



## Kenai City Council - Regular Meeting

June 21, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

**\*\*Telephonic/Virtual Information on Page 4\*\***

### 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. 3357-2023** - Amending Kenai Municipal Code Section 23.55.045 to Establish an Annual Tool Allowance for Classified Employees Required to Furnish their Own Standard Working Tools. (Administration)
2. **Ordinance No. 3358-2023** - Increasing Estimated Revenues and Appropriations in the General Fund to Provide Supplemental Funding for the Parks and Recreation Utilities Budget. (Administration)
3. **Ordinance No. 3359-2023** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund to Provide Supplemental Funding to the 2023 North Willow Street Roadway Improvements, 2023 First Avenue Roadway Repairs, and 2023 Miscellaneous Roadway Repairs Projects. (Administration) [*KMC 1.15.070(d)*]
  1. Motion for Introduction
  2. Motion for Second Reading (Requires a Unanimous Vote)
  3. Motion for Enactment (Requires Five Affirmative Votes)
4. **Resolution No. 2023-44** - Approving a Twelve-Month Extension of Time for Good Cause for the Completion of Permanent Improvements for a Lease Between the City of Kenai and Soar International Ministries, Inc., for Airport Reserve Lands Described as Tract A-1 of General Aviation Apron Subdivision No. 7. (Administration)

- [5.](#) **Resolution No. 2023-45** - Authorizing Renewal of the City's Property, Liability, Workers' Compensation, Airport and Other Ancillary Policies with the Alaska Municipal League Joint Insurance Association for July 1, 2023 through June 30, 2024. (Administration)
- [6.](#) **Resolution No. 2023-46** - Authorizing a Contract Award to Supply Operational Chemicals for the City's Water Treatment and Wastewater Treatment Facilities. (Administration)
- [7.](#) **Resolution No. 2023-47** - Authorizing a Contract Award for Street Light Repairs and Maintenance with Utility Locate Services. (Administration)

#### F. **MINUTES**

- [1.](#) \*Regular Meeting of June 7, 2023. (City Clerk)

#### G. **UNFINISHED BUSINESS**

- [1.](#) **Resolution No. 2023-40** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 N. Willow Street Roadway Improvements Project. (Administration) *[Postponed at the 06/07/23 meeting to the 06/21/23 meeting]*
  - **Substitute Resolution No. 2023-40** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 North Willow Street Roadway Improvements Project. (Administration)
- [2.](#) **Resolution No. 2023-41** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 First Avenue Roadway Repairs Project. (Administration) *[Postponed at the 06/07/23 meeting to the 06/21/23 meeting]*
  - **Substitute Resolution No. 2023-41** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 First Avenue Roadway Repairs Project. (Administration)
- [3.](#) **Resolution No. 2023-42** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 Miscellaneous Roadway Repairs Project. (Administration) *[Postponed at the 06/07/23 meeting to the 06/21/23 meeting]*
  - **Substitute Resolution No. 2023-42** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 Miscellaneous Roadway Repairs Project. (Administration)

#### H. **NEW BUSINESS**

- [1.](#) \***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) \***Action/Approval** - FY2023 Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
- [3.](#) \***Action/Approval** - FY2024 Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
- [4.](#) \***Action/Approval** - Third Amendment to the Agreement for Janitorial Services with Reborn Again Janitorial Services. (Administration)
- [5.](#) \***Action/Approval** - Assignment and Assumption of Lease Agreement of Lot 1A FBO Subdivision, South Addition and Lot 2A1 FBO Subdivision, South Addition No. 2 to Schilling Rentals, LLC. (Administration)
- [6.](#) \***Action/Approval** - Non-Objection to the Renewal of a Recreational Site Liquor License for Peninsula Oilers Baseball Club Inc., DBA Peninsula Oilers – License No. 846 (City Clerk)

- [7.](#) \***Action/Approval** - Non-Objection to the Renewal of a Beverage Dispensary Liquor License for George Pitsilionis, DBA Pizza Paradisos – License No. 3032 (City Clerk)
- [8.](#) \***Action/Approval** - Non-Objection to the Renewal of a Package Store Liquor License for Carr-Gottstein Food Co., DBA Oaken Keg #1808 – License No. 3218 (City Clerk)
- [9.](#) \***Ordinance No. 3360-2023** - Accepting and Appropriating a Grant Received through Maddie’s Fund to the Kenai Animal Shelter for the Care of Animals. (Administration)
- [10.](#) \***Ordinance No. 3361-2023** - Accepting and Appropriating Fiscal Year 2023 Funds from the 2022 Community Assistance Program, Passed through the State of Alaska, Department of Commerce, Community, and Economic Development for National Floodplain Insurance Program Training. (Administration)
- [11.](#) \***Ordinance No. 3362-2023** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds to Provide Supplemental Funding for the Kenai Municipal Airport’s Sand Storage Facility Project and Authorizing a Contract Amendment for Professional Services. (Administration)
- [12.](#) \***Ordinance No. 3363-2023** - Amending Kenai Municipal Code Sections 14.20.330 - Standards for Commercial Marijuana Establishments, and 14.22.010 - Land Use Table, to Establish a Minimum Standard for Public Notification for Commercial Marijuana Establishments and Prohibit Limited Marijuana Cultivation Facilities in Residential Zoning Districts. (Douthit and Baisden)

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

**Join Zoom Meeting**

<https://us02web.zoom.us/j/81792332527>

**Meeting ID:** 817 9233 2527 **Passcode:** 110734

OR

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

**Meeting ID:** 817 9233 2527 **Passcode:** 110734



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3357-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE SECTION 23.55.045 TO ESTABLISH AN ANNUAL TOOL ALLOWANCE FOR CLASSIFIED EMPLOYEES REQUIRED TO FURNISH THEIR OWN STANDARD WORKING TOOLS.

WHEREAS, certain City of Kenai employees at the City Shop are required to provide their own standard working tools to meet the requirements of their positions; and,

WHEREAS, the City currently pays directly for some new and replacement tools while employees are required to provide others; and,

WHEREAS, the use of a tool allowance is a common industry practice as most mechanics are required to bring their own tools upon being hired into a mechanic position; and,

WHEREAS, Human Resources worked with the Public Works Director and City Shop Foreman to clarify what standard tools employees and prospective employees would be required to bring to the job and recommended an annual tool allowance to defer the cost of those tools; and,

WHEREAS, an annual tool allowance of \$1,500 for employees required to furnish their own standard working tools is comparable to allowances offered at other places of public employment and is in the best interest of the City of Kenai.

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

**Section 1.** Enactment of Section 23.55.045 of Kenai Municipal Code: That Kenai Municipal Code, Section 23.55.045 – Tool Allowance is hereby enacted as follows:

**23.55.045 Tool Allowance**

Employees required to furnish their own standard working tools in the City Shop will be paid an annual tool allowance of \$1,500. Two equal payments will be made in July and January. Unclassified employees or employees who are provided all tools are not entitled to a tool allowance.

**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 21<sup>ST</sup> DAY OF JUNE, 2023.

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Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Introduced:	June 7, 2023
Enacted:	June 21, 2023
Effective:	July 21, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Stephanie Randall, HR Director  
Scott Curtin, Public Works

**DATE:** May 30, 2023

**SUBJECT:** **Ordinance 3357-2023 – Establish an Annual Tool Allowance**

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The purpose of this memo is to recommend the approval of Ordinance 3357-2023, which would establish an annual tool allowance of \$1,500.00 for employees at the City Shop who are required to furnish their own standard working tools as part of their position requirement.

The City currently pays directly for some new and replacement tools while employees are required to provide others. The use of a tool allowance is a common industry practice as most mechanics are required to bring their own tools upon being hired into a mechanic position. Human Resources worked with the Public Works Director and the City Shop Foreman to clarify what tools employees would be required to bring to the job and recommended an annual tool allowance to defer the cost of those tools. A \$1,500 tool allowance is comparable to other places of public employment and consistent with the practices of the State of Alaska. The City would continue to purchase and provide specialty tools necessary for specific City equipment.

Similar to the City's Uniform Allowance, the tool allowance would be paid biannually in two equal payments in July and January, and sufficient funds are included in the proposed FY2024 budget.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3358-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND TO PROVIDE SUPPLEMENTAL FUNDING FOR THE PARKS AND RECREATION UTILITIES BUDGET.

WHEREAS, the Recreation Utilities budget will require an estimated 18% additional funding by the end of FY2023; and,

WHEREAS, in the months when the Multi-purpose facility (MPF) was in operation, the MPF utility costs were 20% to 30% higher when compared to previous years; and,

WHEREAS, the utility bill has not fluctuated significantly in the three years before FY2023; and,

WHEREAS, the significant wear and tear on the compressors, which can cause higher electrical use in this building, are the likely cause for this increase; and,

WHEREAS, performing regular maintenance on the compressors and no longer providing summer ice should reduce these costs in the future; and,

WHEREAS, the Parks and Recreation Department can cover half of these costs by budget transfer from other accounts; and,

WHEREAS, the Parks and Recreation Department will need an appropriation from the general fund of \$20,000 to cover the remainder of utility costs.

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

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

General Fund:

Increase Estimated Revenues	
Appropriation of Fund Balance	<u>\$20,000</u>
Increase Appropriations	
Parks & Recreation	
Utilities	<u>\$20,000</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 21<sup>ST</sup> DAY OF JUNE, 2023.

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

ATTEST:

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

Approved by Finance:



Introduced: June 7, 2023  
Enacted: June 21, 2023  
Effective: June 21, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Tyler Best, Parks and Recreation Director

**DATE:** May 30, 2023

**SUBJECT:** **Ordinance 3358-2023 – Appropriation of Funds to Cover Utility Costs in Excess of Budgeted Amounts**

Over the last year, the monthly Parks and Recreation utility bills have increased significantly. The main reason is increased power usage at the Multi-Purpose Facility (MPF). There has not been a significant change in utility costs for several years. However, in FY23, there has been a 20-30 percent increase in utility costs at the MPF.

This increase will put the budgeted Recreation Utility amount over by an estimated 18% by the end of the fiscal year. Internally the Parks Department can transfer funds to cover half of the increase in cost. However, the funds will still be an estimated 9% over budget.

An estimated \$20,000 will be needed to balance the budget for FY23.

The estimated revenues and appropriations will be increased as follows:

General Fund:

Increase Estimated Revenues	
Appropriation of Fund Balance	<u>\$20,000</u>
Increase Appropriations	
Parks & Recreation	
Utilities	<u>\$20,000</u>

The reason for the increase is not explicitly known at this time. There have been many issues with the compressors this year, and wear and tear on the equipment has continued to be significant over the last several years with the use of summer ice. No longer providing summer ice and performing regularly scheduled maintenance on the compressor should help keep costs down for future years.

Thank you for your consideration.



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Tyler Best, Parks and Recreation Director

**DATE:** June 13, 2023

**SUBJECT:** **Supplemental information for Ordinance 3358-2023 – Appropriation of Funds to Cover Utility Costs in Excess of Budgeted Amounts**

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The original memo for this Ordinance stated that the main reason for the increase in utility bills was not explicitly known. After further review, the main reason for the increase was the addition of Summer Ice.

In the FY23 budget, funding for utilities at the Multi-Purpose Facility (MPF) was reduced during the summer months because it was determined there would be no summer ice. However, youth leagues came to the City shortly after the budget passed asking the City to install summer ice since both the City of Soldotna and the City of Kenai were not planning to provide ice until October. The City agreed to add ice for the Months of August and September, but no additional funds were added to help cover the increased costs of utilities for these two months.

No longer providing summer ice and performing regularly scheduled maintenance on the compressor should help keep costs down for future years.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3359-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND AND MUNICIPAL ROADWAY IMPROVEMENTS CAPITAL FUND TO PROVIDE SUPPLEMENTAL FUNDING TO THE 2023 NORTH WILLOW STREET ROADWAY IMPROVEMENTS, 2023 FIRST AVENUE ROADWAY REPAIRS, AND 2023 MISCELLANEOUS ROADWAY REPAIRS PROJECTS.

WHEREAS, the City of Kenai released the 2023 N. Willow St. Roadway Improvements, 2023 First Avenue Roadway Repairs, and 2023 Miscellaneous Roadway Repairs projects for construction bids on May 18, 2023 with bids due on June 1, 2023; and,

WHEREAS, the lowest bids received on all three projects were in excess of the budgeted and engineer's estimated amounts; and,

WHEREAS, additional appropriations are required to award contracts for construction; and,

WHEREAS, appropriation of these funds and completion of these projects at this time is in the best interest of the City as inflationary costs are expected to continue to rise over the coming year and it is unlikely these projects would receive lower bids at a later date; and,

WHEREAS, due to the time constraints associated with completing these projects this summer season, staff is requesting introduction and approval of this Ordinance at the same meeting on June 21<sup>st</sup>, 2023; and,

WHEREAS, pursuant to KMC 1.15.070 (d) the City may introduce and finally pass on the same day, an ordinance making, repealing, transferring or otherwise changing an appropriation.

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>\$274,000.00</u>

Increase Appropriations –	
Transfer to Municipal Roadway Improvements Capital Fund	<u>\$274,000.00</u>

Municipal Roadway Improvements Capital Fund:

Increase Estimated Revenues –	
Transfer from General Fund	<u>\$274,000.00</u>

Increase Appropriations –	
2023 N. Willow St. Roadway Improvements - Construction	\$95,000.00
2023 First Avenue Roadway Repairs - Construction	87,000.00
2023 Miscellaneous Roadway Repairs - Construction	<u>92,000.00</u>

Total	<u>\$274,000.00</u>
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**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 21<sup>ST</sup> DAY OF JUNE, 2023.

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

ATTEST:

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

Approved by Finance: 

Introduced: June 21, 2023  
Enacted: June 21, 2023  
Effective: June 21, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** June 14, 2023

**SUBJECT:** **Ordinance 3359-2023 – Supplemental Funding in Support of Municipal Roadway Improvement Projects**

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This Ordinance is intended to provide supplemental funding in support of the Municipal Roadway Improvement Projects that were released for bids on May 18<sup>th</sup> with bids due on June 1<sup>st</sup>, 2023. The three projects including N. Willow St Roadway Improvements which extends from the intersection of Granite Point St. to just past the driveway entrance at 525 N. Willow for the Department of Forestry's leased lot; First Street repairs extending from the intersection at N. Spruce to Birch St; and Miscellaneous Roadway Repairs which will repair settled asphalt areas in nine different locations around the city.

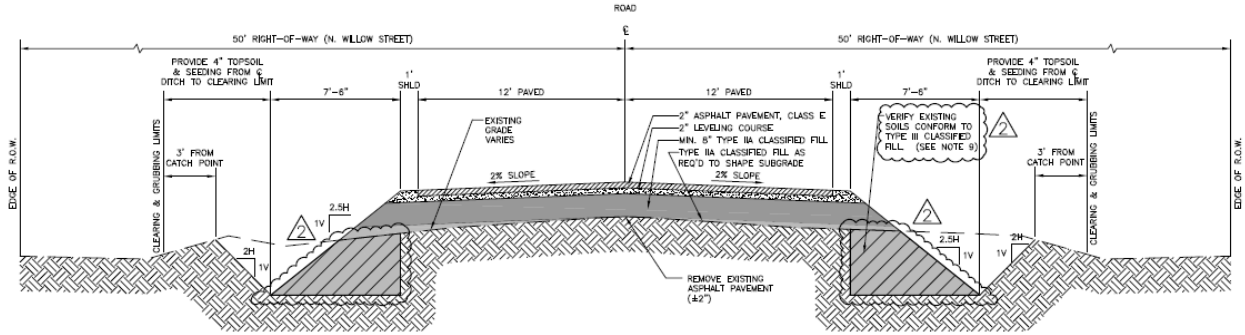
Bids for all three projects came in higher than anticipated and were in excess of our engineer's estimates. Upon review of the bids, looking at recent bids received by the Kenai Peninsula Borough and the City of Soldotna, as well as review of the State's Department of Labor Davis Bacon wages, it is clear that the inflationary environment is increasing costs for everyone. This coupled with a lack of competition here on the Peninsula continues to drive prices up. There simply is not enough firms with the manpower and resources to maintain a healthy vendor pool here.

Understanding that inflation continues to persist, it is unlikely that these costs would be lower by waiting to bid until next spring. Wages as example, have risen 7% from April 1<sup>st</sup>, 2022 – April 1, 2023 according to the Department of Labor Title 36 Pamphlet 600 which regulates government wages for work on government contracts in excess of \$25,000. I believe wages may see another 7% increase next April, which will only further impact the costs of these projects.

This Ordinance is requesting an additional \$274,000 so all three projects can move forward with completion dates within this construction season. Based on the urgency of the short construction season we are also requesting the Ordinance is introduced and heard at the same meeting, to allow the Contractors the greatest amount of time to successfully complete the work.

The Public Works Department in coordination with our design teams will work on getting these projects out earlier in the year, extending bid times, and attempting to reach out to more bidders in an effort to increase interest in our projects. With that said I do believe award of these projects

at this time remains in the best interest of the City. Council's approval for the additional funding is respectfully requested.



Cross Section of N. Willow Dr.



First Street typical damaged areas





**B**  
**C2** **INTERSECTION LOCATIONS - VIP SUBDIVISION**  
GRAPHIC SCALE: 1" = 200' (22X34); 1" = 400' (11X17)

Five of the Misc. Repair locations within the VIP Subdivision







Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-44**

A RESOLUTION APPROVING A TWELVE-MONTH EXTENSION OF TIME FOR GOOD CAUSE FOR THE COMPLETION OF PERMANENT IMPROVEMENTS FOR A LEASE BETWEEN THE CITY OF KENAI AND SOAR INTERNATIONAL MINISTRIES, INC., FOR AIRPORT RESERVE LANDS DESCRIBED AS TRACT A-1 OF GENERAL AVIATION APRON SUBDIVISION NO. 7.

WHEREAS, Resolution No. 2021-37 approved a lease between the City of Kenai and SOAR International Ministries, Inc. for Tract A-1 of General Aviation Apron Subdivision No. 7; and,

WHEREAS, the lease requires the lessee to construct an approximately 120 foot by 180 foot hangar facility for aircraft storage and maintenance, an aircraft ramp and tie-down area, and parking no later than June 30, 2023 with an aggregate cost of at least \$2,000,000; and,

WHEREAS, the lessee has requested a 12-month extension to complete the improvements due to market challenges related to construction costs and material availability in a timely manner; and,

WHEREAS, KMC 21.10.080(g)(5) allows the Council to extend the time for completion of permanent improvements required in a lease for up to twelve months for good cause; and,

WHEREAS, market conditions related to construction material costs and the ability to secure steel structures in Alaska constitute good cause justifying a twelve-month lease extension.

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

**Section 1.** That the City Council agrees to amend the lease with SOAR International Ministries, Inc. for Tract A-1, General Aviation Apron Subdivision No. 7 to extend the date that improvements are required to be completed to June 30, 2024 for good cause as described above. The Council further authorizes the City Manager to execute a lease amendment with SOAR International Ministries, Inc. to effectuate the extension.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** June 13, 2023

**SUBJECT:** **Resolution 2023-44 – SOAR International Ministries, Inc. Lease Extension**

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Due to market conditions which have driven construction costs and challenges of material availability, SOAR International Ministries, Inc. has not begun the physical construction process in the preceding two years since lease inception. SOAR International Ministries, Inc. has requested a 12-month extension to complete their required improvements on Tract A-2 of General Aviation Apron (GAA) Subdivision No. 7 under Resolution 2021-37 (see request letter).

The request for a 12-month extension is consistent with KMC 21.10.080(g)(5). Similarly, to the recent request by Schillings, if a building is ordered in a reasonable timeframe but cannot reasonably be delivered or erected in the additional one year period, Administration would be supportive of a future non-code ordinance allowing additional time to complete the project if justified.

Thank you for your consideration.

**Attachment**  
Request Letter  
Resolution 2021-37



May 22, 2023

City of Kenai  
210 Fidalgo Avenue  
Kenai, Alaska 99611

To Whom it may concern:

SOAR International Ministries would like to request a 12-month extension for the completion of improvements on Tract A-2, GAA Subdivision No.7 (209 N. Willow Street) as outlined in Resolution 2021-37. This extension request has been necessitated due to the effects of the Covid 19 virus on the metal building industry, the construction industry, and the economy in general. A good example of what we have been up against is our current remodel project of the old Kenai Fabric Center building at 115 North Willow Street. The material and labor costs have more than doubled since the project began at the beginning of Covid 19. We ordered our first metal hangar building in the summer of 2022 and it looks like we will be fortunate if it is delivered by the fall of 2023. The cost of this building has also doubled since we began our project.

It is SOAR's intention to continue to move ahead with our originally proposed FBO development. We are updating our feasibility study and seeking additional sources of funding so that we can still complete this project in a timely manner even with the substantially increased costs and the challenges of material availability. We believe that this FBO is a critical need for the Kenai Municipal Airport and that SOAR can meet that need.

Respectfully yours,

A handwritten signature in black ink that reads "Richard Page". The signature is written in a cursive, flowing style.

Richard Page  
Director, SOAR International Ministries



Sponsored by: Administration

**CITY OF KENAI**

**RESOLUTION NO. 2021-37**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING AN AMENDMENT TO A LEASE OF AIRPORT RESERVE LANDS USING THE STANDARD LEASE FORM BETWEEN THE CITY OF KENAI AND SOAR INTERNATIONAL MINISTRIES, INCORPORATED, FOR TRACT A-2, GENERAL AVIATION APRON SUBDIVISION NO.7.

WHEREAS, on July 1, 2019, SOAR International Ministries, Inc., (SOAR) submitted an application to lease City owned properties within the Airport Reserve, described as the undeveloped portion of Tract A, General Aviation Apron Number 2; and,

WHEREAS, SOAR's lease application states plans to construct a hangar facility for aircraft storage and maintenance; a connecting office facility, an aircraft ramp and tie-down area, and parking, an investment that gives a lease term of 45 years according to the term table in Kenai Municipal Code 21.10.080; and,

WHEREAS, the proposed development would be mutually beneficial and would conform with the Kenai Municipal Code for zoning, Kenai's Comprehensive Plan, the Airport Land Use Plan, Airport Layout Plan, Federal Aviation Administration regulations, Airport Master Plan, Airport Improvement Program grant assurances, and Airport operations; and,

WHEREAS, the City of Kenai did not receive a competing lease application within thirty (30) days of publishing a public notice of the lease application from SOAR; and,

WHEREAS, at their regular meeting on August 14, 2018, the Planning and Zoning Commission reviewed the lease application and recommended approval by the City Council; and,

WHEREAS, at their regular meeting on August 8, 2018, the Airport Commission reviewed the lease application and recommended approval by the City Council; and,

WHEREAS, the Kenai City Council approved a 45-year lease with Soar International Ministries for Tract A-2, General Aviation Apron Subdivision No. 7 to be used as a hangar with office space; and,

WHEREAS, a 6-month application extension was granted by Kenai City Council on August 19, 2020 with an expiration date of February 21, 2021; and,

WHEREAS, a lease was delivered to Soar International Ministries on February 19, 2021; and,

Resolution No. 2021-37  
Page 2 of 3

WHEREAS, a lease extension was approved by the City Manager to Soar International Ministries until June 19, 2021; and,

WHEREAS, Soar International Ministries requested an amendment to the approved lease execution resolution on May 4, 2021 to construct the 100 foot by 110 foot connecting office facility, with an aggregate cost of \$1,500,000, to be completed no later than June 30, 2025, two years later than the other required improvements; and,

WHEREAS, at their regular meeting on May 12, 2021, the Planning and Zoning Commission reviewed the requested lease amendment and recommended approval by the City Council; and,

WHEREAS, at their regular meeting on May 13, 2021, the Airport Commission reviewed the requested lease amendment and recommended approval by the City Council; and,

WHEREAS, approval of the requested amendment to the lease is in the best interest of the City.

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

**Section 1:** That a Lease of Airport Reserve Lands as amended is approved and the City Manager is authorized to execute a lease between the City of Kenai, Lessor, and SOAR International Ministries, Incorporated, Lessee, as follows:

**REQUIRED IMPROVEMENTS:** At no cost to the City, Lessee agrees to complete land development and construction of Permanent Improvements including prepare site for construction and construct an approximately 120 foot x 180 foot hangar facility for aircraft storage and maintenance, an aircraft ramp and tie-down area, and parking, by no later than June 30, 2023, with an aggregate cost of at least \$2,000,000.00, excluding financing costs. In addition to the as-built drawings required by this Lease, the Lessee must submit to the City written evidence that the Lessee has completed the land development and constructed improvements on the Premises with an aggregate cost or investment of not less than \$2,000,000.00. The evidence of cost must be submitted to the City within sixty days of the completion of the development and improvements, but by no later than August 29, 2023.

At no cost to the City, Lessee agrees to complete land development and construction of Permanent Improvements including prepare site for construction and construct an approximately 100 foot x 110 foot connecting office facility, by no later than June 30, 2025, with an aggregate cost of at least \$1,500,000.00, excluding financing costs. In addition to the as-built drawings required by this Lease, the Lessee must submit to the City written evidence that the Lessee has completed the land development and constructed improvements on the Premises with an aggregate cost or investment of not less than \$1,500,000.00. The evidence of cost must be submitted to the City within sixty days of the completion of the development

and improvements, but by no later than August 29, 2025.

Lot developments will prevent unauthorized access to the airfield;

Structures will be built behind the 100 foot building restriction line;

The relocation of the airport perimeter fence will allow aircraft full access to the proposed aircraft ramp and tie down area;

Paving will be completed up to the existing transient aircraft apron pavement;

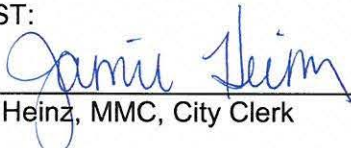
SOAR is responsible for all snow removal, and snow may not touch the perimeter security fence or be piled to a height that would allow access to the airport.

**Section 2:** The lease must be executed and returned by Soar International Ministries, Inc. by June 19, 2021.

**Section 3:** That this resolution takes effect immediately upon passage.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 2nd day of June, 2021.

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

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





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-45**

A RESOLUTION AUTHORIZING RENEWAL OF THE CITY’S PROPERTY, LIABILITY, WORKERS’ COMPENSATION, AIRPORT AND OTHER ANCILLARY POLICIES WITH THE ALASKA MUNICIPAL LEAGUE JOINT INSURANCE ASSOCIATION FOR JULY 1, 2023 THROUGH JUNE 30, 2024.

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WHEREAS, with the assistance of its broker, the City solicited quotes for General Liability & Automobile, Property & Mobile Equipment, Airport Liability, and Workers’ Compensation from the two public entity risk pools operating in Alaska; and,

WHEREAS, Alaska Municipal League Joint Insurance Association (AMLJIA) provided the lowest total quote of \$789,920 for General Liability & Automobile, Property & Mobile Equipment, Airport Liability, and Workers’ Compensation; and,

WHEREAS, the City has been a member of Alaska Municipal League Joint Insurance Association (AMLJIA) since July 1, 2020 receiving competitive rates and quality insurance coverage for the City; and,

WHEREAS, maintaining quality and sufficient amounts of insurance coverage is in the best interest of the City and its residents.

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

**Section 1.** That the City Council authorizes the City Manager to renew the City’s insurance coverage for FY2024 with AMLJIA for an estimated annual premium of \$789,920.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

\_\_\_\_\_  
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:** Lana Metcalf, Controller

**DATE:** June 12, 2023

**SUBJECT:** **Resolution 2023-45 - Authorizing renewal of the City's Property, Liability, Workers' Compensation, Airport and other ancillary policies with the Alaska Municipal League Joint Insurance Association.**

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Each year the City goes through a process of renewing its property, liability, workers' compensation, airport, and other ancillary insurance coverages. As part of the renewal process, the City obtained quotes through its insurance broker, including quotes from Alaska Municipal League Joint Insurance Association (AMLJIA) and Alaska Public Entity Insurance (APEI).

The quote from AMLJIA was for a total of \$789,920 and the quote from APEI was for a total of \$897,770. The Finance Department, with the assistance of the City's broker, determined that the rates and the insurance offered by AMLJIA for FY24 are in the best interest of the City and recommend renewing coverage with AMLJIA. In addition, AMLJIA has provided the City's insurance coverage since July 1, 2020 and has provided satisfactory coverage.

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-46**

A RESOLUTION AUTHORIZING A CONTRACT AWARD TO SUPPLY OPERATIONAL CHEMICALS FOR THE CITY'S WATER TREATMENT AND WASTEWATER TREATMENT FACILITIES.

WHEREAS, the City of Kenai annually contracts for the purchase of various chemicals in support of the water treatment and wastewater treatment plants; and,

WHEREAS, an Invitation to Bid for these chemicals for FY2024 was released on June 1, 2023 with Bids due on June 15, 2023; and,

WHEREAS, the following bids were received:

	Water Treatment Plant	Wastewater Treatment Plant			
Vendor	Sodium HypoChlorite (32) Totes	(3) 3000lb Tote Sodium Bisulfite	Sodium HypoChlorite (13) Totes	(50) 50lb bags Hydrated Lime	(10) 55gal drums of Clarifloc C-6276 polymer
Cascade Columbia – Total Bid \$115,919.00	\$72,160.00	\$10,800.00	\$30,459.00	\$2,500.00	N/A
Univar Solutions – Total Bid \$105,070.47	\$69,361.92	\$5,431.77	\$28,178.28	\$2,098.50	N/A
Brenntag – Total Bid \$86,722.10	<b>\$56,231.04</b>	<b>\$5,968.80</b>	<b>\$22,678.76</b>	<b>\$1,843.50</b>	N/A
PolyDyne Inc. – Total Bid \$14,175.00	N/A	N/A	N/A	N/A	<b>\$14,175.00</b>

; and,

WHEREAS, four bids were received by the City with Brenntag found to be the lowest responsive responsible bidder for the sodium hypochlorite, sodium bisulfite and hydrated lime with a total combined bid in the amount of \$86,722.10 and PolyDyne Inc. was found to be the lowest responsive responsible bidder for the WWTP Clarifloc C-6276 Polymer at a total bid of \$14,175.00; and,

WHEREAS, these contract awards will allow both plants to continue to operationally meet the City's regulated permit requirements, and this award is in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a contract award and corresponding purchase order to Brenntag in the amount of \$86,722.10 and PolyDyne Inc in the amount of \$14,175.00 to provide operational chemicals for the water treatment and wastewater treatment plants from July 1<sup>st</sup>, 2023 through June 30, 2024.

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

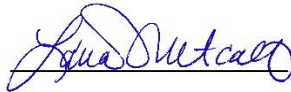
PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

\_\_\_\_\_  
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:** Scott Curtin, Director of Public Works  
**DATE:** June 14, 2023  
**SUBJECT:** Resolution 2023-46 – Chemicals for FY2024

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This memo requests Council's approval for a contract award to supply and deliver operational chemicals for the City's Water Treatment and Wastewater Treatment Facilities. These chemicals allow the Water & Sewer Department to safely treat the City's drinking water and to sanitize the effluent leaving the wastewater plant into Cook Inlet waters.

Chemicals that continue to be purchased through this annual agreement include sodium hypochlorite as a sanitizing agent, sodium bisulfite to remove chlorination prior to discharging effluent into Cook Inlet waters, lime to adjust ph in the digester, and polymer for dewatering of wastewater sludge.

Of note this year we are making some changes from a dry polymer used in our sludge belt press at the City's wastewater plant to a liquid emulsion polymer to be used with our new sludge screw press which is anticipated to be operational in July 2023.

A formal Invitation to Bid was released on June 1st with Bids due on June 15th with Brenntag found to be the lowest responsive responsible bidder for the sodium hypochlorite, sodium bisulfite and hydrated lime with a total combined bid in the amount of \$86,722.10 and PolyDyne Inc. was found to be the lowest responsive responsible bidder for the WWTP Clarifloc C-6276 Polymer at a total bid of \$14,175.00. Combined operational chemicals for the year will total \$100,897.10.

Chemicals continue to be an expensive operational cost for the utility. We competitively bid them annually, with FY23 actual costs of \$126,060.50 and FY22 actual costs of \$85,841.08. The FY2024 budget included \$125,500 for these chemicals between the water and wastewater facilities.

Staff continues to seek operational efficiencies to get the most out of chemicals while remaining within in our permitting requirements.

Council's approval is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-47**

A RESOLUTION AUTHORIZING A CONTRACT AWARD FOR STREET LIGHT REPAIRS AND MAINTENANCE WITH UTILITY LOCATE SERVICES.

WHEREAS, the City of Kenai annually contracts for street light repairs and utility locate services; and,  
WHEREAS, an Invitation to Bid for these services for FY2024 was released on June 1, 2023 with Bids due on June 15, 2023; and,

WHEREAS, the following bids were received:

Company	Bid
Kachemak Electric	\$56,330

; and,

WHEREAS, Kachemak Electric was found to be the lowest responsive and responsible bidder with a total bid in the amount of \$56,330; and,

WHEREAS, the bids provide unit pricing for these services, with an initial contract established to account for 300 utility locates, 30 light assessments, and \$20,000 of force account to cover actual costs of repair materials; and,

WHEREAS, actual services may vary based on the City's needs and demands for these services. Costs paid to contractor will only be for services received.

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

**Section 1.** That the City Manager is authorized to execute a contract award and corresponding purchase order to Kachemak Electric in the amount of \$56,330 for street light repairs and maintenance with utility locate services.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

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

ATTEST:

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

Approved by Finance:



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** June 14, 2023

**SUBJECT:** **Resolution 2023-47 – Service Contract to Provide Street Light Repair and Maintenance Services**

The purpose of this memo is to request Council’s approval to award a service contract and issue of a Purchase Order to Kachemack Electric in the amount of \$56,330 to provide street light repair and maintenance services as well as utility location services on an as needed basis through Fiscal Year 2024 ending June 30<sup>th</sup>, 2024. This is an annually budgeted service.

The Public Works Department released a formal Invitation to Bid on June 1, 2023 with bids due on June 15, 2023. The ITB requested per unit costs for initial assessment of inoperable street lights, labor for minor repairs like bulb and photocell replacements with materials to be billed at actual costs, Labor costs for line break repairs, and individual utility locate costs. Bid schedule as detailed below.

Description	Unit	Cost
<b>Street Light Repairs</b>		
Initial Assessment per light	Each Light	\$ 131.00
<u>Labor and Equipment</u> for minor repairs (Bulb, ballast, drivers, photo cell)	Each Light	\$ 187.00
<u>Labor and Equipment</u> for line break repair (Per line break not light, i.e. if one break disabled four lights, it’s still one repair.)	Each Break	\$ 1,888.00
Materials will all be at actual cost per supplier’s invoice for all repairs, any contractor markup to be included in unit prices above.		
<b>Force Account – City funds available for materials</b>		<b>\$20,000</b>
<b>Street Light Locates</b>		
Per individual locate request within 48 hours of notification	Each Request	\$ 108.00
<i>The successful low bidder will be determined by the following estimated work quantities: 300 Utility locates + 30 light assessments = total cost. Contractor with lowest Bid for that amount of work will be awarded contract. Contract will run through June 30<sup>th</sup>, 2024.</i>		
	<b>Total</b>	<b>\$ 36,330.000</b>

One bid was received by the Department with Kachemack Electric providing the lowest responsive responsible bid. The combined bid which includes 300 utility locates, 30 light assessments and the City's \$20,000 force account for materials totals \$56,330.

Award of this service contract and issuance of this Purchase Order to Kachemack Electric is in the best interest of the City, Council's support is respectfully requested.



KENAI CITY COUNCIL – REGULAR MEETING  
JUNE 7, 2023 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING

MINUTES

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on June 7, 2023, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Mayor Gabriel led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Brian Gabriel, Mayor  
Tea Winger  
Alex Douthit  
Henry Knackstedt

James Baisden, Vice Mayor  
Deborah Sounart  
Victoria Askin

A quorum was present.

Also in attendance were:

Terry Eubank, City Manager  
Scott Bloom, City Attorney  
Dave Ross, Police Chief  
Tyler Best, Parks & Recreation Director  
Linda Mitchel, Planning Director  
Eland Conway, Airport Manager  
Stephanie Randall, Human Resource Director  
Lana Metcalf, Controller  
Scott Curtin, Public Works Director  
Shellie Saner, City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

Add item E.1.

**Public Hearing – Ordinance No. 3353-2023**

- Amendment Memo - Human Resources
- Amendment Memo - Finance

Add item H.18.

**Discussion/Action - Kenai Peninsula Borough Ordinance 2023-11**

- KPB Ordinance 2023-11 Substitute

Add item P.1.

**Informational Items**

- Kenai Animal Shelter Animal Fair Flyer

**MOTION:**

Council Member Knackstedt **MOVED** to approve the agenda and consent agenda with the requested additions. Council Member Winger **SECONDED** the motion.

Mayor Gabriel asked if there were any additional revisions to the agenda or consent agenda.

**MOTION TO SUSPEND THE RULES:**

Council Member Knackstedt **MOVED** to suspend the rules and address agenda item H.16. amending an employment agreement between the City of Kenai and City Clerk, Michelle Saner to be heard after agenda item M. 1. Executive Session to review and discuss the City Clerk's evaluation. Council Member Winger **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to suspend the rules.

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

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

Mayor Gabriel 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 on approval of the agenda and consent agenda as amended.

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

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

**B. SCHEDULED ADMINISTRATIVE REPORTS - None.**

**C. SCHEDULED PUBLIC COMMENTS - None.**

**D. UNSCHEDULED PUBLIC COMMENTS**

Samantha Springer, Executive Director of the Kenai Chamber of Commerce & Visitor Center addressed the Council regarding "Lemonade Day" scheduled for June 10, 2023, and the 38<sup>th</sup> Annual Kenai Chamber of Commerce Fundraiser scheduled for June 24, 2023; and she encourage everyone to attend both events.

Marion Nelson, Board President of the Kenai Fine Art Center addressed the Council regarding the current exhibit "Making Her Mark"; working with the City Manager regarding updates to Old Town Park; and available funding for a storage unit.

Lindsay Burtoldo, addressed the Council regarding the Alaska State Board of Education and Early Developments meeting scheduled for June 8, 2023 at the Kenai Peninsula Borough Assembly Chambers; specifically addressing Agenda Item 13B - A Resolution to Preserve Opportunity for Student Athletes While Balancing Competitive Fairness, Inclusion and Safety for All who Compete.

**E. PUBLIC HEARINGS**

1. **Ordinance No. 3353-2023** - Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the Fiscal Year Commencing July 1, 2023 And Ending June 30, 2024 and Committing \$5,761,661 of General Fund, Fund Balance for Future Capital Improvements. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3353-2023. Council Member Sounart **SECONDED** the motion.

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



**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance 3353-2023 and the Fiscal Year 2024 Budget Document as follows:

Amend Ordinance No. 3353-2023, Section 5 as follows:  
Class Code 418 - Airport Operations Supervisor  
Increase the range from 20 to 21

Amend the FY24 Budget Document as follows:  
**Airport Airfield**, Special Revenue fund on page228  
Increase Salaries and Benefits by an additional \$7,156.

Vice Mayor Baisden **SECONDED** the motion.

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

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

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend the Fiscal Year 2024 Budget Document as follows:

**Fire**, General Fund on page 134  
Account Number 001-22-4536, Insurance  
Increase the proposed budget amount from \$59,928 to \$68,344

**Wastewater Treatment Plant**, Special Revenue Funds on page 216  
Account Number 010-67-4536, Insurance  
Increased the proposed budget amount from \$29,516 to \$35,726

**Airport Airfield**, Special Revenue Funds on page 228  
Account Number 008-62-0700, Workers Compensation  
Increase the proposed budget amount from \$5,785 to \$5,995

Account Number 008-62-4536, Insurance  
Increase the proposed budget amount from \$113,016 to \$124,187

**Senior Citizen Fund - Home Delivered Meals**, Special Revenue Funds on page 251  
Account Number 019-72-0700, Workers Compensation  
Increase the proposed budget amount from \$2,038 to \$2,064

**Congregate Housing**, Enterprise Funds on page 280  
Account Number 009-62-4536, Insurance  
Increase the proposed budget amount from \$18,886 to 22,472

For an overall increase of \$29,619 to the FY24 Budget Document.

Vice Mayor Baisden **SECONDED** the motion.

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

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

**MOTION TO AMEND:**

Council Member Knackstedt **MOVED** to amend Ordinance 3353-2023 as follows:

The Ordinance Title, the seventh Whereas clause and Section 3 by decreasing the amount from \$5,761,661 to \$5,648,285.

Section 2, funding appropriation table to read,

“General Fund	\$ [19,468,821] <u>19,477,237</u>
Enterprise Fund –	

Congregate Housing Fund	[723,685] <u>727,271</u>
Internal Service Funds:	
Equipment Replacement Fund	206,907
Fleet Replacement Fund	62,268
Employee Health Care Fund	<u>3,016,689</u>
Total Internal Service Funds	3,285,864
Special Revenue Funds:	
Personal Use Fishery Fund 494,446	
Water & Sewer Fund	[3,891,795] <u>3,898,005</u>
Airport Fund	[3,853,333] <u>3,871,870</u>
Senior Citizen Fund	<u>1,023,501</u>
Total Special Revenue Funds	[9,263,075] <u>9,287,822</u>
Permanent Funds:	
Airport Land Sale Permanent Fund	1,053,635
General Land Sale Permanent Fund	<u>138,209</u>
Total Permanent Revenue Funds	1,191,844
Capital Project Funds:	
Park Improvement	125,000
Kenai Recreation Center Improvement	75,000
Kenai Public Safety Improvement	100,000
Kenai Multipurpose Facility Improvement	100,000
Kenai City Hall Improvement	50,000
Municipal Roadway Improvement	180,000
Congregate Housing Improvement	150,000
Airport Operations Facility Improvement	50,000
Airport Terminal Improvement	50,000
Water & Sewer Improvement	400,000
Waste Water Treatment Plant	<u>300,000</u>
Total Capital Project Funds	1,580,000
Debt Service Fund – Library Expansion Bonds	<u>130,625</u>
Total All Funds	<u><u>\$[35,643,914]</u></u> <u>35,680,663</u>

Council Member Askin **SECONDED** the motion.

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

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

It was reported that the two amendments were requested for the purpose of providing an appropriate compensation structure for the Airport Operations Supervisor position; and the City received late notice our insurer that due to variances in insurance rates, AMJIA and APEI declined to offer the City a three-year contract with the associated discount.

There was discussion and concerns stated regarding revenues in the future maintaining at the level of expenditures; the changes were to address inflation; the City was still able to fund Capital Projects; and staff was thanked for all of their work on the budget.

**VOTE ON MAIN MOTION AS AMENDED:**

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

NAY: None

**MAIN MOTION AS AMENDED PASSED.**

2. **Ordinance No. 3354-2023** - Accepting and Appropriating Grant Funds from the Department of Justice Passed Through the Alaska Internet Crimes Against Children Task Force for the Purchase of Forensic Software. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3354-2023. Council Member Douthit **SECONDED** the motion.

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

It was reported that the software was primarily used with cell phones.

**VOTE:**

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

NAY: None

**MOTION PASSED.**

3. **Ordinance No. 3355-2023** - Amending KMC 13.10.015 - Minor Offense Fine Schedule, to Incorporate Prior Amendments to KMC 13.30.030 - Street Parking Prohibitions, and the Repeal of KMC 13.30.095 - Parking Prohibited on Kenai Avenue. (Legal)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3355-2023. Council Member Douthit **SECONDED** the motion.

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

**VOTE:**

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

NAY: None

**MOTION PASSED.**

4. **Ordinance No. 3356-2023** - Amending Kenai Municipal Code Title 23 - Personnel Regulations to Address Recruitment and Retention of Employees and Make Housekeeping Changes. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3356-2023. Council Member Askin **SECONDED** the motion.

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

Appreciation was stated for the staff and Human Resource Department for bringing this forward.

**VOTE:**

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

NAY: None

**MOTION PASSED.**

5. **Resolution No. 2023-38** - Fixing the Rate of Levy of Property Tax for the Fiscal Year Commencing July 1, 2023 and Ending June 30, 2024. (Administration)

**MOTION:**

Council Member Douthit **MOVED** to adopt Resolution No. 2023-38. Council Member Winger **SECONDED** the motion.

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

It was reported that the City has had the same mill rate for the last ten-years, which shows a stable tax environment for our residents and businesses.

**UNANIMOUS CONSENT** was requested.

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

- 6. Resolution No. 2023-39** - Amending the Comprehensive Schedule of Rates, Charges, and Fees to Incorporate Changes Included in the FY2024 Budget to Include Adjusting Airport Fees, Parks and Recreation Fees, City Dock Fees, Water Fees, Sewer Fees, Senior Center Fees, and Adjusting the Monthly Rental Rates at Vintage Pointe. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-39. Council Member Winger **SECONDED** the motion.

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

**UNANIMOUS CONSENT** was requested.

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

- 7. Resolution No. 2023-40** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 N. Willow Street Roadway Improvements Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-40. Council Member Sounart **SECONDED** the motion.

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

It was reported that the bids for this item and the next two closed on Thursday and all three bids exceeded the budget; the administration is reviewing those bids, available funding and options for moving forward; and the administration requested postponement of Resolutions 2023-40, 2023-41 and 2023-42 until June 21, 2023.

**MOTION:**

Council Member Knackstedt **MOVED** to postpone Resolution 2023-40 until the June 21, 2023 City Council meeting. Council Member Sounart **SECONDED** the motion.

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

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

- 8. Resolution No. 2023-41** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 First Avenue Roadway Repairs Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-41. Council Member Winger **SECONDED** the motion.

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

**MOTION:**

Council Member Knackstedt **MOVED** to postpone Resolution 2023-41 until the June 21, 2023 City Council meeting. Council Member Askin **SECONDED** the motion.

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

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

**9. Resolution No. 2023-42** - Authorizing a Construction Agreement and Corresponding Purchase Order for the 2023 Miscellaneous Roadway Repairs Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-42. Council Member Sounart **SECONDED** the motion.

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

**MOTION:**

Council Member Knackstedt **MOVED** to postpone Resolution 2023-42 until the June 21, 2023 City Council meeting. Council Member Winger **SECONDED** the motion.

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

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

**10. Resolution No. 2023-43** - Authorizing a Construction Agreement and Corresponding Purchase Order for the Kenai Fire Department Apparatus Bay Floor Refinishing Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-43. Vice Mayor Baisden **SECONDED** the motion.

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

It was reported that the previous flooring replacement projects were inside the staff area and this project was for the apparatus bay floors.

**UNANIMOUS CONSENT** was requested.

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

**F. MINUTES**

1. \*Regular Meeting of May 17, 2023. (City Clerk)

**G. UNFINISHED BUSINESS**

1. **Action/Approval** - Extending the Agreement for Tourism and Marketing Services with Divining Point, LLC for One Year. (Administration)

*[Clerk's Note: The motion to approve was on the floor from the May 17, 2023 regular City Council meeting.]*

It was reported that Diving Point LLC had sent a letter stating they did not want to extend the agreement; the administration requested the Council fail or postpone indefinitely the motion to extend.

**MOTION:**

Vice Mayor Baisden **MOVED** to postpone indefinitely the motion to approve the extension to the agreement for Tourism and Marketing Services with Diving Point, LLC for one year. Council Member Winger **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to postpone indefinitely.

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

## 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** - Confirming the Appointment of Lisa Gabriel to the Harbor Commission for a Partial Term Ending December 31, 2025. (Baisden)

Approved by the consent agenda.

4. **\*Action/Approval** - Special Use Permit to the Department of Natural Resources Forestry for Apron Space for Aircraft Loading and Parking. (Administration)

Approved by the consent agenda.

5. **\*Action/Approval** - Special Use Permit to Alaska Geographic for a Vending Kiosk in Terminal Space. (Administration)

Approved by the consent agenda.

6. **\*Action/Approval** - Special Use Permit to Alaska Air Fuel for Apron Space for Aircraft Loading and Parking. (Administration)

Approved by the consent agenda.

7. **\*Action/Approval** - Special Use Permit to Crowley Fuels for Apron Space for Aircraft Loading and Parking. (Administration)

Approved by the consent agenda.

8. **\*Action/Approval** - Special Use Permit to Empire Airlines for Apron Space for Aircraft Loading and Parking. (Administration)

Approved by the consent agenda.

9. **\*Action/Approval** - Special Use Permit to Everts Air Fuel for Apron Space for Aircraft Loading and Parking. (Administration)

Approved by the consent agenda.

10. **\*Action/Approval** - Special Use Permit to United Parcel Service Co., Inc. for Apron Space for Aircraft Loading and Parking. (Administration)

Approved by the consent agenda.

- 11. \*Action/Approval** - Special Use Permit for Weaver Brothers Inc. for Truck and Trailer Storage. (Administration)

Approved by the consent agenda.

- 12. \*Action/Approval** - Special Use Permit to Sherry Swafford for a Community Garden. (Administration)

Approved by the consent agenda.

- 13. \*Ordinance No. 3357-2023** - Amending Kenai Municipal Code Section 23.55.045 to Establish an Annual Tool Allowance for Classified Employees Required to Furnish their Own Standard Working Tools. (Administration)

Introduced by the consent agenda and Public Hearing set for June 21, 2023.

- 14. \*Ordinance No. 3358-2023** - Increasing Estimated Revenues and Appropriations in the General Fund to Provide Supplemental Funding for the Parks and Recreation Utilities Budget. (Administration)

Introduced by the consent agenda and Public Hearing set for June 21, 2023.

- 15. Action/Approval** - Extending the Facilities Management Agreement with the Kenai Chamber of Commerce for the Kenai Visitor and Cultural Center Facility Operations. (Administration)

*[Council Member Douthit declared a possible conflict with Extending the Facilities Management Agreement with the Kenai Chamber of Commerce for the Kenai Visitor and Cultural Center Facility Operations, as he is a member of the Kenai Chamber of Commerce Board of Directors. Mayor Gabriel ruled a conflict did exist and Council Member Douthit abstained from discussion and voting on the subject.]*

**MOTION:**

Council Member Knackstedt **MOVED** to approve extending the facilities management agreement with the Kenai Chamber of Commerce. Council Member Winger **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

**MOTION APPROVED**, without objection.

- 16. Action/Approval** - Amending an Employment Agreement between the City of Kenai and City Clerk, Michelle Saner. (Gabriel)

*[Clerk's Note: At the setting of the Agenda a motion to suspend the rules was approved and item H. 16. was scheduled to be heard after item M. 1.]*

- 17. Discussion/Action** - Scheduling a Special Meeting for June 29, 2023 for City Manager Evaluation (Gabriel)

A Special Meeting was scheduled for June 21, 2023 at 5:00 p.m.

- 18. Discussion/Action** - Kenai Peninsula Borough Ordinance 2023-11 - Amending Borough Code to Reduce the Number of Seats on the Planning Commission. (Legal)

It was reported that the City had requested postponement of Kenai Peninsula Borough (KPB) Ordinance 2023-11 to allow the Council time to weigh in on the matter after proposed amendments; however, the Assembly enacted the ordinance as it was amended to guarantee the City a seat on the Commission.

## **I. COMMISSION / COMMITTEE REPORTS**

### 1. Council on Aging

Council Member Sounart reported the June 8, 2023 meeting was cancelled, next meeting July 13, 2023.

### 2. Airport Commission

Council Member Askin reported the June 8, 2023 meeting was cancelled, next meeting July 13, 2023.

### 3. Harbor Commission

Council Member Douthit reported the June 12, 2023 meeting was cancelled, next meeting August 7, 2023.

### 4. Parks and Recreation Commission

Council Member Knackstedt reported the June 1, 2023 meeting was cancelled, next meeting August 3, 2023.

### 5. Planning and Zoning Commission

Council Member Douthit reported on the May 18, 2023 Joint Work Session with Beautification and on the May 24, 2023 meeting.

### 6. Beautification Committee

Council Member Winger reported the next meeting is September 12, 2023.

## **J. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Attending the Avenue of Flags and speaking at Leif Hanson Park on Memorial Day.
- Attending a quarterly meeting of the Mayors of the Kenai Peninsula Borough, organized by KPB Mayor Micciche.
- Attending the Return of the Reds event and the Kenai Art Center Exhibit.
- Provided information regarding the Food Drive competition between the City's of Kenai and Soldotna.

## **K. ADMINISTRATION REPORTS**

### 1. City Manager - City Manager Eubank reported on the following:

- Receipt of the PPA for the Bluff Erosion Project; estimated construction would be in 2024 and 2025 with a one-year warranty.
- Attending the Return of the Reds Event.
- Dog Park update.
- Store Front Improvement application packets were now available.
- Park Strip playground equipment installed.
- Preparations were underway for the Personal Use Fishery.
- Annual Air Fair would take place on Saturday
- Introduced the new Parks & Recreation Director Tyler Best.
- Kick off meeting for the Old Town Playground project.
- KPB holding a meeting on the Flood Plain Maps.
- A subdivision installation agreement with Clint Hall was signed, the subdivision will have 31 lots.



- Working with KPB to address stumps in the slash site.
  - Land donation to the Boys and Girls Club has been completed.
  - Update on the Wildwood Drive project.
2. City Attorney – No report.
  3. City Clerk – City Clerk Saner reported on the following:
    - International Institute of Municipal Clerks Annual Conference in Minneapolis, Minnesota.

#### L. ADDITIONAL PUBLIC COMMENTS

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

Council Member Douthit reminded everyone about the upcoming Chamber Fundraiser; reported he would be absent at the June 21, 2023 meeting; and volunteered to fill in for Vice Mayor Baisden at the June 14, 2023 Planning and Zoning Commission meeting.

Council Member Sounart congratulated new Parks and Recreation Director Best; thanked Planning Director Mitchell for the Store Front Improvement packets; and noted the Dog Park was coming along nicely.

Council Member Askin congratulated new Parks and Recreation Director Best; reported attending the Memorial Day Services; and thanked Planning Director Mitchell for the Store Front Improvement packets.

Council Member Winger offered her condolences to the family of Bob Summers, noting he had been a teacher at Kenai Middle School for the last 25-years; she thanked the Kenai Fire Department for donating Fire Truck rides; congratulated new Parks and Recreation Director Best; thanked Officer Trevor Miller for 25-years of service; reminded everyone of the upcoming Kenai Animal Shelter Animal Fair this weekend; and that entry registrations for the Fourth of July Parade were still available.

Vice Mayor Baisden offered his condolences to the family of Bob Summers and noted it was his 37<sup>th</sup> Wedding Anniversary.

Council Member Knackstedt congratulated new Parks and Recreation Director Best; reminded everyone of this weekends Air Fair; and reported that volunteers had repaired the leaks on the roofs of the historic cabins.

#### M. EXECUTIVE SESSION

1. Review and Discussion of the City Clerk's Evaluation Which May be a Subject that Tends to Prejudice the Reputation and Character of the City Clerk [AS 44.62.310(C)(2)].

##### **MOTION:**

Council Member Knackstedt **MOVED** to enter into executive session to review and discuss the annual evaluation of the City Clerk which may be a subject that tends to prejudice the reputation and character of the City Clerk. Ms. Saner has elected to have the discussion take place in executive session. The executive session will include Mayor Gabriel, City Council Members and City Clerk Saner. Vice Mayor Baisden **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

##### **MOTION:**

Council Member Knackstedt **MOVED** to reconvene into regular session. Council Member Winger **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

*[Clerk's Note: Council entered into executive session at 7:48 p.m. and reconvened into regular session at 7:57 p.m.]*

Council reconvened in open session and reported that Council met in executive session with the City Clerk to discuss her evaluation and discussion was successful.

H. 16. **Action/Approval** - Amending an Employment Agreement between the City of Kenai and City Clerk, Michelle Saner. (Gabriel)

**MOTION:**

Council Member Knackstedt **MOVED** to approve the employment agreement between the City of Kenai and City Clerk, Michelle Saner. Council Member Askin **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

**N. PENDING ITEMS**

**O. ADJOURNMENT**

**P. INFORMATIONAL ITEMS - None.**

There being no further business before the Council, the meeting was adjourned at 7:58 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of June 7, 2023.

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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.*



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-40**

A RESOLUTION AUTHORIZING A CONSTRUCTION AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2023 N. WILLOW STREET ROADWAY IMPROVEMENTS PROJECT.

WHEREAS, a formal Invitation to Bid was released on May 18, 2023 with bids due on June 1, 2023 for the 2023 N. Willow St. Roadway Improvements project which extends from the intersection with Granite Point St. to 525 N. Willow St, just past the Forestry Service’s driveway; and,

WHEREAS, the project area extends approximately 3600 linear feet and involves milling asphalt, raising of gravel base, resurfacing of asphalt paving, culvert and drainage ditch line work; and,

WHEREAS, the following bids were received by the City:

Bidders	Bid

; and,

WHEREAS, \_\_\_\_\_ was found to be the lowest responsive and responsible bidder; and,

WHEREAS, award to \_\_\_\_\_ is in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a construction agreement with \_\_\_\_\_ in the amount of \$\_\_\_\_\_ for the 2023 N. Willow St. Roadway Improvements Project.

**Section 2.** That the City Manager is authorized to issue a corresponding purchase order to \_\_\_\_\_ in the total amount of \$\_\_\_\_\_, which includes \$\_\_\_\_\_ in contingency funding in support of the project.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 7<sup>TH</sup> DAY OF JUNE, 2023.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** May 30, 2023

**SUBJECT:** **Resolution 2023-40 – 2023 N. Willow St. Roadway Improvements Project**

This memo seeks Council’s approval to award a construction contract for the 2023 N. Willow St. Roadway Improvements Project. The project was formally released for bids on May 18<sup>th</sup>, with bids due on June 1<sup>st</sup>. The following bids were received:

Bidders	Total Bid

\_\_\_\_\_ was found to be the lowest responsive and responsible bidder with a total bid cost of \_\_\_\_\_. It is the Department’s recommendation that award to \_\_\_\_\_ is in the best interest of the City.

The project, as detailed in the attached map, extends from Granite Point to just past the Forestry Service’s lot located at 525 N. Willow St. The project area from Granite Point to Airport Way, which has concrete curb and gutter will largely be milled and paved, with the areas extending further down N. Willow receiving grade adjustments to address drainage issues. Driveway approaches and drainage culvert are also included with this work.

The majority of the roadway dates from 1980, south of the tower. With the section north of the tower dating to 1985. The most prominent damages are the result of the roadways inability to shed water, which this project will rectify.

Work is expected to take place this summer with completion before winter sets in.

Council’s support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-40 (SUBSTITUTE)**

A RESOLUTION AUTHORIZING A CONSTRUCTION AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2023 NORTH WILLOW STREET ROADWAY IMPROVEMENTS PROJECT.

WHEREAS, a formal Invitation to Bid was released on May 18, 2023 with bids due on June 1, 2023 for the 2023 N. Willow St. Roadway Improvements project which extends from the intersection with Granite Point St. to 525 N. Willow St, just past the Forestry Service’s driveway; and,

WHEREAS, the project area extends approximately 3600 linear feet and involves milling asphalt, raising of gravel base, resurfacing of asphalt paving, culvert and drainage ditch line work; and,

WHEREAS, the following bids were received by the City:

Bidders	Bid
Knik Construction Company, Inc.	\$1,050,797
Foster Construction LLC	\$1,179,318

; and,

WHEREAS, Knik Construction Company, Inc. was found to be the lowest responsive and responsible bidder; and,

WHEREAS, bids received were in excess of previously budgeted and engineer estimated amounts; and,

WHEREAS, after negotiations with Contractor and removal of some scope of work items including several culverts the new proposed contract amount shall be \$1,017,833; and,

WHEREAS, staff evaluation of the bid received, comparing with other similar government agencies in the area, and understanding the current inflationary environment it has been determined that award to Knik Construction Company, Inc. is in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a construction agreement with Knik Construction Company, Inc. in the amount of \$1,017,833 for the 2023 N. Willow St. Roadway Improvements Project.

**Section 2.** That the City Manager is authorized to issue a corresponding purchase order to Knik Construction Company, Inc. in the total amount of \$1,017,833, which includes \$50,000 in contingency force account funding in support of the project.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

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

ATTEST:

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

Approved by Finance:   
Contingent upon passage of Ordinance No. 3359-2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** June 14, 2023

**SUBJECT:** **Resolution 2023-40 – 2023 (Substitute) N. Willow St. Roadway Improvements Project**

This memo seeks Council’s approval to award a construction contract for the 2023 N. Willow St. Roadway Improvements Project. The project was formally released for bids on May 18<sup>th</sup>, with bids due on June 1<sup>st</sup>. The following bids were received:

Bidders	Total Bid
Knik Construction Company, Inc.	\$1,050,797
Foster Construction LLC	\$1,179,318

Knik Construction Company, Inc. was found to be the lowest responsive and responsible bidder with a total bid cost of \$1,050,797. Both bids received were in excess of budgeted amounts and after negotiations with Knik Construction to remove some items from the scope of work the new contracted cost will be \$1,017,833. Removal of these bid items does not change the bid ranking. It is the Department’s recommendation that award to Knik Construction is in the best interest of the City.

It is noted that approval of this Resolution is dependent upon Council’s approval of Ordinance 3359-2023 being introduced and heard at the June 21<sup>st</sup>, 2023 council meeting. Without passage of that Ordinance there will not be sufficient funds available to award the project.

The project, as detailed in the attached map, extends from Granite Point to just past the Forestry Service’s lot located at 525 N. Willow St. The project area from Granite Point to Airport Way, which has concrete curb and gutter will largely be milled and paved, with the areas extending further down N. Willow receiving grade adjustments to address drainage issues. Driveway approaches and drainage culvert are also included with this work.

The majority of the roadway dates from 1980, south of the tower. With the section north of the tower dating to 1985. The most prominent damages are the result of the roadways inability to shed water, which this project will rectify. Work is expected to take place this summer with completion before winter sets in.



Council's support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-41**

A RESOLUTION AUTHORIZING A CONSTRUCTION AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2023 FIRST AVENUE ROADWAY REPAIRS PROJECT.

WHEREAS, a formal Invitation to Bid was released on May 18, 2023 with bids due on June 1, 2023 for the 2023 First Avenue Roadway Repairs project which extends from the intersection with N. Spruce St. and Birch St.; and,

WHEREAS, the project seeks to repair severely settled concrete curb and asphalt within the project area; and,

WHEREAS, the following bids were received by the City:

Bidders	Bid

; and,

WHEREAS, \_\_\_\_\_ was found to be the lowest responsive and responsible bidder; and,

WHEREAS, award to \_\_\_\_\_ is in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a construction agreement with \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for the 2023 First Avenue Roadway Repairs Project.

**Section 2.** That the City Manager is authorized to issue a corresponding purchase order to \_\_\_\_\_ in the total amount of \$ \_\_\_\_\_, which includes \$ \_\_\_\_\_ in contingency funding in support of the project.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 7<sup>TH</sup> DAY OF JUNE, 2023.

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

ATTEST:

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** May 30, 2023

**SUBJECT:** Resolution 2023-41 – 2023 First Avenue Roadway Repairs Project

This memo seeks Council's approval to award a construction contract for the 2023 First Avenue Roadway Repairs Project. The project was formally released for bids on May 18<sup>th</sup>, with bids due on June 1<sup>st</sup>. The following bids were received:

Bidders	Total Bid

\_\_\_\_\_ was found to be the lowest responsive and responsible bidder with a total bid cost of \_\_\_\_\_. It is the Department's recommendation that award to \_\_\_\_\_ is in the best interest of the City.

The project, as detailed in the attached map, extends from N. Spruce St. to Birch St. along First Avenue. The project will repair severely settled roadway areas with only half of the roadway being resurfaced in most areas.

The roadway dates from 1983 with a small portion on N. Spruce St. that is within ADOT's right of way, which requires permitting and coordination with them. City staff and Nelson Engineering are coordinating on obtaining the necessary approvals.

Work is expected to take place this summer with completion before winter sets in.

Council's support is respectfully requested.



**LOCATION MAP**  
SCALE: NOT TO SCALE



--- PROPOSED BOUNDARY FOR DEMO AND REPLACEMENT OF PAVEMENT, CURB AND GUTTER, AND SIDEWALK



**B** DAMAGE REGION  
**C3** SCALE: NTS



**C** DAMAGE REGION  
**C3** SCALE: NTS





**D** DAMAGE REGION  
**C3** SCALE: NTS



**E** DAMAGE REGION  
**C3** SCALE: NTS





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-41 (SUBSTITUTE)**

A RESOLUTION AUTHORIZING A CONSTRUCTION AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2023 FIRST AVENUE ROADWAY REPAIRS PROJECT.

WHEREAS, a formal Invitation to Bid was released on May 18, 2023 with bids due on June 1, 2023 for the 2023 First Avenue Roadway Repairs project which extends from the intersection with N. Spruce St. and Birch St.; and,

WHEREAS, the project seeks to repair severely settled concrete curb and asphalt within the project area; and,

WHEREAS, the following bids were received by the City:

Bidders	Bid
Foster Construction	\$211,831

; and,

WHEREAS, Foster Construction as the only bidder, was found to be the lowest responsive and responsible bidder; and,

WHEREAS, bids received were in excess of previously budgeted and engineer estimated amounts; and,

WHEREAS, after negotiations with Contractor and removal of some scope of work items including topsoil and seeding the new proposed contract amount shall be \$205,831; and,

WHEREAS, staff evaluation of the bid received, comparing with other similar government agencies in the area, and understanding the current inflationary environment it has been determined that award to Foster Construction is in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a construction agreement with Foster Construction in the amount of \$205,831 for the 2023 First Avenue Roadway Repairs Project.

**Section 2.** That the City Manager is authorized to issue a corresponding purchase order to Foster Construction in the total amount of \$205,831, which includes \$7,500 in contingency force account funding in support of the project.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

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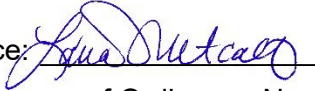
Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Contingent upon passage of Ordinance No. 3359-2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** June 14, 2023

**SUBJECT:** Resolution 2023-41 – 2023 First Avenue Roadway Repairs Project

This memo seeks Council's approval to award a construction contract for the 2023 First Avenue Roadway Repairs Project. The project was formally released for bids on May 18<sup>th</sup>, with bids due on June 1<sup>st</sup>. The following bids were received:

Bidders	Total Bid
Foster Construction	\$211,831

Foster Construction was found to be the lowest responsive and responsible bidder with a total bid cost of \$211,831. The bid was in excess of budgeted amounts and after negotiations with Foster Construction to remove some items from the scope of work the new contracted cost will be \$205,831. It is the Department's recommendation that award to Foster Construction is in the best interest of the City.

It is noted that approval of this Resolution is dependent upon Council's approval of Ordinance 3359-2023 being introduced and heard at the June 21<sup>st</sup>, 2023 council meeting. Without passage of that Ordinance there will not be sufficient funds available to award the project.

The project, as detailed in the attached map, extends from N. Spruce St. to Birch St. along First Avenue. The project will repair severely settled roadway areas with only half of the roadway being resurfaced in most areas.

The roadway dates from 1983 with a small portion on N. Spruce St. that is within ADOT's right of way, which requires permitting and coordination with them. City staff and Nelson Engineering are coordinating on obtaining the necessary approvals.

Work is expected to take place this summer with completion before winter sets in.

Council's support is respectfully requested.





**LOCATION MAP**  
SCALE: NOT TO SCALE



--- PROPOSED BOUNDARY FOR DEMO AND REPLACEMENT OF PAVEMENT, CURB AND GUTTER, AND SIDEWALK



**B** DAMAGE REGION  
**C3** SCALE: NTS



**C** DAMAGE REGION  
**C3** SCALE: NTS





**D** DAMAGE REGION  
**C3** SCALE: NTS



**E** DAMAGE REGION  
**C3** SCALE: NTS





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-42**

A RESOLUTION AUTHORIZING A CONSTRUCTION AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2023 MISCELLANEOUS ROADWAY REPAIRS PROJECT.

WHEREAS, a formal Invitation to Bid was released on May 18, 2023 with bids due on June 1, 2023 for the 2023 Misc. Roadway Repairs project which seeks to repair severely settled asphalt at nine different locations within the City; and,

WHEREAS, the locations of these repairs are at the intersection of Haller Street and Fourth Avenue, six intersections in VIP Subdivision, intersection of Eagle Rock Drive and Tern Place, intersection of Eagle Rock Drive and Sandpiper Lane, and the intersection of Silver Salmon Drive and Martin Court; and,

WHEREAS, the total project area of all repairs is approximately 1944 square yards; and,

WHEREAS, the following bids were received by the City:

Bidders	Bid

; and,

WHEREAS, \_\_\_\_\_ was found to be the lowest responsive and responsible bidder; and,

WHEREAS, award to \_\_\_\_\_ is in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a construction agreement with \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for the 2023 Misc. Roadway Repairs Project.

**Section 2.** That the City Manager is authorized to issue a corresponding purchase order to \_\_\_\_\_ in the total amount of \$ \_\_\_\_\_, which includes \$ \_\_\_\_\_ in contingency funding in support of the project.

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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 7<sup>TH</sup> DAY OF JUNE, 2023.

\_\_\_\_\_  
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

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** May 30, 2023

**SUBJECT:** Resolution 2023-42 – 2023 Miscellaneous Roadway Repairs Project

This memo seeks Council's approval to award a construction contract for the 2023 Miscellaneous Roadway Repairs Project. The project was formally released for bids on May 18<sup>th</sup>, with bids due on June 1<sup>st</sup>. The following bids were received:

Bidders	Total Bid

\_\_\_\_\_ was found to be the lowest responsive and responsible bidder with a total bid cost of \_\_\_\_\_. It is the Department's recommendation that award to \_\_\_\_\_ is in the best interest of the City.

The project, as detailed in the attached maps, seeks to address roadway settlement issues in nine different locations around the City. The repairs average less than 2000 square feet each in size. Work is expected to take place this summer with completion before winter sets in.

Council's support is respectfully requested.



**A** INTERSECTION LOCATION - HALLER ST AND FOURTH AVE  
**C2** GRAPHIC SCALE: 1" = 200' (22X34); 1" = 400' (11X17)



**B** INTERSECTION LOCATIONS - VIP SUBDIVISION  
**C2** GRAPHIC SCALE: 1" = 200' (22X34); 1" = 400' (11X17)





**C** INTERSECTION LOCATIONS - EAGLE ROCK DR  
**C2** GRAPHIC SCALE: 1" = 100' (22X34); 1" = 200' (11X17)



**D** INTERSECTION LOCATION - SILVER SALMON DR  
**C2** GRAPHIC SCALE: 1" = 100' (22X34); 1" = 200' (11X17)





Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-42 (SUBSTITUTE)**

A RESOLUTION AUTHORIZING A CONSTRUCTION AGREEMENT AND CORRESPONDING PURCHASE ORDER FOR THE 2023 MISCELLANEOUS ROADWAY REPAIRS PROJECT.

WHEREAS, a formal Invitation to Bid was released on May 18, 2023 with bids due on June 1, 2023 for the 2023 Misc. Roadway Repairs project which seeks to repair severely settled asphalt at nine different locations within the City; and,

WHEREAS, the locations of these repairs are at the intersection of Haller Street and Fourth Avenue, six intersections in VIP Subdivision, intersection of Eagle Rock Drive and Tern Place, intersection of Eagle Rock Drive and Sandpiper Lane, and the intersection of Silver Salmon Drive and Martin Court; and,

WHEREAS, the total project area of all repairs is approximately 1944 square yards; and,

WHEREAS, the following bids were received by the City:

Bidders	Bid
Foster Construction	\$276,580

; and,

WHEREAS, Foster Construction as the only bidder, was found to be the lowest responsive and responsible bidder; and,

WHEREAS, bids received were in excess of previously budgeted and engineer estimated amounts; and,

WHEREAS, after negotiations with Contractor and removal of some scope of work items including topsoil and seeding the new proposed contract amount shall be \$260,080; and,

WHEREAS, staff evaluation of the bid received, comparing with other similar government agencies in the area, and understanding the current inflationary environment it has been determined that award to Foster Construction is in the best interest of the City.

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

**Section 1.** That the City Manager is authorized to execute a construction agreement with Foster Construction in the amount of \$260,080 for the 2023 Misc. Roadway Repairs Project.

**Section 2.** That the City Manager is authorized to issue a corresponding purchase order to Foster Construction in the total amount of \$260,080, which includes \$10,000 in contingency force account funding in support of the project.

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



PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

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

ATTEST:

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

Approved by Finance:   
Contingent upon passage of Ordinance No. 3359-2023



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** June 14, 2023

**SUBJECT:** **Resolution 2023-42 (Substitute) – 2023 Miscellaneous Roadway Repairs Project**

This memo seeks Council’s approval to award a construction contract for the 2023 Miscellaneous Roadway Repairs Project. The project was formally released for bids on May 18<sup>th</sup>, with bids due on June 1<sup>st</sup>. The following bids were received:

Bidders	Total Bid
Foster Construction	\$276,580

Foster Construction was found to be the lowest responsive and responsible bidder with a total bid cost of \$276,580. The bid was in excess of budgeted amounts and after negotiations with Foster Construction to remove some items from the scope of work the new contracted cost will be \$260,080. It is the Department’s recommendation that award to Foster Construction is in the best interest of the City.

It is noted that approval of this Resolution is dependent upon Council’s approval of Ordinance 3359-2023 being introduced and heard at the June 21<sup>st</sup>, 2023 council meeting. Without passage of that Ordinance there will not be sufficient funds available to award the project.

The project, as detailed in the attached maps, seeks to address roadway settlement issues in nine different locations around the City. The repairs average less than 2000 square feet each in size. Work is expected to take place this summer with completion before winter sets in.

Council’s support is respectfully requested.



**A** INTERSECTION LOCATION - HALLER ST AND FOURTH AVE  
**C2** GRAPHIC SCALE: 1" = 200' (22X34); 1" = 400' (11X17)



**B** INTERSECTION LOCATIONS - VIP SUBDIVISION  
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**C** INTERSECTION LOCATIONS - EAGLE ROCK DR  
**C2** GRAPHIC SCALE: 1" = 100' (22X34); 1" = 200' (11X17)



**D** INTERSECTION LOCATION - SILVER SALMON DR  
**C2** GRAPHIC SCALE: 1" = 100' (22X34); 1" = 200' (11X17)



**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION  
COUNCIL MEETING OF: JUNE 21, 2023**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	104,444.96
REBORN AGAIN JANITORIAL	MAY SERVICES	AIRPORT	REPAIR & MAINTENANCE	4,231.25

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
---------------	--------------------	----------------------	---------------	---------------------

**PURCHASE ORDERS OVER \$35,000.00 WHICH NEED COUNCIL APPROVAL  
 COUNCIL MEETING OF: JUNE 21, 2023**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
---------------	--------------------	--------------	----------------	---------------

**INCREASE OF EXISTING PURCHASE ORDER**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>P.O. # - DEPT.</b>	<b>REASON</b>	<b>AMOUNT</b>	<b>TOTAL PO AMT</b>
LARSON ENGINEERING	COMMUNICATIONS TOWER STUDY	124639 - PUBLIC SAFETY CAPITAL PROJECT	ADDITIONAL DESIGN NEEDED	10,500.00	52,750.00



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** June 14, 2023  
**SUBJECT:** Purchase Order – Larson Engineering & Design

---

This memo is to request a purchase order increase to Larson Engineering’s existing PO124639 from \$42,250 to \$52,750 an increase of \$10,500 to complete necessary design work for the City of Kenai Communications Tower Foundation and Connection bid documents.

Larson Engineering has performed an assessment of the tower, and it has been determined that the cable stays need to be replaced with larger diameter cables, and they need to be relocated off of the structure to a ground mount. Completion of this work is critical as it is affecting other grant work that cannot take place until the repairs have been made. The police department has a grant which requires installation of some new antennae however Motorola will not complete their work until the engineered repairs have been completed.

Costs associated with this work are reasonable and completion of this work at this time is in the best interest of the City. Council’s support is respectfully requested.

**FISCAL YEAR 2024**

**PURCHASE ORDERS OVER \$35,000.00 WHICH NEED COUNCIL APPROVAL  
COUNCIL MEETING OF: JUNE 21, 2023**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPT.</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
NALCO COMPANY	FY24 CHEMICALS	WATER	OPERATING SUPPLIES	50,000.00





# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** May 29, 2023  
**SUBJECT:** Purchase Order – Nalco Company LLC

---

This memo is to request approval for our annual Purchase Order to Nalco Company LLC for the supply of proprietary chemicals for the Water Treatment Plant for the 2024 Fiscal Year. Sufficient budget for this purchase resides in the Water Operating Repair & Maintenance Supply account, contingent upon Council’s approval of the FY2024 budget. This is a routine annual sole source purchase.

Account information below:

010-465-2022 Water Operating Repair & Maintenance Supply - \$50,000

The Water Department will be conducting water sampling and testing this fall, which will be open to a competitive process with multiple firms being invited. This is intended to provide multiple vendor options for the Utility to ensure chemicals are being purchased as cost effectively as possible. For this reason the initial purchase order is only being requested for \$50,000, there is a possibility a different Vendor will be providing these chemicals after the testing is completed. Council will see additional legislation if that comes to pass.

Council’s approval is respectfully requested.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** June 13, 2023  
**SUBJECT:** **Terminal Custodial Services – 3rd Amendment**

---

On July 1, 2020, Reborn Again Janitorial Services signed a one-year agreement with the Kenai Municipal Airport to provide terminal custodial services. This agreement included four options to renew. The contractor has requested a 3rd additional amendment to the existing contract. There is one additional renewal option remaining on the contract.

Airport Administration recommends executing this 3rd Amendment.

Thank you for your consideration.

**THIRD AMENDMENT TO AGREEMENT FOR JANITORIAL SERVICES**

The Agreement for Janitorial Services made the 1<sup>st</sup> day of July 2020, by and between the CITY OF KENAI, hereinafter called "Owner", whose address is 210 Fidalgo Avenue, Kenai, AK 99611-7794, and, Reborn Again Janitorial Services, whose mailing address is P.O.Box 927, Kenai, AK 99611, hereinafter called "Contractor," is hereby amended as follows:

1). Pursuant to Section 2 of the Agreement for Janitorial Services the term of the Agreement for Janitorial Service for the Kenai Municipal Airport is extended for one year, beginning on July 1, 2023 and ending on June 30, 2024.

2). All other terms and conditions of the Agreement remain unchanged and in full force and effect.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF KENAI

By: \_\_\_\_\_  
Terry Eubank, City Manager

Reborn Again Janitorial Services

Reborn Again Janitorial Services

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

By: \_\_\_\_\_  
Erica Jackson, Owner

(If Lessee is a corporate-style entity)

ATTEST:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_  
\_\_\_\_\_, 2023, by Terry Eubank, City Manager for the City of Kenai.

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

STATE OF ALASKA                    )  
  )ss  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_  
\_\_\_\_\_, 2023, by Reborn Again Janitorial Services, an Alaskan corporation on behalf of  
the corporation.

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

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

Approved by Finance: \_\_\_\_\_  
Lana Metcalf, Acting Finance Director



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** June 14, 2023  
**SUBJECT:** **Action/Approval - Consent to Assignment and Assumption of Lease Agreement, of Lot 1A, FBO Subdivision, South Addition and Lot 2A1, FBO Subdivision, South Addition No. 2 to Schilling Rentals, LLC**

---

Jeffrey Dolifka has submitted an application for an Assignment and Assumption of Lease Agreement from Kenai Airport Logistics, LLC, Assignor to Schilling Rentals, LLC, Assignee. There are no proposed changes to the use or lease agreement. A map of the parcel is attached to this memorandum.

The original Leases were executed between the City of Kenai and Dan O. Pitts with an effective date of August 1, 1984, for Lots 1A and 2A, FBO Subdivision, South Addition, recorded in Book 243, Pages 491-521 on August 13, 1984 in the Kenai Recording District. A replat of Lot 2A, FBO Subdivision, South Addition to Lot 2A1, FBO Subdivision, South Addition No. 2 amended the lease, recorded in Book 317, Pages 905-906 on October 5, 1987 in the Kenai Recording District. The subject leases are for a term of 97 years, and expires on June 30, 2081.

Dan O. Pitt, entered into an Assignment of Lease to Kenai Airport Logistics, LLC with an effective date of January 8, 2016, for leasehold interest in the property. The Lessee is in compliance with the terms and conditions of the lease.

If City Council approves the consent to Assignment and Assumption of Lease Agreement the City Manager will be authorized to sign the Consent to Assignment.

Thank you for your consideration.

### Attachments

- Aerial Map
- Draft Consent to Assignment



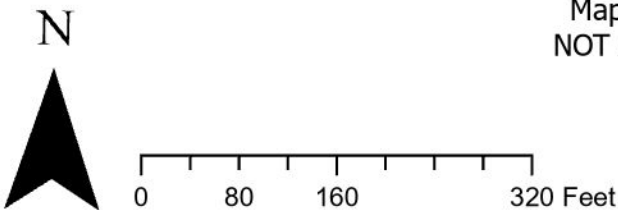
# Lease Assignment

**Lot 1A, FBO Sub., South Addn and Lot 2A1,  
FBO Sub., South Addn. No. 2  
401 and 403 N. Willow Street  
KPB Parcel IDs: 04336024 and 04336029**



Date Printed: 6/14/2023

Map for Reference Only  
NOT A LEGAL DOCUMENT



**KENAI RECORDING DISTRICT**  
**After Recording, Return to:**  
City of Kenai  
210 Fidalgo Avenue  
Kenai, AK 99611

**CITY OF KENAI**  
**CONSENT TO ASSIGNMENT**

The Assignment of that certain Lease entered into on July 27, 1984, and recorded in Book 243 at Pages 491-505, on August 13, 1984, in the Kenai Recording District, from the CITY OF KENAI to DAN O. PITTS, and thereafter assigned to KENAI AIRPORT LOGISTICS, LLC by Assignment of Lease, recorded on January 15, 2016 from KENAI AIRPORT LOGISTICS, LLC, whose address is P.O. Box 1916, Soldotna, AK 99669, to SCHILLING RENTALS, LLC, whose address is 420 N. Willow Street, Kenai, Alaska 99611, covering the following-described property:

LOT 1A, FBO SUBDIVISION, SOUTH ADDITION, according to the official plat thereof, file under Plat No. 84-218, books and records of Kenai Recording District, Third Judicial District, State of Alaska,

is hereby ACKNOWLEDGED AND CONSENTED TO, subject to the same terms and conditions as contained in the above-described original Lease, and any and all amendments thereto.

This Consent is given by the City of Kenai without waiving any right or action, or releasing the Assignor from any liability or responsibility under the aforementioned Lease, and does not relieve the Assignee from the condition requiring the City's approval for any subsequent sublease or assignment.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF KENAI

\_\_\_\_\_  
Terry Eubank, City Manager

ACKNOWLEDGEMENT

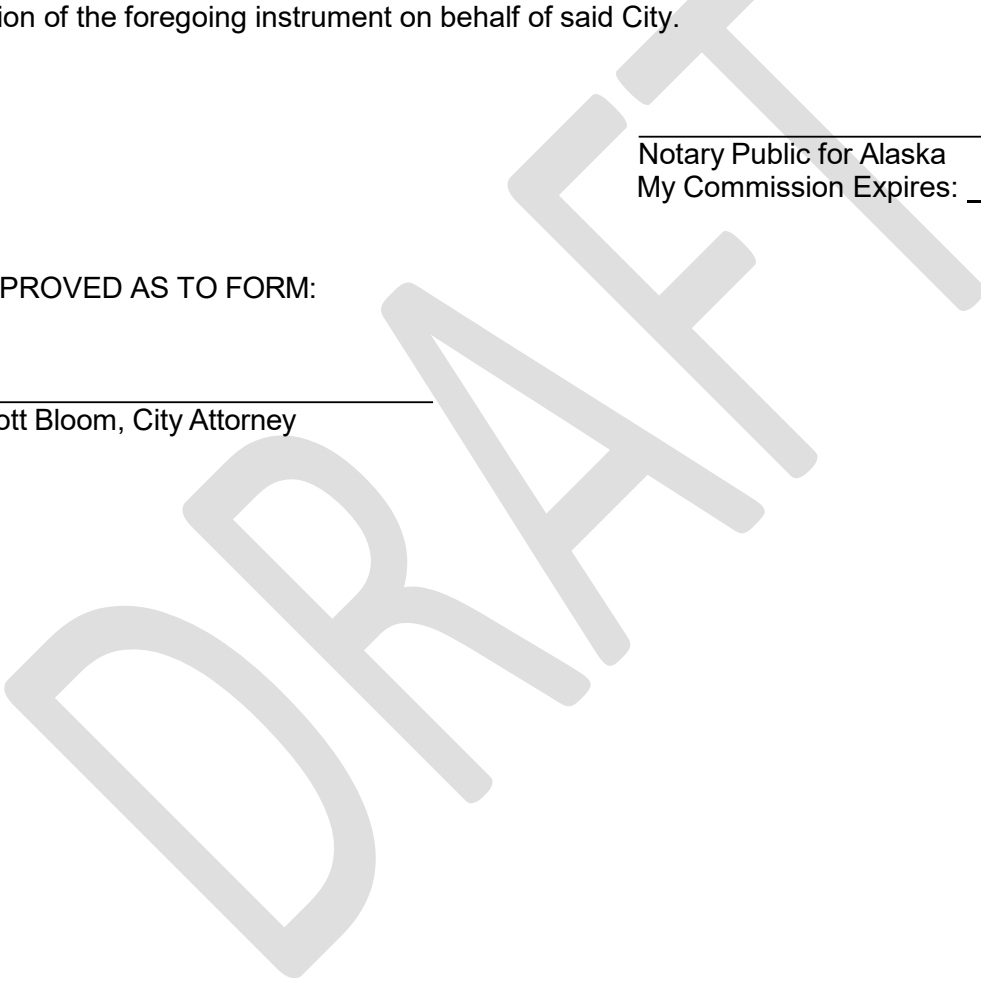
STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, Terry Eubank, City Manager of the City of Kenai, Alaska, being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of said City.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott Bloom, City Attorney





**KENAI RECORDING DISTRICT**  
**After Recording, Return to:**  
City of Kenai  
210 Fidalgo Avenue  
Kenai, AK 99611

**CITY OF KENAI**  
**CONSENT TO ASSIGNMENT**

The Assignment of that certain Lease entered into on July 27, 1984, and recorded in Book 243 at Pages 506-521, on August 13, 1984, in the Kenai Recording District, from the CITY OF KENAI to DAN O. PITTS, and thereafter assigned to KENAI AIRPORT LOGISTICS, LLC by Assignment of Lease, recorded on January 15, 2016 from KENAI AIRPORT LOGISTICS, LLC, whose address is P.O. Box 1916, Soldotna, AK 99669, to SCHILLING RENTALS, LLC, whose address is 420 N. Willow Street, Kenai, Alaska 99611, covering the following-described property:

LOT 2A1, FBO SUBDIVISION, SOUTH ADDITION NO. 2, according to the official plat thereof, file under Plat No. 86-186, books and records of Kenai Recording District, Third Judicial District, State of Alaska,

is hereby ACKNOWLEDGED AND CONSENTED TO, subject to the same terms and conditions as contained in the above-described original Lease, and any and all amendments thereto.

This Consent is given by the City of Kenai without waiving any right or action, or releasing the Assignor from any liability or responsibility under the aforementioned Lease, and does not relieve the Assignee from the condition requiring the City's approval for any subsequent sublease or assignment.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF KENAI

\_\_\_\_\_  
Terry Eubank, City Manager

ACKNOWLEDGEMENT

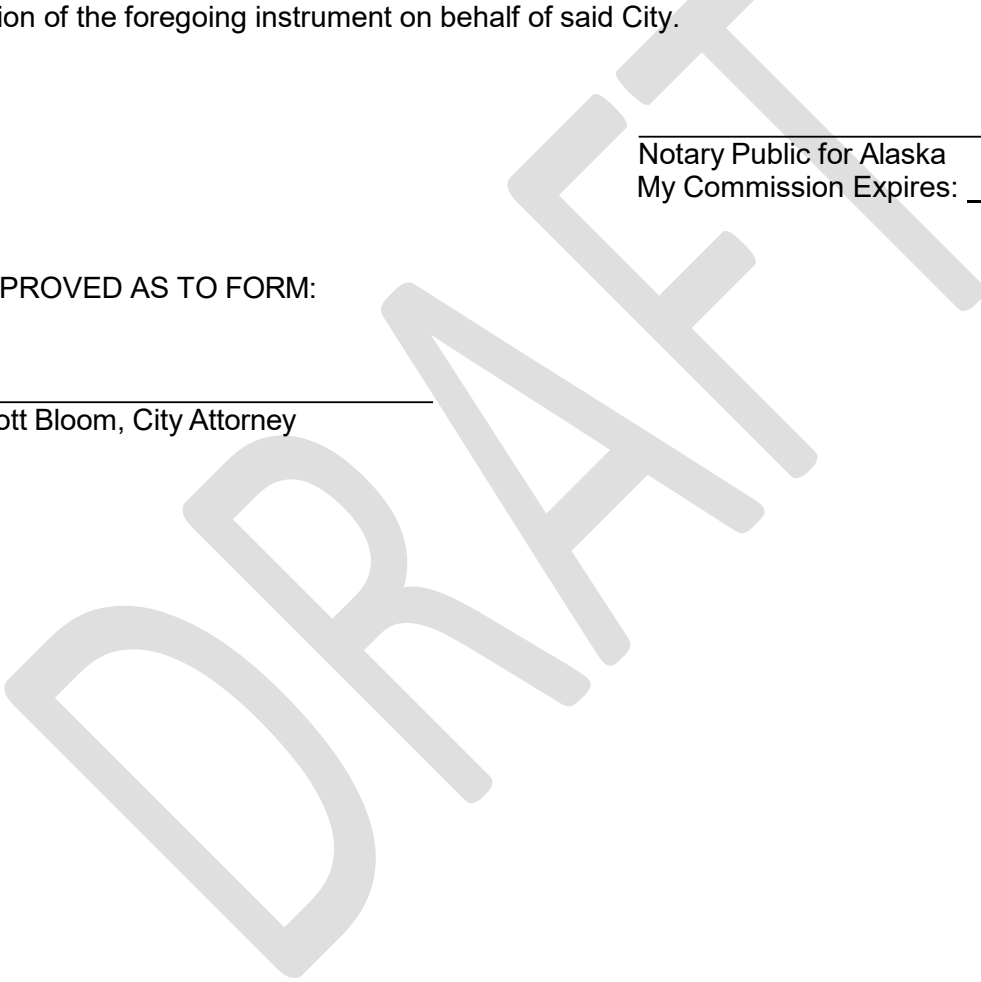
STATE OF ALASKA                    )  
  ) ss  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, Terry Eubank, City Manager of the City of Kenai, Alaska, being personally known to me or having produced satisfactory evidence of identification, appeared before me and acknowledged the voluntary and authorized execution of the foregoing instrument on behalf of said City.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott Bloom, City Attorney





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Shellie Saner, City Clerk  
**DATE:** June 14, 2023  
**SUBJECT:** **Liquor License Renewal – Peninsula Oilers**

---

The following establishment has submitted applications to the Alcohol and Marijuana Control Office (AMCO) for a renewal of licenses:

Applicant: Peninsula Oilers Baseball Club Inc  
D/B/A: Peninsula Oilers  
License Type: Recreational Site – Seasonal  
License No.: 846

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

Your consideration is appreciated.



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

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

April 26, 2023

City of Kenai

Kenai Peninsula Borough

Via Email: MJenkins@kpb.us JVanHoose@kpb.us jratky@kpb.us Cjackinsky@kpb.us MAldridge@kpb.us ncarver@kpb.us slopez@kpb.us JBlankenship@kpb.us assemblyclerk@kpb.us bcarter@kpb.us

Re: Notice of 2023/2024 Liquor License Renewal Application

Table with 4 columns: License Type, Licensee, Doing Business As, License Number. License Type: Recreational Site, License Number: 846, Licensee: Peninsula Oilers Baseball Club Inc, Doing Business As: Peninsula Oilers.

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

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

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

Sincerely,

Handwritten signature of Joan M. Wilson

Joan Wilson, Director amco.localgovernmentonly@alaska.gov

Submit

by Meghan Thibodeau 5/16/2023 4:51:29 PM (Form Submission)

Approve

by Jeremy Hamilton 5/16/2023 5:06:44 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: May 25, 2023 5:00 PM 5/16/2023 4:51:30 PM

Approve

by Donald Hendrickson 5/18/2023 8:58:26 AM (Building Official Review)

- The task was assigned to Donald Hendrickson. The due date is: May 25, 2023 5:00 PM 5/16/2023 4:51:31 PM

Approve

by David Ross 5/17/2023 9:03:24 AM (Police Department Review)

- The task was assigned to David Ross. The due date is: May 25, 2023 5:00 PM 5/16/2023 4:51:31 PM

Approve

by Tina Williamson 5/17/2023 2:58:08 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: May 25, 2023 5:00 PM 5/16/2023 4:51:31 PM

Approve

by Cindy Herr 5/17/2023 9:32:03 AM (Legal Asst Review)

■ There are no monies owed for fines or restitution.

- The task was assigned to Cindy Herr. The due date is: May 25, 2023 5:00 PM 5/16/2023 4:51:31 PM

Approve

by Linda Mitchell 5/17/2023 10:31:48 AM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: May 25, 2023 5:00 PM 5/16/2023 4:51:32 PM

Approve

by Lana Metcalf 5/22/2023 9:36:15 AM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: May 26, 2023 5:00 PM 5/17/2023 2:58:09 PM
- Tabby Smallwood reassigned the task to Lana Metcalf 5/19/2023 11:42:59 AM
  - Terry says Lana has to do this now

Approve

by Scott Bloom 5/17/2023 3:00:45 PM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: May 26, 2023 5:00 PM 5/17/2023 2:58:10 PM

Approve

by Linda Mitchell 6/14/2023 3:47:13 PM (P&amp;Z Department Review)

- The task was assigned to Linda Mitchell. The due date is: May 26, 2023 5:00 PM 5/17/2023 2:58:10 PM

# AMCO License Application

## Date

5/12/2023

## Establishment Information

---

### License Type

Recreational Site-Seasonal

### Licensee

Peninsula Oilers Baseball Club Inc

### Doing Business As

Peninsula Oilers

### Premises Address

103 S Tinker

### City, State

Kenai, AK

## Contact Information

---

### Contact Licensee

Michael Tice

### Contact Phone No.

907-830-8149

### Contact Email

mtice@me.com

## Additional Contact Information

---

### Name

Diana Tice

### Phone No.

907-830-8239

### Email

diana@oilersbaseball.com

## Documents

---

### File Upload

846_2023-04-26_Complete_Renewal_Application.pdf	6.38MB
KPB Non-objection.pdf	132KB



# AB-17: 2023/2024 License Renewal Application

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

Alaska Alcoholic Beverage Control Board

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

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

### Section 1 - Establishment Contact Information

Licensee (Owner):	Peninsula Oilers Baseball Club Inc	License #:	846
License Type:	Recreational Site-Seasonal		
Doing Business As:	Peninsula Oilers		
Local Governing Body:	Kenai, Kenai Peninsula Borough		
Community Council:			

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

Mailing Address:	PO Box 318		
City:	Kenai	State:	AK
ZIP:	99611		

### Section 2 - Licensee Contact Information

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

Contact Licensee:	Michael Tice	Contact Phone:	907-830-8149
Contact Email:	mtice@me.com		

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

Name of Contact:	Diana Tice	Contact Phone:	907-830-8239
Contact Email:	diana@oilersbaseball.com		

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

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

YES    NO



DEC 06 2022



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

## Section 4 – Ownership Structure Certification

YES  NO

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

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

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

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

## Section 5 – License Operation

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

- |   | 2021                                | 2022                                |
|---|-------------------------------------|-------------------------------------|
| 1. The license was <b>operated for more than 240 hours</b> throughout each year. (Year-round)   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 2. The license was <b>only operated during a specified time</b> each year. (Not to exceed 6 months per year)<br><i>If your operation dates have changed, list them below:</i><br><u>JUNE 1</u> to <u>AUGUST 15</u>  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year. <i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated. If you have not met the minimum number of hours of operation in 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "Other" and COVID is listed as the reason.</i> | <input type="checkbox"/>            | <input type="checkbox"/>            |

## Section 6 - Violations and Convictions

YES NO

Have **ANY** Notices of Violation been issued for this license?

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

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

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

## Section 7 – Certifications

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

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.

AMCO

DEC 06 2022





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

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

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

Michael Joci  
Signature of licensee

Angela Lindblade  
Signature of Notary Public

Michael Joci  
Printed name of licensee

ANGELA LINDBLADE  
Notary Public  
State of Alaska  
My Commission Expires Jun 26, 2025

Notary Public in and for the State of Alaska  
My commission expires: 6/26/25

Subscribed and sworn to before me this 1<sup>st</sup> day of December, 2022.

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

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

FOR OFFICE USE ONLY

#100518425

100518460  
FP: ~~100518425~~

License Fee:	\$ 400.00	Application Fee:	\$ 300.00	Misc. Fee:	\$
<b>Total Fees Due:</b>					\$ 700.00

AMCO  
DEC 06 2022



# Office of the Borough Clerk

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

Michele Turner, CMC  
Acting Borough Clerk

5/16/2023

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

Kenai City Hall  
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant : PENINSULA OILERS BB CLUB INC  
Business Name : PEN OILERS BASEBALL CLUB INC  
License Type : Recreational Site  
License Location : 103 S. Tinker Ln, City of Kenai  
License No. : 846  
Application Type : License Renewal

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC  
Acting Borough Clerk

cc: [mtice@me.com](mailto:mtice@me.com);

<mailto:amco.localgovernmentonly@alaska.gov>

MT/tw



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Shellie Saner, City Clerk  
**DATE:** June 14, 2023  
**SUBJECT:** **Liquor License Renewal – Pizza Paradisos**

---

The following establishment has submitted applications to the Alcohol and Marijuana Control Office (AMCO) for a renewal of licenses:

Applicant: George Pitsilionis  
D/B/A: Pizza Paradisos  
License Type: Beverage Dispensary  
License No.: 3032

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

Your consideration is appreciated.



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

May 17, 2023

City of Kenai, Kenai Peninsula Borough Via Email cityclerk@kenai.city; micheleturner@kpb.us; jratky@kpb.us; tward@kpb.us; mjenkins@kpb.us; jvanhooose@kpb.us; cjackinsky@kpb.us; maldridge@kpb.us; slopez@kpb.us; jblankenship@kpb.us; bcarter@kpb.us; g\_notify\_assemblyclerk@kpb.us

Re: Notice of 2023/2024 Liquor License Renewal Application

Table with 4 columns: License Type, Licensee, Doing Business As, License Number. License Type: Beverage Dispensary License, License Number: 3032, Licensee: Solitaire, LLC, Doing Business As: Pizza Paradisos

032

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

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

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

Sincerely,

Handwritten signature of Joan M. Wilson

Joan Wilson, Director amco.localgovernmentonly@alaska.gov

Submit

by Meghan Thibodeau 5/17/2023 5:13:25 PM (Form Submission)

Approve

by Jeremy Hamilton 5/17/2023 6:12:35 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: May 26, 2023 5:00 PM  
5/17/2023 5:13:26 PM

Approve

by Donald Hendrickson 5/18/2023 8:56:43 AM (Building Official Review)

- The task was assigned to Donald Hendrickson. The due date is: May 26, 2023 5:00 PM  
5/17/2023 5:13:26 PM

Approve

by David Ross 5/18/2023 10:20:46 AM (Police Department Review)

- The task was assigned to David Ross. The due date is: May 26, 2023 5:00 PM 5/17/2023 5:13:26 PM

Approve

by Tina Williamson 5/18/2023 11:03:03 AM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: May 26, 2023 5:00 PM  
5/17/2023 5:13:27 PM

Approve

by Cindy Herr 5/17/2023 5:34:30 PM (Legal Asst Review)

- There are no monies owed for fines or restitution.
- The task was assigned to Cindy Herr. The due date is: May 26, 2023 5:00 PM 5/17/2023 5:13:27 PM

Approve

by Linda Mitchell 5/17/2023 5:30:16 PM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: May 26, 2023 5:00 PM 5/17/2023 5:13:27 PM

Approve

by Lana Metcalf 5/22/2023 9:35:47 AM (Finance Review)

- The task was assigned to Terry Eubank. The due date is: May 29, 2023 5:00 PM 5/18/2023 11:03:04 AM
- Tabby Smallwood reassigned the task to Lana Metcalf 5/19/2023 11:42:59 AM
  - Terry says Lana has to do this now

Approve

by Scott Bloom 5/18/2023 12:52:11 PM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: May 29, 2023 5:00 PM 5/18/2023 11:03:04 AM

Approve

by Linda Mitchell 6/14/2023 3:51:33 PM (P&amp;Z Department Review)

- The task was assigned to Linda Mitchell. The due date is: May 29, 2023 5:00 PM  
5/18/2023 11:03:05 AM

# AMCO License Application

**Date**

5/9/2023

**Establishment Information**

---

**License Type**

Beverage Dispensary

**Licensee**

George Pitsilionis

**Doing Business As**

Pizza Paradisos

**Premises Address**

811 Main St

**City, State**

Kenai, AK

**Contact Information**

---

**Contact Licensee**

George Pitsilionis

**Contact Phone No.**

907-283-2222

**Contact Email**

**Additional Contact Information**

---

**Name**

Joanna Pitsilionis

**Phone No.**

907-953-2222

**Email**

gianainc@gmail.com

**Documents**

---

**File Upload**

#3032 Complete Renewal Application w Temp -.pdf

5.94MB

LGB Renewal Notice License #3032.pdf

272.93KB



# AB-17: 2023/2024 License Renewal Application

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

Alaska Alcoholic Beverage Control Board

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

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

### Section 1 - Establishment Contact Information

Licensee (Owner):	George Pitsilionis	License #:	3032
License Type:	Beverage Dispensary		
Doing Business As:	Pizza Paradisos		
Local Governing Body:	Kenai, Kenai Peninsula Borough		
Community Council:	None		

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

Mailing Address:					
City:		State:		ZIP:	

### Section 2 - Licensee Contact Information

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

Contact Licensee:	George Pitsilionis	Contact Phone:	907 783-2222
Contact Email:			

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

Name of Contact:	Joanna Pitsilionis	Contact Phone:	907 953-2222
Contact Email:	gianainc@gmail.com		

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

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

YES  NO

AMCO  
DEC 16 2022



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

## Section 4 – Ownership Structure Certification

YES  NO

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

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

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

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



## Section 5 – License Operation

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

- 1. The license was operated for more than 240 hours throughout each year. (Year-round) 2021  2022
- 2. The license was only operated during a specified time each year. (Not to exceed 6 months per year) 2021  2022   
*If your operation dates have changed, list them below:*  
 \_\_\_\_\_ to \_\_\_\_\_
- 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year. 2021  2022   
*A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.*
- 4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. 2021  2022   
*A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.*  
*If you have not met the minimum number of hours of operation in 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "Other" and COVID is listed as the reason.*

## Section 6 - Violations and Convictions

Have ANY Notices of Violation been issued for this license? YES  NO

Has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2021 or 2022? YES  NO

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

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

## Section 7 – Certifications

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

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.

AMCO  
DEC 16 2022





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

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

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

[Signature] POA for GEORGE PITSILIONIS  
Signature of licensee

[Signature]  
Signature of Notary Public

JOANNA PITSILIONIS, POA for  
Printed name of licensee  
GEORGE PITSILIONIS

Notary Public in and for the State of Alaska

My commission expires: 7/19/23

Notary Public  
**SHILO CARLISLE**  
State of Alaska  
Commission No.: 190719010  
My Commission Expires 07/19/2023

Subscribed and sworn to before me this 13 day of December, 2022.

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

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

AMCO  
DEC 16 2022

FOR OFFICE USE ONLY

#100512969

License Fee:	\$ <u>2500.00</u>	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$ <u>2800.00</u>



# Office of the Borough Clerk

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

Michele Turner, CMC  
Acting Borough Clerk

5/19/2023

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

Kenai City Hall  
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant : Joanna Pitsilionis  
Business Name : PIZZA PARADISOS  
License Type : Beverage Dispensary  
License Location : 815 Frontage Rd, City of Kenai  
License No. : 3032  
Application Type : License Renewal

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC  
Acting Borough Clerk

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

<mailto:amco.localgovernmentonly@alaska.gov>

MTtwr



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**FROM:** Shellie Saner, City Clerk  
**DATE:** June 16, 2023  
**SUBJECT:** **Liquor License Renewal – Oaken Keg #1808**

---

The following establishment has submitted applications to the Alcohol and Marijuana Control Office (AMCO) for a renewal of licenses:

Applicant: Carr-Gottstein Foods Co.  
D/B/A: Oaken Keg #1808  
License Type: Package Store  
License No.: 3218

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

Your consideration is appreciated.



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

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

June 8, 2023

City of Kenai, Kenai Peninsula Borough

Via Email: micheletturner@kpb.us; jratky@kpb.us; tward@kpb.us; mjenkins@kpb.us; ivanhoose@kpb.us; cjackinsky@kpb.us; maldridge@kpb.us; slopez@kpb.us; jblankenship@kpb.us; bcarter@kpb.us; g\_notify\_assemblyclerk@kpb.us; cityclerk@kenai.city

Re: Notice of 2023/2024 Liquor License Renewal Application

Table with 4 columns: License Type, Licensee, Doing Business As, License Number. Values: Package Store, Carr-Gottstein Food Co., Oaken Keg, 3218

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

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

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

Sincerely,

Handwritten signature of Joan M. Wilson

Joan Wilson, Director amco.localgovernmentonly@alaska.gov

Submit

by Meghan Thibodeau 6/8/2023 2:54:10 PM (Form Submission)

Approve

by Jeremy Hamilton 6/8/2023 3:00:48 PM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: June 19, 2023 5:00 PM  
6/8/2023 2:54:10 PM

Approve

by Donald Hendrickson 6/9/2023 9:37:29 AM (Building Official Review)

- The task was assigned to Donald Hendrickson. The due date is: June 19, 2023 5:00 PM  
6/8/2023 2:54:11 PM

Approve

by David Ross 6/8/2023 4:17:01 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: June 19, 2023 5:00 PM 6/8/2023 2:54:11 PM

Approve

by Tina Williamson 6/13/2023 10:17:13 AM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: June 19, 2023 5:00 PM  
6/8/2023 2:54:11 PM

Approve

by Cindy Herr 6/8/2023 3:00:24 PM (Legal Asst Review)

■ No monies owed in restitution or traffic fines.

- The task was assigned to Cindy Herr. The due date is: June 19, 2023 5:00 PM 6/8/2023 2:54:11 PM

Approve

by Linda Mitchell 6/14/2023 3:48:05 PM (Lands Review)

- The task was assigned to Linda Mitchell. The due date is: June 19, 2023 5:00 PM 6/8/2023 2:54:11 PM

Approve

by Lana Metcalf 6/16/2023 9:29:29 AM (Finance Review)

- The task was assigned to Lana Metcalf. The due date is: June 23, 2023 5:00 PM 6/14/2023 3:48:06 PM

Approve

by Scott Bloom 6/14/2023 3:52:08 PM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: June 23, 2023 5:00 PM 6/14/2023 3:48:07 PM

Approve

by Linda Mitchell 6/14/2023 3:53:53 PM (P&Z Department Review)

- The task was assigned to Linda Mitchell. The due date is: June 23, 2023 5:00 PM 6/14/2023 3:48:07 PM

# AMCO License Application

**Date**

6/8/2023

**Establishment Information**

---

**License Type**

Package Store

**Licensee**

Carr-Gottstein Food Co.

**Doing Business As**

Oaken Keg #1808

**Premises Address**

10576 Kenai Spur Hwy

**City, State**

Kenai, AK

**Contact Information**

---

**Contact Licensee**

Cody Perdue

**Contact Phone No.**

208-395-3216

**Contact Email**

legal.licensing.team@albertsons.com

**Additional Contact Information**

---

**Name**

Naomi Nakamura-Dees

**Phone No.**

925-226-5065

**Email**

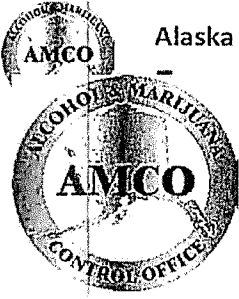
legal.licensing.team@albertsons.com

**Documents**

---

**File Upload**

#3128 Completed Renewal Application with Temp.pdf	3.86MB
Oaken Keg LGB Renewal Notice License # 3218.pdf	261.65KB



Alaska Alcoholic Beverage Control Board

# AB-17: 2023/2024 License Renewal Application

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

Alaska Alcoholic Beverage Control Board

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

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

### Section 1 - Establishment Contact Information

Licensee (Owner):	Carr-Gottstein Foods Co.	License #:	3218
License Type:	Package Store		
Doing Business As:	Oaken Keg #1808		
Local Governing Body:	Kenai, Kenai Peninsula Borough		
Community Council:			

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

Mailing Address:					
City:		State:		ZIP:	

### Section 2 - Licensee Contact Information

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

Contact Licensee:	Cody Perdue	Contact Phone:	208-395-3216
Contact Email:	legal.licensing.team@albertsons.com		

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

Name of Contact:	Naomi Nakamura-Dees	Contact Phone:	925-226-5065
Contact Email:	legal.licensing.team@albertsons.com		

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

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

YES  NO



# Alaska Alcoholic Beverage Control Board Form AB-17: 2023/2024 License Renewal Application

## Section 4 – Ownership Structure Certification

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

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

CP

## Section 5 – License Operation

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

- |   | 2021                                | 2022                                |
|---|-------------------------------------|-------------------------------------|
| 1. The license was operated for more than 240 hours throughout each year. (Year-round)  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The license was only operated during a specified time each year. (Not to exceed 6 months per year)<br><i>If your operation dates have changed, list them below:</i><br>_____ to _____  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i><br><u>If you have not met the minimum number of hours of operation in 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "Other" and COVID is listed as the reason.</u> | <input type="checkbox"/>            | <input type="checkbox"/>            |

## Section 6 - Violations and Convictions

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Have ANY Notices of Violation been issued for this license?

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	-------------------------------------

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

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

## Section 7 – Certifications

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

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.

AMCO  
DEC 29 2022






Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

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

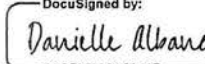
I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand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

DocuSigned by:  
  
 09E1F409F9104BD...

Signature of licensee

Cody Perdue

Printed name of licensee

DocuSigned by:  
  
 D2CP33092A5044F...

Signature of Notary Public

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

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

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

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

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

DANIELLE ALBANO  
 NOTARY PUBLIC  
 STATE OF IDAHO  
 Commission #20213720

FOR OFFICE USE ONLY

100520247

License Fee:	\$	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$

AMCO

DEC 29 2022



# Office of the Borough Clerk

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

Michele Turner, CMC  
Acting Borough Clerk

6/12/2023

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

Kenai City Hall  
City of Kenai

RE: Non-Objection of Application

Licensee/Applicant : Carr-Gottstein Foods Co.  
Business Name : Safeway - Oaken Keg #1808  
License Type : Package Store  
License Location : 10576 Kenai Spur Highway, Kenai, AK 99611, City of Kenai  
License No. : 3218  
Application Type : License Renewal

Dear Ms. Saner,

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

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

Sincerely,

Michele Turner, CMC  
Acting Borough Clerk

cc: [legal.licensing.team@albertsons.com](mailto:legal.licensing.team@albertsons.com);

<mailto:amco.localgovernmentonly@alaska.gov>

MT/tw



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3360-2023**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT RECEIVED THROUGH MADDIE’S FUND TO THE KENAI ANIMAL SHELTER FOR THE CARE OF ANIMALS.

---

WHEREAS, the Kenai Animal Shelter applied for a grant through a 2023 Community Conversations with Maddie’s Fund and received an award of \$2,500; and,

WHEREAS, Maddie’s Fund is a family foundation that provides grants to animal shelter organizations towards ‘increased community collaborations and live outcomes’; and,

WHEREAS, the animal control chief has identified the need for additional staff training and some additional equipment to be purchased with these grant funds; and,

WHEREAS, the acceptance of these grant funds to further the mission of the Animal Shelter 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 grant funds and to expend them as authorized by this ordinance and in line the intentions of the grant.

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

General Fund:

Increase Estimated Revenues –	
Miscellaneous Grants	<u>\$2,500</u>
 Increase Appropriations –	
Animal Control – Small Tools	\$1,000
Animal Control – Transportation	<u>1,500</u>
Total	<u>\$2,500</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 5<sup>TH</sup> DAY OF JULY, 2023.

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

ATTEST:

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

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

Introduced:	June 21, 2023
Enacted:	July 5, 2023
Effective:	July 5, 2023



# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** David Ross, Police Chief

**DATE:** June 9, 2023

**SUBJECT:** **Ordinance No. 3360-2023 - Maddie’s Fund grant for Kenai Animal Shelter**

The Kenai Animal shelter applied for and received a grant after participating in the April 2023 Community Conversations. The Kenai Animal Shelter was awarded \$2,500.00 in addition to the \$4,375.00 that was awarded earlier in 2023. The Community Conversations was funded by Maddie’s Fund. The Animal Control Chief has identified the need for additional staff training and some additional equipment to be purchased with the grant funds.

I am respectfully requesting consideration of the ordinance accepting and designating those funds to the Kenai Animal Shelter as they were intended.

### **About Maddie’s Fund:**

Maddie’s Fund<sup>®</sup> is a family foundation established in 1994 by Dave and Cheryl Duffield and is the fulfillment of a promise to an inspirational dog, Maddie. She provided them much joy for over ten years and continues to inspire them today.

The Foundation has awarded over \$265 million in grants toward increased community collaborations and live outcomes, pioneering shelter medicine education and establishing foster care as a standard across the U.S.

Maddie’s Fund proudly offers the industry a national voice, important funding opportunities for bold ideas, learning resources and access to collaborate and share innovative solutions. The Foundation invests its resources in a commitment to keeping pets and people together, creating a safety net of care for animals in need and operating within a culture of inclusiveness and humility. #ThanksToMaddie.



**Maddie’s Fund**

Sponsored by: Administration



**CITY OF KENAI  
ORDINANCE NO. 3361-2023**

AN ORDINANCE ACCEPTING AND APPROPRIATING FISCAL YEAR 2023 FUNDS FROM THE 2022 COMMUNITY ASSISTANCE PROGRAM, PASSED THROUGH THE STATE OF ALASKA, DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR NATIONAL FLOODPLAIN INSURANCE PROGRAM TRAINING.

---

WHEREAS, the Planning and Zoning Department received \$1,085.89 in federal grant funds from 2022 Community Assistance Program, passed through the State of Alaska, Department of Commerce, Community, and Economic Development, for training travel reimbursement; and,

WHEREAS, the funds will be used to reimburse travel costs related to the Planning Director’s attendance at the Managing Floodplain Development through the National Floodplain Insurance Program course; and,

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

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 grant funds to fulfill the purpose and intent of this ordinance.

**Section 2.** That estimated revenues and appropriations be increased in the FY2023 Budget as follows:

General Fund:

Increase Estimated Revenues –  
Federal Grants – Planning & Zoning \$1,085.89

Increase Appropriations –  
Planning & Zoning – Transportation \$1,085.89

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

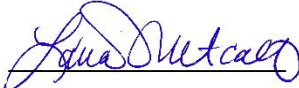
**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5<sup>TH</sup> DAY OF JULY, 2023.

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

ATTEST:

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

Approved by Finance: 

Introduced: June 21, 2023  
Enacted: July 5, 2023  
Effective: July 5, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** June 13, 2023

**SUBJECT:** **Ordinance No. 3361-2023 - National Floodplain Insurance Program Training Grant**

---

The State of Alaska, Department of Commerce, Community, and Economic Development received funds from the 2022 Community Assistance Program to pay for National Floodplain Insurance Program (NFIP) training grants for Floodplain Administrators. These funds can be spent on travel and lodging expenses for attendance of a NFIP course.

The purpose of this ordinance is to accept and appropriate a grant of \$1,085.89 for travel reimbursement on completion of the course Managing Floodplain Development through NFIP.

Thank you for your consideration.





Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3362-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT IMPROVEMENTS CAPITAL PROJECT FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE KENAI MUNICIPAL AIRPORT'S SAND STORAGE FACILITY PROJECT AND AUTHORIZING A CONTRACT AMENDMENT FOR PROFESSIONAL SERVICES.

---

WHEREAS, the Kenai Municipal Airport (KMA) Sand Storage Facility project was authorized by Council through Ordinance 3155-2020 effective October 7, 2020; and,

WHEREAS, the Ordinance authorized a Construction Contract to Orion Construction in the amount of \$2,289,000 and awarded Contract Amendment 1 to HDL Engineering Consultants to cover contract administration fees proposed at \$190,332 for a total design agreement to date of \$456,013; and,

WHEREAS, this project has experienced significant delays arising from the COVID pandemic and the supply chain issues created as a result of the pandemic, causing the need for significant additional construction administrative services; and,

WHEREAS, this Ordinance provides supplemental funding in the amount of \$100,000 to cover the additionally requested construction administrative costs of \$132,993 to carry the project through completion anticipated for end of the calendar year 2023; and,

WHEREAS, existing contingency funding is available to make up the difference between the \$132,993 HDL Engineering Consultants Contract Amendment #2 and the \$100,000 in supplemental funding being requested; and,

WHEREAS, staff is coordinating with the Federal Aviation Administration (FAA), and expects a significant portion of these costs to be grant eligible and reimbursable to the City; and,

WHEREAS, Council will see an additional Ordinance at a later date for appropriation of the Federal Aviation Administration (FAA) grant share once these amounts are known and confirmed; and,

WHEREAS, completion of this Ordinance at this time will allow the design team to continue to support the project and charge for their services against the funding being provided with passage of this Ordinance; and,

WHEREAS, staff evaluation of the services provided to date and the requested fees for continued services are reasonable given the circumstances surrounding the project; and,

WHEREAS, approval of this Ordinance and authorization of Contract Amendment #2 to HDL Engineering Consultants in the amount of \$132,993 is in the best interest of the City; and,

WHEREAS, total project costs to date will then be \$2,289,000 for Construction and \$589,006 for Design & Construction Administrative Services for a total project cost of \$2,878,006.

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:

---

New Text Underlined; [DELETED TEXT BRACKETED]

Airport Special Revenue Fund:

Increase Estimated Revenues – Appropriation of Fund Balance	<u>\$100,000</u>
Increase Appropriations – Transfer to Airport Improvement Capital Project Fund	<u>\$100,000</u>

Airport Improvement Capital Project Fund:

Increase Estimated Revenues – Transfer from Airport Special Revenue Fund	<u>\$100,000</u>
Increase Appropriations: KMA Sand Storage Facility (329) – Construction	<u>\$100,000</u>

**Section 2.** That the City Manager is authorized to execute Contract Amendment #2 with HDL Engineering Consultants in the amount of \$132,993 and increase their existing purchase order 120153 by that same amount.

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

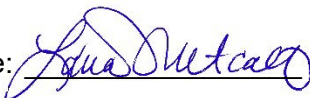
**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5<sup>TH</sup> DAY OF JULY, 2023.

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

ATTEST:

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

Approved by Finance: 

Introduced:	June 21, 2023
Enacted:	July 5, 2023
Effective:	July 5, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

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

**DATE:** June 14, 2023

**SUBJECT:** **Ordinance 3362-2023 – Supplemental Funding for the Kenai Municipal Airport Sand Storage Facility**

---

This Ordinance is intended to provide supplemental funding for the Kenai Municipal Airport (KMA) Sand Storage Facility project to allow the design team to continue to provide services in support of this project. As Council is aware this project has experienced significant time delays. The original contract award to Orion Construction was in October 2020 and significant supply chain challenges became apparent with varying COVID 19 restrictions nationwide.

Construction was able to restart this spring with all materials now sourced and available. The concrete foundation was poured on June 14<sup>th</sup>, 2023 with structural steel on site with planned installation through July. The overall project is expected to be completed by October.

To get to this point significant coordination with the Contractor and the design team was required well beyond what a typical project would be under normal circumstances. The requested contract amendment #2 to HDL Engineering in the amount of \$132,993 is intended to provide services through the end of the project including closeout with the FAA. They include costs from all of HDL sub-consultants including architectural, structural, mechanical and electrical, as well as their own civil and contract admin fees.

The \$100,000 supplement requested is enough to cover these costs with existing contingency funds. Staff is working with the FAA on contract change concurrence and intends to bring back to Council at a later date another Ordinance to appropriate the FAA's grant share.

This project remains a priority for the Airport, and staff looks forward to the benefits it will provide going into the next winter season. Council will continue to be kept informed of the projects progress through the department's midmonth reports. Council's support of this Ordinance is respectfully requested.





Sponsored by: Council Members Douthit and Baisden

**CITY OF KENAI  
ORDINANCE NO. 3363-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE SECTIONS 14.20.330 - STANDARDS FOR COMMERCIAL MARIJUANA ESTABLISHMENTS, AND 14.22.010 - LAND USE TABLE, TO ESTABLISH A MINIMUM STANDARD FOR PUBLIC NOTIFICATION FOR COMMERCIAL MARIJUANA ESTABLISHMENTS AND PROHIBIT LIMITED MARIJUANA CULTIVATION FACILITIES IN RESIDENTIAL ZONING DISTRICTS.

WHEREAS, property owner notification for proposed commercial marijuana establishments are mailed to all property owners within a five hundred (500) foot periphery of the parcel affected by the proposed action; and,

WHEREAS, a limited marijuana cultivation facility is permitted with a Conditional Use Permit in the Rural Residential (RR), Rural Residential 1 (RR-1), Suburban Residential (RS), Suburban Residential 1 (RS-1), Suburban Residential 2 (RS-2), Urban Residential (RU), General Commercial (CG), Light Industrial (IL), Heavy Industrial (IH), and Limited Commercial (LC) zoning districts; and,

WHEREAS, residents have expressed concerns with the proximity of commercial marijuana cultivation facilities near residential neighborhoods and not receiving notices of proposed commercial marijuana cultivation facilities nearby their residence; and,

WHEREAS, the prohibition of limited marijuana cultivation facilities in residential zoning districts will preserve and protect the intent of the residential zoning districts and ensure consistency with the Kenai Municipal Code Section 14.20.230 - Home Occupations, which prohibits commercial marijuana establishments as a home occupation; and,

WHEREAS, establishing a minimum number of property owners to be notified of proposed commercial marijuana cultivation facility would increase the noticing area and address noticing concerns.

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

**Section 1.** Amendment of Subsection 14.20.330(c) of Kenai Municipal Code: That Kenai Municipal Code, Section 14.20.330(c), Standards for commercial marijuana establishments, is hereby amended as follows:

**14.20.330(c) Standards for commercial marijuana establishments.**

- (c) A public hearing shall be scheduled before the Planning and Zoning Commission to review the conditional use permit application once it has been deemed complete. The public hearing shall be scheduled in accordance with the requirements in KMC 14.20.280, except that notification shall be mailed to all real property owners on record on the Borough Assessor's records within a five hundred (500) foot periphery of the parcel affected by the proposed action. The notice area will be expanded until a minimum of thirty (30) different property owners are available for notification.

**Section 2.** Amendment of Section 14.22.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 14.22.010 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**

<b>ZONING DISTRICTS</b>																	
<b>LAND USES</b>	<b>ALI</b>	<b>C</b>	<b>RR</b>	<b>RR-1</b>	<b>RS</b>	<b>RS-1</b>	<b>RS-2</b>	<b>RU</b>	<b>CC</b>	<b>CG</b>	<b>IL</b>	<b>IH</b>	<b>ED</b>	<b>R</b>	<b>TSH</b>	<b>LC</b>	<b>CMU</b>
<b>RESIDENTIAL</b>																	
One-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	S <sup>2</sup>	S <sup>2</sup>	C <sup>22</sup>	P	P	P	S <sup>1</sup> / C <sup>21</sup>
Two-, Three-Family Dwelling	N	C <sup>18</sup>	P	P	P	P	P	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	P	P	P	S <sup>1</sup> / C <sup>21</sup>
Four-Family Dwelling	N	C <sup>18</sup>	P	C <sup>3, 29</sup>	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	C <sup>22</sup>	N	P	C	S <sup>1</sup> / C <sup>21</sup>
Five-, Six-Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	P	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> / C <sup>21</sup>
Seven- or More Family Dwelling	N	C <sup>18</sup>	C <sup>3</sup>	N	C <sup>3</sup>	N	N	P	P <sup>21</sup>	S <sup>1</sup>	C	C	N	N	P	C	S <sup>1</sup> / C <sup>21</sup>
Mobile Home Parks <sup>6</sup>	N	N	C	N	C	C	C	C	C	C	C	C	N	C	N	N	C
Planned Unit Residential Development <sup>7</sup>	N	C <sup>18</sup>	C	C <sup>29</sup>	C	C	C	C	C	C	C	C	N	C	C	C	C
Townhouses <sup>4</sup>	N	C <sup>18</sup>	C <sup>3</sup>	C <sup>3, 29</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C	C	C	C	C <sup>22</sup>	C	C	C	C
Accessory Building on Parcel Without Main Building or Use (See KMC <a href="#">14.20.200</a> )	N	N	C	C	C	C	C	C	N	N	N	N	N	N	C	N	N

<b>COMMERCIAL</b>																	
Airport Compatible Uses	P	N	N	N	N	N	N	N	C	C	C	C	N	N	N	C	C
Adult Businesses	N	N	N	N	N	N	N	N	P <sup>31</sup>	P <sup>31</sup>	P <sup>31</sup>	P <sup>31</sup>	N	N	N	N	N
Automotive Sales	C	N	C	N	N	N	N	C	P	P	P	P	N	N	N	N	P
Automotive Service Stations	C	N	C	N	N	N	N	C	P	P	P	P	N	C	N	N	P
Banks	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P
Business/Consumer Services	C	N	C	C	C	N	N	C	P	P	P	C	N	C	C	C	P
Commercial Recreation	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P
Guide Service	C	N	C	N	C	N	N	C	P	P	P	P	N	P	P	C	P
Hotels/Motels	C	N	C	N	C	N	N	C	P	P	P	C	N	C	P	C	P
Lodge	C	N	C	N	C	N	N	C	P	P	P	C	N	P	P	C	P
Marijuana Cultivation Facility, Limited <sup>30</sup>	N	N	[C] <u>N</u>	[C] <u>N</u>	[C] <u>N</u>	[C] <u>N</u>	[C] <u>N</u>	[C] <u>N</u>	N	C	C	C	N	N	N	C	N
Marijuana Cultivation Facility, Standard <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N
Marijuana Product Manufacturing Facility <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N
Marijuana Testing Facility <sup>30</sup>	N	N	N	N	N	N	N	N	C	C	P	P	N	N	N	C	C
Professional Offices	C	N	C	C	C	N	N	P	P	P	P	P	N	C	P	P	P
Restaurants	C	N	C	N	C	N	N	C	P	P	P	C	N	C	C	C	P
Retail Business	C	N <sup>26</sup>	C	N	C	N	N	C	P	P	P	P	S <sup>24</sup>	S <sup>24</sup>	C	C	P
Retail Marijuana Store <sup>30</sup>	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	C
Theaters	N	N	C	N	C	N	N	C	P	P	C	C	N	P	C	C	P

Wholesale Business	C	N	C	N	C	N	N	C	C	P	P	P	N	S <sup>24</sup>	C	C	N
<b>INDUSTRIAL</b>																	
Airports	C	P <sup>20</sup>	C	N	C	N	N	C	C	C	C	C	N	C	N	N	C
Necessary Aviation Facilities	P	P	C	C	C	C	C	C	P	P	P	P	C	P	C	P	P
Automotive Repair	P	N	C	N	C	N	N	C	P	P	P	P	N	N	N	N	P
Gas Manufacturer/Storage	C <sup>9</sup>	N	N	N	C	N	N	N	N	N	C <sup>9</sup>	C <sup>9</sup>	N	N	N	N	N
Manufacturing/Fabricating/Assembly	P	N	C	N	C	N	N	C	C	P	P	P	N	C	C	N	C
Mini-Storage Facility	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	C	C
Storage Yard	C	N	C	N	C	N	N	C	C	P	P	P	N	N	N	N	C
Warehouses	C	N	C	N	C	N	N	C	N	P	P	P	N	C	N	N	N
<b>PUBLIC/INSTITUTIONAL</b>																	
Assisted Living	N	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Churches*	N	C	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	C	C	P	P <sup>10</sup>	P	P	P
Clinics	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	P	P
Colleges*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Elementary Schools*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Governmental Buildings	P	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	P	C	C	P	P
High Schools*	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	C	C	P	C	C	C	P
Hospitals*	N	C	C	N	C	C	C	C	P	P	P	C	C	C	C	C	P
Libraries*	N	C	C	C <sup>29</sup>	C	C	C	C <sup>12</sup>	P	P	P	C	P	C	P	C	P
Museums	C	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	P	C	P	C	P



Parks and Recreation	N	P	C	C <sup>29</sup>	C	C	C	C	P	P	P	P	P	P	P	C	P
<b>MISCELLANEOUS</b>																	
Animal Boarding/Commercial Kennel <sup>13</sup>	C	C	C	N	C	C	N	N	C	C	C	C	N	C	N	C	C
Assemblies <sup>15</sup> (Large: Circuses, Fairs, etc.)	P	C	C	N	C	C	C	C	P <sup>15</sup>	P <sup>15</sup>	P <sup>15</sup>	P <sup>15</sup>	P <sup>15</sup>	C	P	N	P <sup>15</sup>
Bed and Breakfasts	N	C	C	C	C	C	C	C	C	C	C	C	N	P	C	C	P
Cabin Rentals	N	C	C	N	C	N	N	N	P	P	P	C	N	P	P	C	P
Cemeteries	P	C	C	N	C	N	N	N	N	C	C	C	N	C	C	N	N
Communications Towers and Antenna(s), Radio/TV Transmitters/Cell Sites** <sup>28</sup>	C	P	C	N	C	C	C	C	P	P	P	P	P	C	C	C	C
Crematories/Funeral Homes	N	N	C	N	C	N	N	C	C	C	C	C	N	C	C	C	C
Day Care Centers <sup>12</sup>	N	C	C	C <sup>29</sup>	C	C	C	C	P	P	P	C	C	C	C	P	P
Dormitories/Boarding Houses	N	C	C	N	C	C	C	P	P <sup>21</sup>	S	C	P	P <sup>23</sup>	C	C	C	P
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farming/General Agriculture***	N	P	P	N	N	N	N	N	N	N	N	P	N	P	N	N	N
Fraternal Organizations/ Private Clubs/Social Halls and Union Halls	N	N	C	N	C	C	C	C	P	P	P	C	N	C	P	C	P
Greenhouses/Tree Nurseries <sup>13</sup>	N	C	C	N	C	C	C	C	P	P	P	C	N	C	C	C	P
Gunsmithing, Taxidermy	N	N	C	C	C	C	C	C	P	P	P	P	N	C	P	P	P
Nursing, Convalescent or Rest Homes	N	N	C	N	C	C	C	C	P	P	C	C	C	C	C	C	P

Parking, Public Lots <sup>12</sup>	C	C	C	N	C	C	C	C	C	C	C	C	C	C	C	C	C
Personal Services <sup>25</sup>	N	C	C	N	C	C	C	C	P	P	P	P	C	C	P	P/ C <sup>27</sup>	P
Recreational Vehicle Parks	N	C	C	N	C	N	N	C	C	C	C	C	N	C	C	N	C
Subsurface Extraction of Natural Resources <sup>16</sup>	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	N	N
Surface Extraction of Natural Resources <sup>17</sup>	C	C	C	N	C	N	N	C	N	C	C	C	N	C	N	N	N

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

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

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

Footnotes:

- 1** Allowed as a secondary use except on the ground floor of the part of the building fronting on collector streets and major highways. Commercial or industrial which falls under the landscaping/site plans requirements of KMC Chapter [14.25](#) shall include any secondary uses in the landscaping and site plans.
- 2** One (1) single-family residence per parcel, which is part of the main building.
- 3** Allowed as a conditional use, subject to satisfying the following conditions:
  - a** The usable area per dwelling unit shall be the same as that required for dwelling units in the RS Zone;
  - b** The site square footage in area must be approved by the Commission;
  - c** Yards around the site, off-street parking, and other development requirements shall be the same as for principal uses in the RR Zone;
  - d** Water and sewer facilities shall meet the requirements of all applicable health regulations;
  - e** The proposed dwelling group will constitute a residential area of sustained desirability and stability, will be in harmony with the character of the surrounding neighborhood, and will not adversely affect surrounding property values;
  - f** The buildings shall be used only for residential purposes and customary accessory uses, such as garages, storage spaces, and recreational and community activities;
  - g** There shall be provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population;
  - h** The development shall not produce a volume of traffic in excess of the capacity for which the access streets are designed;

- i The property adjacent to the proposed dwelling group will not be adversely affected.
- 4 See “Townhouses” section.
- 5 See “Mobile Homes” section.
- 6 Allowed as a conditional use, subject to “Mobile Homes” section; and provided, that any mobile home park meets the minimum Federal Housing Authority requirements.
- 7 See “Planned Unit Residential Development” section.
- 8 Allowed as a conditional use; provided, that the proposed location and the characteristics of the site will not destroy the residential character of the neighborhood.
- 9 Allowed as a conditional use; provided, that all applicable safety and fire regulations are met.
- 10 Provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line.
- 11 Allowed as a conditional use; provided, that no part of any building is located nearer than thirty (30) feet to any adjoining street or property line; and provided further, that the proposed location and characteristics of the use will not adversely affect the commercial development of the zone.
- 12 Allowed as a conditional use; provided, that the following conditions are met:
  - a The proposed location of the use and the size and characteristics of the site will maximize its benefit to the public;
  - b Exits and entrances and off-street parking for the use are located to prevent traffic hazards on public streets.
- 13 Allowed as a conditional use; provided, that setbacks, buffer strips, and other provisions are adequate to assure that the use will not be a nuisance to surrounding properties. The Commission shall specify the conditions necessary to fulfill this requirement. Animal boarding and commercial kennels require a kennel license (see KMC Chapter [3.15](#)).
- 14 Allowed as a conditional use; provided, that no indication of said use is evident from the exterior of the mortuary.
- 15 Allowed; provided, that the following conditions are met:
  - a An uncleared buffer strip of at least thirty (30) feet shall be provided between said use and any adjoining property in a residential zone.
  - b Exits and entrances and off-street parking for the use shall be located to prevent traffic hazards on the public streets.
- 16 See “Conditional Uses” section.
- 17 See “Conditional Use Permit for Surface Extraction of Natural Resources” section.
- 18 **Conditional use allowed only on privately held property.** Not allowed on government lands.
- 19 Reserved.
- 20 The airport-related uses allowed under this entry are aircraft approach and departure zones pursuant to KMC [14.20.070\(a\)](#), except that for properties contained inside the airport perimeter fence

or having access to aircraft movement areas, taxiways or parking aprons, FAA authorized uses are allowed.

**21** Developments for use shall be the same as those listed in the Development Requirements Table for the RU/TSH Zones.

**22 Allowed as a conditional use in conjunction with a permitted use in the ED Zone.** For example, housing for teachers or students for a school in the zone.

**23 Allowed as an accessory use in conjunction with a permitted use in the ED Zone.** For example, a dormitory used to house students for a school or educational facility.

**24** Retail businesses allowed as a secondary use in conjunction with the primary use (e.g., a gift shop or coffee shop within another business).

**25** Art studios, barbers, beauticians, tattoo parlors, dressmakers, dry cleaners and self-service laundries, fitness centers, photographic studios, tailors, tanning salons and massage therapists.

**26** Food services are allowed on a temporary or seasonal basis of not more than four (4) months per year.

**27** Personal services not set forth in the below matrix are conditional uses.

<b>Limited Commercial Zone</b>		
<b>Personal Services</b>	<b>Permitted (P)</b>	<b>Conditional Use (C)</b>
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).

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

**Section 4. Effective Date:** That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 5<sup>TH</sup> DAY OF JULY, 2023.

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

ATTEST:

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

Introduced: June 21, 2023  
Enacted: July 5, 2023  
Effective: August 4, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Council Members Alex Douthit and James Baisden

**DATE:** June 13, 2023

**SUBJECT:** **Ordinance No. 3363-2023 Amending KMC Sections 14.20.330 and 14.22.010-Standards for Commercial Marijuana Establishments and Land Use Table**

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The Ordinance addresses proposed changes to KMC Sections 14.20.330 and 14.22.010 that establishes a minimum standard for public notification for commercial marijuana establishments and prohibit limited marijuana cultivation facilities in residential zoning districts. Under the current ordinance, property owner notification for a proposed commercial marijuana establishments is mailed to all property owners within five hundred (500) foot periphery of the parcel affected by the proposed action. In addition, a limited marijuana cultivation facility is permitted with a Conditional Use Permit in the Rural Residential (RR), Rural Residential 1 (RR-1), Suburban Residential (RS), Suburban Residential 1 (RS-1), Suburban Residential 2 (RS-2), Urban Residential (RU), General Commercial (CG), Light Industrial (IL), Heavy Industrial (IH), and Limited Commercial (LC) zoning districts. Residents have expressed concerns with the proximity of commercial marijuana cultivation facilities near residential neighborhoods and not receiving notices of proposed commercial marijuana cultivation facilities nearby their residence.

The prohibition of limited marijuana cultivation facilities in residential zoning districts will preserve and protect the intent of the residential zoning districts and ensure consistency with the Kenai Municipal Code Section 14.20.230 - Home Occupations, which prohibits commercial marijuana establishments as a home occupation. The establishment of a minimum of 30 different property owners to be notified of proposed commercial marijuana cultivation facility will increase the noticing area and address noticing concerns.

Your consideration is appreciated.

KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
MAY 24, 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 May 24, 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  
Gary Greenberg  
Gwen Woodard

Joe Halstead, Vice Chair  
Jim Glendening  
Diane Fikes

A quorum was present.

Absent:

John Coston

Also in attendance were:

Linda Mitchell, Planning Director  
Meghan Thibodeau, Deputy City Clerk  
Alex Douthit, Council Member

**3. Agenda Approval**

**MOTION:**

Vice Chair Halstead **MOVED** to approve the agenda as presented. Commissioner Woodard **SECONDED** the motion.

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

**4. Consent Agenda**

**MOTION:**

Vice Chair Halstead **MOVED** to approve the consent agenda. Commissioner Woodard **SECONDED** the motion.

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

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

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 April 26, 2023

Approved by the consent agenda.

**C. SCHEDULED PUBLIC COMMENTS**

1. Dale Meck, FEMA Flood Map Updates

Dale Meck provided a presentation explaining recent updates to FEMA Flood Maps.

**D. UNSCHEDULED PUBLIC COMMENTS - None.**

**E. CONSIDERATION OF PLATS - None.**

**F. PUBLIC HEARINGS**

1. **Resolution PZ2023-07** – Granting a Conditional Use Permit (CUP) to Allow for a Recreational Vehicle (RV) Park Expansion, Event Venue, and Public Market on Properties Located at approximately 810 Childs Avenue (Parcel IDs: 04901401, 04901402, and 04901403) in the Heavy Industrial (IH) Zoning District.

**MOTION:**

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-07. Commissioner Glendening **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicants intend to expand on an existing RV park, and add an event venue and public market area. It was noted that the previous conditional use permit (CUP) also included boat storage and cabin rentals, but those uses have ceased and would not be part of the new permit. The criteria for CUPs were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the original conditions in the CUP (Resolution No. PZ05-34) and the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. A traffic mitigation plan will be implemented in coordination with applicable City departments when traffic circulation/flow becomes an issue with adjacent properties and neighborhood due to the uses on the premises.
4. Provide a minimum 10-foot buffer strip from the interior lot lines to ensure RV space occupants are protected from noise and privacy from the surrounding commercial or industrial uses.
5. Prior to the established operation of an event venue and public market, consult with the Public Works Department on any potential or required improvements to Childs Avenue and any additional demand on existing onsite water system and sewer collection system.
6. RV space occupants or visitors of the RV Park, event venue, and public market are prohibited from using the City Dock bathrooms unless they are actively using the City Dock, such as boat



launching. It is the responsibility of the property owner and operator of the RV Park, event venue, and public market to ensure all occupants and visitors are aware of this restriction.

7. The RV park is not to become a nuisance to surrounding properties. The RV park must control dust, shield lighting from other properties, prohibit loud noises and maintain a clean and orderly appearance free from refuse.

Applicant Matthew Moffis noted he was available for questions.

Chair Twait opened for public hearing.

Director Mitchell noted that Will Jahrig had called in to express support and discuss concerns regarding improvements to Child's Avenue.

Becky Jahrig expressed concern about speed limit along Bridge Access, pointing out that the speed limit may be excessive with increased use in the area.

Robert Peterkin agreed with the previous comments regarding the speed limit, and suggested installing a traffic light at Beaver Loop. He also expressed concerns about potential complications of restricting guests from using City bathrooms.

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

Discussion involved why the bathroom near the boat launch is restricted from public use and how this will be enforced; it was clarified that bathroom requirements for the RV park will be determined as part of the landscape site plan. In response to questions from the commission, Mr. Moffis clarified that the boat launch is currently not functional and will be blocked off from use, and that the RV park will be seasonal while the other buildings such as event space will be operated year-round. Director Mitchell discussed how future development in the waterfront area can be streamlined with rezoning.

**VOTE:**

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

NAY: None

ABSENT: Coston

**MOTION PASSED UNANIMOUSLY.**

Chair Twait noted the 15-day appeal period.

2. **Resolution PZ2023-08** – Granting a Conditional Use Permit (CUP) to Allow for a Recreational Vehicle (RV) Park on Properties Located at 1088 and 1120 Bridge Access Road (Parcel IDs: 04901312 and 04901313) in the Heavy Industrial (IH) Zoning District.

**MOTION:**

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-08. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant proposes to operate a new RV park with 50 spaces, although the number of spaces is subject to change based on a landscape site plan review. It was noted that a coffee shop is also proposed on the east side of the property, but is not included in the current CUP application because it is an allowed use in the zone. The criteria for CUPs were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. Prior to operation of the RV park, the two (2) subject parcels must be consolidated or merged.

4. A traffic mitigation plan will be implemented in coordination with applicable City departments when traffic circulation/flow becomes an issue with adjacent properties and neighborhood due to the use.
5. Provide a minimum 10-foot buffer strip from the interior lot lines to ensure RV space occupants are protected from noise and privacy from the surrounding commercial or industrial uses.
6. Prior to the operation of the RV park, consult with the Public Works Department on any potential or required improvements to Childs Avenue and any requirements for onsite water system and sewer collection system.
7. The RV park is not to become a nuisance to surrounding properties. The RV park must control dust, shield lighting from other properties, prohibit loud noises and maintain a clean and orderly appearance free from refuse.

Robert Peterkin, a representative for applicant Duke Hardcastle, noted that the coffee shop is owned by Elizabeth Peterkin. He explained that an RV dump station will be provided.

Chair Twait opened for public hearing.

Elizabeth Peterkin, owner of 1882 Brew, explained that she started her coffee shop as a seasonal business at the Kasilof dock and will be moving it to 1120 Bridge Access Road to operate year-round. She expressed excitement for the new RV park.

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

Approval was expressed; further discussion included the Department of Transportation’s knowledge of upcoming development in the area that will affect vehicle and pedestrian traffic patterns, the need to review and plan for trails and traffic flow as part of the waterfront study, maintenance of Child’s Avenue, and the suggestion of installing a traffic light at Beaver Loop.

**VOTE:**

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

NAY: None

ABSENT: Coston

**MOTION PASSED UNANIMOUSLY.**

Chair Twait noted the 15-day appeal period.

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS – None.**

**I. PENDING ITEMS – None.**

**J. REPORTS**

1. City Council – Council Member Douthit reported on the actions of the May 17, 2023 City Council meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the May 8, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - Reviewed remote participation code.
  - Seeing a lot of interest in opening businesses, with an increase in applications for development permits.
  - Storefront & Streetscape Improvement Program will be finalized in the next week.
  - Acquiring new permitting software sooner than expected.

- Hazard Mitigation Plan will be amended to include spruce beetle kill and National Floodplain Insurance Program.
- A previously approved CUP for lodging is having difficulty meeting a condition added by the commission but is proactively addressing it and working with the City.
- Proposed code amendments regarding junk/abandoned vehicles and illegal dumping may come before the commission.
- Discussion with the commission on holding a work session on code amendments for accessory structures.

K. **ADDITIONAL PUBLIC COMMENT** – None.

L. **INFORMATIONAL ITEMS** – None.

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: June 14, 2023

N. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening noted the good work on upcoming waterfront development.

Commissioner Woodard recognized the passing of Harbor Commissioner Christine Hutchison for her service to the City of Kenai and the State of Alaska.

Vice Chair Halstead commended Director Mitchell and staff for their hard work.

Commissioner Greenberg noted that he was sorry to hear about Christine Hutchison's passing.

O. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 8:37 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of May 24, 2023.



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



# KENAI

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

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubanks, City Manager  
**THROUGH:** Dave Ross, Police Chief  
**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief  
**DATE:** June 12, 2023  
**SUBJECT:** **May 2023 Monthly Report**

This month the Kenai Animal Shelter took in **41** animals. Animal intake and disposition:

DOGS:				
	INTAKE	<b>24</b>	DISPOSITION	<b>21</b>
	Waiver	9	Adopted	7
	Stray	11	Euthanized	2
	Impound	0	Claimed	13
	Protective Custody	0	Field Release	0
	Quarantine	2	Transferred	0
	Other Intakes	2	Other Dispositions	0
CATS:				
	INTAKE	<b>17</b>	DISPOSITION	<b>18</b>
	Waiver	9	Adopted	14
	Stray	7	Euthanized	1
	Impound	0	Claimed	3
	Protective Custody	1	Field Release	0
	Quarantine	0	Transferred	0
	Other Intakes	0	Other Dispositions	0

OTHER ANIMALS:				
INTAKE	0	DISPOSITION	0	
Horse	0	Horse	0	
Rabbit	0	Rabbit	0	
Other	0	Guinea Pig	0	
DOA:	7	OTHER STATISTICS:		
Dog	3	Licenses (City of Kenai Dog Licenses)	22	
Cat	4	Rabies Clinic	81	
Rabbit	0			

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

Statistical Data:

- 257 2021 YTD Intakes
- 164 2022 YTD Intakes
- 231 2023 YTD Intakes





# KENAI

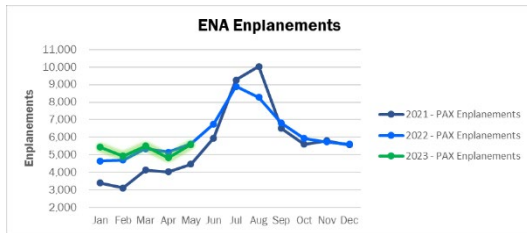
City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Eland Conway, Airport Manager  
**DATE:** June 14, 2023  
**SUBJECT:** Kenai Municipal Airport (ENA) Mid-Month Report

### Enplanements

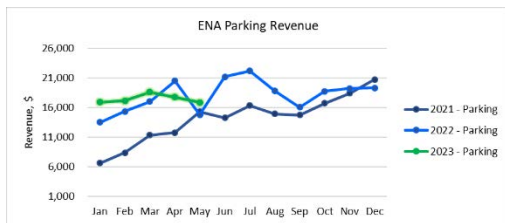
Enplanement growth has tapered off as we near the end of the second quarter. With Ravn Alaska’s reduced flight schedule, Grant Aviation and Kenai Aviation have seen substantial increases in load factors and passenger numbers.



	2021		2022		2023	
	PAX Enplanements	% Δ	PAX Enplanements	% Δ	PAX Enplanements	% Δ
Jan	3,389		4,646	▲ 37.1%	5,430	▲ 16.9%
Feb	3,112		4,695	▲ 50.9%	4,939	▲ 5.2%
Mar	4,127		5,349	▲ 29.6%	5,501	▲ 2.8%
Apr	4,035		5,150	▲ 27.6%	4,836	▼ -6.1%
May	4,464		5,621	▲ 25.9%	5,587	▼ -0.6%
Jun	5,953		6,760	▲ 13.6%		
Jul	9,259		8,896	▼ -3.9%		
Aug	10,035		8,274	▼ -17.5%		
Sep	6,500		6,800	▲ 4.6%		
Oct	5,596		5,941	▲ 6.2%		
Nov	5,803		5,730	▼ -1.3%		
Dec	5,571		5,603	▲ 0.6%		
<b>Total</b>	<b>67,844</b>		<b>73,465</b>	<b>▲ 8.3%</b>	<b>26,293</b>	

### Parking Revenue

After being down YOY in April, parking revenue has seen a significant rebound—up 14% YOY for the month of May.



	2021		2022		2023	
	Parking	% Δ	Parking	% Δ	Parking	% Δ
Jan	6,626		13,448	▲ 103%	16,845	▲ 25%
Feb	8,373		15,338	▲ 83%	17,132	▲ 12%
Mar	11,315		16,933	▲ 50%	18,597	▲ 10%
Apr	11,757		20,480	▲ 74%	17,750	▼ -13%
May	15,309		14,757	▼ -4%	16,837	▲ 14%
Jun	14,236		21,179	▲ 49%		
Jul	16,295		22,136	▲ 36%		
Aug	14,924		18,708	▲ 25%		
Sep	14,714		16,046	▲ 9%		
Oct	16,723		18,737	▲ 12%		
Nov	18,410		19,176	▲ 4%		
Dec	20,719		19,272	▼ -7%		
<b>Total</b>	<b>\$169,400.32</b>		<b>\$216,210.62</b>	<b>▲ 28%</b>	<b>\$87,161.13</b>	

### **Kenai Peninsula Air Fair, Poker Run, and Car Show**

The 20th annual Kenai Peninsula Air Fair returned after a three year hiatus. Despite cloudy skies, and the occasional rain shower, community members turned out in droves to walk the tarmac, enjoy live music, view aircraft, peruse vendor booths, and ogle show cars. More than 300 hotdogs and hamburgers were served up, and conservative estimates suggest more than 500 patrons were in attendance.





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Lana Metcalf, Controller

**DATE:** June 12, 2023

**SUBJECT:** Finance Department – June 2023 Mid-month Report

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With the passage of the FY24 Budget at the June 7th Council Meeting, the department has been making changes and compiling the document for printing. The document is expected to be available for distribution next week. The Department's focus will now be switching to closing FY23 and completion of the City's Annual Comprehensive Financial Report. This process includes closing of the FY23 financial records, fiscal year end grant reporting and finally financial statement preparation.

The 2023 Personal Use Fishery is quickly approaching and we will be working to assist Parks and Recreation staff to train seasonal employees to work in the dipnet shacks. We have been working closely with our software programmer to update the shack attendant software and to update the dipnet app.





# KENAI

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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Tony Prior, Fire Chief  
**DATE:** June 13, 2023  
**SUBJECT:** Fire Department Mid-Month Report – May

Calls for service for May decreased compared to May of 2022, however, we are still up 1.4% overall for year to date. Here are the calls for service break down.

May	2022	2023	% change
Totals	127	112	-11.8%
EMS	95	85	-10.5%
All Other	32	20	-37.5%
Year total	591	599	1.4%

### Training:

- Mike Oden attended AST SERT training in Fairbanks, training on tactical operation.
- Garrick Martin fully completed his AEMT course from KPC and has filed with the State and National Registry for Certification.
- Pete Coots attended a radio programming class by Pro-Comm to receive updates to programming on newer radios.
- All Shifts completed their annual Live Fire Drills for ARFF at Alaska Regional Training Center.

### Projects/Grants:

- Chief Prior continued work with the Personnel Working Group focused on Recruitment and Retention of COK employees.
- CWPP: Doug Koch Tree Service has stopped cutting for the Beetle movement period and will begin again in September. The slash disposal site is open again and taking beetle kill and brush.
- Agreement for the Healthy and Equitable Communities Grant is currently routing for all signatures and once they are completed, project work for the Recreation Center flooring will go out to bid.
- Opened/reviewed bids for Ambulance Billing and awarded contract to Systems Design West for Billing Services.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Stephanie Randall, Human Resources Director  
**DATE:** June 12, 2023  
**SUBJECT:** Human Resources Activity – May 2023

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### Recruitment

Human Resources worked with the City Manager’s office to select and hire Tyler Best as the City’s new Parks and Recreation Director. The recruitment for a Police Officer was successful and Sarah Herrin will be joining the City Police Department in June. The two Airport Operations Specialist positions were conditionally offered to two candidates with a projected start date of June 26, 2023. Seven applications were received for the Finance Director position and interviews for the top candidates will take place in June. The Assistant Parks and Recreation Director position has nine applicants and Human Resources is working with the new Parks and Recreation Director to interview the top candidates for this position. Recruitment continues for two Public Safety Dispatcher positions and several Temporary Personal Use Fishery Attendant positions.

### Safety

Three accidents were reported in May. One accident resulted in an employee injury and one resulted in property damage. A total of two Workers’ Compensation claims were filed in May.

### Employee Recognition and Awards

The following employees received certificates of appreciation in recognition of their years of employment with the City: 5 years: Jesse Tauriainen, Ryan Coleman, Cindy Herr, Kaitlyn Morse, Bradley Barrett, Scott Curtin, Collin Morse, Allen Young; 10 years: Scott Bloom, Allan Judd; 15 years: Jim Lackey, Patty Segura, Levi Russell; 20 years: Missy Bailey; and 25 years: Trevor Miller and Tony Prior.

### Special Projects

Human Resources continues to work with the Administration and the working group of City employees to determine items to be addressed by the FY24 Classification and Compensation Study and provide input on the Request for Proposals (RFP) for the FY24 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

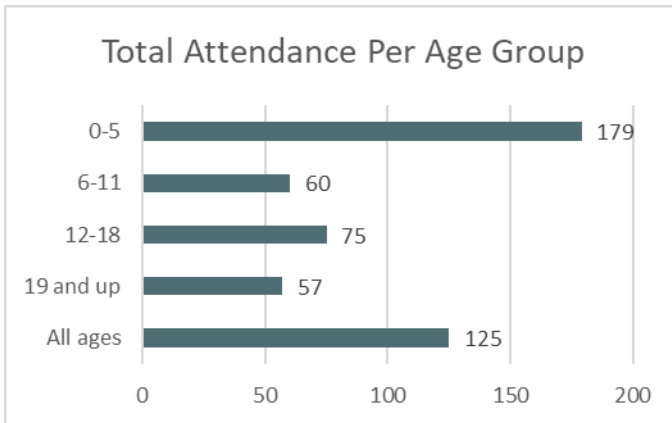
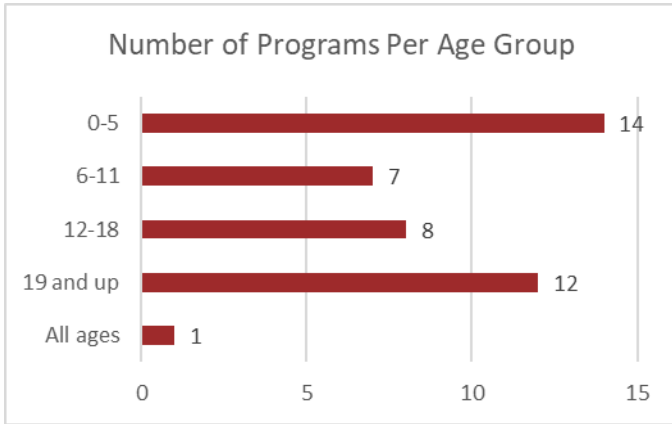
**DATE:** June 12, 2023

**SUBJECT:** Library Report for May 2023

### MAY 2023 AT A GLANCE

Items Borrowed	May-22	May-23	2023 YTD
Physical	5,611	6,822	33,255
Digital	1,576	1,683	8,219
<b>Services</b>			
New Memberships	47	44	271
Room Reservations	120	150	723
<b>Programs</b>			
Number of Programs	26	43	207
Program Attendance	363	496	2,461
<b>Technology Sessions</b>			
Computer sessions	436	580	2,687
WiFi Sessions	7,606	11,696	53,120
Early Literacy Station Sessions	239	346	1,460

## May 2023 PROGRAMMING



### HIGHLIGHTS

#### Kids

- 14 Story Times – 179 participants
- 4 Lego® Clubs – 45 participants
- 2 American Girl Doll Clubs – 13 participants
- 1 Tech Lab – 7 participants

#### Teens

- Teen Advisory Board – 7 participants
- Mario Kart Contest – 22 participants

#### Adults

- DIY Summer Totes -- 10 participants
- Mindfulness DIY kit – 30 kits distributed
- Tech Time – 5 participants
- Crafternoon – 8 participants

#### All ages

- Brick by Brick Lego Show – 125 participants
- 5 Chess Clubs – 39 participants

## MAY 2023 SERVICES HIGHLIGHTS

- Our study and conference rooms were used by 150 individuals/groups for a total of 293 hours
- Youth Services Coordinator Seth Gray presented information about our Summer Reading Program to over 400 students at 3 local schools.
- Happening now: Summer Reading is in full swing! Registration began May 18th. K-8 get a Summer Reading folder with time logs and more. Teens get our new Punch Card challenge. Adults can join in with our Read, Make, Explore challenge.





## MEMORANDUM

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

**THROUGH:** Terry Eubank, City Manager

**FROM:** Tyler Best, Parks and Recreation Director

**DATE:** 6/13/23

**SUBJECT:** **Mid-month Activity Report - May**

The grant-funded Green Strip Playground is installed and looks great at the Greenstrip/ Steve Shearer Memorial Ball Fields.

The department posted the Assistant Parks and Recreation Director Job, and it closed on June 9<sup>th</sup>. Interviews are scheduled and expected to be done by the end of June.

We opened the Slash Site in May and received 38.78 acres of treated area for the month.

Our first group of seasonal hires started on May 15<sup>th</sup> and have started mowing the fields, parks, and Right of Ways in the City.

Repairs are underway on the roof at the Rec Center, and the building remains open but has had to temporarily shut down certain sections as needed to complete the project safely.

### Kenai Rec. Center Visits

Weight Room/Cardio Room	1136
Racquetball	44
Walleyball	8
Shower/Sauna	285
Gymnasium	1216
Other	24
Gym Rental Visits	1340
<b>Total Number of Visits</b>	<b>3847</b>

Kenai Kite Festival is on June 24<sup>th</sup>; please see the flyer below.



The City of Kenai presents  
**KENAI'S KITE FESTIVAL**  
**Krazy Kool Kites in Kenai!**  
 Saturday June 24th  
 12pm-3pm  
 Millennium Square in Kenai  
 (Field behind Arby's)

Come to Kenai for one of the best events of the summer! Bring your own Kite or build one at the Kenai Community Library on June 23rd at 4pm!

**Walmart** Save money. Live better.

**Games!  
 Kite Races!  
 Kite Building!  
 Food Vendors!  
 A giant Octopus & Alligator Kite!**

**MAIN STREET Tap & Grill**  
**KENAI CHAMBER OF COMMERCE & VISITOR CENTER**





## MEMORANDUM

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

**THROUGH:** Terry Eubank, City Manager

**FROM:** Linda Mitchell, Planning Director

**DATE:** June 14, 2023

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

### General Information

- Kenai Peninsula Borough is holding an open house on flood map changes on Thursday, June 22<sup>nd</sup> between 5:30 and 7:30 p.m. at the Donald E. Gilman River Center, 514 Funny River Road, Soldotna, AK 99669.

### Application Summary

Planning and Zoning received 30 applications in May, carried over 17 applications, and completed 26 applications.

Staff conducted three (3) pre-application meetings with collaboration with the Fire Marshal, Building Official, and/or Public Works Director.

Applications	No. Received	Carried Over	Completed	In Progress
<b><i>Planning</i></b>				
Building Permit	21	7	22	6
Sign Permit	1	0	1	0
Conditional Use Permit	2	1	1	2
Amendment	0	1	1	0
Time Extension	1	0	0	1
Landscaping/Site Plan	1	2	1	2
Home Occupation Permit	0	0	0	0
Plat	1	0	0	1
Easement/Right-of-Way	0	0	0	0
Variance	0	0	0	0

Zoning Map/Text Amendment	0	0	0	0
City-Initiated	0	2	0	2
<b>Lands &amp; Leases</b>				
Purchase	0	2	0	2
New Lease	0	0	0	0
Renewal/Extension	1	0	0	1
Amendment	0	1	0	1
Assignment	0	0	0	0
Special Use Permit	2	1	0	3
<b>Total</b>	<b>30</b>	<b>17</b>	<b>26</b>	<b>21</b>

### **Code Enforcement and Compliance**

Planning and Zoning received two (2) new complaints in May. An additional complaint was received but it was related to an active code case (345 Dolchok Lane). There is a cumulative total of 18 open cases.

<b>Violations</b>	<b>No. of Open Cases</b>	<b>Carried Over</b>	<b>New</b>	<b>Closed</b>
<i>By Types</i>				
Abandoned Structure(s)	0	0	0	0
Abandoned Vehicle(s)	2	1	1	0
Building (e.g., as-built, damaged or decayed)	2	2	0	0
Conditional Use Permit	0	0	0	0
Junk and/or Refuse	6	5	1	0
Junk Vehicle(s)	4	4	0	0
Livestock	0	0	0	0
Signs	1	1	0	0
Recreational Vehicle(s)	1	1	0	0
Zoning (e.g., structures, setbacks, use)	2	2	0	0
<b>Total</b>	<b>18</b>	<b>16</b>	<b>2</b>	<b>0</b>

### **List of Open Cases**

<b>Property Address</b>	<b>Date of Complaint</b>	<b>Type of Violation</b>
110 Aleene Way	5/4/2022	Junk Vehicle; Junk and/or Refuse
5264 Kenai Spur Hwy	5/12/2022	Junk and/or Refuse
508 Hemlock Avenue	5/13/2022	Junk and/or Refuse
9168 Kenai Spur Hwy	5/16/2022	Junk Vehicle; Junk and/or Refuse





311 Linwood Lane	6/17/2022	Junk and/or Refuse
8195 Kenai Spur Hwy	8/18/2022	Junk and/or Refuse
1715 Fourth Avenue	8/25/2022	Junk Vehicle; Junk and/or Refuse
1009 Second Avenue	8/12/2022	Zoning
305 Sterling Court	10/20/2022	Building (On-Hold)
700 Cypress Drive	10/24/2022	Junk Vehicle(s)
345 Dolchok Lane	10/28/2022	Building (On-Hold); Zoning
312 Aspen Street	10/26/2022	Abandoned Vehicle(s)
11888 Kenai Spur Hwy	11/17/2022	Zoning
12656 Kenai Spur Hwy	12/1/2022	Sign (On-Hold)
4315 Lupine Drive	2/8/2023	Junk and/or Refuse
4555 Johnisee Court	4/26/2023	Recreational Vehicle
307 James St	5/22/2023	Junk in the Right-of-Way
Kenai North Beach	5/25/2023	Abandoned Vehicle

**Planning and Zoning Commission**

One public meeting was held in the month of May.

- A joint work session was held with Beautification Committee on “City of Kenai Storefront and Streetscape Improvement Program”.
- Planning and Zoning Commission took action as follows:
  - Granted a Conditional Use Permit (CUP) to Allow for a Recreational Vehicle (RV) Park Expansion, Event Venue, and Public Market on Properties Located at approximately 810 Childs Avenue (Parcel IDs: 04901401, 04901402, and 04901403) in the Heavy Industrial (IH) Zoning District.
  - Granted a Conditional Use Permit (CUP) to Allow for a Recreational Vehicle (RV) Park on Properties Located at 1088 and 1120 Bridge Access Road (Parcel IDs: 04901312 and 04901313) in the Heavy Industrial (IH) 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:** June 9, 2023

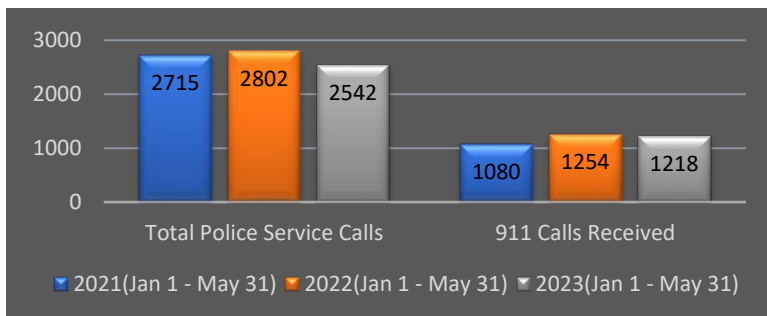
**SUBJECT:** **Police & Communications Department Activity – May 2023**

Police handled 595 calls for service in May. Dispatch received 280 9-1-1 calls. Officers made 25 arrests. Traffic enforcement resulted in 248 traffic contacts and 42 traffic citations. There were 8 DUI arrests. There were 18 reported motor vehicle collisions in May. There was one collision involving a moose and there were no collisions involving drugs or alcohol.

One KPD officer attended a two-week long firearms instructor school in Sitka. One KPD administrator attended a two day workshop in Soldotna, on identifying resources for responding to adults with substance use disorders and mental health conditions.

The School resource officer participated in job shadow at Kenai High School. He also participated in bike rodeos at Mountain View Elementary and Kaleidoscope.

The Department is working to fill one vacant police officer position and two vacant dispatcher positions. One Temporary Enforcement Officer (TEO) started working at KPD for the summer and the other four TEO hires have starting dates in June.





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** April 2023  
**SUBJECT:** Mid-Month Report; Public Works / Capital Projects

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### *Airport Fund Projects:*

- Kenai Municipal Airport Sand Storage Facility – Orion Construction is currently under contract in the amount of \$2,289,000. The project is now underway, Contractor has mobilized to site as of May 1<sup>st</sup>. Site has been survey staked in anticipation of excavation and foundation work starting later this month. Project will run through the summer months with an expected project completion late September. Ordinance 3362-2023 included in the June 21, 2023 council packet is appropriating additional funding for continuation of CA Services. Concrete foundation was poured on June 14<sup>th</sup>, and work is progressing well.



- 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 4<sup>th</sup>, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13<sup>th</sup>, 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 20<sup>th</sup>, 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 has been stalled at 35% Design as Environmental Compliance requirements are 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. Update: 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 7<sup>th</sup>, 2023 to allow the environmental work to move forward.
- Kenai Municipal Airport (KMA) Terminal Landscaping – A Request for Proposals for Landscape Design Services was released on July 14, 2022 with proposals due on July 28, 2022 where Earthscape LLC was determined to have provided the highest scoring proposal at a cost of \$28,255. The Purchase Order to Earthscape LLC was approved by Council at the 9/7/22 council meeting. Design work continues with final design concepts working through the airport commission and airport administration. Contract is billed out to 35% as of June 5, 2023.
- 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. Construction Bid release is pending, resolving final issues with Meridian Controls.



### **General Fund Projects:**

- USACE Bluff Erosion –Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. On January 2, 2022 the City received 35% Design Documents from HDR, staff was able to review those documents with HDR uploading them to the Corps website on January 25<sup>th</sup>. On March 3<sup>rd</sup> federal funding in the amount of \$650,000 was received by the USACE to be used toward the design effort of the project. On March 10<sup>th</sup> the City submitted a letter for Request for Work in Kind, to cover the expenses the City has incurred through HDR Engineers Inc. in the amount of \$248,676.73, which covers progress from July through November 2021. 65% Design Docs were received ahead of schedule on April 28<sup>th</sup>. Value Engineering Workshop was conducted with USACE on June 21-24, 2022 at JBER. This completed the requirement of completion of a VE Study for the project. Final 65% documents with the items addressed at the VE Study workshop were received 8/25/22. Advanced Technical Review (ATR) with the Corp began 9/15/22, with an ATR Workshop on October 3, 2022. The City Manager presented Resolution 2022-71 to Council at the October 5, 2022 meeting accepting a State Grant 23-DC-007 for \$6,500,000 in support of the Sponsor share of the project. This grant is a tremendous step toward fulfilling the City's responsibility of the current 35% percent match of the overall project. Staff formally submitted Work In Kind (WIK) Requests #2 & #3 to the USACE on November 3, 2022 totaling another \$316,447.30 toward our City Share of project costs. Project has now entered the BCOES phase (Bid-ability, Constructability, Operability, Environmental & Sustainability Reviews) with the US Army Corps. with a targeted completion date of March 10<sup>th</sup>, 2023 for this task. HDR has reached 95% design documents, which were delivered to the City on February 23, 2023. Preparations are in process for execution of a PPA (Project Partnership Agreement) with the US Army Corps likely within the next 60 days. The current target dates for advertisement for Construction Bids is June 12<sup>th</sup>, 2023 with Contract Award tracking at August 16<sup>th</sup>, 2023. Project remains on track and is proceeding well. Update: March 28<sup>th</sup>, 2023 10:00am conducted meeting reviewing BCOES comments with USACE and HDR, this step is nearing completion. March 28<sup>th</sup>, 2023 12:30pm meeting with City Manager Eubank, Colonel Delarosa and Randy Bowker with USACE discussing project funding, PPA, and design phase nearing completion. Project Partnership Agreement (PPA) is slightly delayed due to impacts of the WRDA bill which will have a positive impact for the City on revising the cost share from 65/35 to 90/10. Update: May 10<sup>th</sup>, HDR is nearing completion of their work, final back check of all design comments is being addressed, with final quality assurance reviews beginning with remaining USACE staff. Update: June 14, 2023, received the draft PPA on June 6<sup>th</sup>, 2023. City Attorney and Administration is reviewing. June 8<sup>th</sup>-9<sup>th</sup> staff and HDR reviewed all remaining open comments on 95% design docs with the USACE team. The final remaining items are being closed out in preparation of completed bid set deliverable to USACE. June 15<sup>th</sup> conference with Administration & USACE to answer questions on PPA. City fund certification documentation sent to USACE this month ahead of the July 6<sup>th</sup> deadline. Dates are sliding however we still anticipate a construction bid release later this year.



- Community Wildfire Prevention Plan (CWPP) Mitigation – The City has received grant funds to address beetle kill damages within the City. On November 3<sup>rd</sup> an Invitation to Bid was released in coordination with the Fire Department and Forest Service to perform mitigation services on approximately 105 acres of land through the No Name Creek Drainage from Redoubt Avenue extending to Cook Inlet. Five Bids were received on 12/13/22 with Doug Koch Professional Tree Service providing the winning bid at a cost of \$282,000. Work is anticipated to take place during allowable time frames over the next year. A Resolution to Award this Contract is before Council at the 12/21/22 Council Meeting. Construction Contract was fully executed on February 28<sup>th</sup>, 2023 and contractor is actively working on project. Much of the North section is now cut with timber and slash still remaining to haul away, Section 4-5 which is largely a hand felling area has started mitigation, as well as the South section near Municipal Park which has had extensive work completed to date. Contractor has been performing well, work will slow down through the summer months per the grant requirements when beetles are known to spread and work will resume later this fall. *Update: May 18, 2023 representatives from the USDA Forest Service as granting agency were in town and provided a tour of the work actively taking place. Review of project documents, invoices, drone footage, etc. was completed and received very well. Tree cutting work has now stopped as beetles are active and will resume as temperatures allow as we enter the winter months. To date the contractor has invoiced for \$142,972.41, approximately 50% of the contracted work. Project has proceeded quickly and remains on time and on budget.*



- Recreation Center Improvements – 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 5<sup>th</sup>, 2023 Council meeting. Construction will continue into the fall of 2023. *Update: June 14<sup>th</sup>, roof replacement is nearing completion with the majority of the facility now under a new much needed roof system. Work is progressing well, on time and on budget. Interior work to date includes installation of newly installed roof drains. Photos below are from June 13, 2023.*



- Kenai Fire Department Apparatus Bay Coating – Ordinance 3315-2022 is up for Council approval on 9/21/22 to provide supplemental funding to allow the project to bid. Once additional funds are approved project is prepped for bid release. Existing budget was \$45,000 with approval of Ordinance 3315-2022 new budget will be \$60,000. This work involves cleaning and replacement of concrete floor markings with the installation of a new concrete sealer to protect and extend the life of the garage bay floors. *Project was released for Construction Bids on May 2<sup>nd</sup> with bids due on May 18<sup>th</sup>. Council approved Resolution 2023-43 which awarded a construction agreement to Pro Grind Alaska Rental LLC in the amount of \$49,250. Work will take place this summer.*
- Visitor Center Roof Replacement – Supplemental funding for this project was provided by Council through passage of Ordinance 3329-2022 approved on December 21, 2022. A formal Invitation to Bid was released on January 19, 2023 with three bids received on February 6, 2023. E/P Roofing was the low bidder at a total cost of \$139,800, however they withdrew their bid with Hanson Roofing becoming the 2<sup>nd</sup> lowest responsive responsible bidder. Council approved Resolution 2023-20 on 3/1/23 awarding a contract to Hanson's in the amount of \$227,472. *This project has now been completed on time and on budget, without any change order requests. Water damaged areas found were minor in nature and Hanson's Roofing completed all necessary repairs without additional costs. Facility looks great, big thank you to Hanson's Roofing for their help on the project.*



- Kenai Dog Park – Council has provided \$63,000 in funding toward this project. On October 10<sup>th</sup>, 2022 Polar North Construction began work on the concrete pavilion pad with a concrete pour schedule for 10/13/22 weather pending. Fireweed Fence has also started reinstallation of the fence work the same week. The high water table within the park area continues to cause flooding issues within the park area. Public Works staff has roughed in some drainage trenches which have helped, we plan on expanding on that work and then placing some drainage rock so the repairs will be permanent. Project will continue into May/June 2023 as weather allows. Public Works staff has collected numerous items from the dog park





committee including park benches, signage, agility equipment, etc. and have items stored in our warm storage area to be installed next spring. Dog Park committee staff needs to coordinate with volunteers intended to construct the pavilion in order to secure the necessary construction materials. Public Works does not have sufficient budget in hand to purchase these items for them. City Manager Eubank and Public Works Director Curtin have been coordinating on remaining items to be completed with available remaining funds. We are expecting the pavilion to be constructed as soon as weather allows by Jeff Twait with materials sourced with donated funds. The Streets Department crews will strip and stock pile topsoil within the field area in an effort to raise the existing grade with fill material. We intend to utilize some of the roadway sand gathered from spring street sweeping operations to provide positive drainage at the site. Additional gravel French drains will be installed to manage storm water at the site, and then the topsoil will be spread over the field area. We anticipate this work to take one week to complete. Once the grading is complete, and the pavilion is constructed, Fireweed fencing will return to finish the perimeter fence and gates. Parks and Rec will then install the signage. Field will be seeded and watered, traffic will need to be limited during this time to allow the grass to grow. After first mowing of grass, field agility equipment will be placed. Project is tracking toward a July grand opening. *Roofing was completed on Monday June 12<sup>th</sup> with labor and materials donated by Hanson's Roofing. Cornerstone Construction donated the labor to construct the pavilion. Hydro-seed was placed June 14<sup>th</sup>, fencing is scheduled to start June 15-16<sup>th</sup>.*



- Roadway Improvements – Nelson Engineering was the successful proposer to provide bid ready construction documents for improvements to Wildwood Dr, Willow Ave, First St. as well as multiple smaller misc. repairs. Wildwood Drive & Willow Ave are anticipated to have 95% design docs received by February 20, 2023 for final review. Wildwood Dr will require grant assistance to complete the project. The sub-base was far worse than anticipated and the estimated costs increased substantially as a result. Willow Ave will bid once final documents are received, formal ITB release anticipated in March 2023. First Ave and the minor repairs are in the works, however they may be delayed until May 2023 for bid release. On 3/7/23



City Manager Eubank, Mayor Gabriel, Public Works Director Curtin participated in a conference with representatives from our legislature discussing State participation in funding for Wildwood Dr. Update: Wildwood Dr. was discussed at the May 3<sup>rd</sup> Council meeting and will be held until sufficient funding sources are in place. *Update: The N. Willow St Roadway Improvements, First Avenue Roadway Repairs, and Misc. Repairs projects were all released for construction bids on May 18<sup>th</sup> 2023 with Bids due on June 1<sup>st</sup>, 2023. All three projects received bids in excess of budgeted amounts and there is legislation pending at the June 21<sup>st</sup>, 2023 Council meeting to provide supplemental funding to award these projects. They are still intended, with Council's approval, to be completed this construction season.*

- *Green Strip Playground Equipment* – This project utilizing a U.S. Department of Health and Human Services (DHSS) grant seeks to replace aging playground equipment near the softball fields. Proposal Quotes Request (PQR) was released on February 1, 2023 with proposals due on February 21, 2023. Project cost estimate is \$85,000. Playcraft Systems was awarded the project by Council through passage of Resolution 2023-21 at the 3/1/23 Council Meeting. Contract was fully executed on March 20<sup>th</sup> and equipment is on order with an anticipated ship date of April 14<sup>th</sup> with arrival in Kenai approximately May 1<sup>st</sup>. Installation is expected to take two weeks to complete. *Update: this project was successfully completed by Playcraft Systems and the park is now open for the community to enjoy. Big thank you to Playcraft and their installer RJ for their help on this project. Staff is now coordinating the closeout with the granting agency.*



- *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.

- 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. The Parks & Recreation Commission is currently considering alternatives to fencing the cemetery in an effort to utilize those funds toward completing other items. Work will be suspended through the winter with the parking lot paving taking place early summer 2023. *Nelson Engineering is updating the grading plan, asphalt paving work for the parking lot and installation of a fence is anticipated this summer.*
- 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.

#### **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. Waiting on a final estimate, to determine amount of additional funding that may be required in order to release this project for construction. Council will likely see an Ordinance in August as this project moves forward.*
- Waste Water Treatment Plant Replacement Sludge Press – Resolution 2020-95 approved at the December 16, 2020 Council meeting authorized HDL Engineering to begin the Design Phase of the WWTP Replacement Sludge Press. Contract Documents were executed on January 6, 2021 with a Notice to Proceed issued on January 11, 2021. A Request for Proposals from press manufactures was released on April 27, 2021 with proposals due on May 25<sup>th</sup>, 2021. Resolution 2021-42 to award an equipment purchase agreement to Andritz Corp in the amount of \$285,000 was approved by Council at the June 16, 2021 meeting. A formal Invitation to Bid for Construction was released on June 7<sup>th</sup>, 2022. Bids were originally due on June 28<sup>th</sup> but the deadline was extended to July 22<sup>nd</sup> due to a lack of bidders interested in the project. On July 22<sup>nd</sup> two bids were received, with Blazy Construction being the lowest



responsive responsible bidder at a cost of \$1,437,913. Ordinance 3302-2022 awarded the Construction Agreement to Blazy Construction on 8/17/22. The Screw press was delivered on 10/27/31. The screw press is installed in its permanent location, jib crane has been installed and certified. All of the ductwork associated with the new exhaust air system is now installed. We are currently waiting on the delivery of the fiberglass platforms which is still a few weeks out and the new screw conveyor has been delayed and may not be on site until May unfortunately. *Update June 14<sup>th</sup> the last piece of equipment, the sludge conveyor, shipped today from Seattle and is heading our way. We are now anticipating commissioning for July 10<sup>th</sup>-14<sup>th</sup>.*

- 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 5<sup>th</sup> 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.

#### **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 are were received from the RSA Engineering on April 14<sup>th</sup>. Council approved Resolution 2023-30 on May 3<sup>rd</sup> to reallocate funds for the project. Invitation to Bid is pending.



**Other Projects Information:**

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. No new information to report 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 30<sup>th</sup> 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.

- DOT Boat Launch Road Fish Passage Culvert – Council approved a construction easement to allow DOT access to replace the roadway culvert at the intersection of Boat Launch Rd and Bridge Access at the April 5<sup>th</sup> Council meeting. Work is anticipated to start later this year in coordination with the River Center to minimize impacts to fish entering the watershed.





# 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:** June 6, 2023  
**SUBJECT:** May 2023 Monthly Report

May was jam-packed with activities at the Kenai Senior Center. A Mother’s Day Luncheon, “Grow with Me”, choir practice, and Waffle Friday were all well-attended. New weekly classes such as basic calligraphy and genealogy workshops have also been a hit. The Center’s “High Tea” had 40 participants in all, with hats, gloves, and a variety of tea fare enjoyed by all. For Senior Health and Fitness Day (May 31<sup>st</sup>) the center was able to host its first health fair since the Covid-19 closure. A walk to the Visitor’s Center and heart-healthy lunch were provided to seniors and vendors alike as 13 vendors provided information on age-related topics and services available.

	2023	2022
Home Delivered Meals	1849	2015
Individuals	90	94
Dining Room (Congregate) Meals	1176	834
Individuals	280	113
Transportation (1-way rides)	165	193
Individuals	18	16
Grocery Shopping Assistance	14/48	3
Writers Group	46	23
Caregiver Support Group	13	3
Growing Stronger Exercise	350	236
Tai Chi Class	44	32
TOPS Weight Loss Class	67	40
Bluegrass & Music Sessions	74	52
Card Games	109	113
Wii Bowling	40	31
Arts & Crafts	43	29
Total Event Sign-ins *	2540	1562
Individuals *	245	171
Vintage Pointe Manor Vacancies	0	2

\* (not including home meals clients)