the balance of communication between Council and Administration, how City Code gets updated with little changes and over time that causes discrepancies, and the value of making the effort to take on full code title rewrites to remedy those issues.

Mayor Castner spoke in opposition to the ordinance. He voiced his unhappiness with Council approving various million-half million dollar projects outside of the budget, and his concerns with the project not meeting their needs. He opined that the existing Comprehensive Plan is sufficient if implemented correctly, that their key to change is updating Title 21 and 22, and there could have been more involvement by Council. He would like to see the project be funded to start the code change process and a delivered plan of how the Comprehensive Plan is to be updated for Council to discuss and approve before they launch into a costly deal.

Councilmember Aderhold stated that this project was a top priority of Council at their visioning event last March, and there was opportunity for Council to be a part of this throughout the Request for Qualifications and Request for Proposals process. She clarified that this project is not the Council's plan, it's the community's plan

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to Council; plenty of public engagement is important so that everyone in this community has the opportunity to have input in what the City looks like over the next two decades. She commented on the potential a new Comprehensive Plan can provide, how the current plan does not come close to addressing their goals, and her reasoning for supporting the ordinance.

Councilmember Lord explained her knowledge of the existing plan, her experiences with its 2008 rewrite and 2018 update, and how public input is a fundamental component of a Comprehensive Plan. She opined the current plan does not have that; it doesn't take into account the people of the community or the number of conversations about housing and land development. She reiterated her desire for decision-making being done within a broader context of the community both at the Council and at the commissions.

Councilmember Erickson commented on the need for more dialogue between Council and the commissions to ensure everyone understands their roles and where their lanes are so as to be more effective.

Councilmember Davis commented on how initially he also felt the zoning code rewrite aspect seemed more important than a comprehensive plan, yet over time he came to understand that you can't rewrite the zoning code in a major way if you don't have community buy-in, and the way you get that is through the process of creating a comprehensive plan. He noted how many years it had been since the last rewrite and opined it's time to have those conversations in the community about how we want Downtown or the Spit or the Town Center to look, and this plan is the mechanism for that. He voiced his appreciation for City Manager Dumouchel's comments on the many ways Council can update zoning code now; they do not have to wait two years.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 9.E. Ordinance 23-12, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$63,070 from the Port Reserves Fund for Professional and Technical Assistance to Support Submission of a Port Infrastructure Development Program Grant Application for the Purpose of Float Replacement in the Small Boat Harbor. City Manager/Port Director. Introduction February 13, 2023, public hearing and second reading February 27, 2023.

Mayor Castner opened the public hearing.

Chair Crisi Matthews stated the Port and Harbor Advisory Commission 100% supports Ordinance 23-12. These port reserve funds are set aside for these type of projects and this benefit cost analysis will help with establishing the parameters needed in order to seek out the necessary grant funding.

There were no further comments and the hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-12 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

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Motion carried.

- 9.F. Ordinance 23-13, An Ordinance of the City Council of Homer, Alaska Updating the Assessment Owed from Lot 10-A-3, Bunnell's Subdivision No. 17 Replat, KPB Tax Parcel No. 175-133-52 and Amending the FY23 Capital Budget by Appropriating \$15,432.52 from the Homer Accelerated Roads and Trails (HART) Roads Fund to Pay the Remainder of this Assessment. Lord. Introduction February 13, 2023, public hearing and second reading February 27, 2023.

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 23-13 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

11.A. City Manager's Report

City Manager Dumouchel reported on his trip to Juneau last week with the Mayor, three councilmembers, the City lobbyists, and City staff that included many meetings with legislators and other key people. He commended the work done by Special Projects and Communications Coordinator Jenny Carroll as it allowed them to be fully prepared and stay on track. City Manager Dumouchel highlighted sections of his written report including a sales tax update, different harbor designs, and his budget preparation work.

There was brief discussion on an upcoming greater housing conversation event hosted by the Chamber of Commerce that Karin Marks is involved with, to be held on March 25th.

Councilmember Lord requested there be a type of format where Council is getting regular updates on overall project finances, and being able to track those projects and their assigned funds over time.

12. PENDING BUSINESS

- 12.A. Resolution 23-010, A Resolution of the City Council of Homer, Alaska Awarding a Contract to HTRW, LLC of Anchorage, Alaska in the Amount of \$45,000 to Test for PCB's at the Homer Education and Recreation Complex (HERC) Buildings and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

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Mayor Castner stated there is a pending motion on the floor from the February 13, 2023 regular meeting:
ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 23-010 BY READING OF TITLE ONLY.

Councilmember Aderhold voiced her confusion for the whole thing. There are many red flags surrounding the potential costs associated with demolition; and while the information provided by Chris Ottosen with HTRW, LLC during Committee of the Whole was great, it did not clarify whether they should move forward with this task order. City Manager Dumouchel suggested that Council could postpone their decision to allow staff to gather more answers.

There was discussion on whether to postpone or fail the resolution, concerns with not wanting to delay the project further, the need for further clarification on State regulations versus Federal, the desire for this to go out for bid, the Borough’s mandate that the testing take place, and the understanding that voting it down does not mean they do not support staff bringing back another plan. Council agreed they would like to have the follow-up information for their March 20th worksession on the HERC.

VOTE: NO: ADERHOLD, HANSEN, LORD, VENUTI, ERICKSON, DAVIS

Motion failed.

13. NEW BUSINESS

14. RESOLUTIONS

- 14.A. Resolution 23-017, A Resolution of the City Council of Homer, Alaska Approving a Contract with Agnew Beck Consulting of Anchorage, Alaska for an Amount not to Exceed \$650,000 for the Purpose of Developing a New Comprehensive Plan and a Complete Update of the Title 21 Zoning and Planning Code and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

ADERHOLD/DAVIS MOVED TO ADOPT RESOLUTION 23-017 BY READING OF TITLE ONLY.

Councilmember Aderhold commented that she requested to pull this resolution from the Consent Agenda until Ordinance 23-11 that approved its funding was adopted.

Mayor Castner voiced his intention of vetoing Resolution 23-017 and Ordinance 23-11.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 14.B. Resolution 23-018, A Resolution of the City Council of Homer, Alaska Authorizing a Task Order to HDR Engineering in an Amount Not to Exceed \$63,070 for Grant Writing Services for a FY2023 Federal Port Infrastructure Development Program (PIDP) Grant to Support Replacing Float Systems in Homer’s Small Boat Harbor and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director. Recommend adoption.

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ADERHOLD/ERICKSON MOVED TO ADOPT RESOLUTION 23-018 BY READING OF TITLE ONLY.

Councilmember Aderhold commented that she requested to pull this resolution from the Consent Agenda until Ordinance 23-12 that approved its funding was adopted.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 14.C. Resolution 23-019, A Resolution of the City Council of Homer, Alaska Relinquishing its Privilege to Appoint a Community Representative to the Board of Directors of the Cook Inlet Aquaculture Association. Mayor. Recommend adoption.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 23-019 BY READING OF TITLE ONLY.

Councilmember Aderhold commented that she requested to pull this resolution from the Consent Agenda as there was a significant amount of public testimony on this item at the Committee of the Whole and earlier during public comments. She voiced her support for the resolution and opined the relations they have with other organizations where they have a representative present and submit letters of support when requested is different from the Cook Inlet Aquaculture Association (CIAA) situation.

Councilmember Lord commented in support of Resolution 23-019. Contentious issues will still come before Council for their consideration as they usually do, but she does not see how a representative of the City can be successful on a divisive board; it's contentious.

Councilmember Davis voiced his appreciation for Mayor Castner's work on this resolution and commented on how it's a "no win" situation for the City because whoever they appoint there will likely be controversy involved. He noted he will be voting no for this resolution and volunteered to try and identify someone that could be a non-controversial appointment. He commented that they are representing the community but there's the possibility of finding a better way to have them report back to Council.

Councilmember Aderhold pointed out that if the Homer City Council is appointing a person to their seat on a board, then that person is representing the City, not the community.

Councilmember Erickson noted that Council had taken the position that the Cook Inlet fishery was not their fight or within their boundaries, and so they did not act on anything that happened there; it was a bigger legal issue more for State Representative Vance.

VOTE: YES: LORD, ADERHOLD, HANSEN, ERICKSON, VENUTI
NO: DAVIS

Motion carried.

15. COMMENTS OF THE AUDIENCE (3 minute time limit)

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Donna Beran voiced her appreciation for Council and the amount of work before them with the Comprehensive Plan, the fast rate our community is growing in regards to infrastructure, housing, the schools, and town square.

Robert Archibald thanked Mayor Castner and Council for reappointing him to the Prince William Sound Regional Citizens Advisory Council (PWSRCAC). He reported he's serving as the president, their September board meeting will be in Homer, the new spill dispersant report they issued, and the good information they receive on whale strikes. He commented on the harbor expansion project, his concerns, and hopes Council will dig deeper into the costs of construction and facility upkeep.

16. COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

17. COMMENTS OF THE CITY CLERK

Deputy City Clerk Tussey announced the City Clerk's Office is requesting appointment applications for seats on the ADA Advisory Board and the Library Advisory Board, and to reach out to the Clerk's Office for more information or an application.

18. COMMENTS OF THE CITY MANAGER

City Manager Dumouchel reported on current City job openings and encouraged anyone interested in applying to come talk to the City.

19. COMMENTS OF THE MAYOR

Mayor Castner commented on the current status of the Forest Trails Subdivision platting issue, and that he has learned from the Borough that the City can incorporate whatever platting instructions they want.

20. COMMENTS OF THE CITY COUNCIL

Councilmember Hansen commented on the South Peninsula Hospital Service Area Board meeting she attended. She announced the Community Fridge is still looking for help, such as used leftovers from restaurants.

Councilmember Erickson commented on her Juneau trip, her positive experiences with the lobbyists, and her participation in the Snomad's Fun Run this past weekend. She shared there is a Fat Tire event March 11th and kid's fishing tournament at Caribou Lake. She commented on the great northern lights that took place last night.

Councilmember Davis also commented on the northern lights, gave congratulations to new Borough Mayor Peter Micciche, and shared about participation in the Chamber of Commerce Board Retreat. He reminded everyone to mark the date March 25th for the Greater Homer Housing Conversation event at the Christian Community Church.

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Councilmember Aderhold commented on her trip to Juneau, her attendance at the Alaska Municipal League meetings, and the lobbyist efforts. She will have a report for them at the next Council meeting. She voiced her appreciation for Council and the conversations they have; they don't always agree but they are very respectful of each other and as soon as an item is done they move to the next and the discussion changes. She likes that they can laugh as a group of people who are very different.

Councilmember Venuti commented on her attendance at Rotary soup kitchen fundraisers, thanked the many people who attended the events, and commended Lifelong Learner winners Samantha Cunningham and Thea Person. She shared information on the upcoming Career Job Fair at the college, and congratulated the athletes and coaches from the Boys Cross Country Skiing who won State for the first time since the 1970's.

Councilmember Lord commented on her trip to Juneau, thanked Council for allowing her to attend, and shared her experiences with spending time at the capitol. She spoke to civic engagement and how it's imperative to continue to come to the table with hard questions, work on the communication and conversations, and understand that we are in an iterative space. She congratulated new Borough Mayor Peter Micciche.

21. ADJOURN

There being no further business to come before the Council, Mayor Castner adjourned the meeting at 9:22 p.m. The next Regular Meeting is Monday, March 13, 2023 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.

Melie Juceliss for
Rachel Tussey, EMC, Deputy City Clerk II

Approved: March 13, 2023