

**KENAI CITY COUNCIL - REGULAR MEETING**  
**JUNE 05, 2019 - 6:00 PM**  
**KENAI CITY COUNCIL CHAMBERS**  
**210 FIDALGO AVE., KENAI, AK 99611**  
<http://www.kenai.city>

**A. CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**AGENDA APPROVAL**

**CONSENT AGENDA** *(Public comment 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 comment limited to ten (10) minutes per speaker)*

B.1. LTJG Scott Peters – U.S. Coast Guard involvement in the Kenai River Dip Net Fishery.

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

**D. PUBLIC HEARINGS**

D.1. Ordinance No. 3066-2019 – Accepting and Appropriating a Grant from the Federal Aviation Administration for the 2019 Airfield Marking, Crack Sealing, and Minor Pavement Repair Project and Awarding a Construction Contract to Complete the Work. (Administration)

- Substitute Ordinance No. 3066-2019 – Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds, Accepting and Appropriating a Grant from the Federal Aviation Administration, and Awarding a Construction Contract for Completion of the 2019 Airfield Marking, Crack Sealing, and Minor Pavement Repair Project. (Administration)

[Ordinance No. 3066-2019.pdf](#)

[Substitute Ordinance No. 3066-2019.pdf](#)

D.2. Ordinance No. 3067-2019 – Accepting and Appropriating \$26,605.40 in Asset Forfeiture Sharing Funds and Appropriating Those Funds Into the Police Small Tools Account for the Purpose of Purchasing Law Enforcement Equipment. (Administration)

[Ordinance No. 3067-2019.pdf](#)

D.3. Ordinance No. 3068-2019 – Amending Kenai Municipal Code 14.20.320- Definitions and 14.20.330- Standards for Commercial Marijuana Establishments to Prohibit Onsite Consumption of Marijuana at Retail Marijuana Stores Requiring an Onsite Consumption

Endorsement. (Council Members Pettey and Glendening)

[Ordinance No. 3068-2019.pdf](#)

- D.4. Resolution No. 2019-34 – Amending its Comprehensive Schedule of Rates, Charges, and Fees to Incorporate Changes included in the FY2020 Budget to include Adjusting the Kenai Municipal Airport Apron Rental Rates, Airport Reserve Land Annual Lease Rates, Animal Control Fees, Adjusting the Monthly Rental Rates at Vintage Pointe, Increasing Water/Sewer Rates, and Ambulance Fees, and Implementing a New Library Fee, and Increasing Senior Center Rental Fees. (Administration)  
[Resolution No. 2019-34.pdf](#)
- D.5. Resolution No. 2019-35 – Authorizing Budget Adjustments in the Airport Fund for Costs in Excess of Budgeted Amounts. (Administration)  
[Resolution No. 2019-35.pdf](#)
- D.6. Resolution No. 2019-36 – Accepting a Donation from Kenai Senior Connections, Inc. for \$50,000 to the FY2019 Budget. (Administration)  
[Resolution No. 2019-36.pdf](#)

**E. MINUTES** - *None.*

**F. UNFINISHED BUSINESS** - *None.*

**G. NEW BUSINESS**

- G.1. \*Action/Approval – Bills to be Ratified. (Administration)  
[Payments over \\$15,000.pdf](#)
- G.2. \*Action/Approval – Purchase Orders Exceeding \$15,000. (Administration)  
[PO's over \\$15,000.pdf](#)  
[FY20 PO's over \\$15,000.pdf](#)
- G.3. \*Ordinance No. 3069-2019 – Appropriating FY2019 Budgeted Funds for Municipal Roadway Improvements in the Municipal Roadway Improvements Capital Project Fund for Future Roadway Projects. (Administration)  
[Ordinance No. 3069-2019.pdf](#)
- G.4. \*Ordinance No. 3070-2019 – Authorizing a Budget Transfer in the General Fund, Decreasing Estimated Revenues and Appropriations in the Senior Citizen Special Revenue Fund and Appropriating FY2019 Budgeted Amounts in the Senior Center Improvement Capital Project Fund for Carpet Replacement. (Administration)  
[Ordinance No. 3070-2019.pdf](#)
- G.5. Action/Approval – Second Amendment to Agreement for Janitorial Services for the City of Kenai City Hall, Airport, Community Library, and Police Department. (Administration)  
[Agreements for Janitorial Services.pdf](#)
- G.6. Action/Approval – City Sponsorship of \$1,000 to Alaska Municipal League for the 2019 Summer Legislative Conference Being Held in Soldotna. (Vice Mayor Tim Navarre)  
[Sponsor Request 2019.pdf](#)
- G.7. Action/Approval – City Donation of a Memorial Plaque Honoring Ron Malston to be Placed at Leif Hanson Memorial Park. (Vice Mayor Tim Navarre)

**H. COMMISSION/COMMITTEE REPORTS**

- H.1. Council on Aging
- H.2. Airport Commission
- H.3. Harbor Commission  
[05-13-19 Harbor Summary - DRAFT.pdf](#)
- H.4. Parks and Recreation Commission  
[05-02-19 Parks & Rec Summary - DRAFT.pdf](#)
- H.5. Planning and Zoning Commission  
[05-08-19 P&Z Minutes - DRAFT.pdf](#)  
[05-22-19 P&Z Minutes - DRAFT.pdf](#)
- H.6. Beautification Committee  
[05-14-19 Beauty Summary - DRAFT.pdf](#)
- H.7. Mini-Grant Steering Committee

**I. REPORT OF THE MAYOR**

**J. ADMINISTRATION REPORTS**

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

**K. ADDITIONAL PUBLIC COMMENT**

- K.1. Citizens Comments (Public comment limited to five (5) minutes per speaker)
- K.2. Council Comments

**L. EXECUTIVE SESSION**

- L.1. Discussion of Kenai Visitor Center Management and Potential Staffing Changes, a Matter of Which the Immediate Knowledge may have an Adverse Effect upon the Finances of the City [AS44.62.310(c)(1)] and a Subject that Tends to Prejudice the Reputation and Character of a Person or Persons Currently Employed by the City [AS44.62.310 (c)(2)]

**M. PENDING ITEMS - None.**

**INFORMATION ITEMS**

Purchase Orders between \$2,500 and \$15,000 for Council Review  
[PO's between \\$2,500 - \\$15,000.pdf](#)

Celebration of Birds Article and Events Information  
[Celebration of Birds Information.pdf](#)

**N. ADJOURNMENT**

*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.*



Suggested by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3066-2019**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE 2019 AIRFIELD MARKING, CRACK SEALING, AND MINOR PAVEMENT REPAIR PROJECT AND AWARDING A CONSTRUCTION CONTRACT TO COMPLETE THE WORK.

WHEREAS, the runway and taxiway centerlines, hold lines, surface painted position signs, and apron markings require remarking due to fading, rubber marks, and the lack of reflective beads; and,

WHEREAS, Federal Aviation Grant Assurance No. 11 requires the City to assure or certify that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the Kenai Municipal Airport; and,

WHEREAS, the Federal Aviation Administration agreed that the marking and crack sealing on the runway, taxiways and apron and the minor pavement repair in the safety area of the runway is grant eligible; and,

WHEREAS, Ordinance No. 3046-2018 SUBSTITUTE enacted December 19, 2019 appropriated \$26,000 for the design of this project which was awarded to Wince-Corthell-Bryson; and,

WHEREAS, the Administration has received confirmation these services are eligible for 93.75% Federal Aviation Administration (FAA) reimbursement, \$XXX, XXX with the remaining and 6.25% of project costs, \$XX, XXX to be provided by the City of Kenai; and,

WHEREAS, XXX bids were received and XXXXXXXX, Inc. was the lowest responsive bid; and,

WHEREAS, award of the bid to XXXXXXXX, Inc. would be in the best interest of the City; and,

WHEREAS, the recommendation from City Administration is to award the contract to XXXXXXXX, Inc. for the total cost of \$X,XXX, XXX.

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

**Section 1.** That the City Manager is authorized to accept grant funding for \$X,XXX,XXX from the Federal Aviation Administration and to execute a grant agreement and to expend grant funds to fulfill the purpose and intent of this ordinance.

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

Airport Improvement Capital Project Fund

Increase Estimated Revenues -  
Federal Grant

\$X,XXX,XXX

Increase Appropriations	
Construction	\$X, XXX, XXX
Administration	<u>XX, XXX</u>
	<u>\$XXX, XXX</u>

**Section 3.** That the City Manager is authorized to execute a construction contract to XXXXX, Inc., for \$X, XXX, XXX.

**Section 4.** That the City Manager is authorized to issue a purchase order to XXXXXX, Inc., in the amount of \$X, XXX, XXX.

**Section 5.** That the City Manager is authorized to execute an Amendment to the Professional Services Agreement with Wince-Corthell-Bryson in the amount of \$ 63,020 for construction administration services.

**Section 6.** 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 7.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 5<sup>TH</sup> day of June, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance: \_\_\_\_\_

Introduced: May 15, 2019  
Enacted: June 5, 2019  
Effective June 5, 2019



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Mary L. Bondurant, Airport Manager  
**DATE:** May 6, 2019  
**SUBJECT:** **Ordinance 3066-2019 – Airfield Marking, Crack sealing, & Minor Pavement Repair**

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The Airport received notification from the FAA to move forward with the Invitation to Bid for the above FY19 project.

This project consists of airfield painting, the crack sealing of the runway, taxiways and apron, apron seal coating, and minor pavement repair along the shoulders of the runway.

The project will be advertised the week of May 6, 2019 for 21 days.

Bid review and recommendation will be presented to Council at the June 5, 2019 meeting. This ordinance provides for acceptance of a grant from the Federal Aviation Administration and execution of a construction contract to the successful bidder with a corresponding purchase order and authorization to amend the professional services contract to Wince-Corthell-Bryson for construction management.

Thank you for your consideration.





Suggested by: Administration

**CITY OF KENAI**

**ORDINANCE NO. 3066-2019 SUBSTITUTE**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT IMPROVEMENTS CAPITAL PROJECT FUNDS, ACCEPTING AND APPROPRIATING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION, AND AWARDED A CONSTRUCTION CONTRACT FOR COMPLETION OF THE 2019 AIRFIELD MARKING, CRACK SEALING, AND MINOR PAVEMENT REPAIR PROJECT.

WHEREAS, the runway and taxiway centerlines, hold lines, surface painted position signs, and apron markings require remarking due to fading, rubber marks, and the lack of reflective beads; and,

WHEREAS, Federal Aviation Grant Assurance No. 11 requires the City to assure or certify that it has implemented an effective airport pavement maintenance-management program and assure that it will maintain the program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the Kenai Municipal Airport; and,

WHEREAS, the Federal Aviation Administration agreed that the marking and crack sealing on the runway, taxiways and apron and the minor pavement repair in the safety area of the runway is grant eligible; and,

WHEREAS, Ordinance No. 3046-2018 SUBSTITUTE enacted December 19, 2019 appropriated \$26,000 for the design of this project which was awarded to Wince-Corthell-Bryson; and,

WHEREAS, the Administration has received confirmation these services, including both design and construction are eligible for a 93.75% Federal Aviation Administration (FAA) reimbursement of \$782,943 with the remaining 6.25% of project costs of \$52,197 to be provided by the City of Kenai; and,

WHEREAS, two bids were received and Northwest Contracting, LLC. was the lowest responsive bid; and,

WHEREAS, award of the bid to Northwest Contracting, LLC. would be in the best interest of the City; and,

WHEREAS, the recommendation from City Administration is to award the contract to Northwest Contracting, LLC, for the total cost of \$713,998.50.

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

**Section 1.** That the City Manager is authorized to accept grant funding for \$782,943 from the Federal Aviation Administration and to execute a grant agreement and to expend grant funds to fulfill the purpose and intent of this ordinance.



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

Airport Special Revenue Fund:

Increase Estimated Revenues -	
Appropriation of Fund Balance	<u>\$26,197</u>

Increase Appropriations	
Transfer to Airport Improvements Capital Project Fund	<u>\$26,197</u>

Airport Improvement Capital Project Fund

Increase Estimated Revenues -	
Federal Grant	\$782,943
Transfer from Airport Special Revenue Fund	<u>26,197</u>
	<u>\$809,140</u>

Increase Appropriations	
Construction	<u>\$809,140</u>

**Section 3.** That the City Manager is authorized to execute a construction contract to Northwest Contracting, LLC, in the amount of \$713,998.50.

**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 5<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: May 15, 2019  
Enacted: June 5, 2019  
Effective June 5, 2019



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Mary L. Bondurant, Airport Manager  
**DATE:** May 29, 2019  
**SUBJECT:** **Ordinance 3066-2019 Substitute – Airfield Marking, Crack sealing, & Minor Pavement Repair**

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This memo supports Ordinance 3066-2019 – Substitute. A bid review for the Airfield Marking, Crack Sealing, and Minor Pavement Repair Project was held on Tuesday, May 28, 2019.

Two bids were received and reviewed for accuracy and completeness by City Administration and Wince-Corthell-Bryson.

	<u>Basic Bid</u>
<b>Northwest Contracting, LLC</b>	<b>\$ 713,998.50</b>
Lakloey, Inc.	\$1,601,849.50
Engineer's Estimate	\$1,183,325.75

It is our recommendation that Northwest Contracting, LLC, be awarded the bid for \$ 713,998.50.

The overall project costs entail:

City Administration	\$ 32,121.00
Design	\$ 26,000.00
Construction Admin	\$ 63,020.00
Construction	<u>\$ 713,998.50</u>
Total Project cost	\$ 835,140.50

Thank you for your consideration.





Sponsored by: Administration

## CITY OF KENAI

### ORDINANCE NO. 3067-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING \$26,605.40 IN ASSET FORFEITURE SHARING FUNDS AND APPROPRIATING THOSE FUNDS INTO THE POLICE SMALL TOOLS ACCOUNT FOR THE PURPOSE OF PURCHASING LAW ENFORCEMENT EQUIPMENT.

WHEREAS, in April of 2019 Kenai Police Department received an asset forfeiture sharing check in the amount of \$26,605.40 from the Alaska State Troopers, Alaska Bureau of Investigations – Statewide Drug Enforcement Unit; and,

WHEREAS, the Police Department, pursuant to conditions of acceptance, will utilize the forfeiture funds to purchase law enforcement equipment for use by the Police Department.

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 Equitable Sharing Funds in the amount of \$26,605.40 and to expend those funds to fulfill the purpose and intent of this ordinance.

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

General Fund:

Increase Estimated Revenues – Forfeitures	<u>\$26,605.40</u>
Increase Appropriations – Police – Small Tools	<u>\$26,605.40</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 5<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: May 15, 2019  
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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Paul Ostrander, City Manager

**FROM:** David Ross, Police Chief

**DATE:** May 2, 2019

**SUBJECT:** **Ordinance No. 3067-2019 - Ordinance Accepting and Appropriating Asset Forfeiture Sharing Funds from the State of Alaska Department of Public Safety**

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The Kenai Police Department received \$26,605.40 in asset forfeiture sharing funds from the State of Alaska Department of Public Safety. Those funds were shared with the Kenai Police Department after being forfeited to the State of Alaska through Federal court and are subject to federal "Equitable Sharing" requirements to be use for Law Enforcement. The funds were forfeited in connection with drug investigation cases, for which the regional drug task force (including the Kenai Police Department) was involved.

I am respectfully requesting consideration of the ordinance appropriating \$26,605.40 into the General Fund, Police- Small Tools account to pay for law enforcement equipment.

Your consideration is appreciated.





Sponsored by: Council Members Pettey and Glendening

## CITY OF KENAI

### ORDINANCE NO. 3068-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING KENAI MUNICIPAL CODE 14.20.320- DEFINITIONS AND 14.20.330- STANDARD FOR COMMERCIAL MARIJUANA ESTABLISHMENTS TO PROHIBIT ONSITE CONSUMPTION OF MARIJUANA AT RETAIL MARIJUANA STORES REQUIRING AN ONSITE CONSUMPTION ENDORSEMENT.

WHEREAS, on November 4, 2014, the Alaskan voters passed Ballot Measure 2, an Act to Tax and Regulate the Production, Sale and Use of Marijuana; and,

WHEREAS, on January 20, 2016 the City of Kenai enacted regulations governing commercial marijuana establishments in the City; and,

WHEREAS, on March 12, 2019 Lieutenant Governor Kevin Meyer signed into law new regulations from the Marijuana Control Board allowing retail marijuana stores to allow onsite consumption of marijuana under certain conditions through a state issued onsite consumption endorsement to a retail marijuana store; and,

WHEREAS, 3 AAC 306.200 provides that a City Council by ordinance may prohibit onsite consumption endorsements to a retail marijuana store within its jurisdiction; and,

WHEREAS, after consideration by the Planning and Zoning Commission, the City Council failed to enact Ordinance 3061-2019, which would have allowed onsite consumption through the City's conditional use permit process; and,

WHEREAS, it is in the best interest for public safety and welfare for the City to prohibit onsite consumption of marijuana requiring an onsite consumption endorsement at retail marijuana stores; and,

WHEREAS, at it's regular meeting of May 22, 2019 the Planning and Zoning Commission recommended the City Council \_\_\_\_\_ this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

**Section 1.** Amendment of Section 14.20.320 of the Kenai Municipal Code: That Kenai Municipal Code, Section 14.20.320 - Definitions, is hereby amended as follows:

#### **14.20.320 Definitions.**

(a) *General Interpretation.*

- (1) Words used in the present tense include the future tense.
- (2) The singular number includes the plural.
- (3) The word “person” includes a corporation as well as an individual.
- (4) The word “lot” includes the word “plot” or “parcel.”
- (5) The term “shall” is always mandatory.
- (6) The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended,” “arranged” or “designed to be used or occupied.”

(b) Specific Definitions.

**“Accessory Building”** means a detached building or structure, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot as the main building or use, except as allowed by a conditional use permit. An accessory building shall be considered to be a part of the main building when joined to the main building by a common wall or when any accessory building and the main building are connected by a breezeway.

**“Accessory Use”** means a use customarily incidental and subordinate to the principal use of the land, building, or structure and located on the same lot or parcel of land.

**“Administrative Official”** means the person charged with the administration and enforcement of this chapter.

**“Agricultural Building”** means a building or structure used to shelter farm implements, hay, grain, poultry, livestock, or other farm produce, in which there is no human habitation and which is not used by the public.

**“Agriculture”** means the science, art, and business of cultivating soil, producing crops, and raising livestock; farming.

**“Airport”** means a location where aircraft such as fixed-wing aircraft, helicopters, and blimps take off and land. Aircraft may be stored or maintained at an airport. An airport consists of at least one (1) surface such as a paved or gravel runway, a helicopter touchdown and lift off (TLOF) area, helipad, or water runway for aircraft takeoffs and landings, and often includes buildings such as control towers, hangars and terminal buildings.

**“Airport Compatible Uses”** means uses which include, but are not limited to: Hangars, Fixed Base Operators, Aircraft Repair and Manufacturing, Aircraft Sales, and other uses

approved by the Ordinance of the City of Kenai, and the Federal Aviation Administration's regulations, and compatible with the current Airport Master Plan, the Airport Layout Plan and the Comprehensive Plan.

**"Alley"** means a public way designed and intended to provide only a secondary means of access to any property abutting thereon.

**"Alteration"** means any change, addition, or modification in construction, location, or use classification.

**"Animal Boarding"** means any building or structure and associated premises in which animals are fed, housed, and/or exercised for commercial gain.

**"Apartment House,"** see "Dwelling, multiple-family."

**"Area, Building"** means the total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of steps.

**"Assemblage"** means a large gathering of people for an event such as a concert, fair, or circus.

**"Assisted Living"** means a living arrangement in which people with special needs, especially seniors with disabilities, reside in a facility that provides help with everyday tasks such as bathing, dressing, and taking medication.

**"Automobile Sales"** means the use of any building or structure and associated premises for the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and including any warranty repair work and other repair service conducted as an accessory use.

**"Automobile Service Station"** means the use of any building or structure and associated premises or other space used primarily for the retail sale and dispensing of motor fuels, tires, batteries, and other small accessories; the installation and servicing of such lubricants, tires, batteries, and other small accessories; and such other services which do not customarily or usually require the services of a qualified automotive mechanic.

**"Automobile Wrecking"** means the dismantling of used motor vehicles or trailers or the storage or sale of parts from dismantled or partially dismantled, obsolete, or wrecked vehicles.



**“Automotive Repair”** means the use of any building or structure and associated premises on which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.

**“Bank”** means any establishment or building or structure used for a financial institution that provides financial services for its clients or members. The term “bank” includes savings and loan.

**“Bed and Breakfast”** means a residential, owner-occupied dwelling in which rooms are rented to paying guests on an overnight basis with no more than one (1) meal served daily.

**“Boarding House”** means a dwelling where the principal use is a dwelling by the owner or keeper and where the owner or keeper provides lodging for three (3) or more persons who are not members of the owner’s or keeper’s family and the lodgers pay compensation to use one (1) or more rooms. The common parts of the building or structure are maintained by the owner or keeper who may also provide lodgers with some services, such as meals, laundry, and cleaning. Boarding houses are not motels or hotels and are not open to transient guests.

**“Building”** means any structure built for the support, shelter, or enclosure of persons, animals, or property of any kind.

**“Building Code”** means the building code and/or other building regulations applicable in the City.

**“Building, Existing”** means a building erected prior to the adoption of the ordinance codified in this chapter or one for which a legal building permit has been issued.

**“Building Height”** means the vertical distance from the “grade,” as defined herein, to the highest point of the roof.

**“Building, Principal or Main”** means a building or structure in which is conducted the principal or main use on the lot which said building is situated.

**“Business/Consumer Services”** means the provision of services to others on a fee or contract basis, such as advertising and mailing; building maintenance; employment service; management and consulting services; protective services; equipment rental and leasing; commercial research; development and testing; photo finishing; and personal supply services.

**“Cabin Rentals”** means the renting out of one (1) or more individual, detached dwelling units or buildings to provide overnight sleeping accommodations for a period of less than thirty (30) consecutive days.

“**Cemetery**” means any property used to inter the dead in buried graves or in columbarium, stacked vaults, or similar structures.

“**Centerline**” means the line which is in the center of a public right-of-way.

“**Church**” means a building or structure in which persons regularly assemble for worship, ceremonies, rituals, and education pertaining to a particular system of beliefs. The term “church” includes a synagogue or temple.

“**City**” means the City of Kenai, Alaska.

“**Clinic**” (or outpatient clinic or ambulatory care clinic) means a health care facility that is primarily devoted to the care of outpatients. Clinics can be privately operated or publicly managed and funded, and typically cover the primary health care needs of populations in local communities, in contrast to larger hospitals which offer specialized treatments and admit inpatients for overnight stays.

“**Collector Street**” means a street located and designed for the primary purpose of carrying through traffic and of connecting major areas of the City. Unless otherwise designated by the Commission, collector street shall be defined on the plan for streets and community facilities in the comprehensive development plan.

“**College**” means an educational institution providing postsecondary (after high school) education.

“**Commercial Kennel**” has the same meaning given in KMC [3.05.010](#).

“**Commercial Marijuana Establishment**” means any Retail Marijuana Store excluding onsite consumption endorsements, Marijuana Cultivation Facility, Marijuana Product Manufacturing Facility, and Marijuana Testing Facility.

“**Commercial Recreation**” means a recreation facility operated as a business and open to the public for a fee.

“**Commission**” means the Kenai Planning and Zoning Commission.

“**Communication Antenna**” has the same meaning given in KMC [14.20.255](#).

“**Communication Tower**” has the same meaning given in KMC [14.20.255](#).

“**Conditional Use**” means a use which is permitted under the terms of this chapter provided that under the specified procedures, the Commission finds that certain conditions, specified in this chapter are fulfilled. Conditional uses are listed in the Land Use Table.

**“Condominium”** means a common interest ownership dwelling in which:

- (1) Portions of the real estate are designated for separate ownership;
- (2) The remainder of the real estate is designated for common ownership solely by the owners of those portions;
- (3) The undivided interests in the common elements are vested in the unit owners. In the Land Use Table (KMC [14.22.010](#)), “condominiums” shall be treated as two (2) or more family dwellings. For example, a four (4) unit condominium building would be treated as a four (4) family dwelling.

**“Coverage”** means that percentage of the total lot area covered by the building area.

**“Crematory/Funeral Home”** means building or structure used for preparation of the deceased for display and/or interment and may also be used for ceremonies connected with interment. Preparation may include cremation, which is the process of reducing dead bodies to basic chemical compounds in the form of gases and bone fragments. This is accomplished through burning—high temperatures, vaporization, and oxidation.

**“Day Care Center”** means an establishment where child care is regularly provided for children for periods of less than twenty-four (24) hours, including the building housing the facility and adjoining areas, and where tuition, fees, or other compensation for the care of the children is charged.

**“Dormitory”** means a building, whether public or private, associated with a school, college or university and designed, used, and arranged for private sleeping, studying, and living accommodation for students.

**“Dwelling”** means a building or any portion thereof designed or used exclusively for residential occupancy including one-family, two-family and multiple-family dwellings, but not including any other building wherein human beings may be housed.

**“Dwelling, One-Family”** means any detached building containing only one (1) dwelling unit.

**“Dwelling, Two-Family”** means any building containing only two (2) dwelling units.

**“Dwelling, Multiple-Family”** means any building containing three (3) or more dwelling units.

**“Dwelling Unit”** means one (1) or more rooms and a single kitchen in a dwelling designed as a unit for occupancy by not more than one (1) family for living or sleeping purposes.

**“Elementary School”** means any school usually consisting of grades pre-kindergarten through grade 6 or any combination of grades within this range.

**“Essential Service”** means the erection, construction, alteration, or maintenance by public utility companies or municipal departments or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith. This definition shall not be interpreted to include public buildings.

**“Family”** means any number of individuals living together as a single housekeeping unit in a dwelling unit.

**“Farming”** means a tract of land cultivated for the purpose of commercial agricultural production.

**“Fence, Height”** means the vertical distance between the ground directly under the fence and the highest point of the fence.

**“Floor Area”** means the total of each floor of a building within the surrounding outer walls but excluding vent shafts and courts.

**“Fraternal Organization”** means a group of people formally organized for a common object, purpose, or interest (usually cultural, religious or entertainment) that conducts regular meetings and has written membership requirements.

**“Frontage”** means all the property fronting on one (1) side of a street between intersection streets.

**“Garage, Private”** means an accessory building or any portion of a main building used in connection with residential purposes for the storage of passenger motor vehicles.

**“Garage, Public”** means any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, adjusting, or equipping of automobiles or other vehicles.

**“Gas Manufacturer/Storage”** means the surface use of lands used in the production, the mechanical transformation, or the chemical transformation of hydrocarbon gas and includes uses for gas conditioning/compressor stations. “Storage” means surface uses necessary for storage of produced or non-native natural gas.

**“Governmental Building”** means a building or structure owned and operated by any department, commission, or agency of the United States or of a state or municipality and used to conduct official business of government.

**“Grade (Ground Level)”** means the average level of the finished ground at the center of all walls to a building. In case walls are parallel to and within five (5) feet of a public sidewalk, the ground level shall be measured at the sidewalk.

**“Greenhouse”** means a building or structure, usually a glassed or clear plastic enclosure, used for the cultivation and protection of plants.

**“Guest Room”** means any room in a hotel, dormitory, boarding, or lodging house used and maintained to provide sleeping accommodations for one (1) or more persons.

**“Guide Service”** means any activity on any premises used for collecting or returning persons from recreational trips when remuneration is provided for the service.

**“Gunsmith”** means a person who repairs, modifies, designs, or builds firearms.

**“High School”** means a secondary school usually consisting of grades 9 through 12 or any appropriate combination of grades within this range.

**“Home Occupation”** means an accessory use carried out for remuneration by a resident in the resident’s dwelling unit.

**“Hospital”** means an institution that provides medical, surgical, or psychiatric care and treatment for the sick or the injured.

**“Hotel”** means a building or group of buildings containing more than five (5) guest rooms used for the purpose of offering public lodging on a day-to-day basis with or without meals.

**“Junkyard”** means any space one hundred (100) square feet or more of any lot or parcel of land used for the storage, keeping, or abandonment of junk or waste material, including scrap metals or other scrap materials, or for the dismantling, demolition, or abandonment of automobiles, other vehicles, machinery, or any parts thereof.

**“Library”** means a collection of sources, resources, and services, and the structure in which it is housed; it is organized for use and maintained by a public body, an institution, or a private individual.

**“Licensed Premises For Commercial Marijuana Establishment”** means any and all designated portions of a building or structure, or rooms or enclosures in the building or structure, at the specific address for which a Commercial Marijuana Establishment license is

issued, and used, controlled, or operated by the Commercial Marijuana Establishment to carry out the business for which it licensed.

**“Loading Space”** means an off-street space or berth on the same lot with a building or structure to be used for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

**“Lodge”** means a building or group of buildings containing five (5) or fewer guest rooms used for the purpose of offering public lodging on a day-to-day basis with or without meals.

**“Lot”** means a parcel of land occupied or to be occupied by a principal use and having frontage on a public street.

**“Lot, Corner”** means a lot situated at the junction of, and bordering on, two (2) intersecting streets, two (2) platted rights-of-way, two (2) government easements, or any combination thereof.

**“Lot Coverage”** means that portion of the lot covered by buildings or structures that require a building permit.

**“Lot Depth”** means the horizontal distance separating the front and rear lot lines of a lot and at right angles to its width.

**“Lot Line, Front-Corner Lot”** means the shortest street line of a corner lot.

**“Lot Line, Front-Interior Lot”** means a line separating the lot from the street.

**“Lot Line, Rear”** means a line that is opposite and most distant from the front lot line, and in the case of irregular, triangular, or gore shaped lot, a line not less than ten feet (10') in length, within a lot, parallel to and at the maximum distance from the front lot line.

**“Lot Line, Side”** means any lot boundary line not a front lot line or a rear lot line.

**“Lot Width”** means the mean horizontal distance separating the side lot lines of a lot and at right angles to its depth.

**“Manufactured Housing”** means a dwelling unit that meets Department of Housing and Urban Development Standards for manufactured housing and is wider than sixteen feet (16'), has a roof pitch of 4:12 or greater with roofing and siding common to standard residential construction and is transported to the site and placed on a permanent foundation.

**“Manufacturing/Fabricating/Assembly”** means the mechanical or chemical transformation of materials or substances into new products including assembling of components parts, the

manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.

**“Marijuana”** means all parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. The term does not include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

**“Marijuana Concentrate”** means resin, oil, wax, or any other substance derived from the marijuana plant by any method which isolates the Tetrahydrocannabinol (THC)-bearing resins of the plant.

**“Marijuana Cultivation Facility”** means any entity with a state license registered to cultivate, prepare, and package marijuana and to sell marijuana to Marijuana Retail Facilities, Marijuana Products Manufacturing Facilities, Marijuana Testing Facilities, but not to consumers.

**“Marijuana Cultivation Facility, Standard”** means an entity registered to cultivate in an area greater than 500 square feet under cultivation, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

**“Marijuana Cultivation Facility, Limited”** means an entity registered to cultivate in an area of 500 square feet or less of cultivation, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

**“Marijuana Products”** means concentrated marijuana and marijuana products that are comprised of Marijuana and other ingredients and are intended for use or consumption, such as, but not limited to edible products, ointments, and tinctures.

**“Marijuana Product Manufacturing Facility”** means a state licensed fully enclosed secure indoor facility registered to purchase marijuana, manufacture, prepare and package marijuana products, and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

**“Marijuana Testing Facility”** means a state licensed commercial marijuana testing facility that is registered to analyze and certify the safety and potency of Marijuana and Marijuana Products.

**“Mini-Storage Facility”** means a completely enclosed structure containing three (3) or more areas or rooms available for lease or rent for the purpose of the general storage of household goods, vehicles or personal property; where the lessee of the unit is provided direct access to deposit or store items and where vehicles do not fill the majority of the allowed storage space.

**“Mobile Home”** means a structure, which is built on a permanent chassis in accordance with Department of Housing and Urban Development Standards and designed to be used as a dwelling unit, with or without a permanent foundation when connected to the required utilities. A mobile home is subject to all regulations applying thereto, whether or not wheels, axles, hitch or other appurtenances of mobility are removed and regardless of the nature of the foundation provided.

**“Mobile Home Park”** means a site with required improvements and utilities for the long-term parking of mobile homes which may include services and facilities for the residents.

**“Modular Home”** means a dwelling constructed in modules or sections at a place other than the building site, built to conform to Title [4](#) of the Kenai Municipal Code, is transported to the site and then assembled and placed on a permanent foundation.

**“Motel”** means a group of one (1) or more detached or semi-detached buildings containing two (2) or more individual dwelling units and/or guest rooms designed for, or used temporarily by, automobile tourists or transients, with a garage attached or parking space conveniently located to each unit, including groups designated as auto courts, motor lodges, or tourist courts.

**“Museum”** means a building or structure that houses and cares for a collection of artifacts and other objects of scientific, artistic, or historical importance and makes them available for public viewing through exhibits that may be permanent or temporary.

**“Necessary Aviation Facilities”** means any air navigation facility, airport visual approach aid, airfield lighting and signage, meteorological device or any type of device approved by the Federal Aviation Administration (FAA), the location and height of which is fixed by its functional purpose.



**“Nonconforming Lot”** means a lot lawfully existing at the time this chapter became effective, which by reason of area or dimensions, does not meet the development requirements for the zone in which it is located.

**“Nonconforming Structure”** means a structure or portion thereof, lawfully existing at the time this chapter became effective, which by reason of its yards, coverage, height, or other aspects of design, does not meet the development requirements of this zone.

**“Nonconforming Use”** means a use of a structure of land, or of a structure and land in combination, lawfully existing at the time this chapter became effective, or established on the premises of a previous nonconforming use as specified in this chapter, which is not in conformity with the uses permitted in the zone in which it exists.

**“Nursing, Convalescent or Rest Home”** means a building or structure used as a residence for people who require constant nursing care and/or have significant deficiencies with activities of daily living.

**“Office”** means a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government.

**“Onsite Consumption Endorsement”** means the state regulated consumption of certain marijuana products at or adjacent to a retail marijuana store by patrons of the commercial marijuana establishment.

**“Park”** means a tract of land, designated by a public entity for the enjoyment of the public and generally used for active and passive recreational activities.

**“Parking, Public Lots”** means a parking area available to the public, whether or not a fee for use is charged.

**“Parking Space, Private”** means any automobile parking space, excluding garages, not less than nine feet (9') wide and one hundred eighty (180) square feet in total area.

**“Parking Space, Public”** means an area of not less than one hundred eighty (180) square feet exclusive of drives or aisles giving access thereto in area accessible from streets and alleys for the storage of passenger motor vehicles operated by individual drivers.

**“Person”** means a natural person, his or her heirs, executors, administrators, or assigns, and also including firm, partnership, or corporation, or their successors and/or assigns or the agent of any of the aforesaid.

**“Personal Services”** mean establishments engaged in providing services involving the care of a person or his or her apparel.

**“Planned Unit Residential Development”** means an alternative method of development of a residential neighborhood under more flexible conditions than otherwise required in a specific zoning district.

**“Principal Use”** means the major or predominant use of a lot or parcel of land.

**“Profession”** means an occupation or calling requiring the practice of a learned art through specialized knowledge based on a degree issued by an institution of high learning, e.g., Doctor of Medicine.

**“Property Owner”** means the owner shown on the latest tax assessment roll.

**“Public”** means a place to which the public or a substantial group or persons has access and includes highway, rivers, lakes, transportation facilities, schools, places of amusement or business, parks, playgrounds, prisons, hallways, lobbies and other parts of apartments houses and hotels not constituting rooms or apartments designed for actual residence.

**“Recreation”** means leisure activities sometimes requiring equipment and taking place at prescribed places, sites, parks, or fields. It can include active recreation, such as structured individual or team activities requiring the use of special facilities, courses, fields or equipment or passive recreation, such as activities that do not require prepared facilities such as wildlife and bird viewing, observing and photographing nature, picnicking, and walking.

**“Recreational Vehicle”** means a vehicular-type unit, primarily designed as temporary living quarters for recreational camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. Recreational vehicles include, but are not limited to, travel trailers, camping trailers, truck campers, and motor homes.

**“Recreational Vehicle Park”** means an area established by a conditional use permit for the parking of two (2) or more recreational vehicles on a temporary basis.

**“Recreation or Youth Center”** means a building, structure, athletic playing field, or playground, run or created by a local government or the state to provide athletic, recreational, or leisure activities for minors, or operated by a public or private organization, licensed to provide shelter, training, or guidance for persons under 21 years of age.

**“Restaurant”** means an establishment where food and drink is prepared, served, and consumed primarily within the principal building.

**“Retail Business”** means establishments engaged in selling goods or merchandise to the general public for business or personal/household consumption and rendering services incidental to the sale of such goods.

**“Retail Marijuana Store”** means a state licensed entity registered to purchase marijuana from a marijuana cultivation facility, to purchase marijuana and marijuana products from a marijuana manufacturing facility, and sell marijuana and marijuana products to consumers.

**“Secondary Use”** means a use allowed on a lot or parcel of land only if there is also an allowed principal use on the property.

**“Sign”** means any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names, or trademarks by which anything is made known, such as are used to designate an individual, firm, association, corporation, profession, business, or a commodity or product, which are visible from any public street or highway and used to attract attention.

**“Square Feet Under Cultivation”** means an area of the licensed premises of a standard or limited cultivation facility that is used for growing marijuana, measured on the perimeter of the floor or growing space for marijuana “Square Feet Under Cultivation” does not include hallways, equipment storage areas, or other areas within the licensed premises that are not used for growing marijuana such as an office, or a processing or storage area.

**“State Highway”** means a right-of-way classified by the State of Alaska as a primary or secondary highway.

**“Storage Yard”** means a lot used primarily for the storage of operational vehicles, construction equipment, construction materials or other tangible materials and equipment.

**“Street”** means a public right-of-way used as a thoroughfare and which is designed and intended to provide the primary means of access to property abutting thereon.

**“Structure”** means that which is built or constructed, an edifice or a building of any kind, composed of parts joined together in some definite manner.

**“Subsurface Extraction of Natural Resources”** means removing valuable minerals or other geological materials from the earth, from an ore body, vein or (coal) seam. Materials recovered could include gas, oil, base metals, precious metals, iron, uranium, coal, diamonds, limestone, oil shale, rock salt and potash.

**“Surface Extraction of Natural Resources”** means removal of material, usually soil, gravel, or sand for use at another location.

“**Taxidermy**” means the act of mounting or reproducing dead animals, fish, and/or birds for display.

“**Theater**” means a building or structure, or part thereof, devoted to the indoor exhibition of motion pictures and/or of live dramatic, speaking, musical, or other presentations.

“**Townhouse**” means single-family dwelling units constructed in a series or group of two (2) or more units separated from an adjoining unit by an approved party wall or walls, extending from the basement of either floor to the roof along the linking lot line.

“**Tree Nursery**” means a place where trees/plants are propagated and grown to usable size.

“**Use**” means the purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

“**Variance**” means the relaxation of the development requirements of this chapter to provide relief when the literal enforcement would deprive a property owner of the reasonable use of his or her real property.

“**Warehouse**” means a building or structure used for the storage of goods, wares and merchandise that will be processed, sold or otherwise disposed of off of the premises.

“**Wholesale Business**” means business conducted primarily for the purpose of selling wares or merchandise in wholesale lots to retail merchants for resale.

“**Yard**” means an open, unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this chapter, on the same lot on which a building is situated.

“**Yard, Front**” means a yard extending across the full width of the lot between the front lot line of the lot and the nearest exterior wall of the building which is the nearest to the front lot line.

“**Yard, Rear**” means a yard extending across the full width of the lot between the most rear main building and the rear lot line.

“**Yard, Side**” means a yard on each side of a main building and extending from the front lot line to the rear lot line. The width of the required side yard shall be measured horizontally from the nearest point of a side lot line to the nearest part of the main building.

“**Zoning Change**” means the alteration or moving of a zone boundary; the reclassification of a lot, or parcel of land, from one zone to another; and the change of any of the regulations contained in this chapter.

“**Zoning Ordinance or Ordinances**” mean the zoning ordinance of the City of Kenai and Kenai Municipal Code Chapter [14](#).

**Section 2.** Amendment of Section 14.20.330 of the Kenai Municipal Code: That Kenai Municipal Code, Section 14.20.330 – Standards for Commercial Marijuana Establishments, is hereby amended as follows:

**14.20.330 Standards for [C]Commercial [M]Marijuana [E]Establishments.**

The purpose of this section is to establish general standards for commercial marijuana establishments.

(a) Commercial marijuana establishments may be permitted or allowed with a conditional use permit under KMC [14.20.150](#), as provided in the City of Kenai’s land use table, KMC [14.22.010](#), and the provisions of this section. Onsite Consumption Endorsements may not be approved by conditional use permit or otherwise and are not permitted within the City.

(b) Applicants applying for a conditional use permit must include an area map drawn to scale indicating all land uses on other properties within a five hundred (500) foot proximity of the lot upon which the applicant is seeking a conditional use permit. This shall be in addition to the conditional use permit submission requirements in KMC [14.20.150](#).

(c) A public hearing shall be scheduled before the Planning and Zoning Commission to review the conditional use permit application once it has been deemed complete. The public hearing shall be scheduled in accordance with the requirements in KMC [14.20.280](#), except that notification shall be mailed to all real property owners on record on the Borough Assessor’s records within a five hundred (500) foot periphery of the parcel affected by the proposed action.

(d) The preparation, packaging, manufacturing, processing, and storing of all marijuana, marijuana concentrate or marijuana products must be conducted within a fully enclosed, secure indoor facility. The growing and cultivating of marijuana must be conducted within a fully enclosed, secure indoor facility or greenhouse with view-obscuring rigid walls, a roof and doors, unless a nonrigid greenhouse, or other structure, is specifically approved, in which case the cultivation must be enclosed by a sight-obscuring wall or fence at least six (6) feet high.

(e) All commercial marijuana establishments shall not emit an odor that is detectable by the public from outside the commercial marijuana establishment.

(f) No portion of a parcel upon which any commercial marijuana establishment is located shall be permitted within the following buffer distances:

- (1) One thousand (1,000) feet of any primary and secondary schools (K-12) and five hundred (500) feet of any vocational programs, post-secondary schools, including but not limited to trade, technical, or vocational schools, colleges and universities, recreation or youth

centers, correctional facilities, churches, and state licensed substance abuse treatment facilities providing substance abuse treatment; and

(2) Buffer distances shall be measured as the closest distance from the perimeter of a stand-alone commercial marijuana establishment structure to the outer boundaries of the school, recreation or youth center, or the main public entrance of a church, correctional facility, or a substance abuse treatment facility providing substance abuse treatment. If the commercial marijuana establishment occupies only a portion of a structure, buffer distances are measured as the closest distance from the perimeter of the closest interior wall segregating the commercial marijuana establishment from other uses, or available uses in the structure, or an exterior wall if closer, to the outer boundaries of the school, recreation or youth center, or the main public entrance of a church or correctional facility, or a substance abuse treatment facility providing substance abuse treatment.

(g) As provided in the Land Use Table, a person or licensee may apply for a conditional use permit to allow for a marijuana cultivation facility, standard, on lots of forty thousand (40,000) square feet or greater in size, and a marijuana cultivation facility, limited, on any size lot.

(h) A marijuana cultivation facility, standard, or a marijuana cultivation facility, limited, shall only be allowed on a lot which has an existing structure consistent with a principal permitted use.

(i) A marijuana cultivation facility located in an accessory building shall be subject to the setback provisions in KMC [14.24.020](#), Development Requirements Table. A person or licensee seeking relief from the provisions in the Development Requirements Table may apply for a variance subject to the provisions of KMC [14.20.180](#).

**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 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this \* day of \*, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Introduced: \*, 2019  
Enacted: \*, 2019  
Effective: \*, 2019



*"Village with a Past, City with a Future"*

210 Fidalgo Ave, Kenai, Alaska 99611-7794  
Telephone: (907) 283-7535 | Fax: (907) 283-3014  
www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Council Members Glenese Pettey and Jim Glendingen  
**DATE:** March 12, 2019  
**SUBJECT:** **Ordinance No. 3068 – 2019**

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This Ordinance would prohibit onsite consumption of marijuana and marijuana products at retail stores requiring an onsite consumption endorsement. We feel this ordinance is necessary to protect public safety and welfare. Because this Ordinance requires a change to the City's zoning code, requires a recommendation from the Planning and Zoning Commission. We request it be pulled from the consent agenda and be referred to the Planning and Zoning Commission for consideration at their May 22, 2019 meeting, and be brought back to Council for a public hearing at the first meeting in June.

Your consideration is appreciated.







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www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Scott Bloom, City Attorney  
**DATE:** May 30, 2019  
**SUBJECT:** **Ordinance No. 3068 – 2019**

---

On May 22, 2019 the Planning and Zoning Commission held a public hearing and recommended that the City Council enact Ordinance 3068-2019. A copy of the Planning and Zoning Commission's Resolution is attached.

It is recommended that the following amendment be moved:

Amend the last Whereas Clause to read:

WHEREAS, at its regular meeting of May 22, 2019 the Planning and Zoning Commission recommended the City Council **Enact** this Ordinance.

Your consideration is appreciated.





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2019 – 16**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THE COUNCIL OF THE CITY OF KENAI ENACT ORDINANCE 3068-2019 AMENDING KENAI MUNICIPAL CODE 14.20.320 – DEFINITIONS AND 14.20.330 - STANDARDS FOR COMMERCIAL MARIJUANA ESTABLISHMENTS, TO PROHIBIT ONSITE CONSUMPTION OF MARIJUANA AT RETAIL MARIJUANA STORES REQUIRING AN ONSITE CONSUMPTION ENDORSEMENT.

WHEREAS, Kenai Municipal Code 14.05.010 states the City of Kenai Planning and Zoning Commission will act in an advisory capacity to the Kenai City Council regarding the Kenai Zoning Code; and,

WHEREAS, at their meeting on May 1, 2019, after reviewing recommendations and input from the Kenai Planning and Zoning Commission as part of their decision process, the Kenai City Council failed to enact Ordinance 3061-2019, which would have allowed onsite consumption through the City's conditional use process; and,

WHEREAS, 3 AAC 306.200 provides that a City Council by ordinance may prohibit onsite consumption endorsements to a retail marijuana store within its jurisdiction and the Kenai City Council referred Ordinance 3068-2019 prohibiting marijuana consumption at retail marijuana stores to the Kenai Planning and Zoning Commission for a recommendation at their meeting on May 15, 2019; and,

WHEREAS, public health, safety, and welfare would be protected by prohibiting onsite marijuana consumption at retail marijuana stores; and,

WHEREAS, quality of life, a stated goal in the 2016 Imagine Kenai 2030 Comprehensive Plan, is supported by prohibiting onsite marijuana consumption at retail marijuana stores; and,

WHEREAS, the City may reexamine onsite consumption at marijuana retail stores if additional evidence and information would support this use at a future date.

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA:

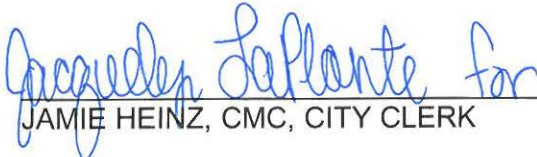
**Section 1.** That the Kenai City Council enact Ordinance 3068-2019.

**Section 2.** That a copy of Resolution PZ2019-16 be forwarded to the Kenai City Council.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
this 22nd day of May, 2019.

  
\_\_\_\_\_  
JEFF TWAIT, CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
JAMIE HEINZ, CMC, CITY CLERK



May 30, 2019

Daniel & Teresa Sterchi  
36525 Kalifornsky Beach Road  
Kenai, Alaska 99611  
Phone 907-283-3878  
sterchiconstruction@hotmail.com

Mayor Brian Gabriel & Kenai City Council  
210 Fidalgo Ave  
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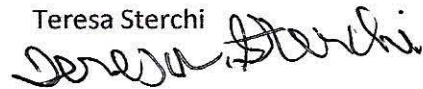
SUBJECT: Ordinance No. 3068-2019

This letter is in support of Ordinance No. 3068-2019.  
We have property on Evergreen; which is family friendly.  
Please keep our residential neighborhood quiet & peaceful; for the families living there now.  
Thank you for this ordinance.

Sincerely:  
Daniel Sterchi



Teresa Sterchi





Sponsored by: Administration

## CITY OF KENAI

### RESOLUTION NO. 2019-34

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING ITS COMPREHENSIVE SCHEDULE OF RATES, CHARGES, AND FEES TO INCORPORATE CHANGES INCLUDED IN THE FY2020 BUDGET TO INCLUDE ADJUSTING THE KENAI MUNICIPAL AIRPORT APRON RENTAL RATES, AIRPORT RESERVE LAND ANNUAL LEASE RATES, ANIMAL CONTROL FEES, ADJUSTING THE MONTHLY RENTAL RATES AT VINTAGE POINTE, INCREASING WATER/SEWER RATES, AND AMBULANCE FEES, AND IMPLEMENTING A NEW LIBRARY FEE, AND INCREASING SENIOR CENTER RENTAL FEES.

WHEREAS, the Administration has determined the rental rates for non-signatory apron space on the Kenai Airport are significantly undervalued taking into account land values, construction cost of improvements, and maintenance costs; and,

WHEREAS, undervalued rental rates for apron space is a significant deterrent to development of airport lease lots; and,

WHEREAS, the proposed increase is part of the administration's six year plan to increase non-signatory airline apron rental rates to market value with FY20 being the fifth year of this plan; and,

WHEREAS, the proposed increase to Airport Reserve Land Annual Lease Rates is commensurate with the 2018 annual change in Consumer Price Index for Anchorage; and,

WHEREAS, the yearly animal control shelter's rabies clinic has seen an increase in attendance to include a significant number of animals from outside the City; and,

WHEREAS, a \$5.00 fee per animal vaccinated at the clinic would cover the cost of the vaccination, rabies tag and syringes needed to give each vaccination; and,

WHEREAS, below market monthly rental rates at Vintage Pointe, the City's senior housing facility, are budgeted to increase in FY2020 in an effort to bring the rental rates closer to market rate rents as determined by the 2015 market rent study by Derry and Associates; and,

WHEREAS, units with market rate rents will increase by the Anchorage Consumer Price Index, second half over second half for 2018 and units with rents below market rates will increase to market rate or a maximum of \$35.00 over FY2019 rates; and,

WHEREAS, charging market rates will assist in providing adequate funds for ongoing and long-term maintenance of the facility; and,

WHEREAS, a new rental rate study will be commissioned in FY2020 to ensure rental rates are in line with market rates for similar facilities; and,

WHEREAS, in 2011 the City commissioned a Water and Sewer Rate Study to study the City's water & sewer rate structure and to determine and recommend any changes to that structure to ensure the utility can continue to operate and provide the necessary funding to maintain its infrastructure; and,

WHEREAS, the Water and Sewer Rate Study recommended annual increases in water and sewer rates to provide funding for infrastructure maintenance and expansion and to ensure the financial stability of the fund; and,

WHEREAS, the FY2020 increase to water and sewer rates is proposed to be 4.00%, the 2018 change in Anchorage's Consumer Price Index second half over second half; and,

WHEREAS, Ambulance Fees are proposed to increase to rates commensurate with the Medicare/Medicaid and the average rate of other agencies in Alaska; and,

WHEREAS, implementing a new rate for emergency responses where patients are treated on-scene and either do not require or refuse transport for additional care will help cover fire department costs for these services; and,

WHEREAS, a new fee is proposed at the Library as there is an increasing number of holds place by cardholders that travel to us from other libraries, incurring postage and packaging costs; and,

WHEREAS, a large number of these items are not being picked up by the requestor; and,

WHEREAS, the proposed fee of \$1.00 for items requested and not picked up will help recoup the cost of the postage of these items sent over by other libraries; and,

WHEREAS, the Senior Center relies on facility rental fees as a source of revenue and with the increased amount of community rental options it is imperative it stay competitive and accurately reflect what the facility has to offer through the rental rates; and,

WHEREAS, the proposed increase in rates is \$170 for rental of the kitchen and the dining room, while also giving viable options for one, two, or three-day rentals; and,

WHEREAS, the increase in the security deposit for facility rentals gives more leverage to insure any damage will be fully covered.

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

**Section 1.** The Airport Fees section of the City's Comprehensive Schedule of Rates, Charges and Fees be amended as follows:

**AIRPORT FEES**

21.05.085      **Fuel Flowage Fee per gallon**      \$0.02

**APX - Aircraft Parking Fees**  
**Airport**  
**Regulations**

6.05.070 (c)	-transient, under 4,000 lbs. 0 - 4 hrs.	FREE
6.05.070 (c)	-transient, under 4,000 lbs. over 4 hrs.	\$5.00
6.05.070 (c)	-transient, 4,001 - 12,500 lbs. per day	\$50.00
6.05.070 (c)	-transient, 12,501 - 100,000 lbs. per day	\$100.00
6.05.070 (c)	-transient, 100,001 lbs. per day	\$250.00
<b>Landing Fees</b>		
14.05.010 (a)(2)	Signatory per thousand pounds	\$1.70
14.05.010 (b)(2)	Non-signatory per thousand pounds	\$2.21
	exempt -- float planes, test landings due to mechanical or weather, government aircraft	
<b>Tie-down Fees, General Aviation</b>		
<b>Paved Areas</b>		
	-wheels, per month	\$40.00
	-wheels, w/electric per month	\$60.00
<b>Gravel Area</b>		
	-wheels/skis, per month	\$40.00
<b>Float Plane Basin, Private</b>		
	-daily	\$5.00
	-monthly	\$40.00
	-season -- May to October	\$250.00
<b>Float Plane Basin, Commercial</b>		
	-daily	\$10.00
	-monthly	\$50.00
	-season -- May to October	\$300.00
	-monthly w/electric	\$75.00
<b>Terminal Building Rent -- Exclusive Space</b>		
	-signatory - per square foot per year	\$33.85
	-signatory -- arrival hallway, departure hallway, passenger hold room & baggage claim area (per square foot per year)	\$33.85
<b>Terminal Building Rent -- Joint Use Space</b>		
	-signatory -- baggage make up area (per square foot per year)	\$20.51
	-signatory -- baggage break down area (per square foot per year)	\$20.51
	-non-signatory terminal rates 30% higher	
<b>Vehicle Parking Fees at Terminal</b>		
	-short term 0 - 2 hours	FREE

-24 hours		\$7.00
-annual permit		\$700.00
-annual parking permit w/electric		\$1,000.00
<b>Vehicle Parking Fees</b>		
<b>Greater Than 1/4 Mile From Terminal Building (at GA Lot)</b>		
-calendar day		\$3.00
-annual permit		\$420.00
<b>Business Activity &amp; Airport Access Permit</b>		
-mechanic access (per each)		\$50.00
-fueling access (annual)		\$100.00
-dispensing fee (per gallon)		\$0.02
-water extraction access (annual)		\$100.00
-non-tenant use of basin parking apron		\$75.00
-float plane parking apron (annual)		\$25.00
-Deposit/replacement proximity card fee (each)		\$100.00
-Catering/mobile food service		\$50.00
<b>Commercial Turn Fees</b>		
-turn fee (narrow body - (1 aisle)		\$200.00
-turn fee (regional 50 - 99 seats)		\$150.00
-turn fee (commuter - fewer than 50 seats)		\$100.00
<b>Helicopter Landing Fees</b>		
-Per Landing		\$25.00
<b>Other Fees</b>		
-Taxi cab (per vehicle per pickup)		\$1.00
-Terminal building key replacement (per key)		\$10.00
-Non-signatory airline airport apron rental rate per square foot	[\$.087]	<u>\$1.04</u>
-Signatory, airline, terminal apron parking and GSE storage space rent per square foot		\$0.52

21.10.090  
(a)

<b>Airport Reserve Land Annual Lease Rates</b>			
<b>Legal Description of Property</b>	<b>KPB Parcel ID No.</b>		<b>FY20 Annual Rent</b>
Lot 2, Block 2, FBO Subdivision NW 1/4 NW 1/4 Sec, 33 lying W of Marathon Rd. excluding Baron Park 2007 Replat	04336004 04501056	[\$6,244.32]	<u>\$6,437.92</u> Subject to Appraisal
Lot 8, Block 2, Cook Inlet Industrial Air Park	04322008	[\$14,906.80]	<u>\$15,368.88</u>



Lot 3, Block 5, Cook Inlet Industrial Air Park	04322020	[\$5,664.56]	<u>\$5,840.16</u>
Lot 4, Block 5, Cook Inlet Industrial Air Park	04322021	[\$5,707.21]	<u>\$5,884.16</u>
Tract A, General Aviation Apron No.3	04324025		Subject to Appraisal
Lot 9A, Block 5, General Aviation Apron No. 6	04324026	[\$13,250.88]	<u>\$13,661.88</u>
Lot 1, Block 2, FBO Subdivision	04336003	[\$6,500.16]	<u>\$6,701.68</u>
Lot 6, Block 1, FBO Subdivision	04336016	[\$6,360.24]	<u>\$6,557.44</u>
Lot 5, Block 1, FBO Subdivision	04336017	[\$6,360.24]	<u>\$6,557.44</u>
Lot 1, FBO Subdivision No. 7	04336034	[\$12,168.80]	<u>\$15,546.00</u>
Lot 3, FBO Subdivision No. 7	04336036	[\$17,239.12]	<u>\$17,773.52</u>
Lot 5, FBO Subdivision No. 9	04336043		Subject to Appraisal
Tract A1, Baron Park 2007 Replat	04501031	[\$34,780.64]	<u>\$35,858.80</u>
Tract C-1, Gusty Subd. No. 8	04327034	[\$3,374.80]	<u>\$3,479.44</u>
Portion of W1/2 of Sec. 28 & SE1/4, Sec. 29, T6N, R11W	04101021		Subject to Appraisal
Portion of SW1/4, Sec. 29, T6N, R11W Excluding Airport Float Basin Replat	04101022		Subject to Appraisal
Portion of Tract A, Kenai Airport Float Plane Basin Replat	04318043		Subject to Appraisal
Portion Sec. 32, T6N, R11W Excluding Subs. & Leased Areas & Float Plane Basin	04318044		Subject to Appraisal
Tract A, FBO Subdivision	04336001		Subject to Appraisal

**Section 2.** The Animal Control Shelter section of the City's Comprehensive Schedule of Rates, Charges and Fees be amended as follows:

**ANIMAL CONTROL**

3.05.100 (a)	Kennel Facility - Non-refundable application fee	\$26.00
	Kennel Facility - Approved application fee	\$76.00
3.05.100 (a)(5)	Insertion of Microchip	\$10.20
3.05.100 (b)	Dog License - Sterilized Dog	\$10.20
	Dog License - Non-sterilized Dog	\$30.60
	Lost License Replacement	\$2.04
3.05.100 (c) (1)	First Impoundment within 12 months- Dog	\$51.00
	First Impoundment within 12 months- Cat	\$15.30
3.05.100 (c) (2)	Second Impoundment within 12 months- Dog	\$71.40
	Second Impoundment within 12 months- Cat	\$30.60

3.05.100 (c) (3)	Subsequent Impoundment within 12 months- Dog	\$102.00
	Subsequent Impoundment within 12 months- Cat	\$40.80
3.05.100 (c) (4)	Facility Use Fee - 15lbs or less - Per Day	\$20.40
	Facility Use Fee - more than 15lbs - Per Day	\$35.70
3.05.100 (c) (5)	Dangerous Animal Impoundment	\$102.00
3.25.060 (c)	Veterinary Services - Includes spaying, neutering, vaccinations, and other veterinary services.	actual cost
	Veterinary services transfer fee - per mile (Actual mileage excluding the first four miles of travel)	\$2.04
N/A	Animal Waiver Fee - Dog	\$20.40
	Animal Waiver Fee - Puppy <3 months	\$15.30
	Animal Waiver Fee - Kitten < 3 months	\$10.20
	Animal Waiver Fee - Cat	\$15.30
	Animal Waiver Fee - Bird/Rodent	\$10.20
	Animal Waiver Fee - Litter (3 or more) - Kittens	\$25.50
	Animal Waiver Fee - Litter (3 or more) - Puppies	\$35.70
N/A	Adoption Fee	\$20.40
<u>N/A</u>	<u>Rabies Vaccination Fee, per animal, during Yearly Rabies Clinic</u>	<u>\$5.10</u>

Note: All Animal Control Fees are subject to a 2% discount for payment by means other than credit card.

**Section 3.** The Vintage Pointe Rents section of the City's Comprehensive Schedule of Rates, Charges and Fees be amended as follows:

**VINTAGE POINTE RENTS**

FOR UNITS WITH RENTAL AGREEMENTS GRANDFATHERED PER THE CITY'S POLICY BEFORE JUNE 30, 2018:

2-A apartment=826 sq. ft. Ocean Side (3)	[\$1000.20]	<u>\$1,035.20</u>
Monthly Automatic ACH Payment Fee	\$0.00	<u>\$0.00</u>

Note: All Vintage Pointe Rents are subject to a 2% discount for payment by means other than credit card.

FOR UNITS WITH MARKET RATE RENTAL AGREEMENTS:

1-A apartment=586 sq. ft. Ocean Side (8)	[\$873.66]	<u>\$908.61</u>
1-A apartment=586 sq. ft. Street Side (5)	[\$823.16]	<u>\$856.09</u>
1-B apartment=637 sq. ft. Street Side (4)	[\$888.80]	<u>\$924.35</u>
1-B apartment=637 sq. ft. Ocean Side (6)	[\$838.30]	<u>\$871.83</u>
1-C apartment=682 sq. ft. Ocean Side (4)	[\$888.80]	<u>\$924.35</u>
1-C apartment=682 sq. ft. Street Side (4)	[\$838.30]	<u>\$871.83</u>

2-A apartment=826 sq. ft. Ocean Side (3)	[\$1,004.97]	<u>\$1,045.17</u>
2-A apartment=826 sq. ft. Street Side (1)	[\$949.41]	<u>\$987.39</u>
2-B apartment=876 sq. ft. Ocean Side (2)	[\$1,004.97]	<u>\$1,045.17</u>
2-B apartment=876 sq. ft. Street Side (2)	[\$949.41]	<u>\$987.39</u>
2-C apartment=789 sq. ft. Ocean Side (1)	[\$989.81]	<u>\$1,029.40</u>
2-C apartment=826 sq. ft. Ocean Side (1)	[\$1,004.97]	<u>\$1,045.17</u>
Monthly Automatic ACH Payment Fee	\$0.00	\$0.00

Note: All Vintage Pointe Rents are subject to a 2% discount for payment by means other than credit card.

**Section 4.** The Water and Sewer section of the City’s Comprehensive Schedule of Rates, Charges and Fees be amended as follows:

**WATER FEES**

**APX - Public Utility Regulations and Rates**

**Water & Sewer service deposit** - refundable after two years of timely payments \$100.00

**1. Schedule A - General Domestic Service Rates (non-metered)**

-one or two family residence, per family unit	[\$35.66]	<u>\$37.09</u>
-single or double unit apartment, per family unit	[\$35.66]	<u>\$37.09</u>
-apartment, 3 or more units on a single parcel, per family unit		
-single bill assumed by owner	[\$26.86]	<u>\$27.93</u>
-separate bill	[\$35.66]	<u>\$37.09</u>
-trailers, one or two on single lot, each	[\$35.66]	<u>\$37.09</u>
-trailer, 3 or more on single lot		
-single billing	[\$26.86]	<u>\$27.93</u>
-separate billing	[\$35.66]	<u>\$37.09</u>
-boarding houses, per available room	[\$9.49]	<u>\$9.87</u>
-demand		
-1.00 inch service	[\$36.16]	<u>\$37.61</u>
-1.25 inch service	[\$55.09]	<u>\$57.29</u>
-1.50 inch service	[\$91.23]	<u>\$94.88</u>
-2.00 inch service	[\$137.70]	<u>\$143.21</u>
-3.00 inch service	[\$206.58]	<u>\$214.84</u>
-larger than 3.00 inch service	[\$309.84]	<u>\$322.23</u>
-use charge		
-bakery	[\$104.99]	<u>\$109.19</u>
-bath house, tub or shower, each	[\$24.13]	<u>\$25.10</u>
- bottling works, per bottling machine	[\$829.67]	<u>\$862.86</u>
-bowling alleys, amusement parks, doctor	[\$99.82]	<u>\$103.81</u>

-car lot, with car wash facilities	[\$49.93]	<u>\$51.93</u>
-car wash, automatic, per facility	[\$447.52]	<u>\$465.42</u>
-car wash, self-service, per stall	[\$67.12]	<u>\$69.80</u>
-churches, lodges, clubs, banquet rooms, per seat	[\$0.38]	<u>\$0.40</u>
-cleaners and commercial laundries, per facility	[\$287.46]	<u>\$298.96</u>
-dairies, installation of water meter required		
-day care center/preschool, per child, maximum capacity	[\$1.43]	<u>\$1.49</u>
-doctor and dentist offices, per room or chair	[\$21.51]	<u>\$22.37</u>
-garage, service stations	[\$43.04]	<u>\$44.76</u>
-recreational vehicle dump facility (May - September)	[\$49.93]	<u>\$51.93</u>
-hangar, airplane repair	[\$43.04]	<u>\$44.76</u>
-with washing facilities	[\$49.91]	<u>\$51.91</u>
-hospital, per bed	[\$28.42]	<u>\$29.56</u>
-hotel, motel, resort, per room	[\$22.37]	<u>\$23.26</u>
-laundry, self service, per machine	[\$40.49]	<u>\$42.11</u>
-markets, meat	[\$55.09]	<u>\$57.29</u>
-office building single bill assumed by owner, per business	[\$48.17]	<u>\$50.10</u>
-office building, tenants are billed, per business	[\$55.09]	<u>\$57.29</u>

**2. Schedule B - Commercial service (non-metered)**

-restaurants, cafes, taverns, bars, per seat	[\$3.10]	<u>\$3.22</u>
-public office building, per restroom	[\$12.40]	<u>\$12.90</u>
-recreation facility, per restroom, sauna, shower	[\$24.13]	<u>\$25.10</u>
-rv/camper park, per space	[\$24.13]	<u>\$25.10</u>
-schools, per seating capacity	[\$1.43]	<u>\$1.49</u>
-shopping center	[\$24.99]	<u>\$25.99</u>
-shops, beauty, per station or chair	[\$24.99]	<u>\$25.99</u>
-shops, misc. (includes barber), per shop	[\$24.99]	<u>\$25.99</u>
-sleeping room, per room	[\$9.49]	<u>\$9.87</u>
-studio, photo or photo lab	[\$117.92]	<u>\$122.64</u>
-supermarket	[\$283.17]	<u>\$294.50</u>
-theater, indoor, per seat	[\$0.16]	<u>\$0.17</u>
-theater, outdoor, per seat	[\$0.16]	<u>\$0.17</u>
-taverns, lounges, bars (without kitchens), per seat	[\$2.95]	<u>\$3.07</u>
-xray or lab office	[\$70.59]	<u>\$73.41</u>

**3. Schedule C - Industrial Service (non-metered)**

-concrete mixing plant	[\$454.40]	<u>\$472.58</u>
-concrete products	[\$227.23]	<u>\$236.32</u>
-confectioner	[\$151.45]	<u>\$157.51</u>

	-greenhouse, commercial	[\$151.45]	<u>\$157.51</u>
	-ice cream plant	[\$227.23]	<u>\$236.32</u>
	-cold storage plant or locker	[\$106.73]	<u>\$111.00</u>
	-hydrant use (per day)	[\$92.40]	<u>\$96.10</u>
<b>4. Schedule D -</b>	<b>Fire Protection</b>		None
<b>5. Schedule E -</b>	<b>Metered Service</b>		
	-general usage, per thousand gallons	[\$3.44]	<u>\$3.58</u>
	-hydrant use, per thousand gallons	[\$5.18]	<u>\$5.39</u>
	-minimum monthly charge, general usage	[\$51.66]	<u>\$53.73</u>
<b>6. Schedule F -</b>	<b>Water Connection Permit Fee</b>	[\$214.20]	<u>\$222.77</u>
	<b>Hydrant Permit deposit</b>		<u>\$200.00</u>
	<b>Unauthorized shut-off or turn-on of water service</b>		<u>\$250.00</u>
	<b>Service shut-off or turn-on - during normal business hours</b>		\$50.00
	<b>Service shut-off or turn-on - outside normal business hours &amp; holidays</b>		\$150.00
	<b>New construction service turn-on and shut off for system testing</b>	\$0.00	\$0.00
	<b>New construction service turn-on for occupancy</b>	\$0.00	\$0.00
	<b>Service valve &amp; key box installation by City</b>	Actual Cost	Actual Cost
	<b>Key box location</b>	Actual Cost	Actual Cost

## SEWER FEES

### APX - Public Utility Regulations and Rates

<b>1. Schedule A -</b>	<b>General Domestic Service Rates (non-metered)</b>		
	-one or two family residence, per family unit	[\$51.42]	<u>\$53.48</u>
	-single or double unit apartment, per family unit	[\$51.42]	<u>\$53.48</u>
	-apartment, 3 or more units on a single parcel, per family unit		
	-single bill assumed by owner	[\$38.66]	<u>\$40.21</u>
	-separate bill	[\$51.42]	<u>\$53.48</u>
	-trailers, one or two on single lot, each	[\$51.42]	<u>\$53.48</u>
	-trailer, 3 or more on single lot		
	-single billing	[\$38.66]	<u>\$40.21</u>
	-separate billing	[\$51.42]	<u>\$53.48</u>
	-boarding houses, per available room	[\$13.88]	<u>\$14.44</u>
<b>2. Schedule B -</b>	<b>Commercial service (non-metered)</b>		
	-demand		
	-1.00 inch service	[\$51.90]	<u>\$53.98</u>

-1.25 inch service	[\$76.97]	<u>\$80.05</u>
-1.50 inch service	[\$130.68]	<u>\$135.91</u>
-2.00 inch service	[\$195.12]	<u>\$202.92</u>
-3.00 inch service	[\$295.38]	<u>\$307.20</u>
-larger than 3.00 inch service	[\$443.96]	<u>\$461.72</u>
-use charge		
-bakery	[\$150.36]	<u>\$156.37</u>
-bath house, tub or shower, each	[\$34.00]	<u>\$35.36</u>
- bottling works, per bottling machine	[\$1,192.22]	<u>\$1,239.91</u>
-bowling alleys, amusement parks, doctor	[\$144.12]	<u>\$149.88</u>
-car lot, with car wash facilities	[\$71.61]	<u>\$74.47</u>
-car wash, automatic, per facility	[\$640.87]	<u>\$666.50</u>
-car wash, self-service, per stall	[\$95.76]	<u>\$99.59</u>
-churches, lodges, clubs, banquet rooms, per seat	[\$0.54]	<u>\$0.56</u>
-cleaners and commercial laundries, per facility	[\$411.73]	<u>\$428.20</u>
-dairies, installation of water meter required		
-day care center/preschool, per child, maximum capacity	[\$2.07]	<u>\$2.15</u>
-doctor and dentist offices, per room or chair	[\$30.89]	<u>\$32.13</u>
-garage, service stations	[\$62.66]	<u>\$65.17</u>
-recreational vehicle dump facility May - September)	[\$71.61]	<u>\$74.47</u>
-hangar, airplane repair	[\$62.20]	<u>\$64.69</u>
-with washing facilities	[\$71.61]	<u>\$74.47</u>
-hospital, per bed	[\$41.18]	<u>\$42.83</u>
-hotel, motel, resort, per room	[\$31.77]	<u>\$33.04</u>
-laundry, self service, per machine	[\$57.75]	<u>\$60.06</u>
-markets, meat	[\$78.77]	<u>\$81.92</u>
-office building single bill assumed by owner, per business	[\$68.04]	<u>\$70.76</u>
-office building, tenants are billed, per business	[\$78.77]	<u>\$81.92</u>
-restaurants, cafes, taverns, bars, per seat	[\$4.57]	<u>\$4.75</u>
-public office building, per restroom	[\$17.90]	<u>\$18.62</u>
-recreation facility, per restroom, sauna, shower	[\$34.46]	<u>\$35.84</u>
-rv/camper park, per space	[\$34.46]	<u>\$35.84</u>
-schools, per seating capacity	[\$2.07]	<u>\$2.15</u>
-shopping center	[\$35.80]	<u>\$37.23</u>
-shops, beauty, per station or chair	[\$35.80]	<u>\$37.23</u>
-shops, misc. (includes barber), per shop	[\$35.80]	<u>\$37.23</u>
-sleeping room, per room	[\$13.88]	<u>\$14.44</u>
-studio, photo or photo lab	[\$170.07]	<u>\$176.87</u>
-supermarket	[\$406.36]	<u>\$422.61</u>
-theater, indoor, per seat	[\$0.25]	<u>\$0.26</u>
-theater, outdoor, per seat	[\$0.25]	<u>\$0.26</u>

-taverns, lounges, bars (without kitchens), per seat	[\$4.29]	<u>\$4.46</u>
-xray or lab office	[\$101.14]	<u>\$105.19</u>
<b>3. Schedule C - Industrial Service (non-metered)</b>		
-concrete mixing plant	[\$653.41]	<u>\$679.55</u>
-concrete products	[\$325.80]	<u>\$338.85</u>
-confectioner	[\$216.60]	<u>\$225.26</u>
-greenhouse, commercial	[\$216.60]	<u>\$225.26</u>
-ice cream plant	[\$325.82]	<u>\$338.85</u>
-cold storage plant or locker	[\$152.16]	<u>\$158.25</u>
<b>4. Schedule D - Fire Protection</b>	None	None
<b>5. Schedule E - Metered Service</b>		
-general usage, per thousand gallons	[\$5.10]	<u>\$5.30</u>
-hydrant use, per thousand gallons		
-minimum monthly charge, general usage	[\$76.48]	<u>\$79.54</u>
<b>6. Schedule F - Permit fee</b>	[\$205.84]	<u>\$214.07</u>

**Section 5.** The Fire Department section of the City's Comprehensive Schedule of Rates, Charges and Fees be amended as follows:

**FIRE DEPARTMENT  
AMBULANCE FEES**

BLS Non-emergency	[\$350.00]	<u>\$450.00</u>
BLS Emergency	[\$550.00]	<u>\$575.00</u>
ALS I (advanced life support)	[\$650.00]	<u>\$700.00</u>
ALS II	[\$800.00]	<u>\$875.00</u>
<u>Treatment with no transport</u>		<u>\$250.00</u>
Mileage per mile	[\$11.00]	<u>\$14.00</u>

**Section 6.** The Library section of the City's Comprehensive Schedule of Rates, Charges and Fees be amended as follows:

**LIBRARY FEES**

**APX - Library Regulations and Policies**

**1. Late Fees**

a. -books per day	\$0.10
b. -videos, DVDs, non-book material per day	\$1.00
c. -cassette players, screens, projectors per day	\$3.00

<b>2. Service Charges (The cost for replacement of books and other materials that are lost or damaged beyond repair shall be the actual cost of replacement or the following schedule will be used when actual replacement cost is unavailable.)</b>	
a. -hardcover books	\$25.00
b. -juvenile reference	\$35.00
c. -music cd's	\$25.00
d. -periodicals	\$5.00
e. -CD-ROMS	\$40.00
f. -Alaska government documents	\$45.00
g. -audio books	\$20.00
h. -videos and DVDs	\$25.00
i. -ILL books (fee or actual cost charged by lender)	\$25.00
j. -adult reference	\$45.00
k. -juvenile kits	\$20.00
l. -microfilm reels or microfiche	\$35.00
m. -paperback books	\$15.00
n. -fishing rods and reels	\$59.00
o. -MP3 players and FM transmitters	\$100.00
<b>3. Rebinding Fees</b>	
a. -actual cost of rebinding + 5.00 handling fee	
<b>4. Proctoring Tests</b>	\$20.00
<b>5. Replacement Costs</b>	
a. -barcode	\$1.00
b. -lost library card	\$1.00
c. -lost hang up bags, audio/visual or cassette containers	\$3.00
<b>6. Damages</b>	
a. -defaced or torn pages per page	\$2.00
<b>7. Photocopying and Printing</b>	
a. Photocopying (per page)	\$0.25
b. Printing from public computers (per page)	\$0.25
<b>8. Equipment check out (per day)</b>	\$3.00
a. - security deposit (credit card only)	\$50.00
<b>9. Postage Fee</b>	
a. <u>-shipping cost on items ordered and not picked up</u>	<u>\$1.00</u>

**Section 7.** The Senior Center section of the City's Comprehensive Schedule of Rates, Charges and Fees be amended as follows:

**SENIOR CENTER**

**SENIOR CENTER MEALS**

12 years and younger	\$7.00
Adult non-senior (13 years and older but less than 60 years)	\$14.35
60 years and older - Suggested Donation	\$7.00



**SENIOR CENTER RENTAL**

[MAIN DINING ROOM RENTAL		\$420.00
KITCHEN RENTAL		\$210.00]
<u>Main Dining Room and Kitchen Rental</u>		
<u>One Day Rental</u>		<u>\$800.00</u>
<u>Friday (1/2 day) and Saturday</u>		<u>\$1,200.00</u>
<u>Saturday and Sunday</u>		<u>\$1,500.00</u>
<u>Friday (1/2 day), Saturday and Sunday</u>		<u>\$2,100.00</u>
Dishes (per place setting)	[\$1.30]	<u>\$1.50</u>
<u>Tulle &amp; Flower Ceiling Swag (setup and teardown included)</u>		<u>\$250.00</u>
[EACH ADDITIONAL SERVICE CALL		\$52.50
MAIN DINING ROOM SECURITY DEPOSIT		\$525.00]
[KITCHEN] Security <u>and Damage Deposit</u>	[\$105.00]	<u>\$1,000.00</u>

**Section 8.** That this resolution takes effect July 1, 2019.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 5<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Jeff Tucker, Fire Chief  
**DATE:** February 13, 2019  
**SUBJECT:** **Resolution No. 2019-34 – Ambulance Rate Adjustment**

---

In preparation for the FY20 budget the department took a serious look at all sources of expenditures and revenues generated by the department. One item that the department looked at was our ambulance billing rates. Subsequently we discovered that the Kenai Peninsula Borough was simultaneously looking at their rate structure.

Two real factors drove both agencies to reexamine their rates. First, the cost to provide EMS services has increased with rising fuel costs and costs for supplies. The second factor was there are transport rates that we are charging that are less than the reimbursable rates for Medicare/Medicaid.

The department looked at our current rates and compared them to the reimbursement rates for Medicare/Medicaid and the statewide averages for similar services to develop our proposed rate increases.

Currently, the department is charging less than the allowable Medicare reimbursable amounts for ALS2 calls, current fee \$800.00 and FY19 Medicare rate of \$863.78 and for mileage, current fee \$11.00 per mile verse FY19 Medicare rate of \$11.43 per mile.

The department is currently also not charging for non-transport EMS responses. These calls involve the department responding to a patient, evaluating the patient, and either determining the patient does not need transport, alternate transport would be appropriate (family members car), or the patient refuses treatment even after EMS recommends transport.

At a minimum EMS will obtain basic vital signs, sometimes perform a 4 or 12 lead ECG and sometimes in the case of a diabetic patient starting an IV, determining blood glucose levels, and giving D50 (intravenous glucose) and then the patient still refuses transport.



Private insurers will pay for non-transport, Medicaid will pay \$233.97. On February 13<sup>th</sup>, 2019, Medicare announced that reimbursement will be available for certain non-transport ambulance services and for ambulance transports to alternate destinations. A rate for reimbursement has not yet been published. Both of these Medicare changes have the potential to have a significant impact on our billable charges. EMS has not transported to alternative care facilities such as the Doctors office or a free standing clinic due to our inability to charge for those transports. We will have to evaluate the new changes when they are published to see how much of a potential impact they will have to our service.

As stated earlier the Kenai Peninsula Borough is currently working on the same rate increases to be on par with our proposal. We have met with Borough Staff and they will be submitting these changes to their fees.

Using the revenue projection for 2019 with 2019 Medicare/Medicaid allowables and fees and based on the actual transport for FY18 the revenue projection would change from \$479,307.11 to \$502,155.41 or an increase of \$22,848.30. Again, this does not take into effect the new Medicare rates.

Statewide there are other models for billing, with some areas charging a flat rate for all calls. The Fairbanks North Star Borough charges a flat rate of \$1,000 for all transport calls and the Municipality of Anchorage and others charge different rates for residents versus non-residents. Anchorage charges for BLS calls \$800 for residents \$900 for non-residents and for ALS call \$950 for residents and \$1050 for non-residents.

This proposed rate structure is based on the current structure that the City of Kenai and the KPB use. This does not take into consideration GEMT reimbursements, which are on track to be in effect July 1, 2019.

City of Kenai												
Revenue projection for 2019 with 2019 Medicare allowables and fees												
Projections based on actual transport data, payer mix and collections percentages from FY 2018 (July 17-June 18)												
2019												
	Current Fee	Count	Proposed Fee	Medicare	Medicaid	State Ave	% Medicare	% M'caid				
BLS E	550.00	407	575.00	502.56	458.95	566.48	40	36				
BLS NE	350.00	43	450.00	314.10	286.85	457.78						
ALS 1 E	650.00	326	700.00	596.79	545.01	698.79						
ALS2	800.00	21	875.00	863.78	635.98	840.26						
TNT	250.00	262	250.00	0.00	233.97			Comm coll.				
Mileage	11.00	8596	14.00	11.43	9.63	11.77	77					
Summary by Payer Type												
	Non-capped			Medicare			AK Medicaid			Total		
	Count	Fees	Income	Count	Fees	Income	Count	Fees	Income	Count	Fees	Income
BLS	98	56166.00	43247.82	163	93610.00	78053.20	147	84249.00	67245.35	407	234025.00	188546.37
BLS NE	10	4644.00	3575.88	17	7740.00	5154.00	15	6966.00	4440.44	43	19350.00	13170.32
ALS 1	78	54768.00	42171.36	130	91280.00	74241.63	117	82152.00	63962.37	326	228200.00	180375.36
ALS 2	5	4410.00	3395.70	8	7350.00	6921.99	8	6615.00	4808.01	21	18375.00	15125.70
TNT	63	15720.00	12104.40	105	26200.00	0.00	94	23580.00	3300.00	262	65500.00	15404.40
Mileage	2063	28882.56	22239.57	3438	48137.60	37493.07	3095	43323.84	29800.61	8596	120344.00	89533.25
<b>Total</b>	<b>254</b>	<b>164590.56</b>	<b>126734.73</b>	<b>424</b>	<b>274317.60</b>	<b>201863.89</b>	<b>381</b>	<b>246885.84</b>	<b>173556.79</b>	<b>1059</b>	<b>685794.00</b>	<b>502155.41</b>
<b>Projected revenue:</b>				<b>\$502,155.41</b>								

Thank you for your consideration.





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Kathy Romain, Senior Center Director  
**DATE:** March 12, 2019  
**SUBJECT:** **Resolution No. 2019-34**

---

This Memo is in reference to the proposed increase in Senior Center Rental Fees for FY2020.

The Senior Center relies on rental fees to equitably compensate the Center for the use of its facilities. With the increased amount of community rental options it is imperative we stay competitive and have rates that accurately reflect what our facility has to offer.

The proposed increase in rates is \$170 for rental of the kitchen and the dining room, while also giving viable options for one, two, or three-day rentals. The increase in the security deposit gives more leverage to insure any damage would be fully covered.

Thank you for your consideration.





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## MEMORANDUM

**TO:** Paul Ostrander, City Manager  
**FROM:** Mary Jo Joiner  
**DATE:** May 8, 2019  
**SUBJECT:** Fee for Postage

---

We are seeing an increasing number of holds placed by cardholders that travel to us from other libraries incurring postage and packaging costs. While this is a cost of doing business, we are also seeing a large number of items that are not picked up by the requestor. This costs both us and the lending library in postage and/or delivery.

The Alaska Library Catalog assumes a cost per item for shipping at \$1 per item. We would like to assess that amount per item that is requested, but never picked up to at least cover the postage/delivery costs. The change would be advertised extensively to our cardholders.

*Mary Jo Joiner*

*APPROVED  
D.O.*





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Jessica "JJ" Hendrickson, Chief Animal Control Officer  
**DATE:** May 21, 2019  
**SUBJECT:** **Resolution No. 2019-34 – Animal Control Fee Change**

---

This memo supports a change to the current fee schedule in regards to animal control fees. In order to cover the cost of the rabies vaccination offered at the yearly rabies clinic, which has increased in participation over the years, a \$5.00 fee per animal vaccinated at the clinic would be appropriate. The increased fee will cover the cost of the vaccination, rabies tag and syringe needed to give the vaccination.

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2019 - 35**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING BUDGET ADJUSTMENTS IN THE AIRPORT FUND FOR COSTS IN EXCESS OF BUDGETED AMOUNTS.

WHEREAS, snowfall at the Kenai Airport during the 2018-2019 winter was above average with over thirty-five documented snow events requiring response; and,

WHEREAS, budgeted overtime hours were not sufficient requiring supplemental funding of \$20,000 including overtime and benefits; and,

WHEREAS, the Department has identified available budgeted money in other accounts sufficient for the needed amendment to overtime and benefits.

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

**Section 1.** That following budget adjustment is authorized:

Airport Fund

Increase:

Terminal – Overtime	\$ 1,500
Airfield – Overtime	\$12,000
Airfield – Leave	\$ 4,000
Airfield – FICA/OASDI	\$ 2,000
Airfield – W/C	\$ 500
	<u>\$20,000</u>

Decrease:

Administration – Contingency	\$19,000
Airfield – Repairs & Maintenance	\$ 1,000
	<u>\$20,000</u>

**Section 2.** That pursuant to KMC 1.15.080(b), this resolution shall become effective upon adoption.


ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 5th day of June, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

---

Jamie Heinz, CMC, City Clerk

Approved by Finance: 





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Mary L. Bondurant, Airport Manager  
**DATE:** May 22, 2019  
**SUBJECT:** Resolution 2019-35 - FY19 Airfield Overtime Shortage

---

The Airport experienced heavy snowfall over the 2018-2019 season with over thirty-five documented snow events that demanded early call outs and long clean-up hours to ensure safe operations for aircraft. This resulted in the Airfield and Terminal overtime accounts to be short approximately \$20,000.

To cover this overrun, funds can be transferred from the following accounts:

Administration/Contingency -	\$19,000
Airfield/Repairs & Maintenance	<u>\$ 1,000</u>
	\$20,000

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2019 - 36**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING A DONATION FROM KENAI SENIOR CONNECTION, INC. FOR \$50,000 TO THE FY2019 BUDGET.

WHEREAS, the Senior Citizen Fund will not meet its budget goals for FY2019 and shows a deficit of \$50,000 due to decreased revenue in user meal donations, Medicaid funding and the United Way Grant; and,

WHEREAS, because the Kenai Senior Connection, Inc. By-Laws state its first purpose is to "provide financial assistance for the continued operation of the Kenai Senior Center," it is appropriate to donate, from its Endowment Fund, an additional \$50,000 to the City of Kenai, adding to the Kenai Senior Center FY2019 Operating Budget to supplement funding needed to cover costs of the Center's operation; and,

WHEREAS, at its regular meeting of May 24, 2019, Kenai Senior Connection, Inc. reviewed and approved the donation of \$50,000 from its Endowment Fund for the purpose identified above.

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

**Section 1:** That the City Council accept the donation to supplement the FY2019 Senior Citizen Fund Operating Budget.

**Section 2:** That this resolution takes effect immediately upon adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 5<sup>th</sup> day of June, 2019.

---

BRIAN GABRIEL SR., MAYOR

ATTEST:

---

Jamie Heinz, CMC, City Clerk



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Kathy Romain, Senior Center Director  
**DATE:** May 28, 2019  
**SUBJECT:** **Resolution No. 2019 – 36**

---

This Memo is in reference to a deficit in the Title III Senior Citizen Fund for FY2019 and a supplemental donation from the Kenai Senior Connection, Inc. Endowment Fund.

While our department has managed to reduce spending in various ways, our income has also declined. The amount of rides, home and congregate meal donations is down considerably, as well as funding for Medicaid meals. In addition, our United Way grant has disappeared altogether as the local office has closed. Our FY2019 budget will close with a \$50,000 deficit.

The Kenai Senior Connection, Inc. voted at its May 24, 2019 meeting to approve a donation of \$50,000 to the FY2019 Operation Budget from the Endowment Fund.

Thank you for your consideration.



**KENAI SENIOR CONNECTION, INC.**

**RESOLUTION NO. 2019-03**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENAI SENIOR CONNECTION, INC., KENAI, ALASKA, DECREASING REVENUES IN ITS KENAI SENIOR CONNECTION, INC. ENDOWMENT FUND IN THE AMOUNT OF \$50,000 TO DONATE TO THE CITY OF KENAI AS AN ADDITIONAL APPROPRIATION INTO THE CITY OF KENAI FY19 OPERATING BUDGET TO SUPPLEMENT THE KENAI SENIOR CENTER FY19 OPERATING BUDGET.

WHEREAS, at its April 26, 2019 regular meeting, the Kenai Senior Connection, Inc. unanimously approved the donation of \$50,000 from its March for Meals Savings Account to the City of Kenai for appropriation into the City of Kenai Operating Budget for Fiscal Year 2020 in the Kenai Senior Center Meals Fund; and,

WHEREAS, it has come to the attention of the City of Kenai Administration and the Kenai Senior Center Director, after identifying budget amounts initially approved in the City of Kenai FY19 budget, grant-approved funds, Medicaid funding, and user meal donations, that additional funding will be needed in the FY19 Kenai Senior Center Operating Budget to cover the costs of operating the Kenai Senior Center during FY19; and,

WHEREAS, because the Kenai Senior Connection, Inc. By-Laws state as its first purpose "to provide financial assistance for the continued operation of the Kenai Senior Center," it is appropriate to donate, from its Endowment Fund, an additional \$50,000 to the City of Kenai add to the Kenai Senior Center FY19 Operating Budget to supplement funding needed to cover costs of the Center's operation; and,

WHEREAS, at its regular meeting of May 24, 2019, the Connection reviewed, discussed, and approved the donation of \$50,000 from its Endowment Fund for the purpose identified above.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE KENAI SENIOR CONNECTION, INC., as follows:

Section 1. Article III, Paragraph 1, of the Kenai Senior Connection, Inc. By-Laws state its first purpose is "to provide financial assistance for the continued operation of the Kenai Senior Center."

Section 2. At its regular May 24, 2019 meeting, the Board of Directors of the Kenai Senior Connection, Inc. reviewed, discussed, and approved the additional donation of \$50,000 from its Endowment Fund to the City of Kenai as an additional appropriation into the City of Kenai FY19 Operating Budget to supplement the Kenai Senior Center FY19 Operating Budget.

Kenai Senior Connection, Inc.  
Resolution No. 2019-03  
Page 2 of 2

PASSED BY THE BOARD OF DIRECTORS OF THE KENAI SENIOR CONNECTION, INC., KENAI, ALASKA,  
this 24<sup>th</sup> day of May, 2019.

  
\_\_\_\_\_  
VELDA GELLER, PRESIDENT

ATTEST:

  
\_\_\_\_\_  
Carol L. Freas, Secretary

Introduced: May 24, 2019  
Adopted: May 24, 2019  
Effective: May 24, 2019

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: JUNE 5, 2019**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	88,582.91
ENSTAR NATURAL GAS	GAS USAGE	VARIOUS	UTILITIES	22,676.23

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
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**PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL  
COUNCIL MEETING OF: JUNE 5, 2019**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
CELLEBRITE, INC.	FORENSIC DEVICE EXTRACTION/EXAM TOOL	POLICE	SMALL TOOLS	17,115.00
FOSTER CONSTRUCTION	SOUTH SPRUCE STREET ELECTRICAL IMPROVEMENTS	PERSONAL USE FISHERY CAPITAL PROJ	CONSTRUCTION	24,225.00

**INCREASE OF EXISTING PURCHASE ORDER**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>P.O. # - DEPT.</b>	<b>REASON</b>	<b>AMOUNT</b>	<b>TOTAL PO AMT</b>
WINCE, CORTHELL, BRYSON	C/O #1	117307 - A/P IMPR.	CONST. ADMIN.	63,020.00	89,020.00





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** David Ross – Police Chief  
**DATE:** May 22, 2019  
**SUBJECT:** **Purchase Order Exceeding \$15,000 - Cellebrite**

---

The purpose of this memo is to request support for a purchase order in the amount of \$17,115 to Cellebrite for the purchase of a tool to perform forensic device (i.e. Cell phones) data extraction and examination. The device will be valuable in the timely evaluation of evidence in criminal cases. The funds for this purchase are asset forfeiture funds from the State of Alaska appropriated under Ordinance 3067-2019.

Cellebrite is the system used locally by various agencies and officers at the department have experience using the equipment. Three quotes were obtained for the Cellebrite UFED Touch 2 system, and it was determined that a purchase directly from the manufacturer was the most advantageous and at the lowest price offered.

Your consideration is appreciated.







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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin – Public Works Director  
**DATE:** May 28, 2019  
**SUBJECT:** **Purchase Order Exceeding \$15,000 – South Spruce Street Electrical Improvements**

---

The purpose of this memo is to request approval to contract for the South Spruce Street Electrical Improvements project. This Work shall provide for a more permanent installation of providing electrical service to the fee shacks that are setup annually for the Personal Use Fishery. Widening of the roadway within this area to accommodate a second inbound lane is also included with this work. Completion of this project will prevent future repetitive work setting up temporary facilities and access, resulting in cost savings and a more expedited setup time of the fee shacks and equipment.

A Request for Quotes was sent to contractors on May 12, 2019. The Following four quotes were received on May 21, 2019:

Foster's Construction at \$24,225.00  
Legacy Electric \$24,999.00  
BMGC LLC \$34,900.00  
Peninsula Construction Inc. \$37,775.00

Foster's Construction quote was found to be fair and reasonable.

Sufficient Funding for this work as follows:

Personal Use Fishery Capital Project Fund 130  
Activity Code # 232

Council's consideration is respectfully requested.





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Mary L. Bondurant, Airport Manager  
**DATE:** May 28, 2019  
**SUBJECT:** **Purchase Order Exceeding \$15,000 – Wince-Corthell-Bryson**

---

The purpose of this memo is to request an increase to purchase order #117307 issued on January 28, 2019 to Wince-Corthell-Bryson for \$26,000. This was for the completion of design services for the Airfield Marking, Crack Sealing, and Minor Pavement Repair Project.

The project was advertised and a responsible bid received on May 28, 2019. Wince-Corthell-Bryson submitted a proposal for \$63,020 for construction administration. City Administration reviewed the proposal and finds the scope of work to be accurate and the price of \$63,020 to be fair and reasonable.

This project consists of airfield painting, the crack sealing of the runway, taxiways, and apron, apron seal coating, and minor pavement repair along the shoulders of the runway.

Thank you for your consideration.

Please contact me if you have any questions.



## FISCAL YEAR 2020

PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL

COUNCIL MEETING OF: JUNE 5, 2019

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>DEPT.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
SYSTEMS DESIGN WEST LLC	FY20 AMBULANCE BILLING	FIRE	PROFESSIONAL SERVICES	21,000.00



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Jeff Tucker, Fire Chief  
**DATE:** May 28, 2019  
**SUBJECT:** **Purchase Order Exceeding \$15,000 – Systems Design West LLC**

---

The City of Kenai Fire Department is requesting Council approval for Requisition #40394 to Systems Design West LLC and in the amount of \$21,000.00. The City of Kenai has a Professional Services Agreement with Systems Design West LLC for the ambulance billing service. The agreement is in affect from July 1, 2018 to June 30, 2021 with one two year extension option, pending Council approval and mutual agreement between the City of Kenai and the Contractor. Monies for ambulance billing is budgeted in GL# 001-422-4531.

Your consideration is appreciated.





Sponsored by: Administration

## CITY OF KENAI

### ORDINANCE NO. 3069-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, APPROPRIATING FY2019 BUDGETED FUNDS FOR MUNICIPAL ROADWAY IMPROVEMENTS IN THE MUNICIPAL ROADWAY IMPROVEMENT CAPITAL PROJECT FUND FOR FUTURE ROADWAY PROJECTS.

WHEREAS, the FY2019 General Fund Budget included a \$200,000 transfer to the Municipal Roadway Improvement Capital Project Fund for project to be identified; and,

WHEREAS, in order to expend funds on projects, the funds must first be appropriated in the Municipal Roadway Improvement Capital Project Fund; and,

WHEREAS, the administration is preparing projects which will be presented to Council for approved by resolution; and,

WHEREAS, appropriation of the funds will allow projects to be identified and awarded via resolution, thus shortening the time to begin work on projects.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

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

Municipal Roadway Improvement Capital Project Fund:

Increase Estimated Revenues –	
Transfer from the General Fund	<u>\$200,000</u>

Increase Appropriations:	
Construction	<u>\$200,000</u>

**Section 2.** Identified projects will be presented to Council via resolution for approval prior to expending of funds.

**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 upon adoption.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 19<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: June 5, 2019  
Enacted: June 19, 2019  
Effective: June 19, 2019



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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin – Public Works Director  
**DATE:** May 30, 2019  
**SUBJECT:** **Ordinance No. 3069-2019**

---

This memo recommends passage of Ordinance No. 3069-2019 appropriating FY2019 budgeted funds for Municipal Roadway Improvements into the Municipal Roadway Improvement Capital Project Fund for Future Roadway Projects.

The Public Works Department, in coordination with the Streets Department staff and the Administration, are actively prioritizing projects, which will be brought to council for approval by resolution in the weeks ahead. Approval of this Ordinance, coupled with the funds becoming available July 1<sup>st</sup> with the FY2020 budget will allow the Public Works Department to effectively address the street maintenance needs of the community.

Council's support and approval is respectfully requested. Thank you for your consideration.





Sponsored by: Administration

## CITY OF KENAI

### ORDINANCE NO. 3070-2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AUTHORIZING A BUDGET TRANSFER IN THE GENERAL FUND, DECREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE SENIOR CITIZEN SPECIAL REVENUE FUND AND APPROPRIATING FY2019 BUDGETED AMOUNTS IN THE SENIOR CENTER IMPROVEMENT CAPITAL PROJECT FUND FOR CARPET REPLACEMENT.

WHEREAS, the FY2019 General Fund Budget included a \$34,500 transfer to the Senior Citizen Special Revenue Fund for replacement of carpet in the Senior Center Dining Room; and,

WHEREAS, the carpet replacement project will not be awarded by June 30, 2019 as the Senior Center is awaiting grant approval; and,

WHEREAS, if the funds are not moved to the Senior Center Improvement Capital Project Fund prior to year-end it will lapse requiring supplemental appropriation in FY2020; and,

WHEREAS, moving the funds to the Senior Center Improvement Capital Project Fund will make the funds available until such time as the project is completed.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

**Section 1.** The following budget transfer is authorized:

General Fund:

Transfer to Senior Citizen Special Revenue Fund	\$(34,500)
Transfer to Senior Center Improvement Capital Project Fund	<u>34,500</u>
	\$ _____

**Section 2.** Estimated revenues and appropriations in the Senior Citizen Special Revenue Fund be decreased as follows:

Revenues – Transfer from General Fund – Capital	\$( <u>34,500</u> )
Expenditures – Congregate Meals – Buildings	\$( <u>34,500</u> )

**Section 3.** Increasing estimated revenues and appropriations in the Senior Center Improvement Capital Project Fund for dining room carpet replacement as follows:

Increase estimated revenues – Transfer from General Fund	<u>\$34,500</u>
Increase expenditures – Construction	<u>\$34,500</u>



**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 upon adoption.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 19<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
BRIAN GABRIEL SR., MAYOR

ATTEST:

\_\_\_\_\_  
Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: June 5, 2019  
Enacted: June 19, 2019  
Effective: June 19, 2019



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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Scott Curtin – Public Works Director  
**DATE:** May 30, 2019  
**SUBJECT:** **Ordinance No. 3070-2019**

---

This memo recommends passage of Ordinance No. 3070-2019 transferring funds to the Senior Center Improvement Capital Project Fund. Public Works staff in coordination with the Senior Center, has competitively quoted the requested flooring replacements. The following quotes were received:

- Floor-Ever Inc. \$29,953.00
- Four D Carpet-One Inc. \$32,146.82
- Home Gallery \$34,550.00

Floor-Ever was determined as providing the lowest responsible quote.

Senior Center staff is moving forward with this information in an application for a Rasmussen Grant. Funds are being requested to roll into the Senior Center Capital Project Fund to allow time for a determination to be made on grant eligibility. In the event the Senior Center staff is successful in obtaining a grant a large portion of the costs associated with this work will be covered by the grant.

Council's support and approval is respectfully requested. Thank you for your consideration.





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## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Mary L. Bondurant, Airport Manager  
**DATE:** May 22, 2019  
**SUBJECT:** **Second One-Year Extension for Airport Janitorial Services**

---

The current Janitorial Contract in place for the Airport terminal building has an option of renewal for two successive one-year terms by mutual written consent. The first one-year extension was approved effective July 1, 2018. The second one-year extension will begin July 1, 2019.

The City has a current Certificate of Insurance on file.

I recommend extending the contract for the second one-year extension.

Thank you for your consideration.



**SECOND AMENDMENT TO AGREEMENT FOR JANITORIAL SERVICES**

The Agreement for Janitorial Services made the 1<sup>st</sup> day of July 2015, by and between the CITY OF KENAI, hereinafter called "Owner", whose address is 210 Fidalgo Avenue, Kenai, AK 99611-7794, and, Precious Janitorial IND. whose mailing address is P.O.Box 927, Kenai, AK 99611, hereinafter called "Contractor," is hereby amended as follows:

1). Pursuant to Section 2 of the Agreement for Janitorial Services the term of the Agreement for Janitorial Services for the Kenai Municipal Airport is extended for one year, beginning on July 1, 2019 and ending on June 30, 2020.

DATED this \_\_\_\_ day of June 2019.

CITY OF KENAI

By: \_\_\_\_\_  
Paul Ostrander, City Manager

Precious Janitorial, IND.

Precious Janitorial, IND

By: \_\_\_\_\_  
Sylvia Trevino, Owner

By: \_\_\_\_\_  
George Jackson, Owner

(If Lessee is a corporate-style entity)

ATTEST:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

STATE OF ALASKA                   )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June, 2019, by Paul Ostrander, City Manager for the City of Kenai.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA                   )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June, 2019, by Precious Janitorial IND, an Alaskan corporation on behalf of the corporation.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

Approved as for form: SB  
Scott Bloom, City Attorney

Approved by Finance: \_\_\_\_\_  
Terry Eubank, Finance Director



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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Christine Cunningham, Assistant to City Manager  
**DATE:** May 21, 2019  
**SUBJECT:** Second One-Year Extension to the City Hall Janitorial Contract

---

The current Janitorial Contract that is in place for City Hall has an option of renewal for two successive one-year terms by mutual written consent. The first one-year extension was approved effective July 1, 2018 and the second extension is available beginning July 1, 2019.

I recommend extending the contract for the second one-year extension.

Your consideration is appreciated.



**SECOND AMENDMENT TO AGREEMENT FOR JANITORIAL SERVICES**

The *Agreement for Janitorial Services* made the \_\_\_\_ day of July, 2019 by and between the CITY OF KENAI, hereinafter called "Owner", whose address is 210 Fidalgo Avenue, Kenai, AK 99611-7794, and, INTEGRITY JANITORIAL, LLC, whose mailing address is P.O. Box 3283, Kenai, AK, 99611, hereinafter called "Contractor," is hereby amended as follows:

1). Pursuant to Section 2 of the Agreement for Janitorial Services the term of the Agreement for Janitorial Services for Kenai City Hall is extended for one year, beginning on July 1, 2019 and ending on June 30, 2020.

DATED this \_\_\_\_ day of July, 2019

CITY OF KENAI

By: \_\_\_\_\_  
Paul Ostrander, City Manager

INTEGRITY JANITORIAL, LLC

By: \_\_\_\_\_  
Thomas White, Member

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of July, 2019, by Paul Ostrander, City Manager for the City of Kenai.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of July, 2019 by Thomas White, Member of Integrity Janitorial, LLC, an Alaska corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

Approved as for form: \_\_\_\_\_  
Scott Bloom, City Attorney

Approved by Finance \_\_\_\_\_  
Terry Eubank, Finance Director





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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Mary Joiner, Library Director  
**DATE:** May 8, 2019  
**SUBJECT:** Second 1 Year extension to the Kenai Community Library Janitorial Contract

---

The current Janitorial Contract that is in place for the Kenai Community Library has an option of renewal for two successive one-year terms by mutual written consent. The first one-year extension was approved effective July 1, 2018. The second one-year extension is available beginning July 1, 2019.

I recommend extending the contract for the second one year extension.

Your consideration is appreciated.



**SECOND AMENDMENT TO AGREEMENT FOR JANITORIAL SERVICES**

The Agreement for Janitorial Services made the 1<sup>st</sup> day of July 2015, by and between the CITY OF KENAI, hereinafter called "Owner", whose address is 210 Fidalgo Avenue, Kenai, AK 99611-7794, and, Precious Janitorial IND. whose mailing address is P.O.Box 927, Kenai, AK 99611, hereinafter called "Contractor," is hereby amended as follows:

1). Pursuant to Section 2 of the Agreement for Janitorial Services the term of the Agreement for Janitorial Services for the Kenai Community Library is extended for one year, beginning on July 1, 2019 and ending on June 30, 2020.

DATED this \_\_\_\_ day of June 2019.

CITY OF KENAI

By: \_\_\_\_\_  
Paul Ostrander, City Manager

Precious Janitorial, IND.

Precious Janitorial, IND

By: \_\_\_\_\_  
Sylvia Trevino, Owner

By: \_\_\_\_\_  
George Jackson, Owner

(If Lessee is a corporate-style entity)

ATTEST:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June, 2019, by Paul Ostrander, City Manager for the City of Kenai.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June, 2019, by Precious Janitorial IND, an Alaskan corporation on behalf of the corporation.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

Approved as for form: \_\_\_\_\_  
Scott Bloom, City Attorney

Approved by Finance: \_\_\_\_\_  
Terry Eubank, Finance Director



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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Paul Ostrander, City Manager  
**FROM:** Dave Ross, Police Chief  
**DATE:** May 22, 2019  
**SUBJECT:** **Second One-Year Extension to the Police Department Janitorial Contract**

---

The current Janitorial Contract that is in place for the Police Department has an option of renewal for two successive one-year terms by mutual written consent. The second one-year extension is available beginning July 1, 2019.

I recommend extending the contract for the second one year extension.



**SECOND AMENDMENT TO AGREEMENT FOR JANITORIAL SERVICES**

The Agreement for Janitorial Services made the 1<sup>st</sup> day of July 2015, by and between the CITY OF KENAI, hereinafter called "Owner", whose address is 210 Fidalgo Avenue, Kenai, AK 99611-7794, and, Precious Janitorial IND. whose mailing address is P.O.Box 927, Kenai, AK 99611, hereinafter called "Contractor," is hereby amended as follows:

1). Pursuant to Section 2 of the Agreement for Janitorial Services the term of the Agreement for Janitorial Services for the Kenai Police Department is extended for one year, beginning on July 1, 2019 and ending on June 30, 2020.

DATED this \_\_\_\_ day of June 2019.

CITY OF KENAI

By: \_\_\_\_\_  
Paul Ostrander, City Manager

Precious Janitorial, IND.

Precious Janitorial, IND

By: \_\_\_\_\_  
Sylvia Trevino, Owner

By: \_\_\_\_\_  
George Jackson, Owner

(If Lessee is a corporate-style entity)

ATTEST:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June, 2019, by Paul Ostrander, City Manager for the City of Kenai.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June, 2019, by Precious Janitorial IND, an Alaskan corporation on behalf of the corporation.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_

Approved as for form: \_\_\_\_\_  
Scott Bloom, City Attorney

Approved by Finance: \_\_\_\_\_  
Terry Eubank, Finance Director



## Municipal Officials Meet in Soldotna for Policy Conference

### Invitation to Sponsor

AML's summer meeting rotates around the state, and this year will be in Soldotna, August 13-15. This policy-focused conference engages participants in conversations about AML's 2020 position statement, and state and federal policy priorities.

The 100 attendees include mayors and managers from Alaska's most influential cities and boroughs. Many state and federal officials attend, alongside Alaska's business leaders and community organizations.

AML recognizes that you play a significant role in contributing to Alaska's economic and community development, and that you might already work closely with municipalities. A sponsorship of this event helps to strengthen local government in Alaska, even as it builds on your relationship and opportunities for business growth.

AML would like to encourage your consideration of sponsorship of the Conference, which allows you to:

- Reach over 100 city and borough elected officials and municipal leaders
- Increase your visibility, and expand your "brand" recognition
- Participate in all conference events, including social and networking activities
- Develop and maintain contacts with elected officials and municipal staff

Conference sponsorship ensures that registration fees are kept affordable and maximizes participation. Your support is an important component of the event's success in delivering value to members and ensuring that Alaska's municipal governments are successful. The August meeting conference sponsorship levels are affordable, with recognition increasing according to higher levels. Please consider contributing \$500, \$750, \$1,000 or \$2,500 to this effort.

Municipal officials truly appreciate AML conference sponsors and they look forward to meeting you. Feel free to contact us with questions or to discuss sponsorship.

Nils Andreassen  
Executive Director  
[nils@akml.org](mailto:nils@akml.org) and 907.790.5305



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

## MEMORANDUM

**TO:** Mayor Gabriel and Kenai City Council  
**FROM:** Vice Mayor Navarre  
**DATE:** May 30, 2019  
**SUBJECT:** **Memorial Plaque and Tree for Ron Malston**

---

Ron Malson passed away on Thursday May 23, 2019. Mr. Malston served the City of Kenai as Mayor and as a member of the Airport Commission, Beautification Committee, and Personnel Arbitration Board. He also supported the community as a member of several service organizations and small business owner.

In honor of Mr. Malson's significant contribution to our community, I think it's appropriate that the City recognized his service by purchasing a memorial plaque and tree to be placed at Leif Hansen Memorial Park.

Your consideration is appreciated.





**KENAI HARBOR COMMISSION  
MAY 13, 2019 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
CHAIR MIKE DUNN, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Dunn called the meeting to order at approximately 6:00 p.m.

**a. Pledge of Allegiance**

Chair Dunn led those assembled in the Pledge of Allegiance.

**b. Roll Call**

Roll was confirmed as follows:

Commissioners present: Chair M. Dunn, Vice-Chair C. Crandall, C. Hutchison, B. Peters, N. Berga

Commissioners absent: G. Greenberg, J. Desimone

Staff/Council Liaison present: Public Works Director S. Curtin, City Clerk J. Heinz, Council Member J. Glendening

A quorum was present.

**c. Agenda Approval**

**MOTION:**

Commissioner Peters **MOVED** to approve the agenda and Commissioner Crandall **SECONDED** the motion. There were no objections; **SO ORDERED**.

**2. SCHEDULED PUBLIC COMMENTS – (10 minutes) None scheduled.**

**3. UNSCHEDULED PUBLIC COMMENT**

Council Member Glendening spoke about the Kenai City Dock, noting there was interest in the facility and interest in providing fuel and crane services. He suggested there also be capabilities for e-landing to fill out fish tickets to promote commercial activity, and he spoke in support of dredging the dock.

**4. APPROVAL OF MEETING SUMMARY**

**a. April 8, 2019**

**MOTION:**

Commissioner Peters **MOVED** to approve the meeting summary of April 8, 2019; and Commissioner Crandall **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. **UNFINISHED BUSINESS** – None.

6. **NEW BUSINESS**

a. **Discussion** – Status of Dock and Harbor Facility Survey

Appreciation was expressed for the survey comments and the insight provided.

b. **Discussion/Recommendation** – FY20, FY21, FY22 Capital Improvement Project List

The Public Works Director provided worksheets of the FY20, FY21, and FY22 Capital Improvement Projects. Additional projects of interest discussed included dredging and crane at the City Dock, float replacements, concrete repair, no wake buoys, and a drift boat pullout.

The Commission members agreed to postpone this item to the next meeting.

7. **REPORTS**

a. **Public Works Director** – S. Curtin reported on the following:

- No bids were received for the contract to use cranes, offices, and operating area at the City Dock.

b. **Commission Chair** – No report.

c. **City Council Liaison** – R. Peterkin reported on the May 1 City Council Meeting actions and noted the U.S. Coast Guard would be at an upcoming Commission Meeting to discuss safety and he would provide the date when it was determined.

8. **NEXT MEETING ATTENDANCE NOTIFICATION** – June 10, 2019

9. **COMMISSIONER COMMENTS AND QUESTIONS** – None.

10. **ADDITIONAL PUBLIC COMMENT**

Council Member Glendening reiterated the City Dock opportunities of interest.

11. **INFORMATION ITEMS** – None.

12. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 7:26 p.m.

Meeting summary prepared and submitted by:

---

Jacquelyn LaPlante  
Deputy City Clerk

**KENAI PARKS & RECREATION COMMISSION  
MAY 2, 2019 – 6:00 PM  
KENAI CITY COUNCIL CHAMBERS  
CHAIR CHARLIE STEPHENS, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Stephens called the meeting to order at 6:10 p.m.

**a. Pledge of Allegiance**

Chair Stephens led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Commissioners present: Chair C. Stephens, S. Kisen, F. Perez

Commissioners absent: Vice-Chair T. Wisniewski, J. Joanis, J. Dennis

Staff/Council Liaison present: Parks & Rec Director B. Frates, Council Member H. Knackstedt

No quorum was present.

**c. Agenda Approval**

**2. SCHEDULED PUBLIC COMMENTS – None.**

**3. UNSCHEDULED PUBLIC COMMENT**

**4. APPROVAL OF MEETING SUMMARY**

- a. February 7, 2019
- b. March 7, 2019
- c. April 4, 2019

**5. UNFINISHED BUSINESS – None.**

**6. NEW BUSINESS**

- a. **Discussion** – 2019 Non-Routine Work Tasks & Project List
- b. **Discussion** – August Activity Planning

**7. REPORTS**

- a. Parks and Recreation Director
- b. Commission Chair
- c. City Council Liaison

8. **NEXT MEETING ATTENDANCE NOTIFICATION** –June 6, 2019
9. **COMMISSION QUESTIONS & COMMENTS**
10. **ADDITIONAL PUBLIC COMMENT**
11. **INFORMATION**
  - a. April/May Monthly Report
  - b. Department Newsletter - “Kenai Breeze”
12. **ADJOURNMENT**

Meeting summary prepared and submitted by:

---

Jacquelyn LaPlante  
Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
MAY 8, 2019 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVENUE, KENAI, ALASKA  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**1. CALL TO ORDER**

Commission Chair Twait called the meeting to order at 7:00 p.m.

**a. Pledge of Allegiance**

Commission Chair Twait led those assembled in the Pledge of the Allegiance.

**b. Roll Call**

Commissioners present: Chair J. Twait, Vice-Chair D. Fikes, R. Springer, J. Halstead, V. Askin, T. McIntyre

Commissioners absent: G. Greenberg

Staff/Council Liaison present: City Planner E. Appleby, Deputy Clerk J. LaPlante, Council Liaison H. Knackstedt

A quorum was present.

**c. Agenda Approval**

**MOTION:**

Commissioner Halstead **MOVED** to approve the agenda as presented and Commissioner Askin **SECONDED** the motion. There were no objections; **SO ORDERED**.

**d. Consent Agenda**

**MOTION:**

Commissioner Askin **MOVED** to approve the consent agenda to include the excused absence of Commissioner Greenberg and Commissioner Halstead **SECONDED** the motion. There were no objections; **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.

e. \*Excused absences – G. Greenberg

2. **\*APPROVAL OF MINUTES**

a. April 24, 2019

The minutes were approved by the Consent Agenda.

3. **SCHEDULED PUBLIC COMMENT** – None.

4. **UNSCHEDULED PUBLIC COMMENT** – None.

5. **CONSIDERATION OF PLATS** – None.

6. **PUBLIC HEARINGS** – None.

7. **UNFINISHED BUSINESS** – None.

8. **NEW BUSINESS**

a. **Resolution PZ2019-12** – Application for Transfer of Conditional Use Permit PZ15-10 for the Operation of a Gravel Pit for Extraction of Natural Resources, from Michael S. Brown, Transferor, to BMBC, LLC, Transferee, located at 601 Childs Avenue, Kenai, Alaska 99611; further described as Tract 3, Jaynes Subdivision Big Mikes Addition

The City Planner reviewed the staff report as provided in the packet, noting she went through the existing conditions in the permit and specifically noted if the original applicant complied with the conditions, if any previously added conditions were required to maintain, and if any conditions could be removed. It was clarified it was staff recommendation to add a condition to the transfer of conditional use permit for surface extraction that the transferee continue to operate within the buffer distances granted by the variance permit PZ15-11.

It was reported the transfer of conditional use permit for surface extraction met the requirements of Kenai Municipal Code 14.20.150(i)(5) and 14.20.157(a). City staff recommended approval of the transfer of Conditional Use Permit PZ15-10 (PZ16-14), subject to the conditions outlined in the staff report and Resolution.

**MOTION:**

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-12 with staff recommendations and Commissioner Askin **SECONDED** the motion.

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

**VOTE:**

YEA: Halstead, Springer, McIntyre, Fikes, Askin, Twait

NAY:

**MOTION PASSED UNANIMOUSLY.**

**9. PENDING ITEMS** – None.

**10. REPORTS**

- a. **City Council** – Council Member Knackstedt reviewed the action agenda from the May 1 City Council Meeting and specifically noted there were deliberations about the onsite marijuana consumption and subsequently failed the Ordinance; and the FY20 budget was introduced for discussion and review at the next Council meeting.
- b. **Borough Planning** – No report. The next meeting is on May 13.
- c. **Administration** – City Planner Appleby reported on the following:
  - A series of lunch time hikes with the purpose of cleaning up our city and getting some exercise, a coordinated effort with the Parks and Recreation Department, the TRASHercise event dates have been set and a schedule provided in the packet;
  - She was working with the Police Department to address the several complaints about trash and vehicles in violation with City Code; and
  - She will be attending a meeting on May 20 for the Kenai Peninsula Coordinated Regional Transit Plan; more information would be provided at the next Commission meeting.

**11. ADDITIONAL PUBLIC COMMENT** – None.

**12. INFORMATIONAL ITEMS**

- a. TRASHercise Lunches 2019

**13. NEXT MEETING ATTENDANCE NOTIFICATION** – May 22, 2019

The City Planner noted if there were no agenda items for the May 22 meeting, the regular meeting would be canceled and a Sign Code work session would be held in its place.

**14. COMMISSION COMMENTS & QUESTIONS** – None.

**15. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 7:38 p.m.

Minutes prepared and submitted by:

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Jacquelyn LaPlante  
Deputy City Clerk

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
MAY 22, 2019 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVENUE, KENAI, ALASKA  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**1. CALL TO ORDER**

Commission Chair Twait called the meeting to order at 7:00 p.m.

**a. Pledge of Allegiance**

Commission Chair Twait led those assembled in the Pledge of the Allegiance.

**b. Roll Call**

Commissioners present: Chair J. Twait, Vice-Chair D. Fikes, R. Springer, G. Greenberg, J. Halstead, V. Askin, T. McIntyre

Commissioners absent: J. Halstead

Staff/Council Liaison present: City Planner E. Appleby, Deputy Clerk J. LaPlante, Planning Assistant W. Anderson, Council Liaison B. Molloy

A quorum was present.

**c. Agenda Approval**

**MOTION:**

Commissioner Askin **MOVED** to approve the agenda as presented and Commissioner Springer **SECONDED** the motion. There were no objections; **SO ORDERED**.

**d. Consent Agenda**

**MOTION:**

Commissioner Askin **MOVED** to approve the consent agenda and Commissioner Springer **SECONDED** the motion. There were no objections; **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.

**e. \*Excused absences – None.**



2. **\*APPROVAL OF MINUTES**

a. May 8, 2019

The minutes were approved by the Consent Agenda.

3. **SCHEDULED PUBLIC COMMENT** – None.

4. **UNSCHEDULED PUBLIC COMMENT** – None.

5. **CONSIDERATION OF PLATS** – None.

6. **PUBLIC HEARINGS**

a. **Resolution PZ2019-16** – Recommending the Kenai City Council Amend Kenai Municipal Code 14.20.320 - Definitions, and 14.20.330 – Standards for Commercial Marijuana Establishments to Prohibit Onsite Consumption of Marijuana at Retail Marijuana Stores Requiring an Onsite Consumption Endorsement

The City Planner reviewed the staff report as provided in the packet, noting City Council referred Ordinance No. 3068-2019 to prohibit onsite consumption at retail marijuana stores to the Planning and Zoning Commission for consideration and a recommendation. As Council failed the previous Ordinance that would have allowed onsite consumption in retail marijuana stores with a conditional use permit, they are recommending a ban of on-site consumption at this time.

It was staff recommendation that the Planning and Zoning Commission approve Resolution No. PZ2019-16, supporting approval of Ordinance No. 3068-2019.

**MOTION:**

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-16 with staff recommendations and Commissioner McIntyre **SECONDED** the motion.

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

It was majority consensus of the Commission that the concern was the lack of ability to test the level of marijuana consumption and intoxication, increasing the threat of safety to others when leaving the establishments.

**VOTE:**

YEA: Springer, McIntyre, Fikes, Askin, Twait  
NAY: Greenberg

**MOTION PASSED.**

7. **UNFINISHED BUSINESS** – None.

8. **NEW BUSINESS** – None.

9. **PENDING ITEMS** – None.

10. **REPORTS**

- a. **City Council** – Council Member Molloy reviewed the action agenda from the May 15 City Council Meeting and specifically noted the FY2020 budget was thoroughly discussed, amended and approved.
- b. **Borough Planning** – Vice-Chair Fikes reported the Commission met on May 13 and provided an update on the actions at that meeting.
- c. **Administration** – City Planner Appleby reported on the following:
- Purchasing of iPads for Planning and Zoning Commission members was approved for the FY2020 Budget and would be on the June 19<sup>th</sup> City Council agenda with a policy change;
  - The State of Alaska Transportation Alternatives Program approved funding for a bike trail on Bridge Access and from Beaver Loop to the Kenai Spur Highway, and will go before City Council for acceptance of funding and appropriations; the Alaska Department of Natural Resources and the City of Soldotna were also approved funding for their projects;
  - She was working on developing a map of all of the bike trails with the City of Soldotna;
  - The first TRASHercise event is scheduled for Noon tomorrow, May 23 and the events were scheduled through October with the flyer available on the City of Kenai website;
  - The update to the General Fund Lands Code would be coming before the Commission for review when it was completed; and
  - It was a goal to have gravel pit site visits as part of the conditional use permit annual report and application process and there is an opportunity to do so with a recent application, more information to come.

The City Planner requested for input from the Commission in scheduling work session dates.

11. **ADDITIONAL PUBLIC COMMENT** – None.

12. **INFORMATIONAL ITEMS** – None.

13. **NEXT MEETING ATTENDANCE NOTIFICATION** – June 12, 2019

The next sign code work sessions would be scheduled for Tuesday, June 25 and August 13 at 6 p.m.

14. **COMMISSION COMMENTS & QUESTIONS**

Chair Twait expressed interest in reconsideration of Resolution No. PZ2019-16 noting the public

safety issue previously expressed was currently a requirement for a conditional use permit.

**MOTION:**

Chair Twait **MOVED** to reconsider the vote of Resolution No. PZ2019-16 and Commissioner Springer **SECONDED**.

Chair Twait noted that prohibiting onsite consumption because of lack of demand and for public safety was not justifiable reasons as public safety was part of the permit process through the State of Alaska and the conditional use permitting. It was noted that by not allowing on-site consumption in marijuana establishments, it removes the risks of public safety because individuals are forced to do it in a private setting and less likely to drive, potentially at home or in a place away from higher public volume.

**VOTE ON RECONSIDERATION:**

YEA: Greenberg, Twait  
NAY: Springer, McIntyre, Fikes, Askin

**MOTION FAILED.**

**15. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 8:23 p.m.

Minutes prepared and submitted by:

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Jacquelyn LaPlante  
Deputy City Clerk

**KENAI BEAUTIFICATION COMMITTEE  
REGULAR MEETING  
MAY 14, 2019 – 6:00 P.M.  
CITY HALL COUNCIL CHAMBERS  
CHAIR LISA GABRIEL, PRESIDING**

**MEETING SUMMARY**

**1. CALL TO ORDER**

Chair Gabriel called the meeting to order at 6:10 p.m.

**a. Pledge of Allegiance**

Chair Gabriel led those assembled in the Pledge of Allegiance.

**b. Roll was confirmed as follows:**

Committee Members present: Chair L. Gabriel, K. Reed, T. Wilson, T. Canady

Committee Members absent: B. Madrid, M. Rhyner

Staff/Council Liaison present: Parks and Recreation Director B. Frates, Parks and Recreation Operator R. Dodge

A quorum was present.

**c. Agenda Approval**

**MOTION:**

Committee Member Reed **MOVED** to approve the agenda as presented; and Committee Member Canady **SECONDED** the motion. There were no objections; **SO ORDERED.**

**2. SCHEDULED PUBLIC COMMENTS – None.**

**3. UNSCHEDULED PUBLIC COMMENT – None.**

**4. APPROVAL OF MEETING SUMMARY**

**a. April 9, 2019**

**MOTION:**

Committee Member Reed **MOVED** to approve the April 9, 2019 meeting summary and Committee Member Wilson **SECONDED** the motion. There were no objections; **SO ORDERED.**

**5. UNFINISHED BUSINESS**

**a. Discussion – Wildflower Garden Design Ideas**

The Parks and Recreation Director clarified that he heard a clear consensus from committee members at the last meeting that it was the size of the wildflower garden. The Director suggested that the planting could be scaled back by just planting inside the established trails, which would include approximately 40K sq. ft. versus the current 65K sq. ft. It was noted there would be a cost savings on at least the planting side. It was further noted that the mowed turf space around the perimeter of the garden would draw more attention to the wildflowers.

## 6. NEW BUSINESS

### a. Discussion – Volunteer Plant Day

The Parks and Recreation Director referred to the memorandum in the packet and recommended June 1 as the date of the Volunteer Plant Day with a check-in time of 10 a.m. and a BBQ to follow at Noon. There were no objections.

The Director suggested the Committee Members assign themselves and facilitate the various beds needing planted. Flowerbeds were discussed and the Committee member assignments were decided as follows:

- Chairman Gabriel – Fire Department, Blue Star;
- Member Madrid – Fire Department, Blue Star;
- Member Wilson – Leif Hansen Memorial Park Sign Bed;
- Member Canady – Circle planters at old Carrs Mall;
- Member Reed – Kenai Municipal Park and Leif Hansen Memorial Park Tree.

### b. Discussion – Flowerbed Designs

The Parks and Recreation Director presented various designs and requested modifications, as needed. Designs were reviewed and the following changes were recommended:

- Blue Star Memorial – Confirmed as presented;
- Fire Department Bed – Consider placing Livingston Daisies around the perimeter in place of red Supertunias;
- Leif Hansen Park Sign Bed – Consider adding Kale (Red Bore and Tascano);
- Municipal Park Sign Bed – Confirmed as presented;
- Old Remax Bed – Consider substituting the Livingston Daisies with mounding type Petunias; and
- Town Tree – Confirmed as presented.

## 7. REPORTS

### a. Parks & Recreation Director – B. Frates reported the following:

- The Department held its first East Egg Hunt at the Municipal Park on April 19;
- The Department was wrapping up its temporary hire for its summer maintenance program; and
- A community cleanup was scheduled for Saturday, May 18 at 10 a.m. – Noon; Alaska Waste would provide a large roll-off container at no expense.

### b. Committee Chair – L. Gabriel noted the committee still had a vacant position needing filled.

c. **City Council Liaison** – None.

**8. NEXT MEETING ATTENDANCE NOTIFICATION** – September 10, 2019

**9. COMMITTEE MEMBER QUESTIONS AND COMMENTS**

Chair Gabriel noted that a garden tour was typically held in August. It was suggested August 13 as the tentative date.

**10. ADDITIONAL PUBLIC COMMENT** – None.

**11. INFORMATION**

a. April/May Monthly Report

**12. ADJOURNMENT**

There being no further business before the Committee, the meeting was adjourned at 7:02 p.m.

Meeting summary prepared and submitted by:

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Jacquelyn LaPlante  
Deputy City Clerk

**PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW  
COUNCIL MEETING OF: JUNE 5, 2019**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
SPRINKLER PRO	MAY/JUNE LAWN MAINTENANCE	SR. CENTER	PROF. SERVICES	3,453.92
MOTION & FLOW CONTROL PROD.	CARBIDE CUTTING EDGES	AIRPORT	OPERATING SUPPLIES	4,550.00
GCR TIRES	WHEELS	STREETS	OPERATING SUPPLIES	4,999.76
OSH KOSH	ARFF TRUCK INSPECTION	SHOP	REPAIR & MAINTENANCE	4,760.00
ALASKA RESTAURANT SUPPLY	DISHWASHER	SR. CENTER	MACHINERY & EQUIP.	10,117.55
WEST COAST PAPER	MEAL TRAYS	SR. CENTER	OPERATING SUPPLIES	3,373.50
CROWLEY	FLOAT PLANE FUEL	AIRPORT	OPERATING SUPPLIES	3,807.92
LN CURTIS & SONS	THERMAL IMAGER	FIRE	SMALL TOOLS	5,700.00
FESTIVE OUTFITTERS	COMPRESSOR REBUILD	RECREATION	REPAIR & MAINTENANCE	4,794.00
AIR LIQUIDE	RUNWAY CASSETTE BROOMS	AIRPORT	OPERATING SUPPLIES	7,075.00
PREFERRED PLUMBING	FD KITCHEN RENOVATION	PUBLIC SAFETY PROJ.	CONSTRUCTION	7,455.00
SOUTHCENTRAL COMM.	TOWER ANTENNA INSTALLATION	VARIOUS	MACHINERY & EQUIP.	4,850.00
HUFFER ELECTRIC	PSB KITCHEN RENOVATION	PUBLIC SAFETY PROJ.	CONSTRUCTION	4,650.00

From: kpbirding@yahoogroups.com  
Subject: **[kpbirding] Digest Number 1242**  
Date: May 16, 2019 5:09:21 PM AKDT  
To: kpbirding@yahoogroups.com  
Reply-To: "No Reply"<notify-dg-kpbirding@yahoogroups.com>

YAHOO! GROUPS

Kenai Peninsula Bird Sightings Group

1 Message

Digest #1242

1 [Celebration of Birds starts this weekend in Kenai](#) by kennethtarbox

Message

1 [Celebration of Birds starts this weekend in Kenai](#)

Thu May 16, 2019 12:28 pm (PDT) . Posted by: kennethtarbox

CELEBRATION OF BIRDS

SATURDAY, MAY 18, 2019

24-Hour Midnight Sun Big Sit – 6:00 AM – 6:00 AM 5/19 -- Participate in the only 24-hour Big Sit in the land of the midnight sun. All are welcome at the Kenai Wildlife Viewing Platform (located at the end of Public Boat Launch Road Kenai). Come anytime and stay as long as you like.. Past years have spotted 70+ bird species with moose, caribou, harbor seals and coyote joining us on the Kenai River estuary.

Kasilof Flats Hot Spot – 1:00 – 3:00 PM – The Kasilof River north bank mud flats are one of the best Kenai Peninsula shorebird viewing spots. The road to the north side is off Kalifornsky Beach Road at road mile 5. The road is labeled Kasilof Beach Access Road. Biologist Laura Burke will help ID shorebirds. Make sure to arrive near 1:00 PM as the tide covers the flats quickly.

Kenai Flats Hot Spot – 4:00 – 5:30 PM – Join local experts at a special shorebird hotspot. A small pond next to Cannery Road on the south side of the Kenai River provides excellent shorebird views and photo opportunities. Take Cannery Road to where it ends then proceed on gravel road until you see pond on your right.

SATURDAY, MAY 25, 2019

Kenai Wildlife Refuge Walk – 8:00 – 11:00 AM – A walk in the woods near the Kenai Wildlife Refuge Headquarters near Soldotna, Alaska. This easy to moderate 2 mile walk is through a boreal forest and marsh habitats. Meet at the New Kenai Refuge Visitor Center near Soldotna.. American Three-toed Woodpecker, Brown Creeper, and Golden-crowned Kinglet are possible. The first part of the walk will be on the Keen-Eye Trail followed by other trails as time permits. Led by George and Bev Kirsch.

SATURDAY, JUNE 1, 2019

Bishop Creek/ Stormy Lake Walk 8:00 – 10:00 AM – Approximately 20 miles N of Kenai on North Kenai Rd. Park and meet at Bishop Creek State Park parking area. Easy 0.75 mile round trip walk through brushy forest to Cook Inlet shore. If time permits a second walk to Stormy Lake boat launch will take place. Blackpoll and Yellow Warbler, Northern Waterthrush, Brown Creepers, Semipalmated sandpipers, and Swainson 's thrush possible. Recognition of bird songs and calls emphasized. Led by George and Bev Kirsch.



HELPFUL HINTS:

1. It can be chilly on some of the mornings so dress warmly.
2. Try to arrive 5-10 minutes earlier than posted Walk times.

No binoculars? No spotting scope? No problem. There will be lots of gear to share with new birders. This is truly a great time to learn from local birding experts. For more details call 262-7767 or go to the Kenai Peninsula Birding Festival Facebook Page.

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[VISIT YOUR GROUP](#)

**YAHOO!** GROUPS

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From: kpbirding@yahoogroups.com  
Subject: **[kpbirding] Digest Number 1245**  
Date: May 22, 2019 5:08:59 PM AKDT  
To: kpbirding@yahoogroups.com  
Reply-To: "No Reply"<notify-dg-kpbirding@yahoogroups.com>

YAHOO! GROUPS

Kenai Peninsula Bird Sightings Group

1 Message

Digest #1245

1 [Kenai Flats Mid-Night Sun 24-Hour Big Sit 5/18-19](#) by kenaibirder

### Message

#### 1 [Kenai Flats Mid-Night Sun 24-Hour Big Sit 5/18-19](#)

Wed May 22, 2019 11:59 am (PDT) . Posted by: kenaibirder

Kenai--Kenai River Wildlife Viewing Platform, Kenai Peninsula, Alaska, US

May 18, 2019 6:00 AM - 6:00 AM

Protocol: Stationary

Comments: 7th Annual Kenai Flats Mid-Night Sun 24-hour Big Sit  
56 species (+2 other taxa)

Snow Goose (*Anser caerulescens*) 1

Greater White-fronted Goose (*Anser albifrons*) 23

Cackling Goose (Aleutian) (*Branta hutchinsii leucopareia*) 4 - Slightly larger than nearby minima, much lighter breasts/body, pronounced (wide) white neck-rings, different shape to head

Cackling Goose (minima) (*Branta hutchinsii minima*) 70

Canada Goose (*Branta canadensis*) 10 - parvipes - our common lesser Canada Goose

Canada Goose (Dusky) (*Branta canadensis occidentalis/fulva*) 2 - Dusky Canada Goose, dark chocolate brown breast/body, larger and much darker than nearby Canada Goose parvipes pairs

Northern Shoveler (*Spatula clypeata*) 13

American Wigeon (*Mareca americana*) 30

Mallard (*Anas platyrhynchos*) 15

Northern Pintail (*Anas acuta*) 25

Green-winged Teal (*Anas crecca*) 40

Greater Scaup (*Aythya marila*) 2

Barrow's Goldeneye (*Bucephala islandica*) 6

Common Merganser (*Mergus merganser*) 6

Red-breasted Merganser (*Mergus serrator*) 4

Rock Pigeon (Feral Pigeon) (*Columba livia* (Feral Pigeon)) 2

Sandhill Crane (*Antigone canadensis*) 35

Pacific Golden-Plover (*Pluvialis fulva*) 2

Semipalmated Plover (*Charadrius semipalmatus*) 9  
 Whimbrel (*Numenius phaeopus*) 2  
 Hudsonian Godwit (*Limosa haemastica*) 4  
 Sanderling (*Calidris alba*) 11 - Bright white unmarked underparts, black legs and short black bill, smaller than Dunlin yet larger than Western Sandpipers and other peeps within the mixed flock. Approximately half the birds acquiring their breeding plumage of russet head and upper breast and half lacked such - seldom seen on lower Kenai River  
 Dunlin (*Calidris alpina*) 9  
 Least Sandpiper (*Calidris minutilla*) 5  
 Pectoral Sandpiper (*Calidris melanotos*) 90  
 Semipalmated Sandpiper (*Calidris pusilla*) 7  
 Western Sandpiper (*Calidris mauri*) 60  
 Short-billed Dowitcher (*Limnodromus griseus*) 30  
 Long-billed Dowitcher (*Limnodromus scolopaceus*) 3  
 Wilson's Snipe (*Gallinago delicata*) 3  
 Red-necked Phalarope (*Phalaropus lobatus*) 2  
 Greater Yellowlegs (*Tringa melanoleuca*) 8  
 Lesser Yellowlegs (*Tringa flavipes*) 4  
 Bonaparte's Gull (*Chroicocephalus philadelphia*) 1  
 Mew Gull (*Larus canus*) 200  
 Herring Gull (*Larus argentatus*) 40000  
 Glaucous-winged Gull (*Larus glaucescens*) 400  
 Arctic Tern (*Sterna paradisaea*) 150  
 Red-throated Loon (*Gavia stellata*) 4 - 2 pairs on river only 20 meters apart - most years there are two pairs nesting on lower Kenai River  
 Northern Harrier (*Circus hudsonius*) 1  
 Bald Eagle (*Haliaeetus leucocephalus*) 20  
 Northern Flicker (*Colaptes auratus*) 1  
 Merlin (*Falco columbarius*) 1  
 Black-billed Magpie (*Pica hudsonia*) 2  
 Northwestern Crow (*Corvus caurinus*) 2  
 Common Raven (*Corvus corax*) 2  
 Tree Swallow (*Tachycineta bicolor*) 15  
 Black-capped Chickadee (*Poecile atricapillus*) 2  
 Ruby-crowned Kinglet (*Regulus calendula*) 2  
 American Robin (*Turdus migratorius*) 2  
 American Pipit (*Anthus rubescens*) 3  
 Common Redpoll (*Acanthis flammea*) 1  
 Dark-eyed Junco (*Junco hyemalis*) 2  
 White-crowned Sparrow (*Zonotrichia leucophrys*) 1  
 Savannah Sparrow (*Passerculus sandwichensis*) 5  
 Lincoln's Sparrow (*Melospiza lincolni*) 6  
 Orange-crowned Warbler (*Oreothlypis celata*) 3  
 Yellow-rumped Warbler (*Setophaga coronata*) 2

**From:** Kenneth Tarbox <tarbox1946@gmail.com>  
**Subject:** Fwd: May 25, 2019 Moose Range Headquarters  
**Date:** May 25, 2019 12:50:20 PM AKDT  
**To:** Bob Molloy <bmolloy110@yahoo.com>

---

Bev asked me to send this to you

----- Forwarded message -----

**From:** George Kirsch <gbk74@alaska.net>  
**Date:** Sat, May 25, 2019 at 11:37 AM  
**Subject:** May 25, 2019 Moose Range Headquarters  
**To:** Tarbox Kenneth <tarbox1946@gmail.com>

Ruby-crowned Kinglet  
Orange-crowned Warbler  
Yellow-rumped Warbler  
Brown Creeper  
Black-capped Chickadee  
Boreal Chickadee  
Dark-eyed Junco  
Red-breasted Nuthatch  
American Robin  
Varied Thrush  
Swainson's Thrush  
Canada Jay  
Bald Eagle  
Common Raven  
Surf Scoter  
Barrow's Goldeneye  
Common Merganser  
Mallard  
Wilson's Snipe  
Herring Gull  
Mew Gull  
Bonaparte's Gull  
Arctic Tern  
Common Loon  
Tree Swallow

Sent from my iPhone