



Kenai City Council - Regular Meeting

January 17, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items 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 ADMINISTRATIVE REPORTS

C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

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

E. PUBLIC HEARINGS

1. **Ordinance No. 3385-2024** - Accepting and Appropriating a Donation to the Kenai Community Library for the Purchase of Library Materials and Software for Room and Event Scheduling. (Administration)
2. **Ordinance No. 3386-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund to Conduct an Assessment of City Street Lighting. (Administration)
3. **Ordinance No. 3387-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Works Department's Street Division's Professional Services Budget to Review and Update the City's Roadway Improvements Standards. (Administration)
4. **Resolution No. 2024-03** - Adopting Goals to Guide the Preparation of the Fiscal Year 2025 Annual Budget. (Administration)
5. **Resolution No. 2024-04** - Requesting the State of Alaska Make a Meaningful Increase to the Base Student Allocation for Public Schools. (Douthit, Daniel)

F. MINUTES

1. *Regular Meeting of January 3, 2024. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Ordinance No. 3388-2024** - Increasing Estimated Revenues and Appropriations in the General Fund for the City's Joint Participation in the Kenai Peninsula Borough's Safe Streets and Roads for All Action Plan Grant Through the United States Department of Transportation. (Administration)
3. ***Ordinance No. 3389-2024** - Accepting and Appropriating Donations from Kenai Senior Connection, Inc., to the Kenai Senior Center. (Administration)
4. ***Ordinance No. 3390-2024** - Increasing Estimated Revenues and Appropriations in the Airport Fund to Purchase Air Service Development Professional Services at the Kenai Municipal Airport for Costs in Excess of Budgeted Amounts. (Administration)
5. ***Ordinance No. 3391-2024** - Amending the Imagine Kenai 2030 Comprehensive Plan Land Use Plan Map for Certain Parcels from Industrial to Mixed-Use. (Knackstedt)
6. ***Ordinance No. 3392-2024** - Amending the Kenai Zoning Code to Add a New Zoning District, Working Waterfront (WW) and Amending the Official Zoning Map for Certain Parcels from Heavy Industrial (IH) to Working Waterfront (WW) or Conservation (C) Zoning District. (Knackstedt)
7. **Discussion** - Public Meetings Remote Participation Update. (City Clerk)

I. 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

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

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/89109732128>

Meeting ID: 891 0973 2128 **Passcode:** 785524

OR

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

Meeting ID: 891 0973 2128 **Passcode:** 785524



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3385-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING A DONATION TO THE KENAI COMMUNITY LIBRARY FOR THE PURCHASE OF LIBRARY MATERIALS AND SOFTWARE FOR ROOM AND EVENT SCHEDULING.

WHEREAS, the Kenai Community Library received monetary donations from various donors through the Friends of the Kenai Community Library totaling \$6,500; and,

WHEREAS, up to \$3,500 will be spent on the implementation of event and room scheduling software to enhance the Library’s ability to efficiently manage and organize library events and activities; and,

WHEREAS, \$3,000 will be spent on print and digital collection items, as well as supplies for the Library’s ‘Library of Things’ collection; and,

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

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

Section 1. That the City Manager is authorized to accept these donated funds and to expend them as authorized by this ordinance and in line with the intentions of the donors.

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

General Fund:

Increase Estimated Revenues –	
Donations - Library	<u>\$6,500</u>
 Increase Appropriations –	
Books - Library	\$3,000
Computer Software - Library	<u>3,500</u>
	<u>\$6,500</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 17TH DAY OF JANUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



Introduced:	January 3, 2024
Enacted:	January 17, 2024
Effective:	January 17, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Katja Wolfe, Library Director
DATE: December 26, 2023
SUBJECT: **Ordinance No. 3385-2024 Donation to the Kenai Community Library**

This memo requests acceptance and appropriation of \$6,500 from various donors through the Friends of the Kenai Community Library to be spent on the following:

- Up to \$3,500 will be spent on the implementation of event and room scheduling software. The introduction of this software will significantly enhance our ability to efficiently manage and organize library events and activities. The software will offer a user-friendly interface for both library staff and patrons, allowing for seamless study room reservations and streamlined event planning.
- \$3,000 will be spent on print and digital collection items, as well as supplies for the Library's Library of Things collection.

We appreciate the generosity of the donors!

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3386-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND AND MUNICIPAL ROADWAY IMPROVEMENTS CAPITAL FUND TO CONDUCT AN ASSESSMENT OF CITY STREET LIGHTING.

WHEREAS, the Public Works Department annually quotes Street Light Repair and Maintenance Services; and,

WHEREAS, due to the age of the existing infrastructure, and the recurring number of street lighting issues within the City, the Department is seeking assistance from professional engineering services to conduct an assessment to identify deficiencies and direct future capital improvement projects; and,

WHEREAS, the Department will be provided a detailed assessment to ensure resources are directed to the areas of greatest need.

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>\$80,000</u>

Increase Appropriations -	
Transfer to Municipal Roadway Improvement Capital Project Fund	<u>\$80,000</u>

Municipal Roadway Improvement Capital Project Fund:

Increase Estimated Revenues –	
Transfer from General Fund	<u>\$80,000</u>

Increase Appropriations:	
Street Lighting Assessment Project – Construction	<u>\$80,000</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF JANUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced:	January 3, 2024
Enacted:	January 17, 2024
Effective:	January 17, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: December 26, 2023
SUBJECT: **Ordinance 3386-2024 Street Light Assessments**

This memo requests Council's approval to begin assessment of the City's Street Lighting. As Council is aware, the aging street lighting infrastructure, much of which is now 40-50 years old, continues to be challenging to maintain. The Capital Improvement Plan has had a preliminary project moving forward to begin addressing the deficiencies. The FY2025 Capital Improvement Plan will include funding for design and construction of a project to be identified within this assessment.

This Ordinance will provide funding now to ensure funds are being directed toward the areas of greatest need. The assessment will include the review of the existing electrical services and lighting control panels, light fixtures and poles, wiring condition and location. It is anticipated that the number of street lighting maintenance projects that will be identified will take several years to fund and complete. Council will see updates to the Capital Improvement Plan as these projects are identified and phased accordingly to meet budgetary requirements.

This is a priority project for the department. Reliable street lighting continues to be a high expectation from our citizens. Completion of this work now will assist the department in meeting this need.

Council's approval is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3387-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND AND PUBLIC WORKS DEPARTMENT'S STREET DIVISION'S PROFESSIONAL SERVICES BUDGET TO REVIEW AND UPDATE THE CITY'S ROADWAY IMPROVEMENTS STANDARDS.

WHEREAS, this Ordinance provides funding for professional services to assist the Public Works Department with the review and update of the City's roadway improvement standards, much of which is detailed within Kenai Municipal Code Title 18 Streets and Sidewalks; and,

WHEREAS, completion of this work now is intended to ensure the City remains current in its standard requirements and reasonably consistent with neighboring municipalities; and,

WHEREAS, the Department anticipates releasing a request for proposals to various civil engineering firms; and,

WHEREAS, the intended result of the project is an updated list of standards, which will likely require future code amendments; and,

WHEREAS, the revised standards will be made available to all contractors as part of the permitting process and would be included within any future subdivision installation agreements that would require roadway improvements as part of their project; and,

WHEREAS, consistent and well-defined standards will assist developers in project formation and execution creating a friendlier environment in which to conduct business in the City.

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>\$25,000</u>
Increase Appropriations:	
Streets – Professional Services	<u>\$25,000</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF JANUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced: January 3, 2024
Enacted: January 17, 2024
Effective: January 17, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Scott Curtin, Public Works Director

DATE: December 26, 2024

SUBJECT: **Ordinance 3387-2024 Roadway Standards**

This memo requests funding to update the City's roadway improvement standards. With the recent completion of several City roadway improvement projects as well as several new subdivision projects within the City, it has become apparent that our roadway standards and corresponding Kenai Municipal Code are in need of updating to provide clarifications.

It is the department's intent to coordinate with a local engineering firm, which will be competitively sought, to review and assess our current standards against other local competing government agencies. The standard revisions will provide clarity to contractors and owners considering development in the area, while ensuring the City receives consistency in its roadways regardless of who is performing the work.

These standards would be provided during our permitting process to applicants as well as within any subdivision agreements that require roadway improvements to be completed as part of the work. It is very likely that a code amendment update to Kenai Municipal Code Title 18 will be presented to Council at a later date.

Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO.2024-03**

A RESOLUTION ADOPTING GOALS TO GUIDE THE PREPARATION OF THE FISCAL YEAR 2025 ANNUAL BUDGET.

WHEREAS, at the Fiscal Year 2025 Budgetary Goals Work Session on January 3, 2024 the Council discussed and accepted public comment on goals and objectives to guide the City's fiscal year 2025 budget development; and,

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

WHEREAS, the Council has discussed and collectively adopted the Broad Statement of Purpose and Goals for the preparation of the Fiscal Year 2025 City of Kenai Budget as provided below; and,

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

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

Section 1. The Council adopts the following Fiscal Year 2025 Budget Goals and Broad Statement of Purpose:

Broad Statement of Purpose

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

Specific Goals

1. Submit a budget for consideration that maintains the City's current mill and sales tax rates and complies with the General Fund, Fund Balance Policy codified in KMC 7.25.
2. Review the City's salary schedule and pay plan, utilizing the employee compensation and classification study currently being prepared, to ensure it provides appropriate compensation to employees comparable to other places of public employment and which allows the City to recruit and retain competent employees without a reduction in critical services or infrastructure support. Incorporate adjustments necessary to the salary schedule and pay plan to address any pay inequities caused by misclassification of positions or those needed for the City to be a competitive public employer.

- 3. Review the City’s health, dental and life insurance benefits offered to employees to improve the sustainability and maintain the quality of employee insurance coverage to ensure it provides adequate coverage comparable to other places of public employment. If the comparison indicates an increase is warranted, limit the increase to employee cost share to not more than 1% of program’s total costs. A 1% increase in the employee cost share for FY2025 would bring the employee share to 14%.
- 4. Seek opportunities to achieve cost savings and efficiencies without negatively impacting operations and services through a transparent budget development process that includes performance measures and a review of previous spending, future needs, and priorities,
- 5. Compile a list of capital projects, which are projects that cost \$35,000 or more, for Council adoption and ensure that the minimum investment in maintaining City infrastructure over time equals the depreciation, an accounting process by which the cost of an asset is spread over its useful life, recorded annually on City capital assets and infrastructure. The City’s FY2023 depreciation by fund and function were:

General Fund:	
General Government	\$ 104,337
Public Safety	251,693
Public Works	838,701
Parks, Recreation & Culture	331,605
Social Welfare Services	<u>67,285</u>
	\$1,593,621
Airport Fund:	\$2,341,217
Water & Sewer Fund	<u>1,062,536</u>
Total All Funds	<u>\$4,997,374</u>

- 6. Adjust rates, charges and fees in all funds commensurate with inflation as measured by the Alaska Consumer Price Index for All Urban Consumers, second half over second half. Limit any increase in the monthly rents at Vintage Pointe to not more than \$50.00 per month over FY2024 rates for existing tenants as of June 30, 2024.
- 7. Project ending fund balance/retained earnings of at least 50% of the FY2024 budgeted expenditures net of any projected lapse for the Airport, Water & Sewer, Personal Use Fishery, and Congregate Housing Funds. Ensure any use of fund balance is for one-time or capital purchases and not for reoccurring expenditures/expenses so that the ending fund balance for each fund is not less than:

Airport Fund	\$1,692,487
Water & Sewer Fund	1,520,841
Personal Use Fishery Fund	200,512
Congregate Housing Fund	268,336

- 8. Adjust Senior Citizen Fund fees and rates to a level sufficient to limit the increase in required transfer from the General Fund to no more than a 10% increase, which equals \$19,948, over FY2024 amounts.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF JANUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance  _____



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: January 10, 2023

SUBJECT: **Resolution 2024-03 – FY2025 Council Budget Goals**

Resolution 2024-03 will formally establish Council's goals for the City's FY2025 Budget. The adopted goals are intended to guide the City Manager in his preparation of the budget which is scheduled to be provided to Council in April for its consideration and adoption prior to the June 10th deadline established in KMC 7.25.010(g).

The establishment of goals by the City Council early in the budget process is considered a best practice, one the administration believes should be incorporated into the City's budget process, as it provides guidance to the City Manager in his compilation of his draft budget and it provides greater transparency to the process. The preparation of the FY2025 City Budget will be challenging, City revenues continue to increase but at a slower pace than the City's expenditures. Sales tax revenue is continuing to increase in an upward trend but it is not meeting the 3% rate of increase that was budgeted for FY2024. Council's establishment of specific, measurable, attainable, relevant and time based (SMART) goals will increase the likelihood of a smooth and successful budget process in FY2025 and future years.

These goals were discussed and public testimony was heard at a work session held on January 3rd. Your support for adoption is respectfully recommended.



Sponsored by: Douthit, Daniel

**CITY OF KENAI
RESOLUTION NO. 2024-04**

A RESOLUTION REQUESTING THE STATE OF ALASKA MAKE A MEANINGFUL INCREASE TO THE BASE STUDENT ALLOCATION FOR PUBLIC SCHOOLS.

WHEREAS, the State of Alaska is constitutionally obligated to establish and maintain a system of public schools; and,

WHEREAS, pursuant to AS 29.35.160, the Kenai Peninsula Borough is required to form a borough school district and to establish, maintain, and operate a system of public schools on an areawide basis; and,

WHEREAS, the City of Kenai is served by the Kenai Peninsula Borough School District and has three traditional schools in Kenai, one alternative high school, two charter schools, and one school within the Kenai Peninsula Youth Facility; and,

WHEREAS, without a Base Student Allocation (BSA) increase or one-time funding, the Kenai Peninsula Borough School District will face an approximately \$13 million budget deficit for FY25, which would likely require an increase in class size and elimination of programs important to our students and community members; and,

WHEREAS, the BSA has not kept up with the increased costs and the rates of cumulative inflation; and,

WHEREAS, the Kenai Peninsula Borough has continually increased local contributions to keep pace with these rising costs and has reached the maximum allowable amount resulting in a need for the Kenai Peninsula Borough School District to decrease spending on essential programs; and,

WHEREAS, the BSA amount directly affects how much the Kenai Peninsula Borough is allowed to contribute; and,

WHEREAS, a meaningful increase to the BSA would help ensure adequate and equitable funding to maintain reasonable class sizes, provide basic student resource needs, and improve student outcomes.

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

Section 1. That Kenai City Council requests the State of Alaska make a meaningful increase to the the base student allocation for public schools.

Section 2. That a copy of this resolution will be sent to Governor Dunleavy and the Kenai Peninsula legislative delegation, the President of the Kenai Peninsula Borough School District Board of Education, the Kenai Peninsula Borough Assembly, the Education Committees of the Alaska House and Alaska Senate, and the Finance Committees of the Alaska House and Alaska Senate.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF JANUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk



KENAI

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

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Council Member Alex Douthit
Council Member Phil Daniel

DATE: January 8, 2024

SUBJECT: Resolution No. 2024-04 – Base Student Allocation

This resolution requests the State of Alaska make a meaningful increase to the Base Student Allocation (BSA) for public schools.

The BSA has not kept up with the increased costs and the rates of cumulative inflation, and the Kenai Peninsula Borough has continually increased local contributions to keep pace with these rising costs and has reached the maximum allowable amount. Without a meaningful increase to the BSA, the Kenai Peninsula Borough School District will need to decrease spending on essential programs and resources.

An increase to the BSA is important to maintain and improve public schools in Kenai, including three traditional schools, one alternative high school, two charter schools, and one school within the Kenai Peninsula Youth Facility and will help ensure adequate and equitable funding to maintain reasonable class sizes, provide basic student resource needs, and improve student outcomes.

Your consideration is appreciated.

**KENAI CITY COUNCIL – REGULAR MEETING
JANUARY 3, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE MAYOR HENRY KNACKSTEDT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on January 3, 2024, in City Hall Council Chambers, Kenai, AK. Vice Mayor Knackstedt called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Vice Mayor Knackstedt led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Henry Knackstedt, Vice Mayor	James Baisden
Phil Daniel	Deborah Sounart
Alex Douthit	Victoria Askin

A quorum was present.

Absent:

Brian Gabriel, Mayor

Also in attendance were:

- **Xinlan Tanner, Student Representative
- Terry Eubank, City Manager
- Scott Bloom, City Attorney
- David Swarner, Finance Director
- Linda Mitchell, Planning Director
- Dave Ross, Police Chief
- Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Council Member Askin **MOVED** to approve the agenda and consent agenda. Council Member Baisden **SECONDED** the motion.

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

Vice Mayor Knackstedt opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

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 ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center reported to Council that there were more than 22,000 visitors at the chamber last year; and provided a summary of upcoming chamber activities.

Marion Nelson, Kenai Fine Art Center Board President addressed the Council stating that the upcoming show, "Feels Like Home" would benefit the Kenai Peninsula Borough School District, Students in Transition Program.

E. PUBLIC HEARINGS

- 1. Ordinance No. 3383-2023** - Amending the Official Zoning Map by Rezoning all Parcels within the Letzing 1985 Subdivision (Plat No. 85-55) and Government Lot 170 from General Commercial (CG) to Suburban Residential (RS) Zoning District. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3383-2023. Council Member Sounart **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment.

Nancy Wiles thanked the City Staff and Council for addressing the rezone.

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

There was Council discussion in support of the Ordinance.

VOTE:

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

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

- 2. Ordinance No. 3384-2023** - Cancelling Previously Appropriated Projects, Authorizing a Transfer of Funds from the Wastewater Facility Capital Project Fund to the Water and Sewer Capital Project Fund and Appropriating Supplemental Funds for the Construction of a New Water Pump House at the City's Water Treatment Facility. (Administration)

MOTION:

Council Member Baisden **MOVED** to enact Ordinance No. 3384-2023. Council Member Douthit **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that the canceled projects would be moved to the fiscal year 2025 Capital Improvement Plan; the City would forward fund the New Water Pump House project; and the City was successful in application for the 100-percent forgiveness loan for this project.

VOTE:

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

NAY: None

ABSENT: Gabriel

**Student Representative Tanner: Yea

MOTION PASSED.

- 3. **Resolution No. 2024-01** - Approving the Use of the Fleet Replacement Fund for the Purchase of Two Ford Police Responders Utilizing the State of Alaska Equipment Fleet Contract. (Administration)

MOTION:

Council Member Askin **MOVED** to adopt Resolution No. 2024-01. Council Member Sounart **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that these were replacement vehicles; trucks were chosen as they would be useful to rotate out to other departments; and the upfitting's would be done by the City Shop.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

- 4. **Resolution No. 2024-02** - Amending the Authorized Staffing Table by Adding a Part Time Administrative Assistant II Position to the Planning and Zoning Department. (Administration)

MOTION:

Council Member Baisden **MOVED** to adopt Resolution No. 2024-02. Council Member Askin **SECONDED** the motion.

Vice Mayor Knackstedt opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported the additional position would benefit the department substantially; it would allow the director to focus on more long term goals; and provide the support needed in the day to day tasks.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

F. MINUTES

- 1. *Regular Meeting of December 20, 2023. (City Clerk)

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

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

Approved by the consent agenda.

- 2. ***Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)

Approved by the consent agenda.

- 3. ***Action/Approval** - Non-Objection to the Renewal of a Marijuana Product Manufacturing Facility License and a Standard Marijuana Cultivation License for Red Run Cannabis Cultivators, LLC., DBA: Red Run Cannabis Cultivators, LLC. - License No.'s 19372 and 10052; and a Retail Marijuana Store License for Red Run Cannabis Company, LLC., DBA: Red Run Cannabis Company, LLC. – License No. 10056 (City Clerk)

Approved by the consent agenda.

4. ***Action/Approval** - Non-Objection to the Renewal of a Retail Marijuana Store License and a Standard Marijuana Cultivation License for Majestic Gardens LLC., DBA: Majestic Gardens LLC. - License No.'s 15393 and 15395. (City Clerk)

Approved by the consent agenda.

5. ***Ordinance No. 3385-2024** - Accepting and Appropriating a Donation to the Kenai Community Library for the Purchase of Library Materials and Software for Room and Event Scheduling. (Administration)

Introduced by the consent agenda and Public Hearing set for January 17, 2024.

6. ***Ordinance No. 3386-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund to Conduct an Assessment of City Street Lighting. (Administration)

Introduced by the consent agenda and Public Hearing set for January 17, 2024.

7. ***Ordinance No. 3387-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Works Department's Street Division's Professional Services Budget to Review and Update the City's Roadway Improvements Standards. (Administration)

Introduced by the consent agenda and Public Hearing set for January 17, 2024.

8. **Action/Approval** - Authorizing the City Manager to Enter into an Agreement with the Kenai Peninsula Borough to Accept Landfill Leachate at the Waste Water Treatment Plant. (Administration)

MOTION:

Council Member Baisden **MOVED** to authorize the City Manager to Enter into the Agreement. Council Member Sounart **SECONDED** the motion.

Ley Frey, Solid Waste Director for the Kenai Peninsula Borough (KPB) addressed the Council regarding what solid waste leachate is; how it would be transported; KPB anticipates when their new unit is installed they will be able to process the leachate themselves.

It was reported that the City would monitor how this effects our plant; it was not anticipated that this would have a significant impact on our plant; and the agreement allowed the City to stop accepting the leachate at any time of it were causing a problem.

UNANIMOUS CONSENT was requested on the motion.

VOTE: Motion **APPROVED**, without objection.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

No report, next meeting January 11, 2024.

2. Airport Commission

No report, next meeting January 11, 2024.

3. Harbor Commission

No report, next meeting is a Special meeting on January 8, 2024.

4. Parks and Recreation Commission

No report, next meeting January 4, 2024.

5. Planning and Zoning Commission

No report, next meeting January 10, 2024.

6. Beautification Committee

No report, next meeting January 9, 2024.

J. REPORT OF THE MAYOR - None.

K. ADMINISTRATION REPORTS

1. City Manager - City Manager Eubank introduced Heather Schafer a graduate student working on her Master's in Public Administration who would be doing her internship with the City and reported on the following:
 - Army Corpse of Engineers extended the bid closing to January 11, 2024.
 - Finalizing the agenda for the Joint Work Session with the Kenaitze Indian Tribe.
 - Grant Aviation now has two additional aircraft, both dedicated to the Kenai - Anchorage route.
 - The hockey rink is generally open to the public 24-hours a day; however, due to recent vandalism it would be closed temporarily during off hours; this usually takes care of the issue and user's self-police in order to have 24-hour access.
2. City Attorney - None.
3. City Clerk – City Clerk Saner reported on the following:
 - Thursday, January 4, 2024 would kick off the first Commission Review meeting with the Parks & Recreation Commission; with the other Commissions and Committees taking place during the next two weeks.
 - Orientation and training will be held with the new to Kenai commission members on Friday, January 5, 2024.

L. ADDITIONAL PUBLIC COMMENTS

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

Council Member Douthit noted he was glad to be back.

Student Representative Tanner provided an update on activities at Connections, Kenai Central High School and Kenai Alternative High School.

Council Member Sounart wished everyone a Happy New Year.

Council Member Askin wished everyone a Happy New Year.

Council Member Daniel wished everyone a Happy New Year.

Council Member Baisden thanked the Administration for a good Work Session.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS - None.

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 6:47 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of January 3, 2024.

Michelle M. Saner, MMC
City Clerk

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

DRAFT

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
 COUNCIL MEETING OF: JANUARY 17, 2024**

VENDOR	DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
PERS	PERS	VARIOUS	LIABILITY	119,338.63
HOMER ELECTRIC	ELECTRIC USAGE	VARIOUS	UTILITIES	117,099.31
PREMERA	HEALTH INSURNACE	VARIOUS	INSURANCE	205,224.05

INVESTMENTS

VENDOR	DESCRIPTION	MATURITY DATE	AMOUNT	Effect. Int.
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Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3388-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND FOR THE CITY'S JOINT PARTICIPATION IN THE KENAI PENINSULA BOROUGH'S SAFE STREETS AND ROADS FOR ALL ACTION PLAN GRANT THROUGH THE UNITED STATES DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Bipartisan Infrastructure Law established the Safe Streets and Roads for All (SS4A) discretionary program with funds over 5 years (2022-2026) available for regional, local, Tribal initiatives through grants to prevent roadway deaths and serious injuries; and,

WHEREAS, Resolution 2022-62, adopted by City Council on September 7, 2022, supported the Kenai Peninsula Borough's application for a Safe Streets and Roads for All (SS4A) Action Plan Grant and authorized the City to be included as a joint applicant for the purposes of developing a comprehensive safety action plan ("project") for the Kenai Peninsula Borough and the participating cities; and,

WHEREAS, the SS4A Action Plan Grant is funded at an 80/20 cost share rate with 80% provided by the Federal government and the remaining 20% provided by the applicants; and,

WHEREAS, the duration of the project is expected to take two (2) years, with a total cost of \$1,200,000 with a 20% matching of \$240,000 shared between joint applicants; and,

WHEREAS, as a joint applicant, the City's portion of the project totals \$21,449 which can be either in-kind services or monetary payments; and,

WHEREAS, the City's shared cost would require approximately 250 hours of in-kind services, which is equivalent to 6 weeks of staff time; and,

WHEREAS, the project is estimated to require approximately 80 hours from city staff since a consultant would develop the project; and,

WHEREAS, development of the project will better position the City to create safer streets and communities, and to pursue further grant opportunities in future funding cycles to improve safety and help prevent deaths and serious injuries on the road systems within the City; and,

WHEREAS, it is in the best interest of the City of Kenai to appropriate funds for this purpose.

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>\$14,750</u>
Increase Appropriations:	
Planning & Zoning - Miscellaneous	<u>\$14,750</u>

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


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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 7TH DAY OF FEBRUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:  _____

Introduced:	January 17, 2024
Enacted:	February 7, 2024
Effective:	February 7, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Linda Mitchell, Planning Director

DATE: January 9, 2024

SUBJECT: An Ordinance Increasing Estimated Revenues and Appropriations in the General Fund for the City's Joint Participation in the Kenai Peninsula Borough's Safe Streets and Roads for All Action Plan Grant Through the United States Department of Transportation

On September 7, 2022, City Council passed Resolution 2022-62, supporting the Kenai Peninsula Borough's (KPB) application for a Safe Streets and Roads for All (SS4A) Action Plan Grant, and authorizing the City to be included as a joint applicant. This Federal grant program is funded at an 80/20 cost share rate, with 80% provided by the Federal government and the remaining 20% provided by the applicants.

The purpose of the SS4A grant program is to support the US Department of Transportation's goal of zero deaths and serious injuries on our nation's roads. The first step in accomplishing this goal would require the development of a comprehensive safety action plan ("action plan"). With an adopted action plan, the City will be in a position to be eligible for Federal implementation grants. Other participating cities in the development of an action plan includes Seward, Soldotna, Seldovia, and Kenai.

This project is expected to take two (2) years to complete with a total cost of \$1,200,000. All participating cities and KPB will share in the 20% cost share obligation of \$240,000. The actual cost to the City is \$21,449, and this Ordinance seeks your approval for \$14,740 and City staff will provide at least 80 hours in-kind services to offset the remaining amount.

Thank you for your consideration.

Attachment
Resolution 2022-62



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2022-62**

A RESOLUTION SUPPORTING THE KENAI PENINSULA BOROUGH'S APPLICATION FOR A SAFE STREETS AND ROADS FOR ALL ACTION PLAN GRANT AND AUTHORIZING THE CITY OF KENAI TO BE INCLUDED AS A JOINT APPLICANT.

WHEREAS, the Infrastructure Investment and Jobs Act authorizes up to \$108 billion to support public transportation and establish the new Safe Streets and Roads for All (SS4A) discretionary program with \$5 billion in appropriated funds over the next five years; and,

WHEREAS, for Federal FY22 there is up to \$1 billion available for regional, local and tribal initiatives through grants to prevent roadway deaths and serious injury; and,

WHEREAS, one type of SS4A grant is Action Plan Grants that include the planning, designing, and development of activities including projects and strategies for a community requiring safety data and economic analysis which would be found in a community's Action Plan; and,

WHEREAS, neither the Kenai Peninsula Borough (KPB) or any of its communities have an Action Plan in place and therefore are not eligible to apply for Implementation Grants that may be available under the Infrastructure Law; and,

WHEREAS, applicants are encouraged to apply for regional Action Plan grants that engage multiple jurisdictions to ensure collaboration and leverage local expertise; and,

WHEREAS, as the regional government, the KPB has agreed to apply as the lead applicant with participating municipalities included as joint applicants for the SS4A Action Plan Grant in the total project amount of \$1,200,000 with a 20% local match; and,

WHEREAS, if approved, all participating communities and the KPB would share in the local match obligation, with the City's share of the cost at approximately \$21,500; and,

WHEREAS, developing an Action Plan, the City of Kenai will be able to pursue Implementation Grants through the SS4A program in the future and to pursue other grant funding focused on improving roadway safety and improvements to transportation infrastructure; and,

WHEREAS, it is the best interest of the City of Kenai to support the KPB's application and participate as a joint applicant for the SS4A Action Plan Grant.

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

Section 1. The City of Kenai supports the Kenai Peninsula Borough's application for a Safe Streets and Roads for All Action Plan Grant, and authorizes the City to sign on as a joint applicant for the purposes of developing a comprehensive safety action plan for the Kenai Peninsula Borough and the incorporated cities.

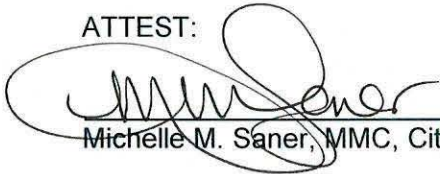
Section 2. That this Resolution takes effect immediately upon passage.

Resolution No. 2022-62
Page 2 of 2

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 7TH DAY OF SEPTEMBER, 2022.



Brian Gabriel Sr., Mayor

ATTEST:


Michelle M. Saner, MMC, City Clerk

Sponsored by: Administration



**CITY OF KENAI
ORDINANCE NO. 3389-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATIONS FROM KENAI SENIOR CONNECTION, INC., TO THE KENAI SENIOR CENTER.

WHEREAS, Kenai Senior Connection, Inc. (Connection) is a non-profit (“501(c)(3)”) corporation whose purpose is to provide financial assistance for the continued operations of the Kenai Senior Center; and,

WHEREAS, the Connection has a gaming license through the State of Alaska to provide fundraising efforts through raffles with the requirement that funds acquired must be spent by the end of each year; and,

WHEREAS, at its December 22, 2023 meeting, the Connection Board voted to give the remaining funds of \$2,850 from its gaming account to the Kenai Senior Center for its use.

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 donation in the amount of \$2,850.

Section 2. That the following budget revision is authorized:

Senior Citizen Fund:

Increase Estimated Revenues	
Donations	<u>\$2,850</u>

Increase Appropriations	
Senior Access – Small Tools	<u>\$2,850</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 7TH DAY OF FEBRUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced:	January 17, 2024
Enacted:	February 7, 2024
Effective:	February 7, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members
THROUGH: Terry Eubank, City Manager
FROM: Kathy Romain, Senior Center Director
DATE: January 9, 2024
SUBJECT: Ordinance 3389-2024 Senior Center Donation

Kenai Senior Connection, Inc. (Connection), as part of its ongoing fundraising for the Senior Center, utilizes licensed gaming for raffles sanctioned by the State of Alaska. Funds generated through this gaming activity must be expended by the conclusion of each year.

As the gaming account held a remaining balance of \$2,850 in December, the Connection Board unanimously decided to contribute these funds to the Senior Center for specific needs that fall outside of the current budget. The Senior Center intends to allocate the donation towards acquiring a new smart television for the dining room and addressing additional printing expenditures.

We extend our sincere appreciation to the Connection for their relentless fundraising endeavors in support of the Kenai Senior Center. The commitment displayed by this group is immeasurable and serves as a genuine testament to the well-being of the seniors within our community.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3390-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT FUND TO PURCHASE AIR SERVICE DEVELOPMENT PROFESSIONAL SERVICES AT THE KENAI MUNICIPAL AIRPORT FOR COSTS IN EXCESS OF BUDGETED AMOUNTS.

WHEREAS, the FY2024 Annual Budget for the City of Kenai did not include funding for air service development professional services at the Kenai Municipal Airport; and,

WHEREAS, on November 2, 2023 New Pacific Airlines d/b/a Ravn Alaska gave a 60-day notice of the termination of their Airline Operating Agreement ending on January 1, 2024, creating a space for a new airline to operate at the airport; and,

WHEREAS, with the departure of Ravn, the Airport Manager and Administration are working together to explore opportunities for developing air service, outside the traditional routes between Kenai and Anchorage, for the Kenai Municipal Airport and the traveling public; and,

WHEREAS, consulting services are needed for specialized air service development services, including performance of a Catchment Leakage Study (a study to estimate the travel market of the local area), preparation of presentation materials for and air service development meetings with prospective air carriers, and preparation of a Small Community Air Service Development (SCASD) grant application for the Kenai Municipal Airport; and,

WHEREAS, additional appropriated funds in the amount of \$34,000 are needed for the purchase of these air service development professional services; and,

WHEREAS, expansion of air travel opportunities for residents and visitors to the area is in the best interest of the City.

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

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

Airport Fund:

Increase Estimated Revenues –	
Appropriation of Fund Balance	<u>\$34,000</u>
 Increase Expenditures –	
Administration - Professional Services	<u>\$34,000</u>

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

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

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 7TH DAY OF FEBRUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

Introduced: January 17, 2024
Enacted: February 7, 2024
Effective: February 7, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: January 5, 2024

SUBJECT: **Ordinance No. 3390-2024 Appropriation of Funds for Professional Air Service Development Services at the Kenai Municipal Airport.**

This memo recommends support of appropriating funds for professional air service development services at the Kenai Municipal Airport.

The approved FY2024 annual budget did not include funding for air service development services. However, with the departure of New Pacific Airlines d/b/a Ravn Alaska in November, the Airport Manager has worked with the Administration to explore opportunities for new air service, outside of the traditional routes offered between Kenai and Anchorage, for the Kenai Municipal Airport. Additional funds are necessary to procure specialized air service development services to include a Catchment Leakage Study (a study to estimate the travel market of the local area), develop presentation materials for airport service development meetings with prospective carriers, and to complete a Small Community Air Service Development Grant (SCASD) application for the Kenai Municipal Airport.

Consulting services are estimated to cost \$34,000, and enactment of this Ordinance will allow the Airport to proceed to develop opportunities to meet the current and future needs of passengers at the Kenai Municipal Airport.

Thank you for your consideration.



Sponsored by: Vice Mayor Knackstedt

**CITY OF KENAI
ORDINANCE NO. 3391-2024**

AN ORDINANCE AMENDING THE IMAGINE KENAI 2030 COMPREHENSIVE PLAN LAND USE PLAN MAP FOR CERTAIN PARCELS FROM INDUSTRIAL TO MIXED-USE.

WHEREAS, the City of Kenai as a Home Rule City has been delegated authority by Kenai Peninsula Borough Ordinance 90-31 to make land use plan amendments to the City of Kenai Comprehensive Plan; and,

WHEREAS, the Imagine Kenai 2030 Comprehensive Plan (“Comprehensive Plan”) contains the goal to support a vision for the City to implement a forward-looking approach to community growth and development by establishment of several different zoning districts that reflect the needs of each district and suited to current and probable future growth; and,

WHEREAS, the City contracted with McKinley Research Group, LLC (consultant) to provide a Waterfront Redevelopment and Vision Assessment of properties between the Kenai River and Bridge Access Road beginning at Millennium Square to the Boat Launch; and,

WHEREAS, the consultant coordinated public vision work sessions and held meetings that established a preferred concept which provides for the greatest build-out and the most opportunities for economic development in the area; and,

WHEREAS, the study team found that the community of Kenai supports new development in the project area but not at the expense of impacting the existing uses, primarily seafood plant operations; and,

WHEREAS, the community shared a vision for the waterfront revitalization to be authentic, protective of the river and natural environment, assessable year-round and to provide economic opportunities; and,

WHEREAS, the Comprehensive Plan acknowledges the decline for demand of large industrial sites and the commercial fishing industry but indicates the need to maintain the viability of existing industry as a land use and economic priority; and,

WHEREAS, the current land use designation for the waterfront area is Industrial (IN); and,

WHEREAS, in the Comprehensive Plan, Mixed Use (MU) is intended for a compatible mix of residential, retail, service, office, public, institutional, and recreational uses; furthermore, uses are co-located in an integrated way that supports sustainable forms of transportation such as public transport, walking and biking, and increases neighborhood amenities while compatibility issues are addressed through careful site layout and building design; and,

WHEREAS, it is the best interest of the City of Kenai to amend the Comprehensive Plan Land Use Designation from IN to MU to support the rezoning of the waterfront area; and,

WHEREAS, the Harbor Commission and the Planning and Zoning Commission held a joint work session on _____ to discuss the proposed ordinance to create a waterfront zoning district and amend the Comprehensive Plan; and,

WHEREAS, the Planning and Zoning Commission at its regularly scheduled meeting of _____, 2024 recommended _____ on amendment of the Comprehensive Plan Land Use Designation.

WHEREAS, the Harbor Commission at its regularly scheduled meeting of _____, 2024 recommended _____ on amending the Comprehensive Plan Land Use Designation.

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

Section 1. Amendment of the Land Use Plan Map in the Comprehensive Plan: That Imagine Kenai 2030 Comprehensive Plan Land Use Plan Map is hereby amended as follows: Reclassify the following parcels from Industrial (IN) to Mixed Use (MU) land use classification.

<u>Legal Description</u>	<u>Parcel ID</u>
Tract E, Daubenspeck Property Subdivision	04705703
Portion of Alaska Tidelands Survey 98	04705702
Tract C, US Survey 104, Amended Tracts A, B, & C	04901113
Tract C, US Survey 104, Amended Tracts A, B, & C	04901112
Tract A, Kenai Tidelands Survey No. 1	04901121
Portion of Govt Lot 10 Lying Southwest of Bridge Access Rd & Lying North & Northwest & Northeast of US Survey 4563 Amended, Section 4, T5N R11W	04901131
Lot 3, US Survey 4563 Amended	04901123
Lot 2, US Survey 4563 Amended	04901124
Alaska Tidelands Survey 82	04901125
Portion of Govt Lot 10 Lying Southeasterly of US Survey 4563 Amended, Section 4, T5N R11W	04901130
Lot 1, Kristine Subdivision No. 1	04901133
Lot 2, Kristine Subdivision No. 1	04901134
Tract B, Kenai Tidelands Survey No. 2	04901132
Tract C, Kenai Tidelands Survey No. 2	04901404
Lot 3A, Kristine Subdivision Jahrig Addition	04901136
Lot 3B, Kristine Subdivision Jahrig Addition	04901137
Lot 3C, Kristine Subdivision Jahrig Addition	04901138
Lot 1, Baron Wood Subdivision	04901312

Lot 2, Baron Wood Subdivision	04901313
US Survey 678 Amended	04901401
Alaska Tidelands Survey No. 770	04901403
Alaska Tidelands Survey No. 114	04901402
Lot 3, Baron Wood Subdivision No. 2	04901314
Lot 4A, Baron Wood Subdivision No. 2	04901321
Lot 5A, Baron Wood Subdivision No. 2	04901322
Lot 8, Baron Wood Subdivision	04901320
Tract E, Boat Ramp Subdivision	04945009
Tract F-1, Alaska State Land Survey No. 2012-04	04945011
Tract F-2, Alaska State Land Survey No. 2012-04	04945012
Tract A, City of Kenai Boat Ramp & ROW Dedication (Northern Half)	04945002

Attached is Exhibit "A" illustrating the proposed land use reclassification area.

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 21ST DAY OF FEBRUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced: January 17, 2024
Enacted: February 21, 2024
Effective: March 22, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Vice Mayor Knackstedt

DATE: January 10, 2024

SUBJECT: **Ordinance No. 3391-2024 - Amending the Imagine Kenai 2030 Comprehensive Plan Land Use Plan Map for Certain Parcels from Industrial to Mixed-Use**

This Ordinance seeks to amend the Land Use Plan Map in the Imagine Kenai 2030 Comprehensive Plan ("Comprehensive Plan") to align with the vision of the waterfront development area. In the Waterfront Redevelopment and Vision Assessment, the community shared a vision for the waterfront revitalization to be authentic, protective of the river and natural environment, assessable year-round and to provide economic opportunities. In the Comprehensive Plan, the waterfront development area has an Industrial (IN) land use classification, which does not align with the vision for the waterfront revitalization. The Ordinance will amend the Land Use Plan Map of the waterfront development area for certain parcels from Industrial (IN) to Mixed Use (MU) Land Use Classification to support the rezone of the waterfront development area.

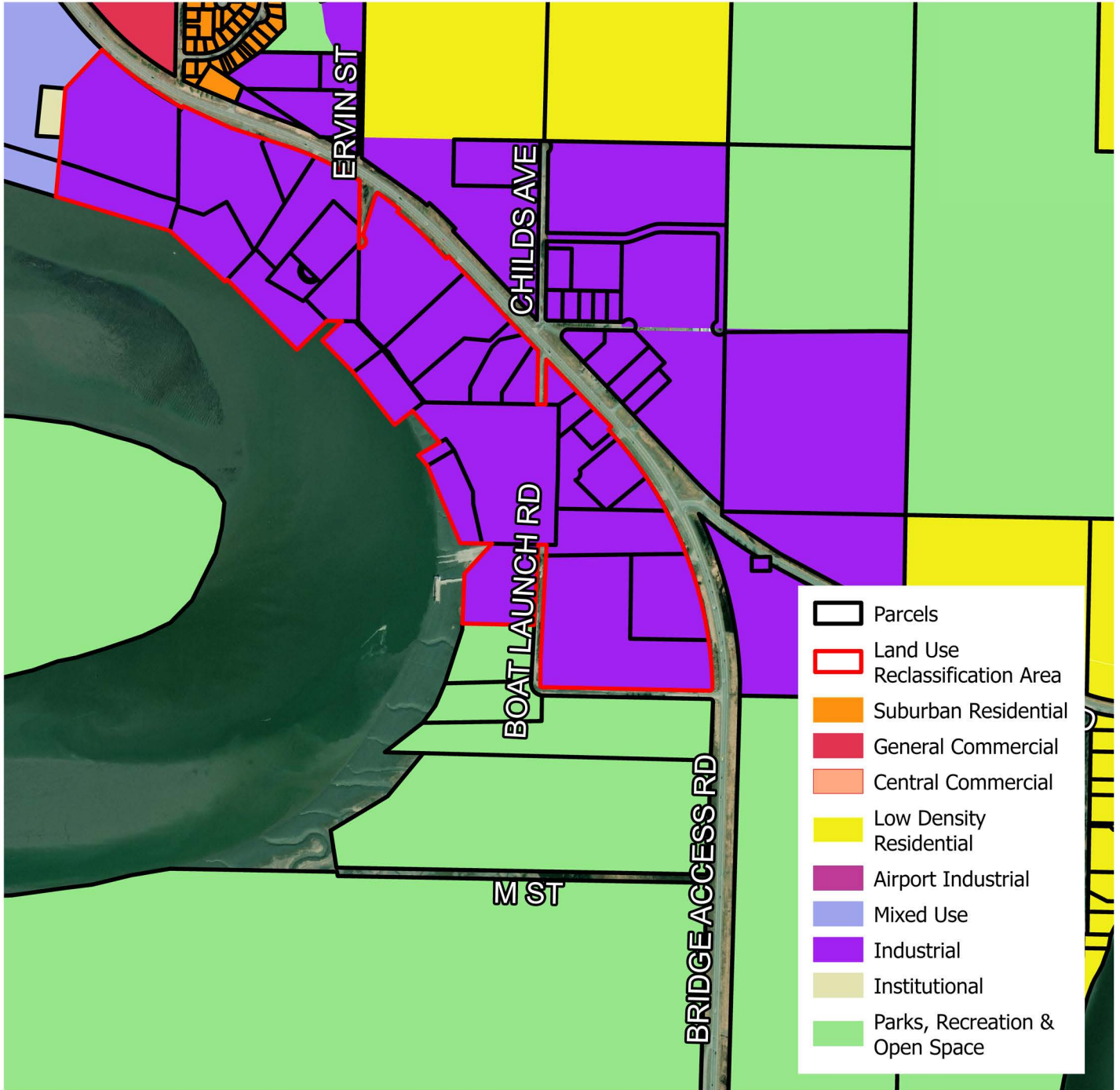
Your consideration is appreciated.

Attachments

Existing Land Use Map
Proposed Land Use Map



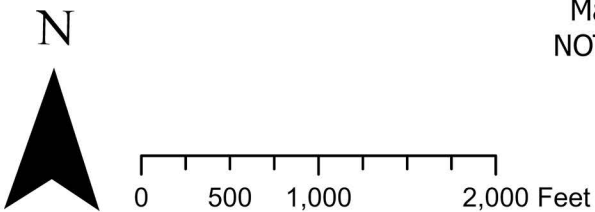
Ordinance 3391-2024 Existing Land Use Map



	Parcels
	Land Use Reclassification Area
	Suburban Residential
	General Commercial
	Central Commercial
	Low Density Residential
	Airport Industrial
	Mixed Use
	Industrial
	Institutional
	Parks, Recreation & Open Space

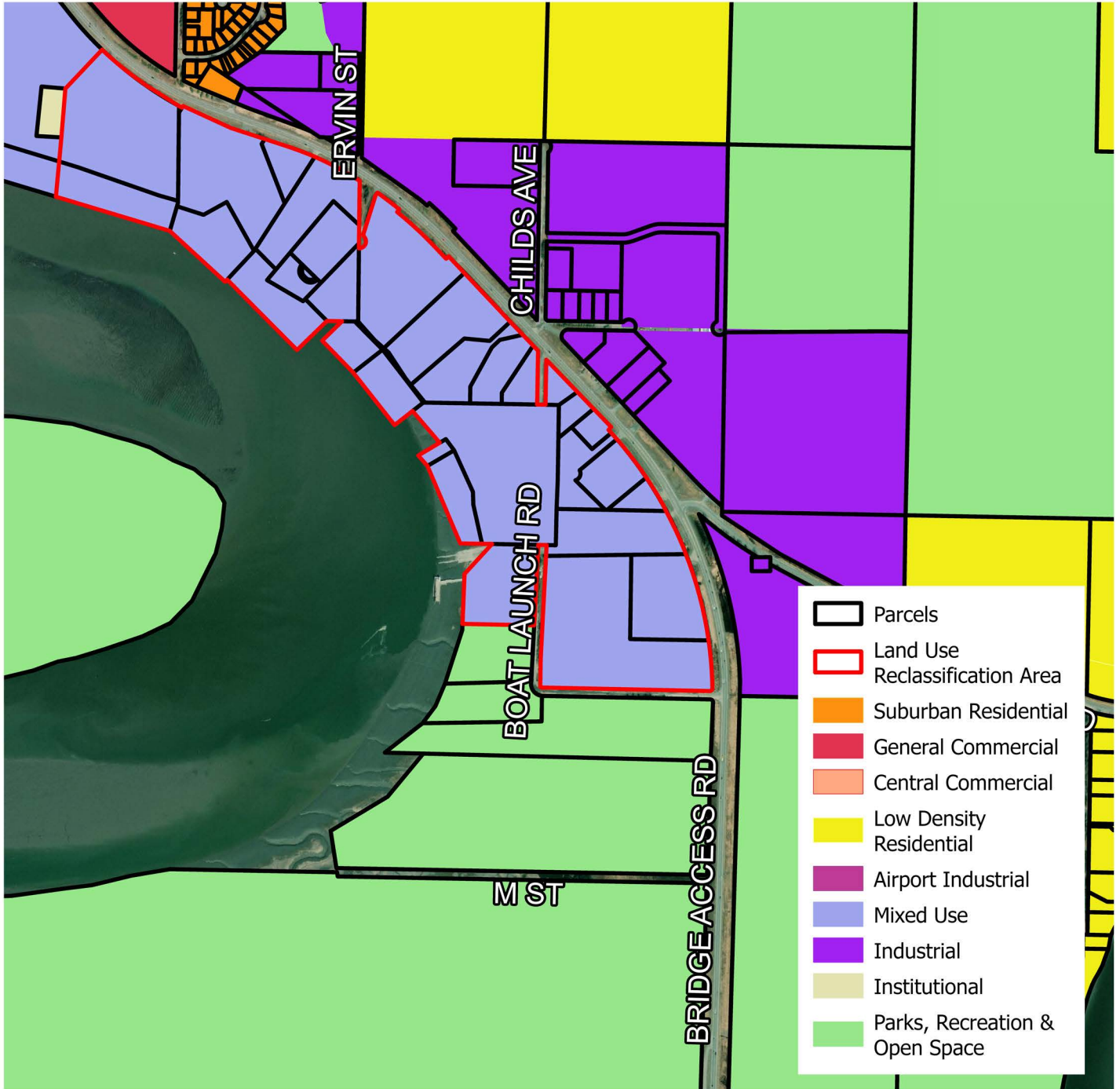
Date Printed: 1/10/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





Ordinance 3391-2024 Proposed Land Use Map



Date Printed: 1/10/2024

Map for Reference Only
NOT A LEGAL DOCUMENT

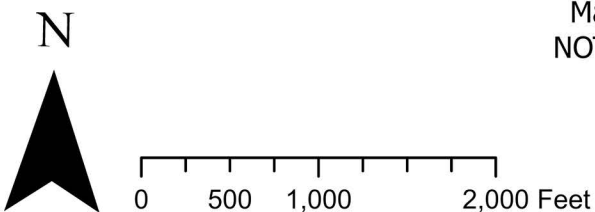
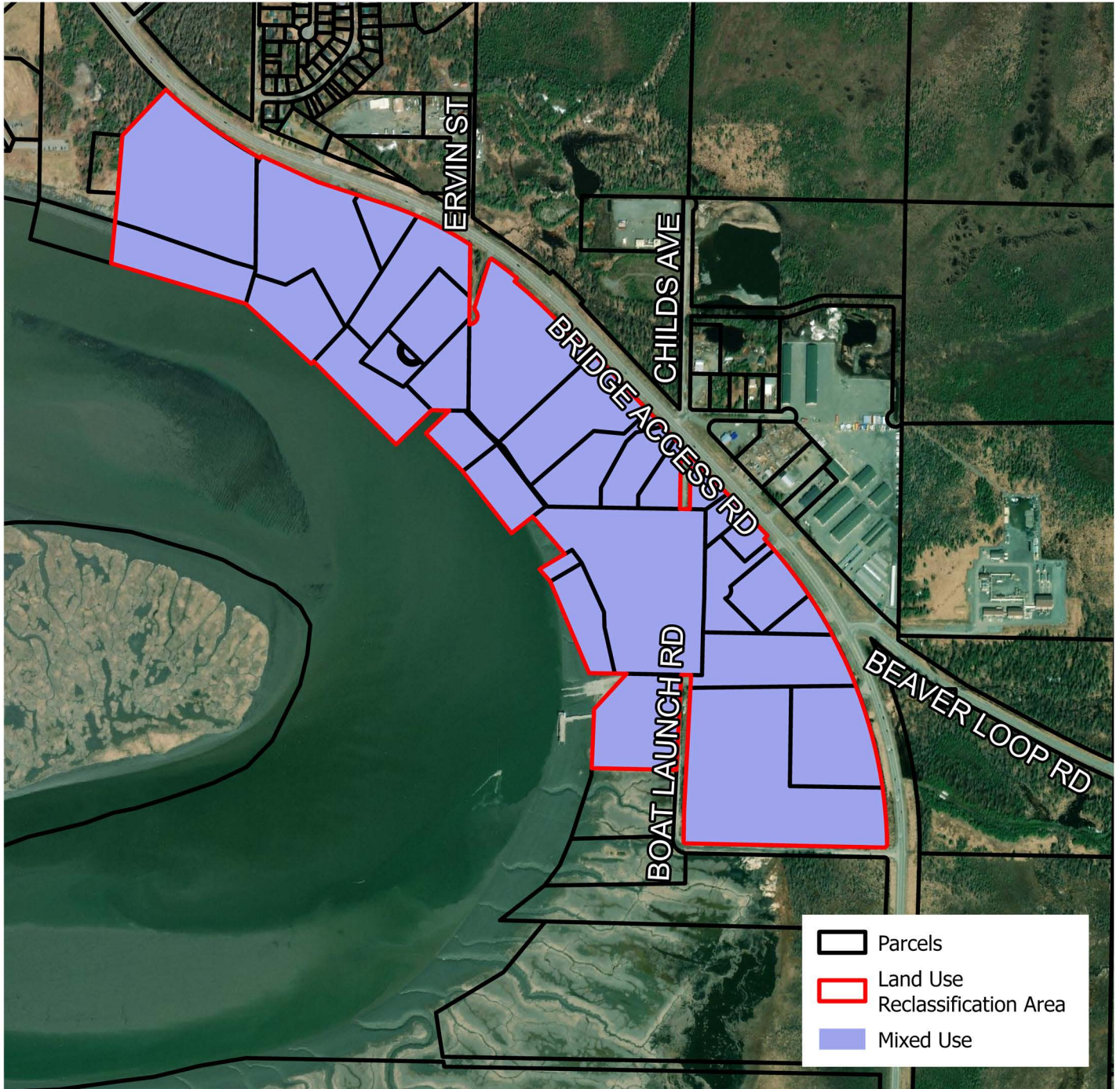




Exhibit A

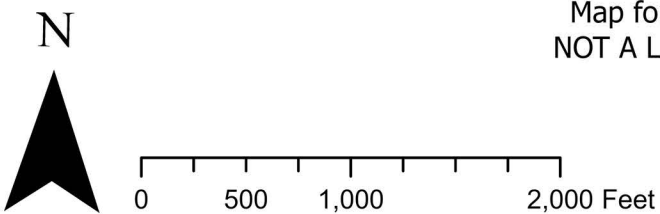
Ordinance 3391-2024

Land Use Map Amendment



Date Printed: 1/10/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





Sponsored by: Vice Mayor Knackstedt

**CITY OF KENAI
ORDINANCE NO. 3392-2024**

AN ORDINANCE AMENDING THE KENAI ZONING CODE TO ADD A NEW ZONING DISTRICT, WORKING WATERFRONT (WW) AND AMENDING THE OFFICIAL ZONING MAP FOR CERTAIN PARCELS FROM HEAVY INDUSTRIAL (IH) TO WORKING WATERFRONT (WW) OR CONSERVATION (C) ZONING DISTRICT.

WHEREAS, the Imagine Kenai 2030 Comprehensive Plan (“Comprehensive Plan”), identified a Land Use objective to review revitalization strategies for the area adjacent to Bridge Access Road beginning at Millennium Square to the boat landing; and,

WHEREAS, in 2021, the City funded the Kenai Waterfront Revitalization Assessment (“Assessment”) for revitalization strategies to maximize the potential of the waterfront area to support a thriving business, residential, recreational, and cultural community; and,

WHEREAS, within the “Assessment”, it outlined recommended next steps to address the dire planning needs by preparing a Waterfront Master Plan and conducting a Civic Center Market Assessment and Feasibility Analysis; and,

WHEREAS, due to the emerging interests in the waterfront area from the public engagement conducted for the Assessment, there is a sense of urgency for the waterfront rezone to promote new development or redevelopment that is consistent with the vision and findings in the Assessment; and,

WHEREAS, the Comprehensive Plan acknowledges the decline for demand of large industrial sites and the commercial fishing industry but indicated the need to maintain the viability of existing industry as a land use and economic priority; and,

WHEREAS, the creation of a new zoning district, Working Waterfront (WW) would allow certain commercial uses by-right and protect existing uses that align with the vision of the waterfront development, as identified in the Assessment; and,

WHEREAS, the proposed rezone from Heavy Industrial (IH) to WW Zone would be consistent with Ordinance 3391-2024, amending the Comprehensive Plan to reclassify the future land use of the proposed rezone area from Industrial (IN) to Mixed Use (MU), which envisions a compatible mix of residential, retail, service, office, public, institutional, and recreational uses; and,

WHEREAS, the proposed rezone includes parcels outside of the designated waterfront development area, which are primarily wetlands parcels to Conservation (C) Zone for compatibility with the surrounding area and consistency with the Land Management Plan and Comprehensive Plan; and,

WHEREAS, the Harbor Commission and the Planning and Zoning Commission held a joint work session on _____ to discuss the proposed ordinance to create a waterfront zoning district and amend the Comprehensive Plan; and,

WHEREAS, the Planning and Zoning Commission at its regularly scheduled meeting of _____, 2024 recommended _____ on amending the Kenai Municipal Code (KMC) to add a new zoning district and rezone the waterfront area; and,

WHEREAS, the Harbor Commission at its regularly scheduled meeting of _____, 2024 recommended _____ on amending the KMC to add a new zoning district and rezone the waterfront area; and,

WHEREAS, it is the best interest of the City of Kenai to amend KMC to add the Working Waterfront Zone and amend other KMC Sections, which are consistent with the waterfront land uses identified in the Assessment; and,

WHEREAS, it is in the best interest of the City of Kenai to amend the Official Zoning Map to rezone certain parcels from Heavy Industrial to Working Waterfront zoning district to promote opportunities for economic development, redevelopment, and use of land that do not impact the existing uses in the area; and,

WHEREAS, it is in the best interest of the City of Kenai to amend the Official Zoning Map to rezone certain parcels south of the waterfront redevelopment area from Heavy Industrial to Conservation zoning district to preserve the open areas, watershed, and wildlife reserves.

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

Section 1. Amendment of Subsection 14.20.030(a) of Kenai Municipal Code: That Kenai Municipal Code, Subsection 14.20.030(a) *Adoption of Zones and Zoning Map* is hereby amended as follows:

(a) *Adoption of Zones and Zoning Map.* The City of Kenai is divided into the following zones:

Conservation	C Zone
Rural Residential	RR Zone
Suburban Residential	RS Zone
Rural Residential	RR-1 Zone
Suburban Residential	RS-1 Zone
Suburban Residential	RS-2 Zone
Urban Residential	RU Zone
Central Commercial	CC Zone
General Commercial	CG Zone
Limited Commercial	LC Zone
Light Industrial	IL Zone
Heavy Industrial	IH Zone

Recreational	R Zone
Townsite Historic	TSH Zone
Education Zone	ED Zone
Central Mixed Use	CMU Zone
<u>Working Waterfront</u>	<u>WW Zone</u>

These zones shall be bounded and defined as shown on the official zoning map, which shall be kept on file at Kenai City Hall. This official zoning map, together with all explanatory matter thereon, as exhibited at the time of public hearing, is hereby adopted by reference and declared to be a part of this chapter.

Section 2. Amendment of Chapter 14.20 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 14.20 *Kenai Zoning Code* is hereby amended as follows:

14.20.128 Working Waterfront Zone (WW Zone).

(a) Intent. The WW Zone is established to provide the following purposes:

(1) To encourage, protect and maintain water-dependent and water-related uses;

(2) To encourage development of park space, pedestrian connections, and public recreational space;

(3) To provide appropriately located areas for commercial/economic enterprises, tourism, or recreation for the convenience of the public and in mutually beneficial relationships to each other;

(4) To provide space for community facilities and institutions that appropriately may be located in areas;

(5) To provide adequate space to meet the needs of commercial development, including off-street parking and truck loading areas;

(6) To minimize traffic congestion and create a safe and continuous pedestrian connection;

(7) To protect non-industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses;

(8) To encourage new development to maintain a certain relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks; and

(9) To protect and maintain certain industrial uses that require waterfront locations.

(b) Principal Permitted Uses. As allowed in the Land Use Table.

(c) Conditional Uses. As allowed in the Land Use Table and subject to the provisions of this chapter.

(d) Accessory Uses. As defined in this chapter.

(e) Home Occupations. Uses as allowed in this chapter.

(f) Parking Requirements. As required by this chapter.

(g) Development Requirements. As required by this title.

(h) Landscaping. As required in KMC [14.25](#).

Section 3. Amendment of Section 14.22.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 14.22.010 *Land Use Table* is hereby amended as follows:

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	R R- 1	RS	RS -1	RS-2	R U	CC	C G	IL	IH	E D	R	TS H	LC	CMU	<u>WW</u>
RESIDENTIAL																		
One-Family Dwelling	N	C ¹⁸	P	P	P	P	P	P	P ²¹	S ¹	S ²	S ²	C ² ₂	P	P	P	S ¹ /C ²¹	<u>C</u>
Two-, Three-Family Dwelling	N	C ¹⁸	P	P	P	P	P	P	P ²¹	S ¹	C	C	C ² ₂	P	P	P	S ¹ /C ²¹	<u>P</u>
Four-Family Dwelling	N	C ¹⁸	P	C ³ _{,29}	P	N	N	P	P ²¹	S ¹	C	C	C ² ₂	N	P	C	S ¹ /C ²¹	<u>P</u>
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	<u>P</u>
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	<u>P</u>
Mobile Home Parks ⁶	N	N	C	N	C	C	C	C	C	C	C	C	N	C	N	N	C	<u>N</u>
Planned Unit Residential Development ⁷	N	C ¹⁸	C	C ² ₉	C	C	C	C	C	C	C	C	N	C	C	C	C	<u>P</u>

Townhouses ⁴	N	C ¹⁸	C ³	C ³ _{,29}	C ³	C ³	C ³	C ³	C	C	C	C	C ² ₂	C	C	C	C	<u>C³²</u>
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	<u>N</u>
COMMERCIAL																		
Airport Compatible Uses	P	N	N	N	N	N	N	N	C	C	C	C	N	N	N	C	C	<u>C</u>
Adult Businesses	N	N	N	N	N	N	N	N	P ³¹	P ³ ₁	P ³ ₁	P ³ ₁	N	N	N	N	N	<u>N</u>
Automotive Sales	C	N	C	N	N	N	N	C	P	P	P	P	N	N	N	N	P	<u>N</u>
Automotive Service Stations	C	N	C	N	N	N	N	C	P	P	P	P	N	C	N	N	P	<u>C³²</u>
Banks	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P	<u>P</u>
Business/Consumer Services	C	N	C	C	C	N	N	C	P	P	P	C	N	C	C	C	P	<u>P</u>
Commercial Recreation	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P	<u>P</u>
Guide Service	C	N	C	N	C	N	N	C	P	P	P	P	N	P	P	C	P	<u>P</u>
Hotels/Motels	C	N	C	N	C	N	N	C	P	P	P	C	N	C	P	C	P	<u>P</u>
Lodge	C	N	C	N	C	N	N	C	P	P	P	C	N	P	P	C	P	<u>P</u>
Marijuana Cultivation Facility, Limited ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N	<u>N</u>
Marijuana Cultivation Facility, Standard ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N	<u>N</u>
Marijuana Product Manufacturing Facility ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N	<u>N</u>

Marijuana Testing Facility ³⁰	N	N	N	N	N	N	N	N	C	C	P	P	N	N	N	C	C	<u>N</u>
Professional Offices	C	N	C	C	C	N	N	P	P	P	P	P	N	C	P	P	P	<u>P</u>
Restaurants	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P	<u>P</u>
Retail Business	C	N ²⁶	C	N	C	N	N	C	P	P	P	P	S ₄ ²	S ₄ ²	C	C	P	<u>P</u>
Retail Marijuana Store ³⁰	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	C	<u>C</u>
Theaters	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P	<u>P</u>
Wholesale Business	C	N	C	N	C	N	N	C	C	P	P	P	N	S ₄ ²	C	C	N	<u>N</u>
INDUSTRIAL																		
Airports	C	P ²⁰	C	N	C	N	N	C	C	C	C	C	N	C	N	N	C	<u>C</u>
Necessary Aviation Facilities	P	P	C	C	C	C	C	C	P	P	P	P	C	P	C	P	P	<u>C</u>
Automotive Repair	P	N	C	N	C	N	N	C	P	P	P	P	N	N	N	N	P	<u>C³²</u>
Gas Manufacturer/Storage	C ⁹	N	N	N	C	N	N	N	N	N	C ⁹	C ⁹	N	N	N	N	N	<u>C</u>
Manufacturing/Fabricating/Assembly	P	N	C	N	C	N	N	C	C	P	P	P	N	C	C	N	C	<u>C</u>
Mini-Storage Facility	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	C	C	<u>N</u>
Storage Yard	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	N	C	<u>C³²</u>
Warehouses	C	N	C	N	C	N	N	C	N	P	P	P	N	C	N	N	N	<u>C</u>
PUBLIC/INSTITUTIONAL																		
Assisted Living	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>

Churches*	N	C	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	C	C	P	P	P	P	<u>P</u>	
Clinics	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	P	P	<u>P</u>
Colleges*	N	C	C	C ² ₉	C	C	C	C	P	P	C	C	P	C	C	C	P	<u>P</u>
Elementary Schools*	N	C	C	C ² ₉	C	C	C	C	P	P	C	C	P	C	C	C	P	<u>P</u>
Governmental Buildings	P	C	C	C ² ₉	C	C	C	C	P	P	P	C	P	C	C	P	P	<u>P</u>
High Schools*	N	C	C	C ² ₉	C	C	C	C	P	P	C	C	P	C	C	C	P	<u>P</u>
Hospitals*	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	C	P	<u>P</u>
Libraries*	N	C	C	C ² ₉	C	C	C	C ¹ ₂	P	P	P	C	P	C	P	C	P	<u>P</u>
Museums	C	C	C	C ² ₉	C	C	C	C	P	P	P	C	P	C	P	C	P	<u>P</u>
Parks and Recreation	N	P	C	C ² ₉	C	C	C	C	P	P	P	P	P	P	P	C	P	<u>P</u>
MISCELLANEOUS																		
Animal Boarding/Commercial Kennel ¹³	C	C	C	N	C	C	N	N	C	C	C	C	N	C	N	C	C	<u>C</u>
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	<u>P</u>
Bed and Breakfasts	N	C	C	C	C	C	C	C	C	C	C	C	N	P	C	C	P	<u>P</u>
Cabin Rentals	N	C	C	N	C	N	N	N	P	P	P	C	N	P	P	C	P	<u>P</u>
Cemeteries	P	C	C	N	C	N	N	N	N	C	C	C	N	C	C	N	N	<u>N</u>

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	<u>C</u>
Crematories/Funeral Homes	N	N	C	N	C	N	N	C	C	C	C	C	N	C	C	C	C	<u>N</u>
Day Care Centers ¹²	N	C	C	C ² ₉	C	C	C	C	P	P	P	C	C	C	C	P	P	<u>P</u>
Dormitories/Boarding Houses	N	C	C	N	C	C	C	P	P ²¹	S	C	P	P ² ₃	C	C	C	P	<u>P</u>
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>
Farming/General Agriculture***	N	P	P	N	N	N	N	N	N	N	N	P	N	P	N	N	N	<u>C</u>
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	<u>P</u>
Greenhouses/Tree Nurseries ¹³	N	C	C	N	C	C	C	C	P	P	P	C	N	C	C	C	P	<u>P</u>
Gunsmithing, Taxidermy	N	N	C	C	C	C	C	C	P	P	P	P	N	C	P	P	P	<u>P</u>
Nursing, Convalescent or Rest Homes	N	N	C	N	C	C	C	C	P	P	C	C	C	C	C	C	P	<u>P</u>
Parking, Public Lots ¹²	C	C	C	N	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>
Personal Services ²⁵	N	C	C	N	C	C	C	C	P	P	P	P	C	C	P	P/C ²⁷	P	<u>P</u>
Recreational Vehicle Parks	N	C	C	N	C	N	N	C	C	C	C	C	N	C	C	N	C	<u>C</u>
Subsurface Extraction of Natural Resources ¹⁶	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	N	N	<u>C</u>

Surface Extraction of Natural Resources ¹⁷	C	C	C	N	C	N	N	C	N	C	C	C	N	C	N	N	N	<u>N</u>
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* See 42 U.S.C. Sec. 2000cc (Religious Land Use and Institutionalized Persons Act of 2000)

** See 42 U.S.C. 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).

32 Allowed as a conditional use; provided, it is a maritime-related use to accommodate recreational boating activities, recreational facilities, accessory uses, and service facilities.

Section 4. Amendment of Chapter 14.24 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 14.24 *Development Requirements Tables* are hereby amended as follows:

14.24.010 Minimum lot area requirements.

Table 14.24.010. DEVELOPMENT REQUIREMENTS TABLE

ZONING DISTRICTS											
USES	C/RR	RR-1	RS	RS-1	RS-2	RU/T SH	ALI/IL/IH/ CC/CG/CMU/ <u>WW</u>	R	ED	LC	
MINIMUM LOT AREA (square feet)							See individual sections of Code for requirements.				
Single/Two/Three Family Dwelling	20,000	20,000	7,200	12,500	7,200	7,200		20,000	20,000	12,500	
Four Family Dwelling	20,000	22,400	9,600	N	N	7,200		N	N	12,500	
Five Family Dwelling	22,400	N	12,000	N	N	7,200		N	N	12,500	
Six Family Dwelling	24,800	N	14,400	N	N	7,200		N	N	12,500	
Seven or More Family Dwelling	27,200 + 2,400 for each	N	16,800 + 2,400 for each	N	N	7,200		N	N	12,500	

ZONING DISTRICTS										
USES	C/RR	RR-1	RS	RS-1	RS-2	RU/T SH	ALI/IL/IH/ CC/CG/CMU/ <u>WW</u>	R	ED	LC
	unit over 7		unit over 7							
Maximum Height (feet)	35	35	35	35	35					35

Key: N = Not allowed.

Footnotes:

- 1 Listed square footages are the minimum required for each zone.
- 2 Greater lot square footages may be required to satisfy Alaska Department of Environmental Conservation (ADEC) requirements where on-site water supply and/or sewer is necessary.
- 3 Minimum lot size for non-residential uses in ED zone is 40,000 square feet.
- 4 Minimum lot size for residential uses in the CMU zone is 7,200 square feet.

14.24.020 General Requirements.

Table 14.24.020. DEVELOPMENT REQUIREMENTS TABLE

ZONING DISTRICTS										
USES	C/RR	RR-1	RS	RS-1	RS-2	RU/TSH	ALI/IL/IH/CC/CG/ CMU/ <u>WW</u>	R	ED	LC
MINIMUM LOT WIDTH (feet)	90	90	60	60	60	60	See individual sections of Code for requirements	90	90	90
MINIMUM LOT SIZE (feet)										
Front Setback ¹	20	20	20	20	20	10	20	20	20	20
Side Setback ²										
One-Story ³	15	15	5	5	5	5	10	15	15	15
Daylight Basement/Split Level ³	15	15	10	10	10	5	10	15	15	15

ZONING DISTRICTS										
USES	C/RR	RR-1	RS	RS-1	RS-2	RU/TSH	ALI/IL/IH/CC/CG/ CMU/WW	R	ED	LC
Two-Story ³	15	15	15	15	15	5 ⁴	10	15	15	15
Rear Setback	20	20	20	20	20	10 ⁴	10	20	20	20
Maximum Lot Coverage	30%	30%	30%	30%	30%	40%		30%	30%	30%
Maximum Height (feet)	35	35	35	35	35					35

Footnotes:

1 Provided that the minimum front setback is measured from any right-of-way or access easement.

2 Side setbacks are determined based on the primary vehicular access of the structure. Plot plan/as-built will distinguish single and two-story portions of building to verify setback distances are met.

3 Story is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above or the ceiling or roof above.

One-story is defined as a story having direct access from grade level without a lower story. A structure having a lower story situated below a one-story is considered a one-story structure in its entirety.

Two-story is defined as one-story plus more than one-half (1/2) the height of the lower story all situated above grade.

Daylight basement/split level is defined as one-story plus less than one-half (1/2) the height of the lower story all situated above grade.

For purposes of these footnotes, Grade is defined as the lowest point of elevation of the finished surface of the ground between the building and a line five (5) feet from the building.

4 Except that for each story over two (2) stories, each side and rear yard shall be increased three (3) feet, but need not exceed fourteen (14) feet for each side yard and nineteen (19) feet for the rear yard.

5 Side setbacks for parcels within the airport perimeter fence situated along aircraft movement areas, ramps, taxiways, or parking aprons are exempt from the side setback requirements of this title. The building restriction line identified on the Airport Layout Plan must be maintained.

6 All structures in aircraft-approach zones and within eight thousand feet (8,000') of the main runway shall be subject to height limitation on the basis of obstruction criteria as shown on the current FAA-approved Kenai Airport Layout Plan.

14.24.030 Addendum to development requirements tables.

Section 5. Amendment of City of Kenai Official Zoning Map: That City of Kenai, Official Zoning Map is hereby amended as follows: Rezone the following parcels from Heavy Industrial (IH) to Working Waterfront (WW) zoning district.

<u>Legal Description</u>	<u>Parcel ID</u>
Tract E, Daubenspeck Property Subdivision	04705703
Portion of Alaska Tidelands Survey 98	04705702
Tract C, US Survey 104, Amended Tracts A, B, & C	04901113
Tract C, US Survey 104, Amended Tracts A, B, & C	04901112
Tract A, Kenai Tidelands Survey No. 1	04901121
Portion of Govt Lot 10 Lying Southwest of Bridge Access Rd & Lying North & Northwest & Northeast of US Survey 4563 Amended, Section 4, T5N R11W	04901131
Lot 3, US Survey 4563 Amended	04901123
Lot 2, US Survey 4563 Amended	04901124
Alaska Tidelands Survey 82	04901125
Portion of Govt Lot 10 Lying Southeasterly of US Survey 4563 Amended, Section 4, T5N R11W	04901130
Lot 1, Kristine Subdivision No. 1	04901133
Lot 2, Kristine Subdivision No. 1	04901134
Tract B, Kenai Tidelands Survey No. 2	04901132
Tract C, Kenai Tidelands Survey No. 2	04901404
Lot 3A, Kristine Subdivision Jahrig Addition	04901136
Lot 3B, Kristine Subdivision Jahrig Addition	04901137
Lot 3C, Kristine Subdivision Jahrig Addition	04901138
Lot 1, Baron Wood Subdivision	04901312
Lot 2, Baron Wood Subdivision	04901313
US Survey 678 Amended	04901401
Alaska Tidelands Survey No. 770	04901403
Alaska Tidelands Survey No. 114	04901402
Lot 3, Baron Wood Subdivision No. 2	04901314

Lot 4A, Baron Wood Subdivision No. 2	04901321
Lot 5A, Baron Wood Subdivision No. 2	04901322
Lot 8, Baron Wood Subdivision	04901320
Tract E, Boat Ramp Subdivision	04945009
Tract F-1, Alaska State Land Survey No. 2012-04	04945011
Tract F-2, Alaska State Land Survey No. 2012-04	04945012
Tract A, City of Kenai Boat Ramp & ROW Dedication (Northern Half)	04945002

Attached is Exhibit "A" illustrating the area of the proposed zone change.

Section 6. Amendment of City of Kenai Official Zoning Map: That City of Kenai, Official Zoning Map is hereby amended as follows: Rezone the following parcels from Heavy Industrial (IH) to Conservation (C) zoning district.

<u>Legal Description</u>	<u>Parcel ID</u>
Tract A, City of Kenai Boat Ramp & ROW Dedication (Southern Half)	04945002
Tract B, City of Kenai Boat Ramp & ROW Dedication	04945003
Tract C, City of Kenai Boat Ramp & ROW Dedication	04945004
Tract D, City of Kenai Boat Ramp	04945005
Govt Lots 6, 7, 10 and SE1/4 SE1/4 in Section 8 & Govt Lot 6 and SE1/4 NE1/4 and SE1/4 and NE1/4 SW1/4 and S1/2 SW1/4 Section 9 & Govt Lots 1, 4-6 and NE1/4 NE1/4 Section 17 excluding the Kenai River crossing ROW, T5N R11W (West Side of Bridge Access Road)	04910014

Attached is Exhibit "A" illustrating the area of the proposed zone change.

Section 7. 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 8. 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 21ST DAY OF FEBRUARY, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	January 17, 2024
Enacted:	February 21, 2024
Effective:	March 22, 2024



MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Vice Mayor Knackstedt

DATE: January 10, 2024

SUBJECT: **Ordinance No. 3392-2024 - Amending the Kenai Zoning Code to Add a New Zoning District, Working Waterfront (WW) and Amending the Official Zoning Map for Certain Parcels from Heavy Industrial (IH) to Working Waterfront (WW) or Conservation (C) Zoning District**

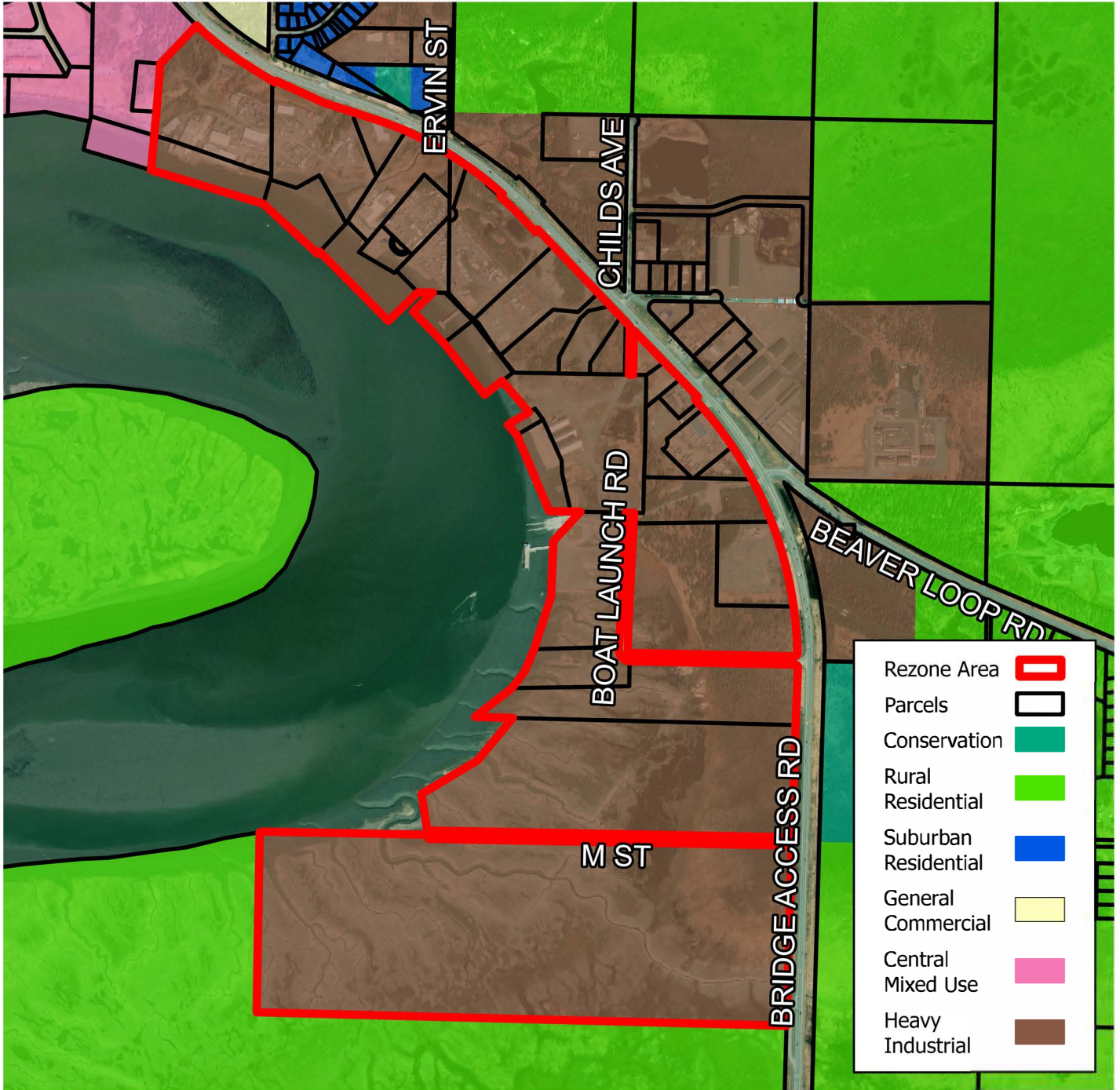
This Ordinance seeks to amend the Kenai Zoning Code and Official Zoning Map in response to the efforts and vision that resulted from the Kenai Waterfront Revitalization Assessment. This is a first step towards the long-term planning efforts of redeveloping the waterfront area. The Ordinance will add a new zoning district, Working Waterfront (WW) Zone to the Kenai Zoning Code with corresponding code amendments to the land use table and development requirements tables. In addition, it will amend the Official Zoning Map of the waterfront development area for certain parcels from Heavy Industrial (IH) to WW Zone. With staff’s recommendation, wetlands parcels to the south of the waterfront development area will be rezoned from IH to Conservation (C) Zone for compatibility with the surrounding area and consistency with the Land Management Plan and Comprehensive Plan.

Your consideration is appreciated.

- Attachments**
Existing Zoning Map
Proposed Zoning Map



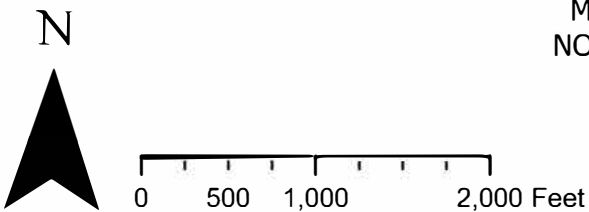
Ordinance 3392-2024 Existing Zoning



Rezone Area	
Parcels	
Conservation	
Rural Residential	
Suburban Residential	
General Commercial	
Central Mixed Use	
Heavy Industrial	

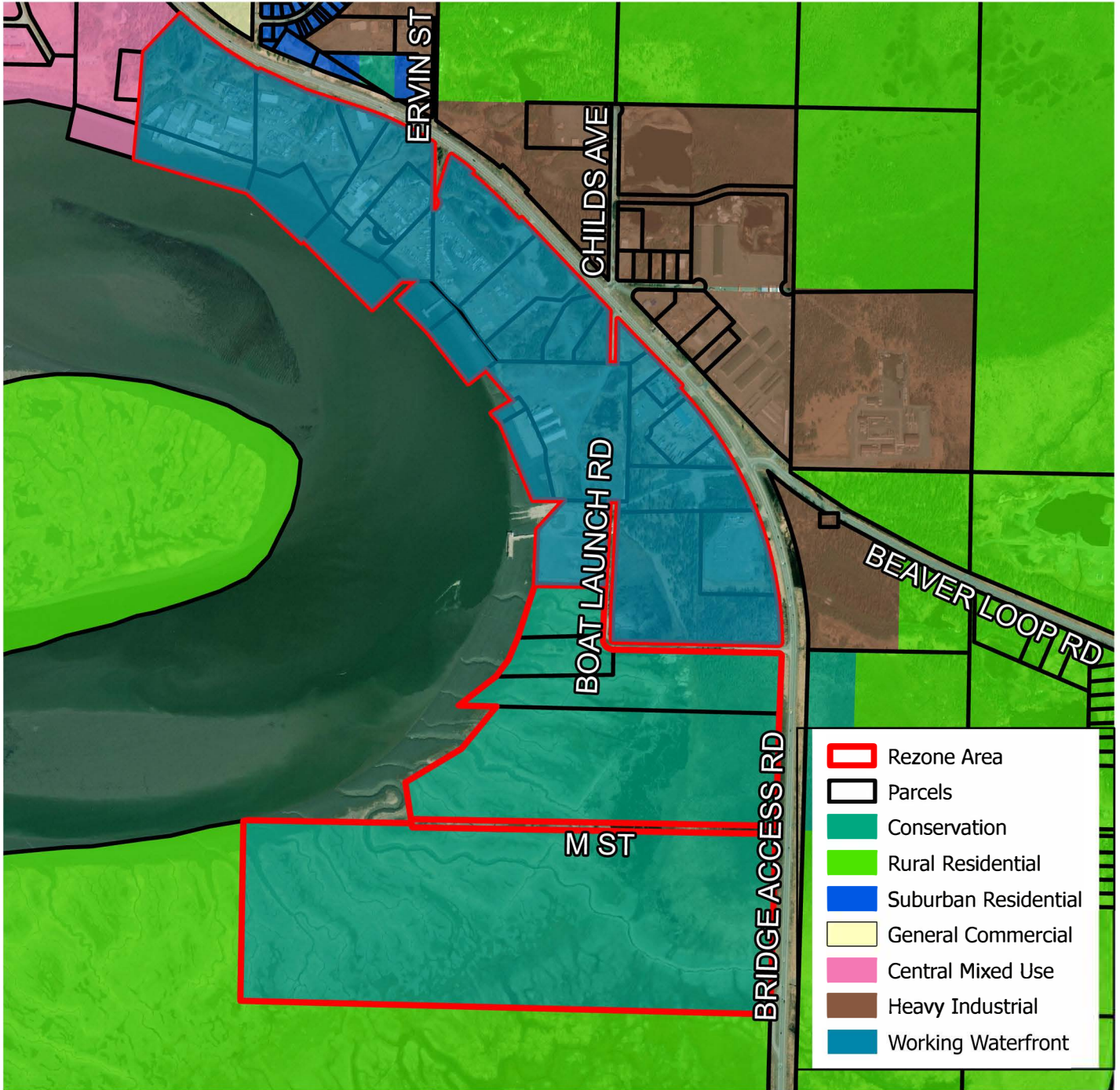
Date Printed: 1/9/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





Ordinance 3392-2024 Proposed Zoning



	Rezoned Area
	Parcels
	Conservation
	Rural Residential
	Suburban Residential
	General Commercial
	Central Mixed Use
	Heavy Industrial
	Working Waterfront

Date Printed: 1/10/2024

Map for Reference Only
NOT A LEGAL DOCUMENT

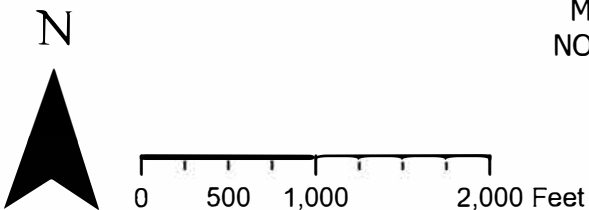
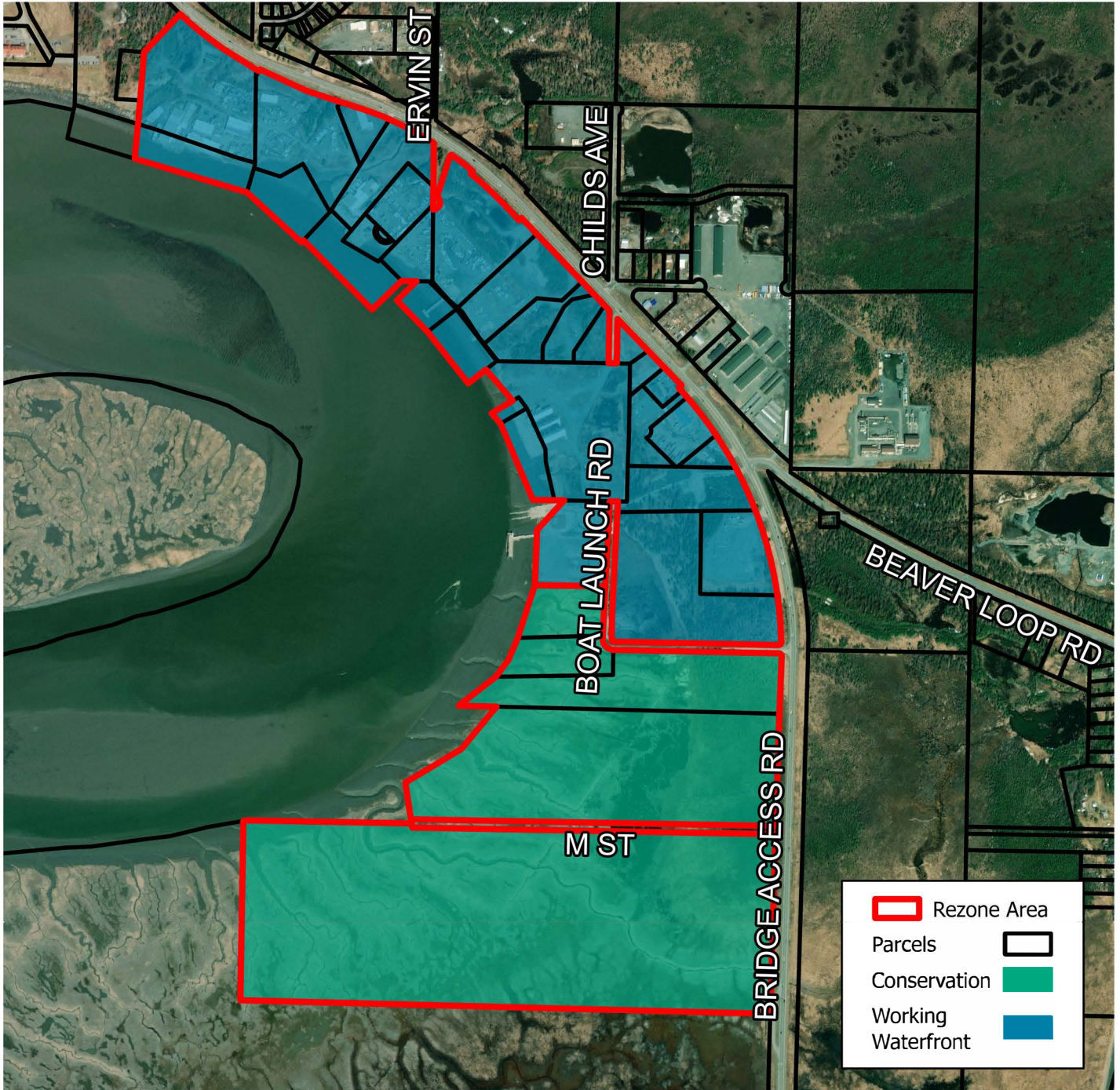




EXHIBIT A

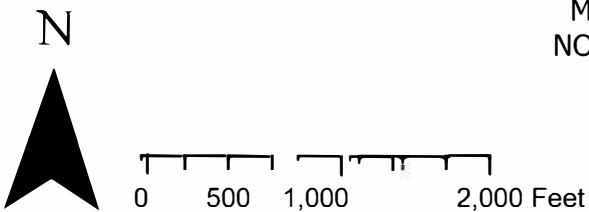
Ordinance 3392-2024

Zoning Map Amendment



Date Printed: 1/10/2024

Map for Reference Only
NOT A LEGAL DOCUMENT



**KENAI HARBOR COMMISSION – SPECIAL MEETING
JANUARY 8, 2024
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611**

ACTION MINUTES

A. CALL TO ORDER

A Special Meeting of the Harbor Commission was held on January 8, 2024, in the Kenai City Council Chambers, Kenai, AK. Director Curtin called the meeting to order at 6:17 p.m.

1. Pledge of Allegiance

Director Curtin led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Bob Peters
John Coston
Jeanne Reveal

David Peck
Matthew Moffis

A quorum was present.

Absent:

Lisa Gabriel

Also in attendance were:

Scott Curtin, Public Works Director
Lisa List, Public Works Administrative Assistant
Victoria Askin, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Election of Chair and Vice Chair

MOTION:

Commissioner Peters **MOVED** to appoint Commissioner Peck as Chair. Commissioner Coston **SECONDED** the motion.

The nomination was declined.

MOTION:

Commissioner Peck **MOVED** to appoint Commissioner Gabriel as Chair. Commissioner Moffis **SECONDED** the motion.

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

MOTION:

Commissioner Peck **MOVED** to appoint Commissioner Reveal as Vice Chair. Commissioner Peters **SECONDED** the motion.

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

4. Agenda Approval

MOTION:

Commissioner Coston **MOVED** to approve the agenda as presented. Commissioner Peters **SECONDED** the motion.

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

B. UNSCHEDULED PUBLIC COMMENTS - None.

C. NEW BUSINESS

1. **Discussion/Recommendation** - Recommendations as Discussed During the Commission Review – Work Session Held Immediately Prior.

Commissioner Peters stated that during the prior work session, the documents presented in the packet were reviewed and the Commission was given the opportunity to provide input and discuss concerns; it was noted that this feedback would be taken into consideration by Administration when drafting changes to bring back to the Commission at their next meeting for recommendation to Council.

D. ADDITIONAL PUBLIC COMMENTS – None.

E. NEXT MEETING ATTENDANCE NOTIFICATION – February 12, 2024

F. COMMISSION QUESTIONS AND COMMENTS

Commissioner Peck noted that it was a useful work session.

Council Member Askin reviewed the actions of the November 15 and December 20, 2023 City Council meetings.

G. ADJOURNMENT

There being no further business before the Harbor Commission, the meeting was adjourned at 6:32 p.m.

I certify the above represents accurate minutes of the Harbor Commission meeting of January 8, 2024.

Meghan Thibodeau
Deputy City Clerk

**KENAI PARKS & RECREATION COMMISSION – REGULAR MEETING
JANUARY 4, 2024
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GRANT WISNIEWSKI, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Parks & Recreation Commission was held on January 4, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Wisniewski called the meeting to order at 6:09 p.m.

1. Pledge of Allegiance

Chair Wisniewski led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Grant Wisniewski, Chair
Kyle Graham
Michael Bernard
Nigel LaRicca

Sovala Kisena, Vice Chair
Jennifer Joanis
Charlie Stephens

A quorum was present.

Also in attendance were:

Tyler Best, Parks & Recreation Director
Jenna Brown, Parks & Recreation Assistant Director
Deborah Sounart, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Election of Chair and Vice Chair

MOTION:

Commissioner Stephens **MOVED** to reappoint Chair Wisniewski. Vice Chair Kisena **SECONDED** the motion.

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

MOTION:

Commissioner Joanis **MOVED** to reappoint Vice Chair Kisena. Chair Wisniewski **SECONDED** the motion.

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

4. Agenda Approval

MOTION:

Commissioner Stephens **MOVED** to approve the agenda as presented. Commissioner Bernard **SECONDED** the motion.

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

B. SCHEDULED PUBLIC COMMENTS - None.

C. **UNSCHEDULED PUBLIC COMMENTS** - None.

D. **APPROVAL OF ACTION MINUTES**

1. November 2, 2023

MOTION:

Commissioner Joanis **MOVED** to approve the November 2, 2023 Parks & Recreation Commission minutes. Commissioner Bernard **SECONDED** the motion.

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

E. **UNFINISHED BUSINESS** – None.

F. **NEW BUSINESS**

1. **Discussion/Recommendation** – Recommendations as Discussed During the Commission Review – Work Session Held Immediately Prior.

Commissioner Stephens stated that during the prior work session, the documents presented in the packet were reviewed and the Commission was given the opportunity to provide input and discuss concerns; it was noted that this feedback would be taken into consideration by Administration when drafting changes to bring back to the Commission at their next meeting for recommendation to Council.

G. **REPORTS**

1. Parks & Recreation Director – Director Best reported on the following:
 - Hanging Christmas lights.
 - Grooming ski and walking trails.
 - Snow removal from fire hydrants, and new “Adopt a Hydrant” program.
 - Rec Center use statistics from sign-in sheets.
2. Commission Chair – Chair Wisniewski thanked the Parks & Recreation department for clearing trails.
3. City Council Liaison – Council Member Sounart reported on the January 3, 2024 City Council Meeting and Budget Goals Work Session.

H. **ADDITIONAL PUBLIC COMMENTS** – None.

I. **NEXT MEETING ATTENDANCE NOTIFICATION** – February 1, 2024

J. **COMMISSION QUESTIONS AND COMMENTS**

K. **ADJOURNMENT**

L. **INFORMATIONAL ITEMS**

1. Parks & Recreation Midmonth Report – November 2023

There being no further business before the Parks & Recreation Commission, the meeting was adjourned at 6:53 p.m.

I certify the above represents accurate minutes of the Parks & Recreation Commission meeting of January 4, 2024.

Meghan Thibodeau
Deputy City Clerk

DRAFT

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
DECEMBER 27, 2023 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on December 27, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeff Twait, Chair
Gwen Woodard
Diane Fikes

Joe Halstead, Vice Chair
Jim Glendening
John Coston (*electronic participation*)

A quorum was present.

Absent:

Gary Greenberg

Also in attendance were:

Linda Mitchell, Planning Director
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

MOTION:

Vice Chair Halstead **MOVED** to approve the agenda and consent agenda with the removal of item H.1 Requesting an Excused Absence for the December 27, 2023 Regular Meeting for Commissioner Fikes, as she was present. Commissioner Woodard **SECONDED** the motion.

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

Chair Twait opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.
There being no objection; **SO ORDERED**.

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of November 29, 2023

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2023-22** – Recommending Approval for Preliminary Plat – Sprucewood Glen Subdivision No. 11 for a Replat of Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10, and Tract F-1B, Sprucewood Glen Subdivision No. 3 in the General Commercial (CG) Zoning District.

MOTION:

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-22. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and explained that the applicant requested to merge three lots and then subdivide into two lots. Zoning and uses of lots were reviewed; staff recommended approval subject to the following condition:

1. Correct the note reference for (R3) to “Sprucewood Glen Subdivision No. 2, Plat 84-305”.

Chair Twait opened for public testimony.

Jason Young, the surveyor working on the project, introduced himself and noted he was available for questions.

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

Discussion ensued.

VOTE:

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

NAY: None

ABSENT: Greenberg

MOTION PASSED WITHOUT OBJECTION.

F. PUBLIC HEARINGS

1. **Resolution PZ2023-25** – Recommending Approval for a Variance Permit to Allow an Off-Premise Sign on a Property Located at 11631 Kenai Spur Highway in the Central Mixed Use (CMU) Zoning District.

MOTION:

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-25. Commissioner Woodard **SECONDED** the motion.

Director Mitchell presented her staff report with information in the packet, explaining that the applicant requested a variance permit for an off-premise sign. Clarification was provided that the applicants are owners of the property south of the sign, and the location of the site has created visibility limitations for the tenant business operating on this property that this sign would help to alleviate. The criteria for variance permits were reviewed, and approval of the variance was recommended with the following conditions:

1. Applicant(s) must comply with all federal, State of Alaska, and local regulations.

2. The off-premise sign must be located a minimum 20-foot setback from the northeast corner and 10-foot setback from the street frontage along Kenai Spur Highway.
3. Prior to the installation of an off-premise sign on City-owned property, the applicant(s) must obtain approval from the City of Kenai City Council.
4. Applicant(s) must obtain a sign permit issued by the Building Official.

Chair Twait opened for public hearing.

Applicant Jason Yeoman read a letter from his tenants, the owners of Odyssey Family Practice, in support of the resolution.

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

There was discussion regarding how road locations had changed since the structure on this property was built in the 1960s; that this sign would make the business more visible and appealing to the public; that the medical family practice is currently the only tenant on the property; whether additional sign accommodations should be considered in case they property takes on additional tenants in the future; that the surrounding area is not residential so the sign lighting should not be a concern; and that a sign has already been ordered.

VOTE:

YEA: Halstead, Woodard, Glendening, Twait, Fikes

NAY: None

ABSENT: Greenberg

MOTION PASSED WITHOUT OBJECTION.

[Clerk's note: Commissioner Coston abstained from discussion and voting on Resolution PZ2023-25 pursuant to KMC 14.05.025(e)]

Chair Twait noted the 15-day appeal period.

Planning Director Mitchell noted that the applicant still required a special use permit approved by the City Council.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. ***Action/Approval** – Requesting an Excused Absence for the December 27, 2023 Regular Meeting – Fikes

Removed from the agenda and consent agenda.

I. REPORTS

1. City Council – No report.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the December 11, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
 - Thanked the Commission for attending the previous work session on the Comprehensive Plan and Historic Preservation Plan. Will provide a summary to comply with requirements for historic preservation grant funding.
 - The Kenai Peninsula Borough flood map update appeal period ends January 29th.

- A resolution to add a half-time Planning & Zoning staff member will go before Council on January 3rd.
- Adding new code enforcement software that will streamline letters and other documents; moving toward developing standard operating procedures for code enforcement.
- Commission review will be taking place in January, presented by the City Clerk.
- Working with the Kenai Peninsula Borough on the Safe Streets and Roads for All grant.
- Last meeting for Commissioners Glendening and Greenberg.

J. **ADDITIONAL PUBLIC COMMENT** – None.

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: January 10, 2024

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Woodard thanked the City for their snow removal services on Christmas Eve.

Vice Chair Halstead thanked staff for the work session and dinner.

Commissioner Coston noted that he looked forward to working on the Comprehensive Plan and Historic Preservation Plan.

Commissioner Glendening expressed appreciation for his time on the Commission.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 7:49 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of December 27, 2023.

Meghan Thibodeau
Deputy City Clerk



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Derek Ables, Airport Manager
DATE: December 26, 2023
SUBJECT: **Airport Mid-month Report December 2023**

PFAS testing- The testing took place as planned on December 15, 2023. Staff is now waiting on the results.

Ecologic Cart- This is a mobile test system for testing the accuracy of the foam systems on the ARFF trucks. Airport staff learned that these can be 100% funded through a grant. Once learning this Airport staff updated our CIP data sheets for this year and submitted it to the FAA. Several other airports have submitted for these in the state and been approved. CIP data sheets are the first step in obtaining Airport Improvement Grants. A Grant for the purchase of an Ecologic Cart is expected in FY24 and will not require a local match.

Snow Removal Equipment

In-house Activities

- On December 12th the airport held a meet and greet. The turnout was good and the meeting was extended. It was a good start in building a positive connection with the citizens and tenants that care about the airport.
- Operations and management worked on updating Digicast Training groups. This is the training program the airport uses to maintain compliance with part 139.
- The Airport Security Plan was updated to reflect the changes in personnel.
- The Part 26 DBE goals were updated
- An RFP was created for security services at the airport. This is scheduled to be advertised early in the new year. The current security provider's contract expires on February 28th, 2024.

- Airport management, administration, and operations worked closely together to recreate a document that is used to track the status of equipment. We also made the change of adding several author's with access.
- The Airport Manager and admin assistant finished the ASC training and were added to the Transportation Vetting Portal.
- Avis won the 6th annual Christmas tree decorating contest by 2 votes with almost 200 people participating.
- The Part 23 DBE goals were also updated and received.





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: Terry Eubank, City Manager
THROUGH: Dave Ross, Police Chief
FROM: Jessica “JJ” Hendrickson, Animal Control Chief
DATE: January 4, 2024
SUBJECT: December 2023 Monthly Report

This month the Kenai Animal Shelter took in **21** animals. Animal intake and disposition:

DOGS:				
	INTAKE	16	DISPOSITION	11
	Waiver	9	Adopted	5
	Stray	6	Euthanized	4
	Impound	1	Claimed	2
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	0	Other Dispositions	0
CATS:				
	INTAKE	5	DISPOSITION	22
	Waiver	1	Adopted	15
	Stray	4	Euthanized	7
	Impound	0	Claimed	0
	Protective Custody	0	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	0	Other Dispositions	0

OTHER ANIMALS:				
INTAKE	0	DISPOSITION	0	
Guinea Pig	0	Rabbit	0	
Rabbit	0	Bird	0	
Other	0	Guinea Pig	0	
DOA:	2	OTHER STATISTICS:		
Dog	1	Licenses (City of Kenai Dog Licenses)	74	
Cat	1	Rabies Clinic	0	
Rabbit	0			

- 0 Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 22 Field Investigations & patrols
- 0 Volunteer Hours Logged
- 0 Citations
- 0 Educational Outreach
- 1 Microchip
- Total Animal Contacts:
- 3 Animals are *known* borough animals
- 14 Animals are *known* City of Kenai
- 2 Animals are *known* City of Soldotna
- 0 Animals are *unknown* location

- Statistical Data:
- 603 2021 YTD Intakes
 - 467 2022 YTD Intakes
 - 522 2023 YTD Intakes





MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: January 10, 2024

SUBJECT: Finance Department, December 2023 Mid-month Report

The department is focused on finalizing the preparation of the City's Annual Comprehensive Financial Report. This process includes closing of the FY23 financial records, fiscal year end grant reporting, completion of the annual Audit and finally financial statement preparation. We continue to provide documentation to the auditors as requested.

The IT staff are working on resolving issues with internet connectivity at Vintage Pointe, the City's 40 unit senior housing facility.

We are looking forward to our new Controller who will be joining our team on February 12th.

Preparation for the FY25 annual budget has begun. On January 3rd we held the FY25 budget work session with the City Council to establish our goals for FY25, the resolution will be introduced in the January 17th Council meeting. The finance budget calendar is completed and attached for your review.

CITY OF KENAI
FY 2025 BUDGET PREPARATION CALENDAR

Date	Facilitator	Action
December 19	Public Works Director	Fiscal Year 2025 – 2029 Capital Plan Work session.
December 29	HR Director	New personnel/position reclassification requests to HR Director.
January 2	City Manager & Finance Director	FY2025 Budget Goals work session.
January 3	City Council	FY2025 Budget Goals work session.
January 9	Public Works Director	Resolution adopting the Fiscal Year 2025 – 2029 Capital Plan to City Clerk.
January 17	City Council	FY2025 Budget Goal adopting resolution.
January 17	City Council	Public hearing on Resolution 2024-XX to adopt the Fiscal Year 2025 – 2029 Capital Plan.
January 31	City Manager & Finance Director	Budget guidance and submission requirements provided to department heads with preparation packets.
February 14	Department Heads	Overtime and temporary staffing salary and benefits requests to HR Director.
February 14	Department Heads	Department budget narratives due to Finance.
February 14	Department Heads	Department operational budget submission due to Finance.
February 21	HR Director	Overtime and temporary staffing salary and benefits requests to Finance.
February 21	Department Heads	Department Special Project requests due to Finance.
February 28	Finance Director	Revenue estimates to City Manager
March 1	Finance Director	Personnel salary and benefits totals to City Manager.
March 6	City Manager	City Manager approval of salary and benefits.
March 8	Finance Director	Consolidated operational budget submitted to City Manager.
March 8	Finance Director	Consolidated Special Project requests submitted to City Manager.
March 25 – March 29	City Manager, Finance Director & Department Heads	Department budget meetings with City Manager.
April 17	Mayor & City Manager	State of the City address
April 17	Finance Director	Draft budget distributed to Council.
April 17 – May 4	City Manager, Finance Director & Department Heads	Budget work session. Meeting date to be determined by Council.
May 9	Finance Director	Budget Ordinance to City Clerk for May 15 Council packet.
May 15	Finance Director	Introduction of Budget Ordinance.
May 23	Finance Director	Mill Rate Resolution to City Clerk for June 5 Council packet.
May 24	Finance Director	Publish notice of public hearing to adopt FY25 Budget.

CITY OF KENAI FY 2025 BUDGET PREPARATION CALENDAR

June 5	City Council	Public hearing and adoption of Budget Ordinance
June 5	City Council	Public hearing and approval of Mill Rate Resolution (Must be provided to KPB by 6/15).
June 26	Finance Director	Publication & distribution of Budget document.



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: John Harris, Deputy Chief (Acting Fire Chief)

DATE: January, 9, 2024

SUBJECT: Fire Department Mid-Month Report – December

For December we experienced a 2% call volume increase, in regard to a 2022/2023 comparison. This was slightly less than our annual call volume increase of 3%. During the month of December, the Kenai Fire Department issued 5 separate mutual aid requests to neighboring fire departments for an ambulance response, as all available KFD personnel were engaged in other emergency responses.

December	2022	2023	% change
Month totals	152	155	2.0%
EMS	118	122	3.4%
All Other	34	33	-2.9%
Year total	1550	1597	3.0%

Training:

- All KFD members attended QA / Run Reviews with Dr. Michael Levy.
- Nine (9) members of the department participated in AEMT training. A practical exam was held on January, 6th, 2024 at the Regional Fire Training Center.
- All KFD members completed their required ARFF training for December.
- C-shift continued to engage in various training with Kodi Shroll, the probationary firefighter assigned to their shift.

Projects/Grants:

- KFD members will perform a standby function at the upcoming Native Youth Olympics that will be held at Kenai Middle School on the dates of January 12th through the 14th.
- KFD members accompanied 4 KMS students to Arby's. These students were the winners of their annual Food Can Drive.
- All changes to the two new incoming ambulances have been arranged and approved.



MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Stephanie Randall, Human Resources Director
DATE: January 8, 2023
SUBJECT: Human Resources Activity – December 2023

Recruitment

Human Resources worked with the Parks and Recreation Department to actively recruit a Parks and Recreation Laborer and a Recreation Center Worker; and with the Police Department to recruit a Public Safety Dispatcher. Public Works hired a new Shop Mechanic who started the first week of December. The Police Department has hired a new Police Officer with a start date of January 9, 2024.

Safety/Training

In December there were a total of four accidents reported. Two accidents resulted in minor employee injury and one accident resulted in damage to City property. Only one Workers' Compensation claim was filed.

Special Projects

Human Resources worked with the Assistant to the City Manager to create a Recruitment Handbook for Department Heads and Supervisors. This Handbook outlines the process from the request to recruit for a position to making a job offer to a candidate.

Human Resources continued to work with Administration to collect comparable salary information for the compensation study. The consultant McGrath Human Resources Group is working with the City to complete the Classification and Compensation study.



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Katja Wolfe, Library Director

DATE: January 8, 2024

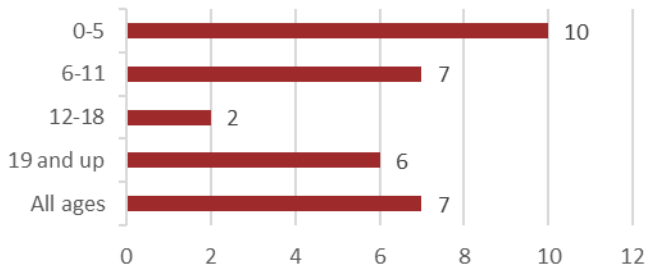
SUBJECT: Library Report for December 2023

DECEMBER 2023 AT A GLANCE

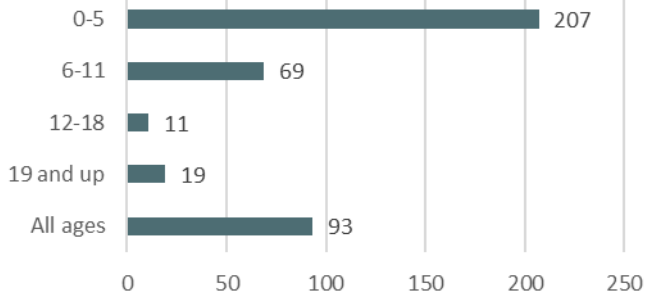
Items Borrowed	Dec-22	Dec-23	2023 YTD
Physical	5,614	5,371	78,565
Digital	1,409	1,847	20,402
Services			
New Memberships	38	49	706
Room Reservations	82	125	1,695
Programs			
Number of Programs	29	33	449
Program Attendance	303	399	7,406
Technology Sessions			
Computer sessions	386	479	6,304
WiFi Sessions	7,708	5,115	106,536

DECEMBER 2023 PROGRAMMING

Number of In-Person Programs per Age Group



Total Attendance per Age Group



HIGHLIGHTS

Kids

- 9 Story Times – 168 participants
- 3 Lego® Clubs – 46 participants
- 1 American Girl Club – 11 participants
- Little Crafts – 39 participants
- Nintendo Switch Club – 8 participants

Teens

- Teen Advisory Board—4 participants
- Outreach to Youth Facility—7 participants

Adults

- 5 Tech Times – 10 participants
- Soapmaking – 7 participants
- Author Meet and Greet – 9 participants

All Ages

- Caroling—12 participants
- 2 craft programs—55 participants
- Holiday Trivia—16 participants

DECEMBER 2023 SERVICE HIGHLIGHTS

- Our study and conference rooms were used by 125 individuals/groups for a total of 269 hours.
- We offered 3 Holiday-themed DIY kits. About 130 kits were handed out in total.
- Our Polar Bear Scavenger Hunt was a big success. An estimated 44 patrons participated in this passive program.
- New collection alert: We've launched our Lucky Day collection! This dynamic collection is a first-come, first-serve selection of popular titles that allows library visitors the chance to walk into the library and find a book that has a long waiting list. Books in the Lucky Day Collection cannot be placed on hold, so when you find and check out a book that you would normally have to wait weeks to get, it is your lucky day!





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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: January 8th, 2024

SUBJECT: **Mid-Month Report-December**

As the Holidays unfolded, the Parks and Recreation Staff continued to maintain a walking path at Municipal Park, grooming the ski trails at the golf course and, when the weather permits, maintaining Daubenseck Pond for ice skating.

In Partnership with the Senior Center, Library, and Parks and Recreation, the City of Kenai held a Day with Claus, which was breakfast with Santa and Mrs. Claus at the Senior Center, followed by stories with Mrs. Claus at the Library and at the end the day Ice Skating with Santa at Daubenseck Pond.

On December 21st, the Kenai Peninsula Outdoors Club hosted its 3rd annual Solstice Event at the Kenai Ski Trails, which raised money for Relay for Life and the American Cancer Society. Luminaire bags could be purchased to honor a survivor of cancer or someone who was lost. (see photo below.

Kenai MPF

Kenai Rec. Center Visits-December

Weight Room/Cardio Room	800
Racquetball	50
Walleyball	49
Shower/Sauna	0
Gymnasium	989
Other	0
Gym Rental Visits	1457
Total Number of Visits	4088

Skiing at the Solstice Event & Skating with Santa





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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Linda Mitchell, Planning Director

DATE: January 11, 2024

SUBJECT: **Planning and Zoning – December 2023 Monthly Report**

General Information

- Recruitment for a full-time Planning Technician is in progress.
- The City has selected a Code Enforcement web-based solution that offers a complaint and case management and public view functions with automations of notices and routing of complaints to appropriate departments. Only active cases will be entered into the case management. A go-live date is still to be determined based on staff’s availability during implementation.

Application Summary

Planning and Zoning did not receive any new applications, carried over 10 applications, and completed five (5) applications.

Staff conducted one (1) pre-application meeting in collaboration with the Fire Marshal, Building Official, and/or Public Works Director.

A Year in Review 2023



Code Enforcement and Compliance

In December, Planning and Zoning received six (6) new complaints, one (1) was outside of City limits, one (1) was a civil matter, and three (3) cases were closed. There is a cumulative total of 23 open cases.

Staff will start the implementation of the code enforcement solution in the upcoming month, which will generate reports. A report of code enforcement cases will be provided as an attachment in future mid-month reports.

A Year in Review 2023



Planning and Zoning Commission

A work session and a public meeting were held in the month of December.

- **Work Session** – Conducted an annual review of the Comprehensive Plan and Historic Preservation Plan.
- **Resolution PZ2023-22** – Recommended Approval for Preliminary Plat – Sprucewood Glen Subdivision No. 11 for a Replat of Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10, and Tract F-1B, Sprucewood Glen Subdivision No. 3 in the General Commercial (CG) Zoning District.
- **Resolution PZ2023-25** - Approved for a Variance Permit to Allow an Off-Premise Sign on a Property Located at 11631 Kenai Spur Highway in the Central Mixed Use (CMU) Zoning District.





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: January 4, 2024

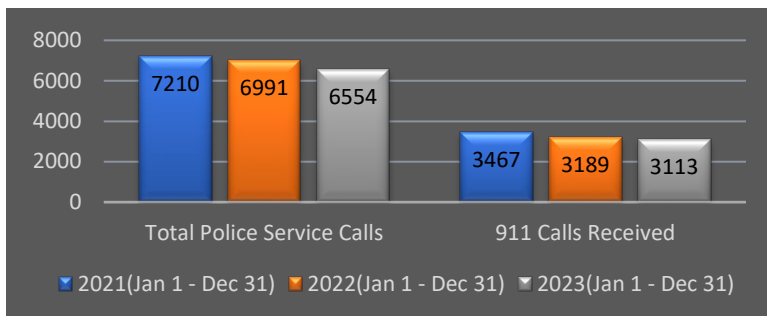
SUBJECT: **Police & Communications Department Activity – December 2024**

Police handled 448 calls for service in December. Officers made 32 arrests. Traffic enforcement resulted in 163 traffic contacts with 23 traffic citations issued and there were 3 DUI arrests. There were 31 reported motor vehicle collisions in December. Three of those collisions involved a moose and there were no collisions involving drugs or alcohol.

The Department has filled the police officer vacancy with an officer that will be attending the Sitka DPS Academy starting in January. One Dispatcher position remains vacant and recruitment for that position is underway.

One KPD supervisor attended a week long Internal Affairs class in Nevada. One officer attended a week long Hostage Negotiation class in Nevada. One new dispatcher continued in field training through the month of December. All officers attended training responding to simulated emergency events at Kenai City Hall and the Kenai Public Library.

Sgt. Ryan Coleman was accepted into the FBI National Academy, which is a training academy for law enforcement administrators. He will be attending ten weeks of training in Virginia, starting in January.





KENAI

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MEMORANDUM

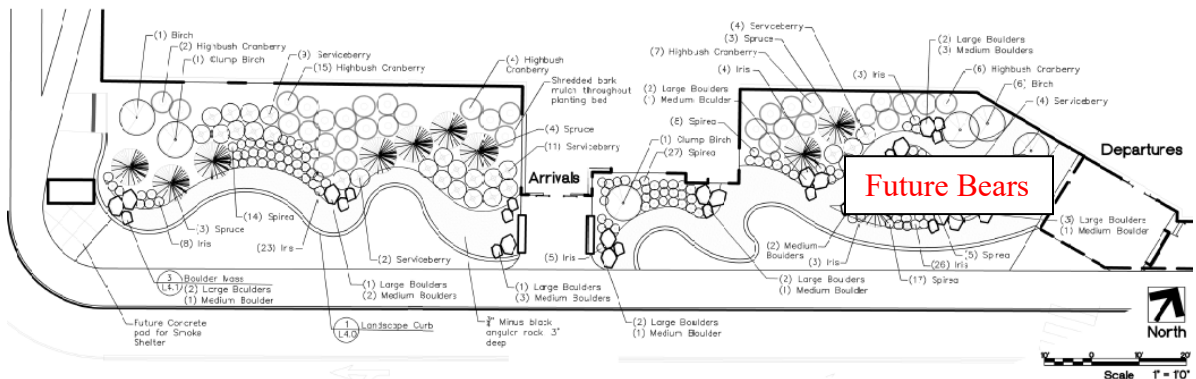
TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: January 2024
SUBJECT: **Mid-Month Report; Public Works / Capital Projects**

Airport Fund Projects:

- Kenai Municipal Airport Runway Rehabilitation Project – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provided an initial assessment of the current condition of the airport runway. This included geotech work, coring numerous locations of the runway. On August 4th, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13th, 2021 HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer’s Design Report (EDR) along with the draft Geotechnical Report. Ordinance 3278-2022 was approved on April 20th, 2022 to secure HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833. Project was stalled at 35% Design as Environmental Compliance requirements were being clarified. Project is currently tracking for Runway Rehab Construction in 2025 with the Taxiways 2026 the following year, however this may slide a year, dependent upon FAA funding. Staff meeting was held in Anchorage with FAA Counterparts to discuss project on 3/8/23. March 27, 2023 staff meeting with DEC to discuss path forward for design services. Project is now moving forward again with Environmental Services toward a 65% design effort. Council approved a purchase order increase to HDL Engineering at the June 7th, 2023 to allow the environmental work to move forward. Airport Manager and Public Works Director met with HDL on 8/9/23 and reviewed the environmental documents status. On October 6, 2023 received email confirmaton that DEC has approved the environmental work plan for the project. On November 1, 2023 council approved a PO increase to cover the costs associated with performing the work identified in the environmental work plan. Shannon & Wilson, the company performing these services is due to be on site December 15th, weather dependent. Engineers, Airport Operations, Flight Services, Terminal Tenants, have all been in communication in support of completing this work. *January 10th, 2024 awaiting final report from Shannon & Wilson.*



- Kenai Municipal Airport (KMA) Terminal Landscaping – Earthscape LLC currently working under a design agreement at a cost of \$28,255 has completed their contracted efforts. The bronze bear elements could be placed within the landscape in the area indicated below if and when funding comes available for their purchase and installation. The other elements of the work can be bid for installation in the spring of 2024. *Invitation to Bid documents are being prepped by staff for a formal release before the end of January 2024. Project is tracking to have a contract in place in March for a May / June construction.*



- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement – This project was released for RFP on July 19, 2022 with proposals due on August 16, 2022. MBA Consulting Engineers was the successful proposer awarded under Resolution 2022-63 approved by Council at the September 7, 2022 Council Meeting. Contract Documents were fully executed with MBA on October 31, 2022 for the contracted amount of \$47,726. November 10, 2022 will be the first site meeting with staff and engineering team. Design work is anticipated to continue through the winter months. 95% design documents were received on January 30, 2023. Project cost estimate is over budgeted amounts and staff is coordinating with design team to refine documents. Introducing Ordinance at the 8/16/23 council meeting to appropriate additional funding in support of the project. An FAA grant is in the process, meeting was held on 11/7/23 with HDL Engineering to provide a cost to perform the required environmental compliance services required with a grant application. Construction Documents are being revised to include grant funding requirements. The environmental document for this project is now complete, FAA grant funds are expected to be available in March 2024. Project will not be released for bids until we are directed to by the FAA.
- Kenai Municipal Airport (KMA) Apron Crack Seal and Seal Coat – Staff received a design proposal from HDL Engineering to evaluate and develop bid ready construction documents in support of this project. Staff is coordinating with the FAA on grant approval. Council approved Resolution 2023-64 at the November 1st, 2023 Council meeting which awarded the design to HDL Engineering. HDL staff was on site the week of November 6th evaluating existing apron conditions. Design will continue through the winter with Bid documents anticipated for March 2024.



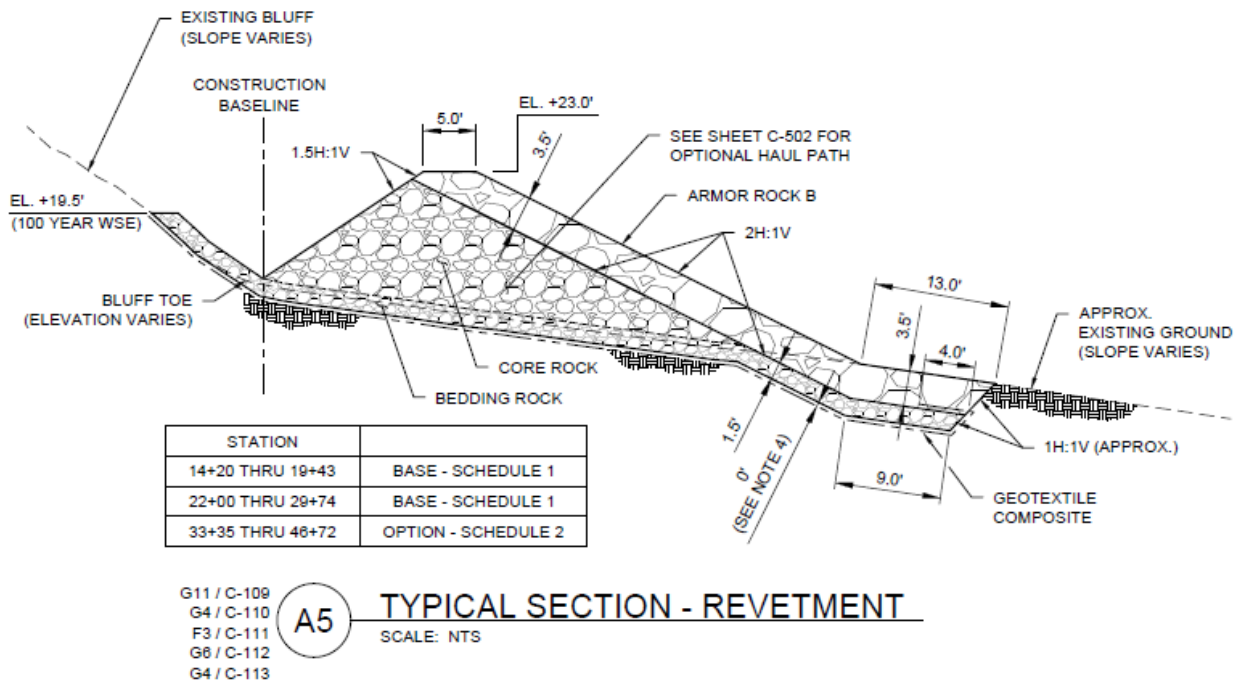
- *Kenai Municipal Airport (KMA) Master Plan Update – The City has applied for a Federal Aviation Administration grant to cover the costs associated with Phase 1 of a Master Plan update. HDL Engineering provided a proposal, which is under FAA review. Grant funding is not expected to be available until March through June 2024 time frame. Once available council can expect to see an Ordinance appropriating these funds, and then the work will begin. Time line for project is expected to last 12-24 months in total for two phases.*

General Fund Projects:

- USACE Kenai Bluff Bank Stabilization Project – This project encompasses approximately 5000 lineal feet of coastal bluff starting at the mouth of the Kenai river extending upriver along the northern river bank. The bluff in this area varies from 55'-70' above the toe. A protective armored rock berm with a crest elevation of approximately 12' in height is planned. The project is approaching execution of a Project Partnership Agreement (PPA) tentatively scheduled for September 25, 2023. Tentative release of an Invitation to Bid (ITB) for Construction is currently tracking for November 20, 2023. Construction is anticipated to continue through the 2024 & 2025 construction seasons. Milestones to date listed below.
 - Director's Report April 10, 2019 USACE approved Project Feasibility
 - Section 221 Agreement MOU July 7, 2020 allows City to conduct design prior to DA
 - Design Agreement (DA) September 14, 2020 executed but not federally funded
 - Section 221 Agreement MOU February 11, 2021 allows City to construct prior to PPA
 - Design Contract executed with HDR Engineering July 6, 2021
 - City's 35% Design submission submitted to USACE on January 25, 2022
 - City's 65% Design submission submitted to USACE on April 28, 2022
 - Preliminary Engineering Design (PED) funding arrives on May 17, 2022
 - Value Engineering (VE) Workshop held with USACE / Design team June 21-24, 2022
 - PED / Construction Federal Funding arrives July 28, 2022
 - Advanced Technical Review (ATR) begins October 3, 2022
 - City of Kenai receives FEMA notification of enrollment in National Flood Insurance Program December 19, 2022, a condition of receiving Federal funding.
 - Water Resources Development Act (WRDA 2022) late December 2022, this Bill has cost repercussions for the project which ultimately change the cost share between the City and USACE from 65% / 35% to 90% USACE / 10% City.
 - Project Cost Certification received January 27, 2023, confirming sufficient funding
 - USACE Headquarters Agreement draft PPA June 6, 2023 received by City
 - City provides USACE Financial Self-Certification in support of PPA June 15, 2023
 - City's 95% Design Submission after completion of all USACE back checks June 30, 2023
 - Project Partnership Agreement (PPA) was successfully signed on September 25, 2023!
 - *Received Real Estate Certification and Right of Entry Approval from USACE on November 3, 2023. This was a big step which allows for contracting to continue forward with the project.*
 - This project was formally released through USACE for Construction Bids on 11/29/23 with a Pre-Bid Meeting conducted on 12/12/23. Project is tracking towards bids being received in early January 2024.



- The Construction Bids due date is January 11th, 2024 at 2:00pm. USACE is expected to take two weeks to evaluate bids with results likely available toward end of the month. Tracking toward a construction contract award in March 2024.
- Diagram below is from the current set of drawings and represents a typical section of the revetment.



- Community Wildfire Prevention Plan (CWPP) Mitigation – This is Phase One of our mitigation efforts. Doug Koch Professional Tree Service was contracted with the City on February 28, 2023 in the amount of \$282,000 to mitigate 105 acres within the no name creek drainage extending from Redoubt Avenue down to the City’s North Beach through Municipal Park. To date the project has completed and invoiced \$218,764.45 of work. The project has proceeded well and remains on time and on budget. Final completion is anticipated within the next 60-90 days. Most of the remaining work involves hand felling of trees in steeper areas near the creek. *No new update.*
- Recreation Center Improvements – This project will replace the facilities roof system as well as numerous mechanical roof top HVAC units. Formal Invitation to Bid was released on February 23, 2023 with bids due on March 23, 2023. Orion Construction was the successful bidder with a total bid of \$1,425,700 as presented to Council through Resolution 2023-25 adopted at the April 5th, 2023 Council meeting. Construction will continue into the fall of 2023. Update: Mechanical HVAC Roof top units remain on order, expected in late December. Project is proceeding well and on schedule. Change Order 1 was executed on August 16, 2023 in the total amount of \$18,548.96, which included four items including replacement of the facilities electrical meter base at HEA’s request. *Total contract to date \$1,444,248.96 with \$135,366.75 remaining to be completed.*



- Multi-purpose Facility – The Building Maintenance Department completed all of the pressure washing and rust prevention coatings in house. That portion of the project was completed on time and on budget and allowed for ice to go back in on schedule. Staff continues to work on ventilation solutions as well as some UV Heat lamps to replace the natural gas heaters suspended from the ceiling near the seating areas. Once a scope of work is finalized by the department these additional items will be released for bids. Currently roughly \$71,000 of the \$155,000 in funding has been expended. A Proposal Quote Request (PQR) was released on June 30th with quotes due on July 13th. MBA Consulting Engineers was the only respondent at a cost of \$30,580. Design work will cover ventilation, lighting, bleacher radiant heating and will take place through November. Contract documents were fully executed on September 8, 2023. *Engineers are back onsite January 12th, 2024. Engineering design report expected toward end of month.*
- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. Cemetery Phase 2 Fencing was released for bids on July 26th with bids due on August 9th. Council will see legislation for a contract award at the August 16th, 2023 meeting. AAA Fence, Inc was the successful bidder at a cost of \$147,595, their contract was fully executed on September 8, 2023. *All fencing materials have now been installed, final closeout docs received and final invoices are in process for payment. Fence was installed as contracted, no changes to work necessary.* Staff will coordinate with Parks and Rec and the design team to finalize project needs for next year. Parking lot paving will not be completed until next construction season along with HEA power being brought into the property.
- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work for the dugouts. Design requirements are being discussed with the engineer, however this project is moving slowly as staff and engineer are heavily involved in other projects. Project will move forward shortly as staff time becomes available.
- Lilac Ln. Roadway Improvements – RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop bid ready construction documents for this project. Proposals are due on 8/28/23. Council will see legislation to award a professional services agreement at either the 9/6/23 or 9/20/23 council meeting. Design work will take place over the winter for a summer 2024 construction date. This project is located between the Spur Highway and Cook Inlet Dr. Resolution 2023-54 was approved by Council at the September 6, 2023 Council meeting. Nelson Engineering is now actively working on the project design. Test holes have been completed and a site survey is underway. Total contract for design is currently \$38,840. 35% design documents were received on 11/17/23 for staff review, project is continuing 65% design and is on track to be released for Construction bids in March 2024.



- Cemetery Creek Culvert Replacement - RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop 35% design documents for this project. Proposals are due on 8/28/23. This project is in coordination with the US Fish & Wildlife. Work involves replacement of several aging culverts with fish passage type culverts. 35% design documents will be used to apply for grant funding. Two proposals were received by the Department with PND Engineer's receiving the highest scoring proposal at a total cost of \$29,577. PND is now under contract. 9/28/23 a site meet was conducted with PND, City staff, & US Fish & Wildlife to discuss and review the project. 10/11/23-10/12/23 surveyors are on site developing an existing conditions field survey. Coordination with the USFW on grant funding opportunities is underway. On November 13, 2023 staff received the draft Hydrologic and Hydraulic (H&H) Report from PND Engineers. On December 1, 2023 the complete draft 35% design documents were received. On December 8, 2023 meeting with USFW, Engineering team and PW staff was held to review the documents. USFW have requested some additional information to be included in the design above our contracted scope of work with PND Engineers. On December 12, 2023 we received an amendment request of \$4,838 to cover the costs associated with the additional work. The additional design effort will extend the final deliverable into the mid-January 2024. These documents we will use to apply for grants in the first quarter of 2024. The project is proceeding well and as expected. *The costs associated with Amendment 1 will be covered with Silver Salmon derby funds, council will see an appropriation Ordinance in February to acquire these funds. Documents will be provided to the Kenaitze and Salamatof tribes to assist with grant opportunities.*
- Community Wildfire Prevention Plan (CWPP) Mitigation Phase Two – Doug Koch Professional Tree Service was the low bidder on this project that was released for bids on November 1, 2023 with bids due on November 29, 2023. His bid in the amount of \$177,700 to mitigate 84.75 acres within the Cemetery Creek drainage extending from Float Plane Basin down to the Lee Shore Center. Resolution 2023-67 is in the 12/20/23 Council Packet to award the project. Work will continue throughout the next year.

Water & Sewer Fund Projects:

- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 95%. Design is finally approaching completion. Challenges with our current SCADA team required some changes to different lift station controllers which has now been resolved. *Supplemental funding will be needed to*



complete these three locations, staff is working on finalizing those estimated costs, with upcoming legislation to be expected. Construction expected for summer 2024.

- Wastewater Plant Digester Blowers Replacements – HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski’s office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding. May 5th a Community Grants Webinar was held to discuss the pending grant requirements, the Public Works Director and HDL Engineering participated in the webinar. Consultants are reviewing requirements and hope to have the design moving forward shortly. Project will not be able to be bid until funding formally arrives. *Design team is actively working with granting agency. Construction expected for summer 2024.*
- Water Treatment Plant Pumphouse – This project will construct a new pumphouse building and provide replacement distribution pumps for the City’s Water System. On August 1, 2023 received letter that the State of Alaska Department of Environmental Conservation (ADEC) has awarded the City of Kenai a \$1,200,000 loan through the state’s revolving fund program and that the loan would receive 100% forgiveness in support of this project. Resolution 2023-56 was approved by Council at the September 20, 2023 Council Meeting to allow access to these funds. Staff is working on grant application requirements. Ordinance 3384-2023 is being introduced 12/20/23 to move funding into place for the design work to proceed. *Ordinance has now been approved and design agreement is in negotiation with HDL Engineering.*
- WWTP & WTP Electronic Access Gate & Controls – On August 13, 2023 HDL Engineering provided a proposal under their term agreement to begin design work on the Electronic Access Gates projects at both the Water and Wastewater Plants. The project identified as Task 13 under their agreement has a proposed design cost of \$24,902. Design work will continue over the winter months for construction to take place summer 2024. *HDL working under purchase order 127771 is now actively working on this project.*



Senior Citizens Fund Projects:

- Senior Center Front Entry Modifications – Capital Project Manager is developing scope of work for this project to address operation of automatic entry doors.

Congregate Housing Fund Projects:

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. Design work will continue into the winter with a construction bid release expected at the end of the first quarter 2023. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. RSA Engineering is under contract and is expected to start design in early January 2023. On February 3, 2023 RSA Engineering provided draft 65% Design Documents. Staff is currently reviewing. Engineering has a planned site visit for February 15, 2023 scheduled. We are anticipating bid documents being ready for an April Construction Bid release. 100% Design Documents were received from the RSA Engineering on April 14th. Council approved Resolution 2023-30 on May 3rd to reallocate funds for the project. Invitation to Bid was released on August 2, 2023 with bids due on August 23, 2023. Council approved Resolution 2023-53 at the September 6, 2023 meeting which awarded construction agreement to Orion Construction in the total amount of \$503,850. Contract has now been executed and submittals are actively in progress in support of the project. Boiler work is not expected to take place until spring when work will be less impactful on residents. *No new update, projects remains on time and on budget. Materials have been ordered and are awaiting delivery which is still several months out.*

Other Projects Information:

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. Reached out to DOT staff on September 13, 2023, no new information provided at this time.
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the



end of January. Update: Formal kickoff meeting took place on March 30th with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available. Update: A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on 6/7/22. On June 29, 2022 the City Manager & Public Works Director met with DOT representatives and discussed projects. State funding continues to be an issue. Reached out to DOT staff on September 13, 2023, no new information provided at this time.





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Kathy Romain, Senior Center Director
FROM: Astrea Piersee, Administrative Assistant III
DATE: January 2, 2023
SUBJECT: December 2023 Monthly Report

In December, the Kenai Senior Center welcomed a flurry of festive activities that added to the anticipation of holiday adventures. Participants of all ages, from seniors to tots, relished a delightful breakfast with Santa Claus. A cherished highlight was a road trip to Bethlehem where seniors embraced the cold weather while participating in outdoor festivities. Breaking away from the usual holiday routine, a delightful addition this year was a holiday fondue party. Attendees indulged in a variety of items both savory and sweet, dipped in delicious fondue. To conclude the month, seniors gathered for a celebratory lunch and entertaining talent show. The festivities continued into the afternoon with games, marking a joyful New Years Eve for all.

	2023	2022
Home Delivered Meals	1916	2024
Individuals	83	93
Dining Room (Congregate) Meals	1386	835
Individuals	161	128
Transportation (1-way rides)	247	133
Individuals	23	18
Grocery Shopping Assistance	18/35	14/25
Writers Group	31	21
Caregiver Support Group	7	6
Growing Stronger Exercise	290	219
Tai Chi Class	53	51
TOPS Weight Loss Class	46	29
Bluegrass & Music Sessions	103	84
Card Games	139	87
Wii Bowling	41	47
Arts & Crafts	43	42
Total Event Sign-ins *	1990	1833
Individuals *	176	181
Vintage Pointe Manor Vacancies	1	2

*(not including home meals clients)