

**KENAI CITY COUNCIL – REGULAR MEETING
MAY 4, 2022 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on May 4, 2022, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Deborah Sounart
Glenese Pettay
Henry Knackstedt

James Baisden
Teea Winger (*via electronic participation*)
Jim Glendening, Vice Mayor (*via telephonic participation*)

A quorum was present.

Also in attendance were:

**Silas Thibodeau, Student Representative
Paul Ostrander, City Manager
Scott Bloom, City Attorney
Terry Eubanks, Finance Director
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following additions to the Packet:

Add item G.10. **New Business – Discussion Item**

- Zoom Analytics Report

The following items were removed from the Consent Agenda to be heard at their place on the Regular Agenda:

- Ordinance No. 3287-2022 (*Introduction*)
- Special Meeting Minutes of April 26, 2022 (*Approval*)

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda with the requested revisions and requested **UNANIMOUS CONSENT**. Council Member Baisden **SECONDED** the motion.

VOTE: There being no objection; **SO ORDERED.**

4. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda. Council Member Pettay **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Mayor Gabriel opened the floor for public comment; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED**.

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. SCHEDULED PUBLIC COMMENTS

1. Kenai Senior Connections, 2022 Meals on Wheels Event.

Velda Geller with Kenai Senior Connections thanked the City Council Members who attended the Meals on Wheels event; noted the success with the celebrity deserts auctioned; reported that next years theme would be "Kentucky Derby" scheduled for March 31, 2023; and presented the City with a check for \$50,000.

There was discussion thanking Senior Connections for their contributions; the importance of March for Meals to our Senior Community; and positive comments about the 2023 event planning already underway.

C. UNSCHEDULED PUBLIC COMMENTS

Marion Nelson encouraged everyone to attend the Kenai Fine Art Center watercolor show opening on Thursday, May 5, 2022, noting there were about 50 pieces and some artists had more than one item in the show.

D. PUBLIC HEARINGS

1. **Ordinance No. 3284-2022** – Accepting and Appropriating Private Donations to the Kenai Animal Shelter for the Care of Animals. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3284-2022. Council Member Sounart **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Gratitude for the donations were expressed.

VOTE:

YEA: Knackstedt, Gabriel, Glendening, Baisden, Sounart, Pettey, Winger

NAY: None

**Student Representative Thibodeau: Yea

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3285-2022** – Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3285-2022. Council Member Pettey **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

There was discussion regarding the benefits to the City from these types of resources; and Chief Ross was commended for finding these resources.

VOTE:

YEA: Gabriel, Glendening, Baisden, Sounart, Pettey, Winger, Knackstedt

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

3. **Resolution No. 2022-27** – Approving the Execution of a Lease of Airport Reserve Lands Using the Standard Lease form Between the City of Kenai and Joel Caldwell on Lot 3, Block 4, FBO General Aviation Apron. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-27. Council Member Sounart **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

A description of the parcel in its current status was provided and it was noted that improvements to it would be positive.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

4. **Resolution No. 2022-28** – Authorizing an Agreement for Professional Engineering Services for the Roadway Capital Improvements Projects. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-28. Council Member Pettey **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

There was discussion clarifying that this was for design of four different projects; only the Wildwood Drive project would be completed this year; and the other projects would be completed in 2023.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

E. MINUTES

1. *Regular Meeting of April 20, 2022. (City Clerk)
Approved by consent agenda.

2. *Special Minutes of April 25, 2022. (City Clerk)
Approved by consent agenda.

3. Special Minutes of April 26, 2022. (City Clerk)

MOTION:

Council Member Pettey **MOVED** to approve the Special Minutes of April 26, 2022. Council Member Knackstedt **SECONDED** the motion.

MOTION TO AMEND:

Council Member Pettey **MOVED** to amend the April 26, 2022 Special Meeting minutes to include a Clerk's Note clarifying that Council Member Winger left the Executive Session at approximately 5:15 p.m. and was absent from the remainder of the Executive Session and Special Meeting. Council Member Knackstedt **SECONDED** the motion.

It was noted that this would add clarity to who was present and is standard operating procedure.

VOTE ON THE MOTION TO AMEND:

YEA: Glendening, Baisden, Sounart, Pettey, Winger, Knackstedt, Gabriel

NAY: None

**Student Representative Thibodeau: YEA

MOTION TO AMEND PASSED UNANIMOUSLY.

UNANIMOUS CONSENT was requested on the main motion as amended.

VOTE: There being no objection; **SO ORDERED.**

F. **UNFINISHED BUSINESS** – None.

G. **NEW BUSINESS**

1. ***Action/Approval** – Bills to be Ratified. (Administration)

Approved by the consent agenda.

2. ***Action/Approval** – – Non-Objection to Liquor License Renewals for The Upper Deck. (City Clerk)

Approved by the consent agenda.

3. ***Action/Approval** – Amending Employment Agreements between the City of Kenai and City Manager, Paul Ostrander and City Clerk, Michelle Saner. (Mayor Gabriel)

Approved by the consent agenda.

4. ***Action/Approval** – Amending and Extending an Employment Agreement between the City of Kenai and City Attorney, Scott Bloom. (Mayor Gabriel)

Approved by the consent agenda.

5. ***Ordinance No. 3286-2022** – Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting a Grant from the US Department of Transportation Passed Through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for May 18, 2022.

6. **Ordinance No. 3287-2022** – Conditionally Donating Certain City Owned Property Described as Tract A Park View Subdivision (KPB Parcel No. 047010118) to the Boys and Girls Club of the Kenai Peninsula for Development of Facilities for Youth Sports, Recreation, Education, After School Care and Other Youth Activities. (Mayor Gabriel and Council Member Baisden)

MOTION:

Council Member Baisden **MOVED** to introduce Ordinance No. 3287-2022, refer the ordinance to the Planning and Zoning Commission for their recommendation and schedule the public hearing before City Council for May 18, 2022. Council Member Pettey **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: There being no objection; **SO ORDERED.**

7. ***Ordinance No. 3288-2022** – Accepting and Appropriating a Scholarship from the Alaska Association of Municipal Clerks for Employee Travel and Training. (City Clerk)

Introduced by the consent agenda and Public Hearing set for May 18, 2022.

8. **Action/Approval** – Special Use Permit to Weaver Brothers, Inc. for Truck Trailer Storage. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to approve the Special Use Permit to Weaver Brothers, Inc. for Truck Trailer Storage. Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

9. **Action/Approval** – Amending the Special Use Permit to State of Alaska, Department of Natural Resources, Division of Forestry for Aeronautical and/or Aviation Related Activities. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to approve amending the Special Use Permit to the State of Alaska, Department of Natural Resources, Division of Forestry for Aeronautical and/or Aviation Related Activities. Council Member Baisden **SECONDED** the motion.

There was discussion regarding the State of Alaska, Division of Forestry being eligible for signatory rates with the execution of the lease; the benefits of the signatory rates being lower rates; and the rates included items such as landing fees and inside terminal fees.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

10. **Discussion** – Public Meetings and Video Conferencing (Council Member Pettey)

There was discussion regarding the initial intent of allowing video conferencing was to protect the public during the COVID-19 Pandemic; the if two-way video conferencing was removed, members of the public could still watch the meeting through live stream; and the potential of a meeting being disrupted by someone who does not live within the City.

Additional comments included researching if including video conferencing had originally been established with a sunset date; the benefits of being able to see participants when a member of the public provided testimony; the desire to get back to pre COVID-19 normal; and the possibility of developing a remote participant policy.

11. Discussion – Disposal Options for Tract A Park View Subdivision (KPB Parcel No. 047010118)
(Administration)

There was discussion regarding the importance of Tract A to the City and ensuring the use of the land benefits the City. Direction was provided to the City Manager to work with the parties involved to develop a plan that would retain a portion of Tract A for private development and donate a portion sufficient enough to the Boys and Girls Club that would fulfill their needs.

12. Discussion – Scheduling a Board of Adjustment Appeal Hearing. (City Clerk)

A Board of Adjustment Appeal Hearing was scheduled for Tuesday, May 31, 2022 at 5:00 p.m.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, the next meeting is scheduled for May 12, 2022.

2. Airport Commission

No report, the next meeting is scheduled for May 12, 2022.

3. Harbor Commission

No report, the next meeting is scheduled for May 9, 2022.

4. Parks and Recreation Commission

No report, the next meeting is scheduled for May 5, 2022.

5. Planning and Zoning Commission

Council Member Winger reported on the April 27, 2022 meeting; next meeting May 11, 2022.

6. Beautification Committee

No report, the next meeting is scheduled for May 10, 2022.

7. Mini-Grant Steering Committee

No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Thanked the Kenai Senior Connections.
- Attendance at the unveiling of Kenai Aviation's new airplane.
- Attendance at the Kenai Waterfront Revitalization Assessment Work Session, noting that three concepts had been identified.
- The he and City Manager Ostrander gave the State of the City address during the May 4, 2022 Kenai Chamber of Commerce Luncheon; and the presentation would be forwarded to Council.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Ostrander reported on the following:

- Recent meeting with the Kenai Peninsula Borough (KPB) staff discussing use of the Seldovia Quarry for the Bluff Erosion Project.
- A request to Mayor Pierce for a resolution in support of the Bluff Erosion Project.
- Concerns related to the 6.5 million being removed from the State of Alaska Budget; and the efforts being applied to ensure it remains in the budget; he thanked Senator Peter Micciche,

Representative Ben Carpenter, Representative Kelly Merrick and KPB Mayor Charlie Pierce for their help keeping the Bluff Erosion project in the State budget so far.

2. City Attorney – City Attorney Bloom reported on the following:

No Report

3. City Clerk – City Clerk Saner reported on the following:

No Report.

K. ADDITIONAL PUBLIC COMMENTS

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*)

April Orth addressed the Council regarding keeping video conferencing at public meetings available if the costs were not an issue; thanked the Council for an alternative option that would allow keeping a portion of the land being donated to the Boys and Girls Club; noted safety concerns with the proposed Boys and Girls Club location as it was off the beaten track and had substantial transient traffic on the road.

Marion Nelson addressed the Council regarding upcoming shows at the Kenai Fine Art Center; the Potters Guild Mother's Day Sale; and noted that she was glad to hear the update regarding the Bluff Erosion Project funding.

2. Council Comments

Vice Mayor Glendening stated that he was in Norther Illinois with sixty friends from high school; and noted his appreciation for the discussion tonight.

Council Member Winger thanked everyone for their comments; wished all of the Kenai Peninsula Wrestlers luck in the tournament and noted the number of local youth who excel in sports.

Council Member Pettey reported attending the State of the City address during the Chamber Luncheon and encouraged everyone to review the slides; reminded everyone of the upcoming Clean-Up Day; and thanked Kenai Senior Connections for their generous donation to the City and their dedication to ensure meals are available for the senior population.

Student Representative Thibodeau provide an update on sports activities; reported AP testing was currently going on; the Student Council Elections were done; an upcoming blood drive and band concert; and noted that the principal had approved the students to pursue acquiring a pool table.

Council Member Sounart stated her excitement for Kenai Aviation and noted she was lucky enough to fly on the new aircraft after the lunch last week; her attendance the Kenai Waterfront Revitalization Work Sessions and said she was looking forward to when they come back with their findings.

Council Member Baisden provided an update on Kenai Central High School soccer and wished a Happy Mother's Day to everyone this coming Sunday.

Council Member Knackstedt reported attending the Kenai Waterfront Revitalization Work Session noting it was good to see all the information pulled together; let everyone know that Hospice of the Central Peninsula was still looking for volunteers for the Dunk Tank Fundraiser; and stated his appreciation for the City Managers memo containing statistics on Human Trafficking.

L. **EXECUTIVE SESSION** – None.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. INFORMATIONAL ITEMS

1. Purchase Orders Between \$2,500 and \$15,000.

There being no further business before the Council, the meeting was adjourned at 7:45 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of May 4, 2022.



Michelle M. Saner, MMC
City Clerk

*** The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*