

Session 22-16 a Regular Meeting of the City Council of Homer, Alaska was called to order on August 22, 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
POLICE CHIEF ROBL
FINANCE DIRECTOR WALTON
PUBLIC WORKS DIRECTOR KEISER
CITY PLANNER ABOUD
ECONOMIC MANAGER ENGBRETSSEN
LIBRARY DIRECTOR BERRY
NETWORK ADMINISTRATOR SULCZYNSKI
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 announced supplemental items and agenda changes: Under Consent Agenda the August 8th regular meeting minutes are included in the supplemental packet. Under new business the agenda is amended to take up the executive session following councilmember comments.

ADERHOLD/VENUTI MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Ginny Espenshade, city resident, registered her concern that tonight and at the July 25th and August 8th, incumbent legislators running for election being given 10 minute of the meeting time for legislative reports months after the session has adjourned. This invites misuse of city resources if they cross the line between reporting and campaigning. She urged Council to consider a policy regarding limiting legislative reporting by discontinuing them a number of weeks after session adjournment or before the election.

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 8, 2022. City Clerk. Recommend adoption.
- b. Ordinance 22-48, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 3 by Adding Chapter 3.15 Homer Accelerated Water and Sewer Program (HAWSP) Fund Codifying the Establishment of the HAWSP Fund and Related Matters. City Manager. Recommended dates Introduction August 22, 2022, Public Hearing and Second Reading September 12, 2022.

Memorandum 22-137 from City Manager as backup.

- c. Ordinance 22-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 18.08 City Property Leases to Clarify General Lease Management Procedures and Related Matters. City Manager/City Clerk. Recommended dates Introduction August 22, 2022, Public Hearing and Second Reading September 12, 2022.

Memorandum 22-138 from City Clerk as backup.

- d. Ordinance 22-50, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating an Alaska State Library Interlibrary Cooperation Grant in the Amount of \$8,058 to Purchase a Microfilm Reader for the Homer Library. City Manager/Library Director. Recommended dates, Introduction August 22, 2022 Public Hearing and Second Reading September 12, 2022.

Memorandum 22-139 from Library Director as backup.

- e. Ordinance 22-51, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating the FY22 State of Alaska Community Assistance Program Payment in the Amount of \$98,714.98 to the General Fund Capital Asset Repair and Maintenance Allowance (CARMA) Fund for ADA Improvements. City Manager. Recommended dates, Introduction August 22, 2022 Public Hearing and Second Reading September 12, 2022.

Memorandum 22-142 from City Manager as backup.

City Clerk Jacobsen read the consent agenda and recommendations.

ADERHOLD/ERICKSON 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 - Lorne Carroll, State of Alaska Public Health Nurse III (10 minutes)

Lorne Carroll reported on information from the State's dashboard regarding confirmed COVID-19 cases in Alaska, Kenai Peninsula Borough COVID-19 community levels, hospital capacity statewide, daily confirmed case rates in the US compared to the UK, Omicron variant prevalence, vaccination and booster information, and an update on Monkeypox.

In response to a question Mr. Carroll briefly addressed polio and polio vaccines.

- b. Legislative Update - Representative Sarah Vance (10 minutes)

Representative Vance commented regarding transportation related to roads, trails, and the ferry. She touched on the Marine Highway Operations Board meetings and work toward establishing a winter ferry schedule, her meeting with AKDOT Commissioner Anderson during his visit to Homer, her participation on a Transportation Working Group, and her work regarding human trafficking.

Council Member Lord acknowledged Ms. Espenshade and other comments she's received, and commented regarding the legislative session ending, Representative Vance's 2021 reporting to Council and recent attendance, and that the DOT Commissioner also met with key City staff and information is in the City Manager's report. She'd like to see legislative updates be limited to occur during the legislative sessions. The appearance of propriety is important.

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

- a. Worksession Report

City Manager Dumouchel reported on the worksession discussion of water and sewer rates.

- b. Committee of the Whole Report

Council Member Aderhold reported Council had a presentation from Recreation Manager Mike Illg and discussed the Community Recreation program and staffing.

c. Mayor's Report

Mayor Castner shared regarding his 10 day trip driving his electric vehicle from Homer to the North Slope and back, with nine other electric vehicles.

d. Borough Report

Kenai Peninsula Borough Assembly Member Lane Chesley reported the Borough awarded phase II of the Homer High School Roof Replacement Project to the same company that did the first phase, most of the work is expected to be completed in spring of 2023. He addressed discussions at the Borough regarding Homer's Green Infrastructure Project and with the City regarding eight parcels of land on Kachemak Drive. He was informed the City has received their commercial appraisals on the borough land and the Borough is still waiting on their commercial appraisal on the city land under the hospital. On their upcoming agenda the Assembly will address the appropriation of the passenger vessel tax proceeds. He offered to share a presentation Sales and Property Tax Analysis Presentation by Brandi Harbaugh, Council agreed they'd like to have the presentation at a Council meeting or worksession.

e. Planning Commission

Planning Commissioner Mike Stark reported on the Commission's work at their last meeting regarding Ordinance 22-42, amending code regarding sidewalks. They prepared their list of top three 2023-2028 Capital Improvement Projects, and the continued their review of conditional uses in the different zoning categories.

f. Library Advisory Board

Library Advisory Board President Kate Finn reported at their last meeting they addressed the Boards position related to the City Manager's reorganization plan for Library and IT and their non-support of the plan. They also discussed the Boards process regarding patron complaints on library collection materials, budget considerations for FY24/25, and the Friends of the Library Western Lot Project. She also commented about library services related to community recreation.

g. Parks Art Recreation and Culture Advisory Commission (PARCAC)

PARCAC Commissioner Deb Lowney gave a report as the PARCAC representative for Homer Drawdown and their work on connector trails. At the Commission's last meeting they heard reports from staff regarding ongoing work in the city related to parks and trails. She reported on the Commission work on recommendations for the 2023-28 Capital Improvement Plan, code amendments regarding restraint of animals in specific areas, Ben Walters Lane Sidewalk, a Skate Park mural, a donation of artwork, sidewalk and trail maintenance, Hornaday Park entrance, and Ordinance 22-42, amending code regarding sidewalks.

h. Americans with Disabilities Act Compliance Committee

Council Member Aderhold reported the Committee held a special meeting and made their recommendations for the 2023-28 Capital Improvement Plan and proposed a new project for the plan. They also discussed and approved a recommendation to change the committee to the ADA Compliance Board.

i. AML Summer Conference Travel Report - Council Member Aderhold

Council Member Aderhold shared that she'll have her report ready for their next meeting.

PUBLIC HEARING(S)

- a. 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. Introduction August 8, 2022, Public Hearing and Second Reading August, 22. 2022.

Memorandum 22-131 from Public Works Director as backup.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 22-43 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. 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. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

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

VENUTI/LORD MOVED TO ADOPT ORDINANCE 22-44 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. 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. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-132 from Economic Development Manager as backup.

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

ADERHOLD/ERICKSON MOVED TO ADOPT ORDINANCE 22-45 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Mayor Castner note the building has been there for a long time and he's glad they're taking action to bring it down.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- d. 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. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-133 from Police Chief as backup.

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

VENUTI/ERICKSON MOVED TO ADOPT ORDINANCE 22-46 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- e. 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. Introduction August 8, 2022 Public Hearing and Second Reading August 22, 2022.

Memorandum 22-134 from Public Works Director as backup.

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

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 22-47 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 noted his report in the packet and commented regarding his attendance at the AML Summer Conference in Sitka, AK. He reminded them the conference will be held in Homer next summer and the City and Council is responsible for hosting a reception. He touched on the quarterly finance report and noted the 4th quarter sale tax report isn't available yet from the Borough, work on the Master Transpiration Plan, and curb work on the Main Street Sidewalk Project.

Council Member Erickson acknowledge the People First transportation input they've received and shared the importance of remembering the challenges of moving goods and services through town, particularly in the winter time. It needs to remain a priority.

Mayor Castner requested the 4th quarter sales tax report be provided as it comes from the Borough with all the breakdowns, and asked for an audit update. City Manager Dumouchel shared the internal audit schedule is developed and staff is working with the audit team to coordinate information.

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 22-141 from City Clerk re: Request for Executive Session Pursuant to AS 44.62.310 (C)(1 & 3) Matters, the Immediate Knowledge of Which would Clearly have an Adverse Effect upon the Finances of the Government Unit, Pending Litigation, and Attorney/Client Privilege. (VanZant et al vs City of Homer 3HO-20-00251 CI)

The agenda was amended and council will take this up after council comments.

RESOLUTIONS

- a. Resolution 22-063, A Resolution of the City Council of Homer, Alaska Supporting the Kenai Peninsula Borough's Application for a Safe Streets and Roads for All (SS4A) Action Plan Grant and Authorizing the City of Homer to be Included as a Joint Applicant. City Manager. Recommend adoption.

Memorandum 22-140 from Special Projects Coordinator as backup.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 22-063 BY READING OF TITLE ONLY.

There were brief comments in support of the resolution. It's important to be a good partner, leverage resources, and work well with others to make good decisions that benefit our community.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

COMMENTS OF THE AUDIENCE

Kate Finn, city resident, noted the importance of everything that came up tonight. She thanked Representative Vance for her work related to human trafficking. She commented community concern about our youth and recommended the Council consider a Youth Advisory Board for the City. She agrees with the importance of transportation, but a top priority in her mind is concerning drug use, it's the elephant in the room for our youth and adults, and resources to help people access the help they need.

Ginny Espenshade, city resident, shared that other cities have Youth Advisory Boards and she has resources she'd be happy to share and help develop a Youth Advisory Board. Giving the kids their table and meeting time, they're empowered and you'd be amazed at what they can come up with. Regarding the HERC 2 demolition she hopes there might be a way to offer the

busted up concrete to the public, if the City isn't going to use it. She also shared about an event to raise funds for the Drew Brown Memorial Scholarship program and Community Recreations help in making it happen, and about teens she has working through a Youth Corps Grant to develop a resource directory for teen events.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comment.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented regarding an opening on the ADA Compliance Committee and voter registration deadlines for the October 4th municipal elections.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel reported on job openings with the City.

COMMENTS OF THE MAYOR

Mayor Castner commented regarding a resolution concerning the Constitutional Convention question on the November ballot. He commented about incumbency and it's a slippery slope if we're going to hold incumbents to a different standard for doing their job.

COMMENTS OF THE CITY COUNCIL

Council Member Aderhold recommended to avoid getting COVID.

Council Member Lord had no comments.

Council Member Venuti wished Council Members Lord and Aderhold happy birthday. Labor Day is coming up, it's been celebrated since 1894 and in Homer it means summer might be over, but always remember the workers in our community work hard and are leaders in our economic drive.

Council Member Erickson noted the ongoing rainy weather and encouraged reaching out to friends and neighbors. Also stay alert and pay attention to the sides of the road for moose, people.

Council Member Davis commented about attending the last Planning Commission meeting with Council Member Erickson. Ordinance 22-42 was on their agenda and he shared his perspective as a co-sponsor of the ordinance. He wanted them to know he would welcome any feedback they have for making it a better ordinance.

Council Member Hansen-Cavasos shared about a new program the Homer Food Pantry is trying out called Homer Community Fridge outside the Homer Methodist Church where people can donate prepared food and those who need it can take it. Anyone can access it, youth who need lunch on the way to school, for example, and you don't have to be registered in the food pantry program to use it.

- a. Memorandum 22-141 from City Clerk re: Request for Executive Session Pursuant to AS 44.62.310 (C)(1 & 3) Matters, the Immediate Knowledge of Which would Clearly have an Adverse Effect upon the Finances of the Government Unit, Pending Litigation, and Attorney/Client Privilege. (VanZant et al vs City of Homer 3HO-20-00251 CI)

LORD/VENUTI MOVED TO RECESS INTO EXECUTIVE SESSION PURSUANT TO AS 44.62.310 (C)(1 & 3) MATTERS, THE IMMEDIATE KNOWLEDGE OF WHICH WOULD CLEARLY HAVE AN ADVERSE EFFECT UPON THE FINANCES OF THE GOVERNMENT UNIT, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGE, REGARDING VANZANT ET AL VS CITY OF HOMER.

Mayor Castner noted for the record that City Manager Dumouchel, Public Works Director Keiser, City Attorney Gatti and Attorney Bowman from JDO, and Jim Wilkins with AMLJIA would be attending the executive session.

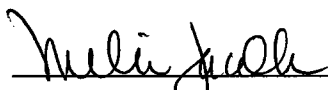
VOTE: YES: VENUTI, ERICKSON, ADERHOLD, LORD, DAVIS, HANSEN-CAVASOS

Motion carried.

Council went into executive session at 8:00 p.m. Mayor Castner called the meeting back to order at 8:35 p.m. and reported that Council gave direction to the City Attorney.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 8:35 p.m. Next Regular Meeting is Monday, September 12, 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.



Melissa Jacobsen, MMC, City Clerk

Approved: September 12, 2022