

**KENAI CITY COUNCIL – REGULAR MEETING  
MARCH 1, 2023 – 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 March 1, 2023, 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  
Alex Douthit  
Henry Knackstedt

James Baisden, Vice Mayor  
Deborah Sounart  
Victoria Askin

A quorum was present.

Also in attendance were:

Terry Eubank, City Manager  
Scott Bloom, City Attorney  
Kathy Romain, Senior Service Director  
Brad Walker, Parks and Recreation Director  
Jessica Hendrickson, Chief Animal Control Officer  
Dave Ross, Police Chief  
Meghan Thibodeau, Deputy City Clerk  
Shellie Saner, City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

Add item F.1.

**Public Hearing – Ordinance No. 3332-2023**

- Planning & Zoning Commission Recommendation Memo
- Requested Amendment Memo
- Public Comments

**MOTION:**

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

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

**4. Consent Agenda**

**MOTION:**

Council Member Knackstedt **MOVED** to approve the consent agenda. Vice Mayor Baisden **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. Rasmussen Foundation/State of Alaska Broadband Access and Digital Equity Across Alaska, Associate Emily Pape, MMP of Kallander & Associates.

Emily Pape, MMP of Kallander & Associates addressed the City Council regarding a broadband access and digital equity program; stating the program aims to ensure access to high speed, reliable broadband in a way that is affordable, equitable and transparent; it identifies access barriers which applies to 80% of the Alaska population; the plan will include a statewide vision for digital equity; and a framework plan for implementation of programs with proposed technology related apprenticeships and other workforce development opportunities.

## **C. UNSCHEDULED PUBLIC COMMENTS - None.**

## **D. PUBLIC HEARINGS**

1. **Ordinance No. 3336-2023** - Accepting and Appropriating an American Rescue Plan Act Grant Passed through the State of Alaska Department of Health and Social Services for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency. (Administration)

### **MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3336-2023. 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.

It was reported that these were ARPA funds being passed through the State of Alaska; it was a one time funding for this year; and is in response to COVID-19 for food and other supplies at the Senior Center.

Senior Center Director Romain was thanked for her efforts in securing the grants.

### **VOTE:**

YEA: Askin, Douthit, Knackstedt, Sounart, Winger, Gabriel, Baisden

NAY: None.

**MOTION PASSED UNANIMOUSLY.**

2. **Ordinance No. 3337-2023** - Accepting and Appropriating an Increase from the Kenai Peninsula Borough for the Senior Citizen Program Grant. (Administration)

### **MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3337-2023. Council Member Douthit **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.

It was reported that the Kenai Peninsula Borough (KPB) increased Senior funding by 10%; the amount was set each year during the KPB budget process; Senior funding from KPB is allocated based on census data; and the 2020 census data had not been reported yet.

**VOTE:**

YEA: Douthit, Knackstedt, Sounart, Winger, Gabriel, Baisden, Askin

NAY: None

**MOTION PASSED UNANIMOUSLY.**

3. **Resolution No. 2023-16** - Amending the Employee Classification Plan by Removing the Data Entry Clerk, Consolidating the Meals Driver and Driver Classes, and Adjusting the Ranges of Driver, Kitchen Assistant, and Cook Positions at the Kenai Senior Center. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-16. 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.

It was reported that generally adjustments were made annually during the budget process and sometimes made when there are vacancies; the fiscal impact would be a \$14,000 annual increase; and this would help the Senior Center fill vacancies and correct inequities.

**UNANIMOUS CONSENT** was requested.

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

4. **Resolution No. 2023-17** - Authorizing the Use of the Fleet Replacement Fund for the Purchase of Equipment to Upfit Four New Police Vehicles and Authorizing the Sole Source Purchase of a Portion of the Items from Alaska Safety Inc. Utilizing the Contract of Another Government Agency in which the City is Authorized to Participate. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-17. Council Member Douthit **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.**

5. **Resolution No. 2023-18** - Renumbering Kenai City Council Supervisory Sub-Committee Policy No. 2017-02 to Policy No. 20.230. (City Clerk)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-18. Council Member Askin **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.

It was reported that this would only change the policy number.

**UNANIMOUS CONSENT** was requested.

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

6. **Resolution No. 2023-19** - Authorizing the Purchase of Real Property Described as Lots 8 and 9, Block 19, of the Original Townsite of Kenai, According to US Survey 2970B, Record of the Kenai Recording District, Third Judicial District, State of Alaska, and Designated as Kenai Peninsula Borough Parcel Number 04710308 from Billy McCann Et Al. and Glenda Sterling, for the Public Purpose of Including the Property in the Bluff Erosion Restoration Project and Determining that the Public Interest Will Not Be Served by an Appraisal. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-19. 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.

It was reported that due to recent sales of wetlands the land value was increase by the KPB Assessor's Office; there were three parcels that need to be acquired for the bluff project and this was one of them.

**UNANIMOUS CONSENT** was requested.

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

7. **Resolution No. 2023-20** - Authorizing a Budget Transfer in the Visitor Center Improvement Capital Project Fund and Authorizing a Contract Award and Corresponding Purchase Order for the Visitor Center Roof Replacement Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-20. Council Member Douthit **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.

It was reported that the bids received were in the same price range as the bids received last year; one bidder had withdrawn; and clarification was provided regarding awarding the alternate awards.

**UNANIMOUS CONSENT** was requested.

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

8. **Resolution No. 2023-21** - Authorizing a Contract Award and Corresponding Purchase Order for the Green Strip Playground Equipment Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-21. 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.

It was reported that this project began with a Memorandum of Agreement with the State of Alaska to replace playground that was 28-years old; the new equipment would meet todays safety standards and is ADA compliant; installation will take place in May; and the price includes the equipment and installation.

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. \*Regular Meeting of February 15, 2023. (City Clerk)

**F. UNFINISHED BUSINESS - Postponed Item / Public Hearing**

1. **Ordinance No. 3332-2023** - Amending Kenai Municipal Code Section 3.10.070-Livestock within the City Limits, to Allow a Maximum of Twelve (12) Chicken Hens to be Kept on Certain Lots Less than 40,000 Square Feet within the City of Kenai. (Douthit and Winger)

*[01/04/23 Introduced by Council; Referred for recommendation to the 01/25/23 Planning and Zoning Commission Meeting; First Public Hearing by Council Scheduled for 02/01/23; 02/01/23 Referred to the Planning & Zoning Commission for a Work Session; Second City Council Public Hearing Scheduled for March 1, 2023.]*

*[Clerk's Note: The motion to enact Ordinance No. 3332-2023 was on the floor from the February 15, 2023 Regular City Council Meeting.]*

Mayor Gabriel opened the floor for public comment.

Dan Conetta addressed the Council in opposition to Ordinance No. 3332-2023; stating the ordinance was a violation of public trust; his neighborhood had covenants in place to protect property values; the ordinance would undermine the covenants and property owners' rights within eight subdivisions; and he spoke in support of the Planning and Zoning Commissions recommendation to exclude the Suburban Residential (RS) Zone.

Kim Howard addressed the Council in opposition to Ordinance No. 3332-2023; stating when she purchased her home she read the covenants; allowing chickens would affect neighbors; noted concerns with lack of regulations on how violations would be addressed and that they should not be complaint-driven; and spoke in support of the Planning and Zoning Commissions recommendation to exclude the Suburban Residential (RS) zone.

Carolyn McGee addressed the Council in opposition to Ordinance No. 3332-2023; stating that she had witnessed a 3-year violation in the Woodland Subdivision; and she would have chosen a different area when buying her home had she know neighbors would be allowed to have chickens.

Barbara Kennedy addressed the Council in support of Ordinance No. 3332-2023; stating that she was happy with the recommendations coming from the Planning and Zoning Commission and that she felt it was a fair compromise.

Bob Molloy addressed the Council in opposition to Ordinance No. 3332-2023; stating he did not oppose allowing chickens in the Rural Residential (RR) zone; he chose to live in the Woodland Subdivision because of the covenants that protected residential use; and spoke in support of the Planning and Zoning Commission recommendation to exclude the Suburban Residential (RS) zone.

Carol Freas addressed the Council in opposition to Ordinance No. 3332-2023; she noted that most comments in support were related to food security; stated concerns with how the chickens would be monitored and questioned if allowing chickens would increase the City budget.

Holly Ward addressed the Council in support of Ordinance No. 3332-2023; stating she only recently heard chickens being kept two to three houses away from hers; there is plenty of other noise from the airport and dogs; and this was an opportunity for the younger generation to learn about self-sustainability and allow more children to become part of 4H.

Kristine Schmidt addressed the Council in opposition to Ordinance No. 3332-2023; noting the number of subdivisions which have no poultry covenants; in the land use table the Suburban Residential (RS) zone has always prohibited livestock and farming; that both livestock and farming were not appropriate uses within the Suburban Residential (RS) zone; stated her wish that the ordinance fail to enact; however, if

enacted she supports the Planning and Zoning Commission recommendation to exclude the Suburban Residential (RS) zone.

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

There was discussion regarding the role of the City related to neighborhood covenants; the responsibility of the Council to represent the constituents as a whole; having chickens did not create food security due to the cost of feed and other requirements; and discussion related to the number of parcels effected if the Suburban Residential (RS) zone were excluded.

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3332-2023, to include the following final Whereas clauses:

“WHEREAS, at its meeting on January 25, 2023, the Planning and Zoning Commission recommended enactment of this Ordinance with the following conditions:

- That a Planning & Zoning and/or City Council Work Session be scheduled prior to enactment.
- Include provisions that containment of chickens be restricted to the back of the house in the rear yard.

WHEREAS, at its meeting on February 22, 2023, the Planning and Zoning Commission recommended enactment of this Ordinance with further recommended conditions.”

Council Member Winger **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**MOTION TO AMEND PASSED.**

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3332-2023, to include the following technical amendments:

Section 1, paragraph c. 1. to read, “The keeping of chicken hens on lots less than forty thousand (40,000) square feet is subject to the standards in subsection ([K]h).”

Section 1, paragraph c. 3. to read, “Beekeeping will be restricted as described in subsection ([L]i).”

Section 1, paragraph h. to read, “The keeping of chicken hens on lots less than forty thousand (40,000) square feet is allowed, except in the RU, RS1, [RSL] RS2, and TSH zoning districts, subject to the following standards:”

Council Member Askin **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**MOTION TO AMEND PASSED.**

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph h. to read as follows:

“The keeping of chicken hens on lots less than forty thousand (40,000) square feet is allowed, except in the ALI, RU, RS1, RS2, and TSH zoning districts, subject to the following standards:”

Council Member Askin **SECONDED** the motion to amend.

It was clarified that the amendment would prohibit chickens within the Airport Light Industrial Zone.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**VOTE:** There being no objection on the motion to amend, **SO ORDERED.**

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraphs 3 and 4 to read as follows:

- “(3) Chicken coops, hutches or other fully enclosed shelters must be located in the rear yard [MAY NOT BE LOCATED IN A FRONT YARD OR SIDE YARD THAT ABUTS A STREET IN A RESIDENTIAL ZONING DISTRICT] and must have a minimum setback of fifteen feet (15’) from the side yards, ten feet (10’) from the rear yard, and twenty-five feet (25’) from residential dwellings on neighboring lots.
- (4) Fences, corral, pen, or other similar containment structures must be located in the rear yard and have a minimum setback of fifteen feet (15’) from the side yards, [TWENTY-FIVE FEET (25’) FROM THE FRONT YARD,] ten feet (10’) from the rear yard, and twenty-five feet (25’) from residential dwellings on neighboring lots.”

Vice Mayor Baisden **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**VOTE:** There being no objection on the motion to amend, **SO ORDERED.**

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph h. 1. to read as follows:

“A maximum of twelve (12) chicken hens may be kept on lots in the Rural Residential (RR) zone with a permitted principal structure.”

Council Member Askin **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**VOTE:** There being no objection on the motion to amend, **SO ORDERED.**

**MOTION TO AMEND: (PRIMARY)**

Council Member Askin **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph h. 1. to read as follows:

“A maximum of twelve (12) chicken hens may be kept on lots in the Rural Residential (RR) zone with a permitted principal structure. In other zones where chicken hens are permitted on lots less than 40,000 square feet, up to four (4) chicken hens may be kept on lots greater than 12,000 square feet and less than 24,000 square feet with a principal permitted structure. One additional chicken hen is allowed for each additional 2,000 square feet of lot size in these zones. Except in the RR zone, no chickens may be kept on lots less than 12,000 square feet.”

Vice Mayor Baisden **SECONDED** the motion to amend.

**MOTION TO AMEND: (SECONDARY)**

Council Member Knackstedt **MOVED** to amend the Askin amendment to Ordinance No. 3332-2023, Section 1, paragraph h. 1. to read as follows:

“A maximum of twelve (12) chicken hens may be kept on lots in the Rural Residential (RR) zone with a permitted principal structure. In other zones where chicken hens are permitted on lots less than 40,000 square feet, up to four (4) chicken hens may be kept on lots greater than [12,000] 20,000 square feet and less than 24,000 square feet with a principal permitted structure. One additional chicken hen is allowed for each additional 2,000 square feet of lot size in these zones. Except in the RR zone, no chickens may be kept on lots less than [12,000] 20,000 square feet.”

Vice Mayor Baisden **SECONDED** the secondary motion to amend.

**VOTE ON SECONDARY MOTION TO AMEND:**

YEA: Knackstedt, Sounart, Gabriel, Baisden

NAY: Winger, Askin, Douthit

**SECONDARY MOTION TO AMEND PASSED.**

**MOTION TO AMEND: (SECONDARY)**

Council Member Sounart **MOVED** to amend the Askin amendment as amended to Ordinance No. 3332-2023, Section 1, paragraph h. 1. to read as follows:

“A maximum of twelve (12) chicken hens may be kept on lots in the Rural Residential (RR) zone with a permitted principal structure. In other zones where chicken hens are permitted on lots less than 40,000 square feet, up to [FOUR] six (6) chicken hens may be kept on lots greater than 20,000 square feet [AND LESS THAN 24,000 SQUARE FEET WITH A PRINCIPAL PERMITTED STRUCTURE. ONE ADDITIONAL CHICKEN HEN IS ALLOWED FOR EACH ADDITIONAL 2,000 SQUARE FEET OF LOT SIZE IN THESE ZONES]. Except in the RR zone, no chickens may be kept on lots less than 20,000 square feet.”

Vice Mayor Baisden **SECONDED** the secondary motion to amend.

**VOTE ON SECONDARY MOTION TO AMEND:**

YEA: Sounart, Gabriel, Baisden, Askin, Knackstedt

NAY: Winger, Douthit

**SECONDARY MOTION TO AMEND PASSED.**

**MOTION TO AMEND: (SECONDARY)**

Council Member Douthit **MOVED** to amend the Askin amendment as amended to Ordinance No. 3332-2023, Section 1, paragraph h. 1. to read as follows:

“A maximum of twelve (12) chicken hens may be kept on lots in the Rural Residential (RR) zone with a permitted principal structure. In other zones where chicken hens are permitted on lots less than 40,000 square feet, up to [SIX (6)] twelve (12) chicken hens may be kept on lots greater than 20,000 square feet. Except in the RR zone, no chickens may be kept on lots less than 20,000 square feet.”

Vice Mayor Baisden **SECONDED** the secondary motion to amend.

**VOTE ON SECONDARY MOTION TO AMEND:**

YEA: Winger, Gabriel, Baisden, Askin, Douthit, Sounart

NAY: Knackstedt

**SECONDARY MOTION TO AMEND PASSED.**

**UNANIMOUS CONSENT** was requested on the motion to amend as amended.

**VOTE:** There being no objection on the motion to amend as amended, **SO ORDERED.**

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph h. to read as follows:

“The keeping of chicken hens on lots less than forty thousand (40,000) square feet is allowed, except in the ALI, RU, RS, RS1, RS2, and TSH zoning districts, subject to the following standards:”

Council Member Douthit **SECONDED** the motion to amend.

**VOTE ON MOTION TO AMEND:**

YEA: Gabriel, Baisden, Knackstedt

NAY: Askin, Douthit, Sounart, Winger

**MOTION TO AMEND FAILED.**

**MOTION TO AMEND:**

Council Member Sounart **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph h. to add a new subparagraph 2. to read as follows:

“If two or more lots of continuous frontage are owned or leased by the same person(s) and the combined square footage of such lots otherwise meets the requirements of this section for the keeping of chicken hens, such lots will be considered a single lot for the purpose of this section. All chicken hens and appurtenances must to be on the lot with the principal permitted structure.”

Renumber remaining sections accordingly.

Council Member Winger **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**VOTE:** There being no objection on the motion to amend, **SO ORDERED.**

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph c. 1. to read as follows:

“The keeping of chicken hens on lots less than forty thousand (40,000) square feet will be subject to the standards in subsection (h). This allowance for the keeping of chicken hens does not permit commercial activities where otherwise prohibited or additional permitting or licensing is required.”

Council Member Winger **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**VOTE:** There being no objection on the motion to amend, **SO ORDERED.**

**MOTION TO AMEND:**

Council Member Askin **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph h. to add a new subparagraph to be numbered accordingly, to read as follows:

“All feed for chickens must be stored securely to prevent access from rodents and other non-domestic animals.”

Council Member Winger **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**VOTE:** There being no objection on the motion to amend, **SO ORDERED.**

**MOTION TO AMEND:**

Council Member Douthit **MOVED** to amend Ordinance No. 3332-2023, to the delete [CHICKEN HENS] and insert laying hens throughout the ordinance. Council Member Winger **SECONDED** the motion to amend.

**VOTE ON MOTION TO AMEND:**

YEA: Douthit, Sounart, Winger

NAY: Knackstedt, Gabriel, Baisden, Askin

**MOTION TO AMEND FAILED.**

**MOTION TO AMEND:**

Council Member Douthit **MOVED** to amend Ordinance No. 3332-2023, Section 1, paragraph h. to add a new subparagraph to be numbered accordingly, to read as follows:

“It is the responsibility and burden of the property owner to provide necessary information to the City, potentially including a survey performed by a registered surveyor, to verify conditions of this title are met if reasonably called into question.”

Council Member Winger **SECONDED** the motion to amend.

**UNANIMOUS CONSENT** was requested on the motion to amend.

**VOTE:** There being no objection on the motion to amend, **SO ORDERED.**

**VOTE ON MAIN MOTION AS AMENDED:**

YEA: Douthit, Knackstedt, Sounart, Winger, Gabriel, Baisden, Askin

NAY: None

**MAIN MOTION TO AMEND PASSED.**

**G. NEW BUSINESS**

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

Approved by the consent agenda.

2. **\*Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License for Cook Inlet Cannabis Co., DBA: East Rip - License No. 13382. (City Clerk)

Approved by the consent agenda.

3. **\*Action/Approval** - Non-Objection to the Renewal of a Marijuana Product Manufacturing Facility License for Herban Extracts LLC., DBA: Herban Extracts LLC. - License No. 14432. (City Clerk)

Approved by the consent agenda.

4. **\*Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License for KRC LLC., DBA: Kenai River Cannabis. - License No. 17808. (City Clerk)

Approved by the consent agenda.

5. **\*Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License and a Standard Marijuana Cultivation License for Majestic Gardens LLC., DBA: Majestic Gardens LLC. - License No.'s 15393 and 15395. (City Clerk)

Approved by the consent agenda.

6. **\*Action/Approval** - Non-Objection to the Renewal of a Beverage Dispensary Liquor License for D & E Investments Inc., DBA: The Bow - License No. 1312. (City Clerk)

Approved by the consent agenda.

7. **\*Action/Approval** - Non-Objection to the Transfer of Ownership of a Beverage Dispensary Liquor License and Restaurant Designation Permit for Solitaire LLC., DBA: Pizza Paradisos - License No. 3032. (City Clerk)

Approved by the consent agenda.

8. **\*Ordinance No. 3338-2023** - Amending Kenai Municipal Code Chapter 1.15 - Rules of Order, to Allow Approval of the Agenda and Consent Agenda in One Motion, Remove Sections that May Conflict with the State of Alaska Open Meetings Act, and Remove any Rules that are Standard Rules as Established in Roberts Rules of Order. (City Clerk)

Introduced by the consent agenda and Public Hearing set for March 15, 2023.

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

No report, next meeting March 9, 2023.

2. Airport Commission

Council Member Askin reported the February 24, 2023 Work Session was cancelled, next meeting March 9, 2023.

3. Harbor Commission

No report, next meeting March 6, 2023.

4. Parks and Recreation Commission

No report, next meeting March 2, 2023.

5. Planning and Zoning Commission

Council Member Askin reported on the February 22, 2023 Regular Meeting.

6. Beautification Committee

Council Member Winger reported on the February 21, 2023 Work Session.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Co-Presenter for the Alaska Bycatch Review Task Force to the House Fisheries Committee.
- Attending the Commission, Committee and Council Recognition and Training Event.
- Participated in the Love of Reading Event at Mountain View Elementary.

**J. ADMINISTRATION REPORTS**

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

- Provided a Bluff Stabilization Project update.
- Traveling to Anchorage to meet with the FAA to discuss Airport Projects and project funding.
- The outstanding job being done by the Streets Department keeping up with the snow levels.
- Communications with the State of Alaska regarding training at the Fire Training facility.
- Challenges related to filling vacancies.
- Completion of the Leadership Training program for City staff.

2. City Attorney - No report.

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

- Thanked those who attended the Commission, Committee and Council recognition and training event.

**K. ADDITIONAL PUBLIC COMMENTS**

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

Marion Nelson addressed the Council regarding Art in the Parks programs; the upcoming show “Bird Call”; snow removal issues at the Art Center; and increased use of the back room for workshops.

2. Council Comments

Council Member Douthit thanked the Council for the discussion and action on Ordinance No. 3332-2023; and provided an update on vacancies at the Kenai Chamber of Commerce and Visitor Center.

Council Member Askin noted her appreciation for the training event; stated she attended the Metal show at the Kenai Art Center; and that she was happy with the outcome of Ordinance No. 3332-2023.

Council Member Sounart noted her appreciation for the training event; and reported that Elementary School students would join the Kenai Peninsula Orchestra on stage for the Link Up Program at Kenai Central High School on Friday, March 3, 2023 at 7:00 p.m.

Council Member Winger stated she appreciated the conversation on Ordinance No. 3332-2023; reminded everyone to remove snow off of their roofs; be cautious of moose encounters; reported her participation in the Love of Reading Event at Mountain View Elementary; and provided an update regarding the Sex Trafficking Awareness Campaign.

L. **EXECUTIVE SESSION** - None.

M. **PENDING ITEMS**

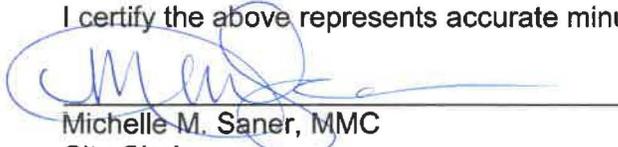
1. **Resolution No. 2023-15** - Amending the City Council Selecting and Appointing a Qualified Person or Persons to Fill Vacancies on the City Council Policy No. 2021-01 and Renumbering and Renaming to City Council Policy No. 20.220 - Filling Council Vacancies by Appointment. (City Clerk) [*Postponed to the March 15, 2023 Regular City Council Meeting*]

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** - None.

There being no further business before the Council, the meeting was adjourned at 11:14 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of March 1, 2023.

  
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.**