

Session 22-15 a Regular Meeting of the City Council of Homer, Alaska was called to order on August 8, 2022 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-CAVASOS, LORD, VENUTI

**STAFF:** CITY MANAGER DUMOUCHEL  
CITY CLERK JACOBSEN  
FINANCE DIRECTOR WALTON  
PUBLIC WORKS DIRECTOR KEISER  
CITY PLANNER ABOUD  
NETWORK ADMINISTRATOR SULCZYNSKI

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

Mayor Castner announced the supplemental items: Under Announcements Reports and Presentations there is a written report from the Planning Commission. Under Public Hearings there is written public comment regarding Ordinance 22-38 Master Transportation Plan Update.

ADERHOLD/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**

Adele Person, city resident, commented regarding Resolution 22-062 regarding the West Fairview Path by sharing her appreciation for the consideration being given to some space for non-motorized transportation on this connection. She added her concern that a wider street will cause speeding and encourage future consideration for traffic calming as that area develops.

### **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 Special and Regular Meeting Minutes of July 25, 2022. City Clerk. Recommend adoption.
- b. Memorandum 22-129 from Mayor Castner Re: Reappointment of Christine Thorsrud to the Americans with Disabilities Act Compliance Committee. Recommend approval.

- c. Memorandum 22-130 from City Clerk Re: New Liquor License for Boatyard Cafe. Recommend approval.
- d. Ordinance 22-43, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing the Expenditure of \$51,000 from the Sewer Capital Asset Repair and Maintenance Allowance Fund to Acquire Three Aerators for the Solids Retention Pond. City Manager/Public Works Director. Recommended dates Introduction August 8, 2022, Public Hearing and Second Reading August, 22. 2022.

Memorandum 22-131 from Public Works Director as backup.

- e. Ordinance 22-44, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating a State of Alaska Public Library Assistance Grant for FY23 in the amount of \$7,000 for Books and Library Materials. City Manager/Library Director. Recommended dates Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.
- f. Ordinance 22-45, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$126,917 from the Homer Education and Recreation Complex (HERC) Capital Asset Repair and Maintenance Allowance (CARMA) Fund and \$26,083 from the General Fund CARMA Fund to Demolish the Smaller Old School Building known as HERC 2. Mayor. Recommended dates Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-132 from Economic Development Manager as backup.

- g. Ordinance 22-46, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$27,823 from the General Fund Capital Asset Repair and Maintenance Allowance Fund to Purchase Patrol Equipment for the Homer Police Department. City Manager/Police Chief. Recommended dates Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-133 from Police Chief as backup.

- h. Ordinance 22-47, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing Pass Through Funds for the State of Alaska Pioneer Dock Fender Repair Project. City Manager/Public Works Director. Recommended dates Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-134 from Public Works Director as backup.

- i. Resolution 22-060, A Resolution of the City Council of Homer, Alaska Approving Amendment Two of City Manager Robert Dumouchel II's Contract for the Purpose of Extending Contract Term and Updating Benefits with an Effective Date of August 1, 2022. Mayor/City Council. Recommend adoption.

- j. Resolution 22-061, A Resolution of the City Council of Homer, Alaska Authorizing a Task Order to HDR Engineering for Federal Infrastructure Investment and Jobs Act (IIJA) Grant Advisory Services and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 22-136 from Special Projects & Communications Coordinator as backup.

- k. Resolution 22-062, A Resolution of the City Council of Homer, Alaska Awarding a Contract to Arno Construction in the Not to Exceed Amount of \$60,868 for the Construction of the West Fairview Avenue (Eric Lane) Path and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager Recommend adoption.

Memorandum 22-136 from Public Works Director as backup.

City Clerk Jacobsen read the consent agenda and 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.

## VISITORS

- a. Legislative Update - Senator Gary Stevens (15 minutes)

Senator Stevens introduced his wife Rita. He thanked the staff members he met with earlier regarding the large boat harbor funding. He also noted the erosion happening on the spit and that it should be a consideration when looking at funding coastal erosion. He shared some legislative successes he was involved with this legislative session including the \$750,000 toward the harbor expansion project, the permanent fund did exceptionally well, noting a portion of that funds the State's budget, and oil prices up this year that helps as well. They were able to approve a \$3200 permanent fund dividend this year. He had 8 bills pass this year related to the fishing industry, K-12 funding, and the University of Alaska. He also noted Kodiak got a new fire hall and shared that areas in a district have to take turns with projects being funded. His district now consists of Homer, Kodiak, Seward, Cordova, and Seldovia and we have to make sure everyone is treated well, and he looks forward to the harbor expansion project moving forward. He commented briefly regarding fisheries, explaining the legislature isn't involved in the appropriation of fisheries, that's developed by Fish and Game.

He responded to questions from Mayor and Council regarding matching funding for the infrastructure grants, UAA funding, and the Alaskan Constitutional Convention.

- b. COVID-19 Agency Update Derotha Ferraro, South Peninsula Hospital Public Information Officer (10 minutes)

Derotha Ferraro reported on South Peninsula Hospital testing and emergency room visits, vaccination and treatment information, and visitation guidance for the hospital.

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

a. Worksession Report

City Manager Dumouchel reported on Council's discussion of water and sewer rates.

b. Committee of the Whole Report

Council Member Aderhold reported Council discussed Ordinance 22-45, funding HERC 2 demolition, Ordinance 22-38, funding a Master Transportation Plan update and Resolution 22-062, West Fairview Path. They also discussed the Council Chamber audio and video system with Library Director Berry.

c. Mayor's Report

Mayor Castner commented regarding expectations of the federal government for the City to qualify for infrastructure money, which will be a 65%/35% match. \$300,000 has been tentatively inserted to start the study, so we need to prepare and figure out how the port is going to sustain itself as it exists and how to transition during the construction period to support the empty period.

d. Borough Report

e. Planning Commission

A written report was provided in the supplemental packet.

**PUBLIC HEARING(S)**

- a. Ordinance 22-37, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget and Appropriating \$100,000 from the Water Capital Asset Repair and Maintenance Allowance Fund for a Fire Hydrant Replacement Program. City Manager/Public Works Director. Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-123 from Public Works Director as backup.

Mayor Castner opened the public hearing.

Heath Smith, city resident, commented regarding his time on Council and researching fire hydrant maintenance. He questioned fire hydrant built in obsolescence, which appears to be the issue, how money is spent to prolong their life, and what goes into the decision making to replace them.

There were no further comments and the hearing was closed.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-37 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

At the request of Council, Public Works Director Keiser explained the city has multiple hundreds of hydrants, many of which are 25 to 30 years old. A hydrant is essentially a water faucet made with a cast body and a lot of parts. The parts become corroded and rust over time, our soils and ground water have a lot of acid in them and are corrosive. Public Works does perform preventative maintenance including flushing and lubricating, but they get old and break, and need to be replaced at times.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 22-38, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget and Appropriating \$185,368 from the Homer Accelerated Roads and Trails Fund for the Master Transportation Plan Update. City Manager/Public Works Director. Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-124 from Public Works Director as backup.

Mayor Castner opened the public hearing.

Adele Person, city resident, commented in support of Ordinance 22-38 and asked that Council consider how this plan has to inform the Comprehensive Plan, as well as the other way around. She'd like to see it develop so we have public input moments to develop a bigger vision of how the two plans grow together, and what the transportation plan is serving.

Heath Smith, city resident, commented that \$185,000 is a lot of money. He agrees the plan needs updating, the last plan was for 20 years and the relevance of it dissipated over time. He'd like Council to make sure whatever we do remains relevant for the period of time the planning is being done for.

Brad Parsons, city resident, commented in support of Ordinance 22-38, noted written testimony in the packet, and shared regarding people first transportation. He recommends looking at roads and streets through the perspective of all users, starting with pedestrians and our most vulnerable citizens. He also addressed removing double yellow center-lines in neighborhood streets. From a people first perspective they embolden drivers to claim the space as their own, signal to pedestrians that they don't belong there, and make neighborhoods less safe.

There were no further comments and the hearing was closed.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 22-39 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Council Members shared comments in support of the ordinance. It was suggested that attention needs to be given to snow removal and ice that come along with our winters. Ebikes and consideration of charging stations is another area to consider, as well as downtown public parking and paid parking. Regarding the public input piece, a lot of times open-houses aren't well attended or people don't know what to do with the information, so consider ways to improve on those.

There was agreement with the public comment regarding how far into the future we can reasonably project. Ideas from the community are really interesting and staff is on board with taking consideration from the citizens. It was requested that Council and Commission are provided updates along the way. Open houses are an important tenant of community engagement, and a number of consultants have developed tools for online participation.

The direction this is taking is encouraging. A transportation plan is not only about getting people through town, but also about the people who live in town and it should be able to maintain community cohesion.

The last points raised were that types of roads we're building shouldn't be forgotten. The plan should identify if roads are connectors, feeders, neighborhood, etc. The Planning Commission is keyed on the document to help dictate zoning, and how roads are designed to reflect the zoning. Sequencing is important and we have to remember that infrastructure has to be in place first.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 22-39, An Ordinance of the City Council of Homer, Alaska Appropriating \$125,000 from the FY23 Capital Budget General Fund Capital Asset Repair and Maintenance Allowance Fund for Professional and Technical Assistance to Support Development and Submission of Infrastructure Investment and Jobs Act Grant Applications. City Manager. Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-125 from Special Projects Coordinator as backup.

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

ADERHOLD/ERICKSON MOVED TO ADOPT ORDINANCE 22-39 BY READING OF TITLE ONLY.

There were comments in support of this ordinance. The City is lucky to have an excellent grant writer in house and leveraging that with additional help with federal granting has the potential for the return on investment to be high.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- d. Ordinance 22-40, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 11 by Adding Chapter 11.37 Prohibiting Obstructions and Encroachments in City Rights-of-Way and Easements. City Manager/Public Works Director. Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-126 from Public Works Director as backup.

Mayor Castner opened the public hearing.

Heath Smith, city resident, commented regarding challenges he's had with shoveling his driveway in town and having it plowed back in by City plows. The language of the ordinance causes him consternation about what to do with the snow when this happens.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-40 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

At the request of Council, Public Works Director Keiser explained the operators who plow in the winter share complaints about the difficulties of dealing with the roads when there are things in them, it creates a safety hazard to passers-by and to the equipment operators. There are also issues with property owners who have junk in the rights-of-way, in addition to commercial operators who clear parking lots and push the snow into the streets. She understands the perspective shared by Mr. Smith, as the city, when we have heavy snows their priority is keeping roads open for emergency vehicles and people to be able to get back and forth to work, and so forth, and then as time allows they can get back out and do more clean up.

There was further discussion regarding enforcement, which Public Works Director Keiser explained would be coordinated between Public Works and the Police Department.

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

Motion carried.

- e. Ordinance 22-41, An Ordinance of the City Council of Homer, Alaska Accepting the Vacation and Dedication of Parklands on Spruceview Avenue. City Manager/City Planner. Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-127 from City Planner as backup.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 22-41 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

## **ORDINANCE(S)**

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

- a. City Manager's Report

City Manager Dumouchel highlighted that funds to support the large vessel harbor expansions general investigation are in the federal draft budget, and an update to our community jail contract with the

State. There are code updates in the works related to the zoning code and building code, and also Comp Plan updates. He appreciates the approval of funding for the Master Transportation Plan that ties into the work being done.

**PENDING BUSINESS**

**NEW BUSINESS**

**RESOLUTIONS**

**COMMENTS OF THE AUDIENCE**

Adele Person, city resident, provided an update on the work by Homer Drawdown related to non-motorized transportation.

Joe Fletcher commented to Council regarding hazards of fluoride in municipal water systems.

Heath Smith, city resident, commented regarding Senator Steven's visit and noted that during his tenure on Council he's not sure if they ever received a post session report from the Senator and he questions the motivation behind that. He shared his concerns about legislative funding for the Port of Nome and Port of Anchorage as compared to the City's port expansion project.

Matt Shadle, city resident, commented that during his time on Council the East Harbor expansion was their number one capital improvement project and the City should stay focused on that. If it's built they will come, in addition to all the related jobs. He also noted Senator Steven's comment regarding fisheries and explained there is a lot they can do to promote fisheries, and also he feels a lot of the Senator's supporters also support the trawl fleet.

Deb Lowney, city resident, shared her support of Ordinance 22-38 and encouraged focusing on all modes of transportation, including people first transportation; and also in support of Ordinance 22-40 that addresses keeping rights-of-way cleared related to snow removal and for movement along those areas. She noted the Wright and Lee Street paths that have been cleared and developed, she's concerned about the City's ability to control their availability to the non-motorized user.

Derotha Ferraro, SPH Public Information Officer, commented in response to the Mayor's earlier question regarding COVID symptoms, and at this time a majority of people are reporting upper respiratory symptoms. They are still seeing the more classic symptoms as well.

**COMMENTS OF THE CITY ATTORNEY**

Attorney Gatti shared he's working on matters related to the HERC activities.

**COMMENTS OF THE CITY CLERK**

City Clerk Jacobsen commented regarding an opening on the ADA Compliance Committee and election information.

**COMMENTS OF THE CITY MANAGER**



City Manager Dumouchel had no comments.

**COMMENTS OF THE MAYOR**

Mayor Castner commented how busy the City is and a majority of the things that are underway will chart the course for the 10 or 20 years. He explained it isn't just with Council but also at the Board and Commission level. He encouraged people to be engaged in helping figure some of this stuff out.

**COMMENTS OF THE CITY COUNCIL**

Council Member Aderhold commented she is headed to Sitka for the Alaska Municipal League (AML) Summer Conference, shared appreciation that State DOT has done some sweeping along Kachemak Drive, and encouraged everyone to vote.

Council Member Hansen-Cavasos had no comment.

Council Member Davis shared that school starts next week and encourage folks to be aware. As liaison to the Chamber of Commerce he shared that the Peony Festival went well and the Peony Co-op is planning a pop up later this week, and that there are a couple weeks left on the truck raffle, tickets are available on line at [homer.alaska.org](http://homer.alaska.org).

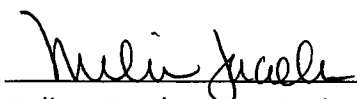
Council Member Erickson commented regarding Homer Police Department public service announcements as positive outreach to the community.

Council Member Venuti encouraged that folks under the influence not to get in a car and call a cab or a friend, encouraged voters to get out and vote, and wished the Coast Guard happy birthday on August 4<sup>th</sup> and recognized the support they give our maritime community. She thanked Council Member Aderhold and the City Manager for going to the AML conference, reminded listeners that COVID has not gone away, please use safety precautions when in a group of people, and welcomed Charlie Menke to the Homer News staff.

Council Member Lord reiterated school starting next week and wished her oldest daughter Sadie happy 9<sup>th</sup> birthday next week.

**ADJOURN**

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:57 p.m. The next Regular Meeting is Monday, August 22, 2022 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.

  
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Melissa Jacobsen, MMC, City Clerk

Approved: August 22, 2022

