



## Kenai City Council - Regular Meeting

January 04, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

**\*\*Telephonic/Virtual Information on Page 3\*\***

[www.kenai.city](http://www.kenai.city)

### Agenda

#### A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

\*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 (*Public comments limited to ten (10) minutes per speaker*)

#### C. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

#### D. PUBLIC HEARINGS

1. **Ordinance No. 3324-2022** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing the Purchase of Airport Snow Removal Equipment. (Administration)
2. **Ordinance No. 3325-2022** - Accepting and Appropriating Donations to the Kenai Community Library for the Purchase of Program Supplies and Equipment. (Administration)
3. **Ordinance No. 3326-2022** - Increasing Estimated Revenues and Appropriations in the General Fund Parks, Recreation and Beautification Department, and Authorizing an Increase to the Multi-Purpose Facility Management Services Purchase Order to Red Line Sports for Additional Ice Maintenance Services. (Administration)
4. **Ordinance No. 3327-2022** - Increasing and Decreasing Estimated Revenues and Appropriations to Reallocate Grant Funds Previously Appropriated for Construction of a Pedestrian Bridge in the Kenai Municipal Park to Playground Equipment Replacement at the Softball Greenstrip. (Administration)
5. **Ordinance No. 3328-2022** - Increasing Estimated Revenues and Appropriations in the Airport Snow Removal Equipment Capital Project Fund to Provide Supplemental Funding for the Kenai Municipal Airport's Snowblower and Increasing the Existing Purchase Order to Craig Taylor Equipment. (Administration)

- [6.](#) **Ordinance No. 3329-2022** - Increasing Estimated Revenues and Appropriations in the General and Visitor Center Improvement Capital Project Funds to Provide Supplemental Funding for the Roof Replacement Project. (Administration)
- [7.](#) **Ordinance No. 3330-2022** - Increasing Estimated Revenues and Appropriations in the General and Recreation Center Improvement Capital Project Funds to Provide Supplemental Funding for the Kenai Recreation Center Improvements Project. (Administration)
- [8.](#) **Resolution No. 2023-01** - Adopting an Alternative Allocation Method for the FY23 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 Area. (Administration)
- [9.](#) **Resolution No. 2023-02** - Adopting Goals to Guide the Preparation of the Fiscal Year 2024 Annual Budget. (Administration)

#### **E. MINUTES**

- [1.](#) \*Work Session of December 21, 2022. (City Clerk)
- [2.](#) \*Regular Meeting of December 21, 2022. (City Clerk)

#### **F. UNFINISHED BUSINESS**

#### **G. NEW BUSINESS**

- [1.](#) \***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) \***Action/Approval** - Non-Objection to the Renewal of a Golf Course-Seasonal Liquor License to Griffin Golf LLC. DBA: Kenai Golf Course - License 5788. (Clerk)
- [3.](#) \***Action/Approval** - Non-Objection to the Transfer of Controlling Interest for a Beverage Dispensary and Restaurant Designation Permit Liquor License to G&P Inc., DBA: The White Moose - License 204. (Clerk)
- [4.](#) \***Ordinance No. 3331-2023** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of Ballistic Vests. (Administration)
- [5.](#) \***Ordinance No. 3332-2023** - Amending Kenai Municipal Code Section 3.10.070-Livestock within the City Limits, to Allow a Maximum of Twelve (12) Chicken Hens to be Kept on Certain Lots Less than 40,000 Square Feet within the City of Kenai. (Douthit)
- [6.](#) **Action/Approval** - Confirming the Mayor Appointment of Kenneth Ayers to the Council on Aging for a Partial Term Ending December 31, 2024. (Gabriel)

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

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
- [5.](#) Planning and Zoning Commission
6. Beautification Committee

**I. REPORT OF THE MAYOR****J. ADMINISTRATION REPORTS**

1. City Manager
2. City Attorney
3. City Clerk

**K. ADDITIONAL PUBLIC COMMENTS**

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

**L. EXECUTIVE SESSION****M. PENDING ITEMS****N. ADJOURNMENT****O. INFORMATION ITEMS**

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://www.kenai.city). Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.*

**Join Zoom Meeting**

<https://us02web.zoom.us/j/81303072020>

**Meeting ID:** 813 0307 2020 **Passcode:** 480578

OR

Dial In: (253) 215-8782 or (301) 715-8592

**Meeting ID:** 813 0307 2020 **Passcode:** 480578



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3324-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUNDS AND AUTHORIZING THE PURCHASE OF AIRPORT SNOW REMOVAL EQUIPMENT.

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WHEREAS, Resolution 2022-18 adopting the City's Capital Improvement Plan for Fiscal Years 2023 - 2027 included the purchase of two Runway Broom Replacements; and,

WHEREAS, the Kenai Municipal Airport (ENA), Airport Improvement Program (AIP) Entitlement Funds balance through federal fiscal year 2023 is \$2,350,000; and,

WHEREAS, the ENA Airport Capital Improvement Program in coordination with Federal Aviation Administration (FAA) has programmed the replacement of two pieces of Snow Removal Equipment (SRE) in federal fiscal year 2023; and,

WHEREAS, the Airport anticipates federal AIP funding to replace two pieces of SRE by May 2023; and,

WHEREAS, the Airport anticipates federal AIP funding to be 93.75% of eligible costs; and,

WHEREAS, the Airport will fund the remaining 6.25% of eligible costs; and,

WHEREAS, current manufacturer lead times exceed 365 days; and,

WHEREAS, the State of Alaska Contract Award CA2284-21 allows for Alaska political subdivisions to cooperatively purchase from this contract; and,

WHEREAS, KMC 7.15.070(b)(4) allows for purchases of equipment purchasable under contract of another governmental agency; and,

WHEREAS, the estimated cost for each piece of equipment excluding shipping from Seattle to ENA is \$816,000; and,

WHEREAS, the estimated cost of shipping all equipment from Seattle to ENA is \$80,000; and,

WHEREAS, approval of this Ordinance is in the best interest of the Airport and the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the City Manager is authorized to execute an Agreement with M-B Companies, Inc. in the amount of \$1,712,000.

**Section 2.** That the following budget revision is authorized:

Airport Special Revenue Fund:

Increase estimated revenues –

Appropriation of Fund Balance

\$1,720,000

Increase Appropriations –

Transfer to Airport Snow Removal Equipment Capital Project Funds	<u>\$1,720,000</u>
Airport Improvement Capital Fund:	
Increase Estimated Revenues –	
Transfer from Airport Special Revenue Fund	<u>\$1,720,000</u>
Increase Appropriations –	
Equipment	<u>\$1,720,000</u>

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF JANUARY, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	December 21, 2022
Enacted:	January 04, 2023
Effective:	January 04, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** December 6, 2022  
**SUBJECT:** **Ordinance No. 3324-2022 - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing the Procurement of Airport Snow Removal Equipment**

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The purpose of this memo is to request Council's approval to appropriate funds to enter into an agreement with M-B Companies, Inc. for the procurement of two pieces of airport Snow Removal Equipment (SRE). Both pieces of equipment were programmed in the City of Kenai FY 2023 - 2027 Capital Improvement Plan adopted by Council through Resolution 2022-18.

Through the FAA Airport Improvement Program (AIP), the airport has carried over a balance of entitlement funds in the amount of \$2.35M as of federal FY2023. These funds are earmarked for these two pieces of SRE and expected to be made available to the Airport by May 2023.

Current lead times for the MB2 multi-tasking snow removal chassis with cradling broom exceed 365 calendar days. Appropriating airport funds will allow the airport to enter into an agreement with M-B Companies, Inc. in advance of FAA funding, and allow the airport to receive the SRE in a reasonable amount of time for use next winter.

Historically the airport has appropriated funds to expedite/facilitate AIP projects and generally received reimbursement prior to project completion or upon project closeout.

On May 1, 2021 the State of Alaska awarded a contract (CA2284-21 Amendment 1) to M-B Companies, Inc. for the purchase of Tractors and Towed Cradling Brooms. This contract allows other Alaska political subdivisions to cooperatively purchase from the resulting contract. The contract does not include shipping from Seattle to Kenai, these shipping costs have been estimated based on recent SRE shipping costs.

Your consideration and support is respectfully requested.



<b>Qty.</b>	<b>Description</b>	<b>Total</b>		<b>FAA Grant Funding (93.75%)</b>	<b>\$</b>	<b>1,604,946</b>
2	MB2	\$ 1,631,943		Airport Funding (6.25%)		106,997
2	Shipping - Seattle to Kenai (Estimated)	\$ 80,000				
	<b>Total Estimated Cost Delivered</b>	<u><u>\$ 1,711,943</u></u>				





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3325-2022**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS TO THE KENAI COMMUNITY LIBRARY FOR THE PURCHASE OF PROGRAM SUPPLIES AND EQUIPMENT.

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WHEREAS, the Kenai Community Library received \$1,600 from the Friends of the Kenai Community Library; and,

WHEREAS, the Library received \$1,000 for general support from Derek Kaufman Fund, a Hilcorp donor advised fund of the Alaska Community Foundation; and,

WHEREAS, the Library received a \$100 donation from a community member in memory of Barbara Hultberg; and,

WHEREAS, the funds will be used to purchase supplies and equipment for children, teen, and adult programming and library operations; and,

WHEREAS, acceptance of these donations to further the mission of the Kenai Community Library is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the City Manager is authorized to accept these funds in the amount of \$2,700.

**Section 2.** That the following budget revision is authorized:

General Fund:

Increase Estimated Revenues–  
Miscellaneous Donation \$2,700

Increase Appropriations –  
Library - Operating & Repair Supplies \$2,700

**Section 3.** That the City Manager is authorized to expend these funds in line with the intentions of the donors.

**Section 4.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 5.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF JANUARY, 2023.


New Text Underlined: [DELETED TEXT BRACKETED]



\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: December 21, 2022  
Enacted: January 04, 2023  
Effective: January 04, 2023



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Katja Wolfe, Library Director  
**DATE:** December 13, 2022  
**SUBJECT:** **Donations to the Kenai Community Library**

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The Kenai Community Library received the following donations:

- \$1,600 from the Friends of the Kenai Community Library
- \$100 in memory of Barbara Hultberg
- \$1,000 for general support from the Derek Kaufman Fund, a Hilcorp donor advised fund of the Alaska Community Foundation.

Library staff intend to use these donations to purchase a new story time rug and cushions, along with other supplies and equipment for programming and library operations. We appreciate our donors' support and generosity!

Thank you for your consideration.



# KENAI

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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Katja Wolfe, Library Director

**DATE:** December 21, 2022

**SUBJECT:** Ordinance 3325-2022 Requested Amendment

The purpose of this memo is to request an amendment to Ordinance 3325-2022. The purpose of the original ordinance was to appropriate \$2,700. We recently received \$300 from a community member, and we would like to add this donation to Ordinance 3325-2022.

The following amendment is respectfully requested.

### Motion

Add a new fourth WHEREAS section that reads:

WHEREAS, the Library received a \$300 donation from a community member to use as library staff sees fit; and,

Amend both Sections 1 and 2 by replacing the amount of funds being accepted and appropriated from \$2,700 to \$3,000:

**Section 1.** That the City Manager is authorized to accept these funds in the amount of [~~\$2,700~~] \$3,000.

**Section 2.** That the following budget revision is authorized:

General Fund:

Increase Estimated Revenues– Miscellaneous Donation	[ <del>\$2,700</del> ] <u>\$3,000</u>
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Increase Appropriations – Library - Operating & Repair Supplies	[ <del>\$2,700</del> ] <u>\$3,000</u>
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Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3326-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND PARKS, RECREATION AND BEAUTIFICATION DEPARTMENT, AND AUTHORIZING AN INCREASE TO THE MULTI-PURPOSE FACILITY MANAGEMENT SERVICES PURCHASE ORDER TO RED LINE SPORTS FOR ADDITIONAL ICE MAINTENANCE SERVICES.

WHEREAS, Red Line Sports was awarded a contract to provide Facility Management and Ice Machine Services for the 2022/2023 season with the expectation the contract would be adjusted, if needed, based on actual ice rental hours and required maintenance needs; and,

WHEREAS, by prior resolution the Multi-Purpose Facility (MPF) contract was amended to start two months earlier in July to provide ice to the hockey community; and,

WHEREAS, the amended contract did not include an increase in the remuneration of the contract; and,

WHEREAS, no additional funds were appropriated to support the amended contract; and,

WHEREAS, the revenue from additional ice sales will exceed the additional ice maintenance cost.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the Kenai City Council authorizes the City Manager to authorizes an increase to Purchase Order No.3274-2022 in the amount of \$40,000.

**Section 2.** That the estimated revenues and appropriations be increased as follows:

General Fund:

Increase estimated revenues –  
Appropriation of Fund Balance \$40,000

Increase expenditures –  
Parks & Recreation – Professional Services \$40,000

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF JANUARY, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced:	December 21, 2022
Enacted:	January 04, 2023
Effective:	January 04, 2023



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Brad Walker, Parks & Recreation Director  
**DATE:** December 8, 2022  
**SUBJECT:** Ordinance No. 3326-2022 Multi-Purpose Facility PO Increase

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The purpose of this memo is to recommend the adoption of Ordinance No. 3326-2022 increasing the Multi-purpose Facility (MPF) Management Services purchase order to Red Line Sports.

### Extension of contracted services

The Soldotna Regional Sports Complex and the Kenai Multi-Purpose Facility planned to be closed for the summer months of August and September, 2023 to complete facility maintenance. The Hockey community approached both Cities and asked for one of them to install and rent ice, or it would be detrimental to their youth programs. Kenai obliged these groups and was able to complete their maintenance early. In doing so, the Multi-Purpose facility contract was extended by two months by Resolution 2022-55. While two more months were added to the contractor's agreement, no additional funds were appropriated for ice maintenance services.

### Funds

The current purchase order to Red Line Sports has nearly expired due to the contract extension. Using projections from previous years, it is estimated that an appropriation of \$40,000 is needed to meet the hockey community's needs at the MPF. Projected ice sales exceed projected maintenance costs.

### Conclusion

The City of Kenai was able to provide ice for the local hockey community when the Soldotna Regional Sports Complex was under maintenance which greatly benefitted the local hockey programs. However, the MPF was only designed to operate in the colder winter months (October-March.) In the future, administration is recommending that ice only be available during the winter months (October-March.)



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3327-2022**

AN ORDINANCE INCREASING AND DECREASING ESTIMATED REVENUES AND APPROPRIATIONS TO REALLOCATE GRANT FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION OF A PEDESTRIAN BRIDGE IN THE KENAI MUNICIPAL PARK TO PLAYGROUND EQUIPMENT REPLACEMENT AT THE SOFTBALL GREENSTRIP.

WHEREAS, the City was awarded a grant from the State of Alaska, DHSS, Division of Public Health in support of creating and sustaining healthy and equitable communities that strategically aim to build infrastructure to improve health outcomes for high risk, underserved populations; and,

WHEREAS, the grant amount of \$86,596.90 is comprised of the City's allocation of \$43,298.45 and an additional \$43,298.45 from the Kenai Peninsula Borough allocation that was approved by Kenai Peninsula Borough Ordinance 2021-19-29; and,

WHEREAS, a list of projects was submitted to the Program Manager for pre-approval and on November 3, 2021 two priorities were presented to Council, with Council voting for the Municipal Park Trail Boardwalk Project pedestrian bridge; and,

WHEREAS, the second project "Replace Green Strip Playground Equipment" was identified and discussed by Council and was on the pre-approved projects for the grant; and,

WHEREAS, the available grant funding is wholly insufficient to complete the pedestrian bridge project but is sufficient to replace the softball Green Strip Playground equipment; and,

WHEREAS, the existing equipment has met its useful life and replacing it would provide the community with improved and safer recreation activity; and,

WHEREAS, it is in the best interest of the City to utilize the funds to complete the alternative Green Strip Playground Equipment project, rather than not be able to utilize the funds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That estimated revenues and appropriations be decreased as follows:

Trail Construction Capital Project Fund:

Decrease estimated revenues –	
Federal Grants	<u>\$86,596.90</u>

Decrease estimated appropriations –	
Construction	<u>\$86,596.90</u>

**Section 2.** That estimated revenues and appropriations be increased as follows:

Playground Improvement Capital Project Fund:

Increase estimated revenues –	
Federal Grants	<u>\$86,596.90</u>

Increase estimated appropriations –  
Construction

\$86,596.90

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


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Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: December 21, 2022  
Enacted: January 4, 2023  
Effective: January 4, 2023





# KENAI

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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Brad Walker, Parks and Recreation Director

**DATE:** December 7, 2022

**SUBJECT:** Ordinance No. 3327-2022 – Health and Equitable Grant Transfer

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In November of 2021 the City of Kenai was notified of an award from the State of Alaska, Division of Public Health for grant funding in support of creating and sustaining healthy and equitable communities. Funding for this program is based on the population of each community within Alaska and is calculated by the Alaska Health Equity Index. The City of Kenai was awarded by the State \$43,298.45. Additionally, the City of Kenai worked with the Kenai Peninsula Borough who directly awarded us additional funding of \$43,298.45, bringing our total grant funding to \$86,596.90.

On January 25, 2022 the Memorandum of Agreement between the Division of Public Health and the City of Kenai was signed thus completing the requirements of the grant.

A list of projects was submitted to the Program Manager for pre-approval. On November 3, 2021 two priorities were presented to Council, with Council voting for the Municipal Park Trail Boardwalk Project as the project to move forward.

This memo is requesting to reallocate funding from the approved Municipal Park Trail Boardwalk Project to funding the replacement of the Steve Shearer Memorial Ball Park (also known as the Softball Green Strip) playground. This is an approved project per the Program Manager pre-approval. The available funding is not close to sufficient to complete the Trail Boardwalk Project but is sufficient to make significant improvement to the playground.

Our records indicate the playground was installed April 1995, making this particular playground almost 28 years old. Many repair/replacement parts are now obsolete and the clamps/hardware we can source are becoming increasingly harder to procure. The industry standard for playground equipment is to make updates every 8-10 years with consideration of complete replacement for playgrounds 20 years and older. The Green Strip playground is one of our most used parks and playgrounds in the City of Kenai and was rented almost every weekend from Memorial Day to Labor Day.

There will be an immediate impact with the installation of this new playground at the Green Strip. This project has the potential to benefit all who visit and use the Green Strip Park. Thank you for your consideration of this ordinance.





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3328-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SNOW REMOVAL EQUIPMENT CAPITAL PROJECT FUND TO PROVIDE SUPPLEMENTAL FUNDING FOR THE KENAI MUNICIPAL AIRPORT'S SNOWBLOWER AND INCREASING THE EXISTING PURCHASE ORDER TO CRAIG TAYLOR EQUIPMENT.

WHEREAS, Council previously approved Ordinance 3201-2021 which provided \$800,000 in funding from the Airport Special Revenue Fund to allow the LaRue Snow Removal Equipment to be purchased in advance of receiving Federal grant funds; and,

WHEREAS, Ordinance 3229-2021 appropriated \$715,586 as the typical Federal Share (93.75%); and,

WHEREAS, Ordinance 3246-2021 appropriated an additional \$47,706 in Federal grant funds to cover the City's share, which resulted in the purchase being 100% funded through grant funds; and,

WHEREAS, this Ordinance is providing final adjustments to the purchase which had previously included estimated freight charges; and,

WHEREAS, the final purchase price of the unit delivered to Kenai is \$780,390.20, with \$763,292 having been previously appropriated through the Ordinances outlined above; and,

WHEREAS, the difference of \$17,098.20 is eligible for 100% Federal grant funding as well as an additional \$1,000 for project admin for a total of \$18,098.20; and,

WHEREAS, Purchase Order 122926 to Craig Taylor Equipment will be increased to \$780,390.20.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the City Manager is authorized to accept additional Federal grant funding in the amount of \$18,098.20, and to Increase Purchase Order 122926 to Craig Taylor Equipment to a total amount of \$780,390.20.

**Section 2.** That estimated revenues and appropriations be increased as follows:

Airport Snow Removal Equipment Capital Project Fund:

Increase Estimated Revenues –  
Federal Grants

\$18,098.20

Increase Appropriations –  
Equipment

\$18,098.20

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares

that it would have enacted the remainder of this ordinance even without such part, provision, or application.


**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF JANUARY, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: December 21, 2022  
Enacted: January 4, 2023  
Effective: January 4, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** December 13, 2022  
**SUBJECT:** Ordinance No. 3328-2022 – SRE Supplement

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The purpose of this memo is to provide supplemental funding to close out the purchase of the Kenai Municipal Airport LaRue Snow Blower / Broom. The equipment was purchased through the State of Alaska Fleet contract with freight charges estimated at time of purchase. The equipment has been delivered and placed into service with the final invoices now in receipt with the actual freight charges now determined.

The breakdown of the costs are as follows:

- LaRue Snow Blower / Broom \$745,450.00
- CO#1 Added Shotgun Chute \$2,975.00
- Total Contract \$748,425.00
- Total Freight Charges \$31,965.20
- Total Admin Costs \$1,000.00
- Total Cost \$781,390.20

Previous legislation provided \$763,292 in funding, an additional \$18,098.20 is needed to settle the balance. This purchase will be 100% funded by Federal Aviation Administration Grants. Approval of this Ordinance is in the best interest of the City.

Council’s support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3329-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL AND VISITOR CENTER IMPROVEMENT CAPITAL PROJECT FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE ROOF REPLACEMENT PROJECT.

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WHEREAS, the Visitor’s Center asphalt roof has reached the end of its intended life, Construction Bid Documents were developed in the Spring 2022 with a formal Invitation to Bid for Construction released on June 21, 2022; and,

WHEREAS, two bids were received on July 19, 2022 well in excess of budgeted amounts; and,

WHEREAS, it was determined that due to cost escalation factors and an excessive amount of work in the area limiting available competition, that the project would be delayed and released under more favorable time lines; and,

WHEREAS, the Public Works Department intends to release the project for bids in January/February 2023 with construction intended for May/June 2023; and,

WHEREAS, the additional funding requested with this Ordinance is intended to account for inflationary factors and additional Scope of Work items not included within the original cost estimate; and,

WHEREAS, completion of this Work is necessary to avoid potential interior damages, and is intended to safeguard the facility for the next 25 years.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the following budget revision is authorized:

Visitor Center Improvement Capital Project Fund:

Increase Estimated Revenues –

General Fund

\$100,000

Increase Appropriations –

Visitor Center Roof Replacement Project

\$100,000

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.


**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF JANUARY, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: December 21, 2022  
Enacted: January 4, 2023  
Effective: January 4, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Scott Curtin, Public Works Director

**DATE:** December 13, 2022

**SUBJECT:** Ordinance No. 3329-2022 – Visitor Center Roof Replacement

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The purpose of this Ordinance is to provide supplemental funding to this project to allow the Department to move forward with bidding. The original project estimate was based on square foot costs of asphalt shingle removal and replacement. As the construction documents were developed additional items were identified that are appropriate to be addressed at this time including various flashings and roof drains, which impacted costs. High oil prices have also contributed to the cost of asphalt shingles, along with the supply chain issues which continue to be more common the last few years.

As stated in the Ordinance the project was originally bid in June 2022. Material costs were high and contractors were busy at that time. Our intentions are to rebid for a construction start earlier in the season, in a more competitive environment.

This project is essential to protect the facility. Completion of the Work is expected to safeguard the roof system for another 25 years. Completion of this Work at this time is in the best interest of the City. Council’s support is respectfully requested.







Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3330-2022**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL AND RECREATION CENTER IMPROVEMENT CAPITAL PROJECT FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE KENAI RECREATION CENTER IMPROVEMENTS PROJECT.

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WHEREAS, the Recreation Center Improvements Project has finalized bid ready construction documents including a cost estimate; and,

WHEREAS, this project is primarily focused on the replacement of the existing roof system along with various mechanical HVAC unit replacements; and,

WHEREAS, during the design numerous code and performance type issues were identified, many of which have been included within the bid documents which is why the additional funding is being requested; and,

WHEREAS, there remains many code and maintenance type issues within the facility that are not being undertaken with this project that would likely require an additional \$1,000,000 in funding to address; and,

WHEREAS, approval of this Ordinance will allow the facility's roof, which is actively leaking in several locations, to be replaced extending the life of the facility and the replacement of multiple failed and end of useful life HVAC units will assist with the long term safeguarding and maintenance of the facility; and,

WHEREAS, completion of this Work is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the following budget revision is authorized:

Recreation Center Improvement Capital Project Fund:

Increase Estimated Revenues –	
General Fund	<u>\$210,000</u>

Increase Appropriations –	
Kenai Recreation Center Improvements Project	<u>\$210,000</u>

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF JANUARY, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Introduced:

December 21, 2022

Enacted:

January 4, 2023

Effective:

January 4, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** December 14, 2022  
**SUBJECT:** Ordinance 3330-2022 – Kenai Recreation Center Improvements

---

The Public Works Department with K+A Architecture have now completed bid ready construction documents for this project. We are preparing to release the project for bidding next month. This Ordinance is intended to appropriate additional funding to cover the cost estimate provided by the design team.

As the project design has proceeded, numerous issues were identified in need of correction. Items that were within the specific project area, touching items associated with the primary goals of roof replacement and mechanical system improvements, were added to the project scope. Others have been avoided, to be addressed in future projects.

The additional \$210,000 being requested with this Ordinance is largely to address significant issues with a lack of roof drains which has contributed to the roof leaks common over the last few years. Numerous new drains have been added within the design and extend to a new storm drain field within the existing parking area. Additionally on the mechanical side six roof top units (RTUs) and five exhaust fans are included with the design for replacement, along with a complete new roof system for the facility.

These repairs represent a substantial investment in this facility. I want to be clear to Council that this work is necessary to protect the facility, however the expenses are adding up. Council should understand that completion of this project and an estimated \$1,000,000 of additional future needs at the facility will total approximately \$2,500,000.

I will be available at the meeting to discuss, thank you for your consideration of this Ordinance.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-01**

A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY23 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 AREA.

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY23 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Community and Economic Development that the municipality suffered significant effects during calendar year 2021 from fisheries business activities; and,

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community and Economic Development; and,

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Community and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

**Section 1.** City Council of the City of Kenai proposes to use an alternative allocation method for allocation of FY23 funding available within FMA 14: Cook Inlet Area in agreement with all other municipalities in this area participating in the FY23 Shared Fisheries Business Tax Program.

**Section 2.** That the Kenai City Council by this Resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2021 of fisheries business activity in FMA 14: Cook Inlet Area:

- That all municipalities share equally 50% of the allocation; all municipalities share the remaining 50% on a per capita basis.

**Section 3.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>th</sup> DAY OF JANUARY, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** Lana Metcalf, Controller

**DATE:** December 27, 2022

**SUBJECT:** **Resolution No. 2023-01 Adopting an Alternate Allocation Method for FY23 Shared Fisheries Business Tax**

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The City receives revenue from the State of Alaska for fish tax collected by the State in two different methods. The Department of Revenue (DOR) distributes “Raw Fish Tax,” fisheries business taxes, fishery resource landing taxes, salmon marketing tax, and other seafood taxes from licensed seafood processors, floating processors, and seafood exporters, to eligible municipalities as prescribed in AS 43.77.060. The City’s FY2022 share was \$60,284.09 and was based upon 2020 collections by the DOR.

The second method by which the City receives fish tax revenue is through the Alaska Department of Commerce Community and Economic Development (ADCCED) Shared Fisheries Business Tax Program. ADCCED receives 50% of the undistributed Raw Fish Tax from the DOR to distribute to impacted communities. For the Cook Inlet Fisheries Management Area, which the City is a part of, the amount to be distributed in FY23 is \$26,230.49. Eleven communities will receive a portion of that amount with the City of Kenai estimated to receive \$1,442.66.

There are two methods of allocation for the Shared Fisheries Business Tax. The first method involves a lengthy application process in which the applicants must show the impact to their local community of the fishing industry. Once impact is shown, half of the total amount to be distributed (\$13,115.24 for FY2023) is divided equally amongst the communities, and the remaining half (\$13,115.24 for FY2023) is distributed based upon the impact shown in their application.

The second method permits all communities in Fisheries Management Area to elect an alternate method of allocation. This alternate method eliminates the lengthy community application process. Since inception of the Share Fisheries Business Tax Program in fiscal year 1992, the communities of the Cook Inlet Fisheries Management Area have selected the alternate allocation method. A resolution like 2023-01 has been adopted every year since fiscal year 1992 and is a required step to elect the alternate allocation method.

The alternate method elected by the Cook Inlet Fisheries Management Area for FY23 will again include an equal distribution of one-half the total and the remaining half is distributed based upon population of the community. The eleven communities in the Cook Inlet Fisheries Management

Area are Anchorage, Homer, Kachemak, Kenai, Kenai Peninsula Borough, Seldovia, Seward, Soldotna, Houston, Palmer, and Wasilla. Allocations to each community under the alternative allocation method will be the following:

Anchorage	\$11,020.06	Kenai Peninsula Borough	\$3,192.37
Homer	1,378.57	Seward	1,280.60
Kachemak	1,213.33	Soldotna	1,343.22
Kenai	1,442.66	Houston	1,259.77
Seldovia	1,201.06	Wasilla	1,505.31
Palmer	1,393.53		

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-02**

A RESOLUTION ADOPTING GOALS TO GUIDE THE PREPARATION OF THE FISCAL YEAR 2024 ANNUAL BUDGET.

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WHEREAS, at the Fiscal Year 2024 Budgetary Goals Work Session on December 21, 2022 the Council discussed and accepted public comment on goals and objectives to guide the City's fiscal year 2024 budget development; and,

WHEREAS, the adoption of budget goals helps to ensure the budget is prepared in a manner which meets the needs and desires of the community and is consistent with the desires of the Council; and,

WHEREAS, the Council has discussed and collectively adopted the Broad Statement of Purpose and Goals for the preparation of the Fiscal Year 2024 City of Kenai Budget as provided below; and,

WHEREAS, the City Manager will utilize the adopted Broad Statement of Purpose and Goals to guide the creation of the City's Draft Budget which will be submitted to the Council for consideration and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

**Section 1.** The Council adopts the following Fiscal Year 2024 Budget Goals and Broad Statement of Purpose:

**Broad Statement of Purpose**

It is a goal of the City to formulate and adopt a budget which is fiscally responsible and meets the needs and priorities of the community it serves. A fiscally responsible budget ensures revenues, taxes, and fees are sufficient but not excessive to fund current operations and contribute to the long-term maintenance of City infrastructure used to provide services. Meeting the needs and priorities of the community means prioritizing essential services while being mindful that non-essential services such as parks, recreation, arts, library and senior services have significant importance to a vibrant, well-balanced community in which individuals have a desire to live and businesses seek to locate.

**Specific Goals**

1. Submit a budget for consideration that maintains the City's current mill and sales tax rates and complies with the General Fund, Fund Balance Policy codified in KMC 7.25.
2. Incorporate a salary schedule increase of 2% that was provided as a one-year-only bonus to employees in the FY23 budget, provide an additional salary schedule increase that meets the City's Fund Balance Policy/Goals, does not increase the rates of taxation, does not reduce the level of Capital Budget contribution by the General Fund or result in a reduction of services, not to exceed inflation as measured by the 2022 Alaska Consumer Price Index for All Urban Consumers, second half over second half, and complete a compensation and classification study to determine if the City's salary schedule provides appropriate compensation to employees comparable to other places of public employment and which allows the City to recruit and retain competent employees without a reduction in critical services or infrastructure support.

- 3. Improve the sustainability of and maintain the quality of employee medical, dental and life insurance while continuing toward an employee cost share of 15%; a process that began in FY2021 and continued in FY2023 by increasing the employee cost share by 1% per year. A 1% increase in the employee cost share for FY2024 would bring the employee’s share to 14%.
- 4. Seek opportunities for efficiency by striving to reduce the cost of goods and services without negatively impacting operations.
- 5. Compile a list of capital projects, costing \$35,000 or more, for Council adoption. The investment in maintaining infrastructure over time should, at a minimum, equal the depreciation, an accounting process by which the cost of an asset is spread over its useful life, recorded annually on City capital assets and infrastructure. The City’s FY2022 depreciation by fund and function were:

General Fund:	
General Government	\$ 96,584
Public Safety	229,631
Public Works	857,429
Parks, Recreation & Culture	331,898
Social Welfare Services	<u>65,584</u>
	\$1,581,126
Airport Fund:	\$2,293,403
Water & Sewer Fund	<u>1,084,273</u>
Total All Funds	<u>\$4,958,802</u>

- 6. Adjust rates, charges and fees in all funds commensurate with inflation as measured by the Alaska Consumer Price Index for All Urban Consumers, second half over second half. The monthly rents at Vintage Pointe should not increase more than \$35.00 per month over FY2023 rates for existing tenants as of June 30, 2023.
- 7. For the Airport, Water & Sewer, Personal Use Fishery, and Congregate Housing Funds, the proposed budget should project ending fund balance/retained earnings of at least 50% of the FY2023 budgeted expenditures net of any projected lapse, and any use of fund balance should be for one-time or capital purchases and not for reoccurring expenditures/expenses. The ending fund balance for each fund should not be less than:

Airport Fund	\$1,598,084
Water & Sewer Fund	1,265,326
Personal Use Fishery Fund	212,291
Congregate Housing Fund	275,452

- 8. Senior Citizen Fund fees and rates should be adjusted to a level sufficient to limit the increase in required transfer from the General Fund to no more than a 10% increase, \$28,159, over FY2023 amounts.

**Section 2.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF JANUARY, 2023.


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Brian Gabriel Sr., Mayor



ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance 



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Terry Eubank, Finance Director  
**DATE:** December 29, 2022  
**SUBJECT:** **Resolution 2023-02 – FY2024 Council Budget Goals**

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Resolution 2023-02 will formally establish Council's goals for the City's FY2024 Budget. The adopted goals are intended to guide the City Manager in his preparation of the budget which is scheduled to be provided to Council in April for its consideration and adoption prior to the June 10<sup>th</sup> deadline established in KMC 7.25.010(g).

The establishment of goals by the City Council early in the budget process is considered a best practice, one the administration believes should be incorporated into the City's budget process, as it provides guidance to the City Manager in his compilation of his draft budget and it provides greater transparency to the process. The preparation of the FY2024 City Budget will be exceptionally challenging as the result of continued high inflation. Inflation, as measured by the Consumer Price Index, second half of 2021 over second half 2022 for Alaska will be released on January 12, 2023 and is expected to be in the 5.0-8.0% range. Council's establishment of specific, measurable, attainable, relevant and time based (SMART) goals will increase the likelihood of a smooth and successful budget process in FY2024 and future years.

These goals were discussed and public testimony was heard at a work session held on December 21<sup>st</sup>. Your support for adoption is respectfully recommended.

**KENAI CITY COUNCIL WORK SESSION  
FY2024 BUDGET GOALS  
DECEMBER 21, 2022 – 4:45 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR GABRIEL, PRESIDING**

**NOTES**

Council present: B. Gabriel, H. Knackstedt, J. Baisden, A. Douthit, D. Sounart  
T. Winger (*remote participation*)  
V. Asking (*remote participation*)

Others present: City Manager P. Ostrander, Finance Director T. Eubank, City Clerk S. Saner, Police Chief D. Ross, Human Resource Director C. Cunningham

**A. Call to Order**

Mayor Gabriel called the work session to order at approximately 4:45 p.m.

**B. Introduction – Mayor Gabriel**

Mayor Gabriel noted the purpose of the work session was to review, discuss and provide guidance to the administration regarding goals for the development of the FY2024 budget.

**C. Public Comment**

There was no one wishing to be heard.

**D. FY2024 Budget Adoption Goals**

Finance Director Eubank identified that this process began a year ago and the purpose was to formally establish budgetary goals and the process was valuable in guiding the administration in preparing the budget.

He noted that the majority of the goals for FY2024 were similar to the ones adopted in FY2023; and initiated the goal review starting with goals three through eight.

**Goal #3:** Improve the sustainability of and maintain the quality of employee medical, dental and life insurance while continuing toward an employee cost share of 15%; a process that began in FY2021 and continued in FY2023 by increasing the employee cost share by 1% per year. A 1% increase in the employee cost share for FY2024 would bring the employee's share to 14%.

Finance Director Eubank noted the process to bring the employee cost share to 15% began in FY2021 and the 1% increase in FY2024 would bring the employee cost share to 14%; and reported that health care savings were achieved this year which would could be a reduction in costs to the employees.

**Goal #4:** Seek opportunities for efficiency by striving to reduce the cost of goods and services without negatively impacting operations.

Finance Director Eubank noted this would be reaffirming the commitment from the City that we are always looking for ways to reduce costs through efficiency initiatives.

**Goal #5:** Compile a list of capital projects, costing \$35,000 or more, for Council adoption. The investment in maintaining infrastructure over time should, at a minimum, equal the depreciation, an accounting process by which the cost of an asset is spread over its useful life, recorded annually on City capital assets and infrastructure.

Finance Director Eubank noted that the Capital Project list had already been presented to Council at a previous work session; the importance of maintaining the infrastructure; and he summarized the depreciation values by fund.

**Goal #6:** Adjust rates, charges and fees in all funds commensurate with inflation as measured by the Alaska Consumer Price Index for All Urban Consumers, second half over second half. The monthly rents at Vintage Pointe should not increase more than \$35.00 per month over FY2023 rates for existing tenants as of June 30, 2023.

Finance Director Eubank reported the adjustments to rates, charges and fees commensurate with inflation as measured by the Alaska consumer price index, with the exception of the Vintage Point monthly rental rates.

There was discussion regarding the Vintage Point rental rate cap increase of \$35 versus the consumer price index.

**Goal #7:** For the Airport, Water & Sewer, Personal Use Fishery, and Congregate Housing Funds, the proposed budget should project ending fund balance/retained earnings of at least 50% of the FY2023 budgeted expenditures net of any projected lapse, and any use of fund balance should be for one-time or capital purchases and not for reoccurring expenditures/expenses.

Finance Director Eubank noted this goal somewhat establishes a fund balance policy for the airport, water and sewer; and reported that the rate study would establish levels where the fund balance should remain and it would be based on a percentage of the capital assets.

**Goal #8:** Senior Citizen Fund fees and rates should be adjusted to a level sufficient to limit the increase in required transfer from the General Fund to no more than a 10% increase, \$28,159, over FY2023 amounts.

Finance Director Eubank noted this goal is really about creating a target and doing our best to try and meet it and that borough funding should change this year based on the census data.

**Goals #1:** Submit a budget for consideration that maintains the City's current mill and sales tax rates and complies with the General Fund, Fund Balance Policy codified in KMC 7.25.

Finance Director Eubank stated this is a critical goal and very much tied to goal two. There was discussion regarding revenues from online sales tax vs local sales tax; property tax assessment values were not yet known from the KPB; this goal sets the entire budget plan in place and establishes importance of maintaining the current rates for our citizens.

**Goal #2:** Incorporate a salary schedule increase of 2% that was provided as a one-year-only bonus to employees in the FY23 budget, provide an additional salary schedule increase equal to one-half the change in the 2022 Alaska Consumer Price Index for All Urban Consumers, second half over second half, and

complete a compensation and classification study to determine if the City's salary schedule provides appropriate compensation to employees comparable to other places of public employment and which allows the City to recruit and retain competent employees without a reduction in critical services or infrastructure support.

**Goal # 2 Alternative:**

Incorporate a salary schedule increase of 2% that was provided as a one-year-only bonus to employees in the FY23 budget, provide an additional salary schedule increase that meets the City's Fund Balance Policy / Goals, does not increase the rate of taxation, does not reduce the level of the Capital Budget contribution by the General Fund or result in a reduction of services, not to exceed inflation as measured by the 2022 Alaska Consumer Price Index for All Urban Consumers, second half over second half, and complete a compensation and classification study to determine if the City's salary schedule provides appropriate compensation to employees comparable to other places of public employment and which allows the City to recruit and retain competent employees without a reduction in critical services or infrastructure support.

Finance Director Eubank noted that the Alternative Goal #2 provided a bit more flexibility; establishes that the increase cannot be over the consumer price index; taxes will not be increased; services will not decrease; and ensures continued contribution to the capital structure.

There was consensus of the Council in support of the Goal 2 alternative.

E. **Council Discussion** – None.

F. **Public Comment** – None.

G. **Adjournment**

The work session adjourned approximately at 4:45 p.m.

Notes were prepared by:

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Michelle M. Saner, MMC  
City Clerk

KENAI CITY COUNCIL – REGULAR MEETING  
DECEMBER 21, 2022 – 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 21, 2022, 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                        | James Baisden, Vice Mayor                      |
| Teea Winger ( <i>remote participation</i> ) | Deborah Sounart                                |
| Alex Douthit                                | Victoria Askin ( <i>remote participation</i> ) |
| Henry Knackstedt                            |  |

A quorum was present.

Also in attendance were:

- Paul Ostrander, City Manager
- Scott Bloom, City Attorney
- Terry Eubanks, Finance Director
- Scott Curtin, Public Works Director
- Dave Ross, Police Chief
- Shellie Saner, City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

- Add item D.1. **Public Hearing – Ordinance No. 3321-2022 Substitute**
  - Amendment Memo
- Add item G.15. **Action/Approval**
  - Letter Supporting Central Peninsula Hospital Recovery Housing

**MOTION:**

Council Member Knackstedt **MOVED** to approve the agenda with the requested revisions and to suspend the rule to conduct the public hearings on Agenda Items D. 4. Resolution No. 2022-78 and D. 9. Resolution No. 2022-83 prior to Agenda Item D. 1. Ordinance No. 3321-2022. Vice Mayor Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on approval of the agenda as amended.

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

**4. Consent Agenda**

**MOTION:**

Council Member Knackstedt **MOVED** to approve the consent agenda. Vice Mayor Baisden **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.

**UNANIMOUS CONSENT** was requested.

**VOTE:** There being no objection; **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**

- 4. Resolution No. 2022-78** – Commending the Kenai Central High School Girls as the Alaska Division 3A State Girls Volleyball Champions for the Year 2022. (Baisden)

**MOTION:**

Vice Mayor Baisden **MOVED** to adopt Resolution No. 2022-78. Council Member Sounart **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.

There was discussion congratulating the team and recognizing their undefeated season.

**UNANIMOUS CONSENT** was requested.

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

*[Vice Mayor Baisden presented the Kenai Central High School Girls Volleyball Coaches and Team Members with the commending resolution.]*

- 9. Resolution No. 2022-83** - Requesting the Governor of the State of Alaska Declare an Economic Disaster for 2021 and 2022 for the Upper Cook Inlet East Side Set Net Fishery and Supporting a Recovery Plan. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-83. Council Member Sounart **SECONDED** the motion.

*[Mayor Gabriel passed the gavel to Vice Mayor Baisden and declared a possible conflict with Resolution No. 2022-83 as he is an Upper Cook Inlet East Side Set Net Fisherman; Vice Mayor Baisden ruled a conflict did exist and Mayor Gabriel abstained from discussion and voting on Resolution No. 2022-83.]*

Vice Mayor Baisden opened the floor for public comment.

Ken Coleman addressed the Council thanking them for previously adopted legislation which requested more fishing time; and noted if an economic disaster is declared by the Governor it would be the fourth time and the economic disaster was not due to lack of resources, it was due to regulations.

There being no one else wishing to be heard, the public comment period was closed.

**VOTE:**

YEA: Douthit, Sounart, Knackstedt, Askin, Winger, Baisden

NAY: None

ABSTENTION: Gabriel

**MOTION PASSED.**

1. **Ordinance No. 3321-2022** - Repealing Kenai Municipal Code Sections 13.30.030- Night Parking Prohibited, 13.30.050- Signs Bearing the Legend, and 13.30.100- Parking Prohibited on Kenai Avenue, and Reenacting and Renaming Kenai Municipal Code 13.30.030- Street Parking Prohibitions, to Allow Greater Flexibility in Regulating Street Parking in the City. (Legal)

- **Substitute Ordinance No. 3321-2022** - Repealing Kenai Municipal Code Sections 13.30.030 - Night Parking Prohibited, 13.30.050 - Signs Bearing the Legend, and 13.30.095 - Parking Prohibited on Kenai Avenue, and Reenacting and Renaming Kenai Municipal Code 13.30.030 - Street Parking Prohibitions, to Allow Greater Flexibility in Regulating Street Parking in the City. (Legal)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3321-2022. Vice Mayor Baisden **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:**

Council Member Knackstedt **MOVED** to amend Ordinance No. 3321-2022 by Substitute Ordinance No. 3321-2022. Council Member Sounart **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to amend by substitute.

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

**MOTION:**

Council Member Knackstedt **MOVED** to amend Substitute Ordinance No. 3321-2022, Section 1 to identify that Section 1 would amend and rename Section 13.30.030 of Kenai Municipal Code, and to retain the language proposed for deletion:

“Section 1. Amend and [REPEAL, ]Rename [AND REENACT] Section 13.30.030 of Kenai Municipal Code: That Kenai Municipal Code, Section 13.30.030 - Night parking prohibited, is hereby [REPEALED,] amended and renamed[, AND REENACTED] as follows:

13.30.030 Street Parking Prohibitions.

After October 1st of each fall and until May 1st of the following year, no person shall leave any vehicle unattended on any City street between the hours of 4:00 a.m. and 8:00 a.m. of any day. The City Manager or designee will designate street parking restrictions in the City effective after posting of signage sufficient to provide reasonable public notice. Changes to street parking in the City will be reported to the City Council as soon as practicable.”

Vice Mayor Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to amend the substitute ordinance.

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

There was discussion regarding providing notice to areas where parking regulations would change; the number of signs that would require updating if the prohibited on street parking times were changed; and the essential use of on street parking for some residential areas and businesses.

**VOTE ON SUBSTITUTE AS AMENDED:**

YEA: Knackstedt, Askin, Winger, Baisden, Gabriel, Douthit, Sounart

NAY: None

**SUBSTITUTE AS AMENDED PASSED UNANIMOUSLY.**



2. **Ordinance No. 3322-2022** - Increasing Estimated Revenues and Appropriations in the General Fund for Costs in Excess of Budgeted Amounts for Public Works Street Lighting Repairs and Maintenance. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3322-2022. Council Member Sounart **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.

There was discussion in support of ongoing street light repairs and that the State of Alaska, Department of Transportation was notified regarding the lights that are out on the Kenai Spur Highway.

**VOTE:**

YEA: Askin, Winger, Baisden, Gabriel, Douthit, Sounart, Knackstedt

NAY: None

**MOTION PASSED UNANIMOUSLY.**

3. **Ordinance No. 3323-2022** - Accepting and Appropriating Grants from the U.S. Department of Homeland Security Passed Through the State of Alaska Department of Military and Veterans' Affairs for the Purchases of Public Safety Radios, Police In-Car Video Systems, and a Cyber Security Assessment. (Administration)

**MOTION:**

Vice Mayor Baisden **MOVED** to enact Ordinance No. 3323-2022. Council Member Sounart **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 reported that this was the seventh grant over the last six years and would finish the radio replacements; and the system could be switched on manually or was switched on automatically based on events such as turning on the sirens.

**VOTE:**

YEA: Winger, Baisden, Gabriel, Douthit, Sounart, Knackstedt, Askin

NAY: None

**MOTION PASSED UNANIMOUSLY.**

5. **Resolution No. 2022-79** - Approving the Purchase of Motorola Mobile Radios for the Police and Fire Departments Under a Sole Source Purchase from Motorola Solutions Using NASPO Valuepoint Contract Pricing. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-79. Vice Mayor Baisden **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 reported this would purchase the radios with the grant funds that were accepted and appropriated in the previously enacted ordinance.

**UNANIMOUS CONSENT** was requested.

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

6. **Resolution No. 2022-80** - Authorizing the Purchase of Watchguard Police In-Car Video Systems Under a Sole Source Purchase from Motorola Solutions Using NASPO Valuepoint Contract Pricing. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-80. Vice Mayor Baisden **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.**

7. **Resolution No. 2022-81** - Amending the City of Kenai Schedule of Rates, Charges and Fees by Adding a Fee for City League Basketball. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-81. Council Member Sounart **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.**

8. **Resolution No. 2022-82** - Authorizing a Service Contract and Corresponding Purchase Order for the 2022 Community Wildfire Protection Plan Mitigation Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-82. Council Member Sounart **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.

There was discussion regarding the requirement to obtain permission from the Kenai Peninsula Borough prior to removing any trees within 50-feet of an anadromous stream; options available for public use for firewood; and the Special Use Permit requirement for commercial harvesting of the fallen trees.

**UNANIMOUS CONSENT** was requested.

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

**E. MINUTES**

1. \*Special Meeting of November 10, 2022. (City Clerk)
2. \*Special Meeting of November 16, 2022. (City Clerk)
3. \*Work Session of November 16, 2022. (City Clerk)
4. \*Regular Meeting of November 16, 2022. (City Clerk)
5. \*Special Meeting of November 22, 2022. (City Clerk)
6. \*Special Meeting of November 28, 2022. (City Clerk)

**F. UNFINISHED BUSINESS** – None.

**G. NEW BUSINESS**

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

Approved by the consent agenda.

2. **\*Action/Approval** - Special Use Permit to American Red Cross of Alaska for General Office Space at the Alaska Regional Fire Training Center. (Administration)

Approved by the consent agenda.

3. **\*Action/Approval** - Special Use Permit to Alaska Sure Seal, Inc. for Snow Storage. (Administration)

Approved by the consent agenda.

4. **\*Action/Approval** - Special Use Permit to Schillings Alaska, Inc. for Snow Storage. (Administration)

Approved by the consent agenda.

5. **\*Ordinance No. 3324-2022** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Authorizing the Purchase of Airport Snow Removal Equipment. (Administration)

Introduced by the consent agenda and Public Hearing set for January 4, 2023.

6. **\*Ordinance No. 3325-2022** - Accepting and Appropriating Donations to the Kenai Community Library for the Purchase of Program Supplies and Equipment. (Administration)

Introduced by the consent agenda and Public Hearing set for January 4, 2023.

7. **\*Ordinance No. 3326-2022** - Increasing Estimated Revenues and Appropriations in the General Fund Parks, Recreation and Beautification Department, and Authorizing an Increase to the Multi-Purpose Facility Management Services Purchase Order to Red Line Sports for Additional Ice Maintenance Services. (Administration)

Introduced by the consent agenda and Public Hearing set for January 4, 2023.

8. **\*Ordinance No. 3327-2022** - Increasing and Decreasing Estimated Revenues and Appropriations to Reallocate Grant Funds Previously Appropriated for Construction of a Pedestrian Bridge in the Kenai Municipal Park to Playground Equipment Replacement at the Softball Greenstrip. (Administration)

Introduced by the consent agenda and Public Hearing set for January 4, 2023.

9. **\*Ordinance No. 3328-2022** - Increasing Estimated Revenues and Appropriations in the Airport Snow Removal Equipment Capital Project Fund to Provide Supplemental Funding for the Kenai Municipal Airport's Snowblower and Increasing the Existing Purchase Order to Craig Taylor Equipment. (Administration)

Introduced by the consent agenda and Public Hearing set for January 4, 2023.

10. **\*Ordinance No. 3329-2022** - Increasing Estimated Revenues and Appropriations in the General and Visitor Center Improvement Capital Project Funds to Provide Supplemental Funding for the Roof Replacement Project. (Administration)

Introduced by the consent agenda and Public Hearing set for January 4, 2023.

11. **\*Ordinance No. 3330-2022** - Increasing Estimated Revenues and Appropriations in the General and Recreation Center Improvement Capital Project Funds to Provide Supplemental Funding for the Kenai Recreation Center Improvements Project. (Administration)

Introduced by the consent agenda and Public Hearing set for January 4, 2023.

**12. Action/Approval** - Approving an Employment Agreement Between the City of Kenai and City Manager Terry Eubank. (City Council)

**MOTION:**

Council Member Knackstedt **MOVED** to approve an Employment Agreement between the City of Kenai and City Manager Terry Eubank. Council Member Sounart **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion.

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

**13. Action/Approval** - Commission and Committee Appointments. (Administration)

Three-year terms beginning January 1, 2023 and ending on December 31, 2025:

- Airport Commission: James Bielefeld and James Zirul
- Beautification Committee: Sarah Douthit, Emily Heale and Christina Warner
- Council on Aging: Velda Geller and Barbara Modigh
- Harbor Commission: Christine Hutchison
- Parks & Recreation Commission: Sovala Kisenka and Kyle Graham

**MOTION:**

Council Member Knackstedt **MOVED** to confirm the Mayoral nomination of applicants for appointment to Commissions and Committees. Vice Mayor Baisden **SECONDED** the motion.

It was reported that the Council on Aging and Harbor Commission still both had one vacancy and recruitment would be ongoing until the vacancies were filled.

**UNANIMOUS CONSENT** was requested on the motion.

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

**14. Action/Approval** - Authorizing the City Manager to Execute a Memorandum of Understanding between the Kenaitze Indian Tribe and the City of Kenai Fire Department. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to authorize the City Manager to execute the Memorandum of Understanding. Council Member Sounart **SECONDED** the motion.

It was reported that this would formalize practices that were already in place and allow the Kenaitze Indian Tribe to apply for grants on behalf of the Kenai Fire Department.

**UNANIMOUS CONSENT** was requested on the motion.

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

**15. Action/Approval** – Authorizing the Issuance of a Letter Supporting the Efforts of Central Peninsula Hospital’s Grant Application for State of Alaska Opioid Response: Recover Housing. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to authorize the issuance of a letter of support. Vice Mayor Baisden **SECONDED** the motion.

It was reported that the grant would support continued operations of the existing facility.

**UNANIMOUS CONSENT** was requested on the motion.

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

**H. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging

Council Member Sounart reported on the December 12, 2022 work session, next meeting January 12, 2023.

2. Airport Commission

Council Member Knackstedt reported on the December 8, 2022 meeting, next meeting January 12, 2023.

3. Harbor Commission

No report, next meeting February 6, 2023.

4. Parks and Recreation Commission

No report, next meeting January 5, 2023.

5. Planning and Zoning Commission

Vice Mayor Baisden reported on the December 14, 2022 meeting, next meeting December 28, 2022.

6. Beautification Committee

No report, next meeting January 10, 2023.

**I. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Christmas comes to Kenai was a great event and the fireworks were amazing.
- Attending the Alaska Municipal League Annual Conference in Anchorage.
- Testifying at the North Pacific Fishery Management meeting.
- Attending the Christmas at the Airport Event, noting he enjoyed the event and Council Member Sounart's Band Ensemble.
- The December 17, 2022 Wreaths Across America could not be placed on the interment locations due to the snow level so the wreaths were hung on the cemetery fence and it was very well done.

**J. ADMINISTRATION REPORTS**

1. City Manager – City Manager Ostrander reported on the following:

- Parks & Recreation Department staff working diligently to provide access through the snow levels to an interment site for a funeral.
- Meeting with Kyle Graham regarding a culvert on Cemetery Creek that needs to be replaced to protect the habitat; and Cemetery Creek is the largest producer of Coho and Chinook fry in the lower Kenai River.
- Meeting with staff from the offices of Representative Peltola, and Senator's Murkowski and Sullivan brining them up to date on the Bluff Stabilization project.
- Meeting with Kenai Peninsula Borough Mayor Navarre regarding Senior Center funding, which will change based on the census data; Wildwood Drive and the need for additional funding for the project; and Animal Control issues with borough animals.
- Meeting with Kenai Peninsula Animal Lovers (KPAL) regarding animal control issues outside of the City; the issue is not a City issue it is a borough issue and the borough has not spent any funds on animal control.
- The snow removal by our crew was inspiring during the event last week and that the City does everything they can to try and not create berms at the end of the driveways; however, berms are the property owner's responsibility.
- The Senior Center Subaru was in an accident, no injuries.

- Provided an update on the Bluff Erosion Project.
2. City Attorney – No report.
  3. City Clerk – No report.

**K. ADDITIONAL PUBLIC COMMENTS**

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*) – None.
2. Council Comments

Council Member Askin noted she was in Montana and snowed in with a negative 61-degree temperature; thanked Council Member Knackstedt for filling in with at Airport Commission meeting; and wished everyone a Merry Christmas.

Council Member Winger congratulated the volleyball team; reported attending the Christmas comes to Kenai event; provided an update on the local wrestling teams; and thanked the streets crews for their work keeping up with the snow.

Council Member Douthit reported attending the Christmas comes to Kenai event and winning first place in the float competition; attending the Alaska Municipal League Annual Conference; thanked the Streets Department; and wished everyone a Merry Christmas.

Council Member Sounart thanked the Streets Department and wished everyone a Merry Christmas.

Vice Mayor Baisden thanked the volleyball team for attending and wished everyone a Merry Christmas.

Council Member Knackstedt thanked the Streets Department; reported attending the Alaska Municipal League Annual Conference; the Christmas at the Airport Event; and on behalf of Marion Nelson the floor grinding at the Art Center was in progress.

**L. EXECUTIVE SESSION – None.**

**M. PENDING ITEMS – None.**

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS**

1. CIRCAC Directors Report

There being no further business before the Council, the meeting was adjourned at 8:00 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of December 21, 2022.

---

Michelle M. Saner, MMC  
City Clerk

*\*\* The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION**  
**COUNCIL MEETING OF: JANUARY 4, 2023**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	104,571.64
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	111,891.01

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
PIPER JAFFRAY	U.S. AGENCY SECURITY	06/25/2025	2,595,309.70	4.72%
PIPER JAFFRAY	U.S. AGENCY SECURITY	02/01/2025	970,170.56	4.52%
PIPER JAFFRAY	U.S. AGENCY SECURITY	04/15/2024	1,001,925.00	4.70%



## MEMORANDUM

**TO:** Mayor Gabriel and Kenai City Council  
**FROM:** Meghan Thibodeau, Deputy City Clerk  
**DATE:** December 15, 2022  
**SUBJECT:** **Liquor License Renewal**

---

The following establishment has submitted an application to the Alcohol and Marijuana Control Office for renewal of their liquor license:

- Griffin Golf LLC D/B/A Kenai Golf Course

Pursuant to KMC 2.40, a review of City accounts has been completed on the applicant and they have satisfied all obligations to the City. With the approval of Council, a letter of non-objection to this application will be forwarded to the ABC Board and the applicant.

Your consideration is appreciated.



Submit

by Meghan Thibodeau 11/21/2022 10:47:01 AM (Form Submission)

Approve

by Jeremy Hamilton 11/22/2022 4:03:35 PM (Fire Marshall Review)

■ Inspected June 30th, 2022

- The task was assigned to Jeremy Hamilton. The due date is: November 30, 2022 5:00 PM 11/21/2022 10:47:02 AM

Approve

by Donald Hendrickson 11/30/2022 11:08:44 AM (Building Official Review)

■ Building permits are in good standing

- The task was assigned to Scott Curtin. The due date is: November 30, 2022 5:00 PM 11/21/2022 10:47:02 AM
- Meghan Thibodeau reassigned the task to Donald Hendrickson 11/29/2022 4:18:21 PM

Approve

by David Ross 11/21/2022 4:45:49 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: November 30, 2022 5:00 PM 11/21/2022 10:47:02 AM

Approve

by Tina Williamson 11/21/2022 4:39:36 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: November 30, 2022 5:00 PM 11/21/2022 10:47:02 AM

Approve

by Cindy Herr 11/21/2022 12:05:53 PM (Legal Asst Review)

■ There are no monies owed in traffic citations or restitution.

- The task was assigned to Cindy Herr. The due date is: November 30, 2022 5:00 PM 11/21/2022 10:47:03 AM

Approve

by Linda Mitchell 11/30/2022 10:36:34 AM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: November 30, 2022 5:00 PM 11/21/2022 10:47:03 AM

Approve

by Terry Eubank 11/30/2022 1:31:57 PM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: December 9, 2022 5:00 PM 11/30/2022 10:36:35 AM

Approve

by Scott Bloom 12/13/2022 10:58:54 AM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: December 9, 2022 5:00 PM 11/30/2022 10:36:35 AM

Approve

by Linda Mitchell 11/30/2022 10:48:13 AM (P&amp;Z Department Review)

- The task was assigned to Linda Mitchell. The due date is: December 9, 2022 5:00 PM 11/30/2022 10:36:36 AM

# AMCO License Application

## Date

11/21/2022

## Establishment Information

---

### License Type

Golf Course-Seasonal

### Licensee

Griffin Golf LLC

### Doing Business As

Kenai Golf Course

### Premises Address

1500 Lawton Drive

### City, State

Kenai, AK

## Contact Information

---

### Contact Licensee

Lara Griffin

### Contact Phone No.

907-398-5215

### Contact Email

griffingolf2019@gmail.com

## Additional Contact Information

---

### Name

### Phone No.

### Email

## Documents

---

### File Upload

#5788 Complete Renewal Application with Temp.pdf

3.28MB

#5788 LGB Renewal Notice.pdf

260.91KB



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,  
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 21, 2022

City of Kenai, Kenai Peninsula Borough

Via Email: [cityclerk@kenai.city](mailto:cityclerk@kenai.city); [mjenkins@kpb.us](mailto:mjenkins@kpb.us); [jvanhooose@kpb.us](mailto:jvanhooose@kpb.us); [jratky@kpb.us](mailto:jratky@kpb.us);  
[cjackinsky@kpb.us](mailto:cjackinsky@kpb.us); [maldridge@kpb.us](mailto:maldridge@kpb.us); [ncarver@kpb.us](mailto:ncarver@kpb.us); [slopez@kpb.us](mailto:slopez@kpb.us); [jblankenship@kpb.us](mailto:jblankenship@kpb.us);  
[assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us); [bcarter@kpb.us](mailto:bcarter@kpb.us)

**Re: Notice of 2023/2024 Liquor License Renewal Application**

<b>License Type:</b>	Golf Course-Seasonal	<b>License Number:</b>	5788
<b>Licensee:</b>	Griffin Golf LLC		
<b>Doing Business As:</b>	Kenai Golf Course		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Joan Wilson, Director

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED  
11/21/2022  
ABC BOARD

LIQUOR LICENSE  
2023 - 2024  
TEMPORARY

5788

LICENSE RENEWAL APPLICATION DUE  
DECEMBER 31, 2024 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT  
FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Golf Course – Se

April 15 - October 15

LICENSE FEE: \$200.00

1201

CITY / BOROUGH: Kenai  
Kenai Peninsula Borough

D/B/A: Kenai Golf Course  
1500 Lawton Drive

Mail Address:  
Griffin Golf, LLC  
P.O. Box 289  
Kenai, AK 99611

This license cannot be transferred without permission  
of the Alcoholic Beverage Control Board

[ ] Special restriction - see reverse side

ISSUED BY ORDER OF THE  
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 10/20/22)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED  
11/21/2022  
ABC BOARD

LIQUOR LICENSE  
2023 - 2024  
TEMPORARY

5788

LICENSE RENEWAL APPLICATION DUE  
DECEMBER 31, 2024 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT  
FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Golf Course – Se

April 15 - October 15

LICENSE FEE: \$200.00

CITY / BOROUGH: Kenai  
Kenai Peninsula Borough

This license cannot be transferred without permission  
of the Alcoholic Beverage Control Board

[ ] Special restriction - see reverse side

ISSUED BY ORDER OF THE  
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

D/B/A: Kenai Golf Course  
1500 Lawton Drive

Mailing Address:  
Griffin Golf, LLC  
P.O. Box 289  
Kenai, AK 99611

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 5/9/22)





# 1 AB-17: 2023/2024 License Renewal Application

Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue,  
Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

## Form AB-17: 2023/2024 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2022 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any application for renewal or any fees for renewal that have not been postmarked by 2/28/2023 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

### Section 1 - Establishment Contact Information

<b>Licensee (Owner):</b>	Griffin Golf, LLC	<b>License #:</b>	5788
<b>License Type:</b>	Golf Course – Seasonal		
<b>Doing Business As:</b>	Kenai Golf Course		
<b>Local Governing Body:</b>	Kenai, Kenai Peninsula Borough		
<b>Community Council:</b>			

If your mailing address has changed, write the NEW address below:

<b>Mailing Address:</b>					
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>	

### Section 2 – Licensee Contact Information

**Contact Licensee:** The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

<b>Contact Licensee:</b>	Lara Griffin	<b>Contact Phone:</b>	907 398-5215
<b>Contact Email:</b>	Griffingolf2019@gmail.com		

**Optional:** If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

<b>Name of Contact:</b>		<b>Contact Phone:</b>	
<b>Contact Email:</b>			

### Section 3 – for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2022 and/or 2023?

YES      NO

AMCO  
NOV 14 2022



Section 4 – Ownership Structure Certification

YES NO
[ ] [x]

Did the ownership structure of the licensed business change in 2021/2022?

If Yes, and you have NOT notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application.

If No, certify the statement below by initialing the box to the right of the statement.

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2021 or 2022.

[Handwritten initials]

Section 5 – License Operation

Check ONE BOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:

- 1. The license was operated for more than 240 hours throughout each year. (Year-round)
2. The license was only operated during a specified time each year. (Not to exceed 6 months per year)
3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year...

Section 6 - Violations and Convictions

YES NO
[ ] [x]

Have ANY Notices of Violation been issued for this license?

Has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2021 or 2022?

[ ] [x]

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.

Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application...
I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current...

AMCO
NOV 14 2022





# Form AB-17: 2023/2024 License Renewal Application

- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Lara J Griffin  
Signature of licensee

Lara J Griffin  
Printed name of licensee



Margo Coyaso  
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 6/30/25

Subscribed and sworn to before me this 10th day of November, 2022.

- Restaurant and Eating Place** applications must include a completed AB-33: Restaurant Receipts Affidavit
- Recreational Site** applications must include a completed AB-36: Recreational Site Statement
- Tourism** applications must include a completed AB-37: Tourism Statement
- Wholesale** applications must include a completed AB-25: Supplier Certification
- Common Carrier** applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:  
<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

**FOR OFFICE USE ONLY**

License Fee:	\$ 200.00	Application Fee:	\$ 300.00	Misc. Fee:	\$
<b>Total Fees Due:</b>					\$ 500.00

100489534

AMCO  
NOV 14 2023

Details

# ENTITY DETAILS

## Name(s)

Type	Name
Legal Name	Griffin Golf, LLC

**Entity Type:** Limited Liability Company

**Entity #:** 10095955

**Status:** Good Standing

**AK Formed Date:** 12/11/2018

**Duration/Expiration:** Perpetual

**Home State:** ALASKA

**Next Biennial Report Due:** 1/2/2024

**Entity Mailing Address:** P.O. BOX 289, KENAI, AK 99611

**Entity Physical Address:** 1500 LAWTON DRIVE, KENAI, AK 99611

## Registered Agent

**Agent Name:** Mark Griffin

**Registered Mailing Address:** 47083 BELMONT COURT, KENAI, AK 99611

**Registered Physical Address:** 47083 BELMONT COURT, KENAI, AK 99611

## Officials

Show Former

AK Entity #	Name	Titles	Owned
	Lara Griffin	Member	50.00
	Mark Griffin	Member	50.00

## Filed Documents

Date Filed	Type	Filing	Certificate
12/11/2018	Creation Filing	<a href="#">Click to View</a>	<a href="#">Click to View</a>
12/11/2018	Initial Report	<a href="#">Click to View</a>	
4/09/2019	Certificate of Compliance		<a href="#">Click to View</a>
1/01/2020	Biennial Report	<a href="#">Click to View</a>	
1/10/2022	Biennial Report	<a href="#">Click to View</a>	

[Close Details](#)

[Print Friendly Version](#)



License Detail

# LICENSE DETAILS

**License #:** 1098620

[Print Business License](#)

**Business Name:** KENAI GOLF COURSE

**Status:** Active

**Issue Date:** 12/11/2018

**Expiration Date:** 12/31/2022

**Mailing Address:** P.O. BOX 289  
KENAI, AK 99611

**Physical Address:** 1500 LAWTON DRIVE  
KENAI, AK 99611

## Owners

GRIFFIN GOLF, LLC

## Activities

Line of Business	NAICS	Professional License #
71 - Arts, Entertainment and Recreation	713910 - GOLF COURSES AND COUNTRY CLUBS	

## Endorsements

No Endorsements Found

## License Lapse(s)

If this business license lapsed within the last four years the lapsed periods will appear below. Lapsed periods are the unlicensed period between an expiration date and renewal date.

No Lapses on record for the last 4 years.

[Close License Detail](#)

[Print Friendly Version](#)



# Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Johni Blankenship, MMC  
Borough Clerk

11/29/2022

Sent via email: [cityclerk@kenai.city](mailto:cityclerk@kenai.city)

Kenai City Hall  
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Griffin Golf, LLC
Business Name	:	Kenai Golf Course
License Type	:	Golf Course
License Location	:	1500 Lawton Drive, Kenai, AK 99611, City of Kenai
License No.	:	5788
Application Type	:	License Renewal

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Johni Blankenship, MMC  
Borough Clerk

JB/jr

cc: [griffingolf2019@gmail.com](mailto:griffingolf2019@gmail.com);



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Kenai City Council  
**FROM:** Meghan Thibodeau, Deputy City Clerk  
**DATE:** December 15, 2022  
**SUBJECT:** **Liquor License Transfer and Restaurant Designation Permit**

---

The following establishment has submitted an application to the Alcohol and Marijuana Control Office for a transfer of their liquor license and a restaurant designation permit:

- G&P In, Inc. D/B/A The White Moose

Pursuant to KMC 2.40, a review of City accounts has been completed on the applicant and they have satisfied all obligations to the City. With the approval of Council, a letter of non-objection to this application will be forwarded to the ABC Board and the applicant.

Your consideration is appreciated.

Submit

by Meghan Thibodeau 11/30/2022 9:38:22 AM (Form Submission)

Approve

by Jeremy Hamilton 12/13/2022 12:36:42 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: December 9, 2022 5:00 PM 11/30/2022 9:38:23 AM

Object

by Donald Hendrickson 12/1/2022 4:15:49 PM (Building Official Review)

- The business is in violation of fire code 505.1 - Address identification. Although the businesses are of the same owner there needs to be an address for the 2nd commercial entity for emergency response location identification.

- The task was assigned to Donald Hendrickson. The due date is: December 9, 2022 5:00 PM 11/30/2022 9:38:23 AM

Approve

by David Ross 11/30/2022 9:50:46 AM (Police Department Review)

- The task was assigned to David Ross. The due date is: December 9, 2022 5:00 PM 11/30/2022 9:38:23 AM

Approve

by Tina Williamson 11/30/2022 10:51:29 AM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: December 9, 2022 5:00 PM 11/30/2022 9:38:24 AM

Approve

by Cindy Herr 11/30/2022 11:48:46 AM (Legal Asst Review)

- The task was assigned to Cindy Herr. The due date is: December 9, 2022 5:00 PM 11/30/2022 9:38:24 AM

Approve

by Linda Mitchell 12/13/2022 1:00:39 PM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: December 9, 2022 5:00 PM 11/30/2022 9:38:24 AM

Approve

by Terry Eubank 12/15/2022 11:09:06 AM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: December 22, 2022 5:00 PM 12/13/2022 1:00:40 PM

Approve

by Scott Bloom 12/13/2022 1:38:34 PM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: December 22, 2022 5:00 PM 12/13/2022 1:00:40 PM

Approve

by Linda Mitchell 12/15/2022 1:42:33 PM (P&amp;Z Department Review)

- The task was assigned to Linda Mitchell. The due date is: December 22, 2022 5:00 PM 12/13/2022 1:00:40 PM

# AMCO License Application

**Date**

11/30/2022

**Establishment Information**

---

**License Type**

Beverage Dispensary/Restaurant Designation Permit

**Licensee**

G &amp; P Inc

**Doing Business As**

The White Moose

**Premises Address**

815 Frontage Road

**City, State**

Kenai, AK

**Contact Information**

---

**Contact Licensee**

Joanna Pitsilionis

**Contact Phone No.**

907-953-2222

**Contact Email**

gianainc@gmail.com

**Additional Contact Information**

---

**Name****Phone No.****Email****Documents**

---

**File Upload**

#204 AB-01.pdf	4.17MB
#204 AB-02 w letter explanation of sharing kitchen.pdf	3.94MB
#204 AB-03.pdf	5.34MB
#204 Transfer LGB Notice.pdf	296.54KB



November 29, 2022

City of Kenai, Kenai Peninsula Borough

Via Email: [cityclerk@kenai.city](mailto:cityclerk@kenai.city); [mjenkins@kpb.us](mailto:mjenkins@kpb.us); [jvanhooose@kpb.us](mailto:jvanhooose@kpb.us); [jratky@kpb.us](mailto:jratky@kpb.us);  
[cjackinsky@kpb.us](mailto:cjackinsky@kpb.us); [maldridge@kpb.us](mailto:maldridge@kpb.us); [ncarver@kpb.us](mailto:ncarver@kpb.us); [slopez@kpb.us](mailto:slopez@kpb.us); [jblankenship@kpb.us](mailto:jblankenship@kpb.us);  
[assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us); [bcarter@kpb.us](mailto:bcarter@kpb.us)

<b>License Type:</b>	Beverage Dispensary	<b>License Number:</b>	204
<b>Licensee:</b>	G & P Inc		
<b>Doing Business As:</b>	The White Moose		
<b>Premises Address</b>	815 Frontage Road		

- New Application**
 **Transfer of Ownership Application**  
 **Transfer of Location Application**
 **Transfer of Controlling Interest Application**

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant’s proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Joan Wilson, Director

Last Name

Date

Page 2

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

### Why is this form needed?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review Title 04 of Alaska Statutes and Chapter 304 of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's Anchorage office, along with all other required forms and documents, before any license application will be considered complete.

## Section 1 - Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	G&P, Inc.		License #:	204	
License Type:	Beverage Dispensary		Statutory Reference:	04.11.090	
Doing Business As:	The White Moose				
Premises Address:	815 Frontage Road				
City:	Kenai	State:	AK	ZIP:	99611
Local Governing Body:	City of Kenai				

### Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

AMCO  
SEP 27 2022

### OFFICE USE ONLY

Complete Date:	11-29-22	Transaction #:	100461692
Board Meeting Date:	12-12-2022	License Years:	22-23
Issue Date:		Examiner:	KMS





Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

## Section 2 – Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	G&P, Inc.				
Doing Business As:	The White Moose				
Premises Address:	815 Frontage Road				
City:	Kenai	State:	AK	ZIP:	99611
Community Council:					

Mailing Address:	P.O. Box 151				
City:	Kenai	State:	AK	ZIP:	99611

Designated Licensee:	Joanna Pitsilionis				
Contact Phone:	907-953-2222	Business Phone:	907-953-2222		
Contact Email:	gianainc@gmail.com				

Seasonal License?    Yes     No     If "Yes", write your six-month operating period: \_\_\_\_\_

## Section 3 – Premises Information

Premises to be licensed is:

an existing facility     a new building     a proposed building



The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

0.2 Miles

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

0.2 Miles



Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

## Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.  
If more space is needed, please attach a separate sheet with the required information.  
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant  affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an:  applicant  affiliate

Name:					
Address:					
City:		State:		ZIP:	

## Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.  
If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Joanna Pitsilionis				
Title(s):	President, Secretary	Phone:	907-953-2222	% Owned:	100
Address:	P.O. Box 151				
City:	Kenai	State:	AK	ZIP:	99611





Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

<b>Entity Official:</b>					
<b>Title(s):</b>		<b>Phone:</b>		<b>% Owned:</b>	
<b>Address:</b>					
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>	

<b>Entity Official:</b>					
<b>Title(s):</b>		<b>Phone:</b>		<b>% Owned:</b>	
<b>Address:</b>					
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>	

<b>Entity Official:</b>					
<b>Title(s):</b>		<b>Phone:</b>		<b>% Owned:</b>	
<b>Address:</b>					
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

<b>DOC Entity #:</b>	64845D	<b>AK Formed Date:</b>	9/24/1998	<b>Home State:</b>	AK
<b>Registered Agent:</b>	George Pitsilionis		<b>Agent's Phone:</b>	907-953-2222	
<b>Agent's Mailing Address:</b>	PO BOX 2917				
<b>City:</b>	Kenai	<b>State:</b>	AK	<b>ZIP:</b>	99611

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?




Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

## Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Joanna Pitsilionis has ownership in Package #643 in Kenai, and Package #2592 in Kenai.

#643 dba Discount Liquor

#2592 Red Diamond Liquor Barn

## Section 7 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

The Law Offices of Ernouf & Coffey, P.C. is assisting with the application process.

AMCO

SEP 27 2022




Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

**Section 8 – Transferor Certifications**

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a controlling interest of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

  
Signature of transferor  
George Pitsilionis  
Printed name of transferor

Subscribed and sworn to before me this 10 day of August, 2022

  
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 06/07/2026



\_\_\_\_\_  
Signature of transferor  
\_\_\_\_\_  
Printed name of transferor

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

Notary Public in and for the State of \_\_\_\_\_.

My commission expires: \_\_\_\_\_







Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

[Handwritten initials]

I certify that all proposed licensees have been listed with the Division of Corporations.

[Handwritten initials]

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

[Handwritten initials]

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

[Handwritten initials]

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

[Handwritten initials]

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

[Handwritten initials]

AMCO

SEP 27 2022

Signature of transferee  
Joanna Pitsilionis

Printed name

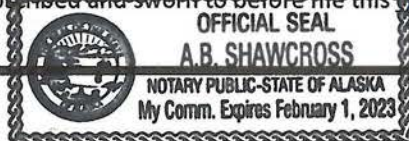
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 2/1/23

Subscribed and sworn to before me this

1<sup>st</sup> day of September, 20 22





## Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

### Why is this form needed?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form may not be required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's Anchorage office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

### Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	G&P, Inc.	License Number:	204
License Type:	Beverage Dispensary		
Doing Business As:	The White Moose		
Premises Address:	815 Frontage Road		
City:	Kenai	State:	AK
		ZIP:	99611

AMCO  
SEP 07 2022



**From:** [Alcohol Licensing, CED ABC \(CED sponsored\)](#)  
**To:** [Serezhenkov, Kristina R \(CED\)](#)  
**Subject:** FW: #204 dba The White Moose Incomplete Liquor License Transfer Application Notice  
**Date:** Tuesday, October 25, 2022 11:55:51 AM

---

**From:** Amanda Shawcross <ashawcross@eclawfirm.org>  
**Sent:** Monday, October 17, 2022 11:25 AM  
**To:** Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>  
**Cc:** gianainc@gmail.com; Sherman Ernouf <sernouf@eclawfirm.org>  
**Subject:** Re: #204 dba The White Moose Incomplete Liquor License Transfer Application Notice

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Kristina,

Please find corrections and comments below:

AB02:

The White Moose is adjacent to Pizza Paradisos. The door can be locked or unlocked as is necessary.

Pizza Paradisos kitchen is used for food preparations for the The White Moose.

AB03:

The White Moose food preparations are done in the Pizza Paradisos kitchen as mentioned above. Food is prepared and walked through the doorway which connects the two establishments. Each facility has its own bar and liquor service as indicated on the premises diagrams.

I have confirmed the client will not allow 16-20 years old in the facility without an adult. So no changes are necessary to the RDP form.

Our client contacted DEC about updating the address on the food permit. DEC is not able to do this since they need the 2 businesses to have separate addresses on file? Please advise if this is okay.

Please let us know if you have any further questions and or concerns.

Amanda

Amanda Shawcross  
Office Manager & Book Keeper  
Law Offices of Ernouf & Coffey, P.C.  
PO Box 212314  
Anchorage, Alaska 99521-2314  
Phone: (907) 274-3385  
Fax: (907) 274-4258



# White Moose Bar

Alaska Alcohol and Marijuana Control Office, Alaska Alcoholic Beverage Control Board  
Site Plan for Application for Transfer of Alcoholic Beverage License

# 204

APPLICANT: \_\_\_\_\_

ATTACHMENTS FOR FORM: AB-02

DETAILED PREMISIS DIAGRAM: FIGURE 1 OF 4



This information has been compiled at the request of Giana Pitsilionis.

All dimensions and images contained in this packet are close approximations and were produced based on visual observations, hand measurements, and generalized estimates produced during physical examination of the identified structure located at 815 Frontage Road, Kenai AK 99611.

All images contained in this packet should be considered as artistic works and are intended for reference and use in completing the government form listed above.

AMCO

SEP 27 2022



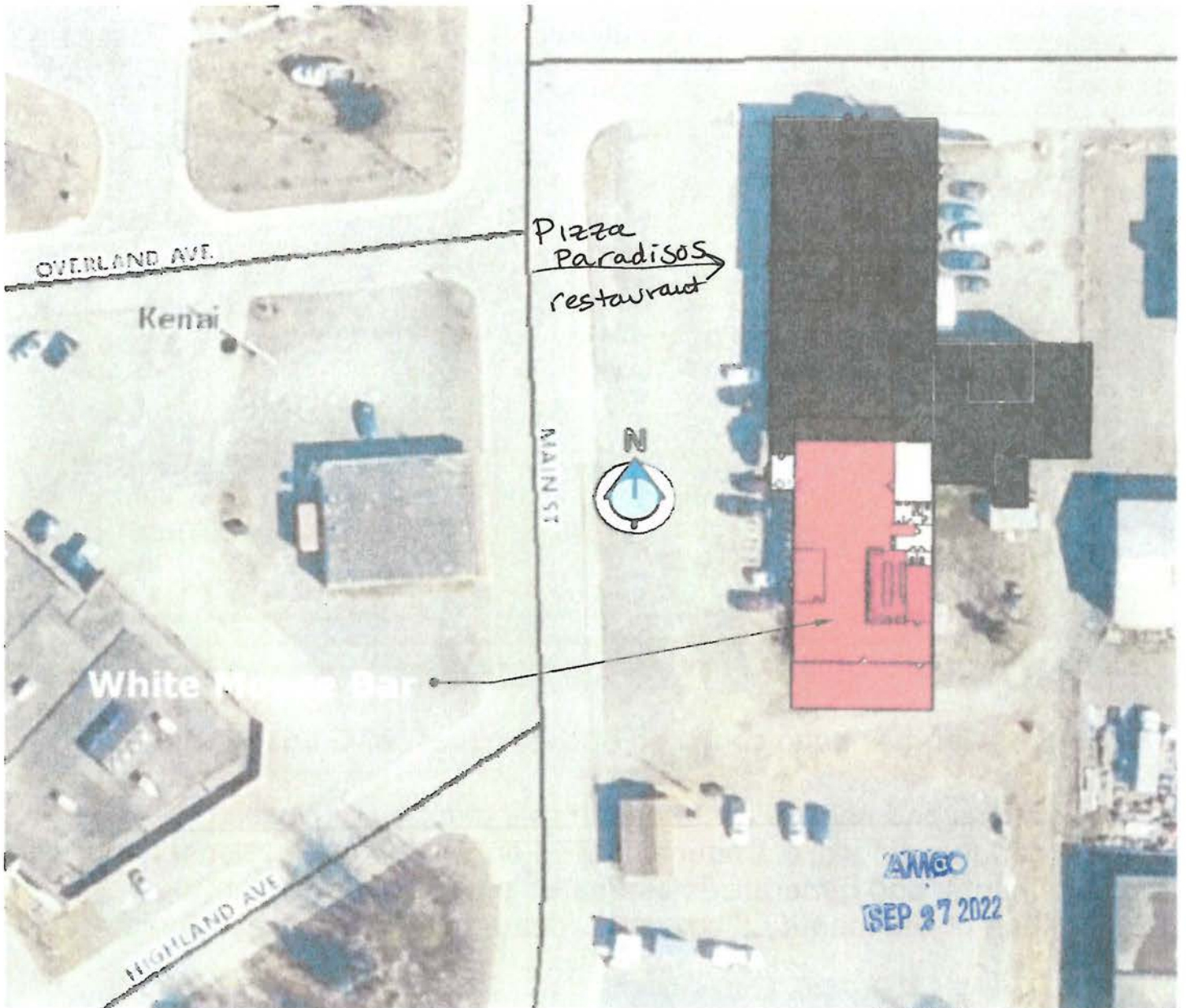
# White Moose Bar

Alaska Alcohol and Marijuana Control Office, Alaska Alcoholic Beverage Control Board  
Site Plan for Application for Transfer of Alcoholic Beverage License  
# \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ATTACHMENTS FOR FORM: AB-02

DETAILED PREMISIS DIAGRAM: FIGURE 2 OF 4



Areas appearing in "Red" indicate designated spaces in which, "alcohol storage, service, consumption, and manufacturing," occur as required and defined by Form AB-02.

Areas appearing in "White" are designated spaces where the activities defined in AB-02 do not occur.

Areas appearing in "Gray or Black" are spaces not otherwise included in this application or the identified license.

# White Moose Bar

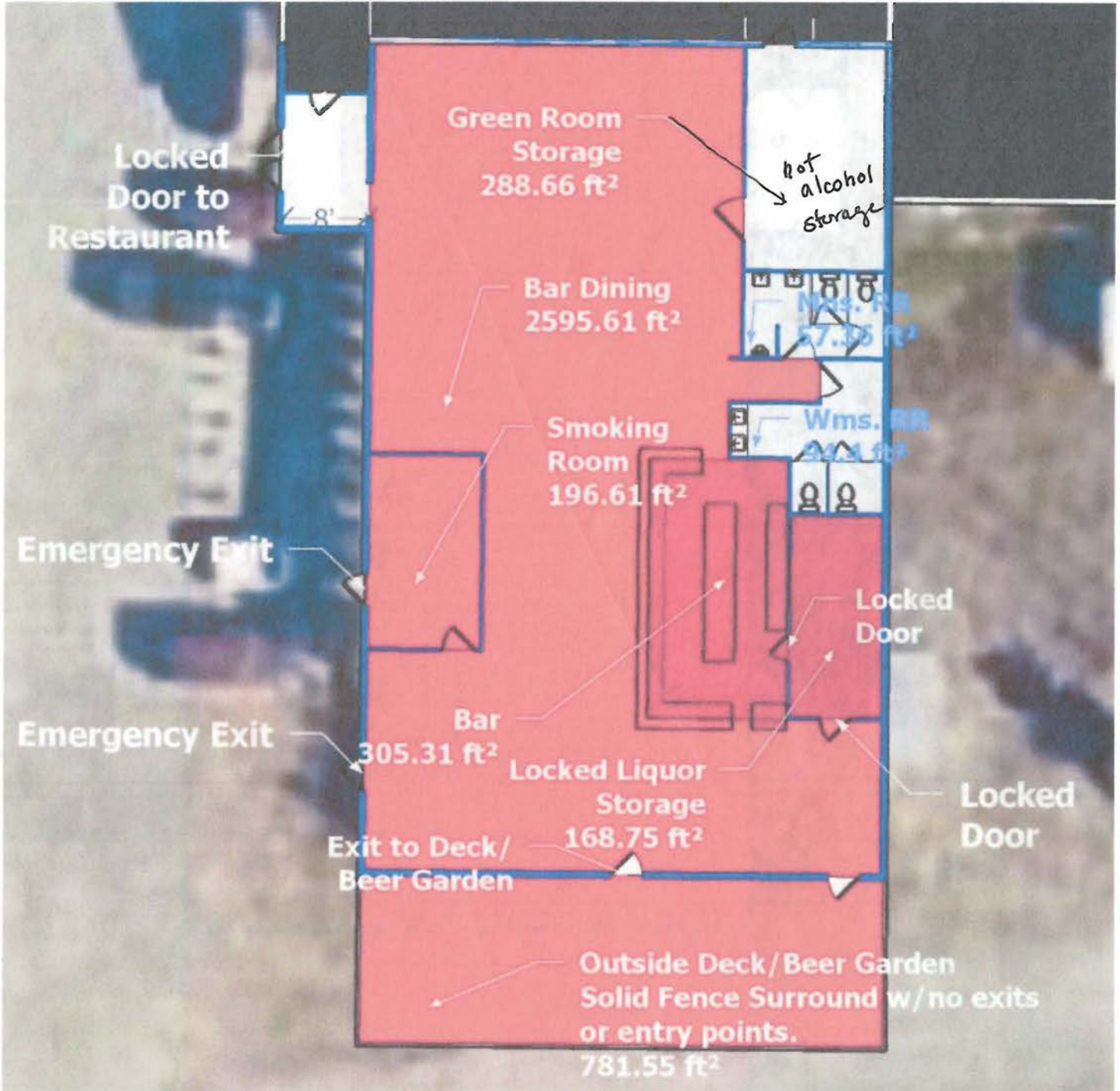
Alaska Alcohol and Marijuana Control Office, Alaska Alcoholic Beverage Control Board  
Site Plan for Application for Transfer of Alcoholic Beverage License

# \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ATTACHMENTS FOR FORM: AB-02

DETAILED PREMISIS DIAGRAM: FIGURE 3o OF 4



AMCO

SEP 27 2022



# White Moose Bar

Alaska Alcohol and Marijuana Control Office, Alaska Alcoholic Beverage Control Board  
Site Plan for Application for Transfer of Alcoholic Beverage License  
# \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ATTACHMENTS FOR FORM: AB-02

DETAILED PREMISIS DIAGRAM: FIGURE 4 OF 4



AMCO

SEP 8 7 2017

## **The White Moose Outdoor Area Security Plan**

Guests that order alcohol will be required to present valid ID prior to the purchase of alcoholic beverages. Staff will monitor the outdoor premise to ensure that the attempt of any adult to pass any sort of beverage to a minor will lead to the appropriate authorities being notified, and the patron being escorted out of the premise and prosecuted to the fullest extent of the law.

These rules, along with all the mandated signs will be posted outside the entrance to our establishment. They will be clearly visible to any customer prior to being able to place any order for food, drinks or otherwise.

There are walls 5ft high, only access is from within the building. Solid on the bottom 3.5ft and lattice fence on top to enclose the area so no-one can exit with alcohol.

All servers are TAP certified and will monitor the service area at all times. All patrons will have to enter the outdoor area via the one door, requiring them to walk through the interior of our premise, where we'll have additional staff monitoring the patrons.

The outside deck will operate the summer months typically between May and September weather permitting.

AMCO  
SEP 27 2022





Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Why is this form needed?**

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrées prepared on-site and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

**Section 1 – Establishment Information**

Enter information for licensed establishment.

Licensee:	G & P, Inc.		
License Type:	Beverage Dispensary	License Number:	204
Doing Business As:	The White Moose		
Premises Address:	815 Frontage Road		
City:	Kenai	State:	AK ZIP: 99611
Contact Name:	Joanna Pitsilionis	Contact Phone:	907-953-2222

**Section 2 – Type of Designation Requested**

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

1.  Dining after standard closing hours: AS 04.16.010(c)
2.  Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
3.  Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
4.  Employment for persons 16 or 17 years of age: AS 04.16.049(c)  
 NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

AMCO  
 SEP 27 2022

OFFICE USE ONLY	
Transaction #:	Initials:



Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 3 – Minor Access**

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

Minor customers permitted in the dining area & restroom area.  
We do not employ minors.

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

All alcohol is locked in secure storage. It is only accessible by Rest. owners, GM, & bar tenders. Each of these individuals is 21 years old & hold current TAP or ETIP cards, so they have been trained to control distribution & service of alcohol. Dining guests must walk in & out the same doors, which controls transfer of alcohol.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Yes  No

**Section 4 – DEC Food Service Permit**

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

IF you are unable to certify the below statement, please discuss the matter with the AMCO office:

Initials

I have attached a copy of the current food service permit for this premises OR the plan review approval.

\*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.

AMCO  
SEP 27 2022





Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 5 – Hours of Operation**

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

Sun - Thur. 4pm to 3am, Friday and Saturday 9am to 3am

**Section 6 – Entertainment & Service**

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes  No

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

Karaoke Friday and Saturday 9pm - 12am.  
Random Live Music on some Saturday nights, times vary.

Food and beverage service offered or anticipated is:

table service     buffet service     counter service     other

If "other", describe the manner of food and beverage service offered or anticipated:

AMCO  
[SEP 27 2022]





Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 7 – Certifications and Approvals**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. This menu includes entrées that are regularly sold and prepared by the licensee at the licensed premises.

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.

*(AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)*

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Joanna Pitsilionis

Printed name of licensee

Signature of licensee

Local Government Review (to be completed by an appropriate local government official):

Approved

Denied

Signature of local government official

Date

Printed name of local government official

Title

AMCO

SEP 27 2022



Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

AMCO Enforcement Review: Enforcement Recommendation: Approve Deny

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Date

Enforcement Recommendations:

[Empty box for Enforcement Recommendations]

AMCO Director Review: Approved Denied

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:

[Empty box for Limitations]

AMCO  
SEP 27 2022





# MENU

## BREAKFAST

Served 9:00 AM to 1:00 PM

- #1 Biscuits & Gravy .....\$6.<sup>95</sup>  
2 Biscuits Topped with Country Gravy
- #2 Butter Croissant .....\$7.<sup>95</sup>  
Croissant with Scramble Egg, Sausage and Cheese
- #3 Breakfast Burrito .....\$9.<sup>95</sup>  
Eggs, Potatoes, Sausage and Cheese
- #4 Buttermilk Pancakes .....\$10.<sup>95</sup>  
2 Pancakes with crispy bacon
- #5 White Moose Classic .....\$11.<sup>95</sup>  
3 Slices of Bacon, 1 Biscuit with Country Gravy,  
2 Eggs Your Choice, and a Slice of Texas Toast
- #6 Skillet .....\$12.<sup>95</sup>  
House Potatoes, Sauteed Onions, Mushrooms, Ham,  
Shredded Cheese & 2 Eggs Your Way
- #7 Trio Omelette *Choose 3 Ingredients* ..\$13.<sup>95</sup>  
Bacon, Ham, Sausage, Cheese, Mushrooms, Onions,  
Green Peppers, Black Olives, Tomatoes and Jalapenos  
*Extra Ingredients add \$2*
- #8 Vegetarian Omelette .....\$14.<sup>95</sup>  
Sauteed Mushrooms, Onions, Spinach, Tomato,  
and Avocado
- #9 Grande Breakfast .....\$19.<sup>95</sup>  
New York Steak 6 oz., sauteed Mushrooms, Hash Browns,  
and Scrambled Eggs



All Menu Se  
Cooked in  
Restaurar  
Q

AMCO

SEP 27 2022

## APPETIZERS

- Mozzarella Sticks .....\$8<sup>95</sup>  
Served with marinara sauce
- Cream Cheese Poppers .....\$9<sup>95</sup>  
Breaded poppers fried to perfection
- Bacon Cheese Fries .....\$9<sup>95</sup>  
Golden fries topped with queso & bacon
- Chicken Strips and Fries .....\$11<sup>95</sup>  
Premium white meat strips & golden fries
- Buffalo Style Wings .....\$12<sup>95</sup>  
Wing sauce choices: Mexican Lime, BBQ,  
Medium and Hot
- Deep Fried Calamari .....\$13<sup>95</sup>  
with Tartar Sauce



## SALADS

- Garden Salad.....\$5<sup>95</sup>  
Fresh Romaine lettuce, cucumber, tomato, onions,  
sliced black olives, carrot, and celery sticks Served  
with your choice of dressing
- Caesar Salad.....\$11<sup>95</sup>  
Romaine lettuce tossed with parmesan cheese,  
homemade croutons, and caesar dressing.  
Add \$3.00 for chicken
- Taco Salad.....\$13<sup>95</sup>  
Shredded lettuce, beans, cheese, salsa,  
sour cream, and guacamole in a tostada  
with choice of Beef or Chicken

## HOT SANDWICHES

- BLT.....\$9<sup>95</sup>  
Fresh lettuce, bacon, and tomatoes on a croissant
- The Classic Wrap .....\$10<sup>95</sup>  
Chicken, bacon, ranch, avocado, lettuce  
and pepper jack cheese
- Club Sandwich.....\$11<sup>95</sup>  
Sliced turkey, bacon, tomatoes, lettuce and cheese  
on a croissant or toasted bread
- Grilled Philadelphia Sandwich..\$12<sup>95</sup>  
Sliced beef with bell and pepperoncini peppers,  
onions, mozzarella and Italian dressing on French bread
- Add Fries, Soup or Onion Rings .....\$2<sup>95</sup>





# BURGERS

Hamburger .....\$8<sup>95</sup>

8 oz. fresh ground beef topped with lettuce, tomato, onion, pickle, and mayo on a toasted bun

Cheeseburger .....\$9<sup>95</sup>

8 oz. fresh ground beef topped with melted cheese, lettuce, tomato, onion, pickle, and mayo on a toasted bun

Big Boy Burger .....\$11<sup>95</sup>

8 oz. grilled hamburger patty topped with onions, lettuce, tomatoes, Canadian bacon, American cheese and mayonnaise, served on a bun

Mexican Burger with Cheese....\$12<sup>95</sup>

8 oz. grilled hamburger patty topped with onions, lettuce, tomatoes, avocado, juicy jalapenos and mayonnaise, on a bun

Add Fries, Soup or Onion Rings .....\$2<sup>95</sup>



# PASTA

Spaghetti .....\$12<sup>95</sup>

Served with meat sauce or marinara. Add meatballs, Italian sausage or mushrooms for \$3.50 additional

Lasagna .....\$14<sup>95</sup>

Three cheeses with meat sauce between layers of pasta, topped with mozzarella and oven baked

# MEXICAN PLATES

Nachos.....\$9<sup>95</sup>

Corn chips with cheese and jalapenos

Tostaditos.....\$11<sup>95</sup>

Beef or Chicken, beans and cheese baked on corn chips, topped with lettuce and jalapenos

Enchiladas .....\$11<sup>95</sup>

Two soft rolled tortillas filled with a choice of cheese, beef, or chicken with Colorado sauce and melted cheese

Tacos .....\$11<sup>95</sup>

Two soft or crisp corn tortillas with chicken or beef, topped with lettuce, cheese and salsa

Baby Tostada .....\$12<sup>95</sup>

Chicken or Beef, Lettuce, Cheese and Salsa in a Flour Tortilla Bowl topped with Guacamole & Sour Cream



Soup of the Day .....Cup \$3<sup>95</sup>.....Bowl \$5<sup>95</sup>

# DESSERTS

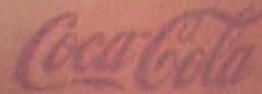
- Warm Chocolate Fudge Cake ..\$8<sup>50</sup>  
with Vanilla Ice Cream
- Carrot Cake .....\$7<sup>50</sup>
- Chocolate Cake .....\$7<sup>50</sup>
- Baklava .....\$6<sup>50</sup>
- Sopapillas .....\$7<sup>00</sup>
- Sopapillas with Ice Cream.....\$11<sup>00</sup>
- Vanilla or Spumoni Ice Cream ..\$4<sup>00</sup>



# BEVERAGES

- |  |   |
|--|---|
| Coffee .....\$2 <sup>50</sup>                  | Coke (fountain).....\$2 <sup>50</sup>         |
| Hot Tea .....\$2 <sup>50</sup>                 | Diet Coke (fountain) .....\$2 <sup>50</sup>   |
| Hot Chocolate .....\$3 <sup>00</sup>           | Sprite (fountain) .....\$2 <sup>50</sup>      |
| Orange Juice .....\$3 <sup>00</sup>            | Root Beer (fountain) .....\$2 <sup>50</sup>   |
| V8 / Tomato Juice .....\$3 <sup>00</sup>       | Dr. Pepper (fountain) .....\$2 <sup>50</sup>  |
| Pineapple Juice .....\$3 <sup>00</sup>         | Iced Tea (Unsweetened) .....\$2 <sup>50</sup> |
| Cranberry Juice .....\$3 <sup>00</sup>         | Milk .....\$3 <sup>00</sup>                   |
| Grapefruit Juice .....\$3 <sup>00</sup>        | Apple Juice .....\$3 <sup>00</sup>            |
| FULL Pitcher Soft Drink .....\$7 <sup>00</sup> |   |
| 1/2 Pitcher Soft Drink .....\$5 <sup>00</sup>  |   |

**Full Bar • Cocktails • Tap Beers & Wine Available**  
Please ask your server for a wine menu!



**For Sports & Music,  
Great Food & Drinks!  
Friends & Family Meet  
at The White MOOSE!**  
7 Days a Week  
507-355-0419





# Alaska Food Code 2022 Establishment Permit


Division of Environmental Health  
Food Safety & Sanitation Program

Permit Number: 7406  
Issued to: **G & P INC.**  
For: **White Moose**  
For Operation of: **FN-4 Tavern/Bar**  
Located at: **513 Main ST Kenai, AK 99611**

This permit, issued under the provisions of 18 AAC 31, is valid until the noted expiration date or unless suspended or revoked by the department.

This permit is not transferable for change of ownership, facility location, or type of operation. It must be posted in plain view in the establishment and is the property of the State of Alaska.

Expiration Date:  
**December 31, 2022**

Program Manager:  


**If you have questions or concerns regarding  
safe food handling practices call toll free:**

# 1-87-SAFE-FOOD

**(in Anchorage call 334-2560)**



**AMCO**  
**SEP 27 2022**



# Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Michele Turner, CMC  
Acting Borough Clerk

12/9/2022

Sent via email: [cityclerk@kenai.city](mailto:cityclerk@kenai.city)

Kenai City Hall  
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant : G & P, Inc.  
Business Name : The White Moose  
License Type : Beverage Dispensary  
License Location : 815 Frontage Road, Kenai, AK 99611, City of Kenai  
License No. : 204  
Application Type : Restaurant Designation Permit  
Transfer of Controlling Interest

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Michele Turner, CMC  
Acting Borough Clerk

MT/jr

cc: [gianainc@gmail.com](mailto:gianainc@gmail.com);

**From:** [Shellie Saner](#)  
**To:** [Donald Hendrickson](#); [Scott Bloom](#)  
**Cc:** [Paul Ostrander](#); [Meghan Thibodeau](#); [Scott Curtin](#)  
**Subject:** RE: Renewal Application Objection  
**Date:** Tuesday, December 13, 2022 11:27:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

The way forms is set up, there is no way to undo the objection. That is why I strongly encourage anyone who is considering issuing an objection to first speak with the applicant, city manager and attorney; this way we have exhausted all possible remedies prior to taking an action item to Council requesting them to issue an objection.

I will save this email as part of the process to show your removal of objection.

Shellie

---

**From:** Donald Hendrickson <[DHendrickson@kenai.city](mailto:DHendrickson@kenai.city)>  
**Sent:** Tuesday, December 13, 2022 10:47 AM  
**To:** Scott Bloom <[SBloom@kenai.city](mailto:SBloom@kenai.city)>; Shellie Saner <[SSaner@kenai.city](mailto:ssaner@kenai.city)>  
**Cc:** Paul Ostrander <[POstrander@kenai.city](mailto:POstrander@kenai.city)>; Meghan Thibodeau <[MThibodeau@kenai.city](mailto:MThibodeau@kenai.city)>; Scott Curtin <[SCurtin@kenai.city](mailto:SCurtin@kenai.city)>  
**Subject:** RE: Renewal Application Objection

Scott,

If Jeremy feels this is a non-issue than I support what he has recommended. In regards to the code violation it is a shared code between fire code and building code. Since Jeremy has spoken to the applicant to resolve the matter in a way that he is satisfied with than in may complicate things if I reiterate the findings. I do suggest that we find remedy for this finding outside the AMCO permit process.

Shellie,

If I could be informed how to withdrawal my objection recommendation to the AMCO board, I will gladly do so.

Thank you,

Don

---

**From:** Scott Bloom <[SBloom@kenai.city](mailto:SBloom@kenai.city)>  
**Sent:** Tuesday, December 13, 2022 9:57 AM  
**To:** Donald Hendrickson <[DHendrickson@kenai.city](mailto:DHendrickson@kenai.city)>; Shellie Saner <[SSaner@kenai.city](mailto:ssaner@kenai.city)>

**Cc:** Paul Ostrander <[POstrander@kenai.city](mailto:POstrander@kenai.city)>; Meghan Thibodeau <[MThibodeau@kenai.city](mailto:MThibodeau@kenai.city)>; Scott Curtin <[SCurtin@kenai.city](mailto:SCurtin@kenai.city)>

**Subject:** RE: Renewal Application Objection

Don, I spoke with Jeremy today and yesterday as well as the applicant. He has also spoken with the applicant yesterday. Jeremy does not believe this should be protested from his perspective based on the fire code (Jeremy can correct me if I am wrong). Don, do you want to continue the protest based on a building code issue? if so, these are the steps that need to be taken: 1. Contact applicant and notify them of specific violation and what must be fixed by when; 2. Inspect to verify whether conditions have been fixed or not by date provided to applicant; 3. Proceed or withdraw protest based on inaction or action by applicant.

Scott Bloom

---

**From:** Donald Hendrickson <[DHendrickson@kenai.city](mailto:DHendrickson@kenai.city)>

**Sent:** Monday, December 12, 2022 12:36 PM

**To:** Shellie Saner <[SSaner@kenai.city](mailto:ssaner@kenai.city)>

**Cc:** Paul Ostrander <[POstrander@kenai.city](mailto:POstrander@kenai.city)>; Scott Bloom <[SBloom@kenai.city](mailto:SBloom@kenai.city)>; Meghan Thibodeau <[MThibodeau@kenai.city](mailto:MThibodeau@kenai.city)>; Scott Curtin <[SCurtin@kenai.city](mailto:SCurtin@kenai.city)>

**Subject:** RE: Renewal Application Objection

Shellie,

No outreach has been made to the applicant by myself, I am under the impression that Fire Marshall Jeremy Hamilton was performing a site visit as part of his check and may have explained at that time. My recommendation to the Board is only to correct the lack of a proper fire code required address for the business in question. Since this is a renewal if they choose to grant the license with a provision to correct the address requirement per code I would not object to that requirement.

Thank you,

*Donald Hendrickson*

Building Official

**Work:** 907-283-8238

**Cell:** 907-598-5666

**Email:** [dhendrickson@kenai.city](mailto:dhendrickson@kenai.city)



---

**From:** Shellie Saner <[SSaner@kenai.city](mailto:SSaner@kenai.city)>  
**Sent:** Thursday, December 8, 2022 11:55 AM  
**To:** Donald Hendrickson <[DHendrickson@kenai.city](mailto:DHendrickson@kenai.city)>  
**Cc:** Paul Ostrander <[POstrander@kenai.city](mailto:POstrander@kenai.city)>; Scott Bloom <[SBloom@kenai.city](mailto:SBloom@kenai.city)>; Meghan Thibodeau <[MThibodeau@kenai.city](mailto:MThibodeau@kenai.city)>  
**Subject:** FW: Renewal Application Objection

Hi Don,

Has there been any outreach to the applicant to resolve the issue?

Thank you,

Shellie Saner, MMC  
Kenai City Clerk  
P: 907-283-8246 | F: 907-283-5068



---

**From:** City Clerk <[cityclerk@kenai.city](mailto:cityclerk@kenai.city)>  
**Sent:** Thursday, December 1, 2022 3:16 PM  
**To:** Shellie Saner <[SSaner@kenai.city](mailto:SSaner@kenai.city)>; Meghan Thibodeau <[MThibodeau@kenai.city](mailto:MThibodeau@kenai.city)>  
**Subject:** Renewal Application Objection

There is objection to the application for The White Moose.

Reviewer comments: The business is in violation of fire code 505.1 - Address identification. Although the businesses are of the same owner there needs to be an address for the 2nd commercial entity for emergency response location identification.



**CITY OF KENAI  
ORDINANCE NO. 3331-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING GRANTS FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND ALASKA MUNICIPAL LEAGUE JOINT INSURANCE ASSOCIATION FOR THE PURCHASE OF BALLISTIC VESTS.

WHEREAS, the Kenai Police Department participates in a Ballistic Vest Partnership (BVP) grant program through the Department of Justice, which covers 50% of the cost of ballistic vests purchased for officers; and,

WHEREAS, the City’s current insurance company, Alaska Municipal League Joint Insurance (AMLJIA), also has a ballistic vest reimbursement program, which covers 50% of the cost of ballistic vest purchased for officers; and,

WHEREAS, four ballistic vests were recently purchased for a total of \$5,116 and the two programs together will cover 100% of the cost of those ballistic vests.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the City Manager is authorized to accept and expend United States Department of Justice and AMLJIA grant funds in the amount of \$5,116 for the purchase of ballistic vests.

**Section 2.** That the following budget revision is authorized:

General Fund:

Increase Estimated Revenues -	
Federal Grants – Police	\$2,258.00
Miscellaneous Grants	<u>2,258.00</u>
	<u>\$5,116.00</u>
Increase Expenditures –	
Police – Small Tools	<u>\$5,116.00</u>

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 18<sup>TH</sup> DAY OF JANUARY, 2023.




---

Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: January 4, 2023  
Enacted: January 18, 2023  
Effective: January 18, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** December 19, 2022

**SUBJECT:** **Ordinance No. 3331-2023 Accepting Grant Funds for Ballistic Vests**

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The Police Department participates in the United States Department of Justice' Ballistic Vest Partnership (BVP), which provides grant funds for half the cost of officer ballistic vests. The City's insurance carrier, AMLJIA, also has a grant program by which they cover half the cost of ballistic vests purchased by officers.

The Police Department recently purchased four ballistic vests for officers, at a total cost of \$5,116 and anticipates that cost to be covered 100% by the two programs.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds for the purpose they were intended.



Sponsored by: Council Member Douthit

**CITY OF KENAI  
ORDINANCE NO. 3332-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE SECTION 3.10.070-LIVESTOCK WITHIN THE CITY LIMITS, TO ALLOW A MAXIMUM OF TWELVE (12) CHICKEN HENS TO BE KEPT ON CERTAIN LOTS LESS THAN 40,000 SQUARE FEET WITHIN THE CITY OF KENAI.

WHEREAS, the keeping of chicken hens within the City of Kenai on lots less than forty thousand (40,000) square feet and in the Urban Residential (RU), Suburban Residential 1 (RS1) Suburban Residential 2 (RS2), and Townsite Historic (TSH) zoning districts is currently prohibited; and,

WHEREAS, residents have expressed an interest in keeping chicken hens on lots less than forty thousand (40,000) square feet for personal use; and,

WHEREAS, outside the RU, RS1, RS2, and TSH zoning districts, a relatively small number of chicken hens may be kept within populated areas of the City without causing an unreasonable risk of nuisance or wild animal attractant if the hens are properly located, contained, managed and maintained; and,

WHEREAS, twelve (12) chicken hens or less is a reasonable number to provide a household with eggs without having too high a density of chickens, which could increase the likelihood of causing a nuisance or wild animal attractant.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** Amendment of Section 3.10.070 of Kenai Municipal Code: That Kenai Municipal Code, Section 3.10.070, Livestock within the city limits, is hereby amended as follows:

**3.10.070 Livestock within the city limits.**

(a) Except as otherwise provided in this section, no person shall keep or maintain livestock within the City of Kenai.

(b) No livestock shall be allowed in the RU, RS1, RS2 or TSH zones.

([B]c) Except in the RU, RS1, RS2, or TSH zones, [L]livestock, other than bees, may be kept on lots of forty thousand (40,000) square feet or greater. [NO LIVESTOCK SHALL BE ALLOWED IN THE RU, RS1, RS2 OR TSH ZONES. ANIMALS RAISED FOR A FUR-BEARING PURPOSE ARE NOT ALLOWED IN ANY ZONE. BEEKEEPING WILL BE RESTRICTED AS DESCRIBED IN SUBSECTION (G).]

(1) The keeping of chicken hens on lots less than forty thousand (40,000) square feet will be subject to the standards in subsection (k).

(2) Animals raised for a fur-bearing purpose are prohibited within the city limits.

(3) Beekeeping will be restricted as described in subsection (l).

([C]d) In this section "livestock" is defined as the following animals:

(1) Cow

- (2) Horse
- (3) American bison
- (4) Llama
- (5) Alpaca
- (6) Sheep
- (7) Swine
- (8) Goat
- (9) Mule
- (10) Donkey
- (11) Ratite
- (12) Duck
- (13) Goose
- (14) Chicken
- (15) Turkey
- (16) Rabbit
- (17) Honey bees (*Apis mellifera*)

- ([D]e) (1) Except for the RS1, RS2, RU, TSH zone(s), the Chief Animal Control Officer may issue temporary permits of not more than fourteen (14) days for the keeping of livestock not otherwise allowed for public exhibitions or entertainment events. The Chief Animal Control Officer may impose conditions on the permits as reasonably necessary for sanitation, safety, or hygiene. The permit may be revoked for a violation of the conditions of the permit or pertinent section of the Kenai Municipal Code. The City may charge a permit fee, which fee shall be as set forth in the City's schedule of fees adopted by the City Council.
- (2) Except in the RU zone, the Chief Animal Control Officer may, after notifying adjoining property owners in writing and allowing reasonable time for comment, issue a permit for the keeping of livestock for educational or youth activities, such as 4-H, Future Farmers of America, or Boy/Girl Scouts on lots not otherwise eligible under this section. The permit shall state the duration of the permit, which shall not exceed two (2) years, and the type and number of livestock to be kept. The Chief Animal Control Officer may impose conditions on the permits as reasonably necessary for sanitation, safety, or hygiene. The permit may be revoked for a violation of the conditions of the permit or Title 3 of the Kenai Municipal Code. Appeal of issuance or revocation of a permit may be made in writing to the board of adjustment. A permit may be renewed following written notice and reasonable time for comment to the adjoining property owners. The City may charge a permit fee, which fee shall be as set forth in the City's schedule of fees adopted by the City Council.
- ([E]f) Lots on which livestock are kept on the effective date of the ordinance codified in this section which are not eligible for the keeping of livestock under this section shall be considered a non-conforming use of land under KMC 14.20.050. No new or replacement livestock may be kept or introduced on such lots after the effective date of the ordinance codified in this section. Offspring of livestock allowed as a non-conforming use under this section may be kept on such lots only until they are old enough to be relocated to a site conforming to this section or outside of the city limits.

- ([F]g) Except as set forth in subsections ([G]h) and (i), below, corrals, pens, hutches, coops, fences or other animal containment structures must have a minimum setback of twenty-five feet (25') from the property's side yards, fifty feet (50') from the front yard, and ten feet (10') from the back yard. All animal containment structures must be secure and in good repair.
- (h) The keeping of chicken hens on lots less than forty thousand (40,000) square feet is allowed, except in the RU, RS1, RSL, and TSH zoning districts, subject to the following standards:
- (1) A maximum of twelve (12) chicken hens may be kept on lots with a permitted principal structure.
  - (2) Chicken hens must be kept in an enclosed shelter or fully fenced-in at all times.
  - (3) Chicken coops, hutches or other fully enclosed shelters may not be located in a front yard or side yard that abuts a street in a residential zoning district and must have a minimum setback of fifteen feet (15') from the side yards, ten feet (10') from the rear yard, and twenty-five feet (25') from residential dwellings on neighboring lots.
  - (4) Fences, corral, pen, or other similar containment structures must have a minimum setback of fifteen feet (15') from the side yards, twenty-five feet (25') from the front yard, ten feet (10') from the rear yard, and twenty-five feet (25') from residential dwellings on neighboring lots.
  - (5) All shelters or containment structures must be constructed of durable weather resistant materials, secured, and kept in good repair.
  - (6) No person may slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties.
  - (7) Chicken hens may not be kept in such a manner as to constitute a public nuisance as defined by Kenai Municipal Code.
  - (8) The keeping of chicken hens must be consistent with terms of this title and does not in or of itself constitute a nuisance or a disturbance.
- ([G]i) No person may keep honey bees, *Apis mellifera*, in a manner that is inconsistent with the following requirements or that is inconsistent with any other section of this code.
- (1) Colonies shall be managed in such a manner that the flight path of bees to and from the hive will not bring the bees into contact with people on adjacent property. To that end, colonies shall be situated at least twenty-five feet (25') from any lot line not in common ownership; or oriented with entrances facing away from adjacent property; or placed at least eight feet (8') above ground level; or placed behind a fence at least six feet (6') in height and extending at least ten feet (10') beyond each hive in both directions.
  - (2) No person shall keep more than four (4) hives on a lot of ten thousand (10,000) square feet or smaller, nor shall any person keep more than one (1) additional hive for each additional two thousand four hundred (2,400) square feet over ten thousand (10,000) on lots larger than ten thousand (10,000) square feet.
  - (3) It shall be a violation for any beekeeper to keep a colony or colonies in such a manner or in such a disposition as to cause any unhealthy condition to humans or animals.
  - (4) Beekeepers shall take appropriate care according to best management practices when transporting hives of bees. Bees being transported shall have entrance screens or be secured under netting.
  - (5) The term "hive" as used in this section means the single structure intended for the housing of a single bee colony. The term "colony" as used in this section means a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.



[(H) A PERSON SEEKING RELIEF FROM THE PROVISIONS OF THIS SECTION MAY APPLY FOR A CONDITIONAL USE PERMIT UNDER KMC 14.20.150.]

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 18<sup>TH</sup> DAY OF JANUARY, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Introduced: January 4, 2023  
Enacted: January 18, 2023  
Effective: February 17, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Council Member Alex Douthit

**DATE:** December 29, 2022

**SUBJECT:** **Ordinance No. 3332-2023 Amending KMC Section 3.10.070-Livestock Within the City Limits**

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This Ordinance addresses proposed changes to KMC Section 3.10.070 that will allow a relatively small number of chicken hens to be kept on certain lots within the city limits. Under the current ordinance, the keeping of chicken hens on lots less than 40,000 square feet is prohibited. Residents have expressed an interest in keeping chicken hens on lots less than 40,000 square feet to provide a supply of fresh eggs. The raising of chicken hens for their eggs helps to promote food security in our community.

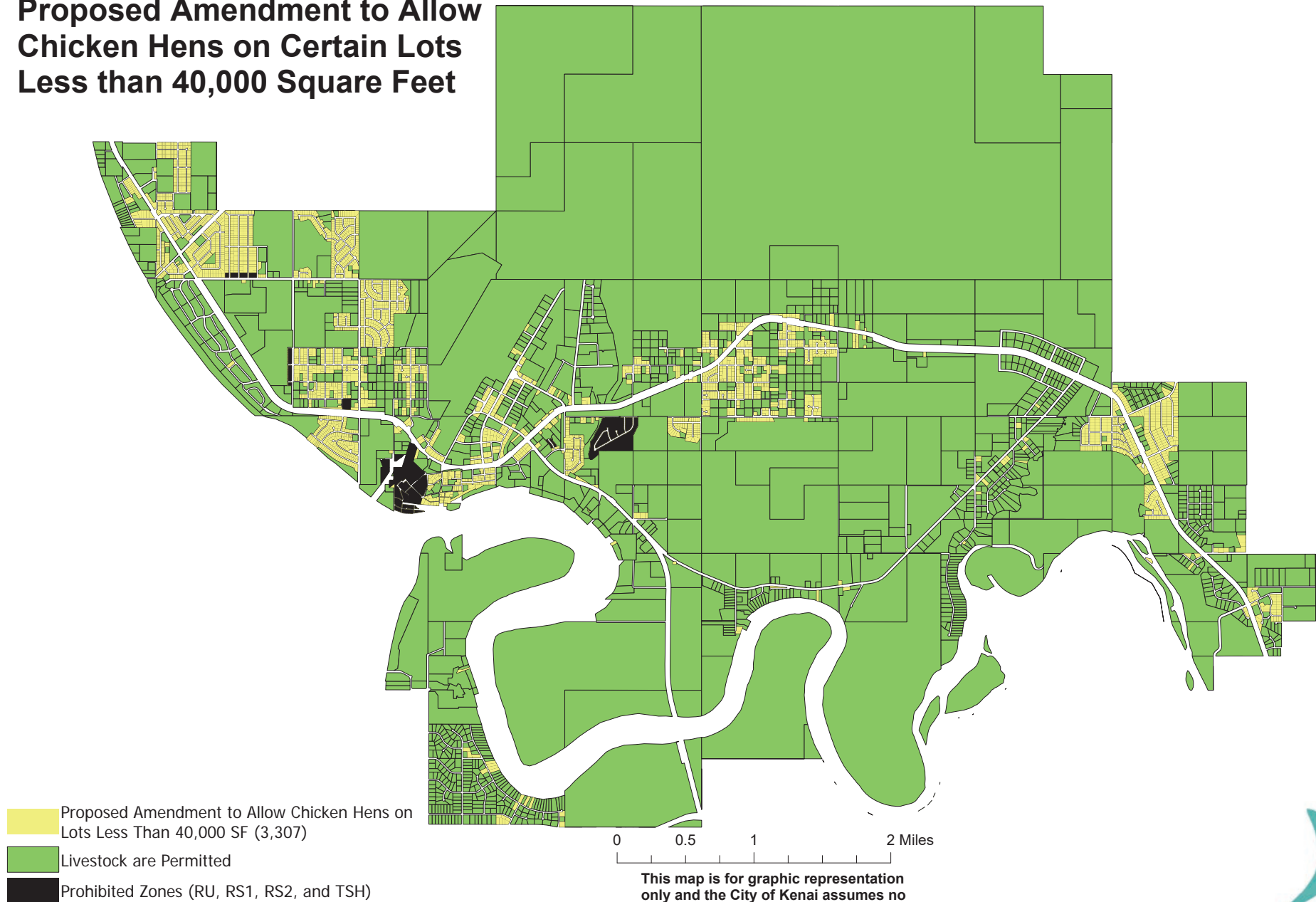
The proposed changes will allow a maximum of 12 chicken hens to be kept on lots less than 40,000 square feet except for the following zones: RU, RS1, RS2, and TSH, these four zones uniquely prohibit the keeping of any livestock regardless of lot size. Attached is a map of where chicken hens will be permitted under the proposed amendment. The proposed changes also includes specific conditions under which the keeping of chicken hens will be permitted.

Your consideration is appreciated.

# City of Kenai

## KMC 3.10.070-Livestock within city limits

Proposed Amendment to Allow  
Chicken Hens on Certain Lots  
Less than 40,000 Square Feet



This map is for graphic representation only and the City of Kenai assumes no responsibility for errors on this map.





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Meghan Thibodeau, Deputy City Clerk  
**DATE:** December 28, 2022  
**SUBJECT:** Council on Aging Appointment

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The December 8, 2022 resignation of Chuck Thornton left a vacancy on the Council on Aging.

On December 21, Ken Ayers submitted an application expressing interest in serving on the Council on Aging. The term expires December 31, 2024. Mayor Gabriel has requested this applicant be added to the meeting agenda for nomination and consideration by Council for confirmation.

Kenai Municipal Code (KMC) requires Council confirmation of nominations presented by the Mayor (KMC 1.90.010). Your consideration is appreciated.

**From:** [Kenneth Ayers](#)  
**To:** [City Clerk](#)  
**Subject:** Form submission from: Commission/Committee Application (Webform)  
**Date:** Wednesday, December 21, 2022 3:07:03 PM

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**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Submitted on Wednesday, December 21, 2022 - 3:06pm

Submitted by anonymous user: 24.237.253.13

Submitted values are:

Date Wed, 12/21/2022

Name Kenneth Ayers

Resident of City of Kenai? Yes

If resident, how long?

Residence Address 1509 Aliak Drive, Kenai, AK 99611

Mailing Address 1509 Aliak Drive, Kenai, AK 99611

Home Telephone 907-740-3922

Home Fax

Business Telephone

Business Fax

Email address kilofox59@hotmail.com

May we include your contact information on our website? Yes

If not all, what may we include?

Employer Retired

Job Title N/A

Name of Spouse Kristi

Current Membership Organization Kenai Senior Center

Past organizational memberships

Committees or commissions in which you are interested Council on Aging

Why do you want to be involved with this commission or committee?

I would like to expand my help to the City of Kenai with expanded support to Seniors in our community.

What background, experience, or credentials do you possess to bring the board, commission, or committee membership?

I have experience as a volunteer with the Kenai Senior Center and in assisting local seniors. I am also a retired civil service manager and retired military officer.

The results of this submission may be viewed at:

<https://www.kenai.city/node/2601/submission/10802>



**KENAI PLANNING & ZONING COMMISSION –  
REGULAR MEETING  
DECEMBER 14, 2022 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on December 14, 2022, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Commissioners present: J. Twait, G. Woodard, J. Halstead, G. Greenberg, J. Glendening, J. Coston

Commissioners absent: D. Fikes

Staff/Council Liaison present: Planning Director L. Mitchell, Vice Mayor J. Baisden, Deputy Clerk M. Thibodeau

A quorum was present.

**3. Agenda Approval**

Chair Twait noted the following revisions to the agenda and packet:

**ACTION**

**ITEM**

Add to item F.1

**Resolution PZ2022-26**

- Amendment Memo
- Public Comment

Add to item J.3

**City Administration Report**

- Updated November Code Enforcement Report

**MOTION:**

Commissioner Halstead **MOVED** to approve the agenda with requested revisions. Commissioner Woodard **SECONDED** the motion. There being no objection; **SO ORDERED.**

**4. Election of Chair and Vice Chair**

**MOTION:**

Commissioner Greenberg **MOVED** to appoint Jeff Twait as Planning & Zoning Commission Chair for 2023. Commissioner Halstead **SECONDED** the motion. There being no objection; **SO ORDERED.**

**MOTION:**

Commissioner Woodard **MOVED** to appoint Joe Halstead as Planning & Zoning Commission Vice Chair for the remainder of 2022 and 2023. Commissioner Glendening **SECONDED** the motion. There being no objection; **SO ORDERED**.

## 5. Consent Agenda

### MOTION:

Vice Chair Halstead **MOVED** to approve the consent agenda. Commissioner Woodard **SECONDED** the motion. There being no objection; **SO ORDERED**.

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a commission 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.

6. \*Excused Absences – D. Fikes

## B. APPROVAL OF MINUTES

1. \*Regular Meeting of October 12, 2022

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS – None.

D. UNSCHEDULED PUBLIC COMMENTS – None.

E. CONSIDERATION OF PLATS – None.

## F. PUBLIC HEARINGS

1. **Resolution PZ2022-26** – A request by Jeff Bettis for a Conditional Use Permit for a towing storage yard on the property described as Lot 4, Block 5, Cook Inlet Industrial Air Park, located at 310 Airport Way in the Central Mixed Use (CMU) Zone.

### MOTION:

Vice Chair Halstead **MOVED** to adopt Resolution PZ2022-26. Commissioner Glendening **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant wishes to obtain a conditional use permit (CUP) for a towing storage yard. Clarification was provided that the lot is currently vacant and had previously been used as a towing storage yard, and that the applicant would also be obtaining a Special Use Permit in order to operate the business on City-owned property. The criteria for conditional use permits was reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. No open storage shall be located closer than twenty-five feet (25') to the adjoining right-of-way of any collector street or main thoroughfare. Any open storage in front or side yard visible from a collector street shall be enclosed with an eight-foot (8') high commercial grade fence.
4. No auto repair/service or dismantling shall occur on-site.

5. The applicant shall maintain the tow yard in an orderly manner at all times and clear of debris and junk.
6. The on-street curb parking shall not be used for vehicle storage, queuing of cars for storage, tow truck parking, or customer parking.
7. At least one sign shall be located at the main entrance to the site and contain the name of business and phone number. All signs shall conform to the City's sign regulations for the designated zone.

Applicant Jeff Bettis discussed the high demand for towing services in the area.

In response to questions from the Commission, Bettis discussed and provided clarification on how the perimeter fence blocks the view of vehicles from the road, potential safety hazards, the restriction on allowable space for electric vehicles as proposed in the recommended condition, organization of vehicles, and relocation of vehicles.

Chair Twait opened for public hearing. There being no one wishing to be heard, the public hearing was closed.

Vice Chair Halstead disclosed that he had prior interactions with Mr. Bettis, but that he had no financial stake in this matter and could remain impartial. Chair Twait ruled there was no conflict.

There was discussion of the space restrictions for electric vehicles as proposed in the recommended condition presented in the laydown, and whether that could be in issue in the future if electric vehicles become more common.

**MOTION TO AMEND:**

Commissioner Woodard **MOVED** to amend Resolution PZ2022-26 by adding condition 8: Electrical vehicles (EVs) shall be stored at least 50 feet from property lines. Commissioner Coston **SECONDED** the motion. There being no objection; **SO ORDERED**.

**VOTE ON AMENDMENT:**

YEA: Twait, Halstead, Woodard, Greenberg, Coston, Glendening

NAY: None.

**MOTION PASSED UNANIMOUSLY.**

It was noted that this would be an appropriate use for the lot as there is demand for towing service and the lot had been used for this before.

**VOTE ON MAIN MOTION AS AMENDED:**

YEA: Woodard, Greenberg, Coston, Glendening, Twait, Halstead

NAY: None.

**MOTION PASSED UNANIMOUSLY.**

Chair Twait noted the fifteen-day appeal period.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS** – None.

I. **PENDING ITEMS** – None.

J. **REPORTS**



1. City Council – Vice Mayor Baisden introduced himself to the Commission and reported on the Council's progress hiring a new City Manager, noting that the contract will be finalized soon.
2. Kenai Peninsula Borough Planning – None.
3. City Administration – Planning Director Mitchell reported on the following:
  - Code Enforcement Report as provided in the packet and laydown will be provided to the Commission regularly.
  - Encouraged commissioners to review the Comprehensive Plan, as there will be a work session in the new year to prepare for the annual review.
  - Advised the commissioners to consider P&Z Department goals for the upcoming budget.
  - Notices were sent to Conditional Use Permit owners to submit their annual report, with a deadline of December 31<sup>st</sup>. CUPs which are not in compliance will be reported to the Commission.
  - Public hearing notification postcard has been updated to include map.

**K. ADDITIONAL PUBLIC COMMENTS** – None.

**L. INFORMATION ITEMS** – None.

**M. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting Date: December 28, 2022

**N. COMMISSION COMMENTS & QUESTIONS**

Commissioner Glendening noted it is a pleasure to be on the Commission, and that a review of the Comprehensive Plan is needed.

Commissioner Coston noted that he is still learning the rules of order, and that he comes from a regulatory background and can be a resource for other commissioners.

Commissioner Woodard wished everyone a Merry Christmas.

Vice Chair Halstead noted that it is good to see new faces and is looking forward to continuing to work with the Commission.

Commissioner Greenberg thanked Commissioner Woodard for cookies and wished everyone Happy Holidays, and noted he is looking forward to reviewing the Comprehensive Plan.

**O. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 7:52 p.m.

Minutes prepared and submitted by:



\_\_\_\_\_  
Meghan Thibodeau  
Deputy City Clerk