

**KENAI CITY COUNCIL – REGULAR MEETING  
MAY 5, 2021 – 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 May 5, 2021, 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  
Victoria Askin

Robert Molloy  
Teea Winger  
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**

**MOTION:**

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

- Add to item D.5.                   **Ordinance No. 3210-2021**
- Postponement 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 Council Member Pettey **SECONDED** the motion.

Council Member Knackstedt requested that Ordinance 3213-2021 be removed from the consent agenda.

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.

**UNANIMOUS CONSENT** was requested.

**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. Peter Torkelson - Alaska Redistricting Board's Upcoming Map-Drawing Cycle.**

Peter Torkelson, Executive Director of Alaska Redistricting Board, explained that every ten years the Constitution requires legislative districts to be redrawn, and the upcoming map-drawing cycle will be based on data from the 2020 census. He discussed the history of the Redistricting Board and what they do, the purpose of their work, their projected timeline for the redistricting process, and how the public can get involved.

##### **C. UNSCHEDULED PUBLIC COMMENTS**

Marion Nelson updated the Council on the Kenai Fine Art Center's building remodel, and invited them to the re-opening on July 1<sup>st</sup> and asked the Mayor or Vice Mayor to say a few words. She also discussed the Center's coming events and plans for the future.

Linda Swarner expressed her opinion on Kenai's new street banners noting that they are difficult to read and the colors are not bright. She stated that there should be new chairs for constituents as well as Council, and that she would like to see residents become more involved in the budget process. She also noted that she is relocating and will not be participating in the upcoming election cycle, and that she never witnessed any irregularities and she believes using ID cards is very important.

##### **D. PUBLIC HEARINGS**

1. **Ordinance No. 3205-2021** - Authorizing a Budget Transfer in the General Fund, Fire and Non-Departmental Departments and Increasing Estimated Revenues and Appropriations in the Public Safety Improvement Capital Project Fund to Provide Supplemental Funding to the Fire Station #2 Station Alerting Project and the Dispatch Base Station Radio Replacement Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance 3205-2021 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 some operations were lost in Station #1 when connecting it to Station #2 due to old wiring, and this appropriation will bring the wiring up to date.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

2. **Ordinance No. 3206-2021** - Accepting and Appropriating Private Donations to the Kenai Animal Shelter for the Care of Animals. (Administration)

**MOTION:**

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3206-2021 and Council Member Askin **SECONDED** the motion.

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

The individual donors were recognized and thanked for their contribution to the Kenai Animal Shelter.

It was clarified that there will be a digital display at the Animal Shelter that will share images of the animals up for adoption, and because the same technology is used at the library and airport, it is possible to share the images at those locations as well.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

3. **Ordinance No. 3207-2021** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting Funds from Both

the Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of Ballistic Vests. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3207-2021 and Council Member Pettey **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.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

4. **Ordinance No. 3209-2021** - Accepting and Appropriating a Grant from Derek Kaufman Fund through the Alaska Community Foundation for the Purchase of Library Materials. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3209-2021 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.

The Derek Kaufman Fund was thanked for the grant for library materials.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

5. **Ordinance No. 3210-2021** - Amending Kenai Municipal Code Sections 23.25.020 - Pay Plan and Adoption, 23.55.020 – Compensation Structure by Grade for Employees in the Classified Service, 23.55.050 – Hourly Rates, Removing the Appended Salary Schedule from the City’s Code of Ordinances to Allow for Adoption of the Salary Schedule through the Ordinance Adopting a Budget for the Following Fiscal Year or by Resolution. (Administration)

**MOTION:**

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3210-2021 and Council Member Askin **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.

**MOTION:**

Vice Mayor Molloy **MOVED** to postpone Ordinance No. 3210-2021 until the May 19, 2021 Council meeting and for a second public hearing at that meeting. Council Member Knackstedt **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

6. **Resolution No. 2021-28** - Adopting the City's Capital Improvement Plan for Fiscal Years 2022-2026. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-28 and Council Member Askin **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.

It was explained that, while this adopts the Capital Improvement Plan for the Fiscal Years 2022-2026, it is not actually funding the plan as that will be done through future budget ordinances. It is noted that circumstances can change, so the Capital Improvement Plan is not written in stone until the budget year when the plan is actually funded.

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

7. **Resolution No. 2021-29** - Authorizing a Budget Transfer in the Personal Use Fishery Fund for the Purchase of Automatic External Defibrillators with Enclosures for the City's Dock, North Beach and South Beach. (Administration)

**MOTION:**

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2021-29 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.

**UNANIMOUS CONSENT** was requested.

Clarification was provided that the Automatic External Defibrillators (AEDs) would be available for use at the personal use fishery during the fishing season, and would be available at another City location for the rest of the year. It was noted that there has been a need for this equipment at the fishery site in the past.

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

**E. MINUTES**

1. \*Special Meeting of April 20, 2021. (City Clerk)

Approved by the consent agenda.

2. \*Regular Meeting of April 21, 2021. (City Clerk)

Approved by the consent agenda.

3. \*Special Meeting of April 22, 2021. (City Clerk)

Approved by the consent agenda.

4. \*Work Session Summary of April 24, 2021. (City Clerk)

Approved by the consent agenda.

**F. UNFINISHED BUSINESS**

**G. NEW BUSINESS**

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

Approved by the consent agenda.

2. \*Action/Approval - Non-Objection to the Renewal of Liquor Licenses for Oaken Keg #1808 and Kenai Joe's Taphouse, LLC. (City Clerk)

Approved by the consent agenda.

3. \*Ordinance No. 3211-2021 - Adopting the Annual Budget for the Fiscal Year Commencing July 1, 2021 and Ending June 30, 2022 and Committing \$4,898,000 of General Fund, Fund Balance for Future Capital Improvements. (Administration)

Introduced by the consent agenda and Public Hearing set for May 19, 2021.

4. \*Ordinance No. 3212-2021 - Increasing Estimated Revenues and Appropriations in the Airport Fund, Airfield and Administration Departments for Expenditures in Excess of Budgeted Amounts Related to Additional Temporary Hours and Overtime Hours Needed for Winter Snow Removal Activity and Leave Cash-In Amounts in Excess of Budgeted Amounts Caused by Employee Retirement. (Administration)

Introduced by the consent agenda and Public Hearing set for May 19, 2021.

5. \*Ordinance No. 3213-2021 - Increasing Revenues and Appropriations in the General, Airport, Water and Sewer and Senior Citizen Funds for City Employee COVID-19 Resilience Pay and Authorizing Payments to Employees on a Retroactive Monthly Basis. (Council Member Glendening, Council Member Winger)

**MOTION:**

Council Member Winger **MOVED** to introduce Ordinance No. 3213-2021 and hold a public hearing at the May 19, 2021 Council Meeting. Council Member Glendening **SECONDED** the motion.

Appreciation was expressed for the service of City employees throughout the COVID-19 health emergency, as well as for the hard work of Administration in keeping their employees safe by ensuring COVID-safe workplaces through social distancing, plexiglass partitions, public facility closures, mask requirements, and flexibility in scheduling to allow for COVID-19 leave. It was noted that no employees lost their jobs with the City due to COVID-19, and while we are all in the same boat, the City provided its employees "life jackets" and that moving this policy forward might be divisive among City employees and the taxpayers.

The comment was made that, while members of the Council oppose the ordinance, it would be good to hear from the public on this issue through a Public Hearing although it could be a divisive issue for employees. It was noted that the issue deserves a full discussion and the opportunity for public testimony.

It was explained that this legislation was the result of the sponsor's conversations with City employees and first responders. It was noted that City employees dealt with a lot of additional stresses during this time that should be recognized, such as being short-handed due to COVID-19 protocols.

It was noted that it is very uncommon for items to be pulled off the consent agenda and not be introduced for public hearing, and that allowing legislation to go to public hearing allows for the public process and a deeper discussion on why the issue should be supported or not.

**VOTE:**

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

**MOTION PASSED.**

6. **Action/Approval** - Donation of \$500 to Mountain View Elementary School to be Used for Purchasing Bike Helmets for Their Annual Bike Rodeo Event. (Council Member Winger)

**MOTION:**

Council Member Winger **MOVED** to approve a donation of \$500 to Mountain View Elementary School to be used for purchasing bike helmets for their annual Bike Rodeo event. Vice Mayor Molloy **SECONDED** the motion.

It was explained that this program was started by longtime local teacher Barb Ralston, in partnership with Safe Kids and the Kenai Police Department, after she lost two students to bike accidents. The intention is to teach kids about proper bike stops and hand signals, and to provide safety equipment. Noting that the program is able to provide helmets at \$5 each, the \$500 donation would allow 100 children to receive helmets free of cost. The participation of the Kenai Police Department in the event was explained.



It was noted that normally, organizations requesting a donation will provide a memo explaining the need and use for the funds, and will often come before Council to speak on the subject directly so that Council's questions could be answered by the organizer. Questions were raised on how accounting details would be handled.

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend the motion to require receipts of sales of helmets up to \$500, and any funds left over would revert back to the City. Council Member Askin **SECONDED** the motion.

**VOTE ON AMENDMENT:**

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

**MOTION PASSED UNANIMOUSLY.**

Clarification was provided that a tally would be kept as helmets are handed out, which would then be invoiced to the City's Finance department up to \$500. The funds would come out of the Grants to Other Agencies Legislative Budget account.

**VOTE ON MAIN MOTION AS AMENDED:**

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

**MOTION PASSED UNANIMOUSLY.**

7. **Action/Approval** - Amending Employment Agreements between the City of Kenai and City Attorney, City Clerk, and City Manager. (Mayor Gabriel)

**MOTION:**

Vice Mayor Molloy **MOVED** to approve amendments to the Employment Agreements between the City of Kenai and City Attorney, City Clerk, and City Manager with the details to be provided to Human Resources. Council Member Askin **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

8. **Discussion** - Replacement Chairs for Dais and Executive Session Conference Room. (Mayor Gabriel)

The age and poor ergonomics of the current chairs was noted. Clarification was provided that the prices provided in the packet are list price, and the final price would be at or below \$500 each. The chairs in the new Airport conference room were noted as being very comfortable and the recommendation was made to get something similar. It was suggested that a Council Member test the chairs prior to purchase, as it is difficult to make a decision based on a photo. The importance of lumbar support was stated, as well as a preference for an American-made chair.



## 9. Discussion - COVID-19 Response.

City Manager Ostrander reported that there is currently no City employees in COVID-19 protocol, and that Central Peninsula General Hospital currently has 2 patients hospitalized with COVID-19. The Kenai Senior Center continues to reopen and is making progress every week. COVID-19 leave for City employees expires on May 6, 2021.

He noted that Fire Chief Prior wants to provide video testimony for Governor Dunleavy's "Sleeves Up for Summer" campaign on his personal experience receiving the COVID-19 vaccine. Council discussed the appropriateness of allowing him to participate as a representative of the City, and whether or not he could state his job title or wear his uniform. It was noted that the video would be Chief Prior's personal testimony of his experience and reasons for choosing to be vaccinated.

### **MOTION:**

Vice Mayor Molloy **MOVED** to allow Fire Chief Prior to participate in the Governor's "Sleeves Up for Summer" campaign by a video in which he states his personal reasons being vaccinated, including a disclaimer that he's not speaking for City of Kenai. Council Member Askin **SECONDED** the motion.

Council continued to discuss whether or not Chief Prior should be allowed to wear his uniform.

### **VOTE:**

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

### **MOTION PASSED.**

## **H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging – No report. Next meeting May 13, 2021.
2. Airport Commission – No report. Next meeting May 13, 2021.
3. Harbor Commission – No report. Next meeting June 7, 2021.
4. Parks and Recreation Commission – No report. Next meeting May 6, 2021.
5. Planning and Zoning Commission – Council Member Glendening reported on the actions of the April 28, 2021 meeting. Next meeting May 12, 2021.
6. Beautification Committee – No report. Next meeting May 11, 2021.
7. Mini-Grant Steering Committee – No report.

## **I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Attended Airport Manager Mary Bondurant's retirement party, and noted that Administrative Assistant Erica Brincefield did a great job of organizing the surprise event;
- Attended the Joint Chamber Luncheon with Senator Murkowski, and had a meeting with her afterward to go over infrastructure and the Bluff Erosion Project;
- Happy Cinco de Mayo and Mother's Day.

**J. ADMINISTRATION REPORTS**

1. City Manager - City Manager P. Ostrander reported on the following:
  - The Kenai Peninsula Borough has submitted a 5-year project to address spruce bark beetles on the Kenai Peninsula, which will address both public and private properties;
  - Had a meeting with Senator Murkowski, KPEDD and other City Managers on the Peninsula to discuss infrastructure, and another meeting with the Senator to discuss the Bluff Project and the need for federal funding;
  - Shop Local Program and Grocery Program: Brittany Brown with the Chamber of Commerce will provide final closeout information at next Council meeting, and will need to appropriate additional funds to pay the final vouchers for the Shop Local Program;
  - Bluff Project update: HDR submitted their cost proposal and it is within budgeted amounts. Administration will continue to negotiate with them on the scope of work.
2. City Attorney – No report.
3. City Clerk – City Clerk Heinz reported on the following:
  - A view of Council Chambers can now be seen during Zoom meetings;
  - Notified Council that any propositions that they want put on the ballot for 2021 need to be adopted by August 4, 2021;
  - Has reached out to KCHS about who they would like to select as our next Student Representative;
  - Is watching a few bills in the legislature, and if they continue to gain traction she will bring them to Council's attention and may ask them to take action.

**K. ADDITIONAL PUBLIC COMMENT**

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

Marion Nelson noted that there is a piece of sidewalk near the Kenai High School that is badly in need of repair, and it should be on Council's list to take care of.

2. Council Comments

Council Member Glendening noted he attended Airport Manager Bondurant's surprise retirement party, and enjoyed the parade of airplanes. He also attended Senator's meeting at the Chamber of Commerce, and found it informative.

Council Member Winger noted that her family had just returned from the state wrestling tournament. Discussed upcoming events such as the KPBA Spring Show, Kenai Chamber of

Commerce trash cleanup, Mountain View Bike Rodeo, Kenai Chamber of Commerce Monte Carlo Casino Night, Parks & Recreation Kite Festival, and the Name the Dog Park campaign. She noted there is a great need for the dog park, as there has been animal waste found in kid's parks in the area. Also noted that bears are coming out, and encouraged people to clean up their property. Would like to see the carnival return to Kenai.

Council Member Askin said she felt encouraged to know that there may be funding in the future to help with the spruce bark beetle problem, noting that there are a lot of trees that need to go. Noted she likes the idea of having AEDs available at dipnet sites, and hopes they don't get vandalized. Attended Airport Manager Bondurant's retirement party and enjoyed it. Wished everyone a happy Mother's Day.

Vice Mayor Molloy attended the Chamber of Commerce luncheon with Senator Murkowski, and was pleased to hear her positive comments about Kenai's Bluff Erosion Project. Appreciated Administration for setting up another meeting with her to discuss the need for funding for the project. He stated that he's seen a lot of people are out enjoying the City's wildlife viewing facilities, and noted the abundance of birds this year. Will be unable to participate in the trash cleanup over the weekend as he will be out of town for the Homer Shorebird Festival. Appreciated the presentation about the redistricting process.

Council Member Knackstedt noted that he traveled out of the Alaska for the first time in over a year due to COVID-19, and observed very different masking and social distancing practices in Washington, Oregon, and northern California. Noted that everywhere he went, masking in businesses was mandatory which is very different than the reality for most of Alaska.

L. **EXECUTIVE SESSION** – None.

M. **PENDING ITEMS** – None.

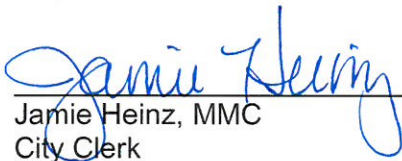
N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

There being no further business before the Council, the meeting was adjourned at 8:08 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of May 5, 2021.

  
\_\_\_\_\_  
Jamie Heinz, MMC  
City Clerk

