

Session 23-13 a Regular Meeting of the City Council of Homer, Alaska was called to order on June 12, 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, LORD, VENUTI

ABSENT: COUNCIL MEMBER HANSEN (excused)

STAFF: CITY MANAGER DUMOUCHEL
CITY CLERK JACOBSEN
PORT DIRECTOR HAWKINS
FINANCE DIRECTOR WALTON
ECONOMIC MANAGER ENGBRETSSEN
ACTING CITY PLANNER FOSTER
LIBRARY DIRECTOR BERRY
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 Regular Meeting Minutes **ANNOUNCEMENTS/ PRESENTATIONS/ REPORTS** Planning Commission written report **PUBLIC HEARING(S)** Ordinance 23-23(A), An Ordinance of the City Council of Homer, Alaska Appropriating the Funds for the Fiscal Years 2024 and 2025 Capital Budget. City Manager. General Fund Balance Chart and Capital Budget Memo Sheets as backup.

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 the appointment of Jim Lepley to ADA Advisory Board, and recognized new Board Member Cassidi Sorter.

- 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 May 22, 2023. City Clerk. Recommend adoption.
- 6.B. Appointment of James Lepley to the ADA Advisory Board. Mayor. Recommend approval.
- 6.C. Ordinance 23-38, An Emergency Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$35,000 from the General Fund Capital Asset Repair and Maintenance Allowance Fund (CARMA) for Emergency Repairs to the City Telephone System. City Manager. Recommend Introduction and Final Reading June 12, 2023.
- 6.D. Ordinance 23-39, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapters 2.40 Department of Port and Harbor, 2.64 Port and Harbor Advisory Commission, and 10.04 General Port and Harbor Provisions Updating References to Port Director and Harbormaster, and Commissioner Absences. City Manager/Port Director. Recommend Introduction June 12, 2023, Public Hearing and Second Reading June 26, 2023.
- 6.E. Ordinance 23-40, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Sections 21.12, Rural Residential District; 21.14 Urban Residential District; 21.18 Central Business District; 21.24 General Commercial 1 District; 21.26 General Commercial 2 District Regarding Conditional Uses in each District. Recommend Introduction June 12, 2023, Public Hearing and Second Reading June 26, 2023.

Item 6.E. moved to ordinances A. Aderhold

- 6.F. Resolution 23-054, A Resolution of the City Council of Homer, Alaska Awarding the Contract for 2023-2025 Public Works Gravel Supply Contract to Dibble Creek Rock, Ltd. of Anchor Point, Alaska and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.
- 6.G. Resolution 23-055, A Resolution of the City Council of Homer, Alaska Amending the Fee Schedule under Animal Shelter Fees. City Manager. Recommend adoption.
- 6.H. Resolution 23-056, A Resolution of the City Council of Homer, Alaska Amending the 2023 Regular Meeting Schedule for the Port and Harbor Advisory Commission. City Clerk. Recommend adoption.
- 6.I. Resolution 23-057, A Resolution of the City Council of Homer, Alaska Amending the Port and Harbor Advisory Commission Bylaws under Article V- City Staff Roles, Article VI – Meetings, VIII

– Committees and Regular Meeting Agenda. City Clerk. Recommend adoption.

- 6.J. Resolution 23-058, A Resolution of the City Council of Homer, Alaska Expressing Support for and Adopting the Homer Harbor Expansion Charter. City Manager. Recommend adoption.
- 6.K. Resolution 23-059, A Resolution of the City Council of Homer, Alaska Establishing a 2023 Mil Rate of 1 Mil for the Ocean Drive Loop Special Service District. City Manager. Recommend adoption.
- 6.L. Resolution 23-060, A Resolution of the City Council of Homer, Alaska Awarding a Task Order to Kinney Engineering in the Not to Exceed Amount of \$35,000 for Delivery of a Traffic Impact Analysis and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Acting City Planner. Recommend adoption.

Item 6.E. moved to ordinances A. Aderhold

City Clerk Jacobsen read the consent agenda and the 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

- 7.A. Legislative Update – Representative Sarah Vance (10 minutes)

Representative Sarah Vance reported on committees she's involved in and work that will be happening between sessions, and the potential for a special session in October for work on a fiscal plan for the State. She reviewed efforts by the House on the capital budget, status of Bills she was involved in, and highlights of the operating budget. She also reported the Commissioner of the Department of Transportation will be visiting and would like to meet with the City of Homer and Kachemak City regarding traffic concerns out East End Road.

- 7.B. Housing Report, Ryan Foster, Acting City Planner (10 minutes)

Acting City Planner Foster and Economic Development Advisory Chair Karin Marks reported on the Greater Homer Housing Conversation event recognizing community organizers, the purpose of the event, background and research, outreach efforts, report findings, thematic analysis, housing survey results, and next steps and resources. A copy of the presentation was included in the meeting packet.

- 7.C. Water/Waste Water Report - Todd Cook, Water/Wastewater Superintendent
(10 minutes)

This report will be rescheduled.

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

- 8.A. Special Meeting

Council Member Aderhold reported Council met and went into executive session to discuss a potential purchase of property for a future Public Works campus.

- 8.B. Work Session

City Manager Dumouchel reported the work session discussion was related to employee wages, recruitment, and retention. He and Personnel Director Browning responded to questions and they'll have follow up items for Council later this summer or in the fall on personnel topics.

- 8.C. Committee of the Whole

Council Member Aderhold reported Council discussed Ordinance 23-38, emergency repairs of the city phone system, Ordinance 23-40 related to changes to the zoning code regarding conditional use permits, Resolution 23-060 regarding a traffic impact analysis, Resolution 23-058 approving the Homer Harbor Expansion Project charter, and Ordinance 23-23 adopting the FY24/25 Capital Budget.

- 8.D. Mayor's Report

Mayor Castner reported the Kenai Peninsula Mayor's met in Soldotna and discussed several items that had common causes for the cities and the borough, including housing, and service area districts. He hopes to meet with Commission Chairs in the near future, he'll be working with the Clerk's office to schedule a meeting. He thanked Chairs who attend other Commission meetings because their input is valuable.

- 8.E. Borough Report

Borough Assembly Member Lane Chesley reported on the Assembly's adoption of Ordinance 2023-11(S) to reduce the Borough Planning Commissioner from 14 members to 9 members, and the map outlining the districts.

- 8.F. Planning Commission

- 8.G. Port & Harbor Advisory Commission

Port and Harbor Advisory Commissioner Bruce Friend reported at their May 24th meeting the had a report from the Kachemak Bay National Estuarine Research Reserve on their willingness to put forward previous habitat studies as an addition to the current studies happening with the Harbor Expansion Study. They also had a budget report and staff report, and a report from the Marine Trades Association. They updated their strategic

plan, discussed a business plan for the harbor, fleet management plan discussion, updated their bylaws and meeting schedule, and reviewed the draft Homer Harbor Expansion Charter and communication plan.

8.H. ADA Advisory Board

ADA Advisory Board Member Cassidi Sorter reported the Board discussed crosswalk awareness and safety, building regulations related to ADA accessibility, accessibility for business owners, and upcoming trail assessment.

9. PUBLIC HEARING(S)

- 9.A. 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. Introduction May 22, 2023 Public Hearing and Second Reading June 12, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-36 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Council Member Lord shared her excitement about progress happening for Bayview Park. She looks forward to a full comprehensive plan for all of our parks.

Council Member Venuti shared her appreciation of the partnership with South Peninsula Hospital regarding this grant.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- 9.B. Ordinance 23-23(A), 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 Postponed to June 12, 2023.

Ordinance 23-23(A-2)(S), An Ordinance of the City Council of Homer, Alaska Appropriating the Funds for the Fiscal Years 2024 and 2025 Capital Budget. City Manager.

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

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

ERICKSON/ADERHOLD MOVED TO REMOVE THE PERSONNEL REGULATIONS AND SALARY SCHEDULE OVERHAUL FOR \$75,000 AND RETURN FUNDS TO GENERAL FUND CARMA.

Council Member Aderhold shared her support for this motion following their discussion at their work session.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ADERHOLD/LORD MOVED TO AMEND THE CAPITAL BUDGET BY ADDING \$52,314, \$32,000 FROM HART ROADS AND 23,314 FROM HART TRAILS FOR BAYVIEW PARK RENOVATION ACCESSIBILITY PROJECT.

Council Member Aderhold noted this amendment is for matching funds that goes with Ordinance 23-36 that they just adopted.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was discussion regarding spending outside of the budget and clarifying the amended substitute ordinance provided in the packet has the correct amounts to date, but not amendments made tonight. There was disagreement expressed related to whereas clauses in the proposed substitute ordinance and no action was taken regarding the proposed substitute. They also addressed off budget spending and it was confirmed that if they postpone tonight an updated ordinance draft will come back at the next meeting.

ADERHOLD/ERICKSON MOVED TO POSTPONE ORDINANCE 23-23(A) AND ALL ITS VARIANTS TO THEIR JULY 24TH MEETING.

Council Member Erickson had suggested two work sessions and clarified the schedule of one June 19 and one June 26, with the intent of passing the budget on June 24th.

ADERHOLD/ERICKSON MOVED TO AMEND HER MOTION TO POSTPONE THE CAPITAL BUDGET TO THEIR NEXT MEETING AND HAVING WORK SESSION THE NEXT TWO MONDAYS.

There was no discussion on the amendment.

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.

- 9.C. 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. Introduction May 22, 2023 Public Hearing and Second Reading June 12, 2023.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 23-37 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

10. ORDINANCE(S)

- 10.A. Ordinance 23-40, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Sections 21.12, Rural Residential District; 21.14 Urban Residential District; 21.18 Central Business District; 21.24 General Commercial 1 District; 21.26 General Commercial 2 District Regarding Conditional Uses in each District. Recommend Introduction June 12, 2023, Public Hearing and Second Reading June 26, 2023.

ADERHOLD/VENUTI MOVED TO INTRODUCE ORDINANCE 23-40 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO POSTPONE ORDINANCE 23-40 TO THEIR AUGUST 28TH MEETING AND REFER THE ORDINANCE TO THE PLANNING COMMISSION AND ECONOMIC DEVELOPMENT ADVISORY COMMISSION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

11. CITY MANAGER'S REPORT

- 11.A. City Manager's Report

There were no additions to the report provided in the packet. Council Member Lord shared her appreciation for including a copy of the work session calendar with the report.

12. PENDING BUSINESS

13. NEW BUSINESS

14. RESOLUTIONS

- 14.A. Resolution 23-061, A Resolution of the City Council of Homer, Alaska Authorizing Reimbursement to Terra Bella for Accommodation of a Non-Motorized Transportation Facility in Conjunction with the Terra Bella Subdivision. City Manager/Public Works Director.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 23-061 BY READING OF TITLE ONLY.

City Manager Dumouchel explained this is a follow up action to the adoption of Ordinance 23-35 appropriating funds for a non-motorized transportation facility in the Terra Bella Subdivision.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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

Karin Marks, city resident, presented on behalf of the Homer Chamber of Commerce regarding the upcoming Peony Celebration.

Connie Isenhour, Kachemak City Mayor, commented regarding the recent water and sewer rate increase by the City and the intergovernmental agreement between Homer and Kachemak City.

Pat Case, city resident, commented regarding survey work he's doing related to ADA accessibility and disturbing results related to curb cuts at the intersection of Main Street and Pioneer Avenue. He requested when the sidewalk goes in down Main Street to the bottom that the curb cut be repaired.

16. COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

17. COMMENTS OF THE CITY CLERK

City Clerk Jacobsen announced openings on the Planning Commission.

18. COMMENTS OF THE CITY MANAGER

City Manager Dumouchel had no comments.

19. COMMENTS OF THE MAYOR

Mayor Castner commented regarding a public members comments at the last Port and Harbor Advisory Commission meeting regarding a violations of a lease, but they don't have authority to do anything. He questions how we get to a level where complaints are checked out and the attorney can act on behalf of the City. He hopes they can address enforcement soon.

20. COMMENTS OF THE CITY COUNCIL

Council Member Lord commented that in terms of complaints, it's an important step to know who the correct authority is. Regarding the concept of a fiscal plan for the State she hopes the Legislature is able to move forward on that in earnest because it requires a lot of different things. Something hitting home for her and people she knows is the 2 biggest line items hit in the State budget are K-12 education and health and human services. It's not just SNAP and Medicaid, but also basic service providing. From what she's found, there isn't an orthodontist who will see kids with Denali Kid Care south of Eagle River because of the unbelievable hoops they have to go through. If we want people to live here we have to have public services that are functional and stable. She hopes the Legislature does something. This year they passed the fewest bills ever.

Council Member Venuti she agrees that enforcement is important. Health care is important. She shared regarding scholarships and congratulated the community on awarding \$50,000 in scholarships through the Homer Foundation. She appreciates everyone who stands for higher education.

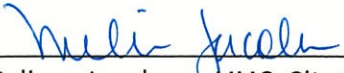
Council Member Aderhold wished everyone happy Solstice.

Council Member Davis supports clarifying the lines of authority when it comes to enforcement. His takeaway from being on the Planning Commission is the importance of being proactive from the beginning when a complaint is made. He commented regarding upcoming Solstice events hosted by the Chamber.

Council Member Erickson wished her husband Happy Anniversary.

21. ADJOURNMENT

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:55 p.m. The next Regular Meeting is Monday, June 26, 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: June 26, 2023