

**KENAI CITY COUNCIL – REGULAR MEETING  
DECEMBER 2, 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 December 2, 2020, 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	Robert Molloy
Henry Knackstedt	Teea Winger
Jim Glendening	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 H.11	<b>Discussion – Response to COVID-19</b>
Add to item J.1	<b>City Manager’s Report</b> <ul style="list-style-type: none"><li>• Third Quarter 2020 Sales Tax Information</li></ul>

**MOTION:**

Vice Mayor Molloy **MOVED** to approve the agenda with the requested additions 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**; Vice Mayor Molloy **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 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** – None.

**C. UNSCHEDULED PUBLIC COMMENTS**

Borough Assembly President Brent Hibbert reported on the recent Borough Assembly meeting. He provided an update on the North Road Extension project and status of CARES Act money for Borough residents.

A letter from Bob Peters was read, expressing support for Tim Navarre to be appointed to fill the vacant Council seat.

**D. COUNCIL APPOINTMENT**

1. Selection of Appointee with the Continuation of Interviews if Needed.  
[Clerk's Note: Council May Convene into Executive Session to Discuss this Agenda Item which May be a Subject that Tends to Prejudice the Reputation and Character of the Candidates for the Vacant City Council Seat (AS 44.62.310(C)(2))]

Mayor Gabriel thanked the candidates for participating in the interviews held in the prior work session, and their interest in serving the City of Kenai. The voting process was explained, in which Council Members would be voting by secret ballot. In the first round, Council Members vote for two candidates, and the six candidates that receive the most votes proceed to the next round of voting. In the second round, Council Members again vote for two candidates, and the top four candidates proceed to the next round of voting. This process repeats until two candidates remain, at which time Council Members vote for one candidate, and the candidate that receives four or more votes during this round would be appointed. At any time during the voting process there is a tie or are unable to break the tie after two or more votes, the tie would be broken by lot. If there is more than a two-way tie, straws would be drawn to eliminate one; in a two-way tie a coin would be flipped. Votes would be tabulated by the City Clerk.

**MOTION:**

Vice Mayor Molloy **MOVED** to begin voting on the selection of an appointee by secret ballot. Council Member Pettey **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

**FIRST VOTE:**

Navarre	M. Brown	Boyle	Askin	Oden	Kisena	B. Brown	Douthit
2	1	1	4	0	1	1	2

**SECOND VOTE:**

Navarre	M. Brown	Boyle	Askin	Kisena	B. Brown	Douthit
2	1	1	5	1	1	1

Boyle voluntarily withdrew from the race at this time. Straws were drawn between M. Brown, Kisena, B. Brown and Douthit. M. Brown and Kisena were able to proceed to the next round of voting along with Navarre and Askin.

**THIRD VOTE:**

Navarre	M. Brown	Askin	Kisena
2	2	6	2

Straws were drawn between Navarre, M. Brown, and Kisena. M. Brown was able to proceed to the next round of voting.

**FOURTH VOTE:**

M. Brown	Askin
2	4

**MOTION:**

Council Member Knackstedt **MOVED** to appoint Victoria Askin to Council and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

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

The candidates were thanked for their interest, and were reminded that there were still vacant seats on various commissions and committees for which they are encouraged to apply.

**2. Appointee Oath of Office**

Mayor Gabriel administered the oath of office to Victoria Askin, and Council Member Askin took her seat on the dais.

## **E. PUBLIC HEARINGS**

- 1. Ordinance No. 3166-2020** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing a Professional Services Agreement to Develop Condition Assessments for the Airfield Drainage Safety Area and Asphalt Runway Areas of the Kenai Municipal Airport.

### **MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3166-2020 and Vice Mayor Molloy **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 clarified that the asphalt replacement is for the entire runway. This project has been on the airport's improvement plan for a number of years as the pavement degradation is advancing much quicker than expected. This will be a project of significant size as the asphalt is about 8 inches thick; preliminary estimates put the total cost of the project at about \$18 million. This project assessment would be the first step in getting the design done for that project and could happen as early as 2023. The project would primarily be relying on discretionary funding from FAA; clarified that runway improvement project is separate from the drainage project.

### **VOTE:**

YEA: Gabriel, Knackstedt, Molloy, Winger, Glendening, Pettey, Askin  
NAY:

### **MOTION PASSED UNANIMOUSLY.**

- 2. Resolution No. 2020-90** - Approving the Use of the Fleet Replacement Fund for the Purchase of Three Police Department Trucks Utilizing the State of Alaska Equipment Fleet Contract.

### **MOTION:**

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-90 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.

Police Chief Ross explained that a fleet replacement plan was adopted last year and part of it involved transitioning from the use of smaller cars to four-wheel drive pickup trucks. This Resolution authorizes the purchase of three pickup trucks this year. He explained that one benefit of the switch will be that, after the vehicle is retired from the Emergency Services fleet, it will be more usable to other departments such as Parks and Recreation or Public Works than smaller vehicles would. Clarified that the equipment put in the new vehicles will be a combination of new and used equipment. It was noted that larger four-wheel drive vehicles would be better suited to responding to certain calls, such as a moose hit on the road.

**UNANIMOUS CONSENT** was requested.

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

3. **Resolution No. 2020-91** - Authorizing a Budget Transfer in the COVID-19 CARES Act Recovery Fund to Increase Funding for Housing Assistance, Food Assistance, and First Responder Payroll.

**MOTION:**

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-91 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.

City Manager Ostrander explained that prior to the December 31, 2020 deadline, when all the CARES Act funds need to be expended, Administration aims to reallocate some funds to other areas in order for them to be more efficiently used; clarified that this Resolution would remove left over funds from nonprofit and business grants, commercial fishermen's grants, and small business marketing grants and noted it would increase expenditures for first responder and incident management team payroll, food assistance services, and rental and mortgage relief.

It was noted that other cities on the Kenai Peninsula may not use all of their CARES Act funds and the City of Kenai likely will, so there is a possibility that if we have unmet needs we may get some funds from other cities in Kenai Peninsula Borough. It was clarified that the deadline for individuals to apply for housing grants was on November 30, 2020.

It was suggested that some of the funds from the business grants could be used to implement a voucher shopping program like the City of Soldotna has done. The City Manager explained that while Administration is considering doing a program like this, they are proposing using general fund money in early 2021 instead of using CARES Act funds. It was clarified that because first responder and incident management team payroll is already covered by the general fund, if we used CARES Act funds to cover it instead, that frees up that money in the general fund to use for other programs like the voucher program.

Clarification was provided that the budget spreadsheet provided shows two grants (to Alaska Municipal League and Challenger Learning Center) which haven't been processed yet. It was also noted the Alaska Housing Finance Corporation is committed to funding applications beyond what City is provided, because they had money around.

**UNANIMOUS CONSENT** was requested.

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

4. **Resolution No. 2020-92** - Adopting an Alternative Allocation Method for the FY21 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in FMA 14: Cook Inlet.

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-92 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.

**UNANIMOUS CONSENT** was requested.

Finance Director Eubank clarified that, as opposed to the alternative allocation method this Resolution would adopt, the other method would cost more and would require every community to file an impact statement to justify their share of the funds; noted that since the inception of this program, every one of these members has passed a similar resolution because the other route is more laborious and not worth the effort to split hairs.

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

**F. MINUTES**

1. \*Regular Meeting of November 4, 2020. (City Clerk)

Approved by the consent agenda.

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

1. \*Action/Approval - Bills to be Ratified.

Approved by the consent agenda.

2. \*Ordinance No. 3167-2020 - Increasing Estimated Revenues and Appropriations in the Cares Act Recovery Special Revenue Fund.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

3. \*Ordinance No. 3168-2020 - Increasing Estimated Revenues and Appropriations in the Airport Operations Facility, Airport Snow Removal Equipment, Terminal Improvement, Airport Improvements, Personal Use Fishery, Animal Control Improvements, Public Safety Improvements, City Shop Improvements, Municipal Roadway Improvements, Water and Sewer Improvements, and Wastewater Treatment Facility Improvements Capital Project Funds to Transfer Residual Balances from Completed or Canceled Projects Back to their Original Funding Sources.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

3. \*Ordinance No. 3169-2020 - Increasing Estimated Revenues and Appropriations in the General Fund, Finance Department for the Payment of Fees in Connection with

the Collection of Remote Seller Sales Tax by the Alaska Remote Seller Sales Tax Commission on Behalf of the City of Kenai.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

4. **\*Ordinance No. 3170-2020** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Books.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

5. **\*Ordinance No. 3171-2020** - Accepting and Appropriating a State of Alaska Grant Passed through the Southern Region EMS Council, Inc. for Two Automatic External Defibrillator (AED) Trainers and One Advanced Life Support (ALS) Skills Training Mannequin.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

6. **\*Ordinance No. 3172-2020** - Waiving the \$5,000 Limitation in KMC 7.25.020 (A) for Allocating CARES Act Funds to Allow the City Manager to Allocate the Funds to the Proper Account as Needs Arise and Time to Utilize the Funds Expires, and Declaring an Emergency.

Introduced by the consent agenda and Public Hearing set for December 16, 2020.

7. **Action/Approval** - Amendment to a Special Use Permit to RAVN for Additional Space of Warm Storage.

Council Member Knackstedt **MOVED** to amend the Special Use Permit for RAVN and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

It clarified that this would double their square footage, from 600 to 1200 square feet.

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

9. **Action/Approval** - Council Confirmation of Mayoral Nominations to the City's Commissions and Committee.

Vice Mayor Molloy **MOVED** to confirm Commission appointments. Council Member Glendening **SECONDED** the motion.

Appreciation for committee reappointments was expressed. Noted that a lot of these are reappointments, and Council is glad to see people continuing their service.

**UNANIMOUS CONSENT** was requested.

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

10. **Discussion** - Future Council and Commission Meeting Format.



Clarification was provided that this was a response to Dunleavy's request to try to mitigate spread by meeting remotely as much as possible. It was announced that on Wednesday, December 9<sup>th</sup>, there would be a work session with Dr. Anne Zink in which she would present a Zoom webinar on COVID-19.

Council discussed their views on how Council Meetings should proceed in light of Governor Dunleavy's request. There was general agreement that Council Members feel comfortable with the current social distancing precautions taken during hybrid in-person/Zoom meetings. It was reiterated, especially for new Council Members, that all meeting attendees who don't feel comfortable meeting in person should feel welcome to participate by Zoom, and doing so will not count against your attendance record. Some council members voiced strong preference for in-person attendance, especially for some department heads, but acknowledged that may not be necessary for everyone. It was reminded that if any attendees are feeling at all unwell, they are highly encouraged to participate via Zoon.

#### **11. Discussion – Response to COVID-19**

Despite the fifth City of Kenai employee testing positively, business operations have not been significantly affected.

New CDC regulations were released, shortening close-contact quarantine time from 14 days to 10 days, or 7 with testing.

City Hall closure has been extended to the end of the year, with exception for City Council and Commission meetings taking place in Council Chambers. Library closure allowing for curbside pickup has been extended to the end of the year.

The number of cases, case rate and hospitalizations were provided.

Update on coming COVID-19 vaccines, estimating that the Pfizer MRNA vaccine will likely become available in about two weeks. Described the proposed stages in which the vaccine will be released, noting which groups of people will be offered the vaccine before it is available to the general public. It was noted that some people might have apprehension about taking the vaccine, and because it is an Emergency Order vaccine, it cannot be mandated or required.

Emergency Declaration expires at the end of the year, and a resolution will be proposed at the next City Council meeting to extend it.

#### **I. COMMISSION / COMMITTEE REPORTS**

6. Beautification Committee – No report; next meeting January 12, 2021.

#### **MOTION:**

Council Member Knackstedt **MOVED** to appoint Council Member Askin to the Beautification Committee as Council Liaison, and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

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



1. Council on Aging – Council Member Pettey reported the next meeting will provide an update on the Senior Center, grants they have in place, new Senior Center employees, and planning for March for Meals Madness. Next meeting December 10, 2020.
2. Airport Commission – No report; next meeting December 10, 2020.
3. Harbor Commission – No report; next meeting February 8, 2021.
4. Parks and Recreation Commission – Council Member Winger gave an update on the proposed improvements to Leif Hansen Memorial Park, including brickwork and a possible winter fountain display. Update on ice at Daubenspeck Park. Next meeting December 3, 2020.
5. Planning and Zoning Commission – No report; next meeting December 9, 2020.
7. Mini-Grant Steering Committee – No report.

**J. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Thanked Vice Mayor Molloy for filling in for him at the Christmas Comes to Kenai parade and fireworks. He saw a video of some of the events, and was glad to see so many people coming out to enjoy them;
- Recognized that the traditional Thanksgiving event did not take place at the Senior Center as usual;
- Attended Council of Mayors with Alaska Municipal League via Zoom, but experienced some difficulty due to a poor internet connection;
- Welcomed Council Member Askin to the Council.

**K. ADMINISTRATION REPORTS**

1. City Manager - City Manager P. Ostrander reported on the following:
  - 3<sup>rd</sup> Quarter Sales Tax Reports: There was a significant increase in sales tax income from Q3 2020 as compared to Q3 2019, as well as from 2018. No other jurisdictions in the Borough experienced a third quarter increase, possibly because our residents are shopping more locally. These do not include the numbers from online sales tax;
  - Work has commenced on the FY 21 Budget;
  - Marketing firm Divining Point was going to come up to present their Kenai Peninsula Economic Development District deal in-person, but cancelled trip due to quarantine restrictions. They might be presenting via Zoom during the January Council Meeting, and plan to reschedule their trip for March;
  - Ravn Airlines has started flying Kenai to Anchorage, 6 flights per day, 7 days a week. This is great news for the airport, as this is a requirement for maintaining Part-139 certification;
  - Bluff Project RFP Package for the project design is currently being assembled. Next week there will be a meeting with the Army Corps to go over it. Will be looking to hire a design firm afterwards;

- Continuing to look at land sale. Recently received the 5<sup>th</sup> draft of that land management plan, which needs to be reviewed. Progress is being made and will be brought to Council when it is ready, but is currently needs more refinement;
  - Ryan Foster's first day as Planning Director will be December 21<sup>st</sup>.
2. City Attorney reported that he will be working with the Finance Director to acquire online sales tax report for next Council meeting.
  3. City Clerk – City Clerk J. Heinz reported on the following:
    - A document shred was conducted on November 12, 2020;
    - Commission/committee applications are held year round, and can be applied for throughout the year. When seats are being appointed, the Clerk's office will touch base with the applicant to confirm they are still interested in the appointment;
    - City Council appointment processes, from the past and from other cities, were researched in order to plan for the voting at tonight's meeting. Suggested creating a policy for this process to use for future Council appointments.

**L. ADDITIONAL PUBLIC COMMENT**

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

Council Member Knackstedt welcomed Council Member Askin and noticed she will be missed on the Planning & Zoning Commission. Noted the improvements to the road conditions on Beaver Loop, and thanked the City Manager and the maintenance staff.

Vice Mayor Molloy reported that he has heard from many members of the public and business owners about their opinions on implementing a mask mandate in the City of Kenai, with many people being in support and many people being against it. Is looking forward to the work session next week with Dr. Zink. Wants to encourage people to voluntarily wear a mask, and respect businesses' mask policies without berating or harassing the employees.

Council Member Winger reported that she took a training for newly elected officials through the Alaska Municipal League, and attended their conference. She also attended the Christmas Comes to Kenai event, and noted that she was told by many people it was a welcome break from quarantine. Discussed the serious mental health effects of lockdown in our community. Mentioned upcoming community events such as the Kenai Chamber of Commerce Christmas Raffle and the annual Boys & Girls Club Gala. Expressed her hope that no more community events will be cancelled due to COVID-19 concerns. Explained that she has gotten a number of calls from people in the community expressing their opinions on a possible mask mandate, including calls from people who have recovered from COVID-19.

Council Member Pettey reported that she also attended the Christmas comes to Kenai parade and bonfire and enjoyed herself. Welcomed Council Member Askin to the Council. Related that she had also heard from members of the community regarding masks, and expressed that she strongly believes in protecting each individual's responsibility. Encouraged people to voice their opinions

at the next City Council meeting. Thanked the City Clerk for orchestrating the work session and voting process today.

Council Member Glendening welcomed Council Member Askin to the Council. Said he has also received a large volume of calls from community members voicing their concerns over masking, to whom he explained the alternative plans of service that have been implemented by City Hall, the library, and the Chamber of Commerce. Expressed his belief that the spirit of Christmas in Kenai is challenged this year, but alive and well. Stated that he is looking forward to the meeting next week with Dr. Zink, and expressed optimism that life will return to normalcy in the new year.

Council Member Askin stated that she looks forward to working with the Council this next year. Noted that, like other Council Members who have voiced their opinions on masking, she believes it is a matter of mutual respect.

M. **EXECUTIVE SESSION** – None.

N. **PENDING ITEMS** – None.

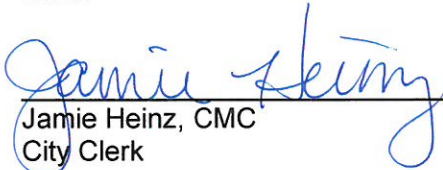
O. **ADJOURNMENT**

P. **INFORMATION ITEMS**

1. Purchase Orders Between \$2,500 and \$15,000.

There being no further business before the Council, the meeting was adjourned at 8:34 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of December 2, 2020.

  
Jamie Heinz, CMC  
City Clerk

