

KENAI CITY COUNCIL – REGULAR MEETING
SEPTEMBER 7, 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 September 7, 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
Glenese Pettey	Jim Glendening, Vice Mayor
Henry Knackstedt	

A quorum was present.

Also in attendance were:

**Silas Thibodeau, Student Representative
Paul Ostrander, City Manager
Scott Bloom, City Attorney
Dave Ross, Police Chief
Scott Curtain, Public Works Director
Shellie Saner, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following additions to the Packet:

Add item O.	Information Items
	<ul style="list-style-type: none">• Dog Park, Thursday, September 1, 2022

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 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 – None.

C. UNSCHEDULED PUBLIC COMMENTS

Bob Molloy stated his appreciation for the Kenai Fire Department (KFD) for their ability to help recover COVID vaccination documents and the contributions they make to public health and safety; he encouraged continued support for KFD clinics.

Marian Nelson provided an update on the Annual Harvest Auction scheduled for September 24, 2022; and reported on facility repairs and upgrades.

D. PUBLIC HEARINGS

- 1. 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)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3304-2022. Council Member Baisden **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: Sounart, Pettey, Winger, Knackstedt, Gabriel, Glendening, Baisden

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED.

- 2. 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)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3305-2022. 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.

There was discussion regarding similar land donations in the past; the importance of affordable housing in the City; and the process and requirements when building the homes.

VOTE:

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

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED.

- 3. Resolution No. 2022-62** – Supporting the Kenai Peninsula Borough’s Application for a Safe Streets and Roads for All Action Plan Grant and Authorizing the City of Kenai to be Included as a Joint Applicant. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-62. Council Member Pettet **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 this being a planning grant to determine safe travel routes for vehicles, pedestrians, bicycles, etc.; there would be a 20% match requirement; and if the City was not part of the planning grant process, they would not be eligible later for the implementation grant.

UNANIMOUS CONSENT was requested.

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

- 4. Resolution No. 2022-63** – Awarding a Professional Services Agreement and Corresponding Purchase Order for Professional Mechanical and Electrical Engineering Services for the Kenai Municipal Airport (KMA) Operations Building HVAC Controls and Boiler Replacement Project. (Administration)

MOTION:

Council Member Baisden **MOVED** to adopt Resolution No. 2022-63. Council Member Knackstedt **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 contractor being the same one who did the original design and having the original drawings; and the benefits of staggering the replacement process.

UNANIMOUS CONSENT was requested.

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

E. MINUTES

1. *Regular Meeting of August 17, 2022. (City Clerk)

F. UNFINISHED BUSINESS – None.

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. ***Ordinance No. 3306-2022** - Amending Kenai Municipal Code 7.15.020 Purchases Requiring Council Approval, to Provide Increased Flexibility for the Administration to Conduct City Business while Maintaining Sufficient Safeguards to Protect the Public Interest. (Baisden)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

4. ***Ordinance No. 3307-2022** - Amending Kenai Municipal Code 7.25.020 – City Budget Control, to Provide Increased Flexibility in the Expenditure of Funds and Management of City Budgets while Maintaining Adequate Internal Controls to Protect the Public's Interest. (Baisden)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

5. ***Ordinance No. 3308-2022** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

6. ***Ordinance No. 3309-2022** - Accepting and Appropriating Funds from the Public Library Association and AT&T for the Kenai Community Library's Participation in the PLA Digital Literacy Workshop Training Incentive. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

7. ***Ordinance No. 3310-2022** - Increasing Estimated Revenues and Appropriations in the General Fund, Police Department, for the Receipt of a Vehicle Forfeited to the State of Alaska. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

8. ***Ordinance No. 3311-2022** - Determining that Real Property Described as Lot 5, Block 1, Gusty Subdivision Addition No. 1, According to Plat No. 83-126 KRD, City-Owned Airport Land Located Outside the Airport Reserve, is not Needed for a Public Purpose, Waiving KMC 22.05.095 Methods of Sale or Disposal and Authorizing the Sale of the Property to Aaron Swanson DBA Forever Business Plaza LLC. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

9. ***Ordinance No. 3312-2022** - Determining Lot 4, Block 1, Gusty Subdivision Addition No. 1 Amended is not Needed for a Public Purpose and Approving the Execution of a Lease with an Option to Purchase between the City of Kenai and Aaron Swanson for the Property. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

10. ***Ordinance No. 3313-2022** - Accepting and Appropriating Funds from the State of Alaska Department of Natural Resources, Division of Forestry and the United States Department of Agriculture, Forest Service to Support the City's Spruce Beetle Mitigation and Hazard Fuel Reduction Program and Authorizing the City Manager to Execute a Memorandum of Agreement for this Funding. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

11. ***Ordinance No. 3314-2022** - Extending the Time Period for Completion of the Action Items Necessary for the Conditional Donation of an Approximate 2 Acre Parcel to be Subdivided from a Portion of the 6.8 Acre More or Less Portion of the East of Tract 4A, Baron Park 2020 Replat (KPB Parcel No. 04501035) to Triumvirate Theatre for the Development of a Theatre Facility. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

12. ***Ordinance No. 3315-2022** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Safety Capital Project Fund for Costs in Excess of Budgeted Amounts for the fire Department Apparatus Bay Floor Refinishing Project. (Administration)

Introduced by the consent agenda and Public Hearing set for September 21, 2022.

13. **Ordinance No. 3316-2022** - Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, to Further Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process. (Glendening)

MOTION:

Vice Mayor Glendening **MOVED** to introduce Ordinance No. 3316-2022, refer the ordinance to the Planning and Zoning Commission for consideration and recommendation at their September 14, 2022 meeting; and schedule the public hearing before City Council for September 21, 2022. Council Member Knackstedt **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report.

2. Airport Commission

No report, next meeting September 8, 2022.

3. Harbor Commission

No report, next meeting November 7, 2022.

4. Parks and Recreation Commission

Council Member Winger reported on the September 1, 2022 meeting.

5. Planning and Zoning Commission

Vice Mayor Glendening reported on the August 24, 2022 meeting.

6. Beautification Committee

No report, next meeting September 13, 2022.

7. Mini-Grant Steering Committee

Mayor Gabriel reported on the August 26, 2022 meeting.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attendance and participation as the Master of Ceremonies during the Industry Appreciation Event; and recommended additional focus on activities for children at future events.
- Attendance at the Soup Supper Fundraiser for the Kenai Peninsula Food Bank.

J. ADMINISTRATION REPORTS

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

- September 21, 2021 Joint Work Session with all City of Kenai Boards and Commissions to receive the final Waterfront Revitalization Report from the McKinley Group.

- Meeting with Peter Evon, Executive Director for the Kenaitze Indian Tribe; reporting to the Tribal Council regarding possible joint projects and a possible joint meeting with the Tribe and City Council.
 - Increased code enforcement issues; the current process being complaint driven; and the need for future discussion regarding a more proactive enforcement role by the City.
 - Upcoming Silver Salmon Derby; and the prizes.
 - Working through the Army Corps of Engineers process for the Bluff Erosion project.
2. City Attorney – No Report
 3. City Clerk – City Clerk Saner reported on the following:
 - Logic and Accuracy Testing at the Kenai Peninsula Borough for the upcoming Regular Election.
 - Absentee Voting for the Regular Election will begin on September 19, 2022.

K. ADDITIONAL PUBLIC COMMENTS

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

Marian Nelson addressed the Council in favor of making improvements to Lawton Drive; and increased snow removal on sidewalks.

2. Council Comments

Student Representative Thibodeau reported on the upcoming Kenai Central High School, Home Coming activities; and provided a sports and band update.

Council Member Sounart noted that the recent conditional use permit appeals helped her identify the Home Occupation Permit requirement within the city; she suggested working with the Kenai Peninsula Boroughs Sales Tax department to help make residents aware of these types of requirements.

Council Member Winger reported she toured the new Kenaitze Education Center and attended the recent city employee retirement parties; thanked Max Best for filling in as the Interim Planning Director; and reminded everyone to keep an eye open for the upcoming Fall Carnivals.

Council Member Knackstedt reported touring the new Kenaitze Education Center and commended the architectural design, noting the class rooms were of the river.

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 7:18 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of September 7, 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.*