

**KENAI CITY COUNCIL – REGULAR MEETING
AUGUST 16, 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 16, 2023, in City Hall Council Chambers, Kenai, AK. Vice Mayor Baisden called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Vice Mayor Baisden led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

James Baisden, Vice Mayor
Teea Winger
Alex Douthit

Henry Knackstedt
Deborah Sounart
Victoria Askin

A quorum was present.

Absent:

Brian Gabriel, Mayor

Also in attendance were:

Terry Eubank, City Manager
Scott Bloom, City Attorney
David Swarner, Finance Director
Scott Curtin, Public Works Director
Dave Ross, Police Chief
Linda Mitchell, Planning Director
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Council Member Knackstedt **MOVED** to approve the agenda and consent agenda. Council Member Winger **SECONDED** the motion.

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

Vice Mayor Baisden 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

Marion Nelson addressed the Council regarding the upcoming Annual Harvest Auction; noted that they were still accepting donations for the outcry and silent auction; and although most donations were art they accepted other items as well.

E. PUBLIC HEARINGS

- 1. 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)**

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3365-2023. Council Member Douthit **SECONDED** the motion.

Vice Mayor Baisden 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 Police Department participates in the regional drug task force; certain overtime worked in conjunction with the task force was reimbursable; and this would accept those funds.

VOTE:

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

NAY: None

ABSENT: Gabriel

MOTION PASSED; without objection.

- 2. 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)**

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3366-2023. Council Member Winger **SECONDED** the motion.

Vice Mayor Baisden 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 Waterfront Revitalization Assessment was completed last fall and it seemed to have a positive public opinion; there is new development taking place in the area, so this appears to be the appropriate time to begin the rezone of the area.

There was discussion regarding the rezone embracing the existing uses in the area and encourage new types of use; existing non-conforming uses would be grandfathered in; when a grandfathered use stopped for more than twelve-months it would be required to meet certain criteria before resuming; and if a grandfather used were to change to similar use, the new use would need to meet specific criteria and a determination would be made by the Planning Commission.

VOTE:

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

NAY: None

ABSENT: Gabriel

MOTION PASSED; without objection.

3. 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)

MOTION:

Council Member Askin **MOVED** to enact Ordinance No. 3367-2023. Council Member Winger **SECONDED** the motion.

Vice Mayor Baisden opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

There was discussion regarding this project being unique and falling under the threshold that required an engineering estimate; this project received no bids in 2022; there was only the one bid this year; grant funding was applied for; and the city would continue pursuing grant funding for similar type projects throughout the City.

VOTE:

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

NAY: None

ABSENT: Gabriel

MOTION PASSED; without objection.

4. Resolution No. 2023-51 - Approving an Amendment to the Lease for a Portion of Lot 3, Block 17, Original Townsite of Kenai Between the City of Kenai and Peninsula Art Guild, Inc. to Accommodate an Existing and Proposed New Shed. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-51. Council Member Askin **SECONDED** the motion.

Vice Mayor Baisden 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 existing shed and ground work being very nice; and the new shed and ground work would be similar and a good addition.

UNANIMOUS CONSENT was requested.

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

5. Resolution No. 2023-52 - Authorizing a Contract Award and Corresponding Purchase Order for the Cemetery Phase 2 Fencing Project. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-52. Council Member Sounart **SECONDED** the motion.

Vice Mayor Baisden 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 fencing selected complimented the existing cemetery fence; the engineering estimate was \$2000 more than the bid; the creek side would be left open to accommodate the wildlife traffic in the area; questions as to why the fencing was not being installed on the full parameter; the proximity of a private home on an adjoining lot with a well; the number of plots that are yet to be developed; areas that were designated for future columbarium's; and landscaping plans.

UNANIMOUS CONSENT was requested.

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

F. **MINUTES**

1. *Regular Meeting of August 2, 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** - Recommending the Kenai Peninsula Borough Assembly Appoint Kenai City Clerk, Shellie Saner to the Kenai Peninsula Borough Voter Turnout Working Group. (Gabriel)

Approved by the consent agenda.

3. ***Ordinance No. 3368-2023** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Operations Facility Capital Funds to Provide Supplemental Funding for the Kenai Municipal Airport Operations Facility Boiler and HVAC Controls Replacement Project. (Administration)

Introduced by the consent agenda and Public Hearing set for September 6, 2023.

4. **Action/Approval** - Approving Official Bond Amounts for City Manager, City Clerk and Finance Director. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to approve \$100,000 as the prescribed bonding amount for the City Manager, City Clerk and Finance Director Positions for FY2024. Council Member Winger **SECONDED** the motion.

It was reported that this is a requirement of the Charter for the City Manager, Finance Director and City Clerk; and the City's general liability insurance covers all employees for dishonesty up to 1.5 million dollars.

UNANIMOUS CONSENT was requested on the motion.

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

I. **COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

Council Member Sounart reported on the August 10, 2023 Work Session, next meeting September 14, 2023.

2. Airport Commission

No report, next meeting September 14, 2023.

3. Harbor Commission

No quorum present, next meeting September 11, 2023.

4. Parks and Recreation Commission

No report, next meeting September 7, 2023.

5. Planning and Zoning Commission

No report, next meeting August 23, 2023.

6. Beautification Committee

No report, next meeting September 12, 2023.

J. REPORT OF THE MAYOR

Vice Mayor Baisden reported on the following:

- The Triumvirate Theater Ground Breaking scheduled for August 19, 2023.
- Thank you to all of the individuals who filed for elective office.

K. ADMINISTRATION REPORTS

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

- Meeting with the Boys and Girls Club and the Evan’s to discuss the Right-of-Way agreement.
- Two candidates were selected for second interviews for the Airport Manager position.
- Legislation coming forward to authorize the City Manager to apply for the Drinking Water Loan.
- Utility work on Bridge Access was being done by Enstar.
- Tentative schedule for the Bluff Stabilization Project signing is October 13, 2023.

2. City Attorney – No report.

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

- Candidate filing period closed August 15, 2023; ballot order has been submitted.
- Student Representative applications should be distributed in the schools on August 18, 2023.
- Accepted an invitation to speak at the September 10, 2023 Kenai Historical Society meeting regarding the ongoing projects to preserve the history of the Kenai Municipal Cemetery.

L. ADDITIONAL PUBLIC COMMENTS

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

Council Member Douthit said he was excited to see the interests in running for City Council and noted he would be moving in to his new business facility by the end of the week.

Council Member Sounart welcomed Finance Director Swarner and hoped everyone’s gardens were doing well with the weather conditions this year.

Council Member Askin wished all of the election candidates well.

Council Member Winger thanked everyone for the great discussion; noted the mid-month report indicating that 48-acres were mitigated thanks to the slash site; the construction on Willow Street should be starting soon; and hoped everyone had a great first day at school.

Council Member Knackstedt recognized candidate Phil Daniel in the audience and noted he would be getting busy on his campaign.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS

1. **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

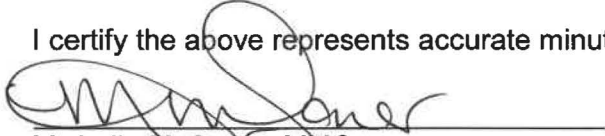
Portion of S. Spruce Street as Dedication on Park View Subdivision (Plat No. KN 79-156) are No Longer Needed for a Public Purpose and Consenting to Vacation of the Rights-of-Way. (Administration) [At the 08/02/23 meeting, this item was postponed to 09/06/23.]

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 6:59 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of August 16, 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.*