

**KENAI CITY COUNCIL – REGULAR MEETING
MAY 6, 2020 – 6:00 P.M.
KENAI CITY HALL
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 virtually on May 6, 2020, in City Hall, 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	Robert Molloy
Henry Knackstedt	Tim Navarre
Jim Glendening	Robert Peterkin
Glenese Pettey	

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 agenda and packet:

Add to item D.6.	Resolution 2020-21
	• Supplemental Information Memo

MOTION:

Vice Mayor Molloy **MOVED** to approve the agenda with the requested additions to the agenda and packet and requested **UNANIMOUS CONSENT**. Council Member Knackstedt **SECONDED** the motion.

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

4. Consent Agenda

MOTION:

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

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 – None.

C. UNSCHEDULED PUBLIC COMMENTS – None.

D. PUBLIC HEARINGS

1. **Ordinance No. 3117-2020** - Appropriating Funds in the Airport Fund, Accepting a Grant From the Federal Aviation Administration and Appropriating Funds in the Airport Equipment Capital Project Fund for the Purchase of Snow Removal Equipment (SRE) – Loader With Attachments. (Administration)

MOTION TO ENACT:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3117-2020 and Vice Mayor Malloy **SECONDED** the motion.

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

MOTION TO POSTPONE:

Council Member Knackstedt **MOVED** to postpone Ordinance No. 3117-2020 to the May 20, 2020 Council meeting and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

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

2. **Ordinance No. 3118-2020** - Increasing Estimated Revenues and Appropriations by \$1,287.44 in the General Fund – Police Department for State Traffic Grant Overtime Expenditures. (Administration)

MOTION:

Council Member Navarre **MOVED** to enact Ordinance No. 3118-2020 and Council Member Knackstedt **SECONDED** the motion.

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

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3119-2020** - Increasing General Fund Estimated Revenues and Appropriations by \$26,542 in the General Fund Parks, Recreation and Beautification Department for an Increase 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 from March 1, 2020 Through June 30, 2020. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3119-2020 and Council Member Glendening **SECONDED** the motion.

Mayor Gabriel opened for public hearing.

Kenai Watershed Forum, Maggie Harings noted there was another opportunity and sufficient funding from the Alaska Department of Environmental Conservation (ADEC) to do sampling through FY20; adding that the relationship with the City of Kenai was valuable and they hoped to continue sampling in Kenai.

Concern was expressed with the high number of gulls in the local rookery that adds bacteria to the City beaches. Ms. Harings clarified the information collected was to supply ADEC with important data related to fluctuations in bacteria levels throughout the summer.

There being no one else wishing to be heard, the public hearing was closed.

Council members thanked the Kenai Watershed Forum for mitigating communication, the positive direction the monitoring was going and the informative website reiterating ADEC's key message about keeping the beaches clean and proper disposal of fish carcass.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY

4. **Ordinance No. 3123-2020** - Accepting and Appropriating Funds in the Airport Fund, and Accepting a Grant From the Federal Aviation Administration for a CARES Act Grant. (Administration)
 1. Motion for Introduction
 2. Motion for Second Reading (Requires a Unanimous Vote)
 3. Motion for Adoption (Requires Five Affirmative Votes)

MOTION FOR INTRODUCTION:

Council Member Knackstedt **MOVED** to introduce Ordinance No. 3123-2020 and Vice Mayor Molloy **SECONDED** the motion.

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

VOTE ON INTRODUCTION:

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

NAY:

MOTION PASSED UNANIMOUSLY.

MOTION FOR SECOND READING:

Council Member Knackstedt **MOVED** to hold the second reading on Ordinance No. 3123-2020 and Vice Mayor Molloy **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

It was clarified this was being introduced and for public hearing due to the emergency nature.

VOTE ON SECOND READING: There being no objections, **SO ORDERED.**

MOTION FOR ENACTMENT:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3123-2020 and Vice Mayor Molloy **SECONDED** the motion.

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

Clarification was provided that the funds were for expenses at the Kenai Municipal Airport and would be used for operational costs.

VOTE ON MOTION TO ENACT:

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

NAY:

MOTION PASSED UNANIMOUSLY.

5. **Ordinance No. 3126-2020** - Accepting and Appropriating Federal CARES Act Funding Passed Through the State of Alaska for Expenditures in Response to the

COVID-19 Pandemic, Waiving the \$5,000 Limitation in KMC 7.25.020 (A) on These Funds to Allow the City Manager to Allocate the Funds to the Proper Account as Needs Arise and Declaring an Emergency. (Administration)

1. Motion for Introduction
2. Motion for Second Reading (Requires a Unanimous Vote)
3. Motion for Adoption (Requires Five Affirmative Votes)

MOTION FOR INTRODUCTION:

Vice Mayor Molloy **MOVED** to introduce Ordinance No. 3126-2020 and Council Member Knackstedt **SECONDED** the motion.

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

VOTE ON INTRODUCTION:

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

NAY:

MOTION PASSED UNANIMOUSLY.

MOTION FOR SECOND READING:

Vice Mayor Molloy **MOVED** to hold the second reading on Ordinance No. 3126-2020 and Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

VOTE ON SECOND READING: There being no objections, **SO ORDERED**.

MOTION FOR ENACTMENT:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3126-2020 and Council Member Knackstedt **SECONDED** the motion.

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

Clarification was provided the funding had stipulations and this was a portion of the larger grant amount for immediate response to the unexpected expenses by Administration due to COVID-19 that were not in the budget. It was added that these funds would also help to make the needed purchases for the workplace in response to COVID-19. Further clarification was provided that this funding would also be used towards public safety employees' payroll, and other specific employees, noting the payroll costs specifically related to COVID-19 would be covered by this grant.

VOTE ON MOTION TO ENACT:

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

NAY:

MOTION PASSED UNANIMOUSLY.

6. **Resolution No. 2020-21** - Authorizing a Budget Transfer in the General Fund City Clerk Department for a Software Add-On. (City Clerk)

MOTION:

Council Member Navarre **MOVED** to adopt Resolution No. 2020-21 and requested **UNANIMOUS CONSENT**; Council Member Knackstedt **SECONDED** the motion.

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.**

7. **Resolution No. 2020-22** - Authorizing the City of Kenai to Issue General Obligation Refunding Bonds in the Principal Amount of Not to Exceed the Sum of \$1,250,000 to Refund Certain Outstanding General Obligation Bonds of the City, Fixing Certain Details of Such Bonds and Authorizing Their Sale. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-22 and Vice Mayor Molloy **SECONDED** the motion.

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

A brief overview and history of the bonds was provided.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

8. **Resolution No. 2020-23** - Approving an Exception to the Collections Policy for Delinquent Ambulance Bills to Eliminate Out of Pocket Collection for COVID-19 Treatment/Transport to Comply with Federal Funding Requirements. (Legal)

MOTION:

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-23 and Council Member Knackstedt **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.

Clarification was provided that although there have been no COVID-19 patients transported at this time, this was a proactive effort to put this in place.

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

9. **Resolution No. 2020-24** - Selecting the Successful Firm for the Professional Environmental / Civil Engineering & Construction Administration Services for Kenai Municipal Water, Sewer and Wastewater Capital Improvement Projects Request for Proposals. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-24 and Council Member Glendening **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.

It was clarified this contract was identical to the Kenai Municipal Airport contract recently approved; this contract would be for any project at the Waste Water Treatment Plant that needed engineering services, it could be negotiated with the selected engineering firm or released for bid. Adding that the selected firm was not guaranteed for contract but it allowed negotiations with this contractor before going out for bid.

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

E. MINUTES

1. *Regular Meeting of April 15, 2020. (City Clerk)

Approved by the consent agenda.

2. *Special Meeting of April 16, 2020. (City Clerk)

Approved by the consent agenda.

3. *Work Session Summary of April 25, 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. ***Ordinance No. 3120-2020** - Accepting \$26,545.90 in Asset Forfeiture Sharing Funds and Appropriating those Funds into the Police Machinery & Equipment and Small

Tools Accounts for the Purpose of Purchasing Law Enforcement Equipment. (Administration)

Introduced by the consent agenda and public hearing set for May 20, 2020.

4. ***Ordinance No. 3121-2020** - Adopting the Annual Budget for the Fiscal Year Commencing July 1, 2020 and Ending June 30, 2021, Amending the Salary Schedule in Kenai Municipal Code Chapter 23.55- Pay Plan and Amending Employee Classifications in Kenai Municipal Code Chapter 23.50. (Administration)

Introduced by the consent agenda and public hearing set for May 20, 2020.

5. ***Ordinance No. 3122-2020** - Accepting and Appropriating a Volunteer Fire Assistance (VFA) Grant From the United States Department of Agriculture Forest Service Passed Through the State of Alaska Division of Forestry for the Purchase of Forestry Firefighting Equipment. (Administration)

Introduced by the consent agenda and public hearing set for May 20, 2020.

6. ***Ordinance No. 3124-2020** - Accepting and Appropriating a Meals on Wheels COVID-19 Response Fund Grant From Meals on Wheels America for Kenai Senior Center Expenditures in Support of COVID-19 Pandemic Response. (Administration)

Introduced by the consent agenda and public hearing set for May 20, 2020.\

7. ***Ordinance No. 3125-2020** - Accepting and Appropriating Additional Nutrition, Transportation and Support Services Grant Funds From the United States Department of Health and Human Services Passed Through the State of Alaska Department of Health and Social Services for Kenai Senior Center Expenditures in Support of COVID-19 Pandemic Response. (Administration)

Introduced by the consent agenda and public hearing set for May 20, 2020.

8. **Discussion** – Election Method. (Mayor Gabriel)

The Mayor clarified that the Kenai Peninsula Borough was considering a vote by mail and determined it was an appropriate discussion item for the City of Kenai. The City Clerk provided an overview of how it would affect the City of Kenai and reviewed a Feasibility Study that was presented to the Borough, specifically noting it was feasible for the City of Kenai to move to vote by mail for the 2020 election. She added she was drafting an ordinance that would be introduced at the May 20 Council meeting with the need for a work session and then a public hearing in June. Vote by Mail was initially recommended by the Election Stakeholder Group last year. Concerns around fraud and voting by mail were addressed, noting that all vote centers were air gapped and voter registration was run by the State of Alaska.

9. **Discussion** - City Response to COVID-19. (Administration)

The City Manager reported that all employees were back to the City except two that were teleworking and the 14-hour employees that were on furlough. He noted that the Personal Use Fishery was planning to continue as scheduled but Administration was looking at safety measures to put in place regarding personal protective equipment (PPE) or modifications to the bathroom

facilities. Opening City Hall in the near future was being discussed and trying to determine when to open the Visitors Center and Recreation Center. He further noted funding possibilities with the CARES Act.

H. COMMISSION/COMMITTEE REPORTS

1. Council on Aging – No report; next meeting May 14.
2. Airport Commission – No report; next meeting May 14.
3. Harbor Commission – No report; next meeting May 11.
4. Parks and Recreation Commission – No report; next meeting May 7.
5. Planning and Zoning Commission – No report; next meeting May 13.
6. Beautification Committee – No report; next meeting May 12.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel requested that Administration look into the annual Memorial Day/American Legion Celebration to determine the plans for this year. He expressed appreciation for the Kenai community's efforts during this time and the importance of diligence and spreading the word about it as mandates are lifted.

J. ADMINISTRATION REPORTS

1. City Manager – City Manager P. Ostrander reported on the following:
 - He noted the various groups he proactively and regular participates in meetings with in response to COVID-19;
 - He testified to the House Finance Committee about the necessity of the CARES Act funding and what it was needed for;
 - An update on Bridge Access Road bike path was provided; and
 - An update on Bluff Erosion project – pursuing two items: In-kind work that the City would be doing and the Pre-Construction, Engineering & Design (PED) agreement to move forward; hoping for approval in late June.
2. City Attorney – City Attorney S. Bloom reported that he was in contact weekly with RAVN Airlines bankruptcy attorneys, noting they hoped to re-emerge in one way or another. Sent them operating agreement that would extend it to July 1. He also reported staff has been reaching out to other carriers in the meantime.
3. City Clerk – City Clerk J. Heinz reported that all Commission and Committee members have been prepped for the upcoming virtual meetings and instructions in how to participate, with the Clerk's Office offering technical support during those meetings. She also reported that the KPB, Soldotna, and Kenai are all putting forth ordinances to move to voting by mail, and potentially Homer and Seward, while vote centers would still be available. She noted that the PowerPoint presentation provided to the Borough and the Feasibility Study would be distributed to Council Members.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*) - None.
2. Council Comments

Council members expressed interest in meeting in-person and continue having the COVID-19 discussion continually item on the agenda.

Council Member Glendening thanked the City Manager for his efforts and continual information.

Vice Mayor Molloy noted support with voting by mail and interest in how CARES Act funding could support substantially impacted local businesses during this time.

Council Member Navarre thanked for the smooth meeting and interest in looking into pandemic funds to help with a voting machine for vote by mail.

Council Member Pettey expressed appreciation for the updated on COVID and the City Clerk's insight and information for voting options.

Council Member Peterkin noted concerns with businesses still impacted by the pandemic and the continued 14-day required quarantine with traveling, noting the devastation to many businesses with summer beginning.

Mayor Gabriel noted that City Manager Ostrander was chair of the Elections Stakeholders Group and he thanked those that aided with the letter to all Commissions and Committees.

Council Member Knackstedt noted discontent if voting went fully by mail. He commented about everyone doing their part throughout the COVID-19 pandemic, encouraging support of local businesses, and thanked Mayor Gabriel for his leadership and the letter he sent to all the Committees and Commissions supporting them moving forward.

L. EXECUTIVE SESSION

M. PENDING ITEMS – None.

N. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 8:23 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of May 6, 2020.



Jamie Heinz, CMC
City Clerk

