

REGULAR MEETING
MARCH 13, 2023

Session 23-05 a Regular Meeting of the City Council of Homer, Alaska was called to order on March 13, 2023 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, LORD, VENUTI

STAFF: CITY MANAGER DUMOUCHEL
CITY CLERK JACOBSEN
FINANCE DIRECTOR WALTON
PUBLIC WORKS DIRECTOR KEISER
CITY PLANNER ABBOUD
FIRE CHIEF KIRKO
CHIEF TECHNOLOGY OFFICER JIRSA
SPECIAL PROJECTS COORDINATOR FOSTER
NETWORK ADMINISTRATOR SULCZYNSKI
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 supplemental items and an agenda change: **Announcements/Reports/Presentations** Planning Commission Written Report and addition of AML Legislative Committee Report **City Manager's Report** Memorandum from City Clerk Re: Council and Advisory Body Training Work Session and Memorandums from City Manager Re: Comprehensive Plan & Zoning Code Project Timeline and Re: Context of General Fund CARMAs going into FY24/25 Budget.

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 (The public may comment for three minutes on agenda items not schedule for public hearing.)

Pat Case, city resident, commented in support of Resolution 23-023, by acknowledging the need for a park and ride and the importance of forward planning for transportation needs in our community. It makes sense to include a pull out for public transportation opportunities.

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Dale Banks, non-resident, commented support 23-023. If successful the project will provide a place for East Enders to leave their car and continue to town on the bike path.

Roberta Highland, city resident and Planning Commissioner, commented on her own behalf on item 13.A. Appropriation Reduction related to Ordinance 23-11 and Veto of Resolution 23-017. She shared her concerns of thoughtless development destroying many areas in our community and the harbor expansion. She noted the 2008 Comp Plan re-write, 2018 technical update, 2011 Spit Comprehensive Plan, and the Transportation, Town Center, and Climate Action Plans, along with the accelerated growth warranting a hard look at all the plans together. A community discussion is needed and these changes merit an overall review of the plans sooner than later. She shared information from the book *The View from Lazy Point* by Carl Sofina that addresses life cycles in our environment and adverse human impacts over time.

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 Council Member.)

6.A. Homer City Council Unapproved Regular Meeting Minutes of February 13, 2023 and February 27, 2023, City Clerk. Recommend adoption.

6.B. Resolution 23-021, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for the Pioneer Dock Fender Repair Project to Alaska Industrial Services LLC, in an Amount Not to Exceed \$280,404 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director. Recommend adoption.

Agenda Item Report CC-23-063

6.C. Resolution 23-022, A Resolution of the City Council of Homer, Alaska, Authorizing a Task Order for Construction Management Services for the Pioneer Dock Fender Repair Project to RESPEC in an Amount not to Exceed \$30,000 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Agenda Item Report CC-23-064

6.D. Resolution 23-023, A Resolution of the City Council of Homer, Alaska, Supporting the Construction of a Parking Lot to Serve the Eastern End of the East End Bike Path. Aderhold. Recommend adoption.

Agenda Item Report CC-23-065

6.E. Resolution 23-024, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule Under Library. City Clerk/Library Director. Recommend adoption.

Agenda Item Report CC-23-066

City Clerk Jacobsen read the consent agenda and recommendations.

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

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There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

7. VISITORS (10 minute time limit)

7.A. Greater Homer Area Housing Event - Karin Marks (10 minutes)

Karin Marks, member of the task force involved in setting up the Community Conversation of Housing Solutions in the Greater Homer Area, explained the task force is made up of representatives from the City of Homer, MAPP, Hospital Foundation, KPEDD, Chamber of Commerce, Choosing our Roots, and help from the Homer Foundation, Homer Homelessness Coalition, and public members. Ms. Marks invited everyone to attend and provided an overview of the event happening Saturday, March 25th from 9:00 a.m. to 12:30 p.m. at the Community Christian Church, 3838 Bartlett Street in Homer. There is a housing survey that's live now, and an upcoming employment survey that will be available soon she encouraged citizens to participate in.

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

8.A. Committee of the Whole

Council Member Aderhold reported Council held a discussion with the City Manager on the General Fund CARMA overview memo that was provided in the supplemental packet.

8.B. Mayor's Report

Mayor Castner reported he, Council Member Davis and Assembly Member Chesley discussed changes for HCC Title 22 regarding platting.

8.C. Borough Report

8.D. Planning Commission

8.E. Alaska Municipal League Meeting & Legislative Lobbying Trip

8.F. AML Legislative Committee Report

Council Member Aderhold reported on the committee's discussion regarding the State Finance Subcommittees' meetings and Finance Committee's work on the State's budget, base student allocation and different group's perspectives, PERs and defined benefit program, and the PFD and how it balances out what can be spent in the operating budget and base student allocations. Also the Governor's proposal of carbon sequestration and storage as a revenue source, and Department of Corrections task force that's addressing issues around community jails.

9. PUBLIC HEARING(S)

9.A. 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.
Agenda Item Report CC-23-067

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-14 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was brief discussion confirming the mobile parking delineation barriers are candle stick pylons.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

11.A. City Manager's Report

City Manager Dumouchel addressed items in his report including the completed parity study, Harbor management of camping, opportunity for a ladder truck purchase for the City, his attendance at an upcoming Tsunami Operations Workshop in Kodiak, and the budget memo in the supplemental packet. He also shared the IT Division is fully staffed and introduced Bill Jirsa, the new Chief Technology Officer.

In response to questions City Manager Dumouchel explained steps for transitioning campground duties to the Port and Harbor and allocation of funding, reminding that lease management has transferred back to administration. He also addressed the mutual benefits of temporary hires for summer workers for Parks and the Harbor, both to the city and people looking for summer work.

At the request of the City Manager, Special Projects Coordinator Foster addressed the child care meeting with the Alaska Department of Health (DOH) that he and Economic Development Manager Engebretsen attended. DOH took time to travel to communities, including Homer, and hear what their challenges and needs are related to child care.

12. PENDING BUSINESS

13. NEW BUSINESS

13.A. Appropriation Reduction related to Ordinance 23-11 and Veto of Resolution 23-017 in accordance with HCC 2.08.070 Mayor's veto. Mayor.
Agenda Item Report CC-23-068

Mayor Castner recalled warning Council in the recent past that it's a slippery slope for them to take up capital appropriations at any time and if department heads found them willing to do so, Council would get slammed with requests along the way. All these funds are connected and in competition with each other. The ebb and flow off budget bothers him. He wants a fiscal plan with borders. This doesn't seem to be an emergency and it isn't in the budget. He's hopeful this gets pushed off for a few months and put into the next budget.

ADERHOLD/LORD MOVED TO OVERRIDE THE MAYOR'S APPROPRIATION REDUCTION FOR ORDINANCE 23-11.

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Council Member Aderhold supports the override. She commented that Council has been talking about this direction for a year, it was one of the primary things they agreed on at their visioning session a year ago, and we've been taking steps along the way to get to this point of starting a complete revision of the Comprehensive Plan. Council approved hiring new staff with this in mind outside of the budget cycle, we approved moving forward with the RFQ and RFP process with no one balking or expressing concerns because it's something we, as a body, have been agreeing to. It's confusing to her that now there is opposition to it. She needs to understand from those who are opposed to moving forward now what their concerns are, and if they can't get questions answered tonight, consider postponing and having a work session to dive into details and get questions answered.

Council Member Venuti expressed concern over the cost of the project and what funding it will take away from other projects. She also listens to the Planning Commission meetings and how they spend time tweaking it, so it doesn't make sense to throw that out. She expressed concern that the firm selected isn't from Homer. She isn't aware if it went out to bid, and thinks we can do better things with our money. She supports upholding the Mayor.

Council Member Lord supports the override and shared her perspective on the importance of comprehensive community engagement that comes through third party facilitation. She doesn't feel that robust comprehensive planning happens internally. The community engagement, opportunities, and leadership process is only going to be substantively impactful with outside assistance in her opinion. Community members have expressed concerns to her that changes in the community over the last five years have been tremendous, both in the positive and negative. If we are going to substantively make changes to our Planning and Zoning code, she won't support that happening outside of the community engagement that will come through redoing the Comprehensive Plan. By law we have to redo the Comp Plan in 2028, and it's valid to do it now, follow up with the zoning code, and bring the community along with that.

There was discussion whether it's appropriate to ask questions of staff. Mayor Castner expressed that staff doesn't need to be involved in the discussion to override a veto. Council Member Aderhold disagreed, noting Council Member Venuti had questions that could be answered by staff. Council Member Lord pointed out that typically Council has had the ability to ask questions of staff during meetings, and asked for guidance on next steps to allow questions for staff. City Clerk Jacobsen explained a motion could be made to suspend the rules to ask questions of staff and if Council approves the motion, they could proceed.

LORD/ADERHOLD MOVED TO SUSPEND THE RULES TO ALLOW STAFF TO ANSWER QUESTIONS IF COUNCIL MEMBERS HAVE THEM.

There was no discussion.

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

Motion carried.

In response to Council Member Venuti's question whether this went out to bid, Special Projects Coordinator Foster explained that this was put out to bid. First was a request for qualifications, RFQ, and three firms were

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selected to submit proposals through the RFP process. A review committee reviewed the proposals and selected one firm to recommend for contract award.

In response to Council Member Venuti's question about whether this takes money from other projects, City Manager Dumouchel explained a year ago approximately \$4 million was moved from the unassigned fund balance and distributed between general fund CARMA, fleet CARMA, and the land reserves. The funds were staged for future needs that Council would decide on. Comp Plan and Zoning Code was talked about and mentioned in several reports. Nothing was settled, but frequently discussed this would be a project.

There was discussion regarding process.

Council Member Erickson shared she doesn't have problem with a Comprehensive Plan update or zoning code re-write. When they were in the visioning meeting, she thinks of visioning as looking at the broad spectrum. When it came to putting together the RFP, Council Members Aderhold and Davis were at the table and the others weren't brought in. She hears from others that the Commissions didn't have any say and weren't part of it. It's all about what you two and staff were thinking. Others feel disenfranchised. She's hearing the spit comp plan isn't part of that, and it's a lot of money. Now Council is having to consider matches for grant funding. She feels this needs to be pushed a few months and be taken up with the budget so it's factored in with other needs. She voted yes at the last meeting because she wanted to be compliant, but that was probably wrong of her, but when it came up as a veto, she agreed it needs to be revisited.

Council Member Hansen she appreciated the visioning session, she agrees with the need to develop a Comp Plan and that we need to hear what the community wants, but also agrees it's a lot of money to spend.

Council Member Davis supports the override. He asked if the City Manager could confirm what he said at the last meeting regarding the spit related to the Comp Plan. City Manager Dumouchel confirmed the plan is that the spit will be included in the new Comp Plan.

Council Member Lord added that a challenge with a Comp Plan is paying contractors for what is largely community engagement and conversation, then writing it up so it makes sense, and then following up with the zoning code that will also involve community engagement. It's going to be expensive, there's no way around it. Concerns with land use and development, and the fast pace that it's moving is the driving factor that pushed us to push staff to move forward now, not 2028, so they did. The rezone at the bottom of West Hill was a one off situation and not the way municipal planning is done. She commented that spending will happen outside of the budget, particularly with a two year budget, and this was part of the reason why we moved money to CARMA. She appreciates when Council Members can step in and have eyes on things, and the RFP came to Council to read in their packet. We have all been at the table and the money is intended to get everyone's input in a meaningful way facilitated by a third party.

Council Member Erickson said the problem is we're being told it will be a year before zoning happens because the Comp Plan comes first. Addressing the Comp Plan first keeps us from dealing with the issues before us now.

ADERHOLD/LORD MOVED TO POSTPONE TO THE MARCH 28 COUNCIL MEETING AND HAVE A WORK SESSION ONE DAY NEXT WEEK TO DEAL WITH THE ISSUES THAT HAVE COME UP TODAY.

Council Member Erickson shared times she's unavailable.

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VOTE (postponement): YES: ADERHOLD, HANSEN, LORD, VENUTI, ERICKSON, DAVIS
Motion carried.

After discussion there was consensus include this matter at work session scheduled on March 20th.

ADERHOLD/LORD MOVED TO OVERRIDE THE MAYORS VETO OF RESOLUTION 23-017.

ADERHOLD/LORD MOVED TO POSTPONE THIS MATTER UNTIL THE MARCH 28TH COUNCIL MEETING.

VOTE (postponement): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

14. RESOLUTIONS

15. COMMENTS OF THE AUDIENCE (The public may comment for three minutes on any topic.)

Charlie Barnwell, city resident, disclosed he's on the Planning Commission. He shared his experience with the Anchorage 2020 plan, which was mostly done in house. He think there is confusion on how to execute developing this Comprehensive Plan. The Planning Commission should have been able to review the RFP. He supports postponing. As a contractor he's under the impression that the firms spend all the money allocated to the project.

16. COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

17. COMMENTS OF THE CITY CLERK

City Clerk Jacobsen had no comments.

18. COMMENTS OF THE CITY MANAGER

City Manager Dumouchel had no comments.

19. COMMENTS OF THE MAYOR

Mayor Castner had no comments.

20. COMMENTS OF THE CITY COUNCIL

Council Member Lord had no comments.

Council Member Venuti acknowledged March 27th is the anniversary of the 1964 earthquake that caused a tsunami where 125 people were killed in Kodiak. She encouraged listeners to check their emergency preparedness kits. March 24th is the anniversary of the Exxon Valdez oil spill and she thanked citizens like Robert Archibald who serve in areas dealing with tankers that use our inlet.

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Council Member Aderhold thanked everyone for a good discussion and she looks forward to continued discussion.

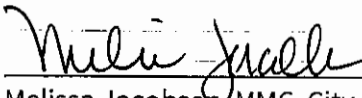
Council Member Davis had no comments.

Council Member Erickson thanked everyone who was involved in the Fun Run, Epic race, the rope tow, and the ski club.

Council Member Hansen thanked Charlie for his comments.

21. ADJOURNMENT

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:47 p.m. The next Regular Meeting is Tuesday, March 28, 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.



Melissa Jacobsen, MMC, City Clerk

Approved: 3.28.23