

**KENAI CITY COUNCIL – REGULAR MEETING
AUGUST 17, 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 August 17, 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
Teea Winger
Glense Pettey
Henry Knackstedt

James Baisden
Deborah Sounart
Jim Glendening, Vice Mayor

A quorum was present.

Also in attendance were:

**Silas Thibodeau, Student Representative
Paul Ostrander, City Manager
Scott Bloom, City Attorney
Max Best, Interim Planning Director
Scott Curtin, Public Works Director
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and suspend the rules to address agenda item F. Unfinished Business prior to agenda item D. Public Hearings. Council Member Pettey **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

4. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda. Council Member Pettey **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. "Introduction to Executive Director" Peter Evon, Executive Director of the Kenaitze Indian Tribe.

Mr. Evon provided an update on the Kenaitze Indian Tribe's current projects and activities, including the grand opening of the education campus; development of a community hall and harvest pavilion on the waterfront; the Tribal Court; construction on maintenance warehouse-transportation building; and a grant awarded to them through U.S. Department of Housing and Urban Development for elder housing facility. He discussed the opportunity for partnership with Administration and Council in the future.

C. UNSCHEDULED PUBLIC COMMENTS

Jake Phillips addressed the Council regarding the Kenai Central High School Marching Band; discussed the upcoming Fiesta Bowl event and noted that funds from the fundraising website would help students pay for travel to the event; and requested contact information from anyone interested in donating.

Marion Nelson reminded everyone that the Kenai Art Center's Harvest Auction is returning this year on September 24; explained that most of the auction items will be art, which will be on display through the month of September; and discussed this month's art show which features two artists.

F. UNFINISHED BUSINESS

1. **Ordinance No. 3298-2022** - Enacting Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program. (Administration)
[Clerk's Note: At the Meeting of August 3, 2022 this Ordinance was Postponed to this Meeting; a Motion to Enact is on the Floor.]
 - **Substitute Ordinance No. 3298-2022** - Enacting Kenai Municipal Code Chapter 14.30- Floodplain Management, Within Title 14-Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program. (Administration)

[Clerk's Note: The motion to enact Ordinance No. 3298-2022 was on the floor from the August 3, 2022 Regular City Council Meeting.]

MOTION:

Council Member Knackstedt **MOVED** to amend Ordinance No. 3298-2022 by Ordinance No. 3298-2022 Substitute. Council Member Pettey **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend by substitute.

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

Interim Planning Director Best reported that the interactive flood plain map presented to the Planning & Zoning Commission was unavailable due to the host website being down; explained that the new map is accurate and an improvement of the old system; stated that the six properties with potential issues had been rectified with FEMA; provided a summary of requirements for constructions in the floodways; and clarified that this ordinance would allow the City to work with the Army Corps of Engineers for the Bluff Stabilization project.

Mitch Paine, FEMA Flood Plain Management Specialist noted that when a community joins NFIP technical assistance from FEMA is provided for set up and regulation interpretations.

There was discussion related to adding minimum standards to code being required to participate in the NFIP; clarification that there would be very little impact to the land within the Kenai Waterfront Revitalization Feasibility Study; potential reduction in insurance rates for property owners and their eligibility for flood insurance; and it was clarified that this came forward as a result of the agreement with Army Corps of Engineers.

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

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

D. PUBLIC HEARINGS

1. **Ordinance No. 3300-2022** – Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget– Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association (AMLJIA) for the Purchase of Ballistic Vests. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3300-2022. 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.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3301-2022** – Increasing Estimated Revenues and Appropriations in the General Fund FY22 Budget – Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area (AK HIDTA) for Drug Investigation Overtime Expenditures. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3301-2022. Council Member Winger **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: Gabriel, Glendening, Baisden, Sounart, Pettey, Winger, Knackstedt

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3302-2022** – Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue and Wastewater Treatment Plant Improvements Capital Project Fund and Authorizing a Construction Agreement and Purchase Order for the Sludge Press Replacement Project. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3302-2022. Council Member Winger **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 regarding the purpose of a sludge press; construction costs coming in more than the engineer’s estimate; that costs increase to other items identified in the design process for this project were included in the resolution; and improvements resulting in greater energy efficiency and cost savings.

VOTE:

YEA: Glendening, Baisden, Sounart, Pettet, Winger, Knackstedt, Gabriel
NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

- 4. **Ordinance No. 3303-2022** – Increasing Estimated Revenues and Appropriations in the Water Sewer Special Revenue Fund for Operational Chemical Costs in Excess of Budgeted Amounts. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3303-2022. 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.

There was discussion regarding the cost for operational chemicals; current budget amounts were based on historical data; the significant increase in costs for these chemicals this year; potential alternatives to save future costs; that approximately 60-90 days of chemical supplies were kept in stock; and contracting for a utility rate study, which may recommend adjustments to the fee schedule.

VOTE:

YEA: Baisden, Sounart, Pettet, Winger, Knackstedt, Gabriel, Glendening
NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

- 5. **Resolution No. 2022-61**– Authorizing the City Manager to Extend the Restaurant Concession Agreement in the Kenai Municipal Airport for an Additional Year. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-61. Council Member Winger **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.

UNANIMOUS CONSENT was requested.

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

E. MINUTES

- 1. *Special Meeting of July 26, 2022.
- 2. *Regular Meeting of August 3, 2022. (City Clerk)

F. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Ordinance No. 3304-2022** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds for Kenai Municipal Airport Disadvantage Business Enterprise Program Updates. (Administration)

Introduced by the consent agenda and Public Hearing set for September 7, 2022.

3. ***Ordinance No. 3305-2022** - Conditionally Granting Certain Foreclosed City-Owned Properties Described as Lots 8 & 11, Block 9 and Lot 4, Block 10, Mommsen's Replat of Additions No. 1 & 2 (Parcel Numbers 03910211, 03910208 and 03910304) to Central Peninsula Habitat for Humanity, Inc. for Construction of Housing. (Administration)

Introduced by the consent agenda and Public Hearing set for September 7, 2022.

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

MOTION:

Council Member Knackstedt **MOVED** to approve Purchase Orders Over \$15,000. Council Member Pettey **SECONDED** the motion.

Clarification was provided that the payment to HDL Engineering Consultants was contingent on the enactment of Ordinance No. 3302-22.

UNANIMOUS CONSENT was requested.

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

G. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting September 8, 2022.

2. Airport Commission

No report, next meeting September 8, 2022.

3. Harbor Commission

Council Member Pettey reported on the August 8, 2022 meeting.

4. Parks and Recreation Commission

No report, next meeting September 1, 2022.

5. Planning and Zoning Commission

Vice Mayor Glendening reported on the August 10, 2022 meeting.

6. Beautification Committee

No report, next meeting September 13, 2022.

7. Mini-Grant Steering Committee

No report, next meeting August 26, 2022.

H. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Alaska Bycatch Review Task Force had met several times and will be bringing recommendations to the full Task Force on October 14, 2022.
- Discussed regarding effect of bycatch on recreational fisheries during his attendance at the Kenai River Sportfishing roundtable.
- Industry Appreciation Day being scheduled for Saturday, August 20th at the park strip.

I. ADMINISTRATION REPORTS

1. City Manager – City Manager Ostrander reported on the following:
 - John Harris was hired as the new Deputy Fire Chief, replacing Mark Anderson who is retiring after 23-years with the City.
 - Lana Metcalf was hired as the City's new Controller, replacing Sue Best who is retiring after seven-years with the City.
 - He thanked Interim Planning Director Max Best and Interim Planning Assistant Willie Anderson, who did a great job maintaining the Planning and Zoning Department while the City was recruiting for a new Director and Assistant.
 - Linda Mitchell was hired as the new Planning Director and starting by September 26th.
 - Participation with the Kenai Peninsula Borough for the "Safe Streets and Roads for All" grant.
 - A Joint Work Session on September 21, 2022 with all City Commissions to receive an update from McKinley Group on the Kenai Waterfront Revitalization Study.
 - Review of the Bluff Stabilization project with DOT Commissioner Ryan Anders and discussed opportunities to work with DOT on projects and funding opportunities.
 - The Dipnet wrap up meeting identified some operational changes for implementation next year to alleviate traffic.
 - Bluff Stabilization project construction bids will go out on April 3, 2023.
2. City Attorney – No report.
3. City Clerk – No report.

J. ADDITIONAL PUBLIC COMMENTS

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*) – None.
2. Council Comments

Council Member Pettey noted that on Saturday, August 20th there will be a Soup Supper that benefits the Food Bank, and encouraged everyone to attend.

Student Representative Thibodeau thanked the Council for considering the KCHS Marching Band fundraiser, noted that it was the second day of the new school year and reported on upcoming football games.

Council Member Sounart thanked City Clerk Saner for her long hours working on the election, and noted that it was good that turnout was higher than usual.

Council Member Winger thanked Interim Planning Director Max Best and Willie Anderson for managing the Planning Department through the summer season; congratulated John Harris on his promotion, and wished the best for Sue Best and Mark Anderson.

Vice Mayor Glendening thanked Administration for their reports, stated that he hopes to hear about the new plan for plowing snow in the City, and thanked Director Best for his work while on board with the City.

Council Member Baisden thanked all election workers and the Clerk for running a successful election.

K. EXECUTIVE SESSION – None.

L. PENDING ITEMS – None.

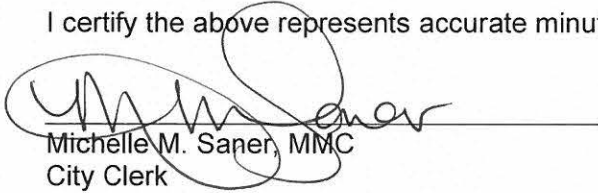
M. ADJOURNMENT

N. INFORMATIONAL ITEMS

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

There being no further business before the Council, the meeting was adjourned at 8:04 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of August 17, 2022.



Michelle M. Saper, 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.*