

**KENAI CITY COUNCIL – REGULAR MEETING  
SEPTEMBER 16, 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 September 16, 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  
Henry Knackstedt  
Jim Glendening  
Glense Pettey

Robert Molloy  
Tim Navarre  
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 agenda and packet:

- |                  |   |
|------------------|---|
| Add to item D.4. | <b>Resolution No. 2020-78</b> <ul style="list-style-type: none"><li>• Stipulation Regarding Rejection of Unexpired Leases</li></ul> |
| Add item D.5.    | <b>Resolution No. 2020-79</b> <ul style="list-style-type: none"><li>• Resolution</li><li>• Memo</li></ul>                           |
| Add to item F.1. | <b>Ordinance No. 3155-2020</b> <ul style="list-style-type: none"><li>• Postponement Memo</li></ul>                                  |
| Add to item G.4. | <b>Election Workers</b> <ul style="list-style-type: none"><li>• Revised Memo</li></ul>  |

Add to item G.5.

**Response to COVID-19**

- Revised People Counter Project Memo

**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**

1. **Tim Dillon, Kenai Peninsula Economic Development District – Census and AK Cares Update.**

Tim Dillon provided a reminder of who Kenai Peninsula Economic Development District (KPEDD) is, an update on their current projects, an overview of their funding, provided an update of the FY21 Comprehensive Economic Development Strategy (CEDs), and an update on the Alaska CARES Act funding within the Kenai Peninsula Borough and the City.

**C. UNSCHEDULED PUBLIC COMMENTS – None.**

**D. PUBLIC HEARINGS**

1. **Ordinance No. 3162-2020 - Amending Municipal Code Section 23.50.010 – Employee Classification, to Amend a Class Title in the Supervisory and Professional Class. (Administration)**

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3162-2020 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.

An overview of the changes were provided noting the Human Resources Director reviewed the scope and responsibilities of the position and recommended the change.

Clarification was provided that code enforcement would still be a responsibility of the City Planner and that the new range made the City competitive with similar positions in the area.

**VOTE:**

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

NAY:

**MOTION PASSED UNANIMOUSLY.**

- 2. Resolution No. 2020-76** - Renaming Daubenspeck Circle to Daubenspeck Road on the Plat of Baron Park 2020 Replat. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-76 and requested **UNANIMOUS CONSENT**. 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.

It was noted that the Planning and Zoning Commission unanimously recommended approval.

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

- 3. Resolution No. 2020-77** - Approving the Execution of a Lease of Airport Reserve Lands Using the Standard Lease Form Between the City of Kenai and Kenai Aviation Operations, LLC, for Lot 9A, Block 5, General Aviation Apron Subdivision No. 5. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-77 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.

There was enthusiasm for this project as well as four other hangars being constructed on the airport. It was added that the Planning and Zoning Commission also unanimously recommended approval of this.

**UNANIMOUS CONSENT** was requested.

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

4. **Resolution No. 2020-78** - Approving an Airline Operating Agreement and Terminal Area Lease with FLOAT Shuttle/Corvus Airlines Inc., D/B/A Ravn Alaska and Ratifying a Stipulation Regarding Rejection of Unexpired Lease of Non-Residential Real Property with Ravn Group, Inc. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-78 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.

The City Attorney clarified this resolution would approve a stipulation with Ravn Group, Inc. to terminate their lease in the airport, and it would approve an Airline Operating Agreement with FLOAT Shuttle doing business as Ravn Alaska, beginning September 8.

**UNANIMOUS CONSENT** was requested.

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

5. **Resolution No. 2020-79** – Authorizing the City Manager to Accept a Grant from the Federal Aviation Administration for the Construction of the Kenai Municipal Airport's New Sand Storage Facility. (Administration)

*[Clerk's Note: This item was added to the agenda during the approval of the agenda.]*

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-79 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.

It was noted that this was similar to other legislation adopted on an emergency basis based on the nearing end of the Federal Fiscal Year.

Clarification was provided that entitlement funding would be utilized, and the additional funding could be coming from discretionary funding as well as funding from other projects reserves. It was also clarified that the funding would allow for the project to be completed in one phase.

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. \*Regular Meeting of September 2, 2020. (City Clerk)

Approved by the consent agenda.

**F. UNFINISHED BUSINESS**

1. **Ordinance No. 3155-2020** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant from The Federal Aviation Administration for Phase One Construction of a New Sand Storage Facility. (Administration)

*[Clerk's Note: At the September 2 Meeting, this item was Postponed to the 09/16/20 Council Meeting; a motion to enact is on the floor.]*

**MOTION TO POSTPONE:**

Vice Mayor Molloy **MOVED** to postpone Ordinance No. 3155-2020 to the October 7, 2020 meeting. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

**VOTE ON THE POSTPONEMENT:**            There being no objection; **SO ORDERED**.

**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 Marijuana License for Grateful Bud LLC. (City Clerk)

Approved by the consent agenda.

4. **\*Action/Approval** - Approving Election Workers for the October 6, 2020 Regular Election. (City Clerk)

Approved by the consent agenda.

5. **Discussion** - Response to COVID-19. (Administration)

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

The people counter project as provided in the laydown was reviewed. Concern was expressed regarding the project being a Capital Improvement Project and the project not being on a published agenda. Discomfort was expressed using cameras for counting people; it was noted infrastructure issues could be dealt with through the budget as well.

**MOTION:**

Council Member Navarre **MOVED** to approve the people counting project and Council Member Knackstedt **SECONDED** the motion.

It was noted the project was CARES Act funding and the deadlines for expenditure of the funds.

It was suggested the need for counting people would end once the public health emergency had ended.

There was discussion regarding blurred facial recognition and who was making the decision regarding blurring; it was noted if the purpose of the camera changed to security, the facial recognition option may be optimized. Clarification was provided that the value of the system at the library in the long term was to provide statistical data regarding users of the facility. It was added the statistical data of facility use had been used for many years and helped with grant applications. Clarification was provided that the laser beam system purchased several years ago for the library was toward the end of the industry standard for laser beams and the industry standard had moved to cameras or machine vision.

Clarification regarding the funding for the project was provided noting it did not affect the grant programs for local businesses.

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend the project that cameras only be used for counting until Council approves for any other purpose and Council Member Navarre **SECONDED** the motion.

There was further discussion regarding occupancy monitoring by facility staff, camera view and placement, and public notice.

It was added that the Council on Aging had been looking to install security cameras at the Senior Center for some time.

**VOTE ON AMENDMENT:**

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

**MOTION PASSED.**

**VOTE ON MAIN MOTION AS AMENDED:**

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

**MOTION PASSED.**

A bonfire on City property for the high school was noted; the City Manager was working with the parent group trying to put it together. The need for a COVID mitigation plan could be making it difficult to plan such an event. Clarification was provided that there were no mandates or restrictions in place regarding limiting a gathering.

There was discussion regarding the powers provided by the emergency declaration.

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging – No report; next meeting October 8.
2. Airport Commission – No report; next meeting October 8.

3. Harbor Commission – No report; next meeting October 12.
4. Parks and Recreation Commission – No report; next meeting October 1.
5. Planning and Zoning Commission – The items of the Planning and Zoning Commission at their meeting on September 9 were noted; next meeting September 23.
6. Beautification Committee – No quorum on September 8 but discussed the tour and repair needed at Leif Hansen Park; next meeting October 13.
7. Mini-Grant Steering Committee – No report.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Thanked the American Legion for their display for September 11;
- He spun the magic wheel for the kickoff of the Silver Salmon Derby;
- Noted some Aircraft Rescue and Fire Fighting (ARFF) people in Homer went through the BEACON training and were impressed; praise was expressed; and
- He thanked those that were running for the election.

**J. ADMINISTRATION REPORTS**

1. City Manager - City Manager P. Ostrander reported on the following:
  - He was bringing forth legislation to consider whether or not to approve the Challenger Center for a cold weather facility;
  - City of Kenai issued 29 CARES Act marketing grants;
  - Alaska Housing Finance Corporation housing assistance grants; received applications from 44 households on opening day – in addition to 79 applications received in the previous housing grant period. May want to consider to extend to all families beyond City of Kenai boundaries; the Borough does not have a similar program;
  - Ready to launch Round 2 of Business Grants on October 1;
  - Still working on mental health services;
  - Provided an update on the Kenai Silver Salmon Derby;
  - Bluff erosion project update – the Preconstruction Engineering Design (PED) was signed, fully executed; 30-day period to complete planning phase.
2. City Attorney – No report.
3. City Clerk – City Clerk J. Heinz reported on the following:
  - As of today, received 206 absentee vote by mail ballot applications; four times as many as ever had in past five years;
  - Absentee voting in-person begins on September 21; City Hall is an absentee voting site for both City and Kenai Peninsula Borough ballots; polling locations for October 6 voting were noted;
  - Goal this week, launching of email notifications from our website, allowing the public to subscribe to one or many pages, newsletters and updates on the City of Kenai website;
  - She is supporting the Silver Salmon Derby; purchased tickets for the whole derby;
  - Currently recruiting for the Deputy Clerk position; closes on September 22.

**K. ADDITIONAL PUBLIC COMMENT**

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

Council Member Knackstedt noted he participated in the Chamber's Luncheon forum for the Council candidates.

Vice Mayor Molloy wished best to all of the candidates; appreciated the healthy debate tonight.

Council Member Pettey appreciated the signed PED agreement for the Bluff Erosion project; thanked everyone involved. She noted the flowers around the City beautified the city this year; the touching remembrance and appreciation for the display on September 11; and expressed thanks for the discussion tonight.

Council Member Navarre appreciated Clarion interview with the City Manager and updating the public on the Bluff Erosion Project. He noted he participated in the candidate forum at the Chamber of Commerce Luncheon; thanked the Clerk's Offices and the election workers for the work and commitment to pull off the election.

Council Member Glendening attended the last Market in Old Town - hoping it will be amplified in the next year. He noted the care the Fire Department took in their flag display; watched the candidate forum at the Chamber Luncheon; and hoped the fishing industry could have a better result for the CARES Act funding.

Council Member Peterkin expressed content about low COVID-19 numbers; it was encouraging that numbers have not increased but actually decreasing.

**L. EXECUTIVE SESSION – None.**

**M. PENDING ITEMS**

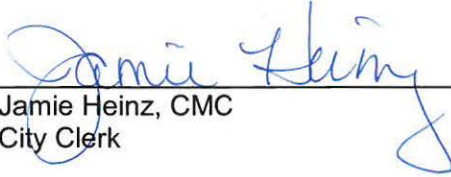
1. **Ordinance No. 3157-2020** - Amending Kenai Municipal Code Section 1.85.010 – Report of Financial and Business Interests, to Allow for Certification by Municipal Officers that a Previously Filed Statement of Disclosure Remains Accurate and Approving an Alternate Certification. (Vice Mayor Molloy) [**Clerk's Note:** *At the 09/02/20 meeting, this item was postponed to the 10/7/20 meeting.*]
2. **Substitute Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections. (Council Member Peterkin) [**Clerk's Note:** *At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]
3. **Ordinance No. 3128-2020** - Amending Kenai Municipal Code Section 1.85.040 – Records Public, To Provide For A Record Retention Length. (City Clerk) [**Clerk's Note:** *At the August 19 Meeting, this item was Postponed to the 10/21/20 Council Meeting; a motion to enact is on the floor.*]



**N. ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 8:45 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of September 16, 2020.

  
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Jamie Heinz, CMC  
City Clerk

