

Session 23-23 a Regular Meeting of the City Council of Homer, Alaska was called to order on November 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
PORT DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR KEISER
CHIEF TECHNOLOGY OFFICER JIRSA
CITY ATTORNEY GATTI

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

LORD/VENUTI MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Marie MacDougall commented in support of Ordinance 23-61 and sensible regulation of short term rentals.

Scott Adams, city resident, commented regarding Ordinance 23-61. He questioned who would enforce the regulations and questioned the permit fees.

RECONSIDERATION

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

Council Member Aderhold noted a potential conflict of interest that Holly Brennan, who's being appointed to the Economic Development Advisory Commission, is her step-daughter.

Mayor Castner responded there isn't any financial implication to the appointment and ruled there is no conflict of interest. There was no objection from Council.

- a. Homer City Council Unapproved Regular Meeting Minutes of October 23, 2023. City Clerk. Recommend adoption.
- b. Memorandum CC-23-253 from Mayor Castner re: Appointment of Daniel Hasche and Holly Brennan to the Economic Development Advisory Commission. Recommend approval.
- c. Ordinance 23-55, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating an FY 2023 State Homeland Security Program Grant in the Amount of \$88,196.56 from the Alaska Division of Homeland Security & Emergency Management (DHS&EM) to Upgrade Homer Volunteer Fire Department Portable Radios and Provide a Backup Repeater for the City's Public Safety Communications System, Authorizing a Sole Source Request to Contract with PROCOMM Alaska and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommended dates Introduction November 13, 2023 Public Hearing and Second Reading November 27, 2023.

Memorandum CC-23-255 from Police Chief as backup.

- d. Ordinance 23-56, An Ordinance of the City Council of Homer, Alaska Extending the Allocation for the Upgrade of the City's Microwave Wide Area Network through June 30, 2024. City Manager/Chief Technology Officer. Recommended dates Introduction November 13, 2023, Public Hearing and Second Reading November 27, 2023.

Memorandum CC-23-256 from Chief Technology Officer as backup.

- e. Ordinance 23-57, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating an Additional \$35,000 from the Water Capital Asset Repair and Maintenance Allowance Fund to Purchase One Membrane Filter Module for the Water Treatment Plant. City Manager/Public Works Director. Recommended dates Introduction November 13, 2023, Public Hearing and Second Reading November 27, 2023.

Memorandum CC-23-257 from Public Works Director as backup.

- f. Ordinance 23-58, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Accepting and Appropriating a Hazard Mitigation Grant Program Award in the Amount of \$2,109,033 from the Alaska Division of Homeland Security & Emergency Management (DHS&EM) to Replace the City's Raw Water Transmission Mains and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommended dates Introduction November 13, 2023 Public Hearing and Second Reading November 27, 2023.

Memorandum CC-23-258 from Special Projects & Communications Coordinator as backup.

- g. Ordinance 23-59, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Accepting and Appropriating a Hazard Mitigation Grant Program Award in the Amount of \$105,452 from the Alaska Division of Homeland Security & Emergency Management

(DHS&EM) to Reimburse City of Homer Costs Associated with Managing and Administering the DHS&EM Hazard Mitigation Grant 4413.001 1R and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommended dates Introduction November 13, 2023 Public Hearing and Second Reading November 27, 2023.

Memorandum CC-23-258 from Special Projects & Communications Coordinator as backup.

- h. Ordinance 23-60, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 7.04 to add new Section 7.04.015 Local Traffic Provisions and Amend Section 7.04.030 Traffic Fine Schedules. Lord. Recommended dates Introduction November 13, 2023, Public Hearing and Second Reading November 27, 2023.
- i. Ordinance 23-61, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 5 to add Chapter 5.48 Short Term Rentals. Aderhold/Davis. Recommended dates Introduction November 13, 2023, Refer to Planning Commission and Economic Development Commission, Public Hearing and Second Reading February 26, 2024.

Memorandum CC-23-260 from City Manager as backup.

Moved to Ordinances item a. Aderhold.

- j. Resolution 23-121, A Resolution of the City Council of Homer, Alaska in Support of Full Funding of \$7,644,677 for the State of Alaska Municipal Harbor Facility Grant Program in the FY 2025 State Capital Budget. City Manager/Port Director. Recommend adoption.
- k. Resolution 23-122, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Homer Animal Shelter Operation and Management Services to the firm of Homer Animal Services, LLC in the Amount of \$330,000, Transferring \$15,000 of Unencumbered Operating Funds, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption...

Memorandum CC-23-259 from City Clerk as backup.

Item i. moved to Ordinances item a. Aderhold.

LORD/ADERHÖLD MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA.

Council Member Lord noted a correction to Ordinance 23-60 that the title should include “to reduces speed limits on City cul-de-sacs to 15 mph”

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

VISITORS

- a. Chamber of Commerce Annual Report – Brad Anderson, Executive Director (10 minutes)

Brad Anderson, Executive Director, Mina Gherman, Marketing Director and Silas Firth, Membership Director presented regarding the Chambers upcoming community events and highlighted events for 2024, updates to the Homer Relocation Guide and Tourism Guide, social media statistics, marketing partners, tourism promotion, and the Chambers upcoming 75th anniversary.

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

- a. Special Meeting Report

City Manager Dumouchel reported that Council had an executive session on IT Data Security Strategies and Issues.

- b. Committee of the Whole Report

Council Member Lord reported Council heard a presentation about our Sister City relationship with Teshio, Hokkaido in Japan and the upcoming 40th anniversary celebration. Japanese Club students did a presentation to Council, led by Megumi Beams. Folks interested in being involved with the Sister City celebration can contact Library Director Dave Berry at the Homer Library, and the Japanese Club is looking for donations to purchase Taiko Drums for the students to play at the celebration.

- c. Mayor's Report

- i. Letter to Aaron Hunting, PE, AKDOT

Mayor Castner noted his letter in the packet and reported the Alaska Department of Transportation had reached out for additional information for the proposed underpass for the Diamond Creek Trail connection to other recreational land.

- d. Borough Report

- e. Planning Commission

- i. Planning Commission written report

Planning Commissioner David Schneider reported at their last meeting the Commission had a work session to discuss a Planning Commission Strategic Plan. At their regular meeting City Planner Foster reported on the status of Ordinance 23-21(S) and future work on the topic, and an upcoming Transportation Plan Steering Committee. They approved their 2024 meeting schedule.

- f. Port and Harbor Advisory Commission

PUBLIC HEARING(S)

- a. Ordinance 23-53, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Accepting \$66,650 from the State of Alaska Department of Corrections for Reimbursement for the Purchase of the Jail Van. City Manager/Police Chief. Introduction October 23, 2023 Public Hearing and Second Reading November 13, 2023.

Memorandum CC-23-238 from Police Chief as backup.

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 23-53 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There were brief comments of appreciation for the States assistance with this matter.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 23-54, An Ordinance of the City Council of Homer, Alaska Amending the FY24 Capital Budget by Appropriating \$15,000 from the Port Reserves Fund for Repair of the Deep Water Dock Sink Hole. City Manager/Port Director. Introduction October 23, 2023, Public Hearing and Second Reading November 13, 2023.

Memorandum CC-23-239 from Port Director as backup.

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 23-54 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

- i. Ordinance 23-61, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 5 to add Chapter 5.48 Short Term Rentals. Aderhold/Davis. Recommended dates Introduction November 13, 2023, Refer to Planning Commission and Economic Development Commission, Public Hearing and Second Reading February 26, 2024.

Memorandum CC-23-260 from City Manager as backup.

ADERHOLD/VENUTI MOVED TO INTRODUCE ORDINANCE 23-61 AND REFER THE ORDINANCE TO THE PLANNING COMMISSION AND ECONOMIC DEVELOPMENT ADVISORY COMMISSION.

Council Member Aderhold shared that she pulled this from the consent agenda for discussion and so their comments can be sent on to the Commissions. She shared the background that they've been talking about short term rentals (STR) since their last visioning session in March of 2022. They attempted to work with a company that would help locate the STR's around town, but it wasn't successful. This ordinance is a first step opportunity to get a sense of who's out there and have them receive a permit to operate, similar to what the food trucks have, so we know where they are and that they are collecting taxes due to the city, and to establish a fine structure for non-compliance. There's potential for follow on ordinances in the future, but this is a starting point for next year.

Council Member Lord looks forward to feedback from the Planning Commission and Economic Development Commission to hear their perspectives and also feedback they have based on public comments they receive. She noted this is Title 5 and City Manager Dumouchel added that there will need to be an amendment to Title 21 in the future. Council Member Lord also noted that the \$100 per day fee that a couple members of the public have referenced is in the fine schedule and only a per day fee if they are in violation of this section of code.

Council Member Venuti commented regarding enforcement and potential staff impacts. City Manager Dumouchel responded general permitting will be a function of Administration and any serious health and safety violations will be handled by the Police Department. He also shared about efforts for rebuilding capacity for Planning.

Mayor Castner commented briefly how this relates to business licenses.

VOTE (introduction): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

CITY MANAGER'S REPORT

a. City Manager's Report

City Manager Dumouchel noted his report in the packet and highlighted upcoming tsunami siren testing, council champion updates, parking and camping reporting, and the upcoming work session about.

They discussed the campground operating report and the feeling there's more to consider there. The campground also operates as a large vessel haul out, and there's tension with the competing interests between the enterprise and general fund. Council values both the campground and the haul out, and recognizes it wouldn't be unreasonable for the enterprise to proposing that the campground go away. It's a Council role to make the decision whether it's a campground or a haul out, and this could be a good opportunity for a work session with Port and Harbor to have the conversation.

b. Roads and Trails Financial Plans

Public Works Director Keiser reviewed proposed projects in the roads financial plan and trails financial plan which are intended to be used as budget planning documents, and responded to questions from Mayor and Council.

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum CC-23-254 from Council Members Lord and Hansen Re: Harbor Expansion General Investigation Continuation Resolution. (10 minutes)

There was brief discussion that this is provided as follow-up from discussion at their last meeting of the intent to bring back a resolution. The sponsors felt it would be most appropriate to bring it forward at the November 27th meeting when a full council is expected, and the intent of the resolution will be to support moving forward with funding and new development plan. The need for Council to work as a body and a team in conversations with federal and state partners and maintain positive relationships was also addressed.

This was provided as an informational item and no action was taken.

RESOLUTIONS

COMMENTS OF THE AUDIENCE

Scott Adams, city resident, recommended watching the video for the Port and Harbor Advisory Commission meeting regarding discussion on the campground and large vessel haul out. What they want is a budget to run things out there. He has concerns about eliminating camping. He commented about proposals for parking fees increasing to \$25 per day and eliminating the long term parking pass. He explained about his experience at a Florida beach where visitors could use a QR code displayed on signage instead of having to find a parking meter. He also commented about the continued lack of action for clean up at Mattox and East End Road.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen announced openings on the ADA Advisory Board and Parks Art Recreation and Culture Advisory Commission, and a Student Representative seat on the Port and Harbor Advisory Commission.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel commented the City is recruiting for Planning staff and Fire Fighters. Information is available on the City website.

COMMENTS OF THE MAYOR

Mayor Castner reiterated that 2024 is the 40th anniversary of the Sister City relationship between Teshio and Homer. He anticipates the Council will be making moves to make it a celebration. He also shared that he was called by a surveyor who's laying out the sewer line to Jack Gist Park, he's pleased that's happening before the ground freezes up.

COMMENTS OF THE CITY COUNCIL

Council Member Lord loved having the kids a Committee of the Whole and thanked Megumi Beams and all the families for helping get them here. She shared about her experience in Anchorage last week attending the Inter-Tribal Agriculture Council first Alaska Summit and the Alaska Food and Farm Festival. She noted Karen Sonnen, from Homer's Natural Resource Conservation Service office who's the only range land specialist in Alaska who presented on reindeer habitat at the summit, and the many Homer participants at the festival.

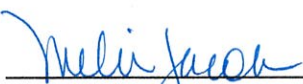
Council Member Venuti wished everyone happy Thanksgiving. She shared about the successful Empty Bowls fundraiser for the food pantry where they sold all of the 140 bowls donated by local potters and all the great soups that were donated.

Council Member Aderhold commented she was also in Anchorage last week but didn't bump into anyone from Homer, and she got the last bowl at the Empty Bowls event. She wished everyone happy Thanksgiving.

Council Member Hansen recalled the beginning of the Sister City relationship from when she was a kid, it was amazing. She announced the All Things Recovery bonfire planned at Bishops Beach and emphasized the importance of supporting our sober community and normalizing it.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:43 p.m. The next Regular Meeting is Monday, November 27, 2023 at 6:00 p.m., Work Session at 4:00 p.m. and Committee of the Whole at 5:00 p.m. All meetings are 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: November 27, 2023