

**KENAI CITY COUNCIL – REGULAR MEETING  
MAY 1, 2024 – 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 May 1, 2024, 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

Victoria Askin (*remote participation*)  
James Baisden

A quorum was present.

Absent:

Henry Knackstedt, Vice Mayor  
Deborah Sounart

Also in attendance were:

\*\*Xinlan Tanner, Student Representative  
Terry Eubank, City Manager  
Scott Bloom, City Attorney  
Kathy Romain, Senior Services Director  
Derek Ables, Airport Manager  
Dave Ross, Police Chief  
Shellie Saner, City Clerk

**3. Agenda Approval**

**MOTION:**

Council Member Baisden **MOVED** to approve the agenda and consent agenda as presented. Council Member Douthit **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**

**C. SCHEDULED PUBLIC COMMENTS**

1. 2024 March for Meals Event, Velda Geller, Kenai Senior Connections.

Velda Geller, President of Kenai Senior Connections, thanked Council for their support and attendance at the fundraiser; and presented a \$100,000 check to the Kenai Senior Center from the proceeds of the 2024 March for Meals event and the Kenai Senior Connections Endowment Fund.

**D. UNSCHEDULED PUBLIC COMMENTS - None.**

**E. PUBLIC HEARINGS**

1. **Ordinance No. 3409-2024** - Increasing Estimated Revenues and Appropriations in the General Fund - Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of a Ballistic Vest. (Administration)

**MOTION:**

Council Member Baisden **MOVED** to enact Ordinance No. 3409-2024. Council Member Daniel **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: Gabriel, Askin, Douthit, Baisden, Daniel

NAY: None

ABSENT: Sounart, Knackstedt

\*\*Student Representative Tanner: Yea

**MOTION PASSED.**

2. **Ordinance No. 3410-2024** - Accepting and Appropriating a Grant Received through Maddie's Fund to the Kenai Animal Shelter for the Care of Animals. (Administration)

**MOTION:**

Council Member Baisden **MOVED** to enact Ordinance No. 3410-2024. Council Member Daniel **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, Douthit, Baisden, Daniel, Gabriel

NAY: None

ABSENT: Sounart, Knackstedt

\*\*Student Representative Tanner: Yea

**MOTION PASSED.**

3. **Ordinance No. 3411-2024** - Amending Kenai Municipal Code 13.10.015 - Minor Offense Fine Schedule, to Increase the Paid Parking Fine and Make Housekeeping Changes. (Administration)

**MOTION:**

Council Member Baisden **MOVED** to enact Ordinance No. 3411-2024. Council Member Douthit **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 during the dipnet season the parking fees are higher than the current fine amount; this will increase the fine to an amount higher than the parking fees, which will be an incentive for people to pay the parking fee.

**VOTE:**

YEA: Douthit, Baisden, Daniel, Gabriel, Askin

NAY: None

ABSENT: Sounart, Knackstedt

\*\*Student Representative Tanner: Yea

**MOTION PASSED.**

**F. MINUTES**

1. \*Special Meeting of April 17, 2024. (City Clerk)
2. \*Regular Meeting of April 17, 2024. (City Clerk)
3. \*Special Meeting of April 18, 2024. (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 - Non-Objection to the Renewal of a Package Store Liquor License for Country Liquor LLC., DBA: Country Liquor. - License No. 1308. (City Clerk)

Approved by the consent agenda.

3. \*Action/Approval - Confirmation of Mayoral Nomination for Appointment to the Airport Commission. (Gabriel)

Approved by the consent agenda.

4. \*Ordinance No. 3412-2024 - Accepting and Appropriating Grant Funds from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for May 15, 2024.

5. \*Ordinance No. 3413-2024 - Increasing Estimated Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the US Department of Transportation Passed through the State of Alaska Department of Transportation and Public Facilities for Traffic Enforcement Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for May 15, 2024.

6. \*Ordinance No. 3414-2024 - Repealing Kenai Municipal Code Sections 13.10.010(a)(2) - Miscellaneous Offenses, 13.10.020 - Loitering and Sleeping on the Streets, Schools, and 13.10.030 - Curfew, to Remove Certain City Prohibitions Regarding Begging, Loitering and Sleeping, and Curfews in the City that are Not Enforceable as Specifically Written in Code. (Administration)

Introduced by the consent agenda and Public Hearing set for May 15, 2024.

7. **Ordinance No. 3415-2024** - Authorizing a Donation of Surplus Sand from the Kenai Municipal Airport to the Triumvirate Theatre for the Construction of a New Theatre. (Administration)

**MOTION:**

Council Member Baisden **MOVED** to introduce Ordinance No. 3415-2024, refer the Ordinance to May 9, 2024 Airport Commission meeting for recommendation to Council and schedule the City Council public hearing for May 15, 2024. Council Member Douthit **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion.

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

8. **Ordinance No. 3416-2024** - Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures for Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks and Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning And Zoning Commission - Qualifications and Membership, and Approving Amendments to The Council on Aging Commission's By-Laws to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions. (City Clerk)

**MOTION:**

Council Member Baisden **MOVED** to introduce Ordinance No. 3416-2024; refer the Ordinance for Commission recommendations to the May 2, 2024 Parks and Recreation Commission meeting, the May 6, 2024 Harbor Commission meeting, the May 8, 2024 Planning and Zoning Commission, the May 9, 2024 Council on Aging meeting, the May 9, 2024 Airport Commission, the May 14, 2024 Beautification Committee meeting; and to schedule the City Council public hearing for May 15, 2024. Council Member Daniel **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion.

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

9. **Ordinance No. 3417-2024** - Increasing Estimated Revenues and Appropriations by \$12,600 in the General Fund for the Purchase of Approximately 7.8 Acres of Real Property Described as Tract B, Kenai Bluff Stabilization Subdivision from David W. Salter to be Retained by the City for a Public Purpose and Determining that the Public Interest will not be Served by an Appraisal. (Administration)

**MOTION:**

Council Member Baisden **MOVED** to introduce Ordinance No. 3417-2024, refer the Ordinance to May 6, 2024 Harbor Commission meeting for recommendation to Council and schedule the City Council public hearing for May 15, 2024. Council Member Daniel **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion.

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

**I. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

No report, next meeting May 9, 2024.

2. Airport Commission

No report, next meeting May 9, 2024.

3. Harbor Commission

No report, next meeting May 6, 2024.

4. Parks and Recreation Commission

No report, next meeting May 2, 2024.

5. Planning and Zoning Commission  
No report, next meeting May 8, 2024.

6. Beautification Committee  
No report, next meeting May 14, 2024.

**J. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Attending the American Legion State-Wide Convention held locally.
- Attending the Employee Appreciation Dinner and noted there was a great turnout.
- Attending the Caring for the Kenai Banquet and reported that Student Representative Tanner and her brother were the third-place winners. Student Representative Tanner reported the project was promoting local foods.
- Attending the retirement party for Fire Chief Tony Prior.
- The Mayor Coalition is issuing a letter in support of House Bill 394 - "An Act relating to the Regulatory Commission of Alaska and regulation of the service of natural gas storage and liquefied natural gas import facilities; relating to records of the Regulatory Commission of Alaska; relating to rates established by the Regulatory Commission of Alaska; and providing for an effective date."

**K. ADMINISTRATION REPORTS**

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

- The Employee Appreciation Dinner was a success with a great turnout, he thanked the party planning committee for their work.
- Conducting meetings with Departments to go over the Classification Study and receive feedback from Employees.
- Currently recruiting for the Fire Chief, Chief Animal Control Officer, and Airport Operations Specialist.
- Planning Director Mitchel is working with the Kenai Peninsula Borough on the Comprehensive Safety Action Plan.
- Attending the Kenai Peninsula Economic Development Industry Outlook Forum.
- Meeting with the contractor for the Bluff Stabilization Project, Western Marine, the main focus now is identifying rock sources and testing the rock.
- 2024 Storefront & Streetscape Improvement application period is open and will close on May 17, 2024.

2. City Attorney, no report.

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

- Serving as a Member of the Alaska Association of Municipal Clerks, Education Committee.
- Indexing documents in the Records Room.

**L. ADDITIONAL PUBLIC COMMENTS**

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

Council Member Askin said she enjoyed the Employee Appreciation Dinner.

Council Member Douthit reported the process of decommissioning the Moose Meat John Cabin has resulted in identifying 30-years of interesting items.

Student Representative Tanner reported on the end of the year activities for Connections Home School, Kenai Alternative High School and Kenai Central High School.

Council Member Daniel said he was looking forward to the upcoming Budget Work Session.

Council Member Baisden congratulated retiring Fire Chief Prior and congratulated the Kenai students who were inducted to the National Honor Society, noting his daughter was one of the students.

#### **M. EXECUTIVE SESSION**

1. Review and Discussion of the City Manager's Evaluation Which May be a Subject that Tends to Prejudice the Reputation and Character of the City Manager [AS 44.62.310(C)(2)].
2. Review and Discussion of the City Attorney's Evaluation Which May be a Subject that Tends to Prejudice the Reputation and Character of the City Attorney [AS 44.62.310(C)(2)].
3. Review and Discussion of the City Clerk's Evaluation Which May be a Subject that Tends to Prejudice the Reputation and Character of the City Clerk [AS 44.62.310(C)(2)].

#### **MOTION:**

Council Member Baisden **MOVED** to enter into executive session to review and discuss the evaluations of the City Manager, City Attorney and City Clerk which may be a subject that tends to prejudice the reputation and character of the City Manager, City Attorney and City Clerk. [AS 44.62.310(C)(2)]

Mr. Eubank, Mr. Bloom and Ms. Saner have elected to have the discussion take place in executive session.

The executive session will include Mayor Gabriel and the City Council Members; City Manager Eubank will be included when the Council requests his presence; City Attorney Bloom will be included when the Council requests his presence; and City Clerk Saner will be included when the Council Requests her presence.

Council Member Daniel **SECONDED** the motion.

#### **VOTE:**

YEA: Baisden, Daniel, Gabriel, Askin, Douthit

NAY: None

ABSENT: Sounart, Knackstedt

**MOTION PASSED.**

#### **MOTION:**

Council Member Baisden **MOVED** to reconvene into regular session. Council Member Daniel **SECONDED** the motion.

#### **VOTE:**

YEA: Daniel, Gabriel, Askin, Douthit, Baisden

NAY: None

ABSENT: Sounart, Knackstedt

**MOTION PASSED.**

*[Clerk's Note: Council entered into executive session at 6:50 p.m.; and reconvened into regular session at 8:36 p.m.]*

#### **N. PENDING ITEMS - None.**

**O. ADJOURNMENT**

**P. INFORMATIONAL ITEMS**

**1. CIRCAC Director's Report**

There being no further business before the Council, the meeting was adjourned at 8:36 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of May 1, 2024.

  
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.*