

**KENAI CITY COUNCIL – REGULAR MEETING
FEBRUARY 15, 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 February 15, 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:

**Silas Thibodeau, Student Representative
Terry Eubank, City Manager
Scott Bloom, City Attorney
Linda Mitchel, Planning Director
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following additions to the Packet:

Add item D.9.

Public Hearing – Resolution No. 2023-13

- Substitute Policy No. 20.110 Use of Electronic Devices During Meetings

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda with the requested revisions and requested **UNANIMOUS CONSENT**. Vice Mayor Baisden **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. Kenai Permanent Fund Annual Review, 2022 Financial Performance, Financial Projections and Recommended 2023 Asset Allocations for the City's Permanent Fund, Brandi Niclai and Bill Lierman, from Alaska Permanent Capital Management.

Brandy Niclai provided a review of the Permanent Fund Investment reporting overall growth; market review, portfolio review and a strategic review; and discussed the 2023 market outlook which suggested a shift from inflation to slow growth or recession.

2. Project Homeless Connect 2023 Report, Jodi Stuart, Project Homeless Connect Publicity Chair.

Jodi Stuart presented an overview of the 2023 Project Homeless Connect event; provided statistical information from the data collected; explained the organizational structure and organizations involved with the with homelessness services; and highlighted the success of the event and its positive impact on the participants.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. PUBLIC HEARINGS

1. **Ordinance No. 3335-2023** - Increasing Estimated Revenues and Appropriations in the Airport Fund Fiscal Year 2023 Budget for Utility Costs Associated with the Alaska Regional Fire Training Center. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3335-2023. 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 with Beacon no longer managing the facility, the City was now responsible for the utilities; some of the utility costs would be recovered through rental from the facility; and Beacon was now a tenant.

VOTE:

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

NAY: None

**Student Representative Thibodeau: Yea

MOTION PASSED, UNANIMOUSLY.

2. **Resolution No. 2023-06** - Authorizing the City Manager to Accept a Donation, on Behalf of the City, of Property Described as Lot 4, Block 8 of the Original Townsite of Kenai, Kenai, Alaska from the Trust Agreement of Thelma M. Bagoy, for a Public Purpose and Determining that the Public Interest will Not be Served by an Appraisal. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-06. Vice Mayor 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.

It was reported that the land would be used as an open space; the original letter offering the land was received in 2021 and recently found by new Planning Director Mitchel who contacted the owners and they were still interested in donating the land.

UNANIMOUS CONSENT was requested.

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

- 3. Resolution No. 2023-07 - Designating the Investment and Allocation Plan for the City's Permanent Funds and Establishing Appropriate Benchmarks to Measure Performance for Calendar Year 2023. (Administration)**

MOTION:

Council Member Askin **MOVED** to adopt Resolution No. 2023-07. Vice Mayor 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.

UNANIMOUS CONSENT was requested.

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

- 4. Resolution No. 2023-08 - Repealing City Council Adopted Policy 2018-02 - Procedures for Including Contingency Funding in Contracts. (Administration)**

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-08. 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.

UNANIMOUS CONSENT was requested.

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

- 5. Resolution No. 2023-09 - Renumbering Kenai City Council Travel Policy No. 2014-02 to Policy No. 20.200. (City Clerk)**

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-09. 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.

UNANIMOUS CONSENT was requested.

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

- 6. Resolution No. 2023-10 - Renumbering Kenai City Council Public Recognition Policy No. 2014-01 to Policy No. 20.210. (City Clerk)**

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-10. 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.

There was discussion regarding the last update to the policy was in 2016 and increased costs of goods since that time.

MOTION TO AMEND:

Council Member Douthit **MOVED** to amend the City of Kenai Public Recognition Policy, paragraph 1 as attached to Resolution 2023-10 by increasing the amount not to exceed from \$150 to \$200 as follows:

“The Council recognizes a public benefit in the recognition, on behalf of the Council and City, of certain events affecting the community, City officials, and employees. Pursuant to this policy, the Mayor is authorized to expend City funds within budgeted amounts not to exceed \$[150] 200 per event on gifts and other appropriate items such as flowers. Council must approve by motion the expenditure of any greater amount.”

Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend.

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

UNANIMOUS CONSENT was requested on the main motion as amended.

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

7. **Resolution No. 2023-11** - Amending the City Council Agenda and Packet - Preparation, Distribution and Publication Policy No. 2019-01 and Renumbering to Policy No. 20.000. (City Clerk)

MOTION:

Council Member Askin **MOVED** to adopt Resolution No. 2023-11. 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.

UNANIMOUS CONSENT was requested.

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

8. **Resolution No. 2023-12** - Amending the City Council Procedures for Recording City Council Meetings and Work Sessions Policy No. 2017-03 and Renumbering to Policy No. 20.010. (City Clerk)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-12. 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.**

9. Resolution No. 2023-13 - Repealing the Unnumbered City Council Electronic Devices During Meetings of the Council Policy and Adopting City Council Policy No. 20.110 Use of Electronic Devices During Meetings. (Gabriel, Baisden, Knackstedt)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-13. Vice Mayor 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.

MOTION TO AMEND:

Council Member Knackstedt **MOVED** to amend City Council Policy No. 20.110 Use of Electronic Devices During Meetings as attached Resolution No. 2023-13 by Substitute Policy No. 20.110 Use of Electronic Devices During Meetings. Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend by Substitute Policy.

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

UNANIMOUS CONSENT was requested on the main motion as amended by Substitute.

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

10. Resolution No. 2023-14 - Amending the City Council Mobile Device Use and Management Policy No. 2017-01 and Renumbering to Policy No. 20.120. (City Clerk)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-14. Vice Mayor 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.

There was discussion regarding when the City established funding for mobile devices the intent was to reduce printing and binding costs of the City; and to discourage the use of paper whenever possible.

UNANIMOUS CONSENT was requested.

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

11. 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)

MOTION:

Council Member Askin **MOVED** to adopt Resolution No. 2023-15. 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.

MOTION:

Council Member Winger **MOVED** to Postpone Resolution No. 2023-15 until the March 15, 2023 Regular City Council Meeting. Vice Mayor Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

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

E. MINUTES

1. *Regular Meeting of February 1, 2023. (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** - Approval of the First Extension to the Agreement with Redline Sports for Management Services at the Kenai Multi-Purpose Facility. (Administration)

Approved by the consent agenda.

3. ***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)

Introduced by the consent agenda and Public Hearing set for March 1, 2023.

4. ***Ordinance No. 3336-2023** - Accepting and Appropriating an Increase from the Kenai Peninsula Borough for the Senior Citizen Program Grant. (Administration)

Introduced by the consent agenda and Public Hearing set for March 1, 2023.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

February 9, 2023 meeting was cancelled, next meeting March 9, 2023.

2. Airport Commission

Council Member Askin reported on the February 9, 2023 meeting.

3. Harbor Commission

Council Member Douthit reported on the February 6, 2023 work session.

4. Parks and Recreation Commission

February 2, 2023 meeting was cancelled, next meeting March 2, 2023.

5. Planning and Zoning Commission

Vice Mayor Baisden reported on the February 8, 2023 work session.

6. Beautification Committee

Next meeting February 21, 2023.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attending Chamber Luncheon for the Borough Mayor Candidate Forum.
- Attending the Retirement Party for former City Manager Paul Ostrander.

- Spoke at the Kenai Chamber of Commerce Job Shadow event.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager Eubank reported on the following:
 - The 2023 State of the City was scheduled for April 5, 2023 at the Kenai Chamber Luncheon.
 - Bluff Erosion Update, two properties were still needed.
 - Recruitment update for the Human Resource Director and Finance Director.
 - Meeting with the Boys and Girls Club and reviewing the preliminary designs.
 - Working to ensure the training schedule at the Fire Training Center is uninterrupted.
 - Testifying at the Senate Labor and Commerce meeting.
 - Capital Projects had been entered into CAPSIS.
 - Discussions regarding summer ice availability and the damage to the Multi-Purpose facility when ice is put in during the summer.
 - Property, Sales Tax and online Sales Tax numbers were up.
2. City Attorney – None.
3. City Clerk – City Clerk Saner reported on the following:
 - Reminder about the February 23, 2023 Appreciation Lunch and Training Session.

K. ADDITIONAL PUBLIC COMMENTS

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

Council Member Douthit reported on activities at the Chamber of Commerce including a meeting with the Kenaitze and Salamatof Indian Tribes about museum artifacts, and applicants for the Executive Director position.

Student Representative Thibodeau reported on various school activities, including baseball practices and the recovery of a player's back injury, basketball games, junior job shadow day, Sadie Hawkins homecoming dance, honor choir, and E-sports team.

Council Member Askin thanked everyone for the great discussion.

Council Member Winger reported on the success of local student athletes; reminded the public to be cautious of moose in the area and not to feed them; encouraged support for Matt Brown's Operation Children First program.

Council Member Knackstedt stated that he had been out of town for the last two weeks.

L. EXECUTIVE SESSION - None.

M. PENDING ITEMS

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.]

N. ADJOURNMENT

O. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 7:58 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of February 15, 2023.



Michelle M. Sauer, 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.*