

Session 22-05 a Regular Meeting of the Homer City Council was called to order on March 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
CITY PLANNER ABBOD
PUBLIC WORKS DIRECTOR KEISER
DEPUTY CITY PLANNER & SPECIAL PROJECTS COORDINATOR ENGEBRETSEN
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 following supplemental items- Resolution 22-017, A Resolution of the City Council of Homer, Alaska Acknowledging the Sufficiency of the Bunnell Avenue/Charles Way Water and Sewer Special Assessment Districts and Approving the Improvement Plan, Estimated Cost of Improvements, and Assessment Methodology. City Manager/Public Works Director. Memorandum 22-044 from City Clerk as backup. Resolution 22-020, A Resolution of the City Council of Homer, Alaska Expressing the Importance of the Alaska Constitution and the Grand Jury System. Davis/Erickson. Written public comments.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

David Haeg, non-resident, cited the Grand Jury handbook related to grand jury investigations and Alaska Statutes 12.40.040, in support of Resolution 22-020.

Don Fritz, non-resident, commented in support of Resolution 22-020 and shared concerns about problems with our judicial system.

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 February 28, 2022. City Clerk. Recommend adoption.

- b. Memorandum 22-037 from City Clerk Re: Liquor License Approval for Detour Food & Drink. Recommend approval.
- c. Ordinance 22-13, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 21.57 Large Retail and Wholesale Stores, Eliminating Maximum Parking Requirement. Planning Commission. Recommended dates Introduction March 14, 2022 Public Hearing and Second Reading March 29, 2022.

Memorandum 22-038 from City Planner as backup.

- d. Ordinance 22-14, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 5.24 Fireworks, Repealing Chapter 19.02 Large Special Events and Reenacting Chapter 5.46 Special Events, and Amending Section 1.16.040, Disposition of Scheduled Offences-Fine Schedule. City Manager. Recommended dates Introduction March 14, 2022 Public Hearing and Second Reading March 29, 2022.

Memorandum 22-039 from City Manager as backup.

Memorandum 22-040 from Deputy City Planner & Special Projects Coordinator as backup.

- e. Ordinance 22-15, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 8.11 Mobile Food Service. City Manager. Recommended dates Introduction March 14, 2022 Public Hearing and Second Reading March 29, 2022.

Memorandum 22-041 from City Manager as backup.

Memorandum 22-040 from Deputy City Planner & Special Projects Coordinator as backup.

City Clerk Jacobsen read the consent agenda.

ADERHOLD/VENUTI MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- a. COVID-19 Agency Update Derotha Ferraro, South Peninsula Hospital Director of Public Relations & Marketing and Lorne Carroll, State of Alaska Public Health Nurse III (10 minutes)

Lorne Carroll reported on daily confirmed cases worldwide and in the United States, COVID hospitalizations in Alaska by age group, and reviewed Omicron variant prevalence in Alaska. He reviewed the CDC Dashboard's Community Levels by County and how to use the information provided. He also touched on statewide hospital capacity, and information on outpatient treatment, and COVID vaccination boosters.

Derotha Ferraro reported on South Peninsula Hospital (SPH) COVID statistics over the past 12 weeks, provided updates on available treatments and visitation at the hospital, and noted universal masking is still required at all SPH locations. The COVID Test and Vaccine Clinic is open daily from 9am to 6pm for testing, and Sunday and Monday from 9am to 5pm for vaccines. Vaccines are also available at South Peninsula Family Care Clinic, Homer Medical Clinic, SVT Health & Wellness, Safeway, and Ninilchik Clinic.

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

a. Committee of the Whole Report

Councilmember Aderhold reported Council discussed the ordinances scheduled for introduction tonight.

b. Worksession Report

City Manager Dumouchel reported on the presentation from the City's Lobbyists.

c. Mayor's Report

Mayor Castner reported Council has been very active and there is a lot happening at the City. Council will be meeting two days this week to talk about what they want to get done. They are worksessions that are open to the public. He was saddened to learn about the passing of former Mayor Gary Williams.

d. Borough Report

Kenai Peninsula Borough Assembly Member Lane Chesley requested the Mayor and Public Works Director meet with the Assembly's Land Committee regarding the Green Infrastructure Plan by April 19th.

e. Planning Commission

i. Memorandum from Planning Commission Re: Building Codes

ii. Planning Commission Written Report

f. Economic Development Advisory Commission

Economic Development Advisory Commissioner Luke Gamble reported at their last meeting the Commission touched on the multi-purpose room at the HERC and hope to address it further at their next meeting and hear feedback from the community. The bulk of their last meeting was discussion of housing in Homer, the shortage of stock and what we could do. They discussed incentivizing multi-family housing, rather than taxing. Its part of a bigger conversation of balance of quality of life and the change we're going through in the community. They welcomed Hazel Pearson, the new Student Representative, it's nice to have an active voice from the youth on the Commission.

PUBLIC HEARING(S)

ORDINANCE(S)

CITY MANAGER'S REPORT

a. City Manager's Report

City Manager Dumouchel noted there will be an update on the HERC/Pioneer Gateway Development project at the next meeting. He reported sales tax continues to be positive, noting the report from the Finance Director, and addressed work being done to engage with agencies in preparing for upcoming Federal funding opportunities.

Councilmember Lord commented favorably about the outreach for people to look at the HERC project and provide feedback, and confirmed that people can go to the website and provide comment or the library, high school, or HERC to see plans and provide feedback.

She also asked for an update on Bayveiw Park. The playground equipment was taken apart and she getting questions about what's being done with that space. Councilmember Aderhold commented the equipment came out last fall because it was dangerous. It's one of the parks the ADA Committee has been discussing as one to make changes to.

PENDING BUSINESS

- a. Resolution 21-057(S-2), A Resolution of the City Council of Homer, Alaska Acknowledging the Sufficiency of the Bunnell Avenue/Charles Way Water and Sewer Improvement Special Assessment District and Approving the Improvement Plan, Estimated Cost of Improvement and Assessment Methodology. City Manager/Public Works Director.

Memorandum 22-042 from City Clerk as backup

Mayor Castner noted there is a motion on the floor to adopt Resolution 21-057(S) by reading of title only that was postponed on January 24th and opened the floor to discussion.

Councilmember Aderhold noted the recommendation to vote this down to take up Resolution 22-017.

VOTE: NO: VENUTI, ERICKSON, ADERHOLD, LORD, DAVIS, HANSEN-CAVASOS

Motion failed.

NEW BUSINESS

RESOLUTIONS

- a. Resolution 22-017, A Resolution of the City Council of Homer, Alaska Acknowledging the Sufficiency of the Bunnell Avenue/Charles Way Water and Sewer Special Assessment Districts and Approving the Improvement Plan, Estimated Cost of Improvements, and Assessment Methodology. City Manager/Public Works Director.

Memorandum 22-043 from Public Works Director as backup.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 22-017 BY READING OF TITLE ONLY.

ADERHOLD/LORD MOVED TO AMEND RESOLUTION 22-017 AND ADD THE PRELIMINARY ASSESSMENT AS ATTACHMENT A AND HAVE IT NOTED IN THE FIRST RESOLVE CLAUSE.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion on the main motion as amended.

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

Motion carried.

- b. Resolution 22-018, A Resolution of the City Council of Homer, Alaska Authorizing the City Manager to Apply for Two Loans from the Alaska Department of Environmental Conservation (ADEC) under its Alaska Drinking Water Fund Program in an Amount not to Exceed \$473,787 to Finance the Cost of Water Improvements and its Clean Water Fund Program in an Amount not to Exceed \$514,153 to Finance the Cost of Sewer Improvements, each for the Bunnell Ave/Charles Way Water and Sewer Improvement Projects. City Manager/Public Works Director.

Memorandum 22-043 from Public Works Director as backup.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 22-018 BY READING OF TITLE ONLY.

Mayor Castner questioned if Council has appropriated the 25% portion for this project. Public Works Director Keiser responded the 25% hasn't been appropriated because the district hadn't been approved until now, so she'll come back with that. The intent of the loan is to cover the 75% portion financed by the property owners.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. Resolution 22-019, A Resolution of the City Council of Homer, Alaska Authorizing the City Manager to Issue Task Orders to Bishop Engineering for the Design of the Water and Sewer Projects for the Bunnell Ave/Charles Way Special Assessment District. City Manager/Public Works Director.

Memorandum 22-043 from Public Works Director as backup.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 22-019 BY READING OF TITLE ONLY.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- d. Resolution 22-020, A Resolution of the City Council of Homer, Alaska Expressing the Importance of the Alaska Constitution and the Grand Jury System. Davis/Erickson.

DAVIS/ERICKSON MOVED TO ADOPT RESOLUTION 22-020 BY READING OF TITLE ONLY.

DAVIS/ERICKSON MOVED TO AMEND THE 4TH WHEREAS TO STRIKE SHOULD AND ADD CAN ON LINE 24 AND AFTER AUTHORITY, ADD "TO INCLUDE A GRAND JURY IF NECESSARY AND APPROPRIATE".

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmember Lord noted discussion at Committee of the Whole and her idea to include a list of other potential remedying paths.

LORD/ADERHOLD MOVED TO AMEND THE AMENDED WHEREAS AFTER AUTHORITY TO ADD “INCLUDING FILING AN ETHICS COMPLAINT WITH THE ATTORNEY GENERAL’S OFFICE, THE ALASKA COMMISSION ON JUDICIAL CONDUCT, THE STATE OMBUDSMAN AND” WITH THE LANGUAGE THAT’S ALREADY THERE.

There was brief discussion clarifying wording.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion.

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

Motion carried.

COMMENTS OF THE AUDIENCE

David Haeg, non-resident, thanked Council for their time. He’s not from Homer but this affects everyone. He read highlights from a report done by the Alaska Judicial Council that was requested by the Alaska State Senate.

James Price, non-resident, thanked Council for passing Resolution 22-020. He hopes they work they’ve done will be carried forward and that we’ll have a better State because of it.

Matt Johnson, non-resident, thanked Public Works Director Keiser, City Clerk Jacobsen, and the Council for being responsive and helpful in navigating through their concerns on the Bunnell Ave/Charles Way Special Assessment District. Connie Vann asked him to extend her thanks as well.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comments.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen reminded their next regular meeting is Tuesday, March 29th because City Offices are closed Monday the 28th in observance of Seward’s Day. She announced openings

on the Library Advisory Board, ADA Compliance Committee, and the Port and Harbor Advisory Commission.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel noted City job openings for seasonal work at Parks and Recreation, Port and Harbor and the Library, and a couple full time jobs for a heavy equipment operator and full time police officer.

COMMENTS OF THE MAYOR

Mayor Castner commented regarding our Sister City relationship and work by Megumi Beams and Rachel Tussey on working toward better relationships with Teshio. He's hopeful they can discuss it at a worksession because he thinks we need to do what we can locally to strengthen the relationship. He addressed the correspondence with a citizen who thought we should cut off the relationship with the Russian city. He personally feels that it's not the people of Russia we have a gripe against and we need to make sure our Sister City relationships are based on peace, understanding, and mutual respect for one another.

COMMENTS OF THE CITY COUNCIL

Councilmember Hansen/Cavasos said she's happy it's sunny out today.

Councilmember Lord is looking forward to their Council Retreat Strategic Planning worksessions later this week. She congratulated Sean Campbell who was hired as the new Principal for Paul Banks Elementary.

Councilmember Venuti wished happy 40th anniversary to the Center for Alaskan Coastal Studies. She commented regarding the Chamber's Visitor's Guide and encouraged picking one up and mailing it to a friend. She's also looking forward to the Council's Retreat, and she reminded listeners March 27th is the anniversary of the 1964 earthquake. She shared about being on Kodiak when it happened and encouraged people to prepare, because it can happen again.

Councilmember Erickson commented regarding Lunch with a Councilmember, there was a low attendance, but they talked about the HERC and things we can do to build community. She announced that the Library has the "The African American Soldiers who Built the Alaska Canadian Highway" presentation coming up, nominations are being accepted for Life Long Learners, and the Snomads are hosting an ice fishing tournament at Caribou Lake. She wished her mom Happy 89th Birthday.

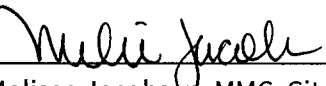
Councilmember Davis said it's starting to feel like spring and one week from today it will be official with the equinox. He mentioned an email they received from a citizen regarding

vacation rentals and how one in her neighborhood has been impacting her. She made a good argument for a public process that may eventually lead to an ordinance to shape the way we manage them in our town, and he shared impacts to his work force related to vacation rentals. He has the impression that a lot of people who rent their home through Airbnb and other means are genuinely unaware they have a legal obligation to pay sales tax on the rentals.

Councilmember Aderhold shared she's wearing purple today for Equity of Women in Science, Technology, Engineering, and Math Professions. There still is not equity in that arena and as a scientist she wanted to represent. She shared her story how she became interested in science in college. She encourage everyone to get out for a walk now that the light is returning.

ADJOURN

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:22 p.m. The next Regular Meeting is Tuesday, March 29, 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: March 29, 2022