

REGULAR MEETING
MAY 22, 2023

Session 23-11 a Regular Meeting of the City Council of Homer, Alaska was called to order on May 22, 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
POLICE CHIEF ROBL
PORT DIRECTOR HAWKINS
FINANCE DIRECTOR WALTON
PUBLIC WORKS DIRECTOR KEISER
CHIEF TECHNOLOGY OFFICER JIRSA
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: **CONSENT AGENDA** Unapproved May 8, 2023 Regular Meeting Minutes, Ordinance 23-37, An Ordinance of the City Council of Homer, Alaska amending the FY23 Capital Budget by Appropriating \$42,500 from the Homer Accelerated Water and Sewer Program (HAWSP) Fund for the Purpose of Engineering and Installation of Water and Sewer for Jack Gist Park Financial Supplement, Resolution 23-051, A Resolution of the City Council of Homer, Alaska Amending the Regular Meeting Schedule for the Planning Commission to One Meeting per Month. City Clerk. Written public comment **ANNOUNCEMENTS/PRESENTATIONS/REPORTS** Planning Commission written report **PUBLIC HEARING(S)** Ordinance 23-23, An Ordinance of the City Council of Homer, Alaska Appropriating the Funds for the Fiscal Years 2024 and 2025 Capital Budget. City Manager. Introduction April 24, 2023, Public Hearing May 8 and May 22, 2023, Second Reading May 22, 2023. Budget Amendments, Memorandum from Economic Development Manager re: Trail Design Criteria Manual, and Finance Account Information, Ordinance 23-24, An Ordinance of the City Council of Homer, Alaska Amending the City of Homer Water and Sewer Rates and Updating the Fee Schedule Accordingly. City Manager/Finance Director. Written Public Comments. **RESOLUTIONS** Resolution 23-053(S) A Resolution of the City Council of Homer, Alaska Awarding a Contract for 2023 Lawn Maintenance for Homer Public Library, Homer Police Department, Homer Education and Recreation Complex (HERC) and Two City Parks Overdorf Landscaping in the Amount of \$19,125 for the 2023 Season, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

ADERHOLD/VENUTI MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

3. MAYORAL PROCLAMATIONS AND RECOGNITIONS

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- 3.A. National Safe Boating Week, May 20-26, 2023
- 3.B. Mary Epperson Day, June 6, 2023
- 3.C. Don Young Day, June 9, 2023
- 3.D. City of Homer Coast Guard City Proclamation

In addition to National Safe Boating Week, Mary Epperson Day, Don Young Day, and reading the Coast Guard City Proclamation into the record, Mayor Castner announced that last week was Peace Officers Week and National Peace Officer Memorial Day was May 15th and National EMS Week is May 21-27, 2023.

4. **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA** (The public may comment for three minutes on agenda items not schedule for public hearing.)

Jan Keiser, city resident and Public Works Director, announced that yesterday was Homer City of Service Day sponsored by local churches and hundreds of volunteers came to Homer parks and other places around town to do chores, clean up, paint, and variety of other things. She thanked all who were involved.

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 April 24 and May 8, 2023 and Special Meeting Minutes of May 1, 2023. City Clerk. Recommend adoption.
- 6.B. Liquor License Renewals for Fresh Catch Café, Grog Shop, Homer Liquor & Wine, Patel's, Patel's 2, and Rum Locker. City Clerk. Recommend non-objection.
- 6.C. New Retail Marijuana License Approval for Kachemak Cannabis. City Clerk. Recommend non-objection.
- 6.D. Ordinance 23-36, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating a Healthy and Equitable Community Round Two Grant from the State of Alaska Department of Health and Social Services (DHSS) for Improvements to Bayview Park and to Complete a Community Health Improvement Plan. City Manager. Recommend Introduction May 22, 2023 Public Hearing and Second Reading June 12, 2023.
- 6.E. Ordinance 23-37, An Ordinance of the City Council of Homer, Alaska amending the FY23 Capital Budget by Appropriating \$42,500 from the Homer Accelerated Water and Sewer Program (HAWSP) Fund for the Purpose of Engineering and Installation of Water and Sewer for Jack Gist Park. Mayor. Recommend Introduction May 22, 2023 Public Hearing and Second Reading June 12, 2023.

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- 6.F. Resolution 23-051, A Resolution of the City Council of Homer, Alaska Amending the Regular Meeting Schedule for the Planning Commission to One Meeting per Month. City Clerk. Recommend adoption.

Moved to Resolutions. Erickson.

- 6.G. Resolution 23-052, A Resolution of the City Council of Homer, Alaska Confirming the Placement of a Three Part Mural by Kim McNett Inspired by the Homer Drawdown’s Peatland Project at the Homer Airport. City Manager/Public Works Director. Recommend adoption.

Item 6.F. moved to Resolutions. Erickson.

City Clerk Jacobsen read the consent agenda.

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. Committee of the Whole

Council Member Aderhold reported Council discussed Ordinance 23-36, Healthy and Equitable Community Round Two Grant, Resolution 23-051 Planning Commission meeting schedule, Ordinance 23-25 transferring Water CARMA and Sewer CARMA funds to the Utility Operations, Ordinances 23-29 and 32 transferring HART funds to Non-Motorized Opportunity Funds, and Resolution 23-053 awarding a contract for lawn maintenance. As a discussion topic they addressed Resolution 23-048 the revised Water and Sewer Utility Financial Rate Setting Policies.

- 8.B. Work Session Report

City Manager Dumouchel reported at the work session there was a reception for the Coast Guard City award for the City of Homer.

- 8.C. Mayor's Report

Mayor Castner reported he attended all three days of the Homer Harbor Expansion US Army Corps of Engineers (USACE) Charrette, there was a lot of discussion about community values.

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8.D. Borough Report

8.E. Planning Commission

Chair Smith provided a written report in the supplemental packet.

8.F. Economic Development Advisory Commission

Economic Development Advisory Commissioner Gordon Pitzman reported at their last meeting they had a presentation from the Homer Trails Alliance on trails as economic drivers, discussion on housing, support for a part time staff member and software funding for Community Recreation, made minor revisions to their Quality of Life SWOT analysis and reviewed the Commission's bylaws. Karin Marks was elected as Chair and Deborah Brown as vice-chair, and they welcomed new member Mel Kim.

8.G. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner Ingrid Harrald reported at their last meeting they discussed using their recreation budget in a way to help appreciate volunteers, the successful Safe and Healthy Kids Fair, benefits of software for Community Recreation, the Community Recreation fee schedule, and the Bayveiw and Jack Gist Park Master Plans.

8.H. Library Advisory Board

Library Advisory Board Member Doug Baily reported Youth Librarian Cinda Nofziger presented on the Teen Advisory Board and activities for youth, teens, and tweens. They began their review of the library policies and scheduled a work session to discuss them more in depth.

8.I. ADA Advisory Board

ADA Advisory Board Member Cassidi Sorter reported at their last meeting the Board members provided status updates on advocacy efforts for ADA compliance by local businesses, reviewed first draft of their strategic plan and goals document, and postponed scheduling site visits for city trails transition planning.

8.J. AML Legislative Report – Aderhold

Council Member Aderhold reported the legislative session is over and they passed the State budget, she noted there were a number of AML priorities were included and they'll be sending out a more in-depth review. There's still talk of a special session in the fall on fiscal policy. Other items that remain out-standing include the education funding formula, SB88 defined benefit plan is in actuarial review, and a Department of Regional and Community Affairs talk of a Title 29 re-write.

8.K. Lunch with a Council Member - Erickson

Council Member Erickson reported there was a lot of discussion on trails and invasive species.

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9. PUBLIC HEARING(S)

- 9.A. Ordinance 23-20(A), An Ordinance of the City Council of Homer, Alaska Appropriating Funds for the Fiscal Years 2024 and 2025 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, and Internal Services Funds. City Manager. Introduction April 10, 2023, Public Hearing April 24, May 8, and May 22, 2023, Second Reading postponed to May 22, 2023.

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

Mayor and Council Members engaged in discussion among themselves and with City Manager Dumouchel regarding the income side of the budget and projected sales tax. Talking points included:

- Past budgets being more conservative in spending and more focus on savings
- Development of income projections and what projections are based on
- Current projections appear to be conservative and a fair estimation of what we could expect to receive
- It cost the City a lot of money to move to a fiscal year budget
- Impacts of a major and unanticipated decrease in revenue will initiate difficult conversations on spending from the emergency fund that's been established and establishing what services the city can provide
- The spending floor that was created for the general fund
- Staffing
- Reducing small percentages of department budgets won't create a dramatic change in the overall budget
- Growing the fund balance

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 23-20(A) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no further discussion.

VOTE: YES: VENUTI, ERICKSON, ADERHOLD, LORD, DAVIS, HANSEN

Motion carried.

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

- 9.B. Ordinance 23-23, An Ordinance of the City Council of Homer, Alaska Appropriating the Funds for the Fiscal Years 2024 and 2025 Capital Budget. City Manager. Introduction April 24, 2023, Public Hearing May 8 and May 22, 2023, Second Reading May 22, 2023.

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

Mayor Castner announced the following motion is on the floor from the May 8th meeting and opened the floor for discussion:

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ADERHOLD/VENUTI MOVED TO AMEND THE CAPITAL BUDGET BY ADDING \$1 MILLION IN FY24 AND \$1 MILLION IN FY25 FOR A FUTURE RECREATION CENTER AND THE FUNDS COMING FROM THE GENERAL FUND UNASSIGNED FUND BALANCE.

Council Member Lord noted her concern with this is that she didn't believe there's enough in the unassigned fund balance available. City Manager Dumouchel confirmed that's the case unless Council intends to amend the emergency balance. She can't support this tonight but hopes they can look at it again at the mid-biennium if there is a surplus available then.

Council Member Aderhold noted she made this motion on behalf of the Mayor and supports putting funding away for the HERC, but the situation with the unassigned fund balance doesn't allow for it at this time, so she can't support the amendment unless it's a lower amount or comes from a different place.

Mayor Castner shared his concerns about not having full understanding of budget and no audit.

Council Member Davis referenced the investment information provided on page 5 of the laydown packet and suggested a portion of the interest revenue could be set aside for the HERC, once the amount is known.

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

Motion failed.

Mayor Castner announced the following motion is on the floor from the May 8th meeting and opened the floor for discussion:

ERICKSON/ADERHOLD MOVED TO REMOVE THE TRAILS DESIGN CRITERIA MANUAL UPDATE IN THE AMOUNT OF \$50,000.

Council Member Aderhold doesn't support the motion, she believes the City needs a current design criteria manual for trails and noted the memorandum from Economic Manager Engebretsen laying out the reasons for doing this work. She supports including this in the capital budget.

Council Member Erickson commented she's been involved in trails stuff and has the Borough and State trail regulations and designs on her computer, and ADA trail requirements can be found on the web, so she doesn't see the need to spend \$35,000 to \$50,000 for this work. She feels this amount could be amended to use a portion for something else.

ERICKSON/VENUTI MOVED TO AMEND THAT THE TRAILS MANUAL WOULD BE FOR \$1,000 AND THE OTHER \$49,000 WOULD GO TO PAY FOR A TRAIL AND THE TRAIL RECONSTRUCTION UP ADAMS.

Council Member Erickson described the current situation at Adams where it's narrow and steep and there are now houses in there. It's dangerous for kids to walk up there, particularly in the winter when trying to get to the bus stop. She's rather see the money used to have the road widened or a nice trail that gets them up by the horse park. She feels it's a life and death situation on that road.

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Council Member Aderhold thought they'd already put funding toward that sidewalk, and she doesn't think we can get much of a plan for \$1000. She asked if staff could explain why we need a design criteria manual for trails, how it's different from the Transportation Plan, and the question about Adams.

Public Works Director responded Resolution 22-075 awarded a contract to construct the Adams Lane bike path and it needs to be confirmed that funding is still available for that. Her understanding of the Trails Criteria Manual needs updating because of changes in requirements and to provide for public input on the plan.

Council Member Lord shared her support for having an updated design manual and noted the new criteria that's been added for developers requiring trails or sidewalks that need to be developed in a way that they'll be sustainable to maintain over the long term. This amendment is being funded by HART trails.

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

Motion failed.

Mayor Castner noted the ability to search ADA requirements for trails on line, he's not sure how they can rationalize spending the money, and he'll probably line item veto it if they approve it.

At the request of Council, Economic Development Manager Engebretsen explained there is a lot of interest for trails and when staff was asked to put together anticipated needs for the next two years, this project came to mind. The ADA Advisory Board is interested in trails and make them more accessible, we're in the middle of a Transportation Plan with active citizens who'd like to see more trails and maintenance. As a City we can't afford to do everything all the time. Her goal with the document is to help prioritize where we can build trails that will withhold the equipment to do winter maintenance, and identify where we can't provide that level of service. She pointed out the City has a road maintenance map that dictates based on road construction and maintenance needs, and we should be doing the same thing with our trails. We have approximately \$1 million in our trails fund and have been unable to build as many trails as we should be, so we either fix the process or rethink what we want to do with the money. She explained what work a consultant would typically provide in the process of developing the manual, and that it's not anticipated until 2024 so it could come back at the mid-biennium.

Council Member Erickson is unhappy because she was under the impression this would be part of the Transportation Plan, and now there's another plan.

City Manager Dumochel explained there are non-motorized transportation elements in the Transportation Plan. This is a design criteria manual which is implementation, not planning. Public Works Director Keiser elaborated on his comments with examples of components of the Transportation Plan, and components of a design criteria manual.

Council Member Lord acknowledged the benefit of staff addressing the scope of work and bringing this back at the mid-biennium review.

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

Motion carried.

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DAVIS/LORD MOVED TO AMEND THE CAPITAL BUDGET TO ADD \$6,000 FOR LANE DIVIDERS FOR WEST FAIRVIEW AND ERIC LANE.

Council Member Davis explained work is currently underway to expand and widen the western parts of West Fairview and connect it with Eric Lane and carry it over to West Hill. It will be a wide gravel road and he's concerned about people maintaining their speed on a wide road and about kids walking to and from school not being separated from traffic. This proposal is for installation of candles, or grabber tubes with a weighted base, that would separate the cars from the kids and make the drivable area more similar to what's there now. The candles can be removed and stored in the winter.

DAVIS/ADERHOLD MOVED TO AMEND THE AMENDMENT TO SPECIFY THE \$6,000 COMES FROM HART ROADS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There were comments supporting the safety effort.

VOTE: YES: DAVIS, HANSEN, ERICKSON, LORD, VENUTI, ADERHOLD

Motion carried.

ERICKSON/VENUTI MOVED THAT WE REDUCE THE COMPREHENSIVE PLAN REWRITE TO \$150,000 AS SUGGESTED BY MARY GRISWOLD AND THE OTHER 250,000 BE PUT TOWARD THE PURCHASE OF PROPERTY FOR THE PUBLIC WORKS PARKING LOT ABOVE THE TSUNAMI ZONE.

Council Member Erickson noted Ms. Griswold's letter and she agrees with her. The proposal is to use \$150,000 to hire a facilitator to help Council, Boards, and Commissions, and interested public develop our next version of the Comp Plan. Council Member Erickson added her concerns of investing in a Comp Plan now given all the unknowns of the harbor expansion.

Council Member Aderhold pointed out there's approximately \$900,000 in the land reserves and there's a property of interest that wouldn't use all that money. She learned at the harbor expansion study charrette, they'll be looking at a lot of our plans, including the Comp Plan, to help them understand potential impacts of the project. She doesn't feel the current Comp Plan is adequate for assessing potential impacts, both good and bad. The Comp Plan is scheduled for a year, then the zoning code to follow.

Council Member Lord doesn't support the amendment. She recalled Council's direction to staff, who came back with a package. If we want to spend less money we have to revise our vision and scope. When looking at development and how our zoning code helps or hinders things like housing, businesses and economic development, those things can't change substantively without amendments to our Comp Plan. It's a lot of money, but she hears from people about housing development, lot development, lack of places for people to live, number of vacation rentals, and building code and enforcement. It will be a hard to address those things if it's not done in a comprehensive way with community buy in. It would be great to know if we could do it for less dollars and how could we work comprehensively to refine our scope to get there.

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

Motion failed.

ADERHOLD/LORD MOVED TO REDUCE THE JACK GIST WATER SEWER EXTENSION PROJECT BY \$42,500 FROM HAWSP.

Council Member Aderhold explained this amendment takes in to account the \$42,500 expenditure from the capital budget with Ordinance 23-37 that was introduced with the adoption of the consent agenda.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

ADERHOLD/LORD MOVED TO POSTPONE ORDINANCE 23-23(A) TO OUR JUNE 12TH MEETING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 9.C. Ordinance 23-24, An Ordinance of the City Council of Homer, Alaska Amending the City of Homer Water and Sewer Rates and Updating the Fee Schedule Accordingly. City Manager/Finance Director. Introduction April 24, 2023, Public Hearing May 8, and May 22, and Second Reading postponed to May 22, 2023.

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

Mayor Castner announced the following motion is on the floor from the May 8th meeting and opened the floor for discussion:

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-34 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 9.D. Ordinance 23-25, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Total Transfer of \$438,315 to include \$200,000 from Water Capital Asset Repair and Maintenance Allowance (CARMA) Fund, and \$238,315 from Sewer CARMA Fund to

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Utility Operations Fund Fund Balance. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-25 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Council Member Lord commented briefly we funded the reserve account for specific projects through the rate model and not all the projects were done so the funds are being returned. She thinks in terms of the financial policies there is a floor and ceiling on water and sewer CARMA, and we'll have to keep an eye on those funds to make sure we're staying within that.

LORD/ADERHOLD MOVED TO AMEND LINE 28, 29, AND 43 TO REMOVED THE WORDS FUND BALANCE.

There were brief comments clarifying terminology.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion as amended.

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

Motion carried.

- 9.E. Ordinance 23-26, An Ordinance of the City Council Of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Transfer of \$500,000 from Port Reserves to Establish a Port Match Reserves. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-26 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- 9.F. Ordinance 23-27, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Operating Budget by Redirecting \$993,675 of the Port Reserves Transfer to Port Match Reserves. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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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 23-27 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- 9.G. Ordinance 23-28, An Ordinance of the City Council Of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Transfer of \$500,000 from Homer Accelerated Roads and Trails (HART) Roads to Establish a HART Roads Match Reserves. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-28 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- 9.H. Ordinance 23-29, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Transfer of \$500,000 from Homer Accelerated Roads and Trails (HART) Roads to Establish a Non-Motorized Transportation Opportunity Program within HART Roads. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-29 BY READING OF TITLE ONLY.

Council Member Lord commented she does not support this ordinance and the following ordinances 23-30 through 23-33 for the same reasoning. These are set asides, a process we went through before that seemed like a good idea at the time to create more fluidity. It's really not how public funds run, we have to be able track projects, have good communication between Public Works and Finance, and be reportable to Council. She appreciates staff coming back saying it was worth a try but not working out as planned. She supports roads, trails, and pest management, but she feels these ordinances are creating a layer of administrative burden that is too much. They create sub-funds and all these project have to come before them anyway. She'd like to see the HART roads and trails funds be spent through a broader financial plan with a list, similar to what they have with the fleet management plan. She has a problem with terminology used like account and program, and how those words are used interchangeably is confusing. She noted a reference in the Finance Director's memo that

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says the existing programs have been closed. Through ordinance Council created these funds, and she doesn't understand how those funds can be closed if it wasn't done by action of Council.

City Manager Dumouchel explained when developing the capital budget they stopped using the programs and he wouldn't approve any more spending from the programs until we get through the budget.

Council Member Lord reiterated her opposition to these ordinances and continuing to split things out and have different funds that she doesn't feel are being tracked very well. She does not oppose spending money off-cycle, it makes sense if they need to do a project.

Council Member Aderhold understands the concept of the ordinances because there have been statements at the table against spending outside the budgeting cycle. She doesn't agree with that because in her time on Council, we have passed spending ordinances throughout the year when we need to. It's great to plan through the budget cycle, but it's also necessary to spend outside of the budget cycle. She noted a recent conversation about Adams Lane and she wants to ensure there is money allocated somehow for that sidewalk project.

City Manager Dumouchel suggested making an amendment to add that project at the next reading.

Mayor Castner noted the 24/25 operating budget had a large transfer into HART road trails maintenance, and there is an ordinance that addresses putting a minimum into the fund. He shared his observation that they took \$400,000 from the savings account, 25% of the general fund annual budget, and put it into stuff. The money is gone and it will be hard to replace.

There were comments that it's okay for Council to spend outside of the budget, but the spending without context is a problem, and restating the need for to be a spending plan for HART roads and trails.

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

Motion failed.

- 9.I. Ordinance 23-30, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Transfer of \$100,000 from Homer Accelerated Roads and Trails (HART) Roads to Establish a Small Works Roads Maintenance Program within HART Roads. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 23-30 BY READING OF TITLE ONLY.

There was no discussion.

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

Motion failed.

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- 9.J. Ordinance 23-31, An Ordinance of the City Council Of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Transfer Of \$20,000 from Homer Accelerated Roads and Trails (HART) Roads to Establish a Small Works Pest Management Program within HART Roads. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

Mayor Castner opened the public hearing.

Public Works Director Keiser commented the project this ordinance speaks to was authorized in 2021 and Memo 21-167 describes the project. A contract was issued to the Homer Soil and Water Conservation District on the basis of that action. They've spent \$5,000 and there's \$20,000 left and this the money being used to finish the integrated pest management program and contribute to the chicken tractor.

There were no further comments and the hearing was closed.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 23-31 BY READING OF TITLE ONLY.

Council Member Lord asked for clarification on the appropriation.

City Manager Dumouchel explained this was allocated through an old version of a small works project. Since capital budget is postponed to the next meeting, he'll work with the finance director to clarify the funding.

There was further discussion regarding this funding and ensuring it's availability to continue with the contract.

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

Motion failed.

- 9.K. Ordinance 23-32, An Ordinance of the City Council Of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Transfer of \$100,000 from Homer Accelerated Roads and Trails (HART) Trails to Establish a Non-Motorized Transportation Opportunity Program within HART Trails. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-32 BY READING OF TITLE ONLY.

There was no discussion.

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

Motion failed.

- 9.L. Ordinance 23-33, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget by Authorizing a Transfer of \$100,000 from Homer Accelerated Roads and Trails (HART)

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Trails to Establish a Small Works Trails Maintenance Program within HART Trails. City Manager/Finance Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-33 BY READING OF TITLE ONLY.

There was no discussion.

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

Motion failed

- 9.M. Ordinance 23-34, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating an Additional \$26,383 from the Port Reserve Fund to Complete Work on the Rebuild of Crane #7 on Homer Fish Dock. City Manager/Port Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 23-34 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 9.N. Ordinance 23-35, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$110,000 from the Homer Accelerated Roads and Trails (HART) Roads Fund for a Non-Motorized Opportunity Project on West Fairview Avenue. City Manager/Public Works Director. Recommend Introduction May 8, 2023 Public Hearing and Second Reading May 22, 2023.

Mayor Castner opened the public hearing.

Public Works Director Keiser commented this is a real project that was originally contemplated and committed to be paid for out of the non-motorized transportation opportunity program. This pays for the widened shoulder on Fairview in relation to the Terra Bella Subdivision. That program also had the \$40,000 for Adams Lane. Design has been done for those projects under the previous authorization.

There were no other comments and the hearing was closed.

ADERHOLD/DAVIS MOVED TO ADOPT ORDINANCE 23-35 BY READING OF TITLE ONLY.

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Council Member Lord noted this is how the funding should work. There isn't a big pot of money to pull from and an ordinance comes before Council to authorize the specific project. She noted lines 13 through 27 presuppose the prior ordinances would pass.

LORD/ADERHOLD MOVED TO DELETE LINES 13 THROUGH 27.

It was noted those lines don't apply to this particular project.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion of the main motion as amended.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

10. ORDINANCE(S)

11. CITY MANAGER'S REPORT

11.A. City Manager's Report

City Manager Domouchel highlighted the USACE charrette and Water/Wastewater Treatment Superintendent Todd Cook received the Alaskan Water and Wastewater Management Association Large System Manager of the Year award. He also noted a potential executive session at their next meeting on a potential land purchase.

Council Member Lord congratulated Todd Cook and shared positive experiences working with him before she was on Council. She noted the IT plan update and shared that she does not support combining IT within the library.

12. PENDING BUSINESS

12.B. Resolution 23-048, A Resolution of the City Council of Homer, Alaska Amending the Water and Sewer Utility Financial and Rate Setting Policies and Utility Financial Plan. City Manager/Public Works Director.

Resolution 23-048(S), A Resolution of the City Council of Homer, Alaska Amending the Water and Sewer Utility Financial and Rate Setting Policies and Utility Financial Plan. City Manager/Public Works Director/Finance Director.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 23-048 BY READING OF TITLE ONLY.

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ADERHOLD/LORD MOVED TO SUBSTITUTE RESOLUTION 23-048(S) FOR 23-048.

There was no discussion on the motion to substitute.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

LORD/ADERHOLD MOVED TO AMEND LINE 101 TO READ EQUAL TO 15% OF BUDGETED WATER AND SEWER COSTS, SO IT'S INSERTING THE WORD BUDGETED.

There was no discussion on the amendment.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion on the main motion as amended.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

13. NEW BUSINESS

14. RESOLUTIONS

- 14.A. Resolution 23-053, A Resolution of the City Council of Homer, Alaska Awarding a Contract for 2023 Lawn Maintenance for Homer Public Library, Homer Police Department, Homer Education and Recreation Complex (HERC) and Two City Parks to a Firm to be Announced in an Amount to be Disclosed, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

Resolution 23-053(S), A Resolution of the City Council of Homer, Alaska Awarding a Contract for 2023 Lawn Maintenance for Homer Public Library, Homer Police Department, Homer Education and Recreation Complex (HERC) and Two City Parks to Overdorf Landscaping in the Amount of \$19,125 for the 2023 season, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 23-053 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO SUBSTITUTE RESOLUTION 23-053(S) FOR 23-053.

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There was no discussion on the motion to substitute.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no discussion.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- 6.F. Resolution 23-051, A Resolution of the City Council of Homer, Alaska Amending the Regular Meeting Schedule for the Planning Commission to One Meeting per Month. City Clerk.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 23-051 BY READING OF TITLE ONLY.

Council Member Erickson does not support this. She feels there is a lot of transition right now and would rather see meetings canceled if they aren't needed.

Council Member Aderhold noted the input from the current Planning Commission Chair and she appreciates his perspective regarding the pros and cons. He requested Council postpone and she agrees with that. He noted the perception of being pushed out, she does not consider Board and Commission members as "just volunteers" she recognizes all the work they do. Planning Commissioners meet as often as Council and are wrestling with difficult things at many of their meetings. She's in awe of what they do without compensation for attending meetings as Council does. For her, part of the consideration for meeting monthly is to reduce the burden on them to meet twice a month.

Council Member Venuti supports postponing, two of the Commissioners were absent when they voted.

Council Member Lord agrees this merits consideration because the more quality the Planning Commission has the better decision making they can do, and the more deliberation time and space they have isn't necessarily equated with more meetings. She noted the minutes of their considerate weren't included and she wants to see them when this comes back to Council. She'd also like to see the timelines regarding their processes.

ERICKSON/DAVIS MOVED THAT WE POSTPONE THIS AND REVISIT IT TO FIRST MEETING OF JANUARY 2024 GIVING THE PLANNING COMMISSION TIME TO THOROUGHLY GO THROUGH IT.

Council Member Aderhold feels that's a long time and suggested scheduling their joint meeting with the Planning Commission soon.

Council Member Erickson wants this time to allow for a new City Planner to get up to speed on processes.

LORD/ADERHOLD MOVED TO AMEND THE MEETING DATE TO THE FIRST MEETING IN AUGUST.

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Council Member Erickson suggested September, but no further amendment was proposed.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion on the motion to postpone.

VOTE (postponement): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

Brian Amos, city resident, expressed his strong concern regarding the habitual speeding traffic on Ben Walters, the safety for pedestrians on the road, and for kids playing at the park. He recommended reduced speed in critical zones, raising fines assessed against those caught speeding. He encouraged traffic calming measures like the speed humps placed on Ben Walters, like the ones on Bunnell, and visual cross walks in sections where services are provided.

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 Hansen thanked Mr. Amos for his comments.

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Council Member Erickson commented regarding opening ceremonies for Homer Little League, the Homer Serve the City Day, and a dangerous situation of some youth on e-bikes speeding on the bike trail on East End Road creating a dangerous situation.

Council Member Davis congratulated the Homer Chamber of Commerce on the Taste of Homer event, and shared about Low Mow May to keep the dandelions for the bees.

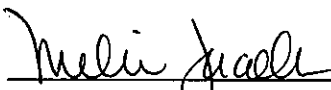
Council Member Aderhold said she saw the kids and clarified they were riding electric motorcycles, and agrees they are going to kill someone or themselves, it's disturbing. She commented regarding the recent Writers Conference and spoke very highly of Robin Wall Kimmerer's public reading. She was able to attend all three days of the USACE charrette, she was thrilled USACE did that much public engagement and showed they are taking this project seriously. They did a lot of listening and explaining processes, and she's excited to see what comes next.

Council Member Venuti said she also attended all three days of the charrette and was happy to see they were all Alaskans. She appreciated all the people who attended and came to understand this is the very beginning of a long process. She noted Mary Epperson-Day, shared history of Mary and what Homer Council on the Arts has planned in celebration. She also saw the kids going past Kachemak Way and agreed they created a very dangerous situation.

Council Member Lord encouraged people when they see unsafe behavior, non-motorized or not, to call the Police Department so concerns are reported and tracked. It's hard to take action when there are no complaints. She thanked Mr. Amos for staying tonight and for his comments. He's been in contact with her over the years regarding the speeding and because his advocacy she's pushed for Ben Walter's sidewalk construction.

21. ADJOURNMENT

There being no further business to come before the Council Mayor Castner adjourned the meeting at 10:00 p.m. The next Regular Meeting is Monday, June 12, 2023 at 6:00 p.m., Work Session at 4:00 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: 6.12.23