

Session 20-04 a Regular Meeting of the Homer City Council was called to order on February 10, 2020 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, HANSEN-CAVASOS, LORD, SMITH,  
VENUTI

**ABSENT:** EVENSEN (excused)

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

**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 Resolution 20-017**, A Resolution of the City Council of Homer, Alaska, Delegating Authority to Implement, Administer and Enforce the Provisions of the Uniform Code to the Alaska Intergovernmental Remote Sales Tax Commission and Supporting Adoption of Kenai Peninsula Borough Ordinance 2020-03. City Manager. KPB Ordinance 2020-03 as backup ; **ORDINANCES** Ordinance 19-47, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 2.76 Economic Development Advisory Commission, Requiring Economic Finding to Accompany Recommendations from City Commission, Establishing an Official Mayoral Appointment to the Kenai Peninsula Economic Development District Board of Directors City of Homer Seat and Encouraging Appointment of Task Forces to Address Timely Community Issues, and Amending Homer City Code 2.58.020 Creation of City Boards and Commissions to Delete (e) Economic Development Advisory Commission. Lord. Introduction October 14, 2019 Postponed. Introduction February 10, 2020, Public Hearing and Second Reading February 24, 2020. Ordinance 19-47(S-2), An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 2.76 Economic Development Advisory Commission, Requiring Economic Finding to Accompany Recommendations from City Commission, Establishing an Official Mayoral Appointment to the Kenai Peninsula Economic Development District Board of Directors City of Homer Seat and Encouraging Appointment of Task Forces to Address Timely Community Issues **Creating an Annual Process for the City to Review and take Action on Prioritized Economic Development Issues**, and Amending Homer City Code 2.58.020 Creation of City Boards and Commissions to Delete (e) Economic Development Advisory Commission. Lord/**Venuti**. **ANNOUNCEMENTS / PRESENTATIONS / REPORTS** Planning Commission Report – Medical Zoning District neighborhood meeting mailer; **NEW BUSINESS Memorandum 20-025** from Councilmember Aderhold Re: City of Homer Comments on the Alaska We Want, March 11, 2019 Letter to Governor from Homer City Council RE: City of Homer Municipal Impact Statement as backup and Written Public Comments.

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**

Larry Slone, city resident, commented regarding Memorandum 20-025 and the proposed letter to the Governor. His comments related to cutting administrative costs, capping the permanent fund, examining the oil tax credit, and statewide sales tax. He doesn't agree that the City has sacrificed enough and our fair share of the burden is going have to be higher in the future.

Cassie Lawver, nonresident, commented regarding Memorandum 20-025 and that she does not support the letter being proposed to the Governor. She doesn't feel the Council can't fairly represent every voice equally, and encourage they send their feedback individually.

Robert Archibald, city resident and the City's representative to Prince William Sound Regional Citizens Advisory Council (PWSRCAC), commented in support of Resolution 20-018, and gave a brief update of the PWSRCAC's upcoming efforts in Juneau and Washington DC.

Megumi Beams reported to Council on her recent visit to Sister City, Teshio Japan and gave Council a packet with booklets about Teshio that included a guidebook, a local map, and an illustrated book of wild flower.

## **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 January 27, 2020 and Special Meeting February 3, 2020. City Clerk. Recommend adoption.
- b. Memorandum 20-024 from Mayor Castner re: Reappointment of Clark Fair, Ingrid Harrauld and Peter Roedl to the Parks, Art, Recreation and Culture Advisory Commission. Recommend approval.
- c. Memorandum 20-027 from Human Resources Director re: City Manager Hiring Next Steps and Review of Interview Questions. Recommend approval.
- d. Ordinance 20-09, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating the FY20 State of Alaska Community Assistance Program payment in the Amount of \$152,080.41 to the Old Middle School Capital Asset Repair and Maintenance Allowance Fund. City Manager. Introduction February 10, 2020 Public Hearing and Second Reading February 24, 2020.

- e. Resolution 20-017, A Resolution of the City Council of Homer, Alaska, Delegating Authority to Implement, Administer and Enforce the Provisions of the Uniform Code to the Alaska Intergovernmental Remote Sales Tax Commission and Supporting Adoption of Kenai Peninsula Borough Ordinance 2020-03. City Manager. Recommend adoption.
- f. Resolution 20-018, A Resolution of the City Council of Homer, Alaska, Supporting the Recertification of the Prince William Sound Regional Citizens Advisory Council by the United States Coast Guard to be the Regional Citizens Advisory Council for Prince William Sound and Affected Entities by the Tanker Exxon Valdez Oil Spill. Lord. Recommend adoption.

City Clerk Jacobsen read the consent agenda.

LORD/VENUTI MOVED TO APPROVE THE CONSENT AGENDA AS READ

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **VISITORS**

- a. League of Women Voters - (5 Minutes)

Kate Finn shared a brief history of the League of Women Voters and that their 100<sup>th</sup> Anniversary is February 14, 2020. She reviewed the verbiage of the proclamation celebrating the 100<sup>th</sup> Anniversary of the League of Women Voters of the United States.

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

- a. Committee of the Whole Report

Councilmember Lord reported at Committee of the Whole they discussed next steps for the City Manager hiring process and interview questions, and Memorandum 20-025 and the verbiage related to the PFD. Project Manager McNary gave a Police Station building update from and in response to questions said they could schedule a tour of the site.

- a. Worksession Report

There was no worksession report.

- c. Special Meeting Report

There was no special meeting report.

d. Mayor's Report

Mayor Castner commented the City Manager telephonic interviews are scheduled for Wednesday and Friday, and in person interviews will be in the next two weeks. The meetings are open to the public.

e. Borough Report

f. Library Advisory Board

Kate Finn reported working with council on endowment fund lo 629. Library programs, PFD updates and 2020 Census information.

g. Planning Commission

i. Medical Zoning District neighborhood meeting mailer (Supplemental Packet)

Roberta Highland, Planning Commissioner, reported at their last worksession they had a presentation from South Peninsula Hospital representatives on their future planning and discussed the proposed Medical Zoning District. At their regular meeting they approved a CUP, amended their Policy and Procedures Manual, and discussed the proposed Medical Zoning District. She noted at their next worksession there will be a neighborhood meeting on the Medical Zoning District.

h. Economic Development Advisory Commission

Karin Marks, Economic Development Advisory Commission Chair, thanked Councilmember Lord and former Councilmember Erickson for postponing Ordinance 19-47 to allow the Commission time to consider the change and work on a mechanism to allow the City to address economic development. She noted their meeting minutes are included in the packet for Council to review their discussions.

i. Parks Art Recreation and Culture Advisory Commission

j. Port and Harbor Advisory Commission

k. Americans with Disabilities Act Compliance Committee

**PUBLIC HEARING(S)**

- a. Ordinance 20-06, An Ordinance of the City Council of Homer, Alaska Amending the FY 2020 Capital Budget by Appropriating Funds in the Amount of \$750,000 from the General Fund Fund Balance for the Purpose of Re-initiating and Conducting a U.S. Army Corps of Engineers General Investigation Study for the Homer Large Vessel Port Expansion. Smith/Lord. Recommended dates: Introduction January 27, 2020, Public Hearing and Second Reading February 10, 2020.

Memorandum 20-016 from Port Director as backup

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

LORD/SMITH MOVED TO ADOPT ORDINANCE 20-06 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There were brief comments that work on the large vessel port expansion has been ongoing for many years and this is the next step. This will be a three year study, the City pay for a quarter of it and they'll petition the State to pay the other quarter. It's one of the things Councilmembers will be working on in Juneau next week.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 20-07, An Ordinance of the City Council of Homer, Alaska Amending the Capital Budget and Authorizing the Expenditure of up to \$100,000 in Pass Through Funds for Repairing Damage to the Deep Water Dock. City Manager/Public Works Director. Recommended dates Introduction January 27, 2020 Public Hearing and Second Reading February 10, 2020

Memorandum 20-017 from Port Director as backup

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

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-07 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

It was noted for the record that the City is paying the cost of the repairs and the insurance company of the vessel that did the damage will reimburse the City.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

**ORDINANCE(S)**

- a. Ordinance 19-47, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 2.76 Economic Development Advisory Commission, Requiring Economic Finding to Accompany Recommendations from City Commission, Establishing an Official Mayoral Appointment to the Kenai Peninsula Economic Development District Board of Directors City of Homer Seat and Encouraging Appointment of Task Forces to

Address Timely Community Issues, and Amending Homer City Code 2.58.020 Creation of City Boards and Commissions to Delete (e) Economic Development Advisory Commission. Lord. Introduction October 14, 2019 Postponed. Introduction February 10, 2020, Public Hearing and Second Reading February 24, 2020.

Ordinance 19-47(S), An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 2.76 Economic Development Advisory Commission, Requiring Economic Finding to Accompany Recommendations from City Commission, Establishing an Official Mayoral Appointment to the Kenai Peninsula Economic Development District Board of Directors City of Homer Seat and Encouraging Appointment of Task Forces to Address Timely Community Issues **Creating an Annual Process for the City to Review and take Action on Prioritized Economic Development Issues**, and Amending Homer City Code 2.58.020 Creation of City Boards and Commissions to Delete (e) Economic Development Advisory Commission. Lord.

Ordinance 19-47(S-2), An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code 2.76 Economic Development Advisory Commission, Requiring Economic Finding to Accompany Recommendations from City Commission, Establishing an Official Mayoral Appointment to the Kenai Peninsula Economic Development District Board of Directors City of Homer Seat and Encouraging Appointment of Task Forces to Address Timely Community Issues **Creating an Annual Process for the City to Review and take Action on Prioritized Economic Development Issues**, and Amending Homer City Code 2.58.020 Creation of City Boards and Commissions to Delete (e) Economic Development Advisory Commission. Lord/**Venuti**.

LORD/VENUTI MOVED TO INTRODUCE ORDINANCE 19-47 BY READING OF TITLE ONLY.

LORD/VENUTI MOVED TO SUBSTITUTE ORDINANCE 19-47 (S-2) FOR 19-47.

Councilmember Lord explained the substitute includes changes after review by the Economic Development Commission.

VOTE (substitute): NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Councilmember Aderhold appreciated the Commission's depth of discussion based on the minutes provided for review.

Councilmember Smith appreciates the process, and he's in support of everything in the ordinance with the exception of disbanding the EDC. He thinks the largest problem that existed was none of the front end stuff existed before, and they never had clear direction and

prioritization of their efforts. He would like to see how they function with that in place before disbanding them.

Mayor Castner appreciates having Commissions and also having opportunities for students to take part in government, it's another layer of public involvement. Council's process is truncated and this helps expand policy decisions, which is helpful.

Councilmember Lord expressed her hope that this gets introduced tonight and continue the conversation. She is a huge proponent in civic engagement and believes it's critically important. She's gone through a lot of iterations of this ordinance and explained her perspective that the City doesn't have a lot levers that directly pull the economy outside of things like Planning and Zoning, the Port and Harbor, and quality of life things that Parks and Recreation deal with. One of her challenges is maintaining a relevant engaging mandate for citizen involvement related to economic development that's grounded in meaningful work, that's making a difference. We are a strong partner at the table with entities like the Chamber of Commerce, KPEDD, and other groups, and the other Commissions are dealing with economic development in way the City has levers to pull, and where we're the primary drivers.

Councilmember Venuti shared regarding the HERC Task Force and the way they were tasked with a specific charge and the importance of the groups having clear direction in what they do.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 20-08, An Ordinance of the City Council of Homer, Alaska, Amending Homer city Code Chapter 5.42 Single Use Plastic Carryout Bags, Section 5.42.020 Definitions to Remove Bags made of any Material labeled as Biodegradable as an Exception and Define Compostable. Venuti. Recommended dates Introduction February 10, 2020, Public Hearing and Second Reading February 24, 2020.

Memorandum 20-028 from City Manager as backup.

LORD/VENUTI MOVED TO INTRODUCE ORDINANCE 20-08 BY READING OF TITLE ONLY.

Councilmember Venuti explained this ordinance establishes a definition of a compostable bag.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

- a. City Manager's Report

Donna supports 50 year warranty.

### **PENDING BUSINESS**

- a. Resolution 20-010, A Resolution of the City Council of Homer, Alaska Approving a Five Year Extension of the Memorandum of Understanding between the City of Homer and Kachemak City Regarding the Canyon Trails Subdivision and Road Maintenance on Stellers Jay Drive and Golden Plover Avenue. City Manager.

LORD/ADERHOLD MOVED TO ADOPT RESOLUTION 20-010 BY READING OF TITLE ONLY.

In response to a question, City Manager Koester confirmed this is a renewal of the MOU with Kachemak City with some clarifying language that Council would have to approve a request for any additional maintenance.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **NEW BUSINESS**

- a. Memorandum 20-025 from Councilmember Aderhold re: City of Homer Comments on the Alaska We Want

ADERHOLD/LORD MOVED TO SUBMIT THE LETTER DRAFTED BY COUNCILMEMBER ADERHOLD TO GOVERNOR DUNLEAVY IN RESPONSE TO HIS MESSAGE IN THE ANCHORAGE DAILY NEWS OPINIONS ON JANUARY 3<sup>RD</sup> AND RESPONDING TO THE QUESTIONS POSED IN THE ARTICLE.

Councilmember Aderhold explained the Alaska Municipal League reached out to municipalities to respond, it was in a recent City Manager's report, and she volunteered to draft a letter. She reminded everyone this isn't the first letter the Council has sent to the Governor and Legislature, and a copy of the letter they sent last March is included in the supplemental packet. The language they've used and things they've agreed to have been consistent throughout. They reviewed the letter at Committee of the Whole and there was a lot of discomfort with the paragraph following "What should the PFD look like going forward?"

Councilmember Lord reiterated her comments from the earlier discussion that she appreciates that Councilmember Aderhold took the principles the full Council has already signed off to as a unanimous body in previous letters. She believes it's important for local governments to participate in the conversation, because as an entity we have a relationship with the State and are impacted by decisions they make.

Councilmember Smith agrees it's important to indicate and clarify the impacts they're having in municipalities and that they have real consequences to us, and they need to recognize and incorporate into their decision making.



ADERHOLD/LORD MOVED TO AMEND PAGE 3 OF 4 THE LETTER, UNDER “WHAT SHOULD THE PFD LOOK LIKE GOING FORWARD?” DELETE THAT PARAGRAPH AND REPLACE IT WITH THE HOMER CITY COUNCIL APPRECIATES THIS QUESTION AND DEFERS TO THE CITIZENS OF ALASKA TO PROVIDE RESPONSES.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Councilmember Smith requested a 5 minute recess to draft an amendment.

Mayor Castner called for a recess at 7:14 p.m. and the meeting resumed at 7:20 p.m.

SMITH/ADERHOLD MOVED TO AMEND THE FIRST PAGE AND STRIKE THE LAST BULLET ON THE FIRST PAGE AND REPLACE IT WITH ASSESSING THE USE OF OUR LARGEST ASSET, THE PERMANENT FUND, TO FUND ESSENTIAL GOVERNMENT SERVICES, WHILE ENSURING THE LONG TERM SUSTAINABLY OF ITS CORPUS.

There was no discussion.

SMITH/ADERHOLD MOVED TO AMEND THE FOLLOWING PARAGRAPH TO STRIKE THE FIRST SENTENCE THAT STARTS “THE CITY OF HOMER IS SUPPORTIVE OF A BROAD BASED TAX” AND THE PARAGRAPH WOULD START WITH “MUNICIPALITIES SUCH AS HOMER DEPEND ON SALES TAX....”

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion on the main motion as amended.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Memorandum 20-026 from Councilmember Smith re: Directing Parks Art Recreation & Culture Advisory Commission to Consider Lot for Sale Adjacent to Jack Gist Park

LORD/VENUTI MOVED TO FORWARD MEMORANDUM 20-026 TO THE PARKS ART RECREATION AND CULTURE ADVISORY COMMISSION FOR THEIR CONSIDERATION AND RECOMMENDATIONS.

Councilmember Smith commented he understands there's an offer on this piece of land but he thinks it would be good to go through the motions of making a decision and determine of the land to the City, should it become available.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **RESOLUTIONS**

- a. Resolution 20-016, A Resolution of the City Council of Homer, Alaska, Reaffirming their Commitment to Provide Indoor Recreation Opportunities to Area Residents Via A Multi-Use Community Center. Aderhold.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 20-016 BY READING OF TITLE ONLY.

It was noted for the record that at their Council retreat the next steps for the mutli-use facility and HERC demolition were on their top priorities, and this resolution puts it together and reiterates that it's a priority for the community.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

## **COMMENTS OF THE AUDIENCE**

Kate Finn, city resident, commented regarding the importance of the Census. It's going to help define how \$2.3 billion in federal funds are directed in Alaska to support firefighting services, health care, education, and much more. She also commented about Duffy Murnane, who was abducted almost four years ago, is still missing and the perpetrator has not been found. Since this happened she's met many women who have changed their thinking or behavior around safety in Homer because of this abduction. There will be a community discussion with Homer Police Department on Thursday February 13<sup>th</sup>.

Cassie Lawver, nonresident, commented she expresses her disagreement with Council, but she does it with respect and she hopes it comes across to them that way. She appreciates that they listen to her.

Robert Archibald, city resident, thanked Councilmember Smith for thinking about the property near Jack Gist Park. Parks and Rec has looked at another lot over there but found it wasn't ideal. It's too bad this already has an offer, but if there's some wiggle room with that lot it would be an improvement to the park. He also thanked them for the resolution reaffirming their commitment to a multi-use facility.

Robert Roth, said he respects people who take time to serve the community in a public office but disagrees with the single use bag ban. When they enacted the bag ban he does whatever he can not to shop in Homer. He also disagrees with the City being involved with the Jet Ski ban. It's a State issue. He also commented about inequities in the moorage fees and parking passes at the harbor.

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

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

City Clerk Jacobsen announced an opening on the Library Advisory Board.

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

City Manager Koester had no comments.

#### **COMMENTS OF THE MAYOR**

Mayor Castner congratulated the Homer High School Hockey Team for winning their first ever State Conference.

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

Councilmember Lord commented her kids are playing Micro Bells and after their last practice the high school varsity team was practicing. It was cool for her kids to be able to watch them She also congratulated the hockey team for their win. She commented about the importance of the Census and how she's been able to do genealogy research through those old records. She also shared that she's headed to Anchorage for the Statewide Harbormasters Associations first ever winter administrative conference, then on to Juneau for Harbormasters Association meetings and also AML meetings.

Councilmember Venuti thanked Councilmember Lord for her work with the Harbormasters Association. She thanked all the members who have served on the Economic Development Advisory Commission and Deputy City Clerk Tussey for her work on the minutes. She reminded listeners that MAPP and South Peninsula Hospital are doing a Perceptions of Community Health survey and encouraged participation that will help with community needs. Lastly she congratulated the Varsity Hockey Team for their win and it makes her remember former Councilmember David Lewis and his support of the hockey rink.

Councilmember Smith thanked Megumi Beams for her report on her Sister City visit. He congratulated the Varsity Hockey Team and noted they made to the final championship game last year. The Volleyball Team also won state. Last weekend he helped the JV Boys Basketball Team that isn't doing quite as well. It was good for them to be able to watch Dimond Varsity play. He commented sports play a role in the development of our kids, it teaches teamwork, dedication, and the ability to achieve what you want if you put in the time.

Councilmember Aderhold thanked Megumi Beams for being our ambassador to Teshio, and she looks forward to 2021. She commented that there are a lot of kids on her street and its fun to watch them in unstructured play. Seeing the social things they figure out in unstructured play, how to deal with each other, how hierarchies work, and how to work out conflict is highly valuable. Sports are valuable, and unstructured play is also very valuable. She thanked everyone who commented at the meeting and outside of the meeting. Their input is valuable and appreciated.

Councilmember Hansen-Cavasos thanked Megumi Beams for her report, Sister City was a big deal when she was younger. She encouraged attending the presentation by Tela O'Donnell Bacher, she has some amazing things to talk about. The Wrestle Like a Girl program is huge. She's done a lot for our local wrestlers.

### **ADJOURN**

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:45 p.m. The next Regular Meeting is Monday, February 24, 2020 at 6:00 p.m. with Committee of the Whole at 5:00 p.m. Special Meetings at 4:00 p.m. are scheduled for Wednesday, February 12, 2020 and Friday, February 14, 2020. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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Melissa Jacobsen, MMC, City Clerk

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