

would be like to be an elected official in one of those communities, her heart goes out to them. Happy Holidays to everyone.

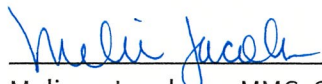
Councilmember Venuti also thanked all the snow plow guys and gals for their work. She encouraged people to get vaccinated to help protect themselves, friends, and family. She also noted the tornadoes in Kentucky and encouraged people to heed emergency warnings when they hear them. She wished everyone Happy Holidays.

Councilmember Erickson commented about the beautiful sunny day. She encouraged younger folks to help their older neighbors with all this snow, and also to be careful around the snow berms. She acknowledge all the city departments that worked hard for us this year and wished everyone Merry Christmas.

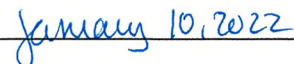
Councilmember Davis wished everyone Happy Holidays.

ADJOURN

There being no further business to come before Council Mayor Castner adjourned the meeting at 10:08 p.m. The next Regular Meeting is Monday, January 10, 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: 

Session 22-01 a Special Meeting of the Homer City Council was called to order on January 10, 2022 by Mayor Ken Castner at 2:00 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
CITY ATTORNEY GATTI
ATTORNEY BOWMAN

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

ADERHOLD/LORD MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA (3 minute time limit)

PENDING BUSINESS

NEW BUSINESS

- a. Memorandum 22-016 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)

ADERHOLD/LORD 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 Dumochel, Public Works Director Keiser, City Attorney Gatti and Attorney Bowman from JDO, and Jim Wilkins with AMLJIA will attend the executive session.

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

Motion carried.

- b. Memorandum 22-001 from Mayor Castner Re: Term Expiration Update for Library Advisory Board Student Representative. Recommend approval.
- c. Memorandum 22-002 from Deputy City Clerk Re: Liquor License Renewals for Finn's and Little Mermaid. Recommend approval.
- d. Memorandum 22-003 from Deputy City Clerk Re: Standard Marijuana Cultivation License Renewal for Alaska Loven It, LLC and Marijuana Product Manufacturing Facility License Renewal for Cosmic Seaweed, LLC. Recommend approval.
- e. Memorandum 22-004 from City Clerk Re: Travel Reimbursement for Mayor Castner's Attendance at the Kenai Peninsula Borough City Mayor's Meeting in Soldotna, Alaska and the Kenai Peninsula Economic Development District Industry Outlook Forum in Kenai, Alaska on January 5 and 6, 2022. Recommend approval.
- f. Ordinance 22-01, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Authorizing the Expenditure of \$62,000 from the Land Fund to Acquire Two Parcels of Land and Drainage Easements Across Two Additional Parcels within the Bridge Creek Watershed Protection District and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. Erickson/Aderhold. Recommended dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-005 from Deputy City Planner & Special Projects Coordinator as backup

- g. Ordinance 22-02, An Ordinance of the City Council of Homer, Alaska Amending Title 21.55.090(a)(1) Required Number of Parking Spaces to Change the Parking Requirements for Detached One Bedroom or Efficiency Dwelling Units. Planning Commission. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-006 from City Planner as backup.

- h. Ordinance 22-03, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Authorizing the Expenditure of an Amount not to Exceed \$45,000 from the Homer Accelerated Water and Sewer Program Fund to Reimburse a Private Developer for the Design and Construction of the Pennock Street Water Main Gap. City Manager/Public Works Director. Recommended dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-007 from Public Works Director as backup.

- i. Ordinance 22-04, An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$350,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-008 from Public Works Director as backup.

Moved to Ordinances item b. Aderhold.

- j. Ordinance 22-05, An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$60,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new F550, 2-Ton 4x4 Truck. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-009 from Public Works Director as backup.

- k. Resolution 22-001, A Resolution of the City Council of Homer, Alaska Confirming the City Manager's Appointment of Melissa Jacobsen as Acting City Manager for Calendar Year 2022. City Manager. Recommend adoption.
- l. Resolution 22-002, A Resolution of the City Council of Homer, Alaska Confirming the Appointment of Elizabeth Walton as Treasurer and Jenna DeLumeau as Deputy Treasurer for Calendar Year 2022. City Manager. Recommend adoption.
- m. Resolution 22-003, A Resolution of the City Council of Homer, Alaska Designating Signatories of City Accounts and Superseding any Previous Resolutions so Designating. City Manager/Finance Director. Recommend adoption.

- n. Resolution 22-004, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Alder Lane Water Main Construction Project to Scott's Plumbing of Kodiak, Alaska in the Amount of \$269,930 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 22-009 from Public Works Director as backup.

- o. Resolution 22-005, A Resolution of the City Council of Homer, Alaska Correcting the Final Assessment Roll Adopted by Resolution 21-078, Confirming the Corrected Assessment Roll, Establishing Delinquency, Penalty, and Interest Provisions for the Seawall Improvement Special Assessment District for Armor Toe Improvements, and Superseding Resolution 21-078. City Clerk. Recommend adoption.

Memorandum 22-011 from City Clerk as backup.

- p. Resolution 22-006, A Resolution of the City Council of Homer, Alaska Approving the City of Homer 2022 Land Allocation Plan. City Manager. Recommend adoption.

Memorandum 22-012 from Deputy City Planner & Special Projects Coordinator as backup.

- q. Resolution 22-007, A Resolution of the City Council of Homer, Alaska Adopting an Alternative Allocation Method for the FY2022 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area. City Manager. Recommend adoption.

Memorandum 22-013 from Port Director as backup.

- r. Resolution 22-008, A Resolution of the City Council of Homer, Alaska Increasing the Membership of the American with Disabilities Act (ADA) Compliance Committee from Five to Seven Members. Aderhold. Recommend adoption.

Memorandum 22-014 from ADA Compliance Committee as backup.

Item i. was moved to Ordinances item b. Aderhold.

City Clerk Jacobsen read the consent agenda and recommendations.

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

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- a. Homer Chamber of Commerce Marketing Update – Brad Anderson, Executive Director (10 Minutes)

Brad Anderson, Executive Director, and Tom Soderholm, Board of Director President, presented the Homer Chamber of Commerce's annual marketing update. They spoke to the various events that took place throughout 2021, revenue comparisons to past years, the features of their new website, what was accomplished with a significant COVID-safe travel grant they received, highlights of their marketing efforts, and what the Chamber is expecting for 2022.

- b. Prince William Sound and Cook Inlet Regional Citizens Advisory Councils Report on Alaska Department of Environmental Conservation's Proposed Changes for Oil Spill Prevention & Response Regulations - Robert Archibald and Carla Stanley (10 Minutes)

Prince William Sound RCAC Homer representatives Robert Archibald and Carla Stanley, and RCAC staff Betsi Oliver and Vinnie Catalano, gave a breakdown on the proposed changes for oil spill prevention and response regulations from the Alaska Department of Environmental Conservation.

In response to Mayor Castner, Mr. Archibald commented on how Resolution 22-009 that is before City Council provides sufficient support on the matter. Councilmembers Lord, Aderhold, Venuti, and Mayor Castner all voiced their support and appreciation for the work RCAC has done.

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

- a. Worksession Report

City Manager Dumouchel reported Public Works Director Keiser gave a presentation regarding a Homer green stormwater management system followed by a question and answer session with Council. The presentation considered the history of drainage research, gaps in our knowledge, drainage problems, concepts or projects, and potential next steps.

- b. Committee of the Whole Report

Councilmember Aderhold reported Council briefly discussed the resolution regarding comments to the Alaska Department of Environmental Conservation, and the bulk of the meeting discussing the Land Allocation Plan, which just passed on the Consent Agenda.

- c. Mayor's Report

Mayor Castner reported on his meeting last week with Seward Mayor Christie Terry, Kenai Mayor Brian Gabriel, and Soldotna Mayor Paul Whitney. They spoke about common problems, uncommon problems, and just things in general. They plan to meet again at AML. Following a scheduling change with the Kenai Peninsula Borough Mayor's Chief of Staff, Mayor Castner ended up having a one-on-one meeting with Borough Mayor Charles Pierce. Mayor Pierce shared some of his ambitions for his second term and Mayor Castner noted it was a cordial meeting. He then met with the Chief of Staff Aaron Rhodes the next day. Mayor Castner stayed for the Kenai Peninsula Economic Development District (KPEDD) Industry Forum and commented on the large amount of information provided.

- d. Borough Report
- e. Planning Commission
- f. Economic Development Advisory Commission (EDC)

EDC Chair Karin Marks reported at their December meeting the Commission continued their work on the Wayfinding-Streetscape Plan (which they plan to make a recommendation on to Council at their meeting tomorrow), and discussed and voted in support of Ordinance 21-68 for the Alaska Small Business Development Center Homer business advisory position.

Ms. Marks spoke as the KPEDD Homer Representative regarding the Industry Outlook Forum, noting the following: the recording of the forum can be found on the KPEDD's website, how Homer will be hosting the forum next year and the kind of information the forum provides, and that KPEDD was part of the coalition that was one of 60 finalists awarded half a million dollars to pursue a \$50 million grant for a proposal to develop a marine farming and aquaculture industry.

PUBLIC HEARING(S)

- a. Ordinance 21-68, An Ordinance of the City Council of Homer, Alaska Appropriating \$25,000 from the General Fund for Fiscal Year 2022 to Fund Part of the Homer Business Advisor Position for the Alaska Small Business Development Center and Authorizing the City Manager to Negotiate and Execute Appropriate Documents. Venuti/Erickson. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-206 from Economic Development Advisory Commission as backup

Mayor Castner opened the public hearing for Ordinance 21-68.

Brad Anderson, Chamber Executive Director, commented how they saw firsthand how effective having a small business advisor in the Chamber can be. With 98% of our businesses in Homer being small business based, they are the lifeblood of our economy. It has been great watching them come through; they understand the business they want to do but they're not technically great business people, so they need that help on how to structure a business, where the pitfalls are, how they apply, and to make sure they can be successful. He believes that's the key of having that position, how valuable it is, in our town.

Karin Marks, resident, commented in favor of Ordinance 21-68. She shared her experiences when she became a new business owner in Homer 30 years ago, and how from her perspective, and with today's situation, it is important that Homer help provide assistance for people with ideas, interests, and skills to create and grow small businesses here. Embracing small businesses creates revenue for the City through taxes and is not a request for a typical nonprofit. She emphasized how there needs to be

economic growth in Homer to sustain our community, and small businesses are a perfect match since that's what our community appreciates and at a time when many people are looking for self-employment to improve their quality of life. Ms. Marks introduced Robert Greene, who was sitting in the audience, the number of assistance requests that had come in during the position's time of leave.

Jan Knutson, Homer Chamber of Commerce Visitor Center Manager and Membership Liaison, voiced support for the business advisor position from the Chamber's perspective. She provided a synopsis of the position's history working out of the Chamber, how it's supported by the City Councils in other Alaskan communities, and how important it is to have a regional office for Homer.

Andrew Underwood, local business owner, commented on how his relationship with the SBA has been outstanding and the advice and counsel he has received has been phenomenal. He thinks that having the position funded in the City keeps Homer more competitive and is vital to the local business community.

Robert Green, city resident, introduced himself as the current Alaska Small Business Development Center Advisor and explained how he started as a financial advisor and the work he does. He voiced his appreciation for their support.

Cliff Cochran, Kenai Peninsula resident, commented in support of the ordinance. He spoke to the need for small business support in the wake of the COVID-19 pandemic, the importance of having a reliable local resource to lean on, and the need for free business consultation during tight budgeting. He commented how the SBC is that free resource, and a vote in favor of the ordinance is a statement on how they feel about small businesses in Homer.

There were no further comments. Mayor Castner closed the public hearing and asked for a motion.

ADERHOLD/VENUTI MOVED TO ADOPT ORDINANCE 21-68 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Lord spoke to her experiences the last time there was a funding request for the Business Advisor position when she served on the Economic Development Advisory Commission and how ultimately their recommendation at that time was it be funded through the Homer Foundation. She commented how she is a small business owner and fully supports small businesses. Council has worked to funnel all their nonprofit support to the Homer Foundation and she does not think she can support funding line item funding for nonprofit operations outside of our current budget. They have worked through the Homer Foundation as a way to help distribute funds into the community, which is why she can't support the ordinance as-is but would support it as additional funding through the Homer Foundation. She noted that since the City does not have economic development arm, they outsource that through partnerships, and that there are other things we should be doing as a City with taxpayer dollars. Councilmember Lord pointed out that while the intention is a one-year appropriation, on Line 20 it notes three years of funding.

Councilmember Venuti voiced her support for the ordinance, and how her work on a Homer Foundation committee taught her that this type of funding item would not likely be supported by the Homer Foundation. There was also a time constraint that would have prevented its funding. She commented on how the education field does not do a good enough job of teaching the business and tax skills that are provided by this position.

Councilmember Davis shared his experiences working with the SBA advisor. He appreciated the business advisor positions being supported in other communities at the borough and state level but is unsure about using local public dollars to fund the position.

Councilmember Erickson commented on how things in our world are changing so quickly, and there's a strong need to have a local resource to help guide business owners through these difficult times.

Councilmember Aderhold commented how she had not considered the comments regarding the Homer Foundation, and her thoughts on how this funding request is different from other nonprofit requests. She does not support three years of funding, but would support one year, and would want reports from the SBC to know how the funds were used to show it has been a good investment in our local businesses.

Councilmember Lord thanked everyone for their comments, and that she fully supports their reasons, but that her concern is primarily with the City's budget and how we're allocating taxpayer's dollars to fund City services through the City budget process.

Councilmember Venuti reminded councilmembers that the EDC passed a motion of recommendation and they should listen to their advisory bodies; they should not set a precedence of not listening to them.

Councilmember Davis voiced his full support for the position and that the EDC was completely right to support it. It still comes down to the question of if it's the best use of taxpayer money and for us to just start appropriating funds for this particular job when the state and borough and federal government, who has been funding it until now, has decided they're not going to anymore.

Mayor Castner commented when the pandemic started, we did an inventory of small businesses and found 1,023 small businesses collected sales tax for the City; that's a huge constituency. You need to think about what makes this place hum.

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

NO: LORD, DAVIS

Motion carried.

- b. Ordinance 21-69, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Appropriating \$70,485 from the Homer Accelerated Water and Sewer Program (HAWSP) Fund for Installation of a Water Main Extension as part of the Alaska Department of Transportation and Public Facilities Repaving Project. City Manager/Public Works Director. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-207 from Public Works Director as backup

Mayor Castner opened the public hearing for Ordinance 21-69.

Scott Adams, city resident, commented he is unsure how far of an area this amount of money will cover, but he is hoping it connects to the top-back area of Bayview Subdivision to the area that's not connected because 1) we don't know when the next time this will be taken care of, and 2) the areas that got annexed into the City were under the assumption they were going to receive water because that

was the big push that they may possibly connect if there is actual pipeline there. So with the growth of our town he thinks it's a good investment.

There were no further comments. Mayor Castner closed the public hearing and asked for a motion.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 21-69 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Aderhold voiced her support for the ordinance, and her appreciation that it was a constituent who brought this to their attention and that we have a public works director who recognized the opportunity and brought the ordinance forward.

ADERHOLD/LORD MOVED TO AMEND THE TITLE ON LINE 12 AFTER THE WORDS "PUBLIC FACILITIES" TO INSERT THE WORDS "EAST HILL ROAD".

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no further discussion.

VOTE (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- c. Ordinance 21-70, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 15.10.010 to Include Oscar Munson Subdivision Lot 34 in the Ocean Drive Loop Special Service District. City Manager/Public Works Director. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-208 from Public Works Director as backup

Mayor Castner opened the public hearing for Ordinance 21-70. There being no comments, Mayor Castner closed the public hearing and asked for a motion.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 21-70 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 21-71, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Appropriating an Additional \$138,399 from the Homer Accelerated Water and Sewer Program (HAWSP) Fund to Complete the Tasmania Court Water and Sewer Improvement Projects. City Manager/Public Works Director. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-216 from Public Works Director as backup

Mayor Castner opened the public hearing for Ordinance 21-71. There being no comments, Mayor Castner closed the public hearing and asked for a motion.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 21-71 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

In response to a question from Mayor Castner, City Manager Dumouchel deferred to Public Works Director Keiser. Ms. Keiser gave a brief breakdown of the project costs and where the additional appropriation is needed. She explained how the HAWSP funds are being used for this project.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- e. Ordinance 21-72, An Ordinance of the City Council of Homer, Alaska Appropriating \$3,400 from the Land Fund to Acquire Tax Foreclosed Property from the Kenai Peninsula Borough and Retaining the Property for the Public Purpose of Determining the Special Assessment Liens and Creating a Clear Title to the Property, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-209 from Deputy City Planner as backup

Mayor Castner opened the public hearing for Ordinance 21-72.

Public Works Director Keiser pointed out that these parcels are Parcels 24 and 25 that were listed in her presentation about the Green Infrastructure. We would plan to use these parcels as part of the Checkerboard Kachemak Drive Sponge project.

There were no further comments. Mayor Castner closed the public hearing and asked for a motion.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 21-72 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- f. Ordinance 21-73, An Ordinance of the City Council of Homer, Alaska Accepting a Healthy and Equitable Community Grant from the State of Alaska Department of Health and Social Services (DHSS) and Authorizing the City Manager to Negotiate and Execute and a Memorandum of Agreement with DHSS and a Sub-Grant Award of the Funds to South Peninsula Hospital to help Maintain Free Community Access to COVID-19 Testing and Vaccines and to Initiate a Community Health Needs Assessment. City Manager. Introduction December 13, 2021 Public Hearing and Second Reading January 10, 2022.

Memorandum 21-210 from Special Projects and Communications Coordinator as backup

Mayor Castner opened the public hearing for Ordinance 21-73. There being no comments, Mayor Castner closed the public hearing and asked for a motion.

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 21-73 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Venuti shared an experience she had with a student that benefitted from the free COVID-19 testing services and voiced her thanks for this extremely important service.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- a. Ordinance 22-06, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget and Authorizing the Expenditure of an Additional \$80,476.50 from the Homer Accelerated Water and Sewer Program Fund to Complete the Alder Lane Water Improvement Project. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-010 from Public Works Director as backup.

Mayor Castner introduced the item by reading the title and requested a motion.

ADERHOLD/LORD MOVED TO INTRODUCE ORDINANCE 22-06 BY READING OF TITLE ONLY.

Councilmember Lord inquired on a funding discrepancy in the title. Public Works Director Keiser apologized for the typo and requested they amend the ordinance. Councilmember Lord requested an amended ordinance come back for their second meeting.

Mayor Castner explained his reasoning for not placing this agenda item on the Consent Agenda, and how he feels they need to have the discussion on how HAWSP funds are used. Councilmember Lord agreed those discussions need to happen, but at a policy level. Mayor Castner voiced his concerns.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 22-04, An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$350,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director. Recommended Dates Introduction January 10, 2022, Public Hearing and Second Reading January 24, 2022.

Memorandum 22-008 from Public Works Director as backup.

Ordinance 22-04(S), An Ordinance of the City Council of Homer, Alaska Amending the FY 2022 Capital Budget by Appropriating \$350,000 from the Homer Accelerated Roads and Trails (HART) Road Fund for the Purchase of a new Grader. City Manager/Public Works Director.

Memorandum 22-016 from Public Works Director as backup.

Mayor Castner introduced the item by reading the title and requested a motion.

ADERHOLD/LORD MOVED TO INTRODUCE ORDINANCE 22-04 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO SUBSTITUTE 22-04(S) FOR 22-04.

There was no discussion on the motion to substitute.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Lord commented on the incredible inflation of costs for things and the delay in getting things. She appreciates the feedback from Public Works as they have had a number of cost increases for different things, and believes the administration is doing it but to make sure they are getting orders in where funds have already be allocated, and to look for alternatives if possible.

City Manager Dumouchel commented that when setting the capital budget, instead of splitting things between Fiscal Year 2022 and 2023, they put everything in FY2022 knowing they had a cost inflation pressure and supply chain issue. He has advised leadership staff that if we have an opportunity and approval, to get it right now. The issue they have run into is many places won't take orders; they're not allowing you to pay for an item in order to wait for it. In the case of the new loader brought in, that happened to be someone else's deal that fell through and we took it.

VOTE (main motion): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

CITY MANAGER'S REPORT

a. City Manager's Report

City Manager Dumouchel reported on the HERC survey results as they stand now, with the survey closing today. There were quite a few people who asked to be contacted for more information, so staff is currently making those calls and interviews. He commented on the provided 2024-2025 budget schedule and processes; in February we'll have a 2nd quarter report coming out and after that we'll be on a better system. There has been ice in the harbor and an advisory for smaller vessels. He provided an update on harbor dumpster use and compliance per the new City Code.

Councilmember Lord appreciated the financial reports on a scheduled basis and requested if the memo that accompanies it could explain the highlights, like when things are significantly higher or lower than usual. She noted that this is the first meeting in a very long time that we did not have a COVID update from healthcare. Mayor Castner responded it was from a lack of scheduling availability, and not that we didn't ask them to come.

PENDING BUSINESS

- a. Ordinance 21-63(S-2), An Ordinance of the City Council of Homer, Alaska Settling the Current and Future Distributions of Income and Debt in the Natural Gas Distribution Special Assessment Bond Sinking Fund. Mayor/City Manager. Introduction October 11, 2021 Public Hearing and Second Reading October 25, 2021 Postponed to November 8, 2021 and December 13, 2021.

Ordinance 21-63(S-3), An Ordinance of the City Council of Homer, Alaska ~~Settling the Current and Future Distributions~~ **Directing Disposition** of Income and Debt **Amounts Held** in the

Natural Gas Distribution Special Assessment Bond Sinking Fund, and ~~Accepting and Appropriating Future Free Main Allowance Refunds~~ **Related Matters.** Mayor/City Manager.

Memorandum 21-200 from City Manager as backup
Memorandum 21-191 from City Manager as backup
Memorandum 21-187 from Finance Director as backup

Mayor Castner announced there is a motion on the floor from the December 13th meeting by Lord/Aderhold to adopt Ordinance 21-63(S-2) by reading of title only for second and final reading.

ADERHOLD/LORD MOVED TO SUBSTITUTE ORDINANCE 21-63(S-2) FOR 21-63(S-3).

There was no discussion on the motion to substitute.

VOTE (substitution): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Lord voiced her appreciation for the amount of work that has gone into this piece of legislation. She spoke to her proposed amendment provided to City Council as a laydown item and opined if they would want to have another public hearing on it.

LORD/ADERHOLD MOVED TO AMEND ON LINE 75 TO INSERT THREE WHEREAS CLAUSES:

"WHEREAS, THE CITY RECOGNIZES THE FREE MAIN ALLOWANCE, INCLUDING THE FREE MAIN ALLOWANCE FUNDS ALREADY USED TO PREPAY THE BOND, AS DIRECT PAYMENTS FROM PROJECT PROPERTY OWNERS AND STRONGLY ENCOURAGES FUTURE DISPOSITION OF ALL RECEIVED REVENUES INTO THE FUND (BOTH FREE MAIN ALLOWANCE AND ASSESSMENTS) TO SPECIFICALLY BENEFIT PROPERTIES WITHIN THE PROJECT; AND"

"WHEREAS, ALL COSTS TO THE CITY RELATING TO THE CONVERSION TO NATURAL GAS OF CITY-OWNED FACILITIES ARE COSTS INCURRED AS A PROPERTY OWNER AND SHOULD NOT RECEIVE REIMBURSEMENT THROUGH THE FREE MAIN ALLOWANCE OR ASSESSMENTS, EXCEPT AS COSTS MAY BE RELATED TO THE ADMINISTRATION OF THE PROJECT; AND"

"WHEREAS, BOTH PRIVATE LANDOWNERS AND CITY TAXPAYERS RECEIVE THE BENEFIT IN REDUCED UTILITY EXPENSES AS A RESULT OF THE PROJECT AND ALL FUTURE REVENUES INTO THE FUND SHOULD BE DISTRIBUTED TO EQUITABLY BENEFIT ALL PROPERTIES WITHIN THE PROJECT, WITH PRIVATE AND CITY-OWNED PROPERTIES TREATED SIMILARLY; AND"

Mayor Castner inquired to City Attorney Gatti if there was any language in this ordinance that would be considered a liability to the City. City Attorney Gatti said he did not have an answer at this time and would be more inclined to refer to Finance. He would suggest to postpone voting on the ordinance if they wanted an answer.

City Manager Dumouchel noted he just received feedback from Finance Director Walton that this would be listed as revenue so it's not going to say liability on our books. He commented that the proposed amendments by Councilmember Lord are not changing any of those functionalities.

Councilmember Davis clarified with Councilmember Lord that if we are no longer putting all these funds into the general fund balance, and the substitute keeps the funds as revenue coming in but keeps them in the sinking fund, and puts off the decision of what to do with those accounts.

Councilmember Erickson voiced her support of the well-written amendment and how it says to specifically benefit properties within the project.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmember Aderhold voiced her appreciation for all the work that went into this. She will be supporting this ordinance but had a few typographical corrections that the City Clerk can make. She noted that Councilmember Lord had commented on possibly bringing it back for a public hearing and if that was still needed. Mayor Castner noted there are no cardinal changes to the intent and is still the same from when it was introduced.

VOTE (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Resolution 21-073, A Resolution of the City Council of Homer, Alaska Updating the City of Homer Gift, Donation, and Art Policies, Procedures, and Guidelines to add a section on Murals, and Amend Language and Processes.

Memorandum 22-016 from City Clerk as backup

Memorandum 21-175 from City Clerk as backup

Mayor Castner introduced the item by reading the title and asked for a motion.

ADERHOLD/LORD MOVED TO POSTPONE RESOLUTION 21-073 TO THE FEBRUARY 28, 2022 REGULAR MEETING.

Councilmember Lord commented on the degree of which the City is setting policy that effects murals and art on private property. City Attorney Gatti pointed out the purpose of the policy is directly limited to public lands only. He commented that he will be discussing it further with the City Clerk's Office.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

- a. Memorandum 22-015 from City Clerk Re: Travel Authorization for Mayor and Councilmembers to attend the AML Winter Legislative Conference held February 16-18, 2022 in Juneau, Alaska.

ADERHOLD/LORD MOVED TO AUTHORIZE TRAVEL FOR LORD, DAVIS, AND ERICKSON TO ATTEND THE AML WINTER LEGISLATIVE CONFERENCE IN JUNEAU ON FEBRUARY 16-18, AND FOR AN ADDITIONAL DAY ON THE 15TH IF NECESSARY TO ACCOMMODATE TRAVEL TO JUNEAU.

Councilmember Aderhold commented how she has already had opportunities to travel to Juneau and wished to back out in the interest of allowing others to have that experience.

Mayor Castner commented on the feedback he gathered from other mayors that no other communities have a policy in regards to travel or restrictions on how many people went.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

- a. Resolution 22-009, A Resolution of the City Council of Homer, Alaska Providing Input into the Alaska Department of Environmental Conservation on Proposed Changes to the Regulations on Oil Discharge Prevention and Contingency Plans. Aderhold.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 22-009 BY READING OF TITLE ONLY.

Councilmember Aderhold reiterated her comments on how she was approached by the Prince William Sound and Cook Inlet Regional Citizens Advisory Council (RCAC) to sponsor this resolution, and explained the logic behind the whereas clauses she wrote up.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Resolution 22-010, A Resolution of the City Council of Homer, Alaska Appreciating and Commending the Delegates of the 2021 Conference of Young Alaskans and Recognizing the Resolutions they Passed. Aderhold.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 22-010 BY READING OF TITLE ONLY.

Councilmembers and Mayor Castner discussed the resolutions written by the Conference of Young Alaskan participants and voiced their recognition of the work they accomplished.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Wayne Aderhold, city resident, voiced his support for the COVID-19 services being provided and how Homer is lucky we do not have the wait times like other communities do. He noted he will be starting another history class tomorrow and commented how wonderful of an institution our college is.

Robert Archibald, city resident, thanked City Council for approving Resolution 22-009 and supporting the Prince William Sound and Cook Inlet Regional Citizens Advisory Council.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti thanked the Council and Mayor Castner and wished them a pleasant evening.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen reviewed openings on the Library Advisory Board, the Port and Harbor Advisory Commission, and for a Student Representative on the Economic Development Advisory Commission.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel thanked City Council for their work today. He announced the employment positions open with the City.

COMMENTS OF THE MAYOR

Mayor Castner thanked Council and commended them for their efforts.

COMMENTS OF THE CITY COUNCIL

Councilmember Lord wished everyone a happy 2022 and thanked the staff and councilmembers for putting in a long day. She voiced her appreciation for having in-depth and thoughtful conversations with the public and getting question from her constituents, and encouraged the public to reach out.

Councilmember Erickson thanked the attorneys for attending. She voiced her appreciation and thanks to Public Works Director Keiser for taking on many important projects and making them happen.

Councilmember Davis reiterated the points made by Councilmember Erickson regarding Public Works Director Keiser, and thanked Ms. Keiser for her efforts.

Councilmember Aderhold welcomed everyone to 2022. She commented on how they passed a resolution tonight that adds two additional members to the ADA Compliance Committee, and to apply if anyone in the public is interested. She talked about a new literary journal that's starting up in Homer, for those who have a story they want to share.

Councilmember Hansen-Cavasos thanked Mr. Archibald for all his work.

Councilmember Venuti shared the news of the passing of Jane Swain, a local citizen and long-time City election worker. She reported on her attendance at the HERC opening and Mike Illg's idea to instead call it "Engaging People and Improving Community (EPIC)". She held her Lunch with a Councilmember earlier today and noted what topics were discussed, including thanking Public Works Director Keiser for her work. She spoke to the winter carnival, encouraging attendance, and noted KPC is the only campus where enrollment went up and thanked all the college staff, students, and community partners who made it happen.

ADJOURN

There being no further business to come before Council Mayor Castner adjourned the meeting at 8:23 p.m. The next Regular Meeting is Monday, January 24, 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.



RACHEL TUSSEY, CMC, DEPUTY CITY CLERK II

Approved: January 24, 2022