

Session 21-21 a Regular Meeting of the Homer City Council was called to order on August 23, 2021 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, HANSEN-CAVASOS, LORD, SMITH, VENUTI

**STAFF:** CITY MANAGER DUMOUCHEL  
CITY CLERK JACOBSEN  
PORT DIRECTOR HAWKINS  
PUBLIC WORKS DIRECTOR KEISER  
CITY ATTORNEY GATTI

**AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

Mayor Castner noted the supplemental packet item

**ANNOUNCEMENTS/REPORTS/PRESENTATIONS** a written report from the Planning Commission.

LORD/ADERHOLD 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**

Larry Slone, city resident, commented on his own behalf, not in his role as task force, member, regarding the Public Works Campus Task Force report, to inform the public of elements he's not sure people are clear about. He referenced regarding what the task force was not tasked with related to broad tsunami response, and determining likelihood of risk. He reviewed the criteria the task force used to review actual risk and shared his view of those criteria.

Chris Logan expressed her support of Resolution 21-057(S).

### **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.)

- a. Homer City Council Unapproved Regular Meeting Minutes of August 9, 2021. City Clerk. Recommend adoption.
- b. Memorandum 21-143 from Mayor Castner Re: Reappointment of Syverine Betz to the Planning Commission and Appointment of Christine Thorsrud to the ADA Compliance Committee. Recommend approval.
- c. Memorandum 21-144 from City Manager Re: Donation of Former Council Dais to the City of Seldovia. Recommend approval.
- d. Ordinance 21-50, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 2.58 Boards and Commissions Regarding Teleconferencing, Attendance, Vacancies, Recording Clerk, Staff Reports and Recommendations, and Rules of Order. City Clerk. Recommended dates Introduction August 23, 2021 Public Hearing and Second Reading September 13, 2021

Memorandum 21-145 from City Clerk as backup

- e. Ordinance 21-51, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapters 6.16 Fee for Police Protection Services, 8.08 Itinerant Merchant, 8.11 Mobile Food Vendors, 11.20 Streets, Sidewalks, Driveway Construction, 13.12 Earthwork, 18.28 Tidelands, 19.08 Campgrounds, and 19.12 Excavation of Homer Spit Beach to Remove Fees and Replace with Reference to the City of Homer Fee Schedule, and Strike Outdated Language. City Clerk. Recommended dates Introduction August 23, 2021 Public Hearing and Second Reading September 13, 2021

Memorandum 21-146 from City Clerk as backup

City Clerk Jacobsen read the consent agenda with its recommendations.

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

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **VISITORS**

- a. COVID-19 Agency Update Derotha Ferraro, South Peninsula Hospital Director of Public Relations & Marketing and Lorne Carroll, State of Alaska Public Health Nurse III (10 minutes)

Lorne Carroll, State of Alaska Public Health Nurse III, reported on the recent full FDA approval of the COVID-19 Pfizer vaccine and reviewed current COVID risk status on the COVID-19 Statewide Dashboard. He addressed the statewide the alert level is that is high with greater than 100 cases per 100,000, and other COVID statistics to date. He also reported on the Capstone Testing that happened last week where 959 people were tested and 97 resulted positive. A copy of his power point was provided for the record.

Derotha Ferraro, South Peninsula Hospital (SPH) Director of Public Relations & Marketing, reported SPH gave 45 vaccines over the weekend and at SPH 69% of patient care employees and 66% of all employees are fully vaccinated. She explained vaccines aren't required to receive care for patients at the organization and is not currently required for employees. It's being discussed based on President Biden's announcement that all nursing homes will be required to require all their workers to be vaccinated against COVID-19 as a condition of participating in Medicare/Medicade program. No guidelines have been develop regarding the requirement and SPH is still learning about the details. She reviewed case counts over the last 14 days and information available on the hospital website. A copy of her power point was provided for the record.

- b. Alaska Municipal League (AML) Conference of Young Alaskans Report - Owen Meyer, Project Technician (5 minutes)

Owen Meyer, Public Works Project Technician, reported on his participation at the Conference of Young Alaskans (COYA) in Fairbanks during the AML Summer Conference. COYA brings together Alaskan's between the ages of 16 and 25 to brainstorm how to improve local government and draft policies to brighten the quality of life for all Alaskans. At the conference they met in small groups, each group was given an issue pertinent to local government to consider, and then drafted a resolution to present to the Mayor. He selected the group that worked on infrastructure and public utilities. The event helped to build civic engagement with the younger generation, helped build cross generational professional connections, and brainstorming events, like COYA, helps break cycles of political discourse by bringing an influx of fresh ideas.

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

- a. Committee of the Whole Report

City Manager Dumouchel reported on the 3:30 p.m. Special Meeting where Council, as Board of Adjustment, review an appeal of Planning Commission decision on Zoning Permit 1020-782. They supported a draft decision that will be distributed by the City Clerk. They also conducted interviews with two applicants for the seat vacated by former Councilmember Evensen and appointed Jason Davis. He was sworn in and will serve until the election in October. The remainder of the time was spent discussing the 2022-2027 draft Capital Improvement Plan (CIP) and FY 23 Legislative Priorities.

Councilmember Lord reported on the Committee of the Whole where Council discussed Ordinance 21-50 regarding boards and commissions, Resolutions 21-057 and 057(S) regarding the Bunnell Avenue/Charles Way Water and Sewer Special Assessment District, and continued discussion on the CIP and on the Storm Water Masterplan Project.

b. Mayor's Report

Mayor Castner reported the Alaska Conference of Mayors met and discussed where they stood on the permanent fund and its future. He thinks they've sided in the middle in that there needs to be some resolution to assurance of the permanent fund. Regarding the tsunami discussion, KBBI had planned to have a coffee table, but NOAA is in the midst of an internal review of the last event.

c. Borough Report

Kenai Peninsula Borough Assembly Member Lane Chesley reported the Assembly passed an ordinance accepting \$11,403,341 from the US Department of Treasury Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act of 2021. They are allocating \$2 million to revenue replacement to educational services, \$3.4 million in critical infrastructure projects, and \$6 million toward their solid waste leachate system rehabilitation project. Assembly Members Dunn and Bjorkman introduced a resolution encouraging all qualified residents to participate fully in the 2021 Kenai Peninsula Borough Elections, the full text is available on the Borough website.

d. Planning Commission

A written report was provided in the supplemental packet.

e. Economic Development Advisory Commission

Economic Development Advisory Commissioner Adele Person reported at their last meeting the Commission had a report from Peter Briggs of Corvus Design, the contractor for the Wayfinding and Streetscape Plan. The full report is in the EDC packet. It provides good information about what Wayfinding is and she encouraged listeners to look at it. Mr. Briggs presented some preliminary proposals and they discussed costs, durability, components that already exist in the community, lighting, and snow coverage. She noted there will be public comment opportunities at the upcoming meetings of the Port and Harbor Advisory Commission and Parks Art Recreation and Culture Advisory Commission, and at the Economic Development Advisory Commission worksession. She noted the public can also make comments through the City website. The Commission received an update from the Public Works Director on funding, Commissioner George Hall presented regarding seasonal housing and beginning conversation on ways we might solve that problem, and they made their recommendations regarding the CIP.

f. Parks Art Recreation and Culture Advisory Commission

Parks Art Recreation and Culture Advisory Commissioner Ingrid Harrald thanked Council for passing Ordinance 21-26(S) about wake zones, Resolution 21-053 and the beach policy, and for funding the part time recreation assistant in the budget. At their last meeting Deputy City Planner Engebretsen presented on the Wayfinding and Streetscape project and they had great discussion on it. They had a Community Recreation update with statistics and news that an internal Community Center/HERC working group has started. Regarding parks, camping has been variable this year with a lot of instate visitors, pay kiosks are in at Karen Hornaday and Mariner campgrounds, and the RV dumping stations and Fishing Hole, the Gary Thomas Memorial Bench is at WKFL Park and more benches going in at Bishop's Beach, End of the Road Park and the Fishing Hole, and the halfpipes are here and ready to be installed at the Skate Park. They had a presentation on the budget and are still hopeful on finding funding for restrooms and picnic tables. The Commission had a discussion about leashing pets on beaches and incentivizing positive behavior by having leashes available at the beaches. They're also working on revising their gift and donation policy, and there's an opening for a student representative on the Commission.

g. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee received some valuable training relative to taking ADA measurements on playground equipment and parks in general. Members and city staff are working on taking measurements at parks and trails around town.

h. Public Works Campus Task Force Final Report (10 minutes)

Deputy City Planner Julie Engebretsen and Task Force Member Charles Barnwell reported on the Task Force conclusions that there is risk to the Public Works campus under the worst case scenario in the event of an inundating tsunami, and that the campus is suffering from obsolescence due to growth and technological changes triggering the need for facilities planning and subsequent implementation. The Task Force recommends using a phased approach to address short term safety and long term space needs and that the Long Term Incremental Plan be adopted as best suited to address the final report findings and serve the needs of Homer.

**PUBLIC HEARING(S)**

- a. Ordinance 21-48, An Ordinance of the City Council of Homer, Alaska, Amending the FY22 Capital Budget by Appropriating Funds in the Amount of \$16,000 from the Port Reserves Fund for the Purpose of Installing Cost Saving Heating Upgrades for the Old Ferry Terminal and City Water Tank Storage Building Located at 4667 Homer Spit Road. City Manager/Port Director. Introduction August 9, 2021, Public Hearing and Second Reading August 23, 2021.

Memorandum 21-135 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 21-48 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 21-49, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Authorizing the Expenditure of an Additional \$139,502 for a Total Project Cost of \$392,695 from the Homer Accelerated Water and Sewer Program (HAWSP) to Complete the Alder Lane Water Improvement Project. City Manager/Public Works Director. Introduction August 9, 2021, Public Hearing and Second Reading August 23, 2021

Memorandum 21-147 from Public Works Director as backup  
Memorandum 21-136 from Public Works Director as backup

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

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 21-49 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Upon request of the Council, Public Works Director Keiser commented regarding the recommendation to vote the ordinance down to allow time to do some value engineering and then rebidding it the fall.

There were comments in support of the Public Works Director's recommendation.

VOTE: NO: LORD, ADERHOLD, DAVIS, HANSEN-CAVASOS, SMITH, VENUTI

Motion failed.

Mayor Castner called for a 10 minute recess at 7:31 p.m. and reconvened the meeting at 7:39 p.m.

## **ORDINANCE(S)**

### **CITY MANAGER'S REPORT**

a. City Manager's Report

City Manager Dumouchel reported that a group of internal stakeholders from administration, finance, public works, and the harbor are meeting to review and update finance policies and procedures. He'll provide updates as the team progresses. He explained staff did a facility safety training for City Hall with Sergeant Perry from the Police Department and he plans to conduct it at the other city buildings. He added he has staff working to put together information to do a worksession on the HERC in September. Lastly he reported on tightened COVID mitigation measures within City facilities that the risk assessment tool has been updated and is included in his report, and he met with SPH Leadership on how we can best collaborate on future operations outside of a declared emergency.

Councilmember Venuti suggested the meeting with the Lobbyists be held by Zoom due to the high case counts and them traveling from Juneau. She also suggested a letter to the school district in support of masking for students and staff.

Councilmember Lord shared her appreciation for the implementation of increased COVID mitigation for the City staff and facilities. She requested a copy of the City Attorney's memo regarding health powers. City Attorney Gatti commented briefly but deferred commenting until he could refresh his memory on the contents of the opinion provided last year. Council continued discussion related to masking, and challenges for businesses and school.

In response to a question about existing Assessments City Manager Dumouchel said he hopes to have a report for Council by the last meeting in September.

### **PENDING BUSINESS**

- a. Resolution 21-057, A Resolution of the City Council of Homer, Alaska Adopting the Recommendations of the Public Works Department Related to the Proposed Bunnell Avenue/Charles Way Special Assessment District. City Manager/Public Works Director.

Resolution 21-057(S), A Resolution of the City Council of Homer, Alaska Acknowledging the Sufficiency of the Bunnell Avenue/Charles Way Water and Sewer Improvement Special Assessment District and Approving the Improvement Plan, Estimated Cost of Improvement and Assessment Methodology. City Manager/Public Works Director

Memorandum 21-148 from Public Works Director as backup

Memorandum 21-140 from Public Works Director as backup

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 21-057 BY READING OF TITLE ONLY.

LORD/ADERHOLD MOVED TO SUBSTITUTE RESOLUTION 21-057(S) for 21-057.

There was no discussion on the motion to substitute.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Aderhold asked if property owners had been notified of the change in assessment methodology since some of the assessments have increased with the benefitted area methodology.

There was discussion that notice hasn't been mailed from the City to the property owners with the revised assessments. There isn't language in code that addresses notifying property owners or timelines to respond, but that it seems reasonable to do so. It was clarified that postponing to allow for notice wouldn't hold up build out as the district wouldn't be built out this year.

LORD/ADERHOLD MOVED TO POSTPONE TO THE SECOND MEETING IN OCTOBER.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **NEW BUSINESS**

### **RESOLUTIONS**

#### **COMMENTS OF THE AUDIENCE**

Larry Slone, city resident, commented in support of the letter asking the FAA and Department of Transportation to incorporate a noise impact study for negative of aircraft utilizing the airport and Beluga Lake. He hopes they continue to pursue it. He also suggested having a clock and timer for the public to see and a bigger screen behind the Council dais.

#### **COMMENTS OF THE CITY ATTORNEY**

City Attorney Gatti reiterated his comments from the last meeting regarding special assessments and that property benefitted, be it present or future benefit, is typically included in the assessment district.



### **COMMENTS OF THE CITY CLERK**

City Clerk Jacobsen commented that September 5<sup>th</sup> is the deadline to register to vote for the October 5<sup>th</sup> election. Voter registration is available on the State of Alaska website, the City Clerk's Office, and the Library. Applications are also available for voters who would like to vote by mail. She also announce advisory body openings.

### **COMMENTS OF THE CITY MANAGER**

City Manager Dumouchel had no comments.

### **COMMENTS OF THE MAYOR**

Mayor Castner encouraged high school students to apply to serve on one of the Commissions. It looks good on a resume and college applications, and it's an opportunity to learn about the processes that are employed in running a government.

### **COMMENTS OF THE CITY COUNCIL**

Councilmember Hansen-Cavasos had no comment.

Councilmember Venuti thanked Francie Roberts for offering to serve on the Council until the election, and welcomed Jason. She heard that an EMT from Homer was on their way to Haiti where help is desperately needed, it made her feel Homer proud. Classes are starting at the Kachemak Bay Campus and can be done in person, using Zoom, and through distance education. Classes started today and masks are required on campus. She took a drive down Lake Street it's going to look nice.

Councilmember Davis commented in appreciation of being appointed and he looks forward to serving for the next six weeks.

Councilmember Lord welcomed Jason, and agreed it was great to see Francie. She did a tremendous job serving on Council for a lot of years. School started last week and she wished the kids, teachers, staff, and homeschooler good luck this school year. In addition to school questions and masking concerns, she continues to receive concerned calls regarding traffic, speeding, and dangerous driving in neighborhoods and she continues to look toward administration to see what we can do in terms of traffic monitoring and getting a better handle on where problem spots are. She encouraged drivers to slow down in residential neighborhoods.

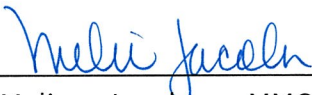
Councilmember Smith shared that it always amazes him that as small as Homer is there's a number of people who feel the need to be in a hurry to get almost next door. He welcomed Jason and thanked Francie for stepping forward. He acknowledged Peter Alfiche who's retiring

from the City's Ice Plant, he's grateful for his service and of other's who are leaving the City. He commented about the trooper who was shot earlier today and that the suspect is still at large and considered armed and dangerous.

Councilmember Aderhold said it's great to have six councilmembers again, she welcomed Councilmember Davis and thanked Francie for applying. She commented COVID and the delta variant has been hitting close to home. She recalled a memory from 25 years ago of a woman who was buried in an small avalanche and she was found in a seated position. If she'd done anything, like tried to swim, reached out or anything, she would have fallen out of the avalanche. It's a reminder we all have measures we can take for our own health and safety. She encouraged that at this point in time, with our hospital full and caregivers stretched to the max, that we take measures that work so get vaccinated, wear a mask, wash our hands, and social distance.

**ADJOURNMENT**

There being no further business to come before Council Mayor Castner adjourned the meeting at 8:37 p.m. The next Regular Meeting is Monday, September 13, 2021 at 6:00 p.m., Worksession 4:00 p.m. Committee of the Whole at 5:00 p.m. a Special meeting August 30, 2021 at 4:00 p.m. a Worksession September 9, 2021 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: September 13, 2021