

Session 19-17 a Regular Meeting of the Homer City Council was called to order on June 24, 2019 at 6:00 p.m. by Mayor Ken Castner 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, ERICKSON, LORD, SMITH, STROOZAS, VENUTI

**STAFF:** CITY MANAGER KOESTER  
CITY CLERK JACOBSEN  
CITY PLANNER ABBOUD

**AGENDA APPROVAL** (Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

The following changes were made: **Consent Agenda** Ordinance 19-32, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72 Advisory Planning Commission; Homer City Code 11.12.010 Street Address Assignment Plan Adopted; Homer City Code 21.03.040 Definitions Used in Zoning; and Homer City Code 22.10.040 Applicable and Exempted Subdivisions to Change the Name of the Advisory Planning Commission to the Planning Commission Throughout. Mayor. Ordinance 19-32(S), With the same title that includes City Attorney Edits; **Announcements/Presentations/Reports** Mayor's Report- Letter to Mayor Castner from Homer Chamber of Commerce Re: KPB Bed Tax; **Public Hearings** Ordinance 19-28, An Ordinance of the City Council of Homer, Alaska, Authorizing the Expenditure in an Amount up to \$6,000 from the HART Funds for Construction of an ADA Accessible Trail on City of Homer Property and Kachemak Heritage Land Trust Property. Mayor. Introduction June 10, 2019, Public Hearing and Second Reading June 24, 2019 MOU between the City of Homer and Kachemak Heritage Land Trust as backup; **Resolutions** Resolution 19-044, A Resolution of the City Council of Homer, Alaska, Approving a Request for Proposals (RFP) for General Counsel Services. Mayor/Council. Proposed amendments from the Mayor.

LORD/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**

Hal Spence, city resident, expressed his support for Resolution 19-043 Urging the U.S. Army Corps of Engineers to Consider the Economic Impacts to the Bear Viewing Industry in the Pebble Mine Impact Statement.

## **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 June 10, 2019. City Clerk. Recommend adoption.
- b. Memorandum 19-076 from Mayor Re: Reappointment of Franco Venuti and Syverine Bentz to the Homer Advisory Planning Commission. Recommend approval.
- c. Memorandum 19-077 from City Clerk Re: Liquor License - Restaurant Designation Permit and Licensed Premises Diagram Change for Captain Pattie's Fish House. Recommend approval.
- d. Ordinance 19-31, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.18 Central Business District, Section 21.18.020, Permitted Uses and Structures, to Add Medical Clinics as a Permitted Use. Planning Commission. Recommended dates: Introduction June 24, 2019 Public Hearing and Second Reading July 22, 2019.

Memorandum 19-078 from City Planner as backup.

- e. Ordinance 19-32, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72 Advisory Planning Commission; Homer City Code 11.12.010 Street Address Assignment Plan Adopted; Homer City Code 21.03.040 Definitions Used in Zoning; and Homer City Code 22.10.040 Applicable and Exempted Subdivisions to Change the Name of the Advisory Planning Commission to the Planning Commission Throughout. Mayor. Recommended dates: Introduction June 24, 2019. Public Hearing and Second Reading July 22, 2019.

Moved to Ordinances item a. Aderhold

- f. Resolution 19-043, A Resolution of the City Council of Homer, Alaska, Urging the U.S. Army Corps of Engineers to Consider the Economic Impacts to the Bear Viewing Industry in the Pebble Mine Impact Statement. Aderhold. Recommend approval.

Moved to Resolutions item c. Smith

Item e. was moved to Ordinances item a. by Aderhold

Item f. was moved to Resolutions item c. by Smith

VENUTI/ERICKSON MOVED TO APPROVE THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **VISITORS**

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

#### a. Committee of the Whole Report

Councilmember Smith reported the Council discussed the proposed RFP for General Counsel Services and heard an update on the large vessel harbor expansion project from Port and Harbor Director Hawkins Harbormaster.

#### b. Worksession Report

City Manager Koester reported the worksession was on the Municode Agenda Management Software the City utilizes and Good Reader, the program used to read epackets.

#### c. Special Meeting Report

Mayor Castner reported that the Special Meeting scheduled tonight was canceled.

#### d. Mayor's Report

- i. Letter of Support for KBBI
- ii. July Parks and Recreation Month
- iii. Letter from Chamber of Commerce

Mayor Castner noted the items listed under his report.

#### e. Borough Report

Assembly member Kelly Cooper reported the Material Site Task Force has concluded and presented to the Assembly regarding proposed changes to code. She's suggested the Planning Commission, Assembly and Planning Department have a work session to work together on appropriate amendments. The Ordinance on the bed tax was amended from 12% to 10% and to include RV parks and tent sites. There's been an organized effort requesting the Mayor to veto the ordinance, it would have to happen by their meeting on July 2<sup>nd</sup>, otherwise it will be on the fall ballot. She rescinding Ordinance 2019-11 regarding the sales

tax cap as there is an Ordinance coming forward to ask the voters to approve raising the cap from \$500 to \$1000. She reminded listeners that \$3 million of our deficit is due to cost shifting from the state with the school bond debt reimbursement and the fish tax. The Mayor vetoed the \$100,000 for the Kenai Tourism and Marketing Council (KTMC) and they've moved in to the building with KPEDD, will be mentored, and will hopefully be able to continue marketing services. A borough building in Soldotna closed so there will be an additional \$375,000 yearly appropriation for utility, maintenance, and insurance costs. She will be introducing an ordinance on July 2<sup>nd</sup> to ask voters to approve a Borough Manager form of government. She believes there would be cost savings in the long run and bring stability to the Borough by hiring a manager that has experience and qualifications. The Mayor would then become the Chair of the Assembly, have veto authority, vote in the case of a tie, and have a more active role on the assembly. 12 of the 19 Borough's in the state are a Manager form of government, as well as many municipalities.

In response to questions Assembly Member Cooper explained an ordinance can come forward after things settle to appropriate funds to the KTMC. She explained, regarding moving to a Manager form of Government, that currently when a Mayor is elected they are paid a salary that has nothing to do with their qualifications, they have the authority to hire a Chief of Staff at a good salary that is not approved by the Assembly, whose qualifications don't line up well, where a Manager form would have one person in that role and an Administrative Assistant type of position with less payroll in the long run. Over the years there have been Mayors who are qualified and who were not. Often additional costs are seen in mistakes, in litigation that may not have happened with an experienced Manager in the role, more efficiencies with not bringing a political platform, and there would be more stability with longevity and fewer severance agreements to fulfill. She commented briefly about the recent invocation experience that drew some publicity.

Councilmember Venuti thanked Assembly Member Cooper for her work on the Assembly and for her reports to Council.

f. Library Advisory Board

Mark Massion, Library Advisory Boardmember, reported on the Summer Reading Program, that in July there will be a class for young women interested in science and engineering, and that food for kids and teens continues. Food can be picked up at the library on Wednesday's at the library through August 14<sup>th</sup>, and one more time on Thursday at Karen Hornaday Park from 4:30 – 6:00 pm. He thanked people who have been bringing donations of food, but noted the library isn't a collection point, and encouraged the donations be made to the Food Pantry. He also noted the Book Mobile will be on display at Grace Ridge Brewery on July 5<sup>th</sup>.

g. Homer Advisory Planning Commission

Tom Bos, Planning Commissioner, reported they finished decisions and findings for the medical clinic remand, and approved preliminary plats on West Bayview and on Mission Road. They're continuing discussions regarding zoning permits and conditional use permits, and the criteria expected by the Commission to issue on, and regarding building heights in the East End Mixed Use district. They had a worksession with the City Attorney on Quasi-Judicial process, the Open Meetings Act, and drafting findings, and there is currently an opening on the Planning Commission.

h. Economic Development Advisory Commission

Jeffrey Johnson, Economic Development Advisory Commissioner, reported there was a worksession prior to their last meeting to layout current, ongoing short, mid, and long term goals as listed in the Comp Plan, the Comprehensive Economic Development Strategies (CEDS), and the Business Retention and Expansion Survey. They are moving toward priorities with Wayfinding and Street Scape efforts follow-up, researching zoning recommendations to forward to the Planning Commission, reviewing the CEDS, moving toward downtown vitalization, forming telecommuter workgroup to collaborate on an initiative with the Chamber of Commerce, continued familiarization with Smart Growth principals and best practices, and assessing job training needs in Homer. At their regular meeting they had a presentation from City Planner Abboud on zoning considerations. They aren't meeting in July and will discuss and evaluate Ordinance 19-19(S) at their August meeting as requested by Council.

i. Parks Art Recreation and Culture Advisory Commission

Deb Lowney, Parks Art Recreation and Culture Advisory Commissioner, reported they welcomed new Commissioner Charles Barnwell, and have an opening for a Student Representative. The Commission received information from Wayne Aderhold regarding upgrading a portion of an alley way between KBBI and the Alibi that would connect to Poopdeck. It addresses some drainage issues on the properties and could potentially be used as a trail, and they'll discuss it on a future agenda. Karin Marks from the Economic Development Advisory Commission gave a presentation on Wayfinding that was very interesting, particularly relating to parks and trails and staying connected to the process and forward movement of any work in progress with it. The Commission discussed the Capital Improvement Plan and proposed Main Street and Bayview Park as their top two for consideration. They also voted to use \$500 to do improvements in the Karen Hornaday Park trail system related to drainage and erosion, and they've discovered a need to stabilize the slope along that area as its getting well used. They'll be submitting a request for \$1,500 from HART to purchase needed supplies and use volunteer labor. She commented about the work Girl Scout Troop 226 has done in clearing along the Fairview section of the trail.

In response to questions, Ms. Lowney explained the traffic calming project for Karen Hornaday Park that was approved by Council has a July-August time frame for completion, and gave a brief overview of what will be done.

Councilmember Lord thanked the Commission and volunteers who work on our City parks and trails.

j. Port and Harbor Advisory Commission

Catherine Ulmer, Port and Harbor Advisory Commissioner, thanked Council for their support of the Harbor expansion, it will enhance our community and the economic situation for our harbor. She recognized Port Director Hawkins for his work and dedication. She that loves our Commissions and Council represent our community at large, they're doing a good job, male/female and young/old, and she put out a plea for young-ish women to apply to serve on the Port and Harbor Advisory Commission. She'd like to see more balance on their Commission.

k. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee met and reviewed the Capital Improvement Plan and will be working toward making a recommendation to Council. They also heard a presentation on the alley-way, Klondike Alley Trail, from the Poopdeck Trail to behind KBBI.

There was brief discussion about accessibility at the high school and the potential of using the SPARC facility as an evacuation location.

l. Kenai Peninsula Borough Election Stake Holder s Task Force Report

Councilmember Aderhold commented on the work of the Task Force, it's been an interesting process, she's learn so much about elections, and it's been really beneficial. They haven't voted on their recommendations yet, but they've made a motion to recommend moving to a hybrid by-mail system that will include options to vote by mail or vote in person at one of five vote centers that will be located throughout the Borough. They've discussed appointing service area representatives instead of electing them. Typically there's only one applicant per seat and it significantly complicates the voting districts. They're planning to institute a public information campaign for by-mail voting to help voters understand the system. They've also moved to use ranked choice voting for the Borough Mayor to avoid run-off elections. Lastly they're planning to modernize the voter pamphlet in conjunction with moving to the new voting system. In response to questions she gave a brief explanation of ranked choice voting.

**PUBLIC HEARING(S)**

- a. Ordinance 19-23(S) An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting Homer City Code Title 14 to be Entitled “Homer Public Utility Systems” and Homer City Code Title 17 to be Entitled “Public Assessments” to: 1) Consolidate Water and Sewer System Regulations and Rates; 2) Update Definitions and Common Terms, and 3) Create Uniformity Between Service and Assessment Practices and Repealing Homer City Code Chapters 9.08, 13.24 and 13.28 to Relocate Utility Construction Practices and Fees from Homer City Code 13.24 and Homer City Code 13.28 Into Titles 14 and 17 and Move Homer City Code 9.08 to Homer City Code 17.03 and Update Assessment Lien Enforcement Provisions to Incorporate State Law Requirements. Lord/Stroozas. Introduction May 28, 2019, Worksession June 10, 2019. Public Hearing June 10, 2019, Public Hearing and Second Reading June 24, 2019.

Memorandum 19-058 from Stroozas/Lord as backup.

Memorandum 19-063 from City Attorney as backup.

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

Councilmember Lord noted there was discussion at their last worksession and they’ll be having another worksession on July 10<sup>th</sup>.

Mayor Castner asked for a motion to postpone Ordinance 19-23(S) to July 22<sup>nd</sup>.

ERICKSON/STROOZAS SO MOVED.

There was brief comment confirming this will come up under public hearings on the 22<sup>nd</sup>.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 19-26, An Ordinance of the City Council of Homer, Alaska Adding Rural Residential Zoning District 21.12.060 Lighting Standards and Urban Residential Zoning District 21.14.060 Lighting Standards. Planning Commission. Introduction June 10, 2019, Public Hearing and Second Reading June 24, 2019

Ordinance 19-26(S) An Ordinance of the City Council of Homer, Alaska, ~~Adding Rural Residential Zoning District 21.12.060 Lighting Standards and Urban Residential Zoning District 21.14.060 Lighting Standards.~~ **Amending Homer City Code Title 21, Zoning and Planning, to Adopt Lighting Standards in HCC Chapter 21.12, RR Rural Residential District, and in HCC Chapter 21.14, UR Urban Residential District. Planning Commission.**

Memorandum 19-069 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 19-26 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO SUBSTITUTE ORDINANCE 19-26(S) FOR 19-26.

There was no discussion on the motion to substitute.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion on the main motion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 19-27, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 11.36, "Vegetation in Rights-of-Way" to Amend HCC 11.36.020 and Add HCC 11.36.030 "Removal for Compliance-Public Works Director Discretion," to Permit Public Works Director to Authorize Removal of Vegetation to Bring Roads Constructed Prior to City Regulation into Compliance with City Laws and Construction Procedures. Stroozas. Introduction June 10, 2019, Public Hearing and Second Reading June 24, 2019

Ordinance 19-27(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 11.36, "Vegetation in Rights of Way" to Amend Homer City Code 11.36.020 and Add Homer City Code 11.36.030, "Removal for Compliance-Public Works Director Discretion," to Permit Public Works Director to Authorize Removal of Vegetation to Bring Roads Constructed Prior to City Regulation into Compliance with City Laws and Construction Procedures. Stroozas/**Lord**.

Mayor Castner opened the public hearing.

Shirley Thompson, city resident, questioned why this ordinance is just now coming into effect. She explained she lives in the Baycrest Subdivision and their property has been greatly damaged by the cutting of trees. She's raised this issue with the City but feels she was totally ignored. She shared a summary of the issues with the cutting and her efforts with reaching out to City staff, and questioned the credentials of City staff.

Kim Coppen, city resident, commented she resides on Aspen Court and shared her frustration with the City clearing trees and leaving a mess for her to clean up. They called it ditch maintenance but it was just stripping branches off the alders, and leaving the branches in the



ditches. She said in 2014 Public Works cut them all down for no reason, they are rude and there is no notice as to when they will be coming.

Gee Denton, city resident, commented she resides in the Baycrest Subdivision and has lived in devastation and dealt with harassment as a result of the clearing done along Judy Rebecca Court. She shared there was a time before 2006 when the erosion issues were recognized and no clearing was done, but after 2006 to 2014 it changed and clearing was done over the years. Her house is sliding and significant damage is occurring as a result, she has expended great effort to try to save her house. The entities keep shifting blame but she has documentation on what's been violated, and she cited Resolution 17-082 addressing the area as a natural hazard district.

Catherine Ulmer, city resident, encouraged Council to hear these comments and work to find a solution to help protect the homes in the Baycrest area.

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 19-27 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

STROOZAS/LORD MOVED TO SUBSTITUTE 19-27(S) FOR 19-27.

There was no discussion on the motion to substitute.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Stroozas commented there are a number of streets that weren't built to city standards because they were put in before the City annexed the properties, and the purpose of this ordinance is making the removal of vegetation less critical and more user friendly. The 30 foot right-of-way from the center of the road to the property would not require complete removal of all vegetation. There is added reference to properly addressing drainage to help alleviate erosion and standing water developing and making things worse.

Councilmember Lord added the ordinance provides discretion for cutting within three feet on either side of the right-of-way and clarifying language regarding right-of-way maintenance.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 19-28, An Ordinance of the City Council of Homer, Alaska, Authorizing the Expenditure in an Amount up to \$6,000 from the HART Funds for Construction of an ADA Accessible Trail on City of Homer Property and Kachemak Heritage Land Trust

Property. Mayor. Introduction June 10, 2019, Public Hearing and Second Reading June 24, 2019

Memorandum 19-070 from Deputy City Planner as backup

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

VENUTI/LORD MOVED TO ADOPT ORDINANCE 19-28 BY READING OF TITLE FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- e. Ordinance 19-29, An Ordinance of the City Council of Homer, Alaska, Authorizing the Expenditure in an Amount up to \$13,900 from the HART Funds for Construction of an ADA Accessible Trail on City of Homer Property and Kachemak Heritage Land Trust Property. Venuti. Introduction June 10, 2019, Public Hearing and Second Reading June 24, 2019

Memorandum from Parks Art Recreation & Culture Advisory Commission as backup

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

VENUTI/LORD MOVED TO ADOPT ORDINANCE 19-29 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Lord commented she checked the balance of the HART trails fund and expenditures to date and the information provided she feels comfortable with the expenditure.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Mayor Castner called for a recess at 7:18 p.m. and the meeting resumed at 7:27 p.m.

- f. Ordinance 19-30, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant from the Kenai Peninsula Borough for Calendar Year 2018 in the Amount of \$35,815 and a Commercial Vessel Passenger Tax Appropriation from the State of Alaska For \$35,815

and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction June 10, 2019, Public Hearing and Second Reading June 24, 2019

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 19-30 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was brief comment confirming an equal allocation from the Borough and from the State.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

**ORDINANCE(S)**

- a. Ordinance 19-32, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72 Advisory Planning Commission; Homer City Code 11.12.010 Street Address Assignment Plan Adopted; Homer City Code 21.03.040 Definitions Used in Zoning; and Homer City Code 22.10.040 Applicable and Exempted Subdivisions to Change the Name of the Advisory Planning Commission to the Planning Commission Throughout. Mayor. Recommended dates: Introduction June 24, 2019. Public Hearing and Second Reading July 22, 2019.

Ordinance 19-32(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72 Advisory Planning Commission; Homer City Code 11.12.010 Street Address Assignment Plan Adopted; Homer City Code 21.03.040 Definitions Used in Zoning; and Homer City Code 22.10.040 Applicable and Exempted Subdivisions to Change the Name of the Advisory Planning Commission to the Planning Commission Throughout. Mayor.

LORD/ERICKSON MOVED TO INTRODUCE ORDINANCE 19-32 BY READING OF TITLE ONLY.

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 19-32(S) FOR 19-32.

There was no discussion on the motion to substitute.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Mayor Castner explained that as outlined in the ordinance the Planning Commission has advisory capacity, mostly to the Borough and also to Council. They also have decision making authority and “Advisory” seems have a connotation they are only advisory but they are quasi-judicial in many respects. City Manager Koester concurred with the Mayor’s comments, adding that in addition to amending our code we have to request the Borough amend their code in how they refer to us.

Councilmember Aderhold asked for clarification at the next meeting whether additional amendments are needed to make that request of the Borough.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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

a. City Manager's Report

City Manager Koester reported that no proposals were submitted for the HERC building so Council will need to meet and talk about potential next steps on that. It was suggested it be scheduled for the next available worksession and Councilmember Aderhold agreed to work with the City Manager in preparing for that worksession.

City Manager Koester reminded listeners that there will be an Open House in the Council Chambers Tuesday starting at 4:00 p.m. on six DOT projects that are either in process or upcoming.

### **PENDING BUSINESS**

### **NEW BUSINESS**

### **RESOLUTIONS**

- a. Resolution 19-044, A Resolution of the City Council of Homer, Alaska, Approving a Request for Proposals (RFP) for General Counsel Services. Mayor/Council.

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 19-044 BY READING OF TITLE ONLY

Mayor Castner commented Council worked on editing the RFP during Committee of the Whole but didn’t get all the way through it.

Councilmembers proposed additional edits to the RFP document and agreed to hold a special meeting prior to their scheduled worksession on July 10<sup>th</sup>, to review the changes before adopting the resolution.

STROOZAS/SMITH MOVED TO POSTPONE TO A JULY 10<sup>TH</sup> SPECIAL MEETING AT 2:30 P.M.

There was brief comment regarding adjusting the timeline on the RFP.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Resolution 19-045, A Resolution of the City Council of Homer, Alaska, Supporting Kenai Peninsula Borough Ordinance 2019-11 Repealing KPB 5.18.430(F) which Requires Voter Approval to Increase the Sales Tax Cap. Aderhold.

ADERHOLD/LORD MOVED TO ADOPT 19-045 BY READING OF TITLE ONLY.

Councilmember Aderhold commented it is appropriate to vote this down because the ordinance has been pulled by the sponsor and there is no need to take an action.

VOTE: NO: VENUTI, SMITH, ADERHOLD, LORD, STROOZAS, ERICKSON

Motion failed.

- c. Resolution 19-043, A Resolution of the City Council of Homer, Alaska, Urging the U.S. Army Corps of Engineers to Consider the Economic Impacts to the Bear Viewing Industry in the Pebble Mine Impact Statement. Aderhold.

VENUTI/ADERHOLD MOVED TO ADOPT RESOLUTION 19-043.

Councilmember Aderhold commented Council had a presentation on this and the Kenai Peninsula Borough Assembly has a similar resolution, but it failed. Bear viewing is a part of our economy in Homer and this offers City support of an economic interest in the EIS.

Councilmember Smith noted past decisions not to weigh in on items outside our scope of interest, noting the Solomon Gulch hatchery issue. We have to be consistent on where we weigh in on these types of issues.

Councilmember Stroozas concurred, noting this is a political issue they shouldn't weigh in on.

Councilmember Lord commented in support because the resolution states it's something that should be addressed in the Pebble EIS, and not taking a position, but identifying what some people think was overlooked in assessing potential impacts. Councilmember Venuti concurred.

VOTE: YES: ADERHOLD, LORD, VENUTI

NO: STROOZAS, SMITH, ERICKSON

Mayor Castner did not vote.

Motion failed.

### **COMMENTS OF THE AUDIENCE**

Lynn Spence, city resident, thanked Council for supporting accessibility in Homer. Accessibility isn't just about the obviously disabled, it's for everyone. Whether it's a path or building access, it allows easier access to people ranging from preschoolers to senior citizens and allows people to be actively involved in our community for a longer span of time and a greater range of area. She knows some are concerned its spending money on a small portion of our community, but it's actually quite a large portion of our particular community that benefits from accessibility.

Andy Haas, city resident, commented in terms of whether the Planning Commission is advisory or not, it makes a difference in the Open Meetings Act, and he asked if they've considered that.

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

City Attorney Wells was not in attendance.

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

City Clerk Jacobsen commented there were a few issues in their worksession training and she heard some negative comments about the Municode program. Municode and Good Reader are programs that work well and the problems today had to do with some unanticipated issues with setting up logins and iPad restrictions. She hopes Council will stay open minded and continue to work with getting used to using the e-packets.

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

City Manager Koester had no comments.

### **COMMENTS OF THE MAYOR**

Mayor Castner commented there is a meeting at City Hall tomorrow at 4:00 p.m. for people to come, ask questions, and make their views known regarding the upcoming and ongoing DOT projects. He's been working with staff on our fund balances and he thinks they've worked out the hierarchy on funding and also spending and it will be coming to Council on July 22<sup>nd</sup>. In the process they've found some things with project funding that the Finance Director has had concerns over and they'll be looking at getting those cleaned up.

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

Councilmember Stroozas commented there will be a cruise ship in port tomorrow and on Wednesday. When you see the passengers around town, be sure to welcome them to our community.

Councilmember Aderhold commented she attended the Kachemak Bay Writer's Conference last week. Every year the conference gets better, the faculty improves, the key-note speakers are always phenomenal, and it's a huge benefit to our community.

Councilmember Erickson had no comment.

Councilmember Lord said she was excited to hear Northern Enterprises received funding to purchase a 150 ton travel lift for their boat yard. Northern Enterprises have been very dedicated to the maritime community and industry in this town for decades. This funding is part of the Maritime Administration Small Shipyard's Grant. She was working at the Farmer's Market with her daughter and it was fun talking to her about the Pride Parade coming through and what it means, it was well attended, she was proud of the community, and it was great having them come through. She commented about summer swimming lessons by the Kachemak Swim Club and also at the Bay Club, and on the importance of learning how to swim. She thanked the Clerk's Office for the work they do preparing agenda packets, the information is important to the Council, but also to the community and for transparent government. Lastly she commented there will be a special legislative session starting July 8<sup>th</sup>, there are questions where it will be held and leadership of the House and Senate have suggested they'd like it in Juneau. She encouraged people to appreciate the access to our legislature through Gavel to Gavel when they're in Juneau.

Councilmember Smith offered a belated happy Father's Day and happy Solstice. He commented on the fire on the Peninsula and he hopes people are being careful and mindful that it's really dry out there. He heard the festivities of the Pride March that started close to his house and wished a happy Pride Month. The adult softball league is playing at Jack Gist Park and invited people out to come watch the games at 6:30 and 8:00 p.m.

Councilmember Venuti thanked the Commission members for the reports they give Council, she appreciates the information. She's proud that there are community members here who participate. She attended the MAPP meeting last week regarding how the Homer community can be prepared by using our shared resources if we have a disaster. There's one week left to submit public comment on the draft EIS for Pebble Mine. Senator Murkowski called 2019 the year of the salmon and encouraged people to submit public comments through the Cook Inletkeeper webpage. Lastly she commented about a plastic free eco-challenge for the month of July to help shift away from the dependency on single use plastic. You can go to <https://plasticfree.ecochallenge.org/> to see what others are doing.

## **ADJOURN**

There being no further business to come before the Council, Mayor Castner adjourned the meeting at 8:58 p.m. The next Regular Meeting is Monday, July 22, 2019, at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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Melissa Jacobsen, MMC, City Clerk

Approved: \_\_\_\_\_