



Kenai City Council - Regular Meeting

July 15, 2020 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

www.kenai.city

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. 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)

C. UNSCHEDULED PUBLIC COMMENTS

(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

D. PUBLIC HEARINGS

- 1. Ordinance No. 3144-2020** - Amending the Official Kenai Zoning Map by Rezoning Tracts 1 and 2, Holland Spur Highway Subdivision from Rural Residential (RR) to General Commercial (GC). (Administration)
- 2. Ordinance No. 3145-2020** - Waiving a Provision of Kenai Municipal Code 23.40.030 – Annual Leave, to Remove the Requirement that Employees Use a Minimum Amount of Leave for Calendar Year 2020. (Legal)
- 3. Resolution No. 2020-60** - Authorizing a Budget Transfer in the COVID-19 CARES Act Recovery Fund. (Administration)
- 4. Resolution No. 2020-61** - Amending Council Policy Number 2018-01 – Parks and Recreation Commission Student Representative Policy, to Broaden the Qualifications and Requirements for the Student and Make the Policy More Inclusive. (Vice Mayor Molloy)
- 5. Resolution No. 2020-62** - Supporting the City’s Request to Plan, Design, Contract, and Perform Construction Administration of the Bridge Access Road Pedestrian Pathway Project. (Council Member Knackstedt)

E. MINUTES

1. *Regular Meeting of July 1, 2020. (City Clerk)

F. UNFINISHED BUSINESS

1. **Substitute Ordinance No. 3133-2020** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue Fund, Authorizing a Budget Transfer in the Airport Terminal Improvement Capital Project Fund and Appropriating FY2020 Budgeted Funds in the Airport Master Plan Capital Project, Airport Snow Removal Equipment and Airport Operations Facility Improvement Capital Project Funds for Heating, Ventilation and Air Conditioning (HVAC) Improvement to the Airport Operations Facility and Replacement of the Airport's Wide Area Mower. (Administration) [**Clerk's Note:** *At the June 17 Meeting, this item was Postponed to this Council Meeting. A Motion to Enact is On the Floor.*]

G. NEW BUSINESS

1. *Action/Approval - Bills to be Ratified. (Administration)
2. *Action/Approval - FY2020 Purchase Orders over \$15,000. (Administration)
3. *Action/Approval - FY2021 Purchase Orders Over \$15,000. (Administration)
4. *Action/Approval - Non-Objection to the Issuance of a New Restaurant/Eating Place Liquor License for Jersey Subs. (City Clerk)
5. *Ordinance No. 3146-2020 - Increasing Estimated Revenues and Appropriations in the General Fund, Library Improvement Capital Project Fund, Visitor Center Improvement Capital Project Fund, Municipal Roadway Improvements Capital Project Fund, Kenai Recreation Center Improvements Capital Project Fund, Information Technology Improvements Capital Project Fund, and City Hall Improvements Capital Project Fund to Fund Capital Projects Deferred During the FY2021 Budget Process. (Administration)
6. *Ordinance No. 3147-2020 - Accepting and Appropriating \$2,135.25 in Asset Forfeiture Sharing Funds for Purchasing Law Enforcement Equipment into the General Fund, Police Department. (Administration)
7. *Ordinance No. 3148-2020 - Accepting and Appropriating a Meals on Wheels COVID-19 Response Fund Grant Round Two from Meals on Wheels America for Kenai Senior Center Expenditures in Support of its Response to the COVID-19 Public Health Emergency. (Administration)
8. *Ordinance No. 3149-2020 - Accepting and Appropriating a Grant from the Federal Aviation Administration and Authorizing the Purchase of Property Described as Lot 5, Spruce Creek Subdivision which is in the Airport's Runway Protection Zone. (Administration)
9. **Discussion** - City Response to COVID-19. (Administration)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

- [1.](#) City Manager
2. City Attorney
3. City Clerk

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

M. PENDING ITEMS

1. **Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections. (Council Member Peterkin) [**Clerk's Note:** *At the July 1 Meeting, this item was Postponed to the 08/19/20 Council Meeting.*]
2. **Ordinance No. 3128-2020** - Amending Kenai Municipal Code Section 1.85.040 – Records Public, To Provide For a Record Retention Length. (City Clerk) [**Clerk's Note:** *At the July 1 Meeting, this Item was Postponed to the 08/19/20 Council Meeting.*]

N. ADJOURNMENT

O. INFORMATION ITEMS

- [1.](#) Purchase Orders Between \$2,500 and \$15,000.
- [2.](#) Recovery Grant Correspondence

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

Join Zoom Meeting

<https://us02web.zoom.us/j/86548858652> **Or Call:** (253) 215-8782 or (301) 715-8592

Meeting ID: 865 4885 8652 **Password:** 385081



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3144-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING THE OFFICIAL ZONING MAP BY REZONING TRACTS 1 AND 2, HOLLAND SPUR HIGHWAY SUBDIVISION FROM RURAL RESIDENTIAL (RR) TO GENERAL COMMERCIAL (CG).

WHEREAS, Tracts 1 and 2, Holland Spur Highway Subdivision are currently zoned Rural Residential with a physical address of 7344 and 7450 Kenai Spur Highway; and,

WHEREAS, the owner of the two adjacent parcels has requested a rezone to General Commercial and the two adjacent parcels combined are over 10 acres in size meeting the application requirement of Kenai Municipal Code 14.20.270, Amendment procedures; and,

WHEREAS, the RR Zone is intended to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment; and,

WHEREAS, the CG Zone is intended to provide for areas where a broad range of retail, wholesale, and service establishments is desirable and uses are regulated to concentrate commercial development to the greatest extent possible; and,

WHEREAS, the CG Zone is consistent with commercial development along the Kenai Spur Highway, other parcels in the CG Zone across the street and adjacent to these two parcels, and adjacent land uses and ownership; and,

WHEREAS, the rezone will not impact residential housing or the quality of neighborhoods within the City and the parcels do not border areas with residential housing; and,

WHEREAS, the parcels to be rezoned front approximately 2,640 feet of the Kenai Spur Highway, a major collector street maintained by the State of Alaska; and,

WHEREAS, the rezone is consistent with the 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan and supports Goal 3 – Land Use: Develop land use strategies to implement a forward-looking approach to community growth and development; and,

WHEREAS, the City of Kenai Planning and Zoning Commission voted unanimously to recommend the property be rezoned to General Commercial during a public hearing held at their meeting on June 10, 2020.

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

Section 1. That pursuant to KMC 14.20.030 Establishment of Zones and Official Zoning Map, the official City of Kenai Zoning Map is hereby amended by rezoning Tracts 1 and 2, Holland Spur

Ordinance No. 3144-2020
Page 2 of 2

Highway Subdivision at 7344 and 7450 Kenai Spur Highway from Rural Residential (RR) to General Commercial (CG).

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 15th day of July, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Introduced: July 1, 2020
Enacted: July 15, 2020
Effective: August 15, 2020



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Elizabeth Appleby, City Planner

DATE: June 23, 2020

SUBJECT: Ordinance 3144-2020 – Rezone Two Kenai Spur Highway Parcels

A completed application was submitted to the City requesting that adjacent parcels Tracts 1 and 2, Holland Spur Highway Subdivision located at 7344 and 7450 Kenai Spur Highway (parcel numbers 04103056 and 04103055) be rezoned from Rural Residential (RR) to General Commercial (CG). Kenai Municipal Code (KMC) 14.20.270, Amendment procedures, describes initiation of zoning code and official map amendments. Zoning code amendments may be initiated by a submission of a petition by a majority of the property owners in the area for consideration if the area to be rezoned contains a minimum of one acre unless the amendment enlarges an adjacent district boundary. Glen Martin is the owner of the adjacent parcels that combined are approximately 11.84 acres in size. The requested rezone meets the criteria for an amendment. No public comments have been received as of June 23, 2020.

These parcels front the Kenai Spur Highway for approximately 2,640 feet. The Kenai Spur Highway Road is a major collector street maintained by the State of Alaska. Their parcels are vacant and surrounded mostly by vacant land. There is a gravel pad covering the middle of the two parcels. Parcels adjacent to these two parcels are either within the CG Zone or the RR Zone: Across the street on the Kenai Spur Highway from Tract 1 (parcel 04103055) is a City of Kenai wellhead that was damaged in the 2018 earthquake and is slated to be relocated. The wellhead is on parcels within the RR Zone. A City owned parcel borders the east of Tract 2 (parcel 04103056) and is within the RR Zone. The parcel bordering the north of these two is within the RR Zone and is owned by the Alaska Mental Health Trust Authority. The fronting parcel along the Kenai Spur Highway across from Tract 2 (parcel 04103056) and half of Tract 1 (parcel 04103055) is within the CG Zone. The parcel bordering the west of Tract 1 (parcel 04103055) is also within the CG Zone and is owned by the Alaska Mental Health Trust Authority. There is not a neighborhood or plans for a neighborhood in the vicinity that would necessitate a more transitional zone from the Kenai Spur Highway frontage.

The RR Zone is intended to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The CG Zone is intended to provide for areas where a broad range of retail, wholesale, and service establishments

is desirable. Uses are regulated to concentrate commercial development to the greatest extent possible and new residential uses and other noncommercial uses are not permitted in this zone as principal uses.

The CG Zone is more consistent with the layout of the parcel. The applicant has indicated plans for commercial development. Commercial uses could take advantage of the frontage on the Kenai Spur Highway. A neighborhood is not adjacent to these parcels and a rezone would not impact residential housing or the quality of neighborhoods within the City. An anadromous stream is on the eastern part of Tract 2 (parcel 04103056) and the Kenai Peninsula Borough 50-Foot Habitat Ordinance prohibiting development within 50-feet of anadromous streams would apply and protect the creek.

The 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan states, “original community has expanded with commercial development along the Kenai Spur Highway.” This change in zoning reflects the change in the City layout over time and supports Goal 3 – Land Use: Develop land use strategies to implement a forward-looking approach to community growth and development. The 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan also notes that, “commercial land uses dominate the corridor along the Kenai Spur Highway” and a rezone for these two rectangular parcels with long frontages on the Kenai Spur Highway is consistent with the Comprehensive Plan.

Attached to this memorandum is the Land Use Table in Kenai Municipal Code 14.22.010 Land use table. I have highlighted allowed uses in the Rural Residential (RR) and the CG (General Commercial) zones of the City so Council members may compare the two zones. A summary of differences in land use between the RR and CG zones includes the following:

- (more restrictive change) Principal uses in the RR Zone that do not require a conditional use permit and are not permitted in the CG Zone include: farming/general agriculture
- (more restrictive change) Principal uses in the RR Zone that do not require a conditional use permit and are only allowed in the CG Zone as a secondary use include: one-family dwelling, two-, three-family dwelling, four-family dwelling
- (more restrictive change) Uses that are allowed with a conditional use permit in the RR Zone that are not permitted in the CG Zone include: accessory building on parcel without main building or use
- (less restrictive change) Uses that are not allowed in the RR Zone that would be allowed in the CG Zone with a conditional use permit include: airport compatible uses, standard marijuana cultivation facility, marijuana testing facility, retail marijuana store, marijuana product manufacturing facility
- (less restrictive change) Uses that are allowed in the RR Zone with a conditional use permit that would be allowed as a principal use without a conditional use permit in the CG Zone include: adult businesses (additional restrictions apply under footnote 31), automotive sales, automotive service stations, banks, business/consumer services, commercial recreation, guide service, hotels/motels, lodge, professional offices,



restaurants, retail business, theaters, wholesale business, necessary aviation facilities, automotive repair, manufacturing/fabricating/assembly, mini-storage facility, storage yard, warehouses, clinics, colleges, elementary schools, high schools, hospitals, libraries, museums, parks and recreation, governmental buildings, assemblies (additional requirements under footnote 15), cabin rentals, communications towers and antenna(s), radio/TV transmitters/cell sites, day care centers, fraternal organizations/private clubs/social halls and union halls, greenhouses/tree nurseries, nursing, convalescent or rest homes, gunsmithing, taxidermy, personal services


- (differing change; unclear if more or less restrictive) Uses that are allowed with a conditional use permit in the RR Zone are only allowed in the CG Zone as a secondary use include: five-six-family dwelling, seven- or more family dwelling, dormitories/boarded houses
- (no change) Principal uses in both RR and CG zones that do not require a conditional use permit include: essential services, churches (some additional requirements under footnote 10)
- (no change) Conditional uses in both RR and CG zones that require a conditional use permit include: townhouses (some additional requirements in RR zone; see footnote 3), planned unit residential development, mobile home parks, limited marijuana cultivation facility, airports, assisted living, animal boarding/commercial kennel, bed and breakfasts, cemeteries, crematories/funeral homes, public parking lots, recreational vehicle parks, subsurface extraction of natural resources, surface extraction of natural resources
- (no change) Uses not permitted in both RR and CG zones: gas manufacturer/storage, assisted living

The Kenai Planning and Zoning Commission considered this request during their meeting on June 10, 2020 and unanimously recommended City Council approve of the rezone request for Tracts 1 and 2, Holland Spur Highway Subdivision located at 7344 and 7450 Kenai Spur Highway from the Rural Residential Zone to the General Commercial Zone. Thank you for your consideration.

Memorandum Attachments

- Application
- Resolution PZ2020-13
- Map
- Highlighted Land Use Table from Kenai Municipal Code 14.22.010



 <h2 style="margin: 0;">Rezoning Application</h2>	City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99511 (907) 283-8200 planning@kenai.city www.kenai.city/planning
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PETITIONER

Name:	Glen Martin						
Mailing Address:	POB 1389	City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	907-252-5326						
Email:	akgold16@gmail.com						

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (s):	04103056, 04103055		
Physical Address:	7344 and 7450 Kenai Spur Hwy - <i>6.56 acres + 5.28 acres = 11.84 total acres</i>		
Legal Description:	T6N R11W SEC35 SEWARD MERIDIAN KN 2011068 HOLLAND SPUR HIGHWAY SUB TRACTS 1&2		

ZONING INFORMATION

Present Zone:	RR
Proposed Zone:	CG

Intended Use and/or Reason for Rezoning (attach additional sheets if necessary):

I would like to make this highway strip available for restaurants, clinics, gas stations, retail shops, etc. It abuts CG lands, and most of the Spur Highway between Swires Road and Beaver Loop Road has already been rezoned CG. This will help make the zoning consistant in this area.

AMENDMENT PROCEDURE REQUIREMENTS

The area proposed to be rezoned contains a minimum of 1 acre (excluding street or alley rights-of-way), unless the amendment enlarges an adjacent zoning district boundary.	<input checked="" type="checkbox"/> YES
This proposed amendment to the zoning ordinance is not substantially the same as any other unapproved proposed amendment submitted within the previous 9 months.	<input checked="" type="checkbox"/> YES
I understand a public hearing is required as outlined in the Kenai Zoning Code, a \$250 fee is required (\$265 total after tax), and that this application will be reviewed following Kenai City Code 14.20.270, available at kenai.municipal.codes/KMC/14.20.270.	<input checked="" type="checkbox"/> YES
I have included a map of the proposed rezone area and applicable signatures.	<input checked="" type="checkbox"/> YES

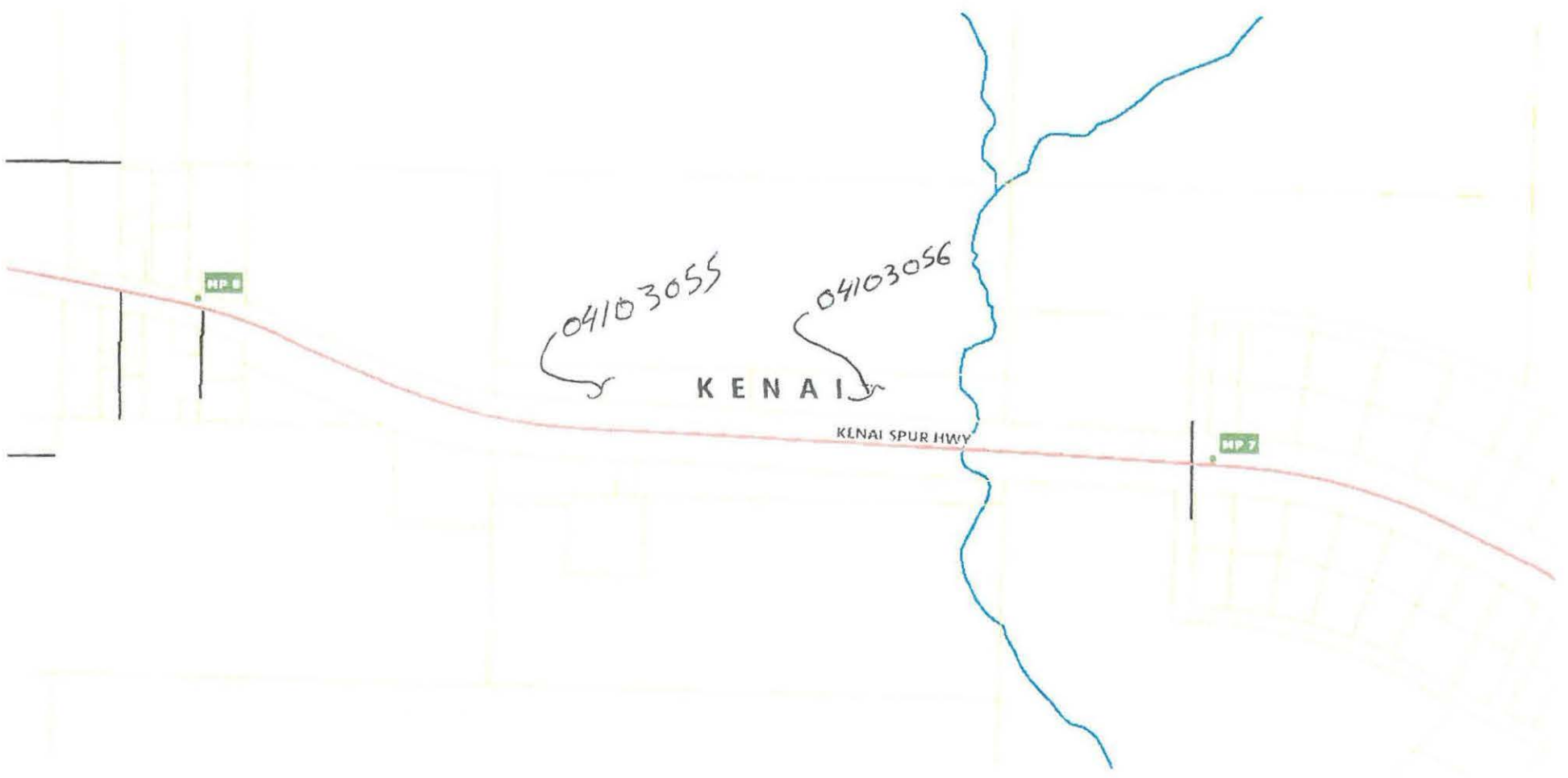
The proposed Zoning Code and Official Zoning Map Amendments is initiated by (check one):

- Kenai City Council
- Kenai Planning & Zoning Commission
- Petition of majority of the property owners in the area to be rezoned
- Petition bearing the signatures of 50 registered voters within the City of Kenai
- Petition as provided by the Home Rule Charter of the City of Kenai

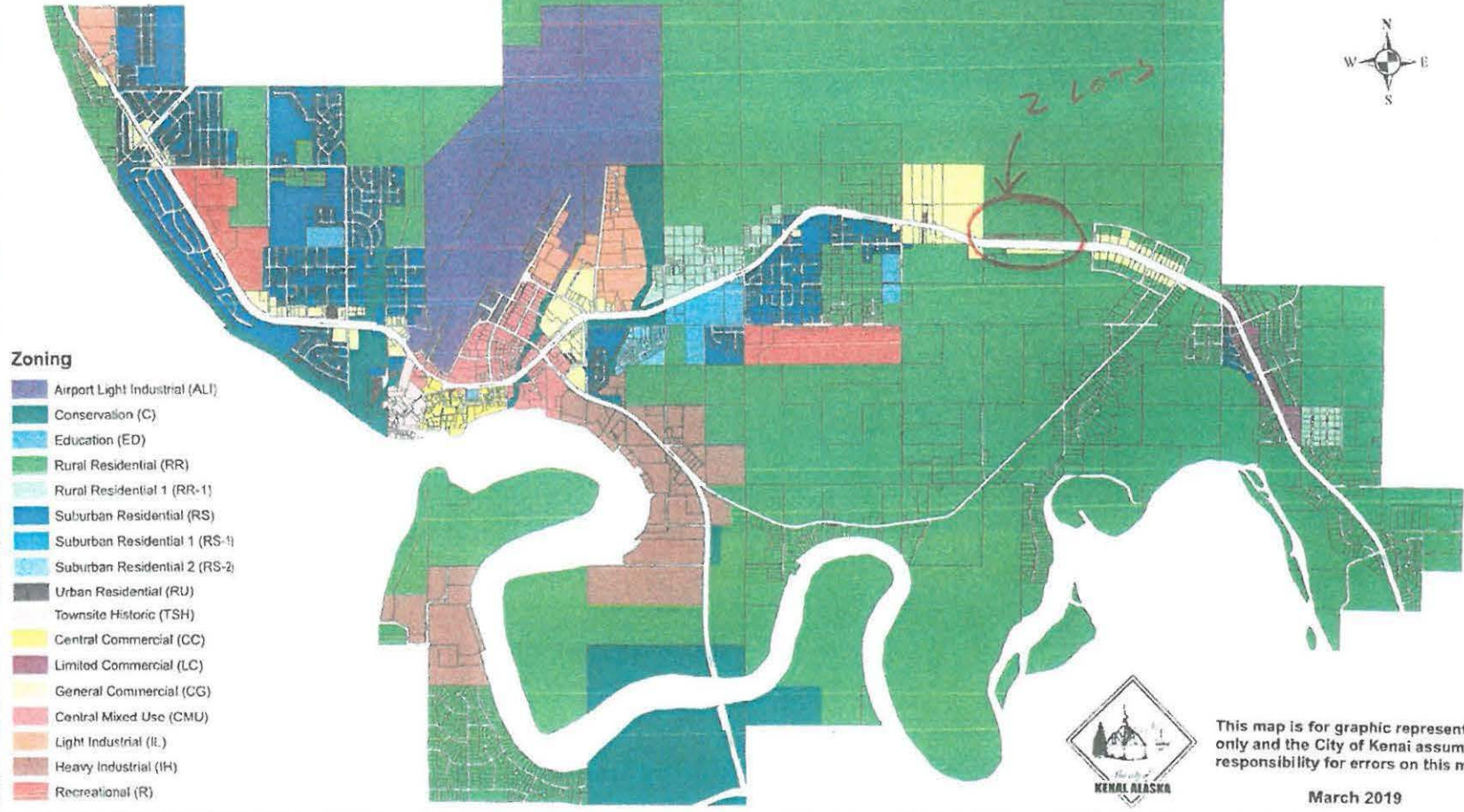
PETITIONER'S SIGNATURE

Signature:		
Printed Name:	Glen F. Martin	Date: 5/15/2020

For City Use Only	Date Application Fee Received: PZ Resolution Number: <i>PZ2020-13</i>
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City of Kenai Zoning Map



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

March 2019





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2020-13**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THE COUNCIL OF THE CITY OF KENAI APPROVE THE REZONE REQUEST OF TRACTS 1 AND 2, HOLLAND SPUR HIGHWAY SUBDIVISION FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL

WHEREAS, the City of Kenai received a rezone application from the majority property owner in accordance with Kenai Municipal Code 14.20.270, Amendment procedures; and,

WHEREAS, the RR Zone is intended to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment; and,

WHEREAS, the CG Zone is intended to provide for areas where a broad range of retail, wholesale, and service establishments is desirable and uses are regulated to concentrate commercial development to the greatest extent possible; and,

WHEREAS, the rezone request is for an area over ten acres in size; and,

WHEREAS, the area to be rezoned fronts the Kenai Spur Highway, a major collector street maintained by the State of Alaska; and,

WHEREAS, other parcels in the CG Zone border and are across the street from these two parcels; and,

WHEREAS, the CG Zone is consistent with commercial development along the Kenai Spur Highway and will not impact residential housing or the quality of neighborhoods within the City; and,

WHEREAS, the rezone is consistent with Goal 3 – Land Use: Develop land use strategies to implement a forward-looking approach to community growth and development of the 2016 Imagine Kenai 2030 City of Kenai Comprehensive Plan.

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

Section 1. That the Kenai City Council approve of the rezone request of Tracts 1 and 2, Holland Spur Highway Subdivision from Rural Residential to General Commercial.

Section 2. That a copy of Resolution PZ2020-13 be forwarded to the Kenai City Council.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 10th day of June, 2020.

Resolution No. PZ2020-04
Page 2 of 2

Diane Fikes
Diane Fikes For
JEFF TWAIT, CHAIRPERSON

ATTEST:

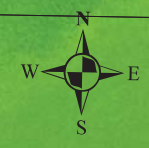
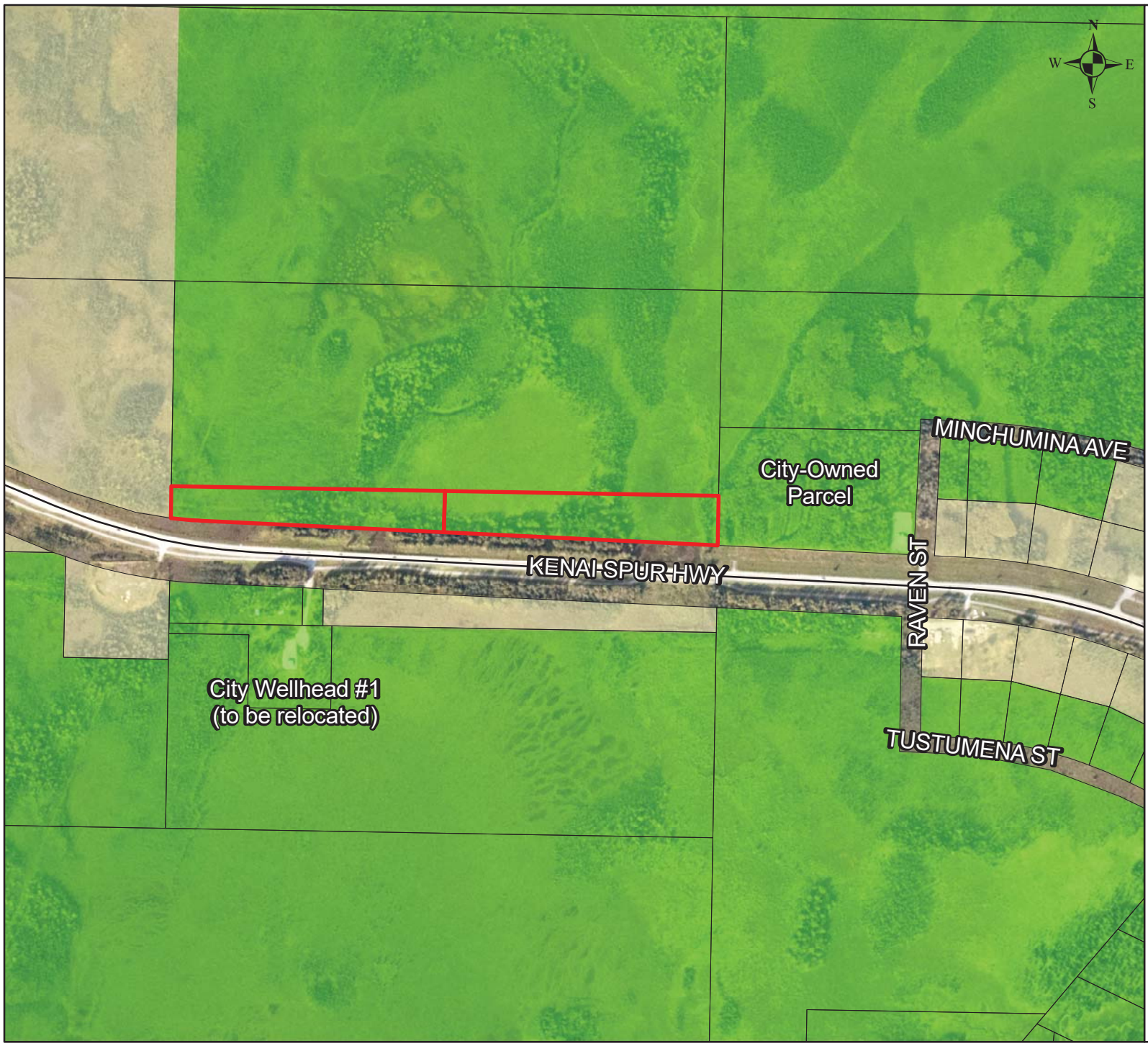
Jamie Heinz
JAMIE HEINZ, CITY CLERK





Rezone Request of Parcels: 04103055, 04103056

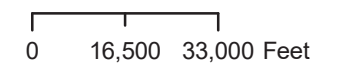
7450 and 7344 Kenai Spur Hwy
Tracts 1 and 2,
Holland Spur Hwy Subdivision



LEGEND

Zoning

- Rural Residential
- General Commercial (CG)



The information depicted here on is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

Date: 5/15/2020

14.22.010 Land use table.

LAND USE TABLE

KEY: P = Principal Permitted Use
 C = Conditional Use
 S = Secondary Use
 N = Not Permitted

NOTE: Reference footnotes on following pages for additional restrictions

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
RESIDENTIAL																	
One-Family Dwelling	N	C ¹⁸	P	P	P	P	P	P	P ²¹	S ¹	S ²	S ²	C ²²	P	P	P	S ¹ /C ²¹
Two-, Three-Family Dwelling	N	C ¹⁸	P	P	P	P	P	P	P ²¹	S ¹	C	C	C ²²	P	P	P	S ¹ /C ²¹
Four-Family Dwelling	N	C ¹⁸	P	C ^{3,29}	P	N	N	P	P ²¹	S ¹	C	C	C ²²	N	P	C	S ¹ /C ²¹
Five-, Six-Family Dwelling	N	C ¹⁸	C ³	N	P	N	N	P	P ²¹	S ¹	C	C	N	N	P	C	S ¹ /C ²¹
Seven- or More Family Dwelling	N	C ¹⁸	C ³	N	C ³	N	N	P	P ²¹	S ¹	C	C	N	N	P	C	S ¹ /C ²¹
Mobile Home Parks ⁶	N	N	C	N	C	C	C	C	C	C	C	C	N	C	N	N	C
Planned Unit Residential Development ⁷	N	C ¹⁸	C	C ²⁹	C	C	C	C	C	C	C	C	N	C	C	C	C
Townhouses ⁴	N	C ¹⁸	C ³	C ^{3,29}	C ³	C ³	C ³	C ³	C	C	C	C	C ²²	C	C	C	C
Accessory Building on Parcel Without Main Building or Use (See KMC 14.20.200)	N	N	C	C	C	C	C	C	N	N	N	N	N	N	C	N	N
COMMERCIAL																	
Airport Compatible Uses	P	N	N	N	N	N	N	N	C	C	C	C	N	N	N	C	C
Adult Businesses	N	N	N	N	N	N	N	N	P ³¹	P ³¹	P ³¹	P ³¹	N	N	N	N	N

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
Automotive Sales	C	N	C	N	N	N	N	C	P	P	P	P	N	N	N	N	P
Automotive Service Stations	C	N	C	N	N	N	N	C	P	P	P	P	N	C	N	N	P
Banks	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P
Business/Consumer Services	C	N	C	C	C	N	N	C	P	P	P	C	N	C	C	C	P
Commercial Recreation	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P
Guide Service	C	N	C	N	C	N	N	C	P	P	P	P	N	P	P	C	P
Hotels/Motels	C	N	C	N	C	N	N	C	P	P	P	C	N	C	P	C	P
Lodge	C	N	C	N	C	N	N	C	P	P	P	C	N	P	P	C	P
Marijuana Cultivation Facility, Limited ³⁰	N	N	C	C	C	C	C	C	N	C	C	C	N	N	N	C	N
Marijuana Cultivation Facility, Standard ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N
Marijuana Product Manufacturing Facility ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N
Marijuana Testing Facility ³⁰	N	N	N	N	N	N	N	N	C	C	P	P	N	N	N	C	C
Professional Offices	C	N	C	C	C	N	N	P	P	P	P	P	N	C	P	P	P
Restaurants	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P
Retail Business	C	N ²⁶	C	N	C	N	N	C	P	P	P	P	S ²⁴	S ²⁴	C	C	P
Retail Marijuana Store ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	C
Theaters	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P
Wholesale Business	C	N	C	N	C	N	N	C	C	P	P	P	N	S ²⁴	C	C	N
INDUSTRIAL																	
Airports	C	P ²⁰	C	N	C	N	N	C	C	C	C	C	N	C	N	N	C
Necessary Aviation Facilities	P	P	C	C	C	C	C	C	P	P	P	P	C	P	C	P	P
Automotive Repair	P	N	C	N	C	N	N	C	P	P	P	P	N	N	N	N	P

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
Gas Manufacturer/ Storage	C ⁹	N	N	N	C	N	N	N	N	N	C ⁹	C ⁹	N	N	N	N	N
Manufacturing/ Fabricating/Assembly	P	N	C	N	C	N	N	C	C	P	P	P	N	C	C	N	C
Mini-Storage Facility	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	C	C
Storage Yard	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	N	C
Warehouses	C	N	C	N	C	N	N	C	N	P	P	P	N	C	N	N	N
PUBLIC/ INSTITUTIONAL																	
Assisted Living	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Churches*	N	C	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	C	C	P	P ¹⁰	P	P	P
Clinics	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	P	P
Colleges*	N	C	C	C ²⁹	C	C	C	C	P	P	C	C	P	C	C	C	P
Elementary Schools*	N	C	C	C ²⁹	C	C	C	C	P	P	C	C	P	C	C	C	P
Governmental Buildings	P	C	C	C ²⁹	C	C	C	C	P	P	P	C	P	C	C	P	P
High Schools*	N	C	C	C ²⁹	C	C	C	C	P	P	C	C	P	C	C	C	P
Hospitals*	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	C	P
Libraries*	N	C	C	C ²⁹	C	C	C	C ¹²	P	P	P	C	P	C	P	C	P
Museums	C	C	C	C ²⁹	C	C	C	C	P	P	P	C	P	C	P	C	P
Parks and Recreation	N	P	C	C ²⁹	C	C	C	C	P	P	P	P	P	P	P	C	P
MISCELLANEOUS																	
Animal Boarding/ Commercial Kennel ¹³	C	C	C	N	C	C	N	N	C	C	C	C	N	C	N	C	C
Assemblies ¹⁵ (Large: Circuses, Fairs, etc.)	P	C	C	N	C	C	C	C	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	P ¹⁵	C	P	N	P ¹⁵
Bed and Breakfasts	N	C	C	C	C	C	C	C	C	C	C	C	N	P	C	C	P
Cabin Rentals	N	C	C	N	C	N	N	N	P	P	P	C	N	P	P	C	P
Cemeteries	P	C	C	N	C	N	N	N	N	C	C	C	N	C	C	N	N

ZONING DISTRICTS																	
LAND USES	ALI	C	RR	RR-1	RS	RS-1	RS-2	RU	CC	CG	IL	IH	ED	R	TSH	LC	CMU
Communications Towers and Antenna(s), Radio/TV Transmitters/ Cell Sites** ²⁸	C	P	C	N	C	C	C	C	P	P	P	P	P	C	C	C	C
Crematories/Funeral Homes	N	N	C	N	C	N	N	C	C	C	C	C	N	C	C	C	C
Day Care Centers ¹²	N	C	C	C ²⁹	C	C	C	C	P	P	P	C	C	C	C	P	P
Dormitories/Boarding Houses	N	C	C	N	C	C	C	P	p ²¹	S	C	P	p ²³	C	C	C	P
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farming/General Agriculture***	N	P	P	N	N	N	N	N	N	N	N	P	N	P	N	N	N
Fraternal Organizations/ Private Clubs/Social Halls and Union Halls	N	N	C	N	C	C	C	C	P	P	P	C	N	C	P	C	P
Greenhouses/Tree Nurseries ¹³	N	C	C	N	C	C	C	C	P	P	P	C	N	C	C	C	P
Gunsmithing, Taxidermy	N	N	C	C	C	C	C	C	P	P	P	P	N	C	P	P	P
Nursing, Convalescent or Rest Homes	N	N	C	N	C	C	C	C	P	P	C	C	C	C	C	C	P
Parking, Public Lots ¹²	C	C	C	N	C	C	C	C	C	C	C	C	C	C	C	C	C
Personal Services ²⁵	N	C	C	N	C	C	C	C	P	P	P	P	C	C	P	P/ C ²⁷	P
Recreational Vehicle Parks	N	C	C	N	C	N	N	C	C	C	C	C	N	C	C	N	C
Subsurface Extraction of Natural Resources ¹⁶	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	N	N
Surface Extraction of Natural Resources ¹⁷	C	C	C	N	C	N	N	C	N	C	C	C	N	C	N	N	N

* See 42 USCA Sec. 2000cc (Religious Land Use and Institutionalized Persons Act of 2000)

** See 42 Telecommunications Act of 1996, Sec. 704(a)

*** See, however, the limitations imposed under KMC [3.10.070](#)

Footnotes:

- 1** Allowed as a secondary use except on the ground floor of the part of the building fronting on collector streets and major highways. Commercial or industrial which falls under the landscaping/site plans requirements of KMC Chapter [14.25](#) shall include any secondary uses in the landscaping and site plans.
- 2** One (1) single-family residence per parcel, which is part of the main building.
- 3** Allowed as a conditional use, subject to satisfying the following conditions:
 - a** The usable area per dwelling unit shall be the same as that required for dwelling units in the RS Zone;
 - b** The site square footage in area must be approved by the Commission;
 - c** Yards around the site, off-street parking, and other development requirements shall be the same as for principal uses in the RR Zone;
 - d** Water and sewer facilities shall meet the requirements of all applicable health regulations;
 - e** The proposed dwelling group will constitute a residential area of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood, and will not adversely affect surrounding property values;
 - f** The buildings shall be used only for residential purposes and customary accessory uses, such as garages, storage spaces, and recreational and community activities;
 - g** There shall be provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population;
 - h** The development shall not produce a volume of traffic in excess of the capacity for which the access streets are designed;
 - i** The property adjacent to the proposed dwelling group will not be adversely affected.
- 4** See "Townhouses" section.
- 5** See "Mobile Homes" section.
- 6** Allowed as a conditional use, subject to "Mobile Homes" section; and provided, that any mobile home park meets the minimum Federal Housing Authority requirements.
- 7** See "Planned Unit Residential Development" section.
- 8** Allowed as a conditional use; provided, that the proposed location and the characteristics of the site will not destroy the residential character of the neighborhood.
- 9** Allowed as a conditional use; provided, that all applicable safety and fire regulations are met.
- 10** Provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line.
- 11** Allowed as a conditional use; provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line; and provided further, that the proposed location and characteristics of the use will not adversely affect the commercial development of the zone.

- 12** Allowed as a conditional use; provided, that the following conditions are met:
- a** The proposed location of the use and the size and characteristics of the site will maximize its benefit to the public;
 - b** Exits and entrances and off-street parking for the use are located to prevent traffic hazards on public streets.
- 13** Allowed as a conditional use; provided, that setbacks, buffer strips, and other provisions are adequate to assure that the use will not be a nuisance to surrounding properties. The Commission shall specify the conditions necessary to fulfill this requirement. Animal boarding and commercial kennels require a kennel license (see KMC Chapter [3.15](#)).
- 14** Allowed as a conditional use; provided, that no indication of said use is evident from the exterior of the mortuary.
- 15** Allowed; provided, that the following conditions are met:
- a** An uncleared buffer strip of at least thirty (30) feet shall be provided between said use and any adjoining property in a residential zone.
 - b** Exits and entrances and off-street parking for the use shall be located to prevent traffic hazards on the public streets.
- 16** See “Conditional Uses” section.
- 17** See “Conditional Use Permit for Surface Extraction of Natural Resources” section.
- 18** **Conditional use allowed only on privately held property.** Not allowed on government lands.
- 19** Reserved.
- 20** The airport-related uses allowed under this entry are aircraft approach and departure zones pursuant to KMC [14.20.070\(a\)](#), except that for properties contained inside the airport perimeter fence or having access to aircraft movement areas, taxiways or parking aprons, FAA authorized uses are allowed.
- 21** Developments for use shall be the same as those listed in the Development Requirements Table for the RU/TSH Zones.
- 22** **Allowed as a conditional use in conjunction with a permitted use in the ED Zone.** For example, housing for teachers or students for a school in the zone.
- 23** **Allowed as an accessory use in conjunction with a permitted use in the ED Zone.** For example, a dormitory used to house students for a school or educational facility.
- 24** Retail businesses allowed as a secondary use in conjunction with the primary use (e.g., a gift shop or coffee shop within another business).
- 25** Art studios, barbers, beauticians, tattoo parlors, dressmakers, dry cleaners and self-service laundries, fitness centers, photographic studios, tailors, tanning salons and massage therapists.
- 26** Food services are allowed on a temporary or seasonal basis of not more than four (4) months per year.
- 27** Personal services not set forth in the below matrix are conditional uses.

Limited Commercial Zone		
Personal Services	Permitted (P)	Conditional Use (C)
Art Studios	X	
Barbers	X	
Beauticians	X	
Dressmakers	X	
Dry Cleaners		X
Fitness Centers	X	
Massage Therapist		X
Photographic Studios	X	
Self-Service Laundries		X
Tailors	X	
Tanning Salons	X	
Tattoo Parlors		X

28 Communications tower/antenna(s) allowed as a principal permitted (P) use if the applicable conditions set forth in KMC [14.20.255](#) are met or a conditional use (C) if the applicable conditions set forth in KMC [14.20.150](#) and [14.20.255](#) are met.

29 Use allowed only for those parcels that abut the Kenai Spur Highway. The access to any such parcel must be either from: (a) driveway access on the Kenai Spur Highway; or (b) driveway access from a dedicated right-of-way and that driveway access is not more than two hundred seventy-five (275) feet as measured from the constructed centerline of the Kenai Spur Highway to the center of the driveway access as shown on an as-built drawing/survey of the parcel.

30 See marijuana regulations, KMC [14.20.230](#)—Home Occupations, [14.20.320](#)—Definitions, [14.20.330](#)—Standards for commercial marijuana establishments.

31 See KMC [14.20.175](#)—Adult businesses; no adult business may be located within one thousand (1,000) feet of another adult business, or sensitive use. “Sensitive use” means a church or other place of worship, a public or private school (licensed pre-K through twelfth grade) or businesses where or areas where youth are likely to be present (limited to public parks, youth recreational centers, public playgrounds, public libraries).

(Amended during 7-7-99 supplement; Ord. 1862-2000; Amended during 12-1-00 supplement; Ords. 1911-2001, 1938-2001, 1956-2002, 1962-2002, 1990-2003, 1994-2003, 2053-2004, 2081-2005, 2112-2005, 2113-2005, 2144-2006, 2152-2006, 2185-2006, 2195-2006, 2246-2007, 2272-2007, 2403-2009, 2425-2009, 2546-2011, 2610-2012, 2649-2012, 2688-2013, 2784-2014, 2870-2016, 2884-2016, 3025-2018, 3056-2019, 3083-2019 (Substitute))

The Kenai Municipal Code is current through Ordinance 3110-2020, passed March 18, 2020.

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

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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 on-site 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, multiple-family” means any building containing three (3) or more dwelling units.

“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 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 six (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 nonnative 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 nine (9) through twelve (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 (10) feet 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 (16) feet, 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 component 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, limited” means an entity registered to cultivate in an area of five hundred (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 cultivation facility, standard” means an entity registered to cultivate in an area greater than five hundred (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 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 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 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 KMC Title [4](#), 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 or 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.

“On-site 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 (9) feet 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 of 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 apartment 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 twenty-one (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 KMC Title [14](#).

(Ords. 925, 1017, 1179, 1305-89, 1306-89, 1634-95, 1744-97, 1745-97, 1862-2000, 1910-2001, 2068-2004, 2094-2005, 2099-2005, 2100-2005, 2185-2006, 2195-2006, 2272-2007, 2652-2012, 2688-2013, 2870-2016, 2884-2016, 3068-2019)

The Kenai Municipal Code is current through Ordinance 3110-2020, passed March 18, 2020.

Disclaimer: The City Clerk has the official version of the Kenai Municipal Code. Users should contact the City Clerk for ordinances passed subsequent to the ordinance cited above.

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

City Telephone: (907) 283-7535

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Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3145-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, WAIVING A PROVISION OF KENAI MUNICIPAL CODE 23.40.030 – ANNUAL LEAVE, TO REMOVE THE REQUIREMENT THAT EMPLOYEES USE A MINIMUM AMOUNT OF LEAVE FOR CALENDAR YEAR 2020.

WHEREAS, Kenai Municipal Code 23.40.030- Annual leave, provides in subpart (g) that employees must take a minimum amount of leave each calendar year or the leave will be removed from their account without compensation; and,

WHEREAS, the provision is intended to encourage employees to take time off for their benefit and the City's; and,

WHEREAS, due to the COVID-19 public health emergency and travel related quarantine mandates, travel is difficult for many employees; and,

WHEREAS, many employees have been away from work for reasons related to the public health emergency that did not require the use of annual leave; and,

WHEREAS, employees may not be in a position to take a minimum amount of annual leave for reasons related to the public health emergency and should not be penalized by having the leave removed from their accounts without compensation.

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

Section 1. That this is a non-code Ordinance.

Section 2. That KMC 23.40.030- Annual leave, subsection (g) that states:

(g) It is required that each employee use a minimum of eighty (80) hours of leave per calendar year for employees working forty (40) hours per week, and one hundred twelve (112) hours for employees working a 7(k) work period, and affect appropriate coordination with the department head. If actual hours used are less than the minimum requirement, then the difference shall be deducted from available leave hours without any compensation to the employee.

is hereby waived for the calendar year 2020.

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

Ordinance No. 3145-2020
Page 2 of 2

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 15 day of July, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Introduced: July 1, 2020
Enacted: July 15, 2020
Effective: August 14, 2020



MEMORANDUM

TO: Mayor Gabriel and Council Members
FROM: Scott Bloom, City Attorney
DATE: June 25, 2020
SUBJECT: **Ordinance No. 3145-2020 – Annual Leave**

The City of Kenai Municipal Code provides that employees must take a minimum amount of leave each calendar year or the leave will be removed from their account without compensation. This provision is intended to encourage employees to take time off for the employee and City's mutual benefit.

Due to the COVID-19 public health emergency and quarantine mandates, travel is difficult for many employees. In addition, many employees have been away from work due to the public health emergency that did not require the use of their accrued annual leave.

Employees may not be in a position to take a minimum amount of annual leave for reasons related to the public health emergency and should not be penalized by having the leave removed without compensation.

Your consideration is appreciated.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2020-60

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AUTHORIZING A BUDGET TRANSFER IN THE COVID-19 CARES ACT RECOVERY FUND.

WHEREAS, Ordinance 3130-2020 appropriated the City’s Coronavirus Aid, Relief, and Economic Security Act (CARES Act) grant of \$7,700,832 which was passed through the State of Alaska; and,

WHEREAS, the original appropriation included \$1,000,000 for City Resiliency and Recovery; and,

WHEREAS, on June 3, 2020, City Council passed Resolution 2020-40, extending the City’s Disaster Emergency Declaration through September 14, 2020; and,

WHEREAS, while anticipated, the number of Alaskan cases of COVID-19 has increased with the lifting of mandates placing continued and even greater pressure on the City’s public safety resources; and,

WHEREAS, public safety personnel costs average approximately \$500,000 per month for total personnel costs from March 1, 2020 through September 14, 2020, approximately \$3,500,000; and,

WHEREAS, the currently appropriated amount for First Responder & Incident Management Team Payroll of \$2,500,000 will be insufficient to cover payroll costs through the September 14, 2020 expiration of the City’s Disaster Emergency Declaration; and,

WHEREAS, because of the difficulty in identifying, designing, procuring, and constructing resiliency projects, these funds are available for transfer to fund additional wage reimbursement, which is an allowable CARES Act expenditure; and,

WHEREAS, it is in the City’s best interest to approve the reallocation of funds.

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

Section 1. That the following budget revision is authorized.

<u>COVID-19 Cares Act Recovery Fund:</u>	
Decrease Expenditures – City Resiliency and Recovery	\$1,000,000
Increase Expenditures – First Responder & Incident Management Team Payroll	\$1,000,000



Resolution No. 2020-60
Page 2 of 2


Section 2. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 15th day of July, 2020.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Paul Ostrander, City Manager
FROM: Terry Eubank, Finance Director
DATE: July 9, 2020
SUBJECT: Resolution No. 2020-60

The purpose of this memo is to recommend the adoption of Resolution 2020-60 that will authorize a budget revision in the COVID-19 CARES Act Recovery Fund. CARES Act guidance regarding reimbursement of public safety wages is as follows:

“The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.”

Following this guidance, the City estimated reimbursement of \$2,500,000 of public safety wage for the period of March 2020 through June 2020. Subsequently, the City extended its Disaster Emergency Declaration through September 14, 2020, and with the increase in infections, as health mandates are eased or lifted, public safety employees are being impacted more than ever in response to this public health emergency. For this reason, the administration recommends redirection of funds previously appropriated for City Resiliency and Recovery to First Responder and Incident Management Team Payroll. Redirection of this \$1,000,000 should provide sufficient funding to reimburse the City for public safety wages through the end of the current Disaster Emergency Declaration.

Your support is respectfully requested.



Sponsored by: Vice Mayor Molloy

CITY OF KENAI

RESOLUTION NO. 2020-61

A RESOLUTION OF THE CITY OF KENAI, ALASKA, AMENDING COUNCIL POLICY NUMBER 2018-01 – PARKS AND RECREATION COMMISSION STUDENT REPRESENTATIVE POLICY, TO BROADEN THE QUALIFICATIONS AND REQUIREMENTS FOR THE STUDENT AND MAKE THE POLICY MORE INCLUSIVE.

WHEREAS, Council Policy No. 2018-01, formally providing for a Student Representative for the Parks and Recreation Commission was adopted by Resolution No. 2018-03; and,

WHEREAS, Council Policy No. 2018-01 recognizes the benefits received from a Student Representative, outlines the role, and defines the limitations of the non-voting member of the Commission; and,

WHEREAS, during several meetings, the Parks & Recreation Commission reviewed the policy and discussed issues relating to the Student Representative to the Commission; and,

WHEREAS, the Parks & Recreation Commission recommended amendments to the policy that will broaden the qualifications of the Student Representative and make the policy more inclusive, by expanding the pool of potential student applicants to students enrolled in public and private high schools, as well as home school students and other programs enrolled through the Borough School District Administration, who are City of Kenai residents; and,

WHEREAS, at the meeting of March 5, 2020, the Commission unanimously approved its Resolution No, PR20-01, recommending that the Council adopt Policy No. 2018-01 (Amended), amending the Council's Parks and Recreation Commission Student Representative Policy.

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

Section 1. That Council Policy No. 2018-01 (Amended): Parks and Recreation Commission Student Representative, amended as attached, is approved.

Section 2. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 15th day of July, 2020.

BRIAN GABRIEL, SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

POLICY NO. 2018-01 (Amended): Parks and Recreation Commission Student Representative Policy

Purpose

The purpose of this policy is to provide for a Student Representative for the Parks and Recreation Commission.

Scope

This policy applies to the Parks & Recreation Commission and all Student Representatives appointed to the Parks & Recreation Commission.

Policy

It is important to seek out and consider students' ideas, viewpoints and reactions to Parks and Recreation decisions. In order to provide student input and involvement, the Mayor of the City of Kenai, may appoint a Student Representative to the Parks and Recreation Commission and the Student Representative may participate in the Parks and Recreation Commission meetings pursuant to the following:

1. Limitations, Qualification, and Requirements:
 - a. The Student may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in rotation with the official Commission vote and shall not affect the outcome of a vote. Advisory votes shall be recorded in the meeting summaries. Student Representatives may not move or second items during a commission meeting.
 - b. ~~The student shall be a junior or senior in good standing at the Kenai Central High School.~~
The student shall be a Kenai resident and a junior or senior in good standing with school administration.
 - c. ~~The student shall be elected by the Student Council of Kenai Central High School, subject to approval of the KCHS administration.~~
The student shall be approved by school administration; if multiple applications are received, the Mayor may select an applicant for appointment.
 - d. The student shall attend all Parks and Recreation Commission meetings and work sessions, unless excused by the Parks and Recreation Director.
 - e. The student should have an interest in public service.
 - f. The student should use this opportunity as a way to develop leadership skills.
 - g. ~~The student will communicate with Student Council Members at Kenai Central High School to provide information and seek feedback from other students on Parks and Recreation issues affecting young people.~~
The student will communicate with other students to provide information and seek feedback from other students on Parks and Recreation issues affecting young people.

Effective Date: _____

Approved by Resolution 2018-03
Amended by Resolution 2020-XX

DRAFT



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
CC: City Manager and Administration
FROM: Vice Mayor Molloy
DATE: July 7, 2020
SUBJECT: Resolution No. 2020- 61

For several meetings, the Parks & Recreation Commission discussed issues relating to Student Representative to the Commission. At their meeting of March 5, 2020, the Commission unanimously approved its Resolution No, PR20-01. This resolution recommends that the Council adopt Policy No. 2018-01 (Amended), amending the Council's Parks and Recreation Commission Student Representative Policy.

The Commission recommends three amendments to the current policy:

1. **“The student shall be a Kenai resident and a junior or senior in good standing with school administration.”** This amendment deletes the restriction to KCHS and broadens the qualifications of the Student Representative and makes the policy more inclusive, by expanding the pool of potential student applicants to students enrolled in public and private high schools, as well as home school students and other programs enrolled through the Borough School District Administration, who are City of Kenai residents.
2. **“The student shall be approved by school administration; if multiple applications are received, the Mayor may select an applicant for appointment.”** This amendment addresses the scenario where multiple applications are received.
3. **“The student will communicate with other students to provide information and seek feedback from other students on Parks and Recreation issues affecting young people.”** This amendment is consistent with previous job duties.

Council's consideration is appreciated. A resolution by the City Council is required to adopt the proposed amendments or other amendments to Policy No. 2018-01.



Sponsored by: Council Member Knackstedt

CITY OF KENAI

RESOLUTION NO. 2020-62

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, SUPPORTING THE CITY'S REQUEST TO PLAN, DESIGN, CONTRACT, AND PERFORM CONSTRUCTION ADMINISTRATION OF THE BRIDGE ACCESS ROAD PEDESTRIAN PATHWAY PROJECT.

WHEREAS, City of Kenai Resolution No. 2019-01 supported the Biking in Kenai and Soldotna application to the Alaska Department of Transportation and Public Facilities for the use of Alaska Transportation Alternative Program funds for a pedestrian pathway along Bridge Access Road in the City of Kenai; and,

WHEREAS, the City received an Alaska Transportation Alternatives Program grant in the amount of \$2,181,669 for the construction of 1.2 miles of pedestrian path beginning at the intersection of the Kenai Spur Highway and Bridge Access Road and terminating at the intersection of Beaver Loop Road and Bridge Access Road; and,

WHEREAS, Ordinance No. 3137-2020 appropriated local match funds in the amount of \$216,560 and authorized the Kenai City Manager to execute an agreement with the Alaska Department of Transportation and Public Facilities in the amount of \$2,398,229 for the construction and future maintenance of the pedestrian pathway; and,

WHEREAS, Resolution No. 2020-29 adopted the City of Kenai Capital Improvement Plan (CIP) for Fiscal Years 2021-2025, which includes the construction of the Bridge Access Pedestrian Pathway; and,

WHEREAS, the Bridge Access Pedestrian Pathway is consistent with the 2016 City of Kenai Comprehensive Plan; and,

WHEREAS, as part of the City's application to join the Bicycle Friendly Community program, a public survey about bicycling in Kenai was conducted by The League of American Bicyclists in the fall of 2018 and some of the public responses to this survey directly mentioned the need for more bike paths and connectivity or even directly discussed the specific need for a path along Bridge Access Road; and,

WHEREAS, the Alaska Department of Transportation and Public Facilities (DOT&PF) conveyed Beaver Loop Road starting at its intersection with the Kenai Spur Highway and proceeding south 3.7 miles to its intersection with Bridge Access Road to the City of Kenai, and the City is familiar with the property, including all rights-of-way, improvements, and structures located on Beaver Loop Road and is responsible for its maintenance and regulating the use of public ways within the City; and,

WHEREAS, the City is in the best position to address the challenges and impacts of the project and facilitate stakeholder and public involvement and media relations for the project to ensure

that potential adverse economic, social, and environmental effects are considered in project development; and,

WHEREAS, the City is experienced with contract administration in accordance with State and Federal funding requirements, including communication, review and approval, monitoring, financial, and record-keeping requirements; and,

WHEREAS, the City can accept the final constructed project into its maintenance program without the need for transfer of maintenance responsibility or assurances including warranties from DOT&PF; and,

WHEREAS, the City desires to be directly involved with planning, designing, and performance of contract administration for the project, which bridges a gap between the existing trail system, provides an important connecting segment along main transportation corridors, and serves as a regional amenity; and,

WHEREAS, the authority to plan, design, contract, and perform construction administration of the Bridge Access Road Pedestrian Pathway project to the City of Kenai is in the best interest of the City.

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

Section 1. That the Council of the City of Kenai supports the City's request to plan, design, contract, and perform construction administration of the Bridge Access Pedestrian Pathway Project to the City of Kenai.

Section 2. That a copy of this Resolution will be provided to DOT&PF Commissioner John MacKinnon.

Section 3. That this resolution takes effect immediately upon adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 15th day of July, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Council Member Henry Knackstedt

DATE: July 7, 2020

SUBJECT: **Resolution 2020-62 – Bridge Access Pedestrian Pathway Project to the City of Kenai**

The City of Kenai supported the Biking in Kenai and Soldotna (BIK&S) 2019 application for Alaska Transportation Alternatives Program (ATAP) funding from the Alaska Department of Transportation and Public Facilities (ADOT&PF) for a pedestrian pathway along Bridge Access Road with Resolution No. 2019-01. The project was awarded ATAP funding after ADOT&PF held a competitive application process. Ordinance 3137-2020 appropriated local match funds in the amount of \$216,560 based upon a project cost estimate of \$2,181,669. The project will construct of 1.3 miles of pedestrian path beginning at the intersection of the Kenai Spur Highway and Bridge Access Road and terminating at the intersection of Beaver Loop Road and Bridge Access Road. The pedestrian path is a key segment that bridges a gap in the existing trail system and provides an important connection between critical public facilities.

As a community-led project within the City of Kenai, the City is best positioned to address the challenges and impacts. The City is most suited to facilitate public involvement and media relations and ensure that potential adverse economic, social, and environmental effects are considered in project development.

This resolution supports the City's request to plan, design, contract, and perform construction administration of the Bridge Access Road Pedestrian Pathway Project.

Your consideration is appreciated.

**KENAI CITY COUNCIL – REGULAR MEETING
JULY 1, 2020 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on July 1, 2020, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor	Robert Molloy
Henry Knackstedt	Tim Navarre
Jim Glendening	Robert Peterkin
Glenese Pettey	

A quorum was present.

Also in attendance were:

Paul Ostrander, City Manager
Scott Bloom, City Attorney
Jamie Heinz, City Clerk

3. Agenda Approval

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

- | | |
|-------------------|--|
| Add to item D.6. | Ordinance No. 3140-2020 |
| | <ul style="list-style-type: none"> • Substitute Ordinance • Associated Memo |
| Add to item D.12. | Resolution No. 2020-54 |
| | <ul style="list-style-type: none"> • Amendment Memo |
| Add to item D.15. | Resolution No. 2020-57 |
| | <ul style="list-style-type: none"> • Substitute Resolution • Associated Memo |

Add to item D.16.

Resolution No. 2020-57

- Substitute Resolution
- Associated Memo

Add to item J.1.

City Manager's Report

- CARES Act Grant Report

MOTION:

Vice Mayor Molloy **MOVED** to approve the agenda with the requested additions to the agenda and packet and requested **UNANIMOUS CONSENT**. Council Member Glendening **SECONDED** the motion.

VOTE: There being no objections, **SO ORDERED**.

4. Consent Agenda

MOTION:

Council Member Knackstedt **MOVED** to approve the consent agenda and requested **UNANIMOUS CONSENT**. Vice Mayor Molloy **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

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

VOTE: There being no objections, **SO ORDERED**.

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. SCHEDULED PUBLIC COMMENTS

1. Dan Sterchi – Evergreen Street Hotel Remodel.

Mr. Sterchi stated that the property owner of the former Motel on Evergreen Street had been tying up property values and assessments for the past two years while they were improving the property suggesting the property owner was not qualified for commercial construction. He noted the property had been left in disrepair by its previous owner for ten years adding that the current owner has owned the property for two years. Mr. Sterchi stated that he had spoken with administration and noted a time extension for renovations was being developed and understood that the extension was for one year adding that he felt everything would be the same in one year. He encouraged that building permits should not be open ended, tying up property values for an entire neighborhood.

B. UNSCHEDULED PUBLIC COMMENTS

David Lee, owner of the former Motel on Evergreen Street provided an overview of the renovations to the building noting two main goals; first being industrial vertical farming producing lettuce, microgreens, and sprouts for local restaurants and the second providing 50% of profits from the business to support a

local ministry. He noted that he understands the concern and provided assurance regarding his intent to follow regulations and guidelines.

D. PUBLIC HEARINGS

1. **Ordinance No. 3127-2020** - Repealing and Replacing Kenai Municipal Code Title 6 - Elections to Provide Clarity, Process Improvements, and Increase Voter Accessibility through Vote By Mail Elections. (Council Member Peterkin) [**Clerk's Note:** *At the June 3 Meeting, this item was Postponed to this Council Meeting. A Motion to Adopt is On the Floor.*]

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

The sponsor noted he was seeking postponement until it could be determined whether or not the Kenai Peninsula Borough's companion ordinance would be referred to the voters because if so, contingencies could be added which would follow the voters' wishes.

Clarification was provided that it was the intent of the City Clerk to ensure each voter received an Absentee by Mail application for this year's election due to the COVID-19 public health emergency

It was suggested to try to merge with the State's absentee by mail process.

It was noted that there was a possibility of the decision ending up that the city could vote one way and the borough could vote another and at some point it would need to be determined what was in the best interest as a whole.

MOTION TO POSTPONE:

Council Member Peterkin **MOVED** to postpone to August 19, 2020 with a substitute brought forth at that time and be scheduled for a public hearing. Council Member Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

VOTE ON POSTPONEMENT: There being no objections, **SO ORDERED.**

2. **Ordinance No. 3136-2020** - Increasing Estimated Revenues and Appropriations in the General and the Public Safety Capital Project Funds and Authorizing the Sole Source Purchase and Installation of Updated Radio Consoles for the City of Kenai Dispatch Center. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3136-2020 and Council Member Peterkin **SECONDED** the motion.

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

Support for sole source purchase was expressed.

Clarification was provided regarding the need for compatible radio systems.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

3. **Ordinance No. 3137-2020** - Increasing Estimated Revenues and Appropriations in the General and Municipal Roadway Improvements Capital Project Funds to Provide Matching Funds to the State of Alaska Department of Transportation and Public Facilities to Construct a Pedestrian Path From the Kenai Spur Highway to Beaver Loop Along Bridge Access Road Utilizing Restricted General Fund, Fund Balance. (Administration)

MOTION:

Council Member Navarre **MOVED** to enact Ordinance No. 3137-2020 and Council Member Pettey **SECONDED** the motion.

Mayor Gabriel noted his position with State of Alaska Department of Transportation (DOT) in Maintenance and Operations noting this project would go through the Design and Construction side of DOT and anticipated no financial gain. Vice Mayor Molloy ruled Mayor Gabriel had no conflict of interest.

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

There was discussion regarding the enhancement the bike path would provide to the community, the considerable increase in cost, the availability of funding from the Daubenspeck donation, and the desire for the City to have the ability to contract for design and construction.

Appreciation was expressed for the Daubenspeck family's donation; it was suggested a plaque be placed along the bike path in recognition of the family.

Clarification was provided that it was unknown what the agreement said and it was unknown if the funding being appropriated hindered the City's ability to continue to negotiate the ability to contract for design and construction.

Concern was also expressed for further delays increasing the project costs even more.

MOTION TO AMEND:

Council Member Navarre **MOVED** to add "at his discretion," after "agreement," in section 1 of the ordinance and Council Member Peterkin **SECONDED** the motion.

It was noted that the amendment gave the City Manager authorization to negotiate with DOT in the City's best interest.

Clarification was provided that the appropriation wouldn't change and a cost overrun or increased agreement amount came in at a higher amount, further action would be required.

VOTE ON THE AMENDMENT:

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

MOTION PASSED.**MOTION TO POSTPONE:**

Council Member Knackstedt **MOVED** to postpone to the August 5 meeting and Council Member Glendening **SECONDED** the motion.

There was continued discussion regarding the manger being in a weaker or stronger position to negotiate the ability to design and construct the project having the appropriation in place.

VOTE:

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

MOTION FAILED.**MOTION TO POSTPONE:**

Council Member Navarre **MOVED** to postpone to the July 15 meeting and Council Member Peterkin **SECONDED** the motion.

Clarification was provided that the amendment providing the manager discretion in negotiating the agreement had passed.

The motion was withdrawn with concurrence of the second.

VOTE ON THE MAIN MOTION AS AMENDED:

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

MOTION PASSED.

4. **Ordinance No. 3138-2020** - Increasing Fiscal Year 2020's Estimated Revenues and Appropriations in the Airport Land Sale Permanent Fund to Transfer Earnings in Excess of Budgeted Amounts to the City's Airport Fund. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3138-2020 and Council Member Navarre **SECONDED** the motion.

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

Clarification was provided the revenue was budgeted as estimated and code provides for actual revenues and the ordinance provided the increase.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

5. **Ordinance No. 3139-2020** - Increasing Estimated Revenues and Appropriations in the COVID-19 CARES Act Recovery Fund for a Federal CARES Act Grant Passed through the State of Alaska Department of Public Safety for Overtime and Direct Expenditures of the Police, Fire, and Communications Departments of the City from March 16, 2020 through May 17, 2020. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3139-2020 and Council Member Knackstedt **SECONDED** the motion.

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

VOTE:

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

MOTION PASSED UNANIMOUSLY.

6. **Ordinance No. 3140-2020** - Increasing Estimated Revenues and Appropriations in the Personal Use Fishery Special Revenue Fund to Provide Supplemental Funding for Additional Portable Restrooms and to Award a Contract to Provide Dumpsters, Portable Restrooms and Portable Hand Wash Stations for the 2020 Kenai River Personal Use Fishery. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to enact Ordinance No. 3140-2020 and Vice Mayor Molloy **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Knackstedt **MOVED** to amend Ordinance No. 3140-2020 by substitute ordinance and Council Member Navarre **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

An overview of the changes being made this year and where the funds were coming from was provided.

VOTE ON THE AMENDMENT: There being no objections, **SO ORDERED.**

VOTE ON THE MAIN MOTION AS AMENDED:

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

MOTION PASSED UNANIMOUSLY.

- 7. Ordinance No. 3141-2020** - Increasing Estimated Revenues and Appropriations in the General Fund, Visitor Center Department and Authorizing Amendment to the Facility Management Agreement with the Kenai Chamber of Commerce and Visitor Center, Inc., for the Operation and Management of the Kenai Visitor and Cultural Center. (Administration)

MOTION:

Council Member Navarre **MOVED** to enact Ordinance No. 3141-2020 and Council Member Peterkin **SECONDED** the motion.

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

Clarification was provided a \$10,000 increase was being provided due to a renewed commitment for increased staffing.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

- 8. Ordinance No. 3143-2020** - Increasing General Fund Estimated Revenues and Appropriations by \$34,216 in the General Fund, Parks, Recreation and Beautification Department for an Increase of a Grant from the United States Environmental Protection Agency Passed through the State of Alaska Department of Environmental Conservation for Bacteria Level Monitoring on the City's Beaches from July 1, 2020 through March 1, 2021. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to enact Ordinance No. 3143-2020 and Council Member Knackstedt **SECONDED** the motion.

Mayor Gabriel opened for public hearing;

Maggie Harings on behalf of the Kenai Watershed Forum explained the scope of the work had not changed from previous monitoring and noted a slight funding change.

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

MOTION TO AMEND:

Vice Mayor Molloy **MOVED** to amend Ordinance No. 3143-2020 by replacing the dollar amount \$34,216 to \$34,254 throughout and Council Member Navarre **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

VOTE ON THE AMENDMENT:

There being no objections, **SO ORDERED.**

VOTE ON THE MAIN MOTION AS AMENDED:

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

MOTION PASSED UNANIMOUSLY.

- 9. Resolution No. 2020-51** - Approving a Lease Renewal of Airport Reserve Lands Between the City of Kenai and CPD Alaska, LLC, for Lot 4, Block 1, FBO Subdivision. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-51. Council Member Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

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

VOTE: There being no objections, **SO ORDERED**.

- 10. Resolution No. 2020-52** - Approving the Use of the Fleet Replacement Fund for the Purchase of Two Fire Department Utility Trucks Utilizing the State of Alaska Equipment Fleet Contract. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-52 and Vice Mayor Molloy **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

VOTE: There being no objections, **SO ORDERED**.

- 11. Resolution No. 2020-53** - Renaming Pelchy Drive to Pelch Drive. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-53 and Vice Mayor Molloy **SECONDED** the motion. **UNANIMOUS CONSENT** was requested

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

It was noted the family had homesteaded in the area and the name has history.

VOTE: There being no objections, **SO ORDERED**.

- 12. Resolution No. 2020-54** - Amending the City's Grant Disbursement Program for Small Businesses and Non-Profit Organizations Utilizing Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. (Administration)

MOTION:

Council Member Navarre **MOVED** to adopt Resolution No. 2020-54 and Vice Mayor Molloy **SECONDED** the motion.

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

MOTION:

Council Member Navarre **MOVED** to amend Resolution No. 2020-54 by adding a new sixth whereas clause to read, "WHEREAS, re-opening the application period for the Grant Disbursement Program from July 10, 2020 to July 17, 2020 will allow additional businesses and non-profits impacted by the COVID-19 public health emergency to seek relief without materially affecting available future funding; and," add a new section 1 to read, That the City's current Grant Disbursement Program is amended to re-open the application period for business and non-profits from July 10, 2020 to July 17, 2020," renumber following sections sequentially, and requested **UNANIMOUS CONSENT**. Council Member Glendening **SECONDED** the motion.

Clarification was provided the resolution if amended would provide for the reopening of the application period for small businesses and non-profits and would provide for opening a second run in the future with businesses only to apply for any remaining funds.

VOTE ON THE AMENDMENT: There being no objections, **SO ORDERED**.

UNANIMOUS CONSENT was requested on the main motion.

VOTE ON THE MAIN MOTION AS AMENDED: There being no objections, **SO ORDERED**.

13. Resolution No. 2020-55 - Approving Rent Relief Measures for Kenai Municipal Airport Concessionaires During Mandatory Closures Caused by the COVID-19 Public Health Emergency. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-55 and Vice Mayor Molloy **SECONDED** the motion.

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

Council Member Peterkin declared that his brother and sister-in-law owned the bar in the airport and that he had no financial interest in the business; Mayor Gabriel ruled Council Member Peterkin had no conflict.

The City Manager clarified that only the bar and restaurant concessionaires would benefit from the CARES Act due to the mandate for them to close.

UNANIMOUS CONSENT was requested.

VOTE: There being no objections, **SO ORDERED**.

14. Resolution No. 2020-56 - Approving a Grant Disbursement Program for Individual Assistance Utilizing Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to adopt Resolution No. 2020-56 and Council Member Peterkin **SECONDED** the motion.

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

An overview of the Individual Assistance portion of the program was provided noting it was for commercial fishers, rental assistance, mental health service assistance, and small business marketing assistance.

Concern was expressed for the amount the fishers made in 2019 not meeting the standard.

MOTION TO AMEND:

Council Member Peterkin **MOVED** to amend Resolution No. 2020-56 by modifying the amount of fishing revenue needed in 2019 to \$10,000 instead of \$25,000. Council Member Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

VOTE ON THE AMENDMENT: There being no objections, **SO ORDERED**.

UNANIMOUS CONSENT was requested on the main motion.

VOTE ON THE MAIN MOTION AS AMENDED: There being no objections, **SO ORDERED**.

15. Resolution No. 2020-57 - Authorizing the Award of a Construction Agreement for the Peninsula Avenue Bluff Erosion Repair Project. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-57 and Vice Mayor Molloy **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Knackstedt **MOVED** to amend Resolution No. 2020-57 by substitute resolution. Vice Mayor Molloy **SECONDED** the motion and requested **UNANIMOUS CONSENT**.

VOTE ON THE AMENDMENT: There being no objections, **SO ORDERED**.

Clarification was provided that this project would not qualify as in-kind work for the Bluff Erosion Project being collaborated on with the Corps of Engineers as the City wasn't under contract with the Corps yet.

UNANIMOUS CONSENT was requested on the main motion.

VOTE ON THE MAIN MOTION AS AMENDED: There being no objections, **SO ORDERED.**

16. Resolution No. 2020-58 - Authorizing the Award of a Construction Agreement for the Kenai Beach Vault Restrooms Project. (Administration)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-58 and Council Member Peterkin **SECONDED** the motion.

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

MOTION TO AMEND:

Council Member Knackstedt **MOVED** to amend Resolution No. 2020-57 by substitute resolution. Council Member Navarre **SECONDED** the motion and requested **UNANIMOUS CONSENT.**

VOTE ON THE AMENDMENT: There being no objections, **SO ORDERED.**

Clarification was provided that the substitute filled in the blanks; also noted the bids came in \$200,000 more than anticipated. It was further clarified that the bid amount bid was in the realm where it should be as ten year old information and a very low bid amount was utilized to estimate the cost.

The impacts to the dipnet fund were discussed.

UNANIMOUS CONSENT was requested.

VOTE: There being no objections, **SO ORDERED.**

17. Resolution No. 2020-59 - Requesting the State of Alaska Department of Transportation and Public Facilities Warranty and Maintain Responsibility for Beaver Loop Road Improvements for a Reasonable time After the City Begins Maintenance Activities. (Council Member Knackstedt)

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2020-59 and requested **UNANIMOUS CONSENT**; Vice Mayor Molloy **SECONDED** the motion.

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

Mayor Gabriel passed gavel and identified a conflict noting he was the person at DOT that would oversee maintenance and warranty issues. Vice Mayor Molloy ruled that Mayor Gabriel had a conflict and asked him to abstain from voting.

It was noted there wasn't a warranty clause in place in agreements signed many years ago.

UNANIMOUS CONSENT was requested.

VOTE: There being no objections, **SO ORDERED.**

E. MINUTES

1. *Regular Meeting of June 3, 2020. (City Clerk)

Approved by the consent agenda.

2. *Regular Meeting of June 17, 2020. (City Clerk)

Approved by the consent agenda.

3. *Work Session of June 18, 2020. (City Clerk)

Approved by the consent agenda.

F. UNFINISHED BUSINESS

1. **Ordinance No. 3128-2020** - Amending Kenai Municipal Code Section 1.85.040 – Records Public, To Provide For a Record Retention Length. (City Clerk) *[Clerk's Note: At the June 3 Meeting, this item was Postponed to this Council Meeting. A Motion to Adopt is On the Floor.]*

MOTION TO POSTPONE:

Vice Mayor Molloy **MOVED** to postpone Ordinance No. 3128-2020 to the August 19 meeting and requested **UNANIMOUS CONSENT**. Council Member Peterkin **SECONDED** the motion.

VOTE: There being no objections, **SO ORDERED**.

G. NEW BUSINESS

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

Approved by the consent agenda.

2. ***Action/Approval** - FY2021 Purchase Orders over \$15,000. (Administration)

Approved by the consent agenda.

2. ***Ordinance No. 3144-2020** - Amending the Official Kenai Zoning Map by Rezoning Tracts 1 and 2, Holland Spur Highway Subdivision from Rural Residential (RR) to General Commercial (GC). (Administration)

Introduced by the consent agenda and public hearing set for July 15, 2020.

4. ***Ordinance No. 3145-2020** - Waiving a Provision of Kenai Municipal Code 23.40.030 – Annual Leave, to Remove the Requirement that Employees Use a Minimum Amount of Leave for Calendar Year 2020. (Legal)

Introduced by the consent agenda and public hearing set for July 15, 2020.

5. ***Ordinance No. 3137-2020** - Increasing Estimated Revenues And Appropriations In The General And Municipal Roadway Improvements Capital Project Fund's To Provide Matching Funds To The State Of Alaska Department Of Transportation And Public Facilities To

Construct A Pedestrian Path From The Kenai Spur Highway To Beaver Loop Along Bridge Access Road Utilizing Restricted General Fund, Fund Balance. (Administration)

Introduced by the consent agenda and public hearing set for July 1, 2020.

- 6. Action/Agenda** - Approving Official's Bond Amounts for City Manager, City Clerk, and Finance Director. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to approve the purchase of bonding for the manager, clerk, and finance director with the recommended additional \$100,000 for a total of \$600,000 per employee and Council Member Glendening **SECONDED** the motion.

It was clarified that Council established the bonding amount.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

- 7. Discussion** - City Response to COVID-19. (Administration)

The open status of City facilities was provided. It was also noted that two employees were still furloughed and two employees were working through the return to work protocol after traveling. The staff was continually asked to remain diligent and be prepared to take action.

It was noted that Seward was considering local mandates which was the direction the Governor wanted to go, that local communities made local mandates which would be Council's purview.

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging – No report; next meeting August 13.
2. Airport Commission – No report; next meeting July 9.
3. Harbor Commission – No report next meeting August 10.
4. Parks and Recreation Commission – No report; next meeting August 6.
5. Planning and Zoning Commission – It was reported the Commission heard from a member of the public concerned with a gravel pit and recommended approval of a lease extension to CPD Alaska; next meeting July 8.
6. Beautification Committee – No report; next meeting September 8.
7. Mini-Grant Steering Committee – No report.

I. REPORT OF THE MAYOR

Mayor Gabriel reported that he submitted a letter on behalf of the City recommending the recertification of Cook Inlet Regional Citizen's Advisory Council and also signed the documents for refinancing the library bond. He thanked those that participated in the meeting both online and in person. Finally, he offered a reminder that people can celebrate as family units for Independence Day noting it was important to do so and instill the pride in the younger generation.

J. ADMINISTRATION REPORTS

1. City Manager - City Manager P. Ostrander reported on the following:
 - Land Management Plan update;
 - Received an appeal from a lessee on the property value appraisal and negotiated to split the difference between the city's appraisal and the lessee's appraisal;
 - Met with AML/JIA risk managers and discussed their loss incentive program;
 - Continuing to work with the borough to ensure borough CARES Act funding dollars are allocated to businesses within the cities as well as the borough;
 - Putting City Dock repairs back out to bid for the third time;
 - Discussed a Burn Ban on beaches for July;
 - Expected the 221 agreement with the Corps of Engineers to be signed in the near future.
2. City Attorney – No report.
3. City Clerk – City Clerk J. Heinz reported on the following:
 - The deadline for adopting a ballot proposition was August 5;
 - Planned to send absentee by mail applications to all voters in the City and was working with the borough to ensure efforts weren't duplicated;
 - Considering options for marketing alternative voting options.

K. ADDITIONAL PUBLIC COMMENT

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

All Council Members wished everyone a good Fourth of July.

Council Member Glendening thanked the Council for the discussions; noted the former Spur Motel and other abandoned, neglected buildings in town asking that the property owners be approached and encouraged to meet code. He also asked about classes at Beacon starting back up.

Council Member Peterkin expressed gratitude for input tonight.

Council Member Pettey noted she was grateful for being American and encouraged visiting the new street market.

Council Member Navarre asked residents to find a way to enjoy the Fourth of July.

L. EXECUTIVE SESSION

1. Plan for Utilizing Resiliency Funding, Pursuant to AS 44.32.310(c)(1)(3) a Matter of Which the Immediate Knowledge May have an Adverse Effect Upon the Finances of the City, and

a Matter by Which Law, Municipal Charter, or Ordinance are Required to be Confidential. (Administration)

MOTION:

Vice Mayor Molloy **MOVED** to enter into executive session to discuss a plan for utilizing resiliency funding, pursuant to AS 44.32.310(c)(1)(3) is a matter of which the immediate knowledge may have an adverse effect upon the finances of the City, and a matter by which law, municipal charter, or ordinance are required to be confidential and request the attendance of the Finance Director, City Manager and City Attorney as may be needed. Council Member Knackstedt **SECONDED** the motion.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

Council reconvened in open session and it was noted for the record that Council met in executive session and reviewed and discussed a plan for utilizing resiliency funding and provided direction to the City Manager.

M. PENDING ITEMS

1. **Ordinance No. 3133-2020 (Substitute)** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue Fund, Authorizing a Budget Transfer in the Airport Terminal Improvement Capital Project Fund and Appropriating FY2020 Budgeted Funds in the Airport Master Plan Capital Project, Airport Snow Removal Equipment and Airport Operations Facility Improvement Capital Project Funds for Heating, Ventilation and Air Conditioning (HVAC) Improvement to the Airport Operations Facility and Replacement of the Airport's Wide Area Mower. (Administration) [**Clerk's Note:** At the June 17 meeting this item was postponed to the July 15 meeting.]

N. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 11:09 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of July 1, 2020.

 Jamie Heinz, CMC
 City Clerk



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3133-2020 (SUBSTITUTE)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE FUND, AUTHORIZING A BUDGET TRANSFER IN THE AIRPORT TERMINAL IMPROVEMENT CAPITAL PROJECT FUND AND APPROPRIATING FY2020 BUDGETED FUNDS IN THE AIRPORT MASTER PLAN CAPITAL PROJECT, AIRPORT SNOW REMOVAL EQUIPMENT AND AIRPORT OPERATIONS FACILITY IMPROVEMENT CAPITAL PROJECT FUNDS FOR HEATING, VENTILATION AND AIR CONDITIONING (HVAC) IMPROVEMENT TO THE AIRPORT OPERATIONS FACILITY AND REPLACEMENT OF THE AIRPORT’S WIDE AREA MOWER.

WHEREAS, the FY2021 Airport Capital Improvement Plan included a \$131,000 project to replace the airport’s wide area mower and tractor as well as a \$80,000 project for Airport Operations DDC Controls Conversion; and,

WHEREAS, fund balance in the amount of \$2,515 remains in the Airport Master Plan Improvement Capital Project Fund from the completed Airport Master Plan Project that is available for re-appropriation; and,

WHEREAS, excess funds from the Terminal Rehabilitation Project in the estimated amount of \$XXX,XXX are available for redirection to fund these projects; and,

WHEREAS, the remaining \$XXX,XXX is available in the Airport Special Revenue Fund’s, Fund Balance; and,

WHEREAS, repairs to the Airport Operations Facility HVAC and replacement of the Airport’s wide area mower are important to operations at the Kenai Municipal Airport and in the best interest of the City and its citizens.

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

Section 1. That the following budget transfer is authorized:

Airport Terminal Improvement Capital Project Fund	
Decrease - Construction	<u>\$XXX,XXX</u>
Increase – Transfer to Other Funds	<u>\$XXX,XXX</u>

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

Airport Master Plan Capital Project Fund

Increase Estimated Revenues – Appropriation of Fund Balance	\$ <u>2,515</u>
Increase Appropriations – Transfer to Other Funds	\$ <u>2,515</u>

Section 3. That the estimated revenues and appropriations be increased as follows:

Airport Special Revenue Fund	
Increase Estimated Revenues – Appropriation of Fund Balance	\$ <u>XXX,XXX</u>
Increase Appropriations – Transfer to Other Funds	\$ <u>XXX,XXX</u>

Section 4. That the estimated revenues and appropriations be increased as follows:

Airport Operations Facility Improvement Capital Project Fund	
Increase Estimated Revenues – Transfer from Other Funds	\$ <u>80,000</u>
Increase Appropriations – HVAC Repairs Capital Project	\$ <u>80,000</u>

Section 5. That the estimated revenues and appropriations be increased as follows:

Airport Snow Removal Equipment Capital Project Fund	
Increase Estimated Revenues – Transfer from Other Funds	\$ <u>131,000</u>
Increase Appropriations – Wide Area Mower Replacement Capital Project	\$ <u>131,000</u>

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 this ordinance shall take effect on July 1, 2020, the effective date of the FY2021 City of Kenai Annual Budget.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 17 day of June, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Ordinance No. 3133-2020 (SUBSTITUTE)
Page 2 of 3

Jamie Heinz, CMC, City Clerk

Approved by Finance: _____

Introduced: June 3, 2020
Enacted: *****, 2020
Effective: *****, 2020



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: May 27, 2020

SUBJECT: **Recommended enactment of Ordinance 3133-2020.**

This memo recommends enactment of Ordinance 3133-2020, authorizing appropriations in the Airport Operations and Airport Snow Removal Equipment Capital Improvement Funds and a budget transfer in the Airport Terminal Improvements Capital Project Fund for the funding and establishment of FY2021 Airport Capital Improvement Plan Projects. Funding for these projects will be from residual funds from the completed Airport Master Plan Project and residual funds from the Terminal Rehabilitation Project. The projects include heating, ventilation and air conditioning system upgrades at the Airport Operations Facility, \$80,000 and replacement of the Airports wide area mower, \$131,000. Your support for enactment is respectfully requested.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: July 8, 2020
SUBJECT: **Ordinance 3133-2020 (Postponement)**

The purpose of this memo is to request postponement of this Ordinance. The Finance Department had hoped to utilize remaining funds from within the KMA Terminal Rehabilitation Project to fund FY2021 Capital Improvement Projects for the Airport.

The Terminal Project has not yet concluded due to late additions to the scope of work for the project, including replacement of the facility's existing boilers. The boilers are approximately 18 years old with a typical life span of 25 years; however, this past winter, staff has had repeated issues keeping them operational. As a result, the decision was made to seek their replacement.

The Public Works Director, in coordination with the Contractor, Blazy Construction, is near finalizing the cost for a final change order to the project. Once this change order is complete, remaining available funds within the project will be known. Remaining funds from the Terminal Rehab will be indicated within Section 1 of this Ordinance, with the balance needed to fund the remaining costs coming from the Special Revenue Fund, as will be indicated within Section 3.

We are requesting postponement of this Ordinance until the August 5, 2020 City Council meeting.

Your support is respectfully requested.

**PAYMENTS OVER \$15,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: JULY 15, 2020**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	92,659.73
PREMERA BLUE CROSS	JUNE PREMIUM	VARIOUS	INSURANCE	206,411.18
INTEGRITY JANITORIAL	MAY PREMIUM	NON-DEPT.	REPAIR & MAINTENANCE	1,389.00
PRECIOUS JANITORIAL	MAY PREMIUM	AIRPORT	REPAIR & MAINTENANCE	4,495.00
PRECIOUS JANITORIAL	MAY PREMIUM	POLICE	REPAIR & MAINTENANCE	978.00
PRECIOUS JANITORIAL	MAY PREMIUM	LIBRARY	REPAIR & MAINTENANCE	214.00

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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****FY20** PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL**

COUNCIL MEETING OF: JULY 15, 2020

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
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INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
SADLER PROPERTY MGMT.	FY20 VINTAGE PT MGMT. CONTRACT	118373 - CONG. HOUSING	COVID19 SERVICES	725.00	69,134.55



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: July 8, 2020

SUBJECT: **Purchase Order Exceeding \$15,000 – Sadler Property Management**

This memo is to request a change order to purchase order #118373 to Sadler Property Management for the FY20 Contractor's Fee for Vintage Pointe Manor.

During the months of May and June, extra services provided by the Contractor in response to the COVID-19 public health emergency were required exceeding the amount of the previously amended purchase order by \$725.00. The current Contractor has continuously maintained a secure and sanitized building to ensure the residents and staff of Vintage Pointe remain safe through this ongoing public health emergency.

I respectfully ask for your approval to increase the purchase order to Sadler Property Management.

PURCHASE ORDERS OVER \$15,000.00 WHICH NEED COUNCIL APPROVAL
 COUNCIL MEETING OF: JULY 15, 2020

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
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INCREASE OF EXISTING PURCHASE ORDER

VENDOR	DESCRIPTION	P.O. # - DEPT.	REASON	AMOUNT	TOTAL PO AMT
HDL ENGINEERING	INCREASE EXISTING PO	120237 - WWTP	ANALYSIS OF EFFLUENT DISCHARGE INTO INLET	13,969.00	25,170.00



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Scott Curtin, Public Works Director
DATE: July 8, 2020
SUBJECT: **Purchase Order Exceeding \$15,000 – HDL Engineering**

The purpose of this memo is to request approval of an increase to Purchase Order 120237 to HDL Engineering from \$13,969 to \$39,139, an increase of \$25,170. This Purchase Order was issued for HDL to provide Engineering assistance for the permit renewal of the Alaska Pollutant Discharge Elimination System (APDES) for the City’s Waste Water Treatment Plant.

This permit is renewed every five years and requires evaluation of all tracked parameters required by the State during the preceding five year period.

The additional \$25K is to provide a mixing zone analysis of where the effluent discharges into the inlet. The last few permit renewals have reused a previous analysis from 20 years ago, and DEC is requesting an update to that analysis.

Work is proceeding well with the Engineering team and DEC staff. The Public Works Director does not anticipate any issues with this work and looks forward to operating under a renewed permit.

Your support is respectfully requested.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Jamie Heinz, City Clerk
DATE: June 25, 2020
SUBJECT: **Issuance of New Liquor License**

The Alcohol and Marijuana Control Office has sent notification that the following applicant has submitted an application for a new liquor license within the City limits:

Applicant: Jersey Subs, Inc.
D/B/A: Jersey Subs

Pursuant to KMC 2.40, a review of City accounts has been completed and the applicant has satisfied all obligations to the City. With the approval of Council, a letter of non-objection to the issuance of the new liquor license will be forwarded to the Alcohol and Marijuana Control Office and the applicant.

Your consideration is appreciated.

- Submit** by Jamie Heinz 6/11/2020 5:38:03 PM (Form Submission)
- Approve** by Legal Department User 6/12/2020 9:26:40 AM (Legal Asst Review)
- *No monies owed for citations/restitutions/COJ's*
 - Jacquelyn LaPlante reassigned the task to Legal Department User 6/12/2020 9:18 AM
 - The task was assigned to Cindy Herr. The due date is: June 12, 2020 5:00 PM 6/11/2020 5:38 PM
- Approve** by Jeremy Hamilton 6/11/2020 5:56:56 PM (Fire Marshall Review)
- *A fire inspection has been done within the last 6 months and all items have been fixed, including upgrading their hood suppression system.*
 - The task was assigned to Jeremy Hamilton 6/11/2020 5:38 PM
- Approve** by Michael Wesson 6/12/2020 9:50:21 AM (Building Official Review)
- The task was assigned to Michael Wesson 6/11/2020 5:38 PM
- Approve** by Jamie Heinz 6/25/2020 11:03:15 AM (Police Department Review)
- *Everything is current with the police department.*
 - Jamie Heinz assigned the task to Jamie Heinz 6/25/2020 11:02 AM
 - The task was assigned to Jamie Heinz, Jacquelyn LaPlante 6/11/2020 5:38 PM
- Approve** by Jamie Heinz 6/25/2020 2:38:56 PM (Finance Asst Review)
- *Owner does not owe anything to the City, (W/S and Leases) per Tina*
 - Jamie Heinz reassigned the task to Jamie Heinz 6/25/2020 10:52 AM
 - The task was assigned to Tina Williamson. The due date is: June 12, 2020 5:00 PM 6/11/2020 5:38 PM
- Approve** by Jamie Heinz 6/25/2020 2:40:24 PM (Finance Review)
- Jamie Heinz reassigned the task to Jamie Heinz 6/25/2020 2:40 PM
 - The task was assigned to Terry Eubank 6/25/2020 2:38 PM
- Approve** by Jamie Heinz 6/25/2020 2:42:02 PM (Legal Review)
- *I approve, there are no issues that I am aware of. Scott Bloom*
 - Jamie Heinz reassigned the task to Jamie Heinz 6/25/2020 2:41 PM
 - The task was assigned to Scott Bloom 6/25/2020 2:38 PM
- Approve** by Jamie Heinz 6/25/2020 2:43:57 PM (P&Z Department Review)
- *Per Planning Assistant - Nothing outstanding on this property. A landscape/site plan was completed in 2006.*
 - *Per Planner - Land and Planning has no outstanding obligations and finds this applicant to be current.*
 - Jamie Heinz reassigned the task to Jamie Heinz 6/25/2020 2:42 PM
 - The task was assigned to Elizabeth Appleby 6/25/2020 2:38 PM

Liquor License Application

Date

6/11/2020

Establishment Information

Licensee

Jersey Subs, Inc.

Doing Business As

Jersey Subs

Premises Address

106 South Willow, Suite 3

City, State

Kenai, AK

Contact Information

Contact Licensee

Chris Fallon

Contact Phone No.

907-394-5266

Contact Email

jerseysubsak@gmail.com

Additional Contact Information

Name

Phone No.

Email

Documents

File Upload

5900 AB-00-complete.pdf	1.12MB
5900 AB-02-complete.pdf	8.51MB
5900 AB-03-complete.pdf	1.2MB
5900 New License - LGB Notice.pdf	213.65KB



June 11, 2020

City of Kenai

Kenai Peninsula Borough

VIA Email: jheinz@kenai.city ; jblankenship@kpb.us ; Dhenry@kpb.us ; JRodgers@kpb.us ; SNess@kpb.us ;
joanne@borough.kenai.ak.us ; tshassetz@kpb.us

License Type:	Restaurant/Eating Place	License Number:	5900
Licensee:	Jersey Subs Inc		
Doing Business As:	Jersey Subs		
Premises Address:	106 South Willow Suite 3		

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

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

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

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

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

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04** of **Alaska Statutes** and **Chapter 304** of the **Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

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

Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Jersey Subs, Inc.			
License Type:	Restaurant/Eating Place	Statutory Reference:	04.11.100	
Doing Business As:	Jersey Subs			
Premises Address:	106 S. Willow, Suite 3			
City:	Kenai	State:	AK	ZIP: 99611
Local Governing Body:	City of Kenai			
Community Council:	NA			

Mailing Address:	P.O. Box 242			
City:	KASILOF	State:	AK	ZIP: 99610

Designated Licensee:	Chris Fallon			
Contact Phone:	907-394-5266	Business Phone:	907-283-9898	
Contact Email:	jerseysubsak@gmail.com			

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

OFFICE USE ONLY				
Complete Date:		License Years:		License #:
Board Meeting Date:		Transaction #:		
Issue Date:		BRE:		



Alaska Alcoholic Beverage Control Board Form AB-00: New License Application

Section 2 – Premises Information

Premises to be licensed is:

- an existing facility a new building a proposed building

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

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

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

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	



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

Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

Section 4 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5. If more space is needed, please attach a separate sheet with the required information.

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

Entity Official:	Chris Fallon			
Title(s):	President	Phone:	907-394-5255	% Owned: 50
Address:	P.O. Box 242			
City:	Kasilof	State:	AK	ZIP: 99610

Entity Official:	Kathleen Musick			
Title(s):	Secretary/Treasurer Vice President	Phone:	907-252-4414	% Owned: 50
Address:	P.O. Box 242			
City:	Kasilof	State:	AK	ZIP: 99610

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

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

DOC Entity #:	66551D	AK Formed Date:	04/13/1999	Home State:	AK
Registered Agent:	Chris Fallon		Agent's Phone:	907-394-5266	
Agent's Mailing Address:	P.O. Box 242				
City:	Kasilof	State:	AK	ZIP:	99610

Residency of Agent: Yes No

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

Section 5 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses: Yes No

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

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

Section 6 – Authorization

Communication with AMCO staff: Yes No

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

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

Blaine D. Gilman, Attorney

AMCO



Alaska Alcoholic Beverage Control Board Form AB-00: New License Application

Section 7 – Certifications

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

Initials

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

CF

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

CF

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

CF

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

CF

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

CF

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

Chris Fallon
Signature of licensee

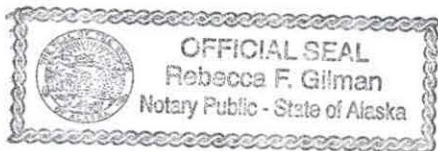
Chris Fallon
Printed name of licensee

Rebecca F. Gilman
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 06/07/2022

Subscribed and sworn to before me this 8 day of May, 2020.





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

What is this form?

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

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

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

Yes No

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

Section 1 – Establishment Information

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

Licensee:	Jersey Subs, Inc	License Number:	5900		
License Type:	Restaurant/Eating Place				
Doing Business As:	Jersey Subs				
Premises Address:	106 South Willow, Suite 3				
City:	Kenai	State:	AK	ZIP:	99611



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

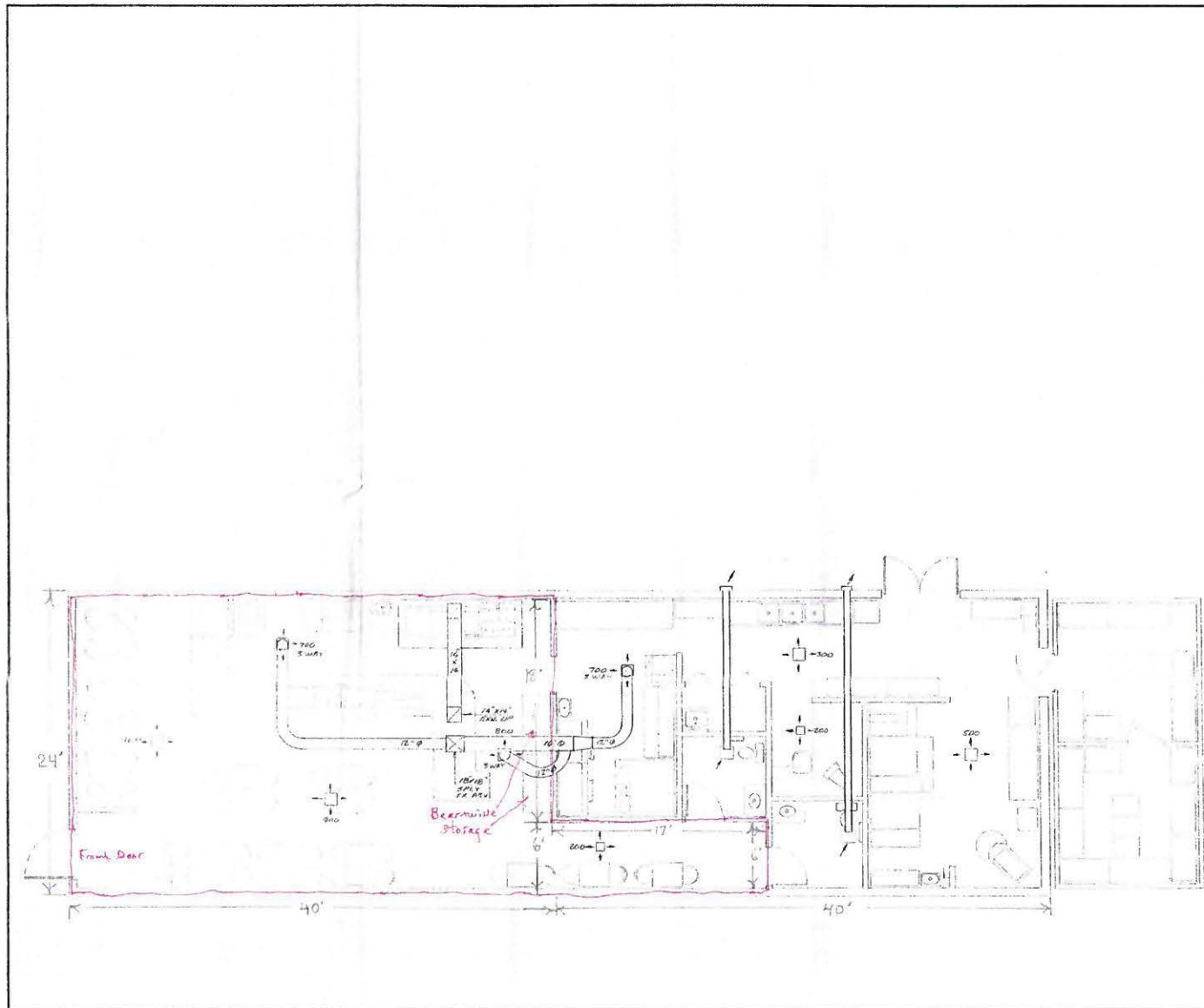
Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.









Revisions:

BARRIE B. LOWE, P.E.
 Engineering • Design • Analysis
MECHANICAL / SYSTEMS / ENERGY
 167160 Liliuwa Lakes Dr.
 SCDOTNA, ALASKA (907)260-7403 P/Fax

Checked:
By:
Project:
File Name:
Sheet:
of



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

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

Section 1 – Establishment Information

Enter information for licensed establishment.

Table with 6 rows and 4 columns containing establishment details: Licensee (Jersey Subs, Inc), License Type (Restaurant Eating Place), License Number (5900), Doing Business As (Jersey Subs), Premises Address (106 South Willow, Suite 3), City (Kenai), State (AK), ZIP (99611), Contact Name (Chris Fallon), Contact Phone (907-394-5266).

Section 2 – Type of Designation Requested

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

- 1. Dining after standard closing hours: AS 04.16.010(c)
2. Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
3. Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
4. Employment for persons 16 or 17 years of age: AS 04.16.049(c)

NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY

Table with 2 columns: Transaction #, Initials.



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 3 – Minor Access

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

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

Dinning Area Only

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

All alcohol will be stored behind the counter.
The ID of all patrons will be check.
Any minor employees will always be supervised by employees who are over 21 years old.

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

Yes No

Section 4 – DEC Food Service Permit

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

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

Please follow this link to the Municipality Food Safety Website:

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

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

Initials

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

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



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Hours of Operation

Review AS 04.16.010(c).

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

Monday - Friday 9am - 6pm
Saturday 10am - 4pm
Sunday & All Federal Holidays Closed

Section 6 – Entertainment & Service

Review AS 04.11.100(g)(2)

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

Yes No
[] [x]

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

[Empty text box for describing entertainment]

Food and beverage service offered or anticipated is:

[] table service [] buffet service [x] counter service [] other

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

[Empty text box for describing other food and beverage service]



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 7 - Certifications and Approvals

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

Initials

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

CF

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

CF

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

CF

I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted. (AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)

CF

I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

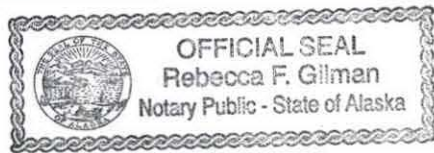
Chris Fallow

Printed name of licensee

Signature of Notary Public

Rebecca F. Gilman

Notary Public in and for the State of: Alaska



My commission expires: 06/07/2022

Subscribed and sworn to before me this 8 day of May, 2020.

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

Approved

Denied

Approval box

Approval box

Signature of local government official

Date

Printed name of local government official

Title



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review: _____ Enforcement Recommendation: Approve Deny

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Date

Enforcement Recommendations:

AMCO Director Review: _____ Approved Denied

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:



Alaska Food Code 2020 Establishment Permit

Division of Environmental Health
Food Safety & Sanitation Program

Permit Number: 6072
Issued to: Jersey Subs Inc
For: Jersey Subs
For Operation of: FF-6 Deli/Takeout/Drive-in Food Service
Located at: 106 S Willow ST STE 108 Kenai, AK 99611

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

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

Expiration Date:
December 31, 2020

Program Manager:
Kimberly S. [Signature]

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

1-87-SAFE-FOOD

(in Anchorage call 334-2560)



AMCO

MAY 21 2020



Office of the Borough Clerk

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

Johni Blankenship, MMC
Borough Clerk

June 12, 2020

Sent via email: jheinz@kenai.city

Kenai City Hall
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant	:	Jersey Subs, Inc.
Business Name	:	Jersey Subs
License Type	:	Restaurant/Eating Places - Public Convenience
License Location	:	106 S. Willow Street, Suite #3, Kenai, AK 99611, City of Kenai
License No.	:	5900
Application Type	:	New Liquor License Restaurant Designation Permit

Dear Ms. Heinz,

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

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

Sincerely,

Johni Blankenship, MMC
Borough Clerk

JB/ts

Encl.

cc: jerseysubsak@gmail.com; jheinz@kenai.city; DCooper@kpb.us; SNess@kpb.us



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3146-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND, LIBRARY IMPROVEMENT CAPITAL PROJECT FUND, VISITOR CENTER IMPROVEMENT CAPITAL PROJECT FUND, MUNICIPAL ROADWAY IMPROVEMENTS CAPITAL PROJECT FUND, KENAI RECREATION CENTER IMPROVEMENTS CAPITAL PROJECT FUND, INFORMATION TECHNOLOGY IMPROVEMENTS CAPITAL PROJECT FUND AND CITY HALL IMPROVEMENTS CAPITAL PROJECT FUND TO FUND CAPITAL PROJECTS DEFERRED DURING THE FY2021 BUDGET PROCESS.

WHEREAS, Uncertainty caused by the COVID-19 public health emergency resulted in deferment of \$941,560 in planned capital projects to FY2022; and,

WHEREAS, by Ordinance 3137-2020 Council appropriated \$216,560 for the Bridge Access Road bike path leaving \$725,000 in project deferments; and,

WHEREAS, the administration has identified Bryson Street Storm Drain Repairs as a project in need of immediate funding to prevent future damage and increased repair costs; and,

WHEREAS, in addition to the projects deferred to FY2022, the administration recommends funding of the FY2023 project, Willow Street Repairs, in FY2021; and,

WHEREAS, greater knowledge of the impacts of the COVID-19 public health emergency on the City's finances have led to the recommendation to fund these projects at this time; and,

WHEREAS, an expenditure of funds on these needed capital projects will create jobs and provide economic support in this critical time of recovery from the COVID-19 public health emergency; and,

WHEREAS, completion of these capital projects is in the best interest of the City and its residents by maintaining the infrastructure needed to provide City services.

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:

General Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$1,445,000</u>

Increase Appropriations –

Transfer to Other Funds	<u>\$1,445,000</u>
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Section 2. That the estimated revenues and appropriations be increased as follows:

Library Improvement Capital Project Fund:

Increase Estimated Revenues – Transfer from General Fund	<u>\$58,000</u>
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Increase Appropriations – HVAC Control Upgrade - Construction	<u>\$58,000</u>
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Section 3. That the estimated revenues and appropriations be increased as follows:

Visitor Center Improvement Capital Project Fund:

Increase Estimated Revenues – Transfer from General Fund	<u>\$182,000</u>
---	------------------

Increase Appropriations – HVAC Control Upgrade - Construction	\$ 62,000
Roof Replacement – Construction	<u>120,000</u>
	<u>\$182,000</u>

Section 4. That the estimated revenues and appropriations be increased as follows:

Municipal Roadway Improvement Capital Project Fund:

Increase Estimated Revenues – Transfer from General Fund	<u>\$900,000</u>
---	------------------

Increase Appropriations – First Street Repairs – Construction	\$ 60,000
Inlet Wood Storm Drain Improvements – Construction	120,000
Bryson Street Storm Drain Outfall Repair – Construction	300,000
Willow Street Repaving – Construction	<u>420,000</u>
	<u>\$900,000</u>

Section 5. That the estimated revenues and appropriations be increased as follows:

Kenai Recreation Center Improvement Capital Project Fund:

Increase Estimated Revenues – Transfer from General Fund	<u>\$60,000</u>
---	-----------------

Increase Appropriations – Water Heater Replacement - Construction	<u>\$60,000</u>
--	-----------------

Section 6. That the estimated revenues and appropriations be increased as follows:

Information Technology Capital Project Fund:

Increase Estimated Revenues – Transfer from General Fund	<u>\$35,000</u>
---	-----------------

Increase Appropriations –
IT Master Planning – Professional Services \$35,000

Section 7. That the estimated revenues and appropriations be increased as follows:

City Hall Improvement Capital Project Fund:
Increase Estimated Revenues –
Transfer from General Fund \$210,000

Increase Appropriations –
Air Handler Replacement – Construction \$210,000

Section 8. 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 9. 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 5th day of August, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: July 15, 2020
Enacted: August 5, 2020
Effective: August 5, 2020



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: July 9, 2020

SUBJECT: Ordinance 3146-2020

The purpose of this memo is to recommend the enactment of Ordinance 3146-2020. If enacted, Ordinance 3146-2020 will accomplish three things:

1. Appropriation of capital projects deferred to FY2021 because of financial uncertainty caused by the COVID-19 public health emergency.
2. Appropriate funds for a new project to design and construct repairs to Bryson Street, where a storm drain outfall is failing and resulting in significant erosion and damage to the roadway.
3. Appropriate the first priority project slated for FY2023, previously projected for FY2022 but deferred because of financial uncertainty caused by the COVID-19 public health emergency.

In total Ordinance 3146-2020, if enacted, will appropriate \$1,445,000 of capital projects including:

1. First Street Repairs	\$ 60,000
2. Library HVAC Control Upgrade	58,000
3. Visitor Center HVAC Control Upgrade	62,000
4. Inlet Woods Storm Drain Improvements	120,000
5. Kenai Recreation Center Water Heater Replacement	60,000
6. Completion of an IT Master Plan	35,000
7. City Hall Air Handler Replacement	210,000
8. Visitor Center Roof Replacement	120,000
9. Bryson St. Repairs	300,000
10. Willow Street Resurfacing	420,000
	<u>\$1,445,000</u>

See the attached project descriptions for additional information.

Funding of these projects will ensure the City's infrastructure is maintained and will provide economic opportunity for local contractors as the City and its businesses recover from the

economic impacts of the COVID-19 public health emergency. Your support is respectfully requested.

FIRST STREET REPAIRS

03

Department: Public Works
 Total Project Cost: \$60,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: State Capital Project Submission
 Operating Budget Impact: Minimal or No Impact



YEAR:	2021	2022	2023	2024	2025
COST:	\$60,000				

Details:
 This project removes and replaces approximately 250 feet of damaged roadway and curb on First Street.

LIBRARY DDC CONTROLS

05

Department: Public Works
 Total Project Cost: \$58,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Slight Decrease



YEAR:	2021	2022	2023	2024	2025
COST:	\$58,000				

Details:
 This project replaces older control components with new, as well as recommissions existing heating, ventilation, and air conditioning (HVAC) controls system. The Library had major improvements completed approximately 10 years ago, and older areas of the library continue to struggle with maintaining set-point temperatures.



VISITOR CENTER DDC CONTROLS

06

Department: Public Works
 Total Project Cost: \$62,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Slight Decrease



YEAR:	2021	2022	2023	2024	2025
COST:	\$62,000				

Details:
 The Kenai Visitor and Cultural Center's mechanical systems and existing Direct Digital Control (DDC) systems are in need of major maintenance and recommissioning. Several areas of the facility are not operating correctly. This project will identify the components which are failing and provide for their replacements.

INLET WOODS STORM WATER IMPROVEMENTS

07

Department: Public Works
 Total Project Cost: \$120,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Slight Decrease



YEAR:	2021	2022	2023	2024	2025
COST:	\$120,000				

Details:
 This project will improve catch basin conveyance and capacity to resolve several areas within the Inlet Woods Subdivision that experience flooding of the roadways due to insufficient storm water infrastructure.



REC CENTER WATER HEATER REPLACEMENTS

09

Department: Public Works
 Total Project Cost: \$60,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Minimal or No Impact



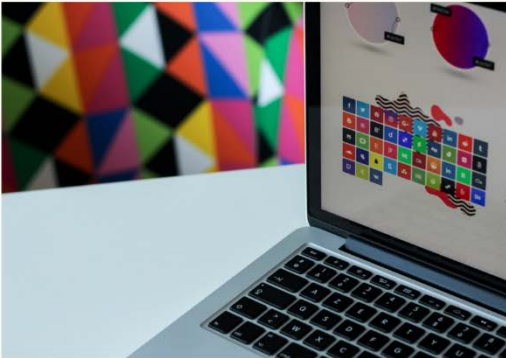
YEAR:	2021	2022	2023	2024	2025
COST:	\$60,000				

Details:
 This project will remove and replace the existing water heaters with new comparably-sized equipment. The Kenai Recreation Center water heaters are beyond their useful life and have been requiring extensive maintenance to remain operational.

IT MASTER PLANNING

17

Department: Finance - Information Technology
 Total Project Cost: \$35,000
 Project Phased: No
 Project Type: Technology
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Slight Decrease



YEAR:	2021	2022	2023	2024	2025
COST:	\$35,000				

Details:
 This project analyzes the City's needs for updating existing or new computer and network infrastructure as well as the need to update or acquire new software to increase the efficiency, transparency and effectiveness of City departments in performing their daily tasks and activities.



CITY HALL AIR HANDLER REPLACEMENT

18

Department: Public Works
 Total Project Cost: \$210,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Slight Decrease



YEAR:	2021	2022	2023	2024	2025
COST:	\$210,000				

Details:
 This project replaces the existing roof top unit air handler at City Hall, which was installed in 1980. The Facility is approximately 9,588 square feet, and this project includes Direct Digital Controls (DDC) for operational efficiency.

VISITOR CENTER ROOF REPLACEMENT

20

Department: Public Works
 Total Project Cost: \$120,000
 Project Phased: No
 Project Type: Building Improvement
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact:
 Minimal or No Impact



YEAR:	2021	2022	2023	2024	2025
COST:	\$120,000				

Details:
 This project removes and replaces the roof at the Kenai Visitor and Cultural Center and includes new ice and water shield. The existing Asphalt Shingle Roof has reached the end of its useful life. Leaks are occurring more often over the last few years. The existing roof is approximately 30 years old.



BRYSON STREET STORM DRAIN REPAIR

04

Department: Public Works
 Total Project Cost: \$300,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): General fund
 Potential Grant Identified: None
 Operating Budget Impact: Minimal or No Impact



YEAR:	2021	2022	2023	2024	2025
COST:	\$300,000				

Details:

This project will design and construct an existing stormwater pipe that conveys stormwater from Redoubt Avenue to the east out to Cook Inlet along Bryson Avenue. The existing pipe has failed and continues to erode section by section into the ravine that has been created by the runoff. This project will provide new piping down to a new riprap lined outfall on the beach, backfill of eroded materials with sand to restore historical grades.

WILLOW STREET REPAIRS

21

Department: Public Works
 Total Project Cost: \$420,000
 Project Phased: No
 Project Type: Infrastructure
 Funding Source(s): General Fund
 Potential Grant Identified: None
 Operating Budget Impact: Slight Decrease



YEAR:	2021	2022	2023	2024	2025
COST:	\$420,000				

Details:

This project includes milling and repaving of asphalt roadway approximately 40 feet in width and 1,950 feet in length between Main Street and Airport Way.





Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3147-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING \$2,135.25 IN ASSET FORFEITURE SHARING FUNDS FOR PURCHASING LAW ENFORCEMENT EQUIPMENT INTO THE GENERAL FUND, POLICE DEPARTMENT.

WHEREAS, In June of 2020 the Kenai Police Department received asset forfeiture sharing funds in the amount of \$2,135.25 from the United States Drug Enforcement Administration (DEA); 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 \$2,135.25 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>\$2,135.25</u>
Increase Appropriations – Police – Small Tools	<u>\$2,135.25</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 5th day of August, 2020.

Ordinance No. 3147-2020
Page 2 of 2

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, City Clerk

Approved by Finance: 

Introduced: July 15, 2020
Enacted: August 5, 2020
Effective: August 5, 2020



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross, Police Chief

DATE: July 2, 2020

SUBJECT: **Ordinance No. 3147-2020, Accepting Drug Forfeiture Funds**

The Kenai Police Department received \$2,135.25 in asset forfeiture sharing funds from the United States Drug Enforcement Administration (DEA). Those funds were shared with the Kenai Police Department after being forfeited to the DEA and are subject to federal "Equitable Sharing" requirements to be used 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 \$2,135.25 into the General Fund, Police Small Tools account to pay for law enforcement equipment.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3148-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A MEALS ON WHEELS COVID-19 RESPONSE FUND GRANT ROUND TWO FROM MEALS ON WHEELS AMERICA FOR KENAI SENIOR CENTER EXPENDITURES IN SUPPORT OF ITS RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

WHEREAS, the Kenai Senior Center is a long-standing member of the Meals on Wheels Association of America; and,

WHEREAS, Meals on Wheels America recognizes that the impact of COVID-19 on Member programs continues to grow and evolve every day; and,

WHEREAS, Meals on Wheels America offered, and the City received, first-round emergency grants of up to \$25,000 to members working to secure additional food and supplies and adapt to new procedures and delivery methods, all while experiencing a rapid increase in demand for services; and,

WHEREAS, Meals on Wheels America is now offering second-round grants to Members that were previously awarded grants from the COVID-19 Response Fund, and the City has been awarded a \$32,500 grant; and,

WHEREAS, the Kenai Senior Center has been providing additional home meals through the COVID-19 Public Health Emergency and has increased costs for food and supplies; and,

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 a grant in the amount of \$32,500 from the Meals on Wheels COVID-19 Response Fund of Meals on Wheels America for Kenai Senior Center expenditures in support of its response to the COVID-19 Public Health Emergency.

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

Senior Citizen Fund:	
Increase Estimated Revenues –	
Miscellaneous Grants	<u>\$32,500</u>
Increase Appropriations –	
Home Meals – Operating & Repair Supplies	\$25,700
Home Meals – Salaries	<u>6,800</u>
	<u>\$32,500</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 5th day of August, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: July 15, 2020
Enacted: August 5, 2020
Effective: August 5, 2020



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Kathy Romain
DATE: July 2, 2020
SUBJECT: **Ordinance No. 3148-2020**

Meals on Wheels America offered a second round of grants to Members that were previously awarded grants from the COVID-19 Response Fund. This grant funding is intended to address the continued demand for critical Meals on Wheels services.

The Kenai Senior Center has received \$32,500 through this second round of grant funding in support of the services provided to meals on wheels recipients through the COVID-19 public health emergency.

I respectfully request consideration of the ordinance and accepting and appropriating these grant funds.



Sponsored by: Administration

CITY OF KENAI

ORDINANCE NO. 3149-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, ACCEPTING AND APPROPRIATING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND AUTHORIZING THE PURCHASE OF PROPERTY DESCRIBED AS LOT 5, SPRUCE CREEK SUBDIVISION WHICH IS WITHIN THE AIRPORT'S RUNWAY PROTECTION ZONE.

WHEREAS, the fair market value purchase price of Lot 5, Spruce Creek Subdivision is \$16,000 as determined by a fair market value appraisal; and,

WHEREAS, the property is identified on sheet 14 of the Airport Layout Plan as an area of Future Airport Land Acquisition because it is located in the Airport's Runway Protection Zone and on sheet 17 of the Airport Layout Plan as having an avigation easement; and,

WHEREAS, the private landowner is a willing seller and has signed a purchase-sell agreement; and,

WHEREAS, it is in the best interest of the City to purchase the above-described property to be retained by the City as it will minimize noise, visual, light and weather emissions and impacts from its location within the Runway Protection Zone; and,

WHEREAS, the Airport Commission recommended purchase of the property at their July 9, 2020 meeting; and,

WHEREAS, land acquisition is FAA grant eligible, grant funds are available, and the City has been awarded a grant totaling \$26,300 comprised of 93.75% Airport Improvement Program funds and 6.25% CARES Act funds; and,

WHEREAS, with the above grant amounts, 100% of the cost of the land acquisition shall be covered by grant funds and no additional City cost share shall be required.

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 a grant in the amount of \$26,300 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 the estimated revenues and appropriations be increased as follows:

Airport Special Revenue Fund:

Increase Estimated Revenues –
Federal Grant:

Airport Improvement Program (93.75%)	\$ 24,656
CARES Act (6.25%)	<u>1,644</u>
	<u>\$ 26,300</u>

Increase Appropriations –
 Other Buildings & Areas - Land \$26,300

Section 3. That the City Manager is authorized to proceed with the purchase of Lot 5, Spruce Creek Subdivision for a fair market value of \$16,000 and to pay additional costs of \$10,300 surrounding the purchase of Lot 5, Spruce Creek Subdivision to include the appraisal, closing costs, administration, and updating of the Airport Layout Plan.

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 5th day of August, 2020.

 BRIAN GABRIEL SR., MAYOR

ATTEST:

 Jamie Heinz, CMC, City Clerk

Approved by Finance: 

Introduced: July 15, 2020
 Enacted: August 5, 2020
 Effective: August 5, 2020



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Elizabeth Appleby, City Planner

DATE: July 7, 2020

SUBJECT: Ordinance No. 3149-2020, Purchase of Lot 5 Spruce Creek Subdivision

Lot 5, Spruce Creek Subdivision at 46875 Merganser Avenue (Kenai Peninsula Borough parcel #04317027) is near the floatplane pond and runway of Kenai Municipal Airport. This parcel was identified in the Airport Master Plan as one that was desirable to purchase by the City to protect the Kenai Municipal Airport airspace and to allow for additional Airport development. The parcel is owned by William Borgen. Mr. Borgen is a willing seller and has signed an agreement with the City to sell the property at fair market value to the City. Fair market value was determined to be \$16,000 from an appraisal conducted in May 2020 by a certified appraiser. Additional costs surrounding the purchase include the following:

\$16,000 – property price
\$ 2,600 – appraisal
\$ 6,600 – update Airport Layout Plan
<u>\$ 600 – title fee, settlement fee, and recording fees</u>
\$25,800
+ \$ 500 - Admin
TOTAL - \$26,300

The total purchase costs of \$26,300 are eligible for funding through the Airport Improvement Program (AIP) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The AIP will provide 93.75% of the funding, and the CARES Act will provide 6.25% of the funding. The grant monies would go to the Airport Special Revenue Fund and be appropriated for the total purchase costs. Thank you for your consideration.

Attachments

1. Aerial Map



Parcel to be Purchased



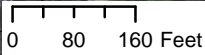
THIRD AVE

FLOATPLANE RD

SECOND AVE

CORAL ST

Parcel 04317027
46875 Merganser Avenue
Lot 5, Spruce Creek Subdivision



Data Source: Kenai Peninsula Borough. Data is for graphic representation only. Imagery may not match true parcel boundaries.

**KENAI AIRPORT COMMISSION
REGULAR MEETING
JUNE 11, 2020 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, J. Bielefeld, P. Minelga, K. Dodge, J. Zirul, D. Pitts, D. Leichliter

Commissioners Absent:

Staff/Council Liaison Present: Airport Manager M. Bondurant, Council Liaison H. Knackstedt

A quorum was present.

c. Agenda Approval

Chair Feeken noted the following revision to the agenda:

Add to Item 6.a. **Award Janitorial Contract for Airport Terminal**

- Memo
- Resolution No. 2020-43

Add Item 6.g. **Recommendation for a Conversion of Airport Reserve Lands Described as Lost 2 and 3, Block 5, General Aviation Apron Subdivision No. 1 Amended with SOAR International Ministries, Inc. and Recommendation of Temporary Development Incentive Application**

- Memo
- Map
- Application

MOTION:

Commissioner Minelga **MOVED** to approve the agenda with the requested additions and Commissioner Bielefeld **SECONDED** the motion. There were no objections; **SO ORDERED.**

2. SCHEDULED PUBLIC COMMENT – None.

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

4. **APPROVAL OF MEETING SUMMARY**

- a. May 14, 2020

MOTION:

Commissioner Zirul **MOVED** to approve the meeting summary of May 14, 2020 and Commissioner Bielefeld **SECONDED** the motion. There were no objections; **SO ORDERED**.

5. **UNFINISHED BUSINESS** – None.

6. **NEW BUSINESS**

- a. **Discussion** – Award Janitorial Contract for Airport Terminal

The Airport Manager noted the current janitorial contract expires on June 30 and the lowest bid was submitted by Reborn Again Janitorial Services.

It was clarified that the scope of work in the new contract included additional cleaning for COVID-19 concerns.

MOTION:

Commissioner Dodge **MOVED** to recommend Council approve awarding the Kenai Municipal Airport Janitorial Contract to Reborn Again Janitorial Services and Commissioner Zirul **SECONDED** the motion. There were no objections; **SO ORDERED**.

- b. **Discussion/Recommendation** – A Lease Renewal of Airport Reserve Lands Described as Lot 4, Block 1, FBO Subdivision to CPD Alaska, LLC on a Standard Lease Form

It was noted this was a four-year renewal of lease.

MOTION:

Commissioner Minelga **MOVED** to approve the lease renewal as described and Commissioner Leichter **SECONDED** the motion. There were no objections; **SO ORDERED**.

- c. **Discussion/Recommendation** – Lease Assignment of Lot 3, Block 4, General Aviation Apron from DeWayne Benton to Joel Caldwell

The Airport Manager noted this was an assignment of lease from DeWayne Benton to Joel Caldwell for the use of aircraft storage and maintenance.

MOTION:

Commissioner Minelga **MOVED** to approve the lease assignment from DeWayne Benton to Joel Caldwell and Commissioner Leichter **SECONDED** the motion. There were no objections; **SO**

ORDERED.

- d. **Discussion/Recommendation** – Approving a Ten-Year Lease Renewal of Airport Reserve Lands Described as Lot 1A, Block 1, General Aviation Apron No. 6 to Kenai Aviation Service, Inc. d/b/a Aviation Services on a Standard Lease Form

It was noted this was leased to United Parcel Service (UPS) and would allow them to extend their operations in Kenai.

MOTION:

Commissioner Bielefeld **MOVED** to approve a ten-year lease renewal as described and Commissioner Dodge **SECONDED** the motion. There were no objections; **SO ORDERED.**

- e. **Discussion/Recommendation** – Special Use Permit to Alaska Air Fuel for Aircraft Loading and Parking

MOTION:

Commissioner Zirul **MOVED** to approve the Special Use Permit to Alaska Air Fuel and Commissioner Minelga **SECONDED** the motion. There were no objections; **SO ORDERED.**

- f. **Action/Approval** – Ratify the Commission's Decision Regarding Future In-Person and/or Virtual Meetings

The Commission collectively supported doing in-person and virtual hybrid meetings.

MOTION:

Commissioner Zirul **MOVED** to approve the transition to in-person and Zoom virtual hybrid meetings and Commissioner Leichliter **SECONDED** the motion. There were no objections; **SO ORDERED.**

- g. **Discussion/Recommendation** – Recommendation for a Conversion of Airport Reserve Lands Described as Lots 2 and 3, Block 5, General Aviation Apron Subdivision No. 1 Amended with SOAR International Ministries, Inc. and Recommendation of Temporary Development Incentive Application

The Airport Manager noted this was a conversion to the new standard lease form.

MOTION:

Commissioner Zirul **MOVED** to recommend Council approve of a conversion to the new standard lease form and approve of the application for development incentives by SOAR International Ministries, Inc. and Commissioner Dodge **SECONDED** the motion. There were no objections; **SO ORDERED.**

7. REPORTS

- a. **Airport Manager** – Bondurant reported on the following:
- The float plane basin commercial fleet cards process was moving forward;

- Provided an update of the Kenai Municipal Airport remodel;
- A new parks display would be installed in the Airport on June 26;
- The signage plan for the Kenai Airport Terminal was almost finalized;
- The Airport Administration Offices were still closed to the public;
- Working on the design of the new sand storage building, construction to start spring 2021;
- FEMA was sending 11,000 masks for Airport use; and
- The Airport Terminal experienced vandalism recently.

b. **City Council Liaison** – Knackstedt reported on the June 3 City Council meeting actions.

8. NEXT MEETING ATTENDANCE NOTIFICATION – July 9, 2020

9. COMMISSIONER COMMENTS AND QUESTIONS

Commission Leichliter inquired about the removal of trees along the airport perimeter fence and maintenance plan.

Commissioner Minelga thanked Administration for moving forward with accepting commercial fleet cards at the float plane basin. He also expressed interest in moving forward with refurbishing the T-33A aircraft.

Commissioner Bielefeld inquired about the float plane basin operations.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. May 2020 Mid-Month Report
- b. May 2020 Enplanement Report

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:04 p.m.

Meeting summary prepared and submitted by:

Jacquelyn LaPlante
Deputy City Clerk

**KENAI AIRPORT COMMISSION
REGULAR MEETING
JULY 9, 2020 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
CHAIR GLENDA FEEKEN, PRESIDING**

MEETING SUMMARY

1. CALL TO ORDER

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

a. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

b. Roll was confirmed as follows:

Commissioners Present: G. Feeken, J. Bielefeld, P. Minelga, J. Zirul, D. Pitts

Commissioners Absent: D. Leichliter, K. Dodge

Staff/Council Liaison Present: Airport Manager M. Bondurant, City Planner E. Appleby, City Clerk J. Heinz, Council Liaison T. Navarre

A quorum was present.

c. Agenda Approval

MOTION:

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

2. SCHEDULED PUBLIC COMMENT – None.

3. UNSCHEDULED PUBLIC COMMENT – None.

4. APPROVAL OF MEETING SUMMARY – None.

5. UNFINISHED BUSINESS – None.

6. NEW BUSINESS

a. Discussion/Recommendation – City Purchase of Lot 5, Spruce Creek Subdivision at 47875 Merganser Avenue

The Airport Manager noted it was noted in the Airport Master Plan to purchase this property if it became available. Received notification that the purchase was AIP eligible.

MOTION:

Commissioner Minelga **MOVED** to recommend Council authorize the purchase of Lot 5, Spruce Creek Subdivision at 47875 Merganser Avenue for runway protection and Commissioner Zirul **SECONDED** the motion. There were no objections; **SO ORDERED**.

7. REPORTS

- a. **Airport Manager** – Bondurant reported on the following:
 - Keeping up to date on the RAVN bankruptcy; a Part 121 airline has indicated they have interest in adding Kenai to their route; Grant aviation doing a good job keeping up;
 - 139 Certification Inspection delayed again due to COVID-19;
 - Installation of the inter-agency wall display was delayed due to COVID-19;
 - Receiving face coverings for essential workers, passengers; and
 - T-33 Restoration update.
- b. **City Council Liaison** – Council Member Navarre reported on the CARES Act grant opening for another opportunity.

8. NEXT MEETING ATTENDANCE NOTIFICATION – August 13, 2020

9. COMMISSIONER COMMENTS AND QUESTIONS

Commissioner Minelga noted language for signage for fuel.

Commissioner Pitts suggested a terminal tour and confirmed fuel at the Float Plane Dock was available.

10. ADDITIONAL PUBLIC COMMENT – None.

11. INFORMATION ITEMS

- a. June 2020 Mid-Month Report
- b. May 19, 2020 Runway Safety Action Plan
- c. June 2020 Float Plane Basin Report
- d. Resolution No. 2020-55

12. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 6:23 p.m.

Meeting summary prepared and submitted by:

Jamie Heinz, CMC
City Clerk

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 8, 2020 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

Commission Vice Chair Fikes led those assembled in the Pledge of the Allegiance.

2. Roll Call

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

Commissioners absent: J. Twait

Staff/Council Liaison present: City Planner E. Appleby, Planning Assistant W. Anderson, City Clerk J. Heinz, Council Liaison H. Knackstedt

A quorum was present.

3. Agenda Approval

MOTION:

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

4. 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.

5. *Excused absences – None.

B. APPROVAL OF MINUTES

1. *June 24, 2020

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2020-18** - Preliminary Subdivision Plat of Eventyr Subdivision No. 3, submitted by Edge Survey and Design LLC, P.O. Box 59, Kasilof, AK 99669, on behalf of Molly E. Hannigan, 108 Linwood Lane, Kenai, AK 99611, and Christopher Etheridge, P.O. Box 1406, Kenai, AK 99611

MOTION:

Commissioner Askin **MOVED** to recommend approval of the preliminary subdivision plat of Eventyr Subdivision No. 3, submitted by Edge Survey and Design LLC, and Commissioner Springer **SECONDED** the motion.

The City Planner reviewed the staff report provided in the packet and noting the plat reconfigured three lots into two lots recommending approval with the following conditions:

- Further development of the property shall conform to all federal, State, and local regulations.
- The plat number on the surrounding properties (Lots 4 and 5, Roper Subdivision) lying Northeast of Lot 4A should be changed from Plat 619 to Plat K-1409.
- The Kenai City Council must declare the ten foot (10') utility easements not needed for a public purpose and approve the vacation of the utility easements as shown on the preliminary plat.

Clarification was provided that what is identified as Teresa Street is currently wooded and would not impact the block or the neighborhood.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS – None.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS – None.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Knackstedt reported on the actions from the July 1 City Council meeting.
2. **Borough Planning** – Commissioner Fikes noted the Borough Planning Commission will meet again on July 13.
3. **Administration** – City Planner Appleby reported on the following:
 - Met with the operator of the gravel pit on Beaver Loop Road and asked for more trees to be planted; added Kenai Peninsula Borough staff had developed an agreement with them to mitigate a stream issue;
 - Would be providing the Midmonth Report to Council in the packets;
 - A Code Enforcement tool on the website was available;
 - Ongoing Dipnet meetings before the fishery opens;
 - Still planning to hold the second meeting in July.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS

1. Planning and Zoning Midmonth Report to City Council – May 2020
2. Building Permit Report – Second Quarter 2020

M. NEXT MEETING ATTENDANCE NOTIFICATION – July 22, 2020

N. COMMISSION COMMENTS & QUESTIONS – None.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:29 p.m.

Minutes prepared and submitted by:

Jamie Heinz, CMC
City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
THROUGH: Dave Ross, Police Chief
FROM: Jessica “JJ” Hendrickson, Animal Control Chief
DATE: July 2, 2020
SUBJECT: Animal Control Mid-Month Report June 2020

This month the Kenai Animal Shelter took in **45** animals. Animal intake and disposition:

DOGS:				
	INTAKE	26	DISPOSITION	16
	Waiver	7	Adopted	9
	Stray	5	Euthanized	3
	Impound	1	Claimed	3
	Protective Custody	8	Field Release	0
	Quarantine	0	Transferred	1
	Other Intakes	5	Other Dispositions	0
CATS:				
	INTAKE	18	DISPOSITION	21
	Waiver	9	Adopted	15
	Stray	9	Euthanized	0
	Impound	0	Claimed	4
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	2
	Other Intakes	0	Other Dispositions	0

OTHER ANIMALS:				
	INTAKE	1	DISPOSITION	1
	Seal	1	Seal	1
	Rabbit	0	Rabbit	0
	Chicken	0	Chicken	0
	DOA:	3	OTHER STATISTICS:	
	Dog	2	Licenses (City of Kenai Dog Licenses)	16
	Cat	1	Microchips (Dog and Cat)	18

- 1 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 16 Animals are *known* Borough animals
- 32 Animals are *known* City of Kenai
- 8 Animals are *known* City of Soldotna
- 0 Animals from unknown location
- 31 Field Investigations & patrols
- 0 Volunteer Hours Logged
- 0 Citations
- 0 Educational Outreach

Statistical Data:

- 366 2018 YTD Intakes
- 438 2019 YTD Intakes
- 414 2020 YTD Intakes





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Mary Bondurant, Airport Manager
DATE: July 1, 2020
SUBJECT: **Airport Mid-Month Report July 2020**

2018 Terminal Rehabilitation Project – Construction: The project is in the final stages of completion; finalizing signage, seating, and boilers.

2019 Alaska Fire Training Facility Rehabilitation & Acquire Aircraft Rescue and Firefighting Trucks (ARFF) – Training equipment and building rehabilitation is near total completion. The two ARFF vehicles are on-order with OSHKOSH.

2020 Acquire SRE (Loader) – The Office of the Secretary of Transportation has given grant authority, and the FAA is working on the grant offer for the City.

2020 Sand/SRE Storage Building – Ordinance No. 3116-2020 (Substitute) appropriated funds to HDL Engineering for the design of this building. The design documents are at 65%.

2020 Land Acquisition – The City programmed to purchase two parcels of land in the Runway Protection Zone (RPZ). The City received appraisals dated June 8, 2020, and the City received environmental clearance on June 12, 2020. A purchase and sale agreement has been executed on one of the parcels, and Airport Administration and the Planning Department are working on a grant application to purchase this parcel in the FY20 AIP program.

In-house Activities:

Airport Administration – The office remains closed with meetings by appointment. The Airport Manager and the Administrative Assistant are in the office. If you need assistance, please send an email to mbondurant@kenai.city or call 907.283.7951.

RAVN Shutdown – The RAVN Air Group auction is scheduled for Tuesday, July 7, 2020.

Annual FAA Certification Inspection – **CANCELLED until further notice.** The annual FAA 139 certification was scheduled for July 14-16, 2020.

Interagency Wall Display – The USFW and State Parks display install has been rescheduled for the weekend of July 31, 2020.

Advertising Opportunity – The Kenai Municipal Airport will be featured in an issue of Business View, Commercial and Business Aviation series. This will be an opportunity to answer industry-specific questions about the history and operations of the Kenai Airport. The article will also highlight the terminal building and facilities, land leasing policies, capital improvement projects, special events, and the vision the Airport provides. This project is scheduled for the September 2020 issue.

FEMA Face Coverings - FEMA has provided cloth face coverings for essential air workers in Alaska. The Kenai Municipal Airport received these face coverings last week. Please consider the needs of your aviation company or organization and contact the Airport Administration Office at 907.283.7951 if you are in need of face coverings.

100 Years of Flight Service – A request has been submitted to use the Airport Operations Facility for the venue to celebrate this event. The event is scheduled for August 20, 2020, with the Vice-President for Systems Operations Mike Artist and the Director for Flight Service Steve Villanueva traveling from Washington D.C. along with other dignitaries to tour several Flight Service Station (FSS) locations in Alaska.

Runway Safety Action Plan – Attached is the final Runway Safety Action Plan dated June 15, 2020. This report is based on the May 19, 2020 government Zoom meeting hosted by Ron Lapp (Kenai ATCT Manager) and Tom Candelario (FAA Alaska Runway Safety Manager) that discussed runway incursion prevention safety at towered airports.





FLOAT PLANE BASIN ACTIVITY 2016-2020

OPERATIONS

Month	2020	2019	2018	2017	2016
MAY	21	64	39	23	44
JUNE	105	123	139	106	85
JULY		166	261	144	151
AUGUST		172	164	103	191
SEPTEMBER		132	156	107	115
OCTOBER		37	47	6	CLSD
Total	126	694	806	489	586

0 not reported

FUEL SALES

Month	2020	2019	2018	2017	2016
MAY	\$1,422	\$1,685	\$134	\$784	\$1,175
JUNE	\$2,909	\$5,870	\$3,203	\$3,423	\$1,656
JULY		\$9,030	\$3,635	\$3,420	\$3,036
AUGUST		\$7,146	\$5,890	\$4,325	\$3,647
SEPTEMBER		\$5,906	\$5,590	\$4,901	\$3,830
OCTOBER		\$1,752	\$1,060	\$583	CLSD
Total	\$4,331	\$31,389	\$19,512	\$17,436	\$13,344

Slips Rented

Private	4
Commerical	0

Runway Safety Action Plan

**Kenai Airport
(ENA)
Kenai, Alaska**

19 May 2020



Approved by: *Ron Lapp* Date: 6/15/2020

**Ron Lapp
Air Traffic Manager, Kenai**

The LRSAT chairperson is the ATCT manager or designee and they approve the RSAP by signing this document.

Accepted by: _____ Date: _____

**Tom Candelario
Alaska Runway Safety Program Manager**



I. Introduction

A. General Description of the Airport

- **Kenai, FCT Tower**
- **Tower Hours of Operation: 0600 – 2200 summer; 0700 – 2100 winter**
- **FAR Part 139 Airport: Yes**
- **Airport Hot Spot: Two**
- **Line Up and Wait (LUAW): No**
- **Multiple Runway crossings: No**
- **Flight Training: One**

II. Historical Information / Event History

The previous Runway Safety Action Team Meeting was conducted on July 30, 2019.

A. OPSNET (12 month count)

Total airport operations for the 12-month period prior to the Runway Safety Action Team meeting, from April 2019 through March 2020.

ATADS : Airport Operations : Standard Report

From 04/2019 To 03/2020 | Facility=ENA

Date	Facility	State	Itinerant				Local			Total Operations	
			Air Carrier	Air Taxi	General Aviation	Military	Total	Civil	Military		Total
Apr-19	ENA	AK	42	1,963	620	27	2,652	1,364	206	1,570	4,222
May-19	ENA	AK	55	2,213	893	41	3,202	1,554	88	1,642	4,844
Jun-19	ENA	AK	99	2,135	1,042	31	3,307	942	118	1,060	4,367
Jul-19	ENA	AK	95	2,269	1,230	70	3,664	1,037	205	1,242	4,906
Aug-19	ENA	AK	177	2,775	1,114	48	4,114	997	34	1,031	5,145
Sep-19	ENA	AK	64	2,038	663	10	2,775	1,158	82	1,240	4,015
Oct-19	ENA	AK	61	1,950	610	15	2,636	1,210	169	1,379	4,015
Nov-19	ENA	AK	47	1,571	354	16	1,988	1,022	68	1,090	3,078
Dec-19	ENA	AK	37	1,559	229	9	1,834	676	74	750	2,584
Jan-20	ENA	AK	75	1,699	241	22	2,037	803	108	911	2,948
Feb-20	ENA	AK	38	1,607	394	34	2,073	797	92	889	2,962
Mar-20	ENA	AK	52	1,618	520	5	2,195	948	79	1,027	3,222
Sub-Total for AK			842	23,397	7,910	328	32,477	12,508	1,323	13,831	46,308
Sub-Total for ENA			842	23,397	7,910	328	32,477	12,508	1,323	13,831	46,308
Total:			842	23,397	7,910	328	32,477	12,508	1,323	13,831	46,308

Report created on Tue May 12 11:29:01 EDT 2020
Sources: Air Traffic Activity System (ATADS)

This does not count overflights, over 10,000 for this period

B. Surface Events since last RSAT meeting

None

Runway Incursions

- 6/9/19 ENA-M-2019/06/09-0001-PD Aircraft 1/C182R entered ENA airspace and landed Runway 20R without establishing two-way radio communication. Aircraft 1/C182R taxied to the fuel station without contacting Ground Control (GC).

Surface Incidents

None

Runway Excursions

None

III. Meeting Overview

The meeting was held via teleconferencing utilizing government zoom. Mr. Ron Lapp and Tom Candelario hosted the meeting. The meeting was conducted in accordance with FAA Order 7050.1 to administer a runway incursion prevention safety meeting at all towered airports.

Ron opened the meeting with a welcome to all participants and a brief explanation of the purpose of the meeting. Ron reviewed the agenda for the day including the airport stakeholders meeting. Ron reminded all participants the importance of making this a team effort for possible new action items for the fiscal year.

Active participation was also given by Tom Candelario, from the FAA Runway Safety Office, Charles (Chip) Wisner, from the FAA Safety Team, Mary Bondurant, Kenai Airport Manager and Special Guest Mr. Kerry Long from FAA HQ Runway Safety was also present and concluded the briefing with some kind words and professional perspective.

Charles Wisner gave an outstanding briefing, that was built into the presentation on the "Dirty Dozen", detailing the Human Factor in some past accidents and dangers of possible future incidents.

Mary Bondurant, Kenai Airport Director, talked about a best practice with the annual vehicle training program, and how closely the airport works with the tower to ensure safety.

Tom Candelario introduced the new Runway Safety Web Tool to all participants. This web site is a great tool for Managers to see where past events have happened on the airport and plan for mitigation with possible hot spots.

IV. Action Items

Review of Previous Action Items

None

Open Action Items:

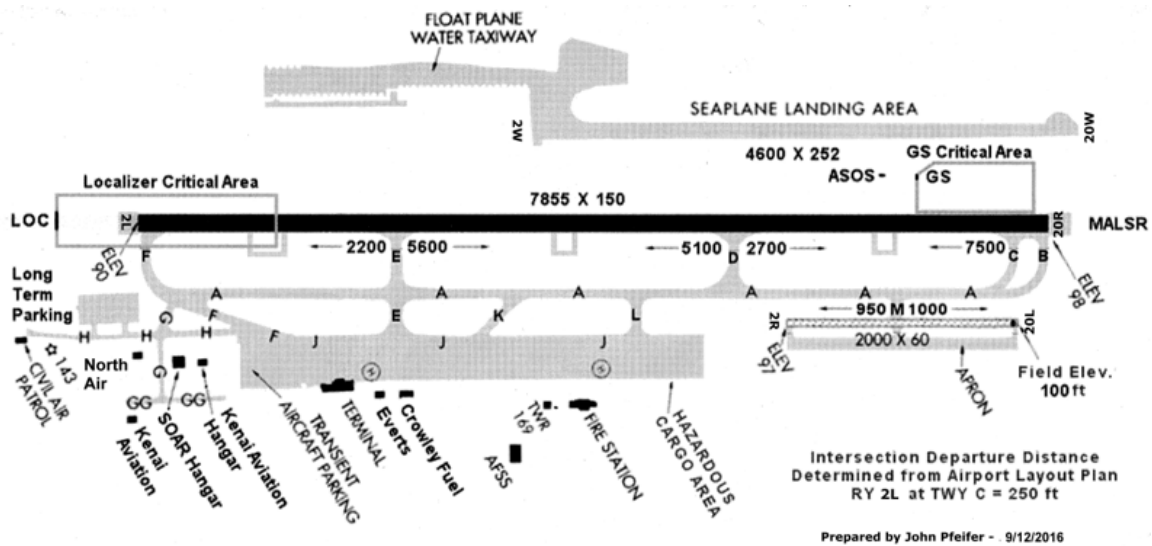
None

Closed Action Items:

None

V. Runway safety concerns, issues, or problems

A. Airport Geometry

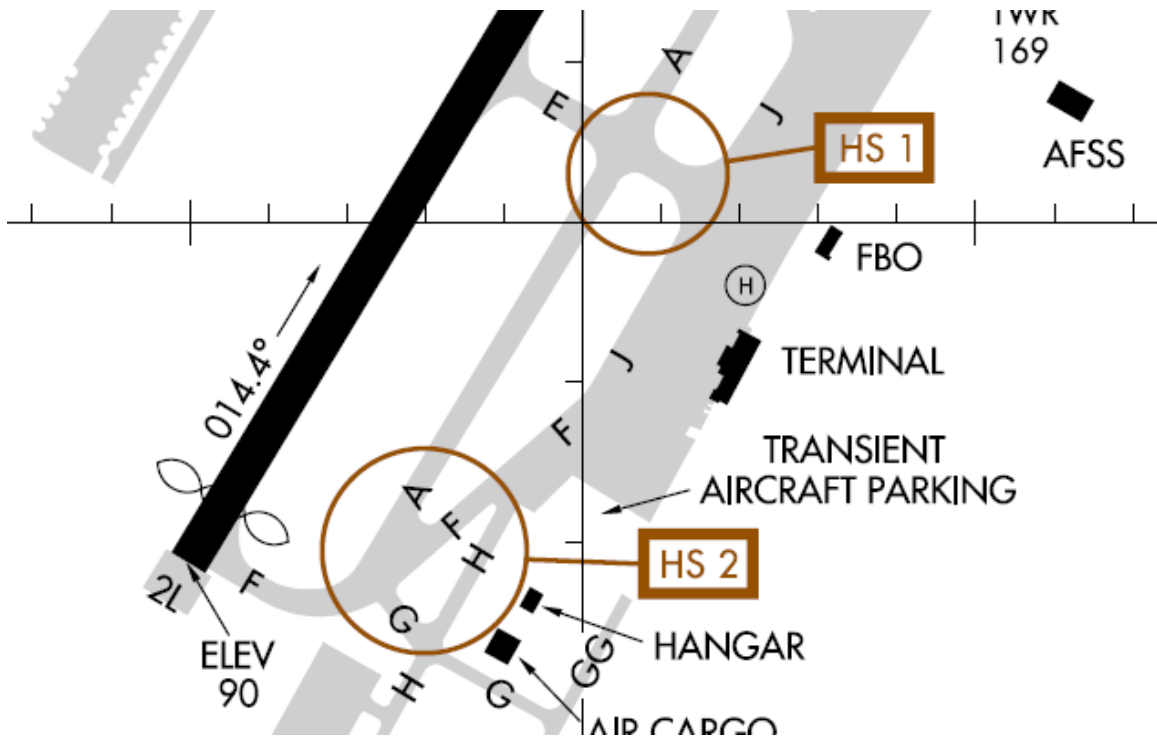


B. Hot Spots – ENA has two published airport hotspots

HS 1 Aircraft taxiing via Twy E to park sometimes turn onto Twy A instead of Apron Twy J

HS 2 Taxiway A, Taxiway F, Taxiway H and Taxiway G complex list sometimes causes confusion

Note: Both hot spots have a painted yellow “A” on the taxiway to bring awareness



- C. **Construction Discussion** – No current plans
- D. **Surface safety issues** – Ron Lapp discussed the lack of access from the gravel strip ramp, and possible future wording in the Alaska Supplement
- E. **Weather** – Ron discussed how Kenai FCT was issuing more PIREPS into AISR and the importance of reviewing them. Ron also reminded everyone that Kenai FSS plays a huge role in Alaska weather reporting and should be used to the maximum extent possible
- F. **Vehicles** – Minimum runway crossings; airport does well with obiding by the runway safety area restrictions
- G. **Wildlife** – Sea gulls and Moose are the most prevalent that cause airport mitigation
- H. **LOAs** – Ron discussed three new LOA's into the system. Only one LOA, Reach Air Medical Services in on the airport. Most all of their operations are on non-controlled surfaces at their own risk
- I. **Special Events** – None scheduled this year, unfortunately Military Appreciation Day fly in has been cancelled

J. Feedback –None

K. Other - None

VI.

Best Practices –

Kenai Tower was nominated for the Willie Card Tower of the Year 2019

Snow Removal Training Program

Train all controllers on 2017 AJI Wrong Runway Video, Monthly Training

Terms, Pavement, Gravel, Water to avoid confusion

Runway Safety Action Team Web Site, Thomas Candelario

VII. New Action Items

None

Action Item Rationale: None

Action Item: None

VIII. Recommendations

None

IX. List of participants, their affiliation, and email contact information

<u>ATTENDEE'S NAME</u>	<u>COMPANY</u>	<u>EMAIL</u>
1. Karl Scribner	FAA TWAN Assistant General Manager	
2. Neale Sheneman	FAA ANC ATCT ATM	
3. Kerry Long	FAA AAL-1	
4. Della Triggs-Koch	FAA Senior Advisor, Alaska Regional Administrator	
5. Talon Medema	FAA ANC Approach Control ATM	
6. Thomas Candelario	FAA Alaska Runway Safety Manager	
7. Krisjon Tabisola	FAA Airport Division	
8. Jim Betts	FAA FSS Manager	
9. Tom Quick	FAA Anchorage Plans and Procedures	
10. Kimberly Dodge	FAA FSS Operations Manager	
11. Charles Wisner	FAA FFAST Team	
12. Mary Bondurant	Kenai Airport Manager	
13. Erica Brincefield	Kenai Assistant to Airport Manager	
14. Jim Lackey	Kenai Airport Operations Supervisor	
15. Matt Landry	Kenai Airport Operations	
16. Terry Russ	Kenai Airport Operations	
17. Jon Percy	FAA FFAST Flight Standards	
18. Matt Bendza	Serco King Salmon ATCT ATM	
19. Stacey Rice	FAA Quality Control Specialist	
20. Monique Stowers	FAA ATC Specialist	
21. Chip Versaw	Kenai SSC	
22. Todd Murray	FAA ANC Center Supervisor	

23. Jason Nunn	Alaska Grant Aviation	
24.		

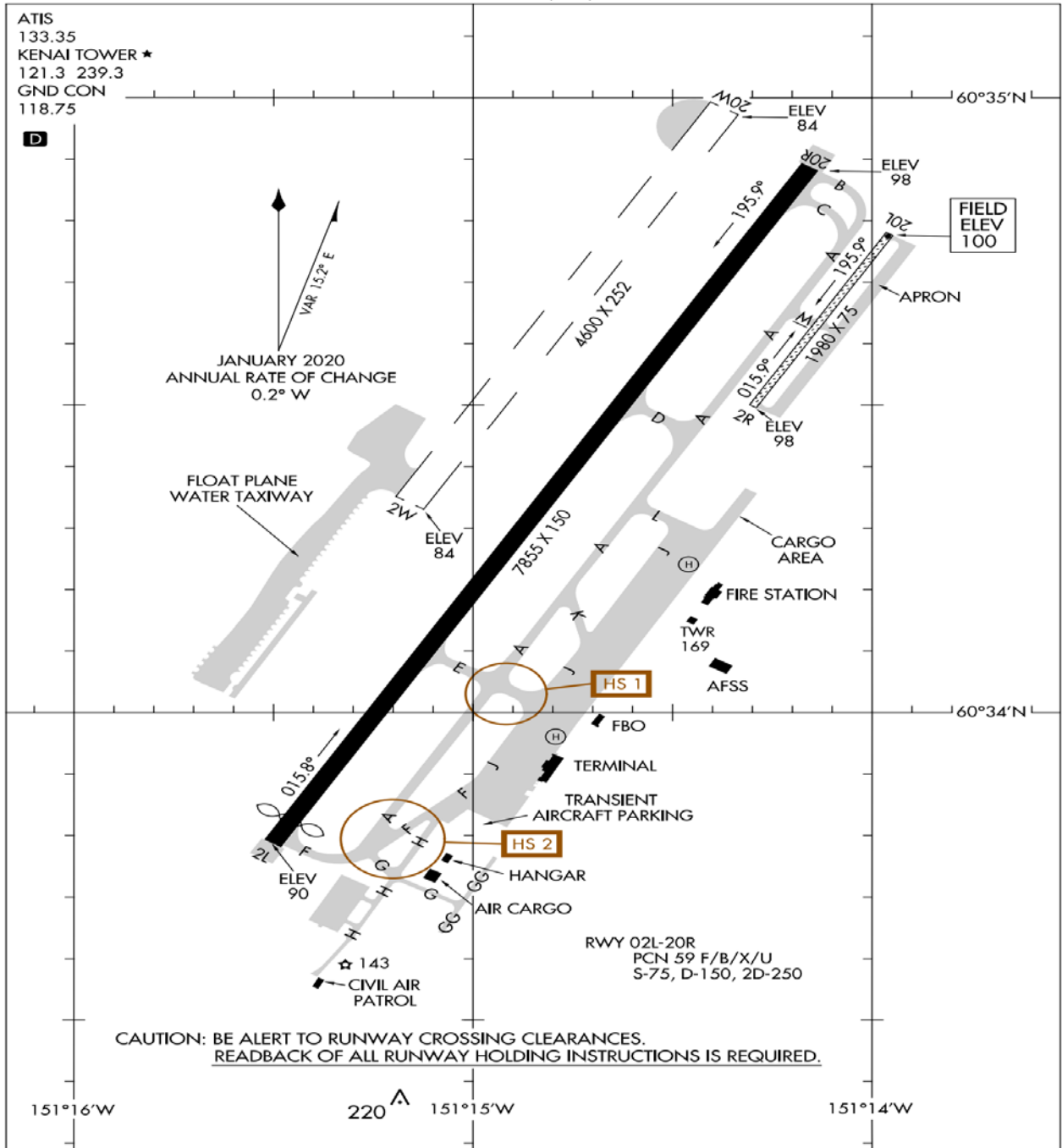
X.Airport Diagram

20086

AIRPORT DIAGRAM

AL-1235 (FAA)

KENAI MUNI (ENA) (PAEN)
KENAI, ALASKA



AIRPORT DIAGRAM

20086

KENAI, ALASKA
KENAI MUNI (ENA) (PAEN)



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Paul Ostrander, City Manager

FROM: Terry Eubank, Finance Director

DATE: July 8, 2020

SUBJECT: **Finance Department Mid-Month Report July 2020**

In preparation for the 2020 Personal Use Fishery, the department assured all shacks were online and ready to process transactions, software enhancements were complete, the Dipnet App was updated, and City Hall was prepared for daily reconciling activities. The department successfully recruited for shack operators. Fee shacks this year will be cashless, and intercoms have been installed to protect shack workers.

With the completion of the budget, the department's focus has switched to closing of FY20 and completion of the City's Comprehensive Annual Financial Report. This process includes the closing of the FY20 financial records, fiscal year-end grant reporting, and finally, financial statement preparation. The annual audit is scheduled for the week of October 5.

The Department's IT Intern has been a huge help in deployment and operations of Personal Use Fishery shacks as well as assisting other IT projects.

Employee open enrollment has been completed for FY2021, and the transition to AMLJIA as the City's property, liability, workers' compensation, and marine insurer is ongoing.



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and City Council

THROUGH: Paul Ostrander, City Manager

FROM: Tony Prior, Fire Chief

DATE: July 7, 2020

SUBJECT: Fire Department Mid-Month Report June 2020

We are continuing to see a reduced number of calls for the year as we move towards an influx of people for the beginning of dip net season. Here are the numbers for the month of June.

Year	2019	2020	% change
June total	140	100	-28.6%
EMS	92	69	-25.0%
All Other	35	18	-48.6%
Year total	781	634	-18.8%

Over the last two months, we have had four of our personnel successfully complete their final phase of training to complete their Driver Operator qualifications. This is a combination of water system hydraulics, required hours of apparatus driving, pumping and operations of each engine, and written tests on each engine. This is roughly 180 hours of training per individual.

Mackenzie (Mac) Lee will be joining our department on July 13, following a hiring process with 7 applicants. Mac is a graduate of Kenai Central High School, University of Alaska Fairbanks, and has an Associates in Fire Science as well as an Associates in Paramedicine. He is currently 10 credits away from his Bachelor's degree in Homeland Security and Emergency Management. He has been working as a Firefighter/Paramedic with the City of Fairbanks but is excited to be returning "Home" to Kenai.

Two personnel completed Basic Aircraft Rescue and Firefighting (ARFF), and one person completed the Advanced ARFF at BEACON training center. Three members have also completed their Fire Officer I class and will be testing for their State of Alaska Certificate this week.

You may see our folks out training on our Rescue Boat as we are gearing up for the increased activity on the river. We'll be mooring the boat in the river during the month of July to increase our response times due to plugged launches and low tides.

We are currently working with KPD on two arson fires within the last month. Investigations, evidence, and interviews have led to one arrest and two cases processed to Juvenile Justice.



MEMORANDUM

TO: Brian Gabriel and Kenai City Council





THROUGH: Paul Ostrander, City Manager

FROM: Katja Wolfe, Library Director

DATE: July 6, 2020

SUBJECT: Library Mid-Month Report June 2020

June at a Glance

Checkouts		Jun-19	Jun-20	2020 YTD
Physical		9,194	2,524	25,352
Digital		1,327	1,445	8,098
Visits				
Number of Visitors		6,362	1,016	14,580
New Library Cards		52	14	147
Room Use		147	-	396
Programs				
Number of Programs		41	18	136
Program Attendance		722	n/a	1,021
Volunteer Hours		58	n/a	105
Technology Sessions				
Computer Sessions		718	252	1,030
iPad Sessions		160	n/a	203
WiFi Sessions			2,716	6,431
Early Literacy Station Sessions		390	n/a	786

Programming highlights

- All in-person programs canceled in June 2020
- We continued our virtual classroom programs on Facebook and YouTube (average of 4 programs per week)
 - Weekly Lego® challenge
 - Let's Draw
 - Virtual story time
 - DIY and STEAM programs
 - Watercolor demo for adults
 - Summer Reading Jr. Explorer Club
 - Kite 101

June 2020 library services highlights

- 2,716 Wi-Fi sessions by 406 unique users
 - 26% increase from May 2020
- 14 library cards issued
- 214 patrons utilized our curbside pickup service
- Kenai library patrons can again place holds on Soldotna library items and vice versa
 - We sent 107 items to Soldotna
 - We received 185 items from Soldotna
- We reopened our doors on June 1 for limited computer access and on June 22 for limited computer access and browsing
- Our summer food program is going strong. We distributed 142 meals to children 18 and under





MEMORANDUM

TO: Elizabeth Appleby, City Planner
FROM: Paul Ostrander, City Manager
DATE: July 7, 2020
SUBJECT: **Planning and Zoning Mid-Month Report June 2020**

Planning and Zoning Commission Agenda Items and Resolutions

- Resolution PZ2020-13 - Application for the Rezoning of two parcels adjacent to the Kenai Spur Highway and described as Tracts 1 and 2, Holland Spur Highway Subdivision, and located at 7344 and 7450 Kenai Spur Highway, from Rural Residential (RR) to General Commercial (CG). The application was submitted by the majority property owner, Glen Martin, P.O. Box 1389, Soldotna, AK 99669.
- Resolution PZ2020-15 - Preliminary Subdivision Plat of Holland Spur Highway Subdivision 2020 Addition, submitted by Segesser Surveys, 30485 Rosland St., Soldotna, AK 99669, on behalf of Glen Martin, P.O. Box 1389, Soldotna, AK 99669.
- Resolution PZ2020-16 - Preliminary Subdivision Plat of McLennan Estates Addition No. 1, submitted by Segesser Surveys, 30485 Rosland St., Soldotna, AK 99669, on behalf of Cheney and Maryann McLennan, 701 Davidson Dr., Kenai, AK 99611.
- Resolution PZ2020-17 - Request to Rename Pelchy Drive to Pelch Drive. The request was submitted by the adjacent property owner, Michael J. Pelch, Jr. 3230 Harlow Rd., Eugene, OR 97401.
- Resolution PZ2020-18 - Preliminary Subdivision Plat of Eventyr Subdivision No. 3, submitted by Edge Survey and Design LLC, P.O. Box 59, Soldotna, AK 99669, on behalf of Molly E. Hannigan, 108 Linwood Lane, Kenai, AK 99611, and Christopher Etheridge, P.O. Box 1406, Kenai, AK 99611.
- Action/Approval - Authorizing the City Planner to Send a Letter to the Kenai Peninsula Borough Supporting a One-Year Time Extension to Finalize the Plat of Kee's Tern Subdivision.
- Action/Approval - Application for Ten-Year Lease Renewal of City-Owned Land Within the Airport Reserve described as Lot 1A, Block 1, General Aviation Apron Subdivision No. 6 and located at 330 Main Street Loop. The application was submitted by Kenai Aviation Services, Inc. d/b/a Aviation Services, 1755 Lincoln Hill Rd. Martinsville, IN 46151.
- Action/Approval - Transitioning to In-Person / Zoom Hybrid Meetings

Building Permit and Site Plan Reviews

Planning and Zoning staff reviews all Building Permits for compliance with the zoning code. The Department conducted 7 Building Permit reviews in May 2020.

Code Enforcement

3 cases were opened in June 2020 for Garbage.

1 case was opened in June 2020 for Debris and Junk.

Lands

- Lease assignment from DeWayne Benton to Joel Caldwell
- Special Use Permit approved to the Kenai Chamber of Commerce and Visitor Center for the Moosemeat John Cabin
- Lease renewal of 10 years approved for Kenai Aviation Services, Inc. d/b/a Aviation Services (UPS)
- Lease conversion and development incentives approved for SOAR International Ministries, Inc.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Robert J. Frates, Parks & Recreation Director
DATE: July 8, 2020
SUBJECT: **Parks and Recreation Mid-month Report June 2020**

The primary focus in early June was conducting training for our temporary hires. Training included both classroom-type work and actual fieldwork with equipment. Below is a representation of tasks and activities:

- The department had two shelter reservations for the month of June
- A total of 145 labor hours were donated by Salamatof Native Association painting and staining the Kenai River Flats Wildlife Viewing Boardwalk, Cunningham Park boardwalk, and various picnic tables at Municipal Park.
- Crews performed several days of prep work for the upcoming personal use fishery. Tasks included signs, fencing, equipment staging, training, and organizing fee station material and supplies.
- The department's gardener has accumulated over 10 hours of pruning and shaping of various landscaped trees throughout the City.
- Crews are accessing spruce bark beetle-kill trees located in the cemetery and formulating a plan of attack for removal.
- Banners were completed along Willow St., Airport Way, Old Town, and at the Visitors Center Parking Lot.
- Administrative Assistant Bannock has been regularly meeting with June and Joe Harris, completing an inventory of the historic cabins.
- The Alliance Baseball Club hosted a total of four games at the Little League Complex. Visiting teams included Wasilla and Eagle River.
- All fertilizing was completed in early June.
- Signs for the new poetry trail have been ordered.
- Crews relocated the Old Town Cabin Park signs to a more favorable location along Main St. Loop.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: David Ross, Police Chief

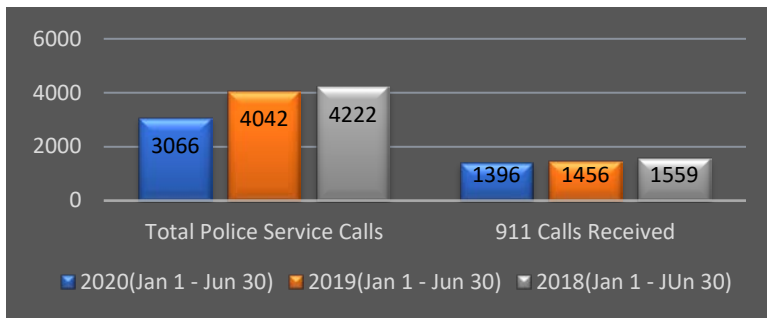
DATE: July 7, 2020

SUBJECT: Police & Communications Department Mid-Month Report June 2020

Police handled 565 calls for service in June. Dispatch received 279 9-1-1 calls. Officers made 44 arrests. Traffic enforcement resulted in 109 traffic contacts and 21 traffic citations. There were 2 DUI arrests. Officers investigated seven motor vehicle crashes. There was one collision involving a moose. There were no collisions involving drugs or alcohol.

All officers attended training for bird hazing at the airport. Two officers received internal training on less-lethal equipment. Two officers received shotgun training. A department-wide training was conducted on Use of Force. Two dispatchers received EMD training online. All dispatchers started an online APCO training course. The police department has completed the hiring process for the vacant Police Officer position, and the individual who is being hired will start the DPS academy in Sitka near the end of July. There is a vacancy in dispatch that will require the start of a new recruitment.

The Department continues to see call volumes rise each month from a low of 450 in April to 565 in June. However, the June call volume is a 26% decline from the previous June, and year to date call volume is down by 24% from last year. The drastic shift in call volume comes in conjunction with the COVID-19 public health emergency, and it is difficult to determine how long it might last.





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Scott Curtin, Public Works Director

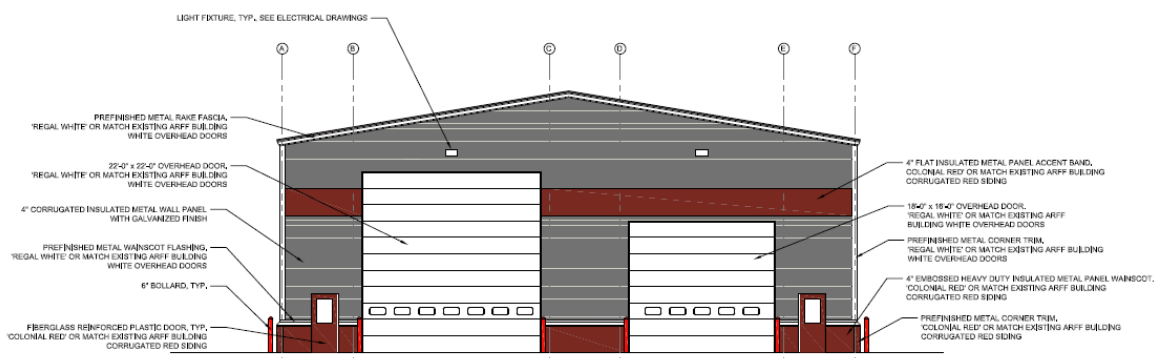
DATE: July 2020

SUBJECT: **Public Works / Capital Projects Mid-Month Report June 2020**

-
- Terminal Building Rehabilitation Project – The project reached Substantial Completion on March 27, 2020! The project is nearing closeout, final change orders are pending. Replacement boilers were approved by the FAA on June 10, 2020.
 - Alaska Regional Fire Training Facility Building Rehabilitation Project – The project reached Substantial Completion on June 2, 2020, and Fire Training is actively taking place. Staff will be working with the FAA on project closeout over the next 60-90 days.
 - Alaska Regional Fire Training Facility Equipment Rehabilitation Project - The project reached Substantial Completion on March 13, 2020, and Fire Training is actively taking place. Staff will be working with the FAA on project closeout over the next 60-90 days. The contractor has yet to return to Alaska to complete punch list - travel restrictions due to COVID-19 have caused some delay.
 - Kenai Municipal Airport Wheeled Loader Replacement – An Invitation to Bid was released on May 20, 2020, with bids due on June 10, 2020. Two bids were received with Yukon Equipment, Inc. providing the lowest responsive bid for 2020 Case model 621G and associated attachments. Total cost of loader with all attachments as well as some minor administrative costs equal \$270,000. An FAA grant will be covering 100% of the costs.



- Kenai Municipal Airport Sand Storage Facility** – The City executed a design agreement to HDL Engineering on April 17, 2020 for a new Sand Storage Facility. On July 2, 2020, 65% Design Documents were received. The building is 5600sf and consists of a large sand bay capable of holding more than 1300cy of sand, as well as a parking bay for the new wheeled loader and a sanding truck. Bid documents are anticipated to be ready for an August 2020 release. The project remains on time and within anticipated budgeted amounts per current estimates.



A7 WEST ELEVATION
A3.1 3/16" = 1'-0" (22x34) 3/32" = 1'-0" (11x17)

- Dock repair** – An Invitation to Bid was released on May 29, 2020 with Bids due on June 19, 2020. No bids were received. The City continues to speak with potential contractors and will be reissuing Invitation to Bid in Mid-July.
- Peninsula Avenue Bluff Erosion 2020** – An Invitation to Bid was released on May 31, 2020 with Bids due on June 19, 2020. Four bids were received with Foster Construction being the lowest responsive responsible bidder at \$94,670. Council approved the project through passage of Resolution 2020-57 at the July 1, 2020 meeting. Contract documents are in process, and work is anticipated to take place late summer and into the fall.
- Vault Restrooms** – 100% Design documents were received on June 10, 2020 from Nelson Engineering. An Invitation to Bid was released on June 14, 2020 with Bids due on June 29, 2020. Four bids were received with Polar North Construction being the lowest responsive responsible bidder at \$359,850. Council approved the project through passage of Resolution 2020-58 at the July 1, 2020 meeting. Contract documents are in process, and work is anticipated to take place in August/September.
- Waste Water Treatment Plant Master Plan** – HDL Engineering Consultants will be beginning to assist the Public Works Department in development of a new Master Plan for the facility. The last one was completed in March 2004. Resolution 2020-48 was approved at the June 17, 2020 Council meeting allowing this work to proceed. On July 2, 2020 HDL staff and consultants spent the day on the property going through all systems of the plant, and it is anticipated that these services will take place throughout the summer months. HDL also

continues to assist the department with the renewal of our APDES Permit, which expires every five years.

- USACE Bluff Erosion – See City Manager’s report. Director’s Report from the Army Corp of Engineers was signed on April 10, 2019. As of April 29, 2020, we are waiting on a Section 221 Memorandum of Understanding (MOU) from the Army Corps of Engineers. Nothing new to report.
- DOT KSH Rehabilitation (Widening to 5 lanes) Phase 1 Swires Rd. to Eagle Rock Dr. Wolverine is actively working on the project with final surface striping taking place and final ditch grading / seeding taking place. Appear to be a few weeks away from final completion.
- DOT KSH Rehabilitation (Widening to 5 lanes) Phase 2 Eagle Rock Dr. to Sports Lake – Nothing new to report.
- DOT Beaver Loop Road and Pedestrian Pathway Project – QAP is nearing completion of the project. Public Works Director met with DOT representatives on June 5, and Public Works staff performed inspections on the project June 9 & 10 with a punch list provided to DOT on June 11, 2020. The roadway and bike paths are now paved, markings are in place, final topsoil placement is taking place, light poles still need to be installed. The project looks good and is a great benefit for the area and the City. DOT staff and QAP have been great to work with on this project.



KENAI

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: July 6, 2020

SUBJECT: Senior Center Mid-Month Report June 2020

Home Delivered Meals	1423
Home Delivered Meals – COVID-19	1306
Pick Up Meals – COVID-19	214
Grocery Shopping Assistance	8
Vintage Pointe Meals – COVID-19	336

Though closed to the public, the Senior Center continues to provide services to our senior population. During this crisis we have been able to offer the following:

- Home delivered meals, served Monday – Friday to over 100 individuals in the greater Kenai area.
- Shopping and delivery assistance through Country Foods.
- Prescription pickups and delivery.
- Low income food box delivery.
- Telephone support and wellness checks.
- Information on COVID-19, State of Alaska benefits, IRS Economic Impact payments, and the newest scams surrounding the current crisis.

In addition to this, the staff has been working on various projects including:

- COVID-19 grant opportunities.
- Shelf-stable food boxes for senior pick up and home delivery.
- Upcoming reopening phases research.
- Finalizing FY20 budget expenses.
- Vintage Pointe tenant moves.
- COVID-19 frozen home meals.
- Outside yard and flower maintenance.

PURCHASE ORDERS BETWEEN \$2,500.00 AND \$15,000.00 FOR COUNCIL REVIEW

COUNCIL MEETING OF: JULY 15, 2020

VENDOR	DESCRIPTION	DEPT.	ACCOUNT	AMOUNT
PITNEY BOWES	FY21 POSTAGE	NON-DEPARTMENTAL	POSTAGE	5,500.00
PITNEY BOWES	FY21 POSTAGE SCALE & METER	NON-DEPARTMENTAL	RENTALS	3,300.00
HOME GALLERY	APT. 108 FLOORING	CONG. HOUSING	REPAIR & MAINTENANCE	2,900.00
AIRGAS	FY21 OXYGEN CYLINDERS	FIRE	OPERATING SUPPLIES	3,300.00
CHRISTINE BABCOCK	FY21 PHYSICIAN SPONSOR	FIRE	PROFESSIONAL SERVICES	6,000.00
IMAGE TREND	FY21 ANNUAL SERVICE AGREEMENT	FIRE	PROFESSIONAL SERVICES	3,000.00
SOLDOTNA PROF. PHARMACY	FY21 PHARMACY SUPPLIES	FIRE	OPERATING SUPPLIES	4,500.00
JUSTIN WARIX	FY21 PHYSICIAN SPONSOR	FIRE	PROFESSIONAL SERVICES	6,000.00
KONICA MINOLTA	BIZHUB COPIER	NON-DEPARTMENTAL	MACHINERY & EQUIPMENT	12,415.39
BRODART	FY21 RENEWALS	LIBRARY	RENTALS	6,102.00
PENINSULA CLARION	FY21 PUBLIC NOTICES	CLERK	ADVERTISING	4,000.00
PENINSULA CLARION	FY21 ELECTION NOTCES	CLERK	ADVERTISING	2,500.00
CODE PUBLISHING CO.	FY21 CODE UPDATES, SUPPLEMENTS	CLERK	PROFESSIONAL SERVICES	3,500.00
KENAI WATERSHED FORUM	FY21 WATER QUALITY MONITORING	LEGISLATIVE	GRANTS TO AGENCIES	5,000.00
EDOCSALASKA	FY21 LASERFICHE SUPPORT	CLERK	SOFTWARE	8,834.45
GCI CABLE	FY21 VINTAGE POINTE CABLE	CONG. HOUSING	UTILITIES	8,640.00
WAXIE	FLOOR MACHINE SCRUBBER	TERMINAL	OPERATING SUPPLIES	3,039.59
STATE OF ALASKA	PUBLIC SAFETY ACADEMY TUITION	POLICE	TRANSPORTATION	12,685.00

**KENAI SENIOR CONNECTION, INC.***Together We Make the Difference*

July 8, 2020

Mayor and Council Members
City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611

RE: ***CITY OF KENAI NONPROFIT RELIEF AND RECOVERY GRANT***

Recently, the Kenai Senior Connection, Inc. applied for \$25,000 grant through the City's Nonprofit Relief and Recovery Grant program. We were delighted to receive notice of award for a grant along with a check in that amount of \$25,000. Thank you very much.

These funds were requested to replace those lost because our major fundraising efforts were cancelled due to the COVID-19 pandemic. The grant funds will be donated back to the City to be added to the annual budget and devoted to supplementing the Kenai Senior Center's meal programs, which provided 32,278 meals in 2019.

Again, thank you for your support of the Kenai Senior Connection, Inc. and the Kenai Senior Center.

KENAI SENIOR CONNECTION, INC.



Velda Geller, Board President

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