

**KENAI CITY COUNCIL – REGULAR MEETING
AUGUST 2, 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 August 2, 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	Henry Knackstedt
Teea Winger	Deborah Sounart
Alex Douthit	Victoria Askin

A quorum was present.

Absent:

James Baisden, Vice Mayor

Also in attendance were:

Terry Eubank, City Manager
David Swarner, Finance Director
Dave Ross, Police Chief
Linda Mitchell, Planning Director
Scott Curtin, Public Works Director
Tyler Best, Parks and Recreation Director
Shellie Saner, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following additions to the Packet:

- | | |
|---------------|---|
| Add item E.3. | Public Hearing - Resolution No. 2023-49 <ul style="list-style-type: none">• Public Comments |
| Add item H.8. | Discussion/Action - Radio Advertising <ul style="list-style-type: none">• Informational Memo• Public Comment |
| Add item P | Informational Items <ul style="list-style-type: none">• Kenai Peninsula Borough Resolution 2023-053 - Establishing a Voter Turnout Working Group to Explore Actionable Options and Ideas Aimed at Increasing Awareness, Participation and Voting in Local Elections. |

MOTION:

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

The items on the Consent Agenda were read into the record.

Mayor Gabriel opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**; without objection.

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 ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. PUBLIC HEARINGS

- 1. Ordinance No. 3364-2023** - Increasing Estimated Revenues and Appropriations in the Water and Sewer Capital Project Fund for Replacement of an Existing Cemetery Creek Culvert with a Fish Passage Culvert. (Administration) [KMC 1.15.070(d)]

MOTION:

Council Member Knackstedt **MOVED** to introduce Ordinance 3364-2023. Council Member Winger **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to introduce.

VOTE: Motion **APPROVED**; without objection.

MOTION:

Council Member Knackstedt **MOVED** to conduct the second reading of Ordinance 3364-2023. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to conduct the second reading.

VOTE: Motion **APPROVED**; without objection.

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3364-2023. 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 Cemetery Creek was determined to have one of the highest populations of Coho and Chinook salmon smolt on the lower Kenai River; although it was not a spawning grounds, it is a salmon rearing ground for one- and two-year old smolt; US Fish and Wildlife Service will provide technical direction and funding; the City will provide design and construction management; and Kenaitze Indian Tribe will apply for federal funding to complete the project.

VOTE:

YEA: Sounart, Knackstedt, Douthit, Askin, Gabriel, Winger
NAY: None
ABSENT: Baisden
MOTION PASSED.

- 2. Resolution No. 2023-48 - Approving Development Incentives for a Lease of the Airport Reserve Lands Between the City of Kenai and Schilling Rentals, LLC on Lot 3, Block 1, General Aviation Apron No. 1 Amended. (Administration)**

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-48. 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 although the work was not fully complete excavation was in progress; a development incentive application for an estimated project cost of \$208,000 was received in June; and a building permit application was submitted in July for a 6,000 square foot hangar.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without object.

- 3. Resolution No. 2023-49 - Declaring the Rights-of-Way of Char Circle as Dedicated on Park View Subdivision (Plat No. KN 79-156) and City Park Subdivision No. 2 (Plat No. KN 2007-149) and a Portion of S. Spruce Street as Dedication on Park View Subdivision (Plat No. KN 79-156) are No Longer Needed for a Public Purpose and Consenting to Vacation of the Rights-of-Way. (Administration)**

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-49. Council Member Winger **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment.

Ryan Tunseth, Board Member of the Boys & Girls Club of the Kenai Peninsula (BGCKP) apologized to the Council for not having any board members present when this item was before the Planning & Zoning Commission; and stated he should have been there.

Kyle Kornelis, Secretary-Treasurer of the BGCKP addressed the Council in support of the resolution as written; understood and supported the neighbor's request for additional time; and stated that the BGCKP would appreciate the addition of any square footage which would be put to good use.

Taylor Evans, addressed the Council in support of the vacation of Char Circle; requested additional time to work with the BGCKP to understand the effects to his father's property to the south of the of the proposed vacation of S. Spruce Street.

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

MOTION TO POSTPONE:

Council Member Knackstedt **MOVED** to postpone Resolution 2023-49 to the September 6, 2023 regular City Council Meeting. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to postpone.

VOTE: Motion **APPROVED**; without objection.

[Clerk's Note: Vice Mayor Baisden remotely joined the meeting at 6:27 p.m.]

F. MINUTES

1. *Regular Meeting of July 5, 2023. (City Clerk)

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - Assignment and Assumption of Lease Agreement of Lot 5, Block 1, Gusty Subdivision Addition No. 1 Amended to Braden Ellis. (Administration)

Approved by the consent agenda.

3. ***Action/Approval** - Amending an Employment Agreement between the City of Kenai and City Manager, Terry Eubank. (Gabriel)

Approved by the consent agenda.

4. ***Ordinance No. 3365-2023** - Increasing Estimated FY2023 Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for August 16, 2023.

5. ***Ordinance No. 3366-2023** - Increasing Estimated Revenues and Appropriations in the General Fund - Planning Department to Complete Rezoning of the Kenai Waterfront Area as Identified in the 2022 Kenai Waterfront Revitalization Assessment. (Knackstedt)

Introduced by the consent agenda and Public Hearing set for August 16, 2023.

6. ***Ordinance No. 3367-2023** - Increasing Estimated Revenues and Appropriations in the General Fund - Street Department for Award of a Contract to Replace Public Sidewalk at 815 Frontage Road. (Administration)

Introduced by the consent agenda and Public Hearing set for August 16, 2023.

7. **Discussion/Action** - Commission, Committee and Council on Aging Direction. (Gabriel)

There was discussion regarding the proposed timeline; the intent to provide more engagement with the commissions; transparency with the commissions, council, administration and public; ensuring the goals of the commissions aligned with the City Council goals; and allowing the commissions to take a deeper strategic review of their roles.

MOTION:

Council Member Knackstedt **MOVED** to direct the administration to move forward with the proposed Commission, Committee and Council on aging engagement and timeline. Council Member Winger. **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

8. **Discussion/Action** - Radio Advertising. (Douthit)

There was discussion regarding how the City would be able to evaluate whether radio advertising was beneficial; the radio campaigns in place by other local municipalities; the number of community members who listen to local radio in their vehicles; parents who listen to the radio for school updates; concerns that

additional advertising would not increase meeting attendance; what challenges may be faced managing content; previously the radio stations would contact an elected official for an overview of the agenda; and a general consensus that the Council would like to see an official legislative item brought forward proposing the use of radio prior to taking action on this issue.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

Council Member Sounart reported on the July 13, 2023 Work Session, next meeting August 10, 2023.

2. Airport Commission

Council Member Askin reported on the July 13, 2023 Work Session, next meeting August 10, 2023.

3. Harbor Commission

No report, next meeting August 7, 2023.

4. Parks and Recreation Commission

No report, next meeting cancelled.

5. Planning and Zoning Commission

Vice Mayor Baisden reported on the July 26, 2023 meeting, next meeting August 23, 2023.

6. Beautification Committee

No report, next meeting September 12, 2023.

J. REPORT OF THE MAYOR

Mayor Gabriel noted his disappointment that he had not set a net at all this year due to fishery restrictions and reported on the following:

- Cutting the ribbon at the Bark Park opening, noting that the murals had turned out very nice.
- Stated his appreciation for all of the departments, noting the mid-month reports in the packet.

K. ADMINISTRATION REPORTS

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

- Introduced the new Finance Director, David Swarner.
- Personal Use Fishery concluded on Monday with revenues being \$3,000 less than projected.
- Meeting of the Old Town Playground Design Committee.
- Provided an update regarding the 2021 report that there were no more memorial locations available in the Leif Hanson Park; and staff was working toward opening more spaces.
- Recent notification that the City was eligible for a \$1.2 million drinking water fully reimbursable loan.
- At the request of the Department of Forestry a Fire Truck and Fire Fighters were dispatched to Fairbanks to assist with their current fires.
- Thanked all of the volunteers who worked on the Bark Park.
- Provided a Status Update regarding the Bluff Stabilization Project.
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- The Leif Hanson water fountain did not have a pump issue, the issue is with water access and staff was looking into the problem.

2. City Attorney - No report.

3. City Clerk – City Clerk Saner reported on the following:
 - Student Representative Applications were distributed to the schools within the City of Kenai that had eligible students.
 - A September 9, 2023 volunteer project schedule at the cemetery to take photographs of the headstones and upload them to the City database.
 - That Kenai Peninsula Borough Resolution 2023-48 placing an advisory question to the voters regarding moving the Election date to align with state elections failed to adopt.
 - Kenai Peninsula Borough Resolution 2023-53 forming a voter turnout working group was adopted, an action item recommending appointing the Kenai City Clerk would be brought forward.
 - Candidate filing period is open, closes on August 15, 2023 at 4:30 p.m. and the ballot name placement procedure would take place in public at 5:00 p.m.

L. ADDITIONAL PUBLIC COMMENTS

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

Marion Nelson addressed the Council regarding the upcoming show; an upcoming student dance performance; and the annual September Harvest Auction.

Aaron Swanson addressed the Council regarding future plans for bringing Pita Pit coming to the City of Kenai and staying in alignment with the Pita Pit Corporation requirements.

Kyle Kornelis addressed the Council regarding the interactions of City Employees with his Mother, noting that she has let him know that she has a great relationship with the City Employees.

2. Council Comments

Council Member Douthit noted that the Personal Use Fishery went off well and complimented staff involved; and reminded everyone that the Kenai Art Center, First Friday show is coming up.

Council Member Sounart thanked everyone involved with the Personal Use Fishery and the Bark Park, noting she had taken her dog and it was a delight.

Council Member Askin thanked staff for taking the steps necessary to be eligible for the drinking water loan; and noted her appreciation for everyone involved in the Personal Use Fishery.

Council Member Winger stated she was glad the Personal Use Fishery was over, noting the number of boats coming through town; reminded everyone that school starts on August 15; stated that Bark Park looks great; and that she was looking forward to the Silver Salmon Derby and the Kenai River Marathon.

Council Member Knackstedt welcomed new Finance Director David Swarner; noted that staff was helpful and professional when he used the boat ramp for the first time during the Personal Use Fishery; and family visiting were very impressed with our town.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS

1. Kenai Peninsula Borough Resolution 2023-53 - Establishing a Voter Turnout Working Group to Explore Actionable Options and Ideas Aimed at Increasing Awareness, Participation and Voting in Local Elections.

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 7:36 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of August 2, 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.*