

**KENAI CITY COUNCIL – REGULAR MEETING
JUNE 21, 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 June 21, 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
Tea Winger
Henry Knackstedt

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

A quorum was present.

Absent:

Alex Douthit

Also in attendance were:

Terry Eubank, City Manager
Scott Bloom, City Attorney
Lana Metcalf, Acting Finance 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.4. **Public Hearing - Resolution No. 2023-44**
 • Amendment Memo

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and consent agenda with the requested revisions. 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 on consent agenda items; 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 ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center provided an update regarding the upcoming events: 38th Annual Fundraiser and the Fourth of July Parade.

Brian Olson addressed the Council regarding the upcoming "Cheers to 50-Years" Potters Guild fundraiser event.

Marion Nelson addressed the Council regarding the history of the Potters Guild and their Kilns.

E. PUBLIC HEARINGS

- 1. Ordinance No. 3357-2023** - Amending Kenai Municipal Code Section 23.55.045 to Establish an Annual Tool Allowance for Classified Employees Required to Furnish their Own Standard Working Tools. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3357-2023. 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 the mechanic positions were required to supply their own tools; the City does replace broken tools and provides some specialty tools; the \$1,500 tool allowance was comparable to other places of public employment and consistent with state practices; the City would continue to provide specialty tools; and this would provide the mechanics compensation for maintaining their tools.

VOTE:

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

NAY: None

ABSENT: Douthit

MOTION PASSED.

- 2. Ordinance No. 3358-2023** - Increasing Estimated Revenues and Appropriations in the General Fund to Provide Supplemental Funding for the Parks and Recreation Utilities Budget. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3358-2023. 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.

VOTE:

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

NAY: None

ABSENT: Douthit

MOTION PASSED.

3. **Ordinance No. 3359-2023** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund to Provide Supplemental Funding to the 2023 North Willow Street Roadway Improvements, 2023 First Avenue Roadway Repairs, and 2023 Miscellaneous Roadway Repairs Projects. (Administration) [KMC 1.15.070(d)]

MOTION:

Council Member Knackstedt **MOVED** to introduction Ordinance 3359-2023. Council Member Askin **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 3359-2023. Council Member Askin **SECONDED** the motion.

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

VOTE: Motion **APPROVED**; without objection

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3359-2023. 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 bids for three projects came in higher than anticipated and in excess of the engineers estimates; reviewing bids for other governmental agencies identified that the inflationary environment was increasing costs for everyone; and it is unlikely that costs would go down if the projects were postponed until next year.

VOTE:

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

NAY: None

ABSENT: Douthit

MOTION PASSED.

4. **Resolution No. 2023-44** - Approving a Twelve-Month Extension of Time for Good Cause for the Completion of Permanent Improvements for a Lease Between the City of Kenai and Soar International Ministries, Inc., for Airport Reserve Lands Described as Tract A-1 of General Aviation Apron Subdivision No. 7. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-44. 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 the importance of developing a lot of this value; concerns were noted about tying up a piece of land without a defined timeline for when improvements would begin; and it was noted that similar extensions were recently approved to other lease holders due to current market conditions.

It was reported that \$180,000 of improvements were already completed with the grubbing and clearing of the land; and the first hangar building was ordered in summer 2022 and was expected to be delivered in the fall of 2023.

VOTE:

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

NAY: None

ABSENT: Douthit

MOTION PASSED.

- 5. Resolution No. 2023-45** - Authorizing Renewal of the City's Property, Liability, Workers' Compensation, Airport and Other Ancillary Policies with the Alaska Municipal League Joint Insurance Association for July 1, 2023 through June 30, 2024. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-45. 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 there was a current hard insurance market, due to lack of insurance providers; and AMLJIA has provided satisfactory coverage since July of 2020.

UNANIMOUS CONSENT was requested.

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

- 6. Resolution No. 2023-46** - Authorizing a Contract Award to Supply Operational Chemicals for the City's Water Treatment and Wastewater Treatment Facilities. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-46. 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: Motion **APPROVED**; without objection.

- 7. Resolution No. 2023-47** - Authorizing a Contract Award for Street Light Repairs and Maintenance with Utility Locate Services. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-47. 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 the bulk of the service was for utility locate services and the street lights repairs would be addressed as problem locations were identified.

UNANIMOUS CONSENT was requested.

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

F. MINUTES

1. *Regular Meeting of June 7, 2023. (City Clerk)

G. UNFINISHED BUSINESS

1. **Resolution No. 2023-40** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 N. Willow Street Roadway Improvements Project. (Administration) *[Postponed at the 06/07/23 meeting to the 06/21/23 meeting]*
 - **Substitute Resolution No. 2023-40** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 North Willow Street Roadway Improvements Project. (Administration)

[Clerk's Note: the motion to adopt Resolution 2023-40 was on the floor from the June 7, 2023 regular City Council meeting.]

[Clerk's Note: Council Member Winger declared a possible conflict with Resolution 2023-40 as her husband is employed by Knick Construction, and although it was unlikely that award of the contract would have significant financial impact on her families personal financed, for public perception she thought it best that she abstain from discussion and voting on the resolution. Mayor Gabriel concurred and Council Member Winger abstained from discussion and voting on Resolution 2023-40.]

MOTION:

Council Member Knackstedt **MOVED** to amend Resolution No. 2023-40 by Substitute Resolution No. 2023-40. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend by substitute.

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

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 on the main motion as amended by substitute.

VOTE: Main motion as amended **APPROVED**; without objection.

2. **Resolution No. 2023-41** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 First Avenue Roadway Repairs Project. (Administration) *[Postponed at the 06/07/23 meeting to the 06/21/23 meeting]*
 - **Substitute Resolution No. 2023-41** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 First Avenue Roadway Repairs Project. (Administration)

[Clerk's Note: the motion to adopt Resolution 2023-41 was on the floor from the June 7, 2023 regular City Council meeting.]

MOTION:

Council Member Knackstedt **MOVED** to amend Resolution No. 2023-41 by Substitute Resolution No. 2023-41. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend by substitute.

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

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 how the road projects were prioritized; concerns were stated that other roads were in more disrepair; and the 2011 Road Study report was requested.

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

VOTE: Main motion as amended **APPROVED**; without objection.

3. **Resolution No. 2023-42** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 Miscellaneous Roadway Repairs Project. (Administration) *[Postponed at the 06/07/23 meeting to the 06/21/23 meeting]*

- **Substitute Resolution No. 2023-42** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 Miscellaneous Roadway Repairs Project. (Administration)

[Clerk's Note: the motion to adopt Resolution 2023-42 was on the floor from the June 7, 2023 regular City Council meeting.]

MOTION:

Council Member Knackstedt **MOVED** to amend Resolution No. 2023-42 by Substitute Resolution No. 2023-42. Council Member Askin **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend by substitute.

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

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 on the main motion as amended by substitute.

VOTE: Main motion as amended **APPROVED**; without objection.

H. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - FY2023 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** - FY 2024 Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)

Approved by the consent agenda.

4. ***Action/Approval** - Third Amendment to the Agreement for Janitorial Services with Reborn Again Janitorial Services. (Administration)

Approved by the consent agenda.

5. ***Action/Approval** - Assignment and Assumption of Lease Agreement of Lot 1A FBO Subdivision, South Addition and Lot 2A1 FBO Subdivision, South Addition No. 2 to Schilling Rentals, LLC. (Administration)

Approved by the consent agenda.

6. ***Action/Approval** - Non-Objection to the Renewal of a Recreational Site Liquor License for Peninsula Oilers Baseball Club Inc., DBA Peninsula Oilers – License No. 846 (City Clerk)

Approved by the consent agenda.

7. ***Action/Approval** - Non-Objection to the Renewal of a Beverage Dispensary Liquor License for George Pitsilionis, DBA Pizza Paradisos – License No. 3032 (City Clerk)

Approved by the consent agenda.

8. ***Action/Approval** - Non-Objection to the Renewal of a Package Store Liquor License for Carr-Gottstein Food Co., DBA Oaken Keg #1808 – License No. 3218 (City Clerk)

Approved by the consent agenda.

9. ***Ordinance No. 3360-2023** - Accepting and Appropriating a Grant Received through Maddie's Fund to the Kenai Animal Shelter for the Care of Animals. (Administration)

Introduced by the consent agenda and Public Hearing set for July 5, 2023.

10. ***Ordinance No. 3361-2023** - Accepting and Appropriating Fiscal Year 2023 Funds from the 2022 Community Assistance Program, Passed through the State of Alaska, Department of Commerce, Community, and Economic Development for National Floodplain Insurance Program Training. (Administration)

Introduced by the consent agenda and Public Hearing set for July 5, 2023.

11. ***Ordinance No. 3362-2023** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds to Provide Supplemental Funding for the Kenai Municipal Airport's Sand Storage Facility Project and Authorizing a Contract Amendment for Professional Services. (Administration)

Introduced by the consent agenda and Public Hearing set for July 5, 2023.

12. ***Ordinance No. 3363-2023** - Amending Kenai Municipal Code Sections 14.20.330 - Standards for Commercial Marijuana Establishments, and 14.22.010 - Land Use Table, to Establish a Minimum Standard for Public Notification for Commercial Marijuana Establishments and Prohibit Limited Marijuana Cultivation Facilities in Residential Zoning Districts. (Administration)

Introduced by the consent agenda and Public Hearing set for July 5, 2023.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting July 13, 2023.

2. Airport Commission

No report, next meeting July 13, 2023.

3. Harbor Commission

No report, next meeting August 7, 2023.

4. Parks and Recreation Commission

No report, next meeting August 3, 2023.

5. Planning and Zoning Commission

Council Member Knackstedt reported on the June 14, 2023 meeting; next meeting June 28, 2023,

6. Beautification Committee

No report, September 12, 2023.

J. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attending the Employee Appreciation Dinner.
- Attending the Alaska Gasline Development Corporation meeting.
- Participation the City of Kenai Team during Boys and Girls Club Annual Golf Tournament.
- Attending the Tribal Court Grand Re-Opening.

- Provided a reminder of the Kenai vs. Soldotna Food Drive challenge.

K. ADMINISTRATION REPORTS

1. City Manager - City Manager Eubank reported on the following:
 - City was in full swing preparing for the upcoming Personal Use Fishery.
 - Provided an update on the Bluff Stabilization Project.
 - Attending the Tribal Court Grand Re-Opening.
 - Attending the Alaska Gasline Development Corporation meeting.
2. City Attorney - No report.
3. City Clerk – City Clerk Saner reported on the following:
 - Along with the new online interactive map of the cemetery, a new regulations booklet and applications were developed.
 - Candidate filing packets and nomination petitions would be available mid-July.
 - Increased activity with Food Truck Vendor Permits.

L. ADDITIONAL PUBLIC COMMENTS

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

Council Member Sounart wished everyone a Happy Fourth of July.

Council Member Askin wished everyone a Happy Fourth of July; and noted she enjoyed attending the Employee Appreciation dinner.

Council Member Winger wished everyone a Happy Solstice and Fourth of July; noted she enjoyed attending the Employee appreciation dinner and the Air Fair; and was looking forward to the Kenai Chamber of Commerce fund raiser.

Council Member Knackstedt wished everyone a Happy Summer.

M. EXECUTIVE SESSION - None.

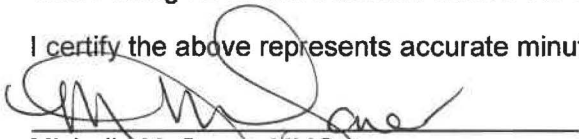
N. PENDING ITEMS - None.

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 7:29 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of June 21, 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.**