

**KENAI CITY COUNCIL – REGULAR MEETING  
OCTOBER 6, 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 October 6, 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	Robert Molloy
Henry Knackstedt	Teea Winger
Jim Glendening	Glenese Pettey
Victoria Askin	

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 additions to the packet:

Add to item G.4.           **Ordinance No. 3248-2021**  
  • Public Comments

Add to item G.4.           **Reconsideration of Ordinance No. 3243-2021**  
  • Enacted Ordinance No. 3243-2021  
  • Public Comments

Vice Mayor Molloy **MOVED** to approve the agenda with the requested revisions and with the removal of item G.7. Council Member Knackstedt **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested and **OBJECTED** to.

**VOTE:**

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

NAY:

**MOTION PASSED UNANIMOUSLY.**

#### 4. **Consent Agenda**

**MOTION:**

Council Member Knackstedt **MOVED** to approve the consent agenda and requested **UNANIMOUS CONSENT**. Council Member Askin **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**

Lena Wissmar spoke in favor of the Kenai Dog Park, noting that the packet included a letter from former Mayor Pat Porter. She encouraged Council to consider the three main points outlined in the letter by either scheduling a work session or adding it to a future Council meeting agenda.

Karen Seitz noted that raffle tickets are being sold to raise funds for the Kenai Dog Park, and thanked Council for their support.

**D. PUBLIC HEARINGS**

1. **Ordinance No. 3246-2021** - Accepting and Appropriating an Airport Improvement Program Grant from the Federal Aviation Administration in the Airport Equipment Capital Project Fund for the Purchase of Snow Removal Equipment– Multi-Purpose Broom/Blower. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3246-2021 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.

Administration and Airport Manager Conway were thanked for their work in obtaining funding for the blower.

Clarification was provided that the estimated delivery for the equipment would be in Spring 2022.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

- 2. **Ordinance No. 3247-2021** - Increasing Estimated Revenues and Appropriations in the Water and Sewer Special Revenue and Water and Sewer Improvements Capital Project Funds, Awarding a Professional Services Agreement and Corresponding Purchase Order for Mission Avenue Water Main Repairs. (Administration)
  - **Substitute Ordinance No. 3247-2021**

**MOTION:**

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3247-2021 and Council Member Glendening **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 TO AMEND BY SUBSTITUTE:**

Council Member Glendening **MOVED** to amend Ordinance No. 3247-2021 by substitute ordinance and Vice Mayor Molloy **SECONDED** the motion.

**VOTE ON AMENDMENT:**

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

**MOTION PASSED UNANIMOUSLY.**

Clarification was provided that the amendment corrected an error in the appropriation section. It was noted that this appropriated all the funding needed for the project to completion, and that Administration hoped work could begin this year or first thing next Spring.

**VOTE ON MAIN MOTION AS AMENDED:**

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

NAY:

**MOTION PASSED UNANIMOUSLY.**

3. **Resolution No. 2021-59** - Declaring the Vacation of Portions of Utility Easements Associated with Tract B, Block 5, Townsite of Kenai 2021 Kenaitze Replat (Plat KN 2021- 18) and Lots 4 & 5 Block 5, Original Townsite of Kenai (Plat KN 2970), and as Set Forth on the Attached Exhibit "A" are Not Needed for a Public Purpose and Consenting to Vacation. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-59 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.

**UNANIMOUS CONSENT** was requested.

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

4. **Resolution No. 2021-60** - Awarding an Agreement for the Purchase of Network Equipment. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2021-60 and Council Member Glendening **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.

Clarification was provided that this was replacement of existing equipment, and the money would be coming from the equipment replacement fund as well as some smaller amounts coming from several other funds which would require some budget revisions. Clarification was further provided that the replacements would be city-wide for equipment that is at its end of life and out of warranty.

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. \*Regular Meeting of September 1, 2021. (City Clerk)

Approved by the consent agenda.

2. \*Work Session of September 1, 2021. (City Clerk)

Approved by the consent agenda.

3. \*Regular Meeting of September 15, 2021. (City Clerk)

Approved by the consent agenda.

4. \*Special Meeting Minutes of September 20, 2021. (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. \*Action/Approval - Non-Objection to the Renewal of Marijuana Licenses for Majestic Gardens, LLC. (City Clerk)

Approved by the consent agenda.

4. \*Ordinance No. 3248-2021 - Accepting and Appropriating a Collection Equity Award from the Network of the National Library of Medicine Region 5 for the Purchase of Health and Wellness Titles for the Kenai Community Library Collection. (Administration)

Introduced by the consent agenda and Public Hearing set for October 20, 2021.

5. \*Ordinance No. 3249-2021 - Accepting and Appropriating Funding from the American Library Association for the Kenai Community Library's Participation in the NASA@ My Library Programming Initiative. (Administration)

Introduced by the consent agenda and Public Hearing set for October 20, 2021.

6. \*Ordinance No. 3250-2021 - Increasing Estimated Revenues and Appropriations in the Vintage Pointe Enterprise Fund and Awarding a Contract for a Resident Maintenance Manager for the Vintage Pointe, Congregate Housing Facility. (Administration)

Introduced by the consent agenda and Public Hearing set for October 20, 2021.

7. Action/Approval - Reconsideration of Ordinance No. 3243-2021 - Amending Kenai Municipal Code 14.20.150-Conditional Use Permits, to Clarify Roles and Responsibilities of Applicants, the Planning Director, and the Planning Commission in the Conditional Use Process and Make Housekeeping Changes. (Council Member Glendening)

*[Clerk's Note: If a motion to reconsider passes, it places the question of enacting Ordinance No. 3243-2021 before the Council in the exact moment before it was voted on originally.]*

This item was removed from the agenda.

- 8. Action/Approval** - Authorize Utility Easements within Lots 3A and 4, FBO Subdivision No. 11 to Support the Kenai Municipal Airport's Sand Storage Facility Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to approve authorization of utility easements within Lots 3A and 4, FBO Subdivision No. 11 to support the Kenai Municipal Airport's sand storage facility project. Vice Mayor Molloy **SECONDED** the motion.

Clarification was provided that the route was determined in coordination with the Public Works Director and Homer Electric Association.

**UNANIMOUS CONSENT** was requested.

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

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging – No report.
2. Airport Commission – No report. Next regular meeting October 14, 2021.
3. Harbor Commission – No report. Next meeting November 8, 2021.
4. Parks and Recreation Commission – Council Member Winger reviewed the upcoming meeting agenda. Next meeting October 7, 2021.
5. Planning and Zoning Commission – No report. Next meeting October 13, 2021.
6. Beautification Committee – Council Member Askin reported on the meeting of September 14, 2021. Next meeting October 12, 2021.
7. Mini-Grant Steering Committee – No report.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Spun the wheel for the magic weight for the Silver Salmon Derby winners;
- Attended luncheon at the Chamber of Commerce, and delivered a proclamation honoring James Varsos, also known as Hobo Jim;

- Council Member Knackstedt and City Manager Ostrander met with Governor Dunleavy during his visit to Kenai, as the Mayor and Vice Mayor were out of town;
- The City's annual financial audit is currently underway; encouraged Council Members to visit with the auditors;
- Introduced Alea Faulkner, the City Council's new student representative;
- Thanked the candidates who ran for City Council;
- Thanked Lena Wissmar and Karen Seitz for providing an update on the Kenai Dog Park.

**J. ADMINISTRATION REPORTS**

1. City Manager – City Manager Ostrander reported on the following:
  - Noted the Kenai River Special Management Area report in the packet;
  - Bridge Access Bike Path project update: currently the State is waiting on the funding to be obligated, which they are expecting over the next several weeks;
  - Cemetery expansion update: there are now plots available in new cemetery, and fencing, pavement and other items will be completed next summer. It is currently still under a moratorium and plots are only sold for immediate need;
  - Had an excellent discussion with Governor Dunleavy during his visit to Kenai;
  - Met with UAA Chancellor Sean Parnell and discussed the importance of the Kenai Peninsula College to the community, and its partnership with the Kenai Fire Department, and additional training programs for the future;
  - There are several COVID-19 positive employees, numbers are high in the community and we hope to move past this and see numbers go down;
  - RFP proposals for waterfront revitalization project are due on October 8<sup>th</sup>, Administration will be reviewing them;
  - Positions currently being recruited for include Planning Assistant, Dispatch Supervisor, Parks and Recreation Director, Water & Sewer Foreman, and Building Official;
  - Dipnet report will be included in an upcoming Council meeting packet;
  - Administration met to discuss refining the building permit process in response to public feedback that this process is difficult to navigate;
  - The City is eligible to receive funding for the bluff project from a September 30<sup>th</sup> federal appropriation for disaster relief, and other possible sources of funding include the normal process that the Corps has annually and also the infrastructure bill that is still in Congress.
2. City Attorney – No Report.
3. City Clerk – City Clerk Heinz reported on the following:
  - The canvass board meets Tuesday, October 12<sup>th</sup>. There are 170 absentee, special needs and questioned ballots possible for review;
  - Election will be certified on October 20<sup>th</sup>, and the elected Council Members will take their seats on October 25<sup>th</sup>.

**K. ADDITIONAL PUBLIC COMMENT**

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



James Baisden thanked the Mayor and Council, and spoke about the importance of hiring a Building Official. Vice Mayor Molloy was thanked for his service to City, as well as Council Member Askin and the great candidates that ran this election.

## 2. Council Comments

Council Member Knackstedt noted that he and City Manager Ostrander met with Governor Dunleavy, and discussed the waterfront revitalization and bluff erosion projects. Noted upcoming Land Management Plan joint work session, and congratulated apparent winners of the election.

Vice Mayor Molloy thanked Council Member Knackstedt for attending the meeting with the Governor. He noted the upcoming Land Management Plan joint work session, and that he has enjoyed being the liaison for the Harbor Commission. Thanked the Mayor and Council Member Pettey for the proclamation honoring Hobo Jim, and shared how much he enjoyed his music. Thanked City Clerk and election workers for a well-run election, and welcomed Student Representative Aleea Faulkner. Expressed appreciation for the public comments regarding CUP Ordinance and the Kenai Dog Park, and thanked James Baisden for his comments on the need for a Building Official.

Council Member Glendening echoed the comments of Vice Mayor Molloy, thanking the Dog Park representatives, and City Manager Ostrander for providing reports he had requested. Noted that we had five good candidates for City Council, and the City is well served by the public engagement of this campaign.

Council Member Pettey welcomed Student Representative Aleea Faulkner, and thanked the public for their comments regarding the CUP ordinance and noted she appreciated the community involvement. Thanked the candidates for City Council, and noted she looks forward to working with the elected Council Members. Expressed grief for the loss of Hobo Jim, and noted her thoughts and prayers went out to his family.

Council Member Winger shared her respect and condolences for Hobo Jim and family. Welcomed Student Representative Aleea Faulkner and expressed excitement for having her on Council. Congratulated all the candidates that ran during the election, including School Board candidate Matt Morse. Mentioned the Soldotna Chamber of Commerce's pie auction. Noted that she had attended an event with Borough Mayor Charlie Pierce, Matt Morse, and House Representative Ron Gillham and discussed the community.

Council Member Askin noted that she looked forward to the Fall Festival, welcomed Student Representative Aleea Faulkner, and thanked the Mayor and Council Member Pettey for the proclamation honoring Hobo Jim. She thanked the City Clerk for a well-run election, and congratulated the new Council Members, and noted she is grateful to live in a country where we can vote.

Mayor Gabriel noted that raffle tickets funding the Kenai Dog Park would be available during the break before executive session, and requested that a discussion item for the Dog Park be added to the agenda for the next Council meeting.



**L. EXECUTIVE SESSION**

1. Contract Discussion and Negotiation for a City Clerk. [AS 44.62.310(C)(1)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the Applicant and is a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finances of the City.]

Vice Mayor Molloy **MOVED** to enter into executive session for contract discussion and negotiation for a City Clerk which, pursuant to AS 44.62.310(C)(1)(2) may be a subject that tends to prejudice the reputation and character of the City Clerk and is a matter of which the immediate knowledge may have an adverse effect upon the finances of the City, requested the attendance of the City Attorney, the applicant, and the HR Director if needed. Council Member Knackstedt **SECONDED** the motion.

**VOTE:**

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

**MOTION PASSED UNANIMOUSLY.**

Council reconvened in open session and it was noted for the record that Council met in executive session to discuss and negotiate the contract for the candidate for the City Clerk position, and came to an understanding that needs to be finalized.

**M. PENDING ITEMS – None.**

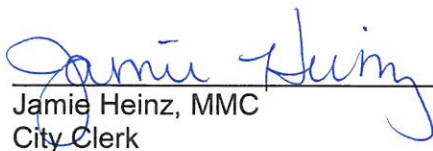
**N. ADJOURNMENT**

**O. INFORMATION ITEMS**

1. Purchase Orders Between \$2,500 and \$15,000
2. Kenai Dog Park Letter

There being no further business before the Council, the meeting was adjourned at 8:10 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of October 6, 2021.

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

