



**VOTE:** There being no objections, **SO ORDERED.**

**4. Consent Agenda**

**MOTION:**

Council Member Knackstedt **MOVED** to approve the consent agenda and Council Member Glendening **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

**VOTE:** There being no objections, **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 PUBLIC COMMENTS**

1. **Linda Swarner** – Presentation on History of Kenai Local Food Connection and How to Get Involved

Linda Swarner introduced Alisha Brito who spoke about the History of the Kenai Local Food Connection, what they do, publications they develop, events they host, and their plans for the future.

**C. UNSCHEDULED PUBLIC COMMENTS**

None.

**D. PUBLIC HEARINGS**

1. **Ordinance No. 3059-2019** – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Professional Services Agreement for the Design of the Alaska Regional Fire Training Facility Rehabilitation Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3059-2019 and Council Member Glendening **SECONDED** the motion.

Mayor Gabriel opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend the sixth whereas clause to read, "Whereas, an evaluation committee determined Morrison Maierle as having provided the highest rated proposal; and," the seventh whereas clause to read, "whereas, it is the Administration's recommendation that awarding a Professional Services Agreement to Morrison Maierle in the amount of \$216,000.00 for complete Design Services through Bid Phase is in the best interest of the City," insert \$216,000.00 in the blank for increase to estimated revenues - appropriation of Fund Balance and increase appropriations – airport training facility transfer to other funds within section 1, insert \$216,000 in increase estimated revenues – transfer from other funds and increase appropriations – construction within section 2, and add a section 5 stating, "That Council's approval is contingent upon receiving FAA concurrence that these costs are fair, reasonable, and eligible under the Airport Improvement Program," and requested **UNANIMOUS CONSENT**. Council Member Molloy **SECONDED** the motion.

Clarification provided the proposal from Morrison Maierle was the only proposal received.

**VOTE ON THE AMENDMENT:** There being no objections, **SO ORDERED**.

Clarification was provided the project was upgrades to the facility.

**VOTE ON THE MAIN MOTION AS AMENDED:**

YEA: Knackstedt, Gabriel, Glendening, Pettey, Navarre, Molloy, Peterkin

NAY:

**MOTION PASSED UNANIMOUSLY.**

2. **Ordinance No. 3060-2019** – Increasing Estimated Revenues and Appropriations in the Terminal Improvements Capital Fund and Authorizing an Increase to the Construction Purchase Order to Blazy Construction, Inc. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3060-2019 and Council Member Molloy **SECONDED** the motion.

Mayor Gabriel opened the public hearing; there being no one wishing to be heard, public hearing was closed.

Clarification was provided the original ordinance allowed \$500,000 for change orders and a significant portion of that had been utilized. Concurrence by the FAA had been received for additional grant funding and administration was asking for authorization to use that additional funding should additional change orders be needed.

An overview of the process for seeking concurrence from the FAA and the subsequent requests for grant disbursements was provided.

**VOTE:**

YEA: Knackstedt, Gabriel, Glendening, Pettey, Molloy, Peterkin, Navarre

NAY:

**MOTION PASSED UNANIMOUSLY.**

3. **Resolution No. 2019-23** – Approving a Third Amendment to the Airline Operating Agreement and Terminal Area Lease and Authorizing the City to Enter into such Agreement with Corvus Airlines D/B/A Ravn Alaska. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-23. Vice Mayor Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

Mayor Gabriel opened the public hearing; there being no one wishing to be heard, public hearing was closed.

**VOTE:** There being no objections, **SO ORDERED**.

4. **Resolution No. 2019-24** – Approving a Third Amendment to the Airline Operating Agreement and Terminal Area Lease and Authorizing the City to Enter into such Agreement with Grant Aviation, Inc. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-24. Vice Mayor Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

Mayor Gabriel opened the public hearing; there being no one wishing to be heard, public hearing was closed.

**VOTE:** There being no objections, **SO ORDERED**.

5. **Resolution No. 2019-25** – Approving the Purchase of Nineteen Portable Radios and Accessories for the Police Department under a Sole Source Purchase from Motorola Solutions using Naspro ValuePoint Contract Pricing for the Total Price of \$100,027.79. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-25. Vice Mayor Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

Mayor Gabriel opened the public hearing; there being no one wishing to be heard, public hearing was closed.

**VOTE:** There being no objections, **SO ORDERED**.

6. **Resolution No. 2019-26** – Renewing Lease Land within the Airport Reserve submitted by Schilling Rentals LLC, for the property described as Lot 9A, FBO Subdivision No. 9, located at 433 N. Willow Street, Kenai, Alaska 99611 (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2019-26. Vice Mayor Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

Mayor Gabriel opened the public hearing; there being no one wishing to be heard, public hearing was closed.

**VOTE:** There being no objections, **SO ORDERED**.

**E. MINUTES**

1.\*Regular Meeting of April 3, 2019

Approved by the consent agenda.

**F. UNFINISHED BUSINESS**

1. **Ordinance No. 3056-2019** – Amending Kenai Municipal Code 14.22.010-Land Use Table, to Allow Business/Consumer Services and Taxidermy/Gunsmithing in RR1 Zoning District by Conditional Use Permit and Removing the Location Restriction on Professional Offices Allowed by Conditional Use Permit Within the RR1 Zone. (Council Members Peterkin & Glendening)  
*[Clerk's Note: This item was postponed to this meeting from the April 3, 2019 meeting. A motion to enact is on the floor.]*

**MOTION TO AMEND:**

Council Member Glendening **MOVED** to amend the last whereas clause to read, "Whereas, on March 27, 2019, the Planning and Zoning Commission held a public hearing on Resolution No. PZ2019-11 and did not recommend approval of Ordinance No. 3056-2019. The motion was **SECONDED** by Vice Mayor Navarre who requested **UNANIMOUS CONSENT**.

**VOTE ON THE AMENDMENT:** There being no objections, **SO ORDERED**.

The suggestion was made that the businesses suggested by those that testified during the public hearing could be home occupations which was also a concern expressed by the Planning and Zoning Commission when considering allowing the uses in the zone. The addition of a footnote was suggested to speak to the requirement of a Home Occupation Permit for those uses to ensure low impact businesses in homes.

It was suggested it was difficult to interpret what the Planning and Zoning Commission wanted; other issues not related to a Conditional Use Permit were discussed. It was further suggested that it was unknown what the neighbors wanted as only the one person from the zone, who wanted a business in his home, testified.

**MOTION TO AMEND:**

Council Member Molloy **MOVED** to amend by adding footnote 31 to read, "31. Use allowed only with a home occupation permit. The motion died for lack of a second.

**MOTION TO AMEND:**

Council Member Molloy **MOVED** to amend by restoring footnote 29 for Professional Offices. The motion died for lack of a second.

It was pointed out that there was still a process of asking the neighborhood to allow the uses with the Conditional Use Permits.

The Planning and Zoning Commission was thanked for their consideration of the ordinance.

**VOTE:**

YEA: Knackstedt, Gabriel, Glendening, Pettey, Navarre, Peterkin

NAY: Molloy

**MOTION PASSED.**

**G. NEW BUSINESS**

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

Approved by the consent agenda.

2. **\*Action/Approval** – Purchase Orders Over \$15,000. (Administration)

Approved by the consent agenda.

3. **\*Action/Approval** – Non-Objection to the Transfer of Ownership of Liquor License to Kenai Joe's Taphouse, LLC. (City Clerk)

Approved by the consent agenda

4. **\*Ordinance No. 3062-2019** – Increasing FY2019 General Fund Estimated Revenues and Appropriations by \$20,859 And FY2020 General Fund Estimated Revenues And Appropriations by \$35,418 in the General Fund Parks, Recreation, and Beautification Department for the Receipt of a Grant from the United States Environmental Protection Agency Passed Through the State of Alaska Department of Environmental Conservation for Bacteria Level Monitoring on the City's Beaches during the 2019-2020 Personal Use Fishery. (Administration)

Introduced by the consent agenda and public hearing set for May 1.

5. **Action/Approval** – Harbor Commission Survey. (City Clerk)

**MOTION:**

Council Member Peterkin **MOVED** to direct Administration to prepare and circulate a survey as recommended by the Harbor Commission and Council Member Molloy **SECONDED** the motion.

It was pointed out that there was a need to get the surveys out early in the year to learn what interest there is in the dock before spending any money on it.

It was noted the Dock was an important facility and there was no reason not to put it to use if there was a need for it.

**MOTION TO AMEND:**

Vice Mayor Navarre **MOVED** to amend to provide the City Manager the authority to finalize and circulate the survey as needed and Council Member Peterkin **SECONDED** the motion.

Clarification was provided that administration could handle the initiative internally, working with Harbor Commissioners.

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

**VOTE ON THE AMENDMENT:**                    There being no objections, **SO ORDERED.**

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

**VOTE ON THE MAIN MOTION AS AMENDED:**    There being no objections, **SO ORDERED.**

**H.     COMMISSION/COMMITTEE REPORTS**

1. Council on Aging – No Report; next meeting May 9.
2. Airport Commission – It was reported there was no quorum for the April 11 meeting; next meeting May 9.
3. Harbor Commission – It was reported the Commission recommended the circulation of the survey approved at this meeting, finalized the recommendation for wake buoys, received information from the US Coast Guard that they would attend an upcoming Harbor Commission meeting and commit to 3 days on the river during the dipnet fishery; next meeting rescheduled to May 13.
4. Parks and Recreation Commission – It was reported there was no quorum for the April 4 meeting; next meeting May 2.
5. Planning and Zoning Commission – It was reported that on April 10 the Commission heard from the Soldotna City Planner on their sign code amendments, approved a plat, and recommended approval of a lease; next meeting April 24.
6. Beautification Committee – It was reported the Committee met on April 9<sup>th</sup> and reviewed the plant list and discussed the field of flowers area noting weeds snuff out the flowers over time; next meeting May 14.
7. Mini-Grant Steering Committee – It was reported the Committee met on April 12 and had questions for the applicant; a follow-up meeting was scheduled.

**I.     REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Attended the recent Cook Inlet Regional Citizen’s Advisory Council annual meeting;



- Attended the Red Cross open house;
- Attended a recent Election Stakeholder Group meeting;
- Attended the recent Employee Appreciation Dinner;
- Delivered two proclamations at the Chamber of Commerce Luncheon; one for Youth Week for the Elks Lodge and one for Sexual Assault Awareness Month for the LeeShore Center;
- Provided a reminder of the upcoming Budget Work Session.

**J. ADMINISTRATION REPORTS**

1. City Manager – P. Ostrander reported on the following:
  - Recently participated in the St. Jude’s radio-thon;
  - Attended the recent Employee Appreciation Party;
  - Noted the gravel investigation report was in the packet;
  - The Director’s Report was signed for the Bluff Erosion Project; design phase was next;
  - Presented an Efficiency Report noting it forced staff to look for efficiencies.
2. City Attorney – No Report.
3. City Clerk – No Report.

**K. ADDITIONAL PUBLIC COMMENT**

1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*)

Duane Bannock thanked the Council for their support of the lease for Schilling Rentals. Noted he was bringing forth a new initiative in the future and was appreciative for administration’s time in assisting with the initiative.

2. Council Comments

Council Member Pettey noted she attended the Red Cross open house and was thankful for their presence in the community. Also noted she attended the Employee Appreciation Party and expressed gratitude to each individual employee.

Council Member Glendening noted he attended the Red Cross open house.

Council Member Molloy expressed appreciation for the efficiency report; appreciated all department’s efforts and the good news before heading into the budget work session.

Council Member Knackstedt noted that 150 years ago the Army established Fort Kenai. He also noted Caring for the Kenai presentations were upcoming, the Beaver Loop Road Project bid was upcoming, and attended the recent Employee Appreciation Party.

Vice Mayor Navarre noted he donated to the Red Cross and appreciated their presence in the community, provided an Alaska Municipal League update, spoke in favor of fully funding schools, and expressed appreciation for the Elks Youth Week proclamation noting the Elks Lodge does a lot for the youth in the community.



**L. EXECUTIVE SESSION**

1. Discussion of the Kenai Visitors Center RFP, a Matter of Which the Immediate Knowledge may have an Adverse Effect upon the Finances of the City [AS 44.62.310 (c)(1)].

**MOTION:**

Council Member Knackstedt **MOVED** to enter into executive session to discuss the Kenai Visitor Center RFP, a matter of which the immediate knowledge may have an adverse effect upon the finances of the City pursuant to AS 44.62.310(c)(1) and requested the attendance of the City Manager and the City Attorney. Vice Mayor Navarre **SECONDED** the motion.

**VOTE:**

YEA: Knackstedt, Gabriel, Peterkin, Glendening, Pettey, Molloy, Navarre  
NAY:

**MOTION PASSED UNANIMOUSLY.**

Council reconvened in open session and it was noted for the record that Council met in executive session and discussed the Kenai Visitor Center RFP and no direction was provided.

2. Performance Evaluations of City Attorney, City Manager, and City Clerk which may be a Subject that Tends to Prejudice the Reputation and Character of the City Attorney, City Manager, and City Clerk [AS 44.62.310(C)(2)].

**MOTION:**

Council Member Knackstedt **MOVED** to enter into executive session to discuss performance evaluations of the City Attorney, City Manager, and City Clerk which may be a Subject that Tends to Prejudice the Reputation and Character of the City Attorney, City Manager, and City Clerk pursuant to AS 44.62.310(c)(2). Council Member Pettey **SECONDED** the motion.

**VOTE:**

YEA: Knackstedt, Gabriel, Peterkin, Glendening, Pettey, Navarre  
NAY:

**MOTION PASSED UNANIMOUSLY.**

*[Clerk's Note: Council Member Molloy was participating telephonically and was not on the phone in Council Chambers at the time of the vote.]*

Council reconvened in open session and it was noted for the record that Council met in executive session and discussed performance evaluations for the City Attorney, City Manager, and City Clerk and provided the Mayor with feedback.

**M. PENDING ITEMS**

1. **Ordinance No. 3061-2019** – Amending Kenai Municipal Code 14.20.320 - Definitions, 14.20.330 - Standard for Commercial Marijuana Establishments and 14.22.010 - Land Use Table, to Incorporate Onsite Consumption of Marijuana at Retail Marijuana Establishments into the City Of Kenai's Code of Ordinances. (Legal)  
*[Clerk's Note: This item was Referred to the Planning & Zoning Commission for a Recommendation at their April 24 Meeting and a Public Hearing Scheduled before the City Council on May 1, 2019.]*

**N. ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 11:05 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of April 17, 2019.

  
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Jamie Heinz, CMC  
City Clerk

