

Session 22-04 a Regular Meeting of the Homer City Council was called to order on February 14, 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
INFORMATION TECHNOLOGY ANALYST 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 the supplemental items: **CITY MANAGER'S REPORT** FY22 2nd Quarter Report **NEW BUSINESS** Memorandum 22-029(S) from Mayor re: Appointment of a Liaison to the Homer Chamber of Commerce.

ADERHOLD/LORD 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

There were no public comments.

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 for January 24, 2022. City Clerk. Recommend adoption.
- b. Memorandum 22-022 from Mayor re: Student Representative Appointment to the Economic Development Advisory Commission. Recommend approval.

- c. Memorandum 22-023 from Deputy City Clerk re: Liquor License Renewal for Homer Brewing Company, Inc. Recommend approval.
- d. Ordinance 22-10, An Ordinance of the City Council of Homer, Alaska Allocating payment of the City's Assessments for the Seawall Improvement Special Assessment District equally between the Homer Accelerated Roads and Trails (HART) Road Fund, the Water Capital Asset Repair and Maintenance Allowance Fund and the Sewer Capital Asset Repair and Maintenance Fund (CARMA). City Manager/Public Works Director. Recommended dates Introduction February 14, 2022. Public Hearing and Second Reading February 28, 2022.

Memorandum 22-024 from Public Works Director as backup

- e. Ordinance 22-12, An Ordinance of the City Council of Homer, Alaska, Amending The FY22 Capital Budget by Appropriating \$22,004.80 from the Fire Department Donation Account for the Purchase of Workout Equipment for the Fire Department Membership. City Manager/Fire Chief. Recommended dates Introduction February 14, 2022, Public Hearing and Second Reading February 28, 2022.

Memorandum 22-026 from Fire Chief as backup.

- f. Resolution 22-012, A Resolution of the City Council of Homer, Alaska, In Support of State of Alaska Department of Transportation Appropriation to Supply a Local Match of \$750,000 for the US Army Corps of Engineers General Investigation Study for the Homer Port Expansion in the FY 2023 State Capital Budget. City Manager/Port Director. Recommend adoption.

Memorandum 22-027 from Port Director/Harbormaster as backup.

- g. Resolution 22-013, A Resolution of the City Council of Homer, Alaska, Endorsing the Cybersecurity Framework Created by The National Institute of Standards and Technology, and Supporting the City Manager's Efforts to Put the Recommended Practices Into Effect. City Manager/IT. Recommend adoption.

Memorandum 22-028 from Library Director as backup.

City Clerk Jacobsen read the consent agenda and its recommendations.

ADERHOLD/LORD MOVED TO ADOPT 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 Aderhold reported Council discussed Resolution 22-013 regarding cybersecurity framework, where we are now and where we plan to go; Ordinance 22-08 and funding the Green Infrastructure Management Project; Ordinance 22-12 and using Fire Department Donation Funds to purchase exercise equipment for the department. The City Manager reviewed items from his report that's included in the packet, and City Attorney Gatti reported on the Amicus Brief filing regarding the closure of the Cook Inlet Drift Fishery in Federal Waters of Cook Inlet.

b. Mayor's Report

Mayor Castner reported on the City's meeting with Senator Murkowski and her staff, and Admiral Moore and his staff. The City put on a very good presentation with good conversation that was well organized by the City Manager. He will be participating with mock interviews at the middle school and also the Change of Command for the USCGC Naushon. He'll be travelling to Juneau this week for the AML Winter Legislative Conference and lobbying with three Councilmembers and City Staff. He's been hearing from people about the Sister City Program, 2026 will be the 40th anniversary with Teshio, and we need to start planning.

Councilmember Lord reported on Lunch with a Councilmember. Five community members joined in and they discussed the City's position on state and federal issues including House Bill 52 and Cook Inlet Oil Lease Sales, which the City hasn't taken positions on, and jet skis. They also talked about the harbor expansion and city water for the Kachemak City park expansion.

c. Borough Report

Kenai Peninsula Borough Assembly Member Lane Chesley reported the Assembly unanimously passed Resolution 2022-11 in support of the Army Corps of Engineers dedicating their \$1.5 million share to the General Investigation Study budget cost, the entire Assembly signed on as co-sponsors. At tomorrow's meeting companion Resolution 2022-14 that expresses support for the \$750,000 match from the State will be addressed, and he expects it will pass as well.

d. Planning Commission

e. Economic Development Advisory Commission

Economic Development Advisory Commissioner Adele Person reported on the Commission's work on the Wayfinding Streetscape Plan and shared that Council will see it at their next meeting. The Commission also reviewed the food truck and special event permitting proposed changes and reviewed points of their strategic plan, noting the Commission will be discussing housing in Homer.

f. Port & Harbor Advisory Commission

Port & Harbor Advisory Commissioner Casey Siekaniec reported the Commission discussed their strategic plans and goals. The Spit Parking Study is done and Council should expect to see it soon. In the next five years there will be a lot of maintenance and replacement needs at the harbor and we need to figure out how to pay for those. The Commission requests that Council look at ways to assist with that, particularly noting the administration fees charged to the harbor.

g. Americans with Disabilities Act Compliance Committee

Councilmember Aderhold reported the Committee is continuing their work on a Transition Plan for parks and campgrounds and had a lot of discussion on how to present and prioritize the information in the plan. The highest priority is access to the parks and campgrounds. They have decided to look at trails separately, at a later time. They also discussed having a community survey to get feedback on how people use parks and campgrounds and what barriers they encounter, and a community challenge grant that's offered by AARP every year. Deputy Clerk and ADA Coordinator Renee Krause is working toward ADA certifications. She reminded listeners the Committee is looking for two members to join them.

PUBLIC HEARING(S)

- a. Ordinance 22-07, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget by Appropriating \$15,000 from the Homer Accelerated Road and Trail Program Road Fund and \$5,000 from both the Water and the Sewer Capital Asset Repair and Maintenance Allowance (CARMA) Funds for a total of \$25,000, to Update the City of Homer's Design Criteria Manual, Standard Construction Specifications, Standard Construction Details, and Reconcile Designated Elements of the Development Standards in Homer City Code. City Manager/Public Works Director. Introduction January 24, 2022 Public Hearing and Second Reading February 14, 2022.

Memorandum 22-018 from Public Works Director as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-07 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Mayor Castner provided a brief overview of what Standard Construction Specifications are and their importance to the City.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 22-08, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget by Appropriating \$140,000 from the Homer Accelerated Roads and Trails (HART) Program Fund for Appraisals and Technical Field Work to Support Four Green Infrastructure Stormwater Management Projects. City Manager/Public Works Director. Introduction January 24, 2022 Public Hearing and Second Reading February 14, 2022

Memorandum 22-019 from Public Works Director as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-08 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Aderhold expressed her appreciation that the Public Works Director is moving forward with this project.

Mayor Castner noted these advanced appraisals are necessary to assist with qualifying for funding for the project.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Ordinance 22-09, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget by Authorizing at Total Transfer of \$4,000,000 from the General Fund Fund Balance to Include \$1,500,000 to General Fund Fleet Capital Asset Repair and Maintenance Allowance (CARMA) Fund, \$1,500,000 to General Fund CARMA, and \$1,000,000 to Land Reserves Fund. City Manager/Mayor. Introduction January 24, 2022 Public Hearing and Second Reading February 14, 2022.

Memorandum 22-020 from City Manager as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-09 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Lord commented there was extensive conversation about this ordinance at their last meeting and she feels it's well captured in the meeting minutes. She supports this with the caveats that were discussed at the last meeting.

Mayor Castner added that administration is putting some brackets around how we're channeling money, and keeping Council apprised on what to expect going forward. He's pleased with the approach that Administration and the Council is taking.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ORDINANCE(S)

- a. Ordinance 22-11, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 17 Public Assessments Under Chapter 17.01 General Provisions and Chapter 17.02 Special Assessment Districts. City Clerk. Introduction February 14, 2022 Public Hearing and Second Reading February 28, 2022.

Memorandum 22-025 from City Clerk as backup.

ADERHOLD/LORD MOVED TO INTRODUCE ORDINANCE 22-11 BY READING OF TITLE ONLY.

Councilmember Aderhold commented that she doesn't have a problem with a hybrid method, but she feels its missing some intent around equity. She thinks the intent is that it be used to make special assessment districts (SAD) more equitable when they may not otherwise be, she wouldn't want to see it used for any other reason.

Councilmember Lord shared concerns about this change reducing flexibility. A lot of the SADs are fairly standard issue but there are circumstances that come up in terms of property size, types, and ownerships. As we've seen, SADs are complicated and there are a lot of different interests and concerns within a district. She likes having flexibility to get to yes, but there are pieces of code built in that say you don't get to go forward if you don't get enough buy in.

City Manager Dumouchel shared his perspective that we have interesting situations, as mentioned, and the Public Works Director has found what she believes is a viable pathway, but we don't explicitly say it in code. This is an opportunity amend code to say this is an option and is a methodology endorsed by Council.

Attorney Gatti commented one of the fundamentals of SADs is that properties that are benefitted, either in the present or the future, are subject to the assessment. Council, with recommendations from administration, determines the cost allocations and methodology for the payment of assessments. The proposed hybrid method combines various aspects of cost allocation methodology and an issue he thinks could come up is difficulty in application. To address that, Public Works has proposed some criteria to look towards to show uniqueness as to why the hybrid methodology would be applied. Title 29 gives the city authority to adopt assessment methodologies, but in the practical application there could be some challenges. As a legislative body, if Council adopts something, they can change it or repeal it as needed if it doesn't operate as anticipated.

Councilmember Lord supports introduction, but the concern she has is at the end of the day there has to be a well-reasoned argument that we can document and is transparent, and Council has to adopt it based on that.

Councilmember Erickson noted East Hill Road with platted parcels that have unusable land where a hybrid method could be considered.

Public Works Director Keiser noted line 23 of the ordinance states there are situations where a hybrid is needed for a fair distribution of costs. She and Attorney Gatti talked about criteria and concluded it would be difficult to identify specific criteria to measure these by and what makes more sense is to identify specific findings as to why this method is recommended. That will give Council the opportunity to review the findings and make a deliberative determination.

Councilmember Lord noted a possible amendment for the next meeting that the assessment allocation method used to calculate by each record owner and findings to support that method.

VOTE (introduction): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

CITY MANAGER'S REPORT

- a. City Manager's Report

City Manager Dumouchel highlighted the draft Special Assessment District Report, a memorandum about Police Station debt, and a FY22 2nd Quarter financial report included in his report.

At the request of the Mayor, City Manager Dumouchel provided an overview of the upcoming mid-biennium budget process and answered questions.

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 22-029 from Mayor re: Appointment of a Liaison to the Homer Chamber of Commerce

Memorandum 22-029(S) from Mayor re: Appointment of a Liaison to the Homer Chamber of Commerce

Mayor Castner shared that Councilmember Davis and Councilmember Erickson had expressed interest in serving. He recommended that Councilmember Davis be appointed.

At the request of Council, both members gave a brief overview of their interest and confirmed both are Chamber members through their businesses. Councilmember Erickson expressed that she was more than willing to have Councilmember Davis serve.

ADERHOLD/LORD MOVED TO APPOINT COUNCILMEMBER DAVIS TO SERVE AS COUNCIL LIAISON TO THE CHAMBER OF COMMERCE.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

RESOLUTIONS

- a. Resolution 22-011, A Resolution of the City Council of Homer, Alaska Awarding a Contract to Seabold Consulting, LLC of Homer, Alaska in the Amount of \$25,000, to Update the City of Homer Design Criteria Manual, Standard Construction Specifications, Standard Construction Details, and Reconcile Updates in Homer City Code and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 22-018 from Public Works Director as backup.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 22-011 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Wayne Aderhold, city resident, thanked Council for their work and shared he heard from a neighbor there's a cow and calf moose in the Bonanza Street area that's been aggressive, so be careful walking in the Glacierview neighborhood.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen announced openings on the ADA Compliance Committee and on the Library Advisory Board.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel had no comments.

COMMENTS OF THE MAYOR

Mayor Caster commented regarding the upcoming trip to Juneau.

COMMENTS OF THE CITY COUNCIL

Councilmember Lord wished listeners happy Valentine's Day. She's looking forward to traveling to Juneau. She's been participating on the AML Legislative Committee and shared how it's interesting to hear other peoples take on different issues affecting us as municipalities. She reminded that the legislative session is underway and can be watched on Gavel Alaska and akleg.gov. She added that Amber at our local Legislative Information Office is a great resource.

Councilmember Venuti wished everyone happy Valentine's Day. She shared condolences to family and friends of Dr. Hahn who passed away unexpectedly. He was born and raised in Nome and came back to Homer to work. Cherry Jones passed away this week and she shared condolences to the Friendship Terrace where Cherry lived. She thanked those who are going to Juneau to represent us, she looks forward to hearing their reports when they return. She's looking forward to the upcoming Council retreat.

Councilmember Erickson commented about interesting conversations she’s had over the last couple weeks about community coming back together again. Life has been hard the last few years and we’ve had to make personal choices in taking care of ourselves and our families. One of her takeaways from the conversation is as we feel safe in how we’re living, that we become the connectors to connect with others to bring them into a place where they feel comfortable and safe. She shared about attending the Winter Carnival Basketball Tournament, the people there supporting the players, and seeing the community coming together. She encouraged engaging back into life in a safe way.

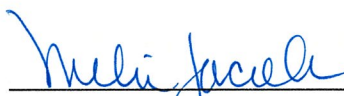
Councilmember Davis commented he’s looking forward to being part of the City’s delegation in Juneau later this week and commented regarding Senator Miccichi’s Senate Bill 9, a re-write of alcohol licensing regulations. It’s moving forward quickly and has passed the Senate and moved to the House. The bill severely limits the numbers of new breweries and wineries that will be allowed in Alaska once the bill passes. He reviewed the current allowances and proposed limitations for breweries and wineries in the State.

Councilmember Aderhold commented on two National Environmental Policy Act documents that affect Homer. The draft environmental assessment (EA) for the Homer Airport Improvements is out for review and public comment, due by March 4th. Residents of this community have already influenced what DOT is proposing at the airport, they’re taking comments seriously and she encouraged people to look at the EA and provide comments. The other is the Navy’s Northern Edge Training Exercise supplemental EA statement for the training to add a western maneuver area in the Gulf of Alaska. The draft should be out for public review in March. The website is www.goaeis.com. She wished those going to Juenau well, she wished she was going.

Councilmember Hansen-Cavasos wished everyone a good evening.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:38 p.m. The next Regular Meeting is Monday, February 28, 2022 at 6:00 p.m., Worksession at 4:00 p.m. and 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: February 28, 2022