

**KENAI CITY COUNCIL – REGULAR MEETING
NOVEMBER 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 November 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
Phil Daniel
Alex Douthit
Henry Knackstedt

James Baisden, Vice Mayor
Deborah Sounart
Victoria Askin (*electronic participation*)

A quorum was present.

Also in attendance were:

**Xinlan Tanner, Student Representative
Terry Eubank, City Manager
Scott Bloom, City Attorney
David Swarner, Finance Director
Scott Curtin, Public Work Director
Stephanie Randall, Human Resources Director
Tyler Best, Parks & Recreation Director
Meghan Thibodeau, Acting City Clerk

3. Election of Vice Mayor

MOTION:

Council Member Askin **MOVED** to nominate Council Member Knackstedt as Vice Mayor.

Having no other nominations and hearing no objections, Council Member Knackstedt was elected to the position of Vice Mayor.

4. Agenda Approval

Mayor Gabriel noted the following additions to the Packet:

Add item E.1.

Ordinance No. 3375-2023

- Kenaitze Indian Tribe Donation – Replacement Letter

Add item E.4.

Resolution No. 2023-63

- 2022 UCI Salmon Season Summary
- Upper Cook Inlet Commercial Fisheries Annual Management Report 2021
- ESSN Closure Report

MOTION:

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

MOTION TO AMEND:

Council Member Baisden **MOVED** to add item H.4, "Action/Approval - Letter of Support for the Kenai Peninsula Housing Initiatives, Inc. Grant application to develop Senior and Low-Income Housing" to the consent agenda.

UNANIMOUS CONSENT was requested on the motion to amend the consent agenda.

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

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 on the main motion as amended.

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 ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS

- 1. Kenai Peninsula Economic Development District Quarterly Update, Tim Dillon Executive Director.

Tim Dillon, Executive Director of the Kenai Peninsula Economic Development District (KPEDD), reported on current and upcoming projects KPEDD is involved in; announced his retirement at the end of December and introduced new executive director Cassidy Cameron who will be taking over January 1, 2024. Ms. Cameron discussed working with the City on funding for capital improvement projects; and emphasized the organization's priorities including workforce development, making the region an attractive place to live and work, entrepreneurship, regional partnerships, and broadband connectivity. She announced an upcoming Industry Outlook Forum event on April 25, 2024.

D. UNSCHEDULED PUBLIC COMMENTS

Marion Nelson noted the Kenai Art Center's new storage shed, and discussed this month's mural exhibit.

E. PUBLIC HEARINGS

- 1. **Ordinance No. 3375-2023** - Accepting and Appropriating Donations from the Kenaitze Indian Tribe to Both the Animal Shelter and the Senior Center. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to enact Ordinance No. 3375-2023. 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.

Kenaitze Indian Tribe was thanked for their generous donation.

VOTE:

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

NAY: None.

**Student Representative Tanner: Yea

MOTION PASSED UNANIMOUSLY.

- 2. Ordinance No. 3376-2023** - Increasing Estimated Revenues and Appropriations in the General Fund, Parks and Recreation Department for the Purchase of Playground Equipment Utilizing a Grant from Marathon Petroleum. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3376-2023. 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 the equipment would be replacing a large tree killed by spruce beetles; the \$20,000 donation was received in FY2023; and the equipment is anticipated to be installed by next summer.

Marathon Petroleum was thanked for their generous donation.

VOTE:

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

NAY: None

**Student Representative Tanner: Yea

MOTION PASSED UNANIMOUSLY.

- 3. Resolution No. 2023-62** - Establishing the 2024 City Council Regular Meeting Schedule. (City Clerk)

MOTION:

Vice Mayor Knackstedt **MOVED** to adopt Resolution No. 2023-62. 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 noted that a meeting may be cancelled in late November or early December 2024 due to Alaska Municipal League's Annual Local Government Conference.

UNANIMOUS CONSENT was requested.

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

- 4. Resolution No. 2023-63** - Requesting the Governor of the State of Alaska Designate by Proclamation an Economic Disaster for 2023 for the Upper Cook Inlet East Side Set Net Fishery and Supporting A Recovery Plan. (Knackstedt)

MOTION:

Vice Mayor Knackstedt **MOVED** to adopt Resolution No. 2023-63. Council Member Sounart **SECONDED** the motion.

[Clerk's Note: Mayor Gabriel passed the gavel to Vice Mayor Knackstedt.]

Vice Mayor Knackstedt opened the floor for public comment.

Ken Coleman, Vice President of the Kenai Peninsula Fishermen's Association, spoke in support of the resolution. He expressed dismay at the recurring need for disaster declarations for their fishing industry.

He explained that the east side setnet group did not fish due to low king salmon numbers despite meeting the sustainable escapement goal; he emphasized the economic impact of the local fishing businesses on the community and discussed their efforts to secure financial relief.

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

There was discussion on the basis for data provided in the legislation regarding economic impact, biological and escapement goals.

MOTION TO AMEND:

Council Member Douthit **MOVED** to amend Resolution No. 2023-63 by removing the 6th Whereas, "WHEREAS, at the same time the Set Net fishery was closed, both the Kenai and Kasilof Rivers far exceeded the midpoint of their Sustainable Escapement Goals for sockeye; and,". Council Member Daniel **SECONDED** the motion.

There was discussion on the value of including a statement about escapement goals and whether it affects the intent of the legislation.

VOTE ON AMENDMENT:

YEA: Daniel, Douthit
NAY: Sounart, Knackstedt, Baisden, Askin
ABSTENTION: Gabriel

MOTION TO AMEND FAILED.

MOTION TO AMEND:

Council Member Douthit **MOVED** to amend Resolution No. 2023-63 by removing the 4th Whereas, "WHEREAS, it is conservatively estimated that for 2023 the East Side Set Net fishery lost out on approximately \$7,500,000 in harvest, or more than \$17,000 per permit; and,". Council Member Sounart **SECONDED** the motion.

There was discussion on whether the data presented in this Whereas adds value to the legislation.

VOTE ON AMENDMENT:

YEA: Sounart, Douthit, Baisden, Askin, Daniel
NAY: Knackstedt
ABSTENTION: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

Support was expressed, there was further discussion regarding a recovery plan for fisheries. Council Members Baisden, Askin, Sounart and Daniel agreed to co-sponsor the resolution with Vice Mayor Knackstedt.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Sounart, Knackstedt, Douthit, Baisden, Askin, Daniel
NAY: None
ABSTENTION: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED WITHOUT OBJECTION AS AMENDED.

[Clerk's Note: Vice Mayor Knackstedt returned the gavel to Mayor Gabriel.]

- 5. Resolution No. 2023-64** - Authorizing a Professional Services Agreement and Corresponding Purchase Order for the 2024 Apron Crack Seal, Marking and Seal Coat Project for the Kenai Municipal Airport. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to adopt Resolution No. 2023-64. 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.

It was reported that the contract will provide for the engineers to develop the specifications and bid documents; will be bid next spring or summer; costs will be 93.75% reimbursable when the actual construction grant is awarded; is limited to the airport apron.

UNANIMOUS CONSENT was requested.

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

6. Resolution No. 2023-65 - Authorizing a Contract for Employee Health Care and Basic Life Insurance Effective January 1, 2024. (Administration)

MOTION:

Council Member Baisden **MOVED** to adopt Resolution No. 2023-65. Vice Mayor 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.

It was reported that Premera initially proposed an 18.5% rate increase which was reduced to 8.5% after seeking a second quote from a competitor; the \$2,000 deductible option will be eliminated in favor of a single option of a \$3,000 deductible; employee life insurance provider will switch from Unum to Lincoln Financial; and the changes represent approximately \$65,000 savings over initial projections.

There was discussion on future rate increases and how they could be addressed.

UNANIMOUS CONSENT was requested.

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

F. MINUTES

1. *Regular Meeting of October 19, 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** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)

Approved by the consent agenda.

3. ***Action/Approval** - Confirmation of Mayoral Nominations for Partial Term Appointments to the Harbor Commission. (Gabriel)

Approved by the consent agenda.

4. ***Action/Approval** - Letter of Support for the Kenai Peninsula Housing Initiatives, Inc. Grant application to develop Senior and Low-Income Housing. (Administration)

Approved by the consent agenda.

5. ***Ordinance No. 3377-2023** - Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health and Social Services for Nutrition, Transportation and Support Services and 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 November 15, 2023.

6. ***Ordinance No. 3378-2023** - Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Area-Wide Senior Thanksgiving Dinner. (Administration)

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

7. ***Ordinance No. 3379-2023** - Accepting and Appropriating a Grant from the U.S. Department of Homeland Security Passed through the State of Alaska Department of Military and Veterans' Affairs for the Purchase of Trauma Care Supplies. (Administration)

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

8. ***Ordinance No. 3380-2023** - Amending Kenai Municipal Code 22.05.095 - Methods of Sale or Disposal, to Provide a Veterans Land Purchase Price Discount for Certain Residential Land Purchases. (Baisden)

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

9. **Action/Approval** - Mayoral Liaison Nominations for Appointment to Committees and Commissions. (Gabriel)

Mayor Gabriel reported that nominations are based on the requests of the Council Members and he also tries to give the members different committee assignments; he noted the Planning & Zoning Liaison's significant time commitment and the possibility of dividing the role if needed. He stated that he would like to include the nomination of Council Member Askin as the appointment to the Supervisory Sub-Committee.

MOTION:

Vice Mayor Knackstedt **MOVED** to approve the Mayoral Nominations of Council Liaisons for appointment to committees and commissions and appoint Council Member Askin to the Supervisory Sub-Committee. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

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

It was noted that the new assignments were effective immediately. Mayor Gabriel reviewed the role of Council Liaison.

10. **Discussion/Action** - Virtual Meetings Participation. (Clerk)

It was reported that the City Clerk Saner attended a virtual conference on the subject of "Zoom Bombings" in response to the upsetting interruptions during the last City Council meeting, and descriptions of several possible solutions had been provided in the packet; currently the Clerk's Office has temporarily upgraded from Zoom Meetings to Webinars, and a motion to approve would be required to continue.

There was discussion regarding how Zoom had been implemented in response to the COVID-19 emergency; its necessity in relation to the size of the City; the additional security benefits of Webinars; the convenience of remote participation for the public; the possibility of using alternative platforms;

associated costs of Zoom and the additional Webinar feature; the possibility of granting public remote participation access by request; and legal concerns with defining restricted speech.

There was general consensus that the Council would return to the issue for further discussion at their December 20, 2023 meeting.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting November 9, 2023.

2. Airport Commission

No report, next meeting November 9, 2023.

3. Harbor Commission

No report, next meeting November 6, 2023.

4. Parks and Recreation Commission

No report, next Work Session and Meeting on November 2, 2023.

5. Planning and Zoning Commission

No report.

6. Beautification Committee

No report.

J. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Thanked James Baisden for serving as Vice Mayor the previous year.
- Veteran's Day is November 11th; next Council meeting will include legislation sponsored by Council Member Baisden that will affect veterans in the community.

K. ADMINISTRATION REPORTS

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

- Concerns have been expressed by members of the public regarding street lights out in the City; Public Works Director Curtin reported on the current situation.
- Departments are in the process of developing FY2025-2029 Capital Plan; projects being taken to Commissions & Committees for input, will bring to Council in December or early January.
- City Manager may have an intern starting in January or late December.
- New Airport Manager starts November 13th.
- Consultants for the City's classification plan begin work this week; the compensation study will be handled internally.
- Will be meeting with Kenai Native Association to discuss how to bring the Wildwood Drive project to upcoming legislative sessions; reported the results of a DOT traffic counter on the road.
- Legislation will be introduced at next meeting to exempt the first \$100,000 of business personal property for businesses in the City.

[Clerk's Note: Council Member Askin exited the meeting at 8:09 p.m.]

2. City Attorney – No report.
3. City Clerk – Acting City Clerk Thibodeau responded to questions regarding the upcoming Commission & Committee Review.

L. ADDITIONAL PUBLIC COMMENTS

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

Council Member Askin had expressed her thanks to James Baisden for serving as Vice Mayor, and congratulated new Vice Mayor Knackstedt.

Council Member Douthit thanked the City for all their work on the street lights, and encouraged them to develop a plan for addressing the issue that would involve the public; inquired about the status of a seasonal operator position.

Student Representative Tanner reported on Connection Home School activities: owl pellet dissection, science of reading meeting series, hay maze at Solid Rock, picture retakes, AMC 10A and 12A, Student Council bake sale, Thanksgiving Food Drive, and designated homeschool swim. Kenai Alternative High School activities: five new students, new culinary arts course, School Council meeting to promote community scholarship fair, annual Thanksgiving dinner, partnering with local organizations to host a community event focusing on adverse childhood experiences and parent resiliency, and a sources of strength activity. Kenai Central High School activities: volleyball schedule, hockey schedule, wrestling schedule, eligibility check for students, swim and dive state championship and volleyball championship.

Council Member Sounart thanked Public Works for their work maintaining streetlights and planning for replacements; requested a report on new snow removal equipment in the future; attended Senior Center Halloween event.

Council Member Daniel noted that he enjoyed his first meeting; thanked Director Curtin for addressing street lights issue.

Council Member Baisden thanked the City for addressing street lights, and welcomed new Vice Mayor Knackstedt.

Vice Mayor Knackstedt expressed appreciation for Council Member Baisden's service as Vice Mayor, and thanked Council for their support. Noted that the North Willow Street Project was completed this year and the paving is in good condition.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 8:34 p.m.

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



Meghan Thibodeau
Acting 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.*