

**KENAI CITY COUNCIL – REGULAR MEETING
FEBRUARY 16, 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 February 16, 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	James Baisden
Teea Winger	Deborah Sounart
Glense Petty	Jim Glendening (via Electronic Participation)

A quorum was present.

Absent:

Henry Knackstedt

Also in attendance were:

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

3. Agenda Approval

Mayor Gabriel recognized Robert Springer's years of service on the Planning & Zoning Commission and presented him with a certificate of appreciation.

Mayor Gabriel noted the following additions to the packet:

Add to item D.1. **Public Hearing – Ordinance No. 3270-2022**
 • Public Comments

Add to item D.1. **Public Hearing – Ordinance No. 3270-2022**
 • Council Comments

- Add to item F.1. **Public Hearing – Resolution No. 2022-04**
- Amendment Memo
- Add to item H.1. **Commission/Committee Reports**
- Council on Aging
- Add to item J.1. **City Manager Report**
- Midmonth Airport Report

MOTION:

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

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

4. Consent Agenda

MOTION:

Council Member Baisden **MOVED** to approve the consent agenda. Council Member Winger **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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.

VOTE: There being no objections, **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. Jodi Stuart and Leslie Rohr - 2022 Kenai Peninsula Project Homeless Connect

Jodi Stuart presented an overview of the annual Project Homeless Connect event, provided data collected from the 2021 event, and encouraged Council to consider the homeless when making decisions regarding City partnerships and funding.

C. UNSCHEDULED PUBLIC COMMENTS – None.

D. PUBLIC HEARINGS

1. **Ordinance No. 3270-2022** - Increasing Estimated Revenues and Appropriations in the General, Airport, Senior Citizen, and Water & Sewer Funds, and Authorizing a One-Time Premium Payment to Eligible Employees. (Vice Mayor Glendening and Council Members Winger and Sounart)

MOTION:

Council Member Winger **MOVED** to enact Ordinance No. 3270-2022. Council Member Sounart **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment.

David Peck stated his opposition and suggested the funds could be used on past due utility bills for citizens who have been impacted by COVID.

Christine Hutchison stated her opposition to the ordinance, noting that City employees have good pay and benefits and that the money could be used to fund capital improvement projects which would benefit all residents. She also noted that medical costs are going up and the money could be better used going towards that.

There being no one else wishing to be heard, the public comment period was closed.

Appreciation was expressed for the City employees and it was noted that they did not receive hazard pay while working through the pandemic and many did not have the option of working from home. Supporters of the ordinance stated that this would be a thank you to employees who worked on the front lines and would also help to make up for inflation and cost of living increase which had not been forecasted in the budget.

Concern was expressed about inflation resulting from federal government decisions and opposition was stated for spending a significant amount of funds on employees without more time to consider and receive input from the public. It was noted that these funds are provided through taxes and the payment may cause divisiveness between employees and taxpayers, the cost of living increases affects everyone and not just employees, and City employees are provided good benefits including paid COVID leave.

It was suggested that it may be more appropriate to hold off the discussion until the budget process begins in April, as Administration will have more information about healthcare costs and projected revenue at that time.

VOTE:

YEA: Winger, Glendening, Sounart

NAY: Pettey, Gabriel, Baisden

**Student Representative Thibodeau: NO

MOTION FAILED.

2. **Ordinance No. 3271-2022** - Increasing Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3271-2022. 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.

Finance Director Eubank noted that this ordinance goes hand in hand with Ordinance No. 3272-2022; clarified that through the annual budgetary process the Administration estimates projected earnings of the permanent funds and that in 2021 the earnings were in excess of the projection; and these ordinances would allow for the maximum amounts to be transferred from permanent funds to the operating funds.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3272-2022** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3272-2022. 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.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

4. **Resolution No. 2022-09** – Authorizing Budget Transfers Within the Kenai Recreation Center Improvements Capital Project Fund. (Administration)

MOTION:

Council Member Baisden **MOVED** to adopt Resolution No. 2022-09. 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.

Clarification was provided that this would consolidate three accounts into one to supplement funding to be used for roofing, HVAC and water heater replacement at the Kenai Recreation Center, transferring \$379,000 for a total of \$1.1 million. It was noted that there is an additional

\$280,000 for the building in the Capital Improvement Plan which has yet to be approved by Council; and that with the extensive maintenance being planned it is possible that more maintenance needs will be identified that will require additional funding.

Questions involved how much the facility was being used, how much revenue it generates and whether it was worth investing this much into an older building. Clarification was provided that design work was underway and would be brought to Council when complete; and that the Recreation Center provides quality of life opportunities but not significant revenue.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

E. MINUTES

F. UNFINISHED BUSINESS

1. **Resolution No. 2022-04** - Awarding a Three Year Contract for the Purchase of Microsoft Software. (Administration) [*Clerk's Note: At the January 19, 2022 Meeting, this item was Postponed to this meeting; a motion to enact is on the floor.*]

- **Resolution No. 2022-04 (Substitute)** – Awarding a Three-Year Contract for the Purchase of Microsoft Software. (Administration)

MOTION TO AMEND BY SUBSITUTE:

Council Member Winger **MOVED** to amend Resolution No. 2022-04 by Substitute. Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

VOTE ON AMENDMENT BY SUBSTITUTE: There being no objection; **SO ORDERED.**

The suggestion was made to consider less expensive alternatives to Microsoft Windows and Office such as open-source software. It was clarified that the Finance department has considered other software but due to the significant integration of Microsoft products in City, the change would have a massive impact on operations.

MOTION TO AMEND:

Council Member Winger **MOVED** to amend the fourth Whereas by replacing "Zones, LLC" in the second line of the bidder table with "Insight Public Sector, Inc," and by replacing "Insight Public Sector, Inc" in the third line of the bidder table with "Zones, LLC." Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

VOTE ON MAIN MOTION AS AMENDED:

YEA: Sounart, Pettey, Winger, Gabriel, Glendening, Baisden
NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

G. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - Purchase Orders Over \$15,000. (Administration)

Approved by the consent agenda.

3. **Action/Approval** - Confirmation of Mayoral Nomination for Appointment to the Planning and Zoning Commission. (Mayor Gabriel)

MOTION:

Council Member Pettey **MOVED** to approve the Mayoral nomination of Victoria Askin to the Planning & Zoning Commission. Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

4. **Action/Approval** - Council on Aging By-Law Amendment. (City Clerk)

MOTION:

Council Member Baisden **MOVED** to approve the Council on Aging By-Law Amendments. Council Member Pettey **SECONDED** the motion.

It was clarified that the Council on Aging has had difficulty filling their all nine of their seats and this change to their by-laws would provide flexibility to allow only four members to constitute a quorum. Other changes include general housekeeping and an amendment to the Senior Citizen Program participation requirement.

UNANIMOUS CONSENT was requested.

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

5. ***Ordinance No. 3273-2022** – Accepting and Appropriating Two Grants from Derek Kaufman Fund through the Alaska Community Foundation and One Donation from the Friends of the Kenai Community Library for the Purchase of a Bike Repair Station. (Administration)

Introduced by the consent agenda and Public Hearing set for March 2, 2022.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – Council Member Knackstedt provided a report of the actions of the February 10, 2022 meeting in the packet. Next meeting March 10, 2022.
2. Airport Commission – Council Member Baisden reviewed the actions of the February 10, 2022 meeting. Next meeting March 10, 2022.
3. Harbor Commission – Council Member Pettey reviewed the actions of the February 7, 2022 meeting. Next meeting April 11, 2022.
4. Parks and Recreation Commission – No report. Next meeting February 17, 2022.
5. Planning and Zoning Commission – Council Member Winger reviewed the actions of the February 9, 2022 regular meeting. Next meeting February 23, 2022.
6. Beautification Committee – Council Member Sounart reviewed the actions of the February 15, 2022 special meeting. Next meeting April 12, 2022.
7. Mini-Grant Steering Committee – Mayor Gabriel reported that a Mini-Grant Steering Committee Meeting had been scheduled for Friday, February 25, 2022.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attended the Sea Belt Community meeting to speak about tourism;
- Attended a Mayors and Manager meeting with Senator Murkowski to discuss infrastructure funding, and there will be symposium in Anchorage in April to provide more information to communities;
- Attended Chamber appreciation reception at the Cannery Lodge;
- Attended the Alaska Bycatch Review Task Force meeting and discussed how to divide up their workload;
- Expressed appreciation for employees of City.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Ostrander reported on the following:
 - Introduced new Parks & Recreation Director Brad Walker;
 - Noted that he will be attending the Anchorage symposium on infrastructure funding along with the City's grant writer, City Attorney and Airport Manager;
 - Noted the significant snowfall this winter, and commended the Airport and Streets employees for their exceptional work keeping the runway and roads clear;
 - Provided information regarding policy and procedures for airport lessee snow removal, noting that there are changes due to new leases;
 - The Kenai Dog Park is now a capital project, and Administration will become actively involved in the development.
 - Design continues on the bluff stabilization project.
2. City Attorney – City Attorney Bloom reported on the following:

- The City filed the motion to file the Amicus brief, and will provide further updates to Council on the progress of the suit.

3. City Clerk – No report.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*)
2. Council Comments

Council Member Glendening noted he had a knee replacement and the recovery progress has went well. He reported receiving public feedback about what to do about snow and suggested that the City needs to hire another employee to help manage snow removal.

Council Member Pettey attended the Kenai Art Center's First Thursday event and encouraged everyone to visit their current show. She thanked the Airport and Streets departments for their diligence on snow removal and expressed appreciation for the the amicus brief prepared by City Attorney Bloom.

Student Representative Thibodeau provided an update on school activities, noting that there had been some recent reports of theft at the school.

Council Member Sounart thanked City employees for their hard work on snow removal and relayed positive feedback she had received from a community member.

Council Member Winger thanked the Streets department and Kenai Police for work their excellent work. She spoke about the upcoming Love of Reading event and about the school mask mandate. She noted that Kenai Central High School was seeking funding for the Ed Hollier Field bathroom project.

Council Member Baisden reported on school sports and expressed appreciation for Council Member Winger's comments about school mask mandates. He expressed his thanks to City employees for working diligently to clear snow.

L. EXECUTIVE SESSION – None.

M. PENDING ITEMS – None.

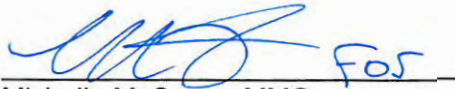
N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders Between \$2,500 and \$15,000
2. Kenai Dog Park Brochure – Summer 2022

There being no further business before the Council, the meeting was adjourned at 7:55 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of February 16, 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.*