

**KENAI CITY COUNCIL – REGULAR MEETING  
OCTOBER 21, 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 October 21, 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	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. Election Certification**

**MOTION:**

Vice Mayor Molloy **MOVED** to certify the election results of October 6, 2020 as presented. Council Member Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

**4. Agenda Approval**

Mayor Gabriel noted the following revisions to the agenda and packet:

- Add to item G.4.           **Response to COVID-19**
- Excess Mortality Graph

**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** – None.

**D. PUBLIC HEARINGS**

- 1. Ordinance No. 3163-2020** - Amending Kenai Municipal Code Sections 23.30.030 – Probationary Period for Employees in the Classified Service, to Remove the Six-Month Waiting Period for New Employees to Utilize Annual Leave and 23.40.060 – Leave of Absence With Pay, to Allow for Transition Leave for New Police Officers Upon Completion of a Public Safety Academy. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3163-2020 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 currently, newly hired City employees are prohibited from taking leave during their first six-months of employment in order to ensure they have accrued enough leave before using it. Police officers that attend academy must return to work in Kenai immediately afterwards, and have no time to rest and recuperate, or move their families if coming from out of

state. By creating a new category of "Transition Leave," City Officer positions become competitive with State Troopers, who have two weeks of leave after academy. Transition Leave would not be a bonus, can only make use of leave the employee had already accrued, would not roll over for use after the 6-month point has passed, and officers would still need to apply and receive approval for this leave.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

2. **Ordinance No. 3164-2020** - Accepting and Appropriating a Grant from Marathon Petroleum Foundation to Purchase Firefighting Tools. (Administration)

**MOTION:**

Vice Mayor Malloy **MOVED** to enact Ordinance No. 3164-2020 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.

The proposed purchase of a portable ground monitor using the grant from Marathon Petroleum was discussed. A short video was shown, demonstrating the Blitzfire series of lightweight, portable monitors. This apparatus is used to enhance the pressure and volume of water flow, and does not need to be attached to the engine itself. It was suggested that monitor could be useful if responding to a call at the refinery, and also at other locations such as the airport and the harbor if needed. Noted that it would be a welcome addition to the Kenai Fire Department inventory.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

3. **Resolution No. 2020-81** - Amending its Comprehensive Schedule of Rates, Charges, and Fees, to eliminate Kenai Community Library Late Fees. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-81 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.

Library Director Katja Wolfe provided an overview of the current and proposed library fine systems. Under the proposed changes, library users would not be charged a fee when returning overdue materials, although they are still responsible for a lost or damaged item. An item will be considered "lost" once it has reached 30 days past due, at which time the user must return, replace, or reimburse the library for the item. Failure to do so will result in the user being barred from checking out further materials at the Kenai Library, as well as any library within the statewide Alaska Library Catalog system, until the library is compensated. It was clarified that PFDs were not garnished, nor are dues sent to a collection service; library only sends out notices to try to get the materials back or reimbursed.

The revenue from fines was discussed, stating that the most recent fiscal year's late fee revenue total was approximately half that of the last 5-year average (approximately \$8,800.) This decrease is primarily due to a) COVID-19 and b) increase in checkout of digital materials, which are returned automatically without late fees. The library budget will not be significantly impacted and can manage without the late fee revenue.

It was noted that studies from fine-free libraries have suggested that eliminating fines does not result in increased late returns, and a level of responsibility still exists despite there not being fines. If the Resolution is implemented, the Kenai Library will collect data to see if and how the new policy affects late returns.

Topics discussed also included how parents' accounts affect a child's ability to check out books, and that late and lost fees are typically a result of hardship.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

4. **Resolution No. 2020-82** - Awarding a Construction Contract for the Installation of the 2020 Facility Occupancy Management System. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-82 and Vice Mayor Molloy **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 objection; **SO ORDERED**.

**E. MINUTES**

1. \*Regular Meeting of October 7, 2020. (City Clerk)

Approved by the consent agenda.

**F. UNFINISHED BUSINESS**

1. **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.*]

**MOTION TO POSTPONE INDEFINITELY:**

Council Member Peterkin **MOVED** to postpone indefinitely Ordinance No. 3127-2020. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

2. **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.*]

**MOTION TO POSTPONE INDEFINITELY:**

Council Member Knackstedt **MOVED** to postpone indefinitely Ordinance No. 3128-2020 and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

**VOTE:** 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. **\*Ordinance No. 3165-2020** - Accepting and Appropriating a Grant From the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs to Update the City's Emergency Operations Plan. (Administration)

Introduced by the Consent Agenda and Public Hearing set for November 4.

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

The recent surge in positive COVID-19 cases was discussed, and it was noted that a City of Kenai staff member had been diagnosed. An update was provided of the CARES Act grants paid out to date to businesses, commercial fisheries, marketing, and housing assistance. Expressed confidence that the full amount of CARES Act funds that the city received will be spent.

Reported the increase in case rates and reported hospitalizations on Kenai Peninsula and in State of Alaska, and discussed the excess mortality graph provided in the laydown.

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging – It was reported that the Senior Center was installing touch-free devices in the card room in the facility; next meeting November 12.
2. Airport Commission – No report; next meeting November 12.
3. Harbor Commission – It was reported that the commission received project updates on projects affecting the dock and waterfront, discussed harbor dredging; next meeting November 9.
4. Parks and Recreation Commission – next meeting November 5.
5. Planning and Zoning Commission – next meeting October 28.
6. Beautification Committee – It was reported that the commission heard from Doctor Peter Hansen and discussed repairs for the fountain at Leif Hansen Park as well as purchasing a holiday tree to put in the fountain in the winter time; next meeting January 14.
7. Mini-Grant Steering Committee – No report.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Attended Pumpkin Festival and judged pumpkin entries; appreciated people could participate safely;
- Congratulated winners of election;
- Thanked candidates for running in the election; congratulated Richard Derkevorkian, new KPB Assembly Member, thanked previous Assembly Member Smalley for his service;
- At last Assembly meeting, the Assembly passed a resolution to declare a local economic disaster for the Upper Cook Inlet fisheries region and for supporting a recovery plan; there was no objection to the Mayor writing a letter on behalf of the City in support of the same;
- Presented Council Member Navarre with a plaque of appreciation for his service to the City.

**J. ADMINISTRATION REPORTS**

1. City Manager - City Manager P. Ostrander reported on the following:
  - Planning Director interviews begun, second round scheduled in November;
  - Met with Department of Environmental Conservation and Kenai Watershed Forum regarding sampling for bacteria monitoring program; model will be provided after that. Unlike previous years, City of Kenai will not be asked to be a passed-through grant recipient, as they will go directly through DEC.
  - Love, Inc. is pursuing Soldotna location for cold weather shelter. Challenger Center was previously considered but, the board stated cold weather shelter for

youth in Students-In-Transition program only. Love, Inc. stated this was not a feasible use of the center and pursued Soldotna at that time;

- Cameras installed at old town cabins;
  - No update on bluff erosion project;
  - Congratulated winners of election and thanked Council Member Tim Navarre;
2. City Attorney –
- Congratulated winners of election and thanked Council Member Tim Navarre;
3. City Clerk – City Clerk J. Heinz reported on the following:
- Congratulated winners of election and thanked Council Member Tim Navarre;
  - Introduced new Deputy Clerk, Meghan Thibodeau;
  - Reported on Absentee-In-Person voting that is taking place at City Hall;
  - Will be recruiting commissioners for open positions;
  - Reminder that Alaska Municipal League is meeting in November;

**K. ADDITIONAL PUBLIC COMMENT**

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

Council Member Glendening, Council Member Peterkin, Council Member Pettey, Vice Mayor Malloy, Council Member Knackstedt, thanked Council Member Tim Navarre for his time serving on City Council, and welcomed new Council Member Winger.

Council Member Knackstedt also suggested he would like to see a flagpole installed at the Kenai Airport Terminal, with American and Alaskan flags.

Council Member Tim Navarre congratulated Council Members Knackstedt and Winger for their election win, and reflected on his time serving on City Council.

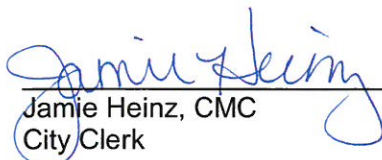
**L. EXECUTIVE SESSION** – None.

**M. PENDING ITEMS** – None.

**N. ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 7:54 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of October 21, 2020.

  
Jamie Heinz, CMC  
City Clerk

