

**KENAI CITY COUNCIL – REGULAR MEETING
FEBRUARY 19, 2020 – 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 February 19, 2020, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:07 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
Henry Knackstedt (absent)
Jim Glendening
Glenese Pettey

Robert Molloy (absent)
Tim Navarre (telephonic)
Robert Peterkin

A quorum was present.

Also in attendance were:

Paul Ostrander, City Manager
Scott Bloom, City Attorney
Jamie Heinz, City Clerk

3. Agenda Approval

Mayor Gabriel noted the following revisions to the packet:

Add to item D.5. Resolution No. 2020-09

- KPB Ordinance
- KPB Amendment Memo

MOTION:

Council Member Glendening **MOVED** to approve the agenda with the requested additions to the packet. Council Member Pettey **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

4. Women's Voting Rights Day Proclamation

Mayor Gabriel Presented the Women's Voting Rights Day Proclamation and representatives from the League of Women Voters provided an overview of the League.

5. Consent Agenda

MOTION:

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

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

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 councilmember 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. **Tim Dillon, Kenai Peninsula Economic Development District - Kenai Peninsula Economic Development District (KPEDD) Update.**

Tim Dillon provided an update on the Kenai Peninsula Economic Development District noting they had their own stand-alone board and did not report to the Kenai Peninsula Borough, the state, or the federal government. Mr. Dillon discussed the Kenai Peninsula Borough Comprehensive Economic Development Strategy, which was instrumental in obtaining grant funds made available by the November 2018 Earthquake. He pointed out that the organization was a 501(c)(3) and discussed their funding sources for FY2021, which were mostly grants and the Business Incubation Center within the building they own. Mr. Dillon noted the District's work with the Denali Commission and the contracts they have with the Commission; also discussed their partnership with the 2020 U.S. Census.

C. UNSCHEDULED PUBLIC COMMENTS

Kaye Reed spoke about a motel renovated into a homeless or low-income apartment building and noted the Kenai Peninsula College dorm was not going to be utilized in the future and suggested it be repurposed into homeless or low-income mini units to generate some revenue for the college.

D. PUBLIC HEARINGS

1. **Ordinance No. 3103-2020 - Accepting and Appropriating a Grant from the Alaska State Library for Employee Travel and Training. (Administration)**

MOTION:

Council Member Glendening **MOVED** to enact Ordinance No. 3103-2020 and Council Member Peterkin **SECONDED** the motion.

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

VOTE:

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

MOTION PASSED UNANIMOUSLY.

2. **Ordinance No. 3104-2020** - Accepting and Appropriating a Federal Grant from the Institute of Museum and Library Services Passed Through the Alaska State Library for Employee Travel and Training. (Administration)

MOTION:

Council Member Glendening **MOVED** to enact Ordinance No. 3104-2020 and Council Member Pettey **SECONDED** the motion.

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

The Library Director was thanked for finding the grants.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3105-2020** - Accepting and Appropriating Two Donations From the Totem Tracers and the Friends of the Kenai Community Library for the Upgrade of Library Equipment. (Administration)

MOTION:

Council Member Glendening **MOVED** to enact Ordinance No. 3105-2020 and Council Member Pettey **SECONDED** the motion.

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

Totem Tracers and the Friends of the Kenai Community Library were thanked for their generosity.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

4. **Resolution No. 2020-08** - Requesting the State of Alaska Provide Necessary Funding to the Alaska Wing Civil Air Patrol at a Minimum of \$184,300 to Provide Support for Utility Costs, Insurance Premiums and Emergency Roof Repair. (Council Member Knackstedt)

MOTION:

Council Member Glendening **MOVED** to adopt Resolution No. 2020-08 and Council Member Peterkin **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

The memo provided in the packet was read.

It was noted the Civil Air Patrol was a crucial part of the community and the state, that they are able to continue searching when government agencies had to quit searching, and their ability to do search and rescue would be degraded if the funding were not made available.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

5. **Resolution No. 2020-09** - Supporting the Collection of Sales Tax from Remote Sellers by the Kenai Peninsula Borough and Other Municipalities within the Borough, Authorizing the Remote Seller Sales Tax Commission to Implement, Administer, and Enforce Provisions of the Uniform Remote Seller Sales Tax Code on the City's Behalf and Affirming the City's Adoption by Reference of the Kenai Peninsula Borough's Uniform Remote Seller Sales Tax Code. (Legal)

MOTION:

Council Member Glendening **MOVED** to adopt Resolution No. 2020-09 and Council Member Pettey **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

The Alaska Municipal League was thanked for creating the Remote Sellers Sales Tax Commission.

Clarification was provided the Resolution was the culmination of what the Remote Sellers Sales Tax Commission had been working toward. Clarification was also provided that the City referenced Kenai Peninsula Borough Code and this resolution supported the Borough's adoption of the code amendments which would become the City's code and authorizes the central, one level, Remote Sellers Sales Tax Commission. It was noted the City and Borough of Juneau had already adopted the code and once the Kenai Peninsula Borough adopted the code, the City would see revenue. It was also noted the City was receiving voluntary remittance from Amazon only and this code amendment changed the requirement that a company have a physical presence in a community to an economic presence in the community.

It was noted the adoption of this would keep property taxes down.

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

6. **Resolution No. 2020-10** - Authorizing a Budget Transfer in the General Fund Buildings and Non-Departmental Departments for Building Repairs in Excess of Budgeted Amounts. (Administration)

MOTION:

Council Member Glendening **MOVED** to adopt Resolution No. 2020-10. Council Member Peterkin **SECONDED** the motion and requested **UNANIMOUS CONSENT.**

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

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

E. MINUTES

1. *Regular Meeting of February 5, 2020. (City Clerk)

Approved by the consent agenda.

F. UNFINISHED BUSINESS – None.

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 Renewal of Liquor Licenses for New Peking Restaurant and Fraternal Order of Eagles. (City Clerk)

Approved by the consent agenda.

4. ***Ordinance No. 3107-2020** - Increasing Estimated Revenues and Appropriations in the Congregate Housing Funds for Costs in Excess of Budgeted Amounts. (Administration)

Introduced by the consent agenda and public hearing set for March 4, 2020.

5. ***Ordinance No. 3108-2020** - Increasing Estimated Revenues and Appropriations in the General Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's General Fund. (Administration)

Introduced by the consent agenda and public hearing set for March 4, 2020.

6. ***Ordinance No. 3109-2020** - Authorizing the City Manager to Reimburse Annual Leave Used by Firefighter Scott Summers for Attending a Paramedic Internship Program. (Administration)

Introduced by the consent agenda and public hearing set for March 4, 2020.

7. **Ordinance No. 3106-2020** - Amending Title 11 - Harbor and Harbor Facilities, to Remove Provisions that are No Longer Historically Relevant, Recognize Changes to Other Chapters of City Code That Now Provide for Lease and Sale of Harbor Lands and Provide the Harbor Commission a Platform to Move Forward. (Council Members Peterkin and Glendening)

MOTION:

Council Member Glendening **MOVED** to introduce Ordinance No. 3106-2020, refer it to the Harbor Commission for a recommendation, and schedule it for a public hearing on 03/18/2020 and Council Member Peterkin **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

It was noted the removal of powers from the Harbor Commission did not impact the work of the Planning and Zoning Commission.

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

8. **Action/Approval** - Second Amendment to Agreement for Guardian Security Systems, Inc. (Administration)

MOTION:

Council Member Glendening **MOVED** to approve the second amendment to the agreement for Guardian Security Systems, Inc. and Council Member Peterkin **SECONDED** the motion.

VOTE:

YEA: Glendening, Gabriel, Peterkin, Pettey, Navarre

NAY:

MOTION PASSED UNANIMOUSLY.

H. COMMISSION/COMMITTEE REPORTS

1. Council on Aging – No report; Next meeting March 12.
2. Airport Commission – No report; next meeting March 12.
3. Harbor Commission – It was noted the Commission heard from the US Coast Guard on the dipnet patrols; next meeting March 9.
4. Parks and Recreation Commission – No report; next meeting March 5.
5. Planning and Zoning Commission – It was reported the Commission considered and approved a Conditional Use Permit for a RV Park in the Bowpicker area; next meeting February 26.
6. Beautification Committee – No report; next meeting April 14.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Noted he observed and testified at the recent Board of Fisheries meeting and provided an overview of matters the Board considered.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager P. Ostrander reported on the following:
 - Noted he also testified at the recent Board of Fisheries;
 - Noted Guardian Flight Services was locating their medevac services at the Airport;
 - The original cost estimate for the bike path extension was low and had tripled; would be continuing conversations on how to manage the project;
 - Expected approval from the Office of Management and Budget this week on the Bluff Erosion Project; also noted the City was asked to do some initial work in preparation to the design work; and
 - An RFP was out soliciting management of the City Dock.
2. City Attorney – No report.
3. City Clerk – City Clerk J. Heinz noted an upcoming leave.

K. ADDITIONAL PUBLIC COMMENT

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

None.

2. Council Comments

Council Member Pettey expressed appreciation for the Women's Voting Rights Proclamation and provided an overview of the caucus vote that provided women's suffrage.

Council Member Navarre noted he was attending the Alaska Municipal League Winter Legislative Conference; good conference.

Council Member Glendening expressed appreciation for the Women's Voting Rights Proclamation, for the Census information presented, and for the upcoming grant writing position.

L. EXECUTIVE SESSION

1. To Discuss a Request to Purchase Properties Located at 11823 Kenai Spur Highway, Kenai, Alaska, Also Known as "Anchor Camp Ground," Pursuant to AS 44.62.310(c)(1)(3) is a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finances of the City, and a Matter by which Law, Municipal Charter, or Ordinance are required to be Confidential.

MOTION:

1. Council Member Glendening **MOVED** to enter into executive session to discuss a request to purchase properties located at 11823 Kenai Spur Highway, Kenai, Alaska, also known as "Anchor Camp Ground," which pursuant to AS 44.62.310(c)(1)(3) is a matter of which the immediate knowledge may have an adverse effect upon the finances of the City, and a matter by which law, municipal charter, or ordinance are required to be confidential. And requested the presence of the City Manager and the City Attorney. Council Member Peterkin **SECONDED** the motion.

VOTE:

YEA: Gabriel, Glendening, Peterkin, Pettey, Navarre

NAY:

MOTION PASSED UNANIMOUSLY.

Council reconvened in open session and it was noted for the record that Council met in executive session and reviewed and discussed a request to purchase properties located at 11823 Kenai Spur Highway, Kenai, Alaska, also known as "Anchor Camp Ground," and provided the City Manager direction.

M. PENDING ITEMS – None.

N. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 8:24 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of February 19, 2020.



Jamie Heinz, CMC
City Clerk

