



## Kenai City Council - Regular Meeting

October 04, 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 3\*\***

### Agenda

#### A. CALL TO ORDER

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

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

#### B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

#### E. PUBLIC HEARINGS

1. **Ordinance No. 3371-2023** - Accepting and Appropriating Funds from the Institute of Museum and Library Services, Passed through the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums, for Library Employee Training. (Administration)
2. **Ordinance No. 3372-2023** - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)
3. **Ordinance No. 3373-2023** - Amending Kenai Municipal Code 14.20.330 - Standard for Commercial Marijuana Establishments to Prohibit Licensed Retail Marijuana Establishments from Serving Customers through a Walk-Up or Drive-Through Window. (Baisden, Winger, Douthit)
4. **Resolution No. 2023-60** - Authorizing the Use of Equipment Replacement Fund to Purchase a Second Replacement Ambulance for the Fire Department Fleet Under the Existing Contract with Braun Northwest, and Authorizing a Change Order to the Contract. (Administration)
5. **Resolution No. 2023-61** - Authorizing the Use of the Equipment Replacement Fund for the Purchase of Snow Removal Equipment for the City Streets Department Utilizing a State of Alaska Procurement Contract. (Administration)

**F. MINUTES**

1. \*Regular Meeting of September 20, 2023. (City Clerk)

**G. UNFINISHED BUSINESS****H. NEW BUSINESS**

1. \***Action/Approval** - Bills to be Ratified. (Administration)
2. \***Ordinance No. 3374-2023** - Increasing Estimated Revenues and Appropriations in the Airport Fund for the Purchase of Aviation Fuel Due to Fuel Sales at the Kenai Municipal Airport Float Plane Basin Being in Excess of Budgeted Amounts. (Administration)
3. **Discussion/Action** - Cancelling the December 6, 2023 City Council Meeting to Allow for Council Member Travel to the Alaska Municipal League Conference. (Administration)

**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**

1. Mayor's Proclamation Declaring October 2023 as, "Domestic Violence Awareness Month".

**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**

1. CIRCAC Director's Report

*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/82508796716>

**Meeting ID:** 825 0879 6716 **Passcode:** 792372

OR

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

**Meeting ID:** 825 0879 6716 **Passcode:** 792372



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3371-2023**

AN ORDINANCE ACCEPTING AND APPROPRIATING FUNDS FROM THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES, PASSED THROUGH THE STATE OF ALASKA, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT, DIVISION OF LIBRARY, ARCHIVES & MUSEUMS, FOR LIBRARY EMPLOYEE TRAINING.

WHEREAS, the Kenai Community Library has been awarded a federal grant for up to \$1,250 from the Institute of Museum and Library Services, passed through the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums, for continuing education expenses; and,

WHEREAS, the funds will be used to reimburse travel costs related to a staff member's attendance at the Association for Small & Rural Libraries conference; 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 this grant in the amount of \$1,250 and to execute grant agreements and to expend the grant funds to fulfill the purpose and intent of this Ordinance.

**Section 2.** That estimated Revenues and Appropriations be increased as follows:

General Fund:

Increase Revenues –	
Federal Grants -Library	<u>\$1,250</u>
Increase Appropriations –	
Library—Travel and Transportation	<u>\$1,250</u>

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

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

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

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

ATTEST:

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

Approved by Finance: DS

Introduced: September 20, 2023  
Enacted: October 4, 2023  
Effective: October 4, 2023



# KENAI

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

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Katja Wolfe, Library Director  
**DATE:** September 12, 2023  
**SUBJECT:** **3371-2023 - Continuing Education Grant**

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The State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums receives funds from the Institute of Museum and Library Services (IMLS) to pay for Continuing Education (CE) grants for Alaska library workers. These funds can be spent on travel, lodging, per diem and registration expenses for conferences and workshops.

The purpose of this ordinance is to accept and appropriate a CE grant from the IMLS, passed through the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums, of up to \$1250 to reimburse the City of Kenai for a staff member's attendance at the annual Association for Small & Rural Libraries conference.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3372-2023**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT FROM THE STATE OF ALASKA FOR THE PURCHASE OF LIBRARY MATERIALS.

WHEREAS, the Kenai Community Library received the FY 2024 Public Library Assistance grant of \$7,000 from the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums; and,

WHEREAS, the funds will be used to purchase library materials; 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 this grant in the amount of \$7,000 and to execute grant agreements and to expend the grant funds to fulfill the purpose and intent of this Ordinance.

**Section 2.** That estimated Revenues and Appropriations be increased as follows:

General Fund:

Increase Estimated Revenues – Library—State Grants	<u>\$7,000</u>
Increase Appropriations – Library—Books	<u>\$7,000</u>

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

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

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

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

ATTEST:

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

Approved by Finance: DS

Introduced:	September 20, 2023
Enacted:	October 4, 2023
Effective:	October 4, 2023





# KENAI

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## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Katja Wolfe, Library Director

**DATE:** September 14, 2023

**SUBJECT:** **3372-2023 - Accepting and Appropriating a Grant for the Purchase of Library Materials**

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The Library has been awarded the annual Public Library Assistance Grant by the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums. As per the grant award, the amount of \$7,000 is to be used for the purchase of library materials.

The Library Director completes an application each year in order to receive these funds. Certain minimum standards must be met in order to receive this grant. These include reporting requirements on expenditures and collection statistics, the number of hours that the library is open to the public, minimum educational requirements for the Library Director and continuing education requirements.

Your consideration is appreciated.



Sponsored by: Baisden, Winger, Douthit

**CITY OF KENAI  
ORDINANCE NO. 3373-2023**

AN ORDINANCE AMENDING KENAI MUNICIPAL CODE 14.20.330-STANDARD FOR COMMERCIAL MARIJUANA ESTABLISHMENTS TO PROHIBIT LICENSED RETAIL MARIJUANA ESTABLISHMENTS FROM SERVING CUSTOMERS THROUGH A WALK-UP OR DRIVE-THROUGH WINDOW.

WHEREAS, the City has adopted local regulations governing commercial marijuana establishments within the City as provided in KMC Chapter 14.20-Kenai Zoning Code; and,

WHEREAS, the State of Alaska has recently enacted new regulations allowing licensed retail marijuana establishments to serve customers through a walk-up or drive-through window unless prohibited by local law; and,

WHEREAS, concerns for public safety and practical enforceability of the new regulations outweigh any public benefit; and,

WHEREAS, at its regular meeting of September 27, 2023 the Planning and Zoning Commission recommended \_\_\_\_\_ of this ordinance; and,

WHEREAS, it is in the best interest of the City to prohibit licensed retail marijuana establishments from serving customers through a walk-up or drive-through window.

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

**Section 1.** Amendment of Section 14.20.330 of Kenai Municipal Code: That Kenai Municipal Code, Section 14.20.330-Standard for Commercial marijuana establishments is hereby amended as follows:

**14.20.330 Standards for commercial marijuana establishments.**

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

- (a) Commercial marijuana establishments may be permitted or allowed with a conditional use permit under KMC 14.20.150, as provided in the City of Kenai's Land Use Table, KMC 14.22.010, and the provisions of this section. On-site consumption endorsements may not be approved by conditional use permit or otherwise and are not permitted within the City. Serving customers through a walk-up or drive-through window is also prohibited.
- (b) Applicants applying for a conditional use permit must include an area map drawn to scale indicating all land uses on other properties within a five hundred (500) foot proximity of the lot upon which the applicant is seeking a conditional use permit. This shall be in addition to the conditional use permit submission requirements in KMC 14.20.150.
- (c) A public hearing shall be scheduled before the Planning and Zoning Commission to review the conditional use permit application once it has been deemed complete. The public hearing shall be scheduled in accordance with the requirements in KMC 14.20.280, except that notification shall be mailed to all real property owners on record on the Borough Assessor's records within a five hundred (500) foot periphery of the parcel affected by the proposed action. The notice

periphery will be expanded until a minimum of thirty (30) different property owners are available for notification.

- (d) The preparation, packaging, manufacturing, processing, and storing of all marijuana, marijuana concentrate or marijuana products must be conducted within a fully enclosed, secure indoor facility. The growing and cultivating of marijuana must be conducted within a fully enclosed, secure indoor facility or greenhouse with view-obscuring rigid walls, a roof and doors, unless a nonrigid greenhouse, or other structure, is specifically approved, in which case the cultivation must be enclosed by a sight-obscuring wall or fence at least six (6) feet high.
- (e) All commercial marijuana establishments shall not emit an odor that is detectable by the public from outside the commercial marijuana establishment.
- (f) No portion of a parcel upon which any commercial marijuana establishment is located shall be permitted within the following buffer distances:
  - (1) One thousand (1,000) feet of any primary and secondary schools (K-12) and five hundred (500) feet of any vocational programs, post-secondary schools, including but not limited to trade, technical, or vocational schools, colleges and universities, recreation or youth centers, correctional facilities, churches, and State-licensed substance abuse treatment facilities providing substance abuse treatment; and
  - (2) Buffer distances shall be measured as the closest distance from the perimeter of a stand-alone commercial marijuana establishment structure to the outer boundaries of the school, recreation or youth center, or the main public entrance of a church, correctional facility, or a substance abuse treatment facility providing substance abuse treatment. If the commercial marijuana establishment occupies only a portion of a structure, buffer distances are measured as the closest distance from the perimeter of the closest interior wall segregating the commercial marijuana establishment from other uses, or available uses in the structure, or an exterior wall if closer, to the outer boundaries of the school, recreation or youth center, or the main public entrance of a church or correctional facility, or a substance abuse treatment facility providing substance abuse treatment.
- (g) As provided in the Land Use Table, a person or licensee may apply for a conditional use permit to allow for a marijuana cultivation facility, standard, on lots of forty thousand (40,000) square feet or greater in size, and a marijuana cultivation facility, limited, on any size lot.
- (h) A marijuana cultivation facility, standard, or a marijuana cultivation facility, limited, shall only be allowed on a lot which has an existing structure consistent with a principal permitted use.
- (i) A marijuana cultivation facility located in an accessory building shall be subject to the setback provisions in KMC 14.24.020, development requirements table. A person or licensee seeking relief from the provisions in the development requirements table may apply for a variance subject to the provisions of KMC 14.20.180.
- (j) No retail marijuana store may conduct business on, or allow any customer or consumer to access, the licensed premises between the hours of 5:00 a.m. and 8:00 a.m. daily.

**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 4<sup>TH</sup> DAY OF OCTOBER, 2023.

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

ATTEST:

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

Introduced:	September 20, 2023
Enacted:	October 4, 2023
Effective:	November 3, 2023



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Vice Mayor James Baisden

**DATE:** September 13, 2023

**SUBJECT:** **Ordinance No. 3373-2023- Prohibiting the sale of marijuana and related products from walk-up and drive through windows.**

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The State recently approved new regulations allowing the sale of marijuana and related products through walk-up and drive-through windows unless prohibited by local law. This ordinance prohibits commercial marijuana establishments within the City from utilizing walk-up and drive-through windows. The sale of marijuana and related products from walk-up and drive-through windows has the potential to increase the risk to public safety through impaired driving. Further, it seems practically difficult to ensure that all passengers in a vehicle are of sufficient age or familial relationship to the driver to purchase marijuana as required by the regulations, increasing the risk of consumption of marijuana by underage populations.

Your consideration is appreciated.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Scott Bloom, City Attorney  
**DATE:** September 29, 2023  
**SUBJECT:** Ordinance 3373-2023 Requested Amendment

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The purpose of this memo is to request an amendment to Ordinance 3373-2023 to reflect the actions of the Planning and Zoning Commission. At its regular meeting on September 27, 2023 the Planning and Zoning Commission recommended enactment of Ordinance 3373-2023.

The following amendment is respectfully requested.

### Motion

Amend the 4<sup>th</sup> WHEREAS to read:

WHEREAS, at its regular meeting of September 27, 2023 the Planning and Zoning Commission recommended enactment of this ordinance; and,

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-60**

A RESOLUTION AUTHORIZING THE USE OF EQUIPMENT REPLACEMENT FUND TO PURCHASE A SECOND REPLACEMENT AMBULANCE FOR THE FIRE DEPARTMENT FLEET UNDER THE EXISTING CONTRACT WITH BRAUN NORTHWEST, AND AUTHORIZING A CHANGE ORDER TO THE CONTRACT.

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WHEREAS, Resolution 2022-47 awarded a contract to Braun North West, after a competitive process, for the purchase of a replacement ambulance for \$245,372 and a change order in the amount of \$7,350 was approved in December 2022 following pre-build meetings that updated the build of the ambulance, bringing the total cost to \$252,722; and,

WHEREAS, supply chain issues and the unavailability of vehicle chassis have resulted in delays in receiving the ambulance ordered in 2022; and,

WHEREAS, the City was just recently notified the unit ordered in 2022 has finally received confirmation of an available chassis and will be delivered in 2024; and,

WHEREAS, the build will utilize a more expensive Ford chassis because no Dodge chassis is available with Braun absorbing the increased chassis costs for the 2022 order; and,

WHEREAS, the City has a current need for a second replacement ambulance and Braun has agreed to honor the build price of the City's 2022 contract with only an increase in chassis cost of \$6,894 for a 2024 chassis and a switch from Dodge to Ford, bringing the total build cost for a second new ambulance to \$259,616; and,

WHEREAS, Rescue-6, an ambulance in the Fire Department fleet was scheduled for replacement after 13 years or in 2029 and is currently approaching 100,000 miles; and,

WHEREAS, the City's two front-line ambulances, including Rescue-6 are averaging 12,500 – 15,000 miles annually requiring more frequent replacement than the planned 13 years; and,

WHEREAS, because of higher than estimated usage and the extended build time for new ambulances, administration recommends replacement of Rescue-6 be undertaken now; and,

WHEREAS, utilizing the 2022 bid price with a minor addition for a 2024 chassis and no other increase, despite historic inflation, provides a significant opportunity for the City to obtain the second needed ambulance through a change order to the existing contract; and,

WHEREAS, it is unclear if the City could obtain a second replacement ambulance in a reasonable timeframe if it went out to bid again and administration understands costs would come back significantly higher due to inflation and market conditions; and,

WHEREAS, the City has the funding available within the equipment replacement fund and it is in the best interest of the City to replace Rescue-6 at this time by issuing a change order to Braun for significant cost and time savings over waiting and issuing a separate bid at a later date.

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

**Section 1.** That the Kenai City Council authorizes the use of the Equipment Replacement Fund for replacement of Rescue-6 at an approximate cost of \$259,616.

**Section 2.** That the City Manager is authorized to execute a change order in the amount of \$259,616 with Braun Northwest for are placement ambulance based upon their 2022 cost plus a \$6,894 increase for a 2024 Ford chassis.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF OCTOBER, 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:** Tony Prior, Fire Chief

**DATE:** September 25, 2023

**SUBJECT:** **Resolution 2023-60 Authorizing the Purchase of a Second Ambulance, Utilizing the City's Equipment Replacement Fund, By a Change Order to Braun Northwest.**

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Due to the auto industry not fulfilling government contracts for chassis or utility vehicles for the past 2 years, and supply chain issues for parts, build times for ambulances are drastically changing and somewhat unknown. An ambulance, ordered in 2022, with a Dodge chassis is being changed to a Ford chassis as Dodge has not committed to fulfilling any government contracts and the build time is being extended beyond the contract's 420 days. Delivery for this unit is now expected in March 2024.

The City's current replacement schedule for ambulances, estimated to be 13 years, is in need of updating due to the increased call volume and the administration recommends shortening the replacement schedule to ten years to address the higher mileage being placed on the City's ambulances. Rescue 6, the City's newest unit, built in early 2016, is already approaching 100,000 miles and the department is averaging 12.5-15k miles per year/per unit. At this pace, first line ambulances will require replacement between 8-10 years due to mileage and hours.

While obtaining an estimate of the cost to replace Rescue 6 prior to its scheduled replacement in 2029, Braun Northwest, the company currently under contract to provide a replacement ambulance by March 2024 offered to build a second unit for the 2022 bid price plus and additional \$6,894 for a 2024 Ford chassis versus the contracts 2022 Dodge chassis. The total cost, utilizing the 2022 bid process would be \$259,616.

Early replacement of Rescue 6 of will leave the City with two first line ambulances with low mileage and a reserve ambulance with approximately 120,000 miles on it. As with all equipment replacements, the City will delay future replacement, if possible, to ensure maximum benefit is being received. Early replacement is requested because of the increased mileage being applied to units, the extended build times, approaching two years, caused by supply chain interruptions and the opportunity to secure 2022 pricing competing bid by Braun Northwest.

Your support of Resolution 2023-60 to purchase an ambulance utilizing the equipment replacement fund and issuance of a change order to Braun Northwest for construction of second ambulance is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-61**

A RESOLUTION AUTHORIZING THE USE OF THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF SNOW REMOVAL EQUIPMENT FOR THE CITY STREETS DEPARTMENT UTILIZING A STATE OF ALASKA PROCUREMENT CONTRACT.

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WHEREAS, BSI Equipment currently holds Alaska State procurement contract CA2337-22 to supply Loader Mounted Snow Blowers for government agencies; and,

WHEREAS, the City's fiscal year 2024 budget included \$200,000 for this purchase, the Equipment Replacement Fund has the capacity to fund the actual cost which is \$21,347 over the original estimate; and,

WHEREAS, BSI Equipment provided a quote including freight on August 23, 2023 totaling \$221,347; and,

WHEREAS, the purchasing of this equipment through utilization of an Alaska State Fleet contract is allowable without a separate competitive bid process by the City per KMC 7.15.070 (b)(4) which allows supplies, materials, equipment or contractual services to be purchases under the contract of another governmental agency; and,

WHEREAS, this piece of equipment will allow the Public Works Streets Department to continue to effectively and safely maintain City roadways by providing operators with better visibility during snow removal operations and the ability to move snow further and faster.

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 BSI Equipment in the amount of \$221,347.


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

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4<sup>TH</sup> DAY OF OCTOBER, 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, Public Works Director  
**DATE:** September 26, 2023  
**SUBJECT:** **Resolution 2023-61 Streets Snow Blower**

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The purpose of this memo is to request Council's approval for the purchase of snow removal equipment for the Streets Department as discussed during this past budgeting season. The loader mounted blower pictured below was determined to be a much better option for operators during heavy snow falls and as winter snow pack builds up in the right of ways, limiting visibility as well as space for placing snow.

This equipment is available for purchase through a State of Alaska Fleet contract CA-2337-23 awarded to BSI Equipment, a vendor well known to the City. BSI Equipment provided a quote on August 23, 2023 which included freight to Kenai. BSI Equipment had also already pre-ordered several units which will be arriving in state in time for winter operations this season, so the department will not have to wait the typical 9-12 months common with ordering this type of equipment.

This is a planned and budgeted purchase. Funding is as detailed on page 159 of the City's currently adopted budget which indicates \$22,574 contributing to the equipment replacement fund in support of this purchase. It is noted that this contribution may adjust slightly annually to account for the differences in budgeted costs versus actual costs. I believe \$200,000 was used as a budgetary number.

Staff is looking forward to the impact this purchase will have on operations. Council's support is respectfully requested.



KENAI CITY COUNCIL – REGULAR MEETING  
SEPTEMBER 20, 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 September 20, 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                        | James Baisden, Vice Mayor |
| Teea Winger ( <i>remote participation</i> ) | Deborah Sounart           |
| Henry Knackstedt                            | Victoria Askin            |

A quorum was present.

Absent:

- Alex Douthit

Also in attendance were:

- \*\*Xinlan Tanner, Student Representative
- Terry Eubank, City Manager
- Scott Bloom, City Attorney
- David Swarner, Finance Director
- Scott Curtin, Public Works Director
- Mary Bondurant, Interim Airport Manager
- Dave Ross, Police Chief
- Shellie Saner, City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following amendments to the Packet:

- |                      |   |
|----------------------|---|
| Add item G. 1.       | <b>Public Hearing - Resolution No. 2023- 49</b> |
|                      | • Draft Easement                                |
| Remove from Consent: | <b>Introduction of Ordinance 3373-2023</b>      |

**MOTION:**

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

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.

**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.

Mayor Gabriel administered the Oath of Office to Student Representative, Xinlan Tanner.

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

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

**D. UNSCHEDULED PUBLIC COMMENTS**

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center provided an update on the upcoming Kenai River Marathon; the Silver Salmon Derby, noting the potential for additional funding sponsorship from the Kenai River Sports Fishing Association; and displayed examples of the "I love Kenai" merchandise available.

Marion Nelson, Kenai Fine Art Center Board President provided an update on the upcoming Harvest Auction; and noted her participation with the Old Town Playground working group.

**E. PUBLIC HEARINGS**

- 1. Ordinance No. 3370-2023** - Accepting and Appropriating Fiscal Year 2023 Funds from the Sign Research Foundation for the Sign Research Foundation Scholarship Program. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3370-2023. 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.

**VOTE:**

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

NAY: None

ABSENT: Douthit

\*\*Student Representative Tanner: YEA

**MOTION PASSED**, without objection.

- 2. Resolution No. 2023-56** - Authorizing the Application to the State of Alaska, Department of Environmental Conservation for a State Revolving Fund Loan from the Alaska Drinking Water Fund and Execution of a Loan Agreement for the Water Treatment Plant Pumphouse Project. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-56. Council Member Sounart **SECONDED** the motion.

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

**UNANIMOUS CONSENT** was requested.

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

- 3. Resolution No. 2023-57** - Awarding Non-Exclusive On-Airport Car Rental Concessions to Copper River Rentals, LLC D/B/A Budget Rent A Car and Alaska Rent A Car, Inc. D/B/A Avis for the Period of January 1, 2024 to December 31, 2028. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-57. 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.

**UNANIMOUS CONSENT** was requested.

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

- 4. Resolution No. 2023-58** - Authorizing a Twelve-Month Extension of Time for Good Cause for the Completion of Permanent Improvements for a Lease Between the City of Kenai and Alaska Air Fuel, Inc., for Airport Reserve Lands Described as Lot 5A, FBO Subdivision No. 10. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-58. 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.

There was discussion regarding the Administration providing a status update regarding the improvements in February 2024.

**UNANIMOUS CONSENT** was requested.

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

- 5. Resolution No. 2023-59** - Authorizing the City Manager to Enter a Project Partnership Agreement with the Department of The Army for the Administration and Construction of the Kenai Bluff Stabilization Project with an Estimated Project Cost of \$41,604,000 Including a Federal Cost Share of \$37,443,600 and City Share of \$4,160,400. (Administration)

**MOTION:**

Council Member Askin **MOVED** to adopt Resolution No. 2023-59. 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 project design was completed the project partnership agreement would define the roles, responsibilities and financial commitments of both the City and Department of Army; Bluff Stabilization has been the number one priority of the City for more than 30-years; signing of the agreement represents a tremendous amount of work by prior administrations, prior Mayor's and Council Member's and our Legislative Delegates; and the public ceremonial signing event would be held on Monday, September 25, 2023 at the Kenai Senior Center.

There was discussion regarding the availability of additional fund if the project bids come in higher than expected, that significant contingency was built into the numbers and the project should be able to be landed within the budget.

**VOTE:**

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

NAY: None

ABSENT: Douthit

\*\*Student Representative Tanner: YEA

**MOTION APPROVED**, without objection.

**F. MINUTES**

1. \*Regular Meeting of September 6, 2023. (City Clerk)

**G. UNFINISHED BUSINESS**

1. **Resolution No. 2023-49** - Declaring the Rights-of-Way of Char Circle as Dedicated on Park View Subdivision (Plat No. KN 79-156) and City Park Subdivision No. 2 (Plat No. KN 2007-149) and a Portion of S. Spruce Street as Dedication on Park View Subdivision (Plat No. KN 79-156) are No Longer Needed for a Public Purpose and Consenting to Vacation of the Rights-of-Way. (Administration) *[At the 08/02/23 meeting, this item was postponed to 09/06/23; at the 09/06/23 meeting, this item was postponed to 09/20/23.]*

*[Clerk's Note: The motion to adopt Resolution 2023-49 was on the floor from the August 2, 2023 Regular City Council Meeting.]*

Mayor Gabriel opened the floor for public comment.

Ryan Tunseth, Board member of the Boys & Girls Club of the Kenai Peninsula addressed the Council stating that the Boys & Girls Club and the Evenson's were in agreement regarding the vacation of rights-of-ways.

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

It was reported that the City met with the Boys & Girls Club and the Evenson's and worked out an agreement; the easement as proposed would provide sufficient access and space for installation of utilities.

**MOTION:**

Vice Mayor Baisden **MOVED** to amend Resolution 2023-49 as follows:

Amend the third Whereas clause to read, "the total area of the right-of-way vacation is approximately [0.719] 0.96-acre as shown in Exhibit A; and,"

Insert a new fourth Whereas clause to read, "on August 2, 2023, City Council postponed Resolution No. 2023-49 to September 6, 2023 at the request of an affected property to address concerns on access with the Boys & Girls Club of the Kenai Peninsula; and,"

Insert a new fifth Whereas clause to read, "on September 6, 2023, a postponement was granted by Council to bring the matter back to Planning and Zoning Commission at their September 13, 2023 meeting for their recommendation on the revision to the ROW vacations; and,"

Insert a new sixth Whereas clause to read, "on September 13, 2023, the Planning and Zoning Commission passed Resolution PZ2023-17 recommending that Kenai Peninsula Borough Planning Commission approve the preliminary plat for City Park 2023 Replat with vacations of Char Circle and a portion of S. Spruce Street; and,"

Council Member Askin **SECONDED** the motion.

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

**VOTE:** Motion to amend **APPROVED**; without objection.



**UNANIMOUS CONSENT** was requested on the main motion as amended.

**VOTE:** Main motion as amended **APPROVED**; without objection.

## 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 the October 3, 2023 Election Precinct Boards for the October 3, 2023 Regular City Election. (City Clerk)

Approved by the consent agenda.

### 4. \*Action/Approval - Confirming the Appointment of Xinlan Tanner as Student Representative to City Council. (Mayor)

Approved by the consent agenda.

### 5. \*Ordinance No. 3371-2023 - Accepting and Appropriating Funds from the Institute of Museum and Library Services, Passed through the State of Alaska, Department of Education and Early Development, Division of Library, Archives & Museums, for Library Employee Training. (Administration)

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

### 6. \*Ordinance No. 3372-2023 - Accepting and Appropriating a Grant from the State of Alaska for the Purchase of Library Materials. (Administration)

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

### 7. Ordinance No. 3373-2023 - Amending Kenai Municipal Code 14.20.330 - Standard for Commercial Marijuana Establishments to Prohibit Licensed Retail Marijuana Establishments from Serving Customers through a Walk-Up or Drive-Through Window. (Baisden, Winger, Douthit)

## MOTION:

Vice Mayor Baisden **MOVED** to in introduce Ordinance No. 3373-2023, refer the ordinance as a New Business Item to the Planning and Zoning Commission's September 27, 2023 meeting, for the commission's recommendation on any specific zoning related considerations in regards to this ordinance and to schedule the City Council public hearing on the ordinance for October 4, 2023. Council Member Knackstedt **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

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

## I. COMMISSION / COMMITTEE REPORTS

### 1. Council on Aging

Council Member Sounart reported on the September 14, 2023 meeting, next meeting October 12, 2023.

### 2. Airport Commission

Council Member Askin reported on the September 14, 2023 meeting, next meeting October 12, 2023.

3. Harbor Commission

No report, next meeting November 6, 2023

4. Parks and Recreation Commission

Council Member Askin reported on the September 7, 2023 meeting, next meeting October 5, 2023.

5. Planning and Zoning Commission

Vice Mayor Baisden reported on the September 13, 2023 meeting, next meeting September 27, 2023.

6. Beautification Committee

Council Member Winger reported on the September 12, 2023 meeting, next meeting October 10, 2023.

**J. REPORT OF THE MAYOR**

Mayor Gabriel reported on the following:

- Participating as a wheel spinner in the Silver Salmon Derby.
- Attending the Candidate Forum held by the Kenai Chamber of Commerce.

**K. ADMINISTRATION REPORTS**

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

- Invitations to the Bluff Stabilizations agreement signing event included: State and Federal Legislative Delegates, Kenaitze and Salamatof Tribes, and former Mayors of the City.
- Phase II of the Spur Highway expansion was delayed due to one of the utilities being unable to source the materials needed to relocate the utility.
- Environmental review for the Bridge Access Bike Path was complete, construction was expected in 2025 in coordination with the Bridge Access preservation project.
- Provided and update on the Old town Playground project.
- Street light repairs were being addressed as funding allowed.
- Provided an update regarding the Airport Manager recruitment, noting that it has been great having Mary Bondurant back as the interim.

2. City Attorney - No report.

3. City Clerk – City Clerk Saner reported on the following:

- That 393 markers out of 780 had been photographed so far for the cemetery marker imaging project.
- Presenting at the Kenai Historical Society meeting on September 17, 2023.

**L. ADDITIONAL PUBLIC COMMENTS**

1. Citizen Comments (*Public comments limited to (5) minutes per speaker*)

Samantha Springer, Executive Director of the Kenai Chamber of Commerce and Visitor Center reported that there would be a free Haunted Chamber event from October 7 - 19, 2023.

2. Council Comments

Council Member Winger welcomed Student Representative Tanner; congratulated the Silver Salmon Derby winners; noted she was looking forward to the Bluff Stabilization project signing event, the Kenai River Marathon and the Chamber Haunted House; and reported there would be a Dog Park meeting on Saturday, September 23, 2023 at 1:00 p.m.

Student Representative Tanner reported on the following Student Council meeting subjects: Pre-Kindergarten program for families that are new to home schooling; the Fuel your Future program which is about scholarships and SAT preparations; scholarships and postsecondary opportunities for students in Connections; grant funds from Caring for the Kenai used to give back to the community by purchasing and distributing laundry detergent sheets to keep plastic out of our landfills; and that she would be in contact with the Student Council's from other schools to find out what they are working on and report back to Council.

Council Member Sounart welcomed Student Representative Tanner and said she was excited to see the Bluff Stabilization project moving forward.

Council Member Askin congratulated the Administration for getting to this point on the Bluff Stabilization project, noting she remember working on the 1997 Planning and Zoning Commission minutes when bluff erosion was a topic discussed; congratulated the Silver Salmon Derby winners; reported being part of the group working with the City Clerk's Office to photograph the cemetery markers; and welcomed Student Representative Tanner.

Vice Mayor Baisden noted concerns with having a vacant car dealership in the City.

Council Member Knackstedt welcomed Student representative Tanner; thanked the Clerk for presenting at the Historical Society meeting; and noted he was looking forward the Harvest Auction.

**M. EXECUTIVE SESSION** - None.

**N. PENDING ITEMS** - None.

**O. ADJOURNMENT**

**P. INFORMATIONAL ITEMS** - None.

There being no further business before the Council, the meeting was adjourned at 6:54 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of September 20, 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.*

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

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
PERS	PERS	VARIOUS	LIABILITY	111,913.06

**INVESTMENTS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>Effect. Int.</b>
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Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3374-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT FUND FOR THE PURCHASE OF AVIATION FUEL DUE TO FUEL SALES AT THE KENAI MUNICIPAL AIRPORT FLOAT PLANE BASIN BEING IN EXCESS OF BUDGETED AMOUNTS.

WHEREAS, the Airport budgeted \$20,000 in fiscal year 2024 for the purchase of aviation fuel to be resold at the Airport float plane basin; and,

WHEREAS, the demand for aviation fuel significantly increased with a commercial float plane operation utilizing the float plane basin and the budgeted amount was depleted as of September 21, 2023; and,

WHEREAS, the float plane basin season is open until the third week of October 2023; and,

WHEREAS, in order to provide aviation fuel at the float plane basin for the remainder of fiscal year 2024, the Airport needs to appropriate \$15,000 for the purchase of additional fuel.

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:

Airport Fund:

Increase Estimated revenues	
Fuel Sales	<u>\$15,000</u>
Increase Appropriations	
Other Buildings and Areas Operating Supplies	<u>\$15,000</u>

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


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

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

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

ATTEST:

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

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

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



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Mary Bondurant, Interim Airport Manager  
**DATE:** September 27, 2023  
**SUBJECT:** **Ordinance No. 3374-2023 Appropriation of Funds**

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This memo recommends support of Ordinance No. 3374 -2023 appropriating funds into the Float Plane Basin operating supplies budget for aviation fuel.

The original FY2024 budget for aviation fuel was \$20,000 with an additional \$4,000 transferred from another account to ensure the Airport could provide fuel into the third week of October. The basin will then be closed, drained, and reopened in May 2024. This additional \$15,000 is necessary for the Airport to purchase and provide fuel to float plane operators from May to June 2024.

From July 1, 2023 to September 27, 2023 the Airport has sold 4,722 gallons of aviation fuel with sales totaling \$36,172.

Authorization of this \$15,000 is recommended to meet the fuel demand for the float plane basin users in the spring of 2024.

Thank you for your consideration.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Terry Eubank, City Manager  
Shellie Saner, City Clerk

**DATE:** September 29, 2023

**SUBJECT:** **Cancelling the December 6, 2023 Regular City Council Meeting**

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Alaska Municipal League (AML) has scheduled its 2023 Annual Local Government Conference in Anchorage for December 6-8, 2023. In past years when the conference was schedule during the same week as a City Council meeting the meeting would often be cancelled to allow Council Members to attend.

This item was brought forward for Council consideration regarding cancellation of the December 6, 2023 City Council Meeting to accommodate those City Council Members who want to attend the AML Conference this year.

The following affiliate associations will be meeting during the same week in Anchorage:

Alaska Association of Municipal Clerks	December 3 - 5, 2023
Alaska Municipal Management Association	December 4 - 5, 2023
Alaska Conference of Mayors	December 5, 2023
Alaska Municipal Attorneys Association	December 4 - 5, 2023
Alaska Government Finance Officers Association	December 6 - 8, 2023

If the December 6, 2023 meeting is cancelled there would be a five-week break between Council meetings; should something urgent come up a Special Meeting could be scheduled.

Pursuant to City Charter, a meeting may be cancelled by a majority of Council Members for any reasons as long as at least twenty (20) regular meetings are held each year and at least one each month. If the December 6<sup>th</sup> meeting is cancelled, the Council would be in compliance with this requirement.



**KENAI COUNCIL ON AGING – REGULAR MEETING  
SEPTEMBER 14, 2023 – 3:00 P.M.  
KENAI SENIOR CENTER  
361 SENIOR CT., KENAI, AK 99611  
CHAIR RACHAEL CRAIG, PRESIDING**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Council on Aging was held on September 14, 2023, at the Kenai Senior Center, Kenai, AK. Chair Craig called the meeting to order at approximately 3:00 p.m.

**1. Pledge of Allegiance**

Chair Craig led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Rachael Craig, Chair  
Glenese Pettey  
Frances Kilfoyle  
Velda Geller

Roy Williams, Vice Chair  
Kenneth Ayers  
John Straughn  
Barbara Modigh

A quorum was present.

Also in attendance were:

Kathy Romain, Senior Center Director  
Deborah Sounart, City Council Liaison

**3. Agenda Approval**

**MOTION:**

Council Member Straughn **MOVED** to approve the agenda as presented. Council Member Ayers **SECONDED** the motion.

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

**B. SCHEDULED PUBLIC COMMENTS –**

- 1. Brandi Bell, Elders & Transportation Manager, Kenaitze Indian Tribe – Fixed-Route Bus Service Community Survey & Information

Brandi Bell discussed the fixed rate bus service and other services available to the community through Dena’ina Wellness including behavioral health, food cache, etc.

**C. UNSCHEDULED PUBLIC COMMENTS**

**D. APPROVAL OF ACTION MINUTES**

- 1. May 11, 2023.

**MOTION:**

Commissioner Williams **MOVED** to approve the May 11, 2023 Summary. Commissioner Pettey **SECONDED** the motion.

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

**E. UNFINISHED BUSINESS**

1. Approval of the Kenai Senior Center Code of Conduct and Ethics, 2023 Revision

Director Romain discussed adding a clause to the Kenai Senior Center Code of Conduct and Ethics that was approved at the May 11, 2023 Meeting. She noted that it will be handed out in October with updated client information seats. Discussion occurred.

**MOTION:**

Commissioner Pettey **MOVED** to approve the final revised version of the Kenai Senior Center Code of Conduct and Ethics. Commissioner Straughn **SECONDED** the motion. **UNANIMOUS CONSENT** was requested.

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

**F. NEW BUSINESS – None.**

**G. REPORTS**

1. Senior Center Director – Director Romain reported on the following:
  - Volunteer Appreciation in October.
  - 2 job openings at the Senior Center.
2. Council on Aging Chair – Chair Craig reported that she attended the lunch on September 12, noted that people brought their own to-go containers.
3. City Council Liaison – Council Member Sounart reported on actions from the September 6, 2023 City Council Meeting.

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

**I. NEXT MEETING ATTENDANCE NOTIFICATION – October 12, 2023.**

Director Romain noted that she was planning a work session to ask for suggestions on problem areas.

**J. COMMISSION QUESTIONS AND COMMENTS**

**K. ADJOURNMENT**

**L. INFORMATIONAL ITEMS**

1. City of Kenai Commissions, Committees and Council on Aging Review

There being no further business before the Council on Aging, the meeting was adjourned at 3:50 p.m.

I certify the above represents accurate minutes of the Council on Aging meeting of September 14, 2023.

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Meghan Thibodeau  
Deputy City Clerk

**KENAI BEAUTIFICATION COMMITTEE – REGULAR MEETING  
SEPTEMBER 12, 2023 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR SARAH DOUTHIT, PRESIDING**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Beautification Committee was held on September 12, 2023, in City Hall Council Chambers, Kenai, AK. Chair Douthit called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Chair Douthit led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Sarah Douthit, Chair  
Lisa Gabriel  
Christina Warner

Emily Heale, Vice Chair  
Barbara Roland

A quorum was present.

Absent:

Terri Wilson

Also in attendance were:

Tyler Best, Parks & Recreation Director  
Jenna Brown, Assistant Parks & Recreation Director

**3. Agenda Approval**

**MOTION:**

Vice Chair Heale **MOVED** to approve the agenda. Committee Member Warner **SECONDED** the motion.

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

**B. SCHEDULED PUBLIC COMMENTS - None.**

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

**D. APPROVAL OF ACTION MINUTES**

- 1. April 11, 2023

**MOTION:**

Committee Member Warner **MOVED** to approve the April 11, 2023 Summary. Vice Chair Heale **SECONDED** the motion.

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

**E. UNFINISHED BUSINESS – None.**

*[Clerk's Note: At the request of the body, Director Best provided his Parks & Recreation Director's report.]*

Director Best reported on the following:

- Midmonth reports for the summer provided in the packet.
- New Parks & Recreation Assistant Jenna Brown.
- Recapped summer events including personal use fishery, Return of the Reds, Kite Festival and Industry Days.
- Discussed upcoming events including Kenai River Marathon and Pumpkin Festival.

**F. NEW BUSINESS**

**1. Discussion** – City of Kenai Commissions, Committees and Council on Aging Review

Director Best reported on the Council-approved plan to review the City of Kenai Commissions, Committees and Council on Aging which will be implemented in the following months. Discussion occurred regarding the Committee's status and future.

**2. Discussion** – Pumpkin Festival 2023

Discussed earlier in the meeting.

**G. REPORTS**

1. Parks & Recreation Director – Provided earlier in the meeting.
2. Committee Chair – Chair Douthit reported that she had toured the gardens, and discussed making a plan for the fountain.
3. City Council Liaison – No report.

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

**I. NEXT MEETING ATTENDANCE NOTIFICATION** – October 10, 2023.

**J. COMMISSION QUESTIONS AND COMMENTS**

Vice Chair Heale discussed the potential for a mural at the greenstrip with the Committee.

**K. ADJOURNMENT**

**L. INFORMATIONAL ITEMS** – None.

There being no further business before the Beautification Committee, the meeting was adjourned at 6:39 p.m.

I certify the above represents accurate minutes of the Beautification Committee meeting of September 12, 2023.

---

Meghan Thibodeau  
Deputy City Clerk

## PROCLAMATION

**WHEREAS**, domestic violence, once a secret kept among families, is now recognized as a serious crime in the State of Alaska; and,

**WHEREAS**, domestic violence has severe consequences for survivors, their children and families, and has long lasting impacts on their quality of life; and,

**WHEREAS**, stopping this cycle of violence requires not only the resolve and courage of survivors, but also support and involvement from all of us; and,

**WHEREAS**, enhance education, prevention and intervention help increase public awareness of the severity and extent of domestic violence; and,

**WHEREAS**, domestic violence in the home is a problem that affects every socioeconomic level in our society occurring in wealthy and disadvantaged neighborhoods, and includes the employed and unemployed; and,

**WHEREAS**, domestic violence is generally learned and passed down from one generation to another; and,

**WHEREAS**, during the month of October, local, state and national domestic violence agencies will sponsor events to help us focus public attention on the problem of domestic violence.

**NOW, THEREFORE, I, BRIAN GABRIEL, SR., MAYOR OF THE CITY OF KENAI, ALASKA**, hereby proclaim October 2023 as:


### **“Domestic Violence Awareness Month”**

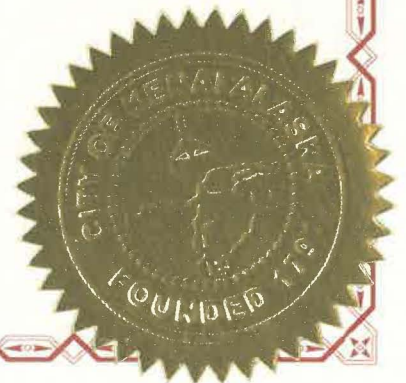
in the City of Kenai and encourage all citizens to dedicate themselves to learning about how to reduce domestic violence; and further encourage everyone to support the domestic violence programs in our community, including the LeeShore Center and Haven House.

DATED: This 18<sup>th</sup> day of September, 2023.

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

ATTEST:

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





## Update from the Board of Directors Cook Inlet Regional Citizens Advisory Council

John Williams, Vice-President, representing the City of Kenai

The Cook Inlet Regional Citizens Advisory Council (CIRCAC) met for their fall meeting on August 25<sup>th</sup> for a hybrid meeting in Homer and via webinar.

CIRCAC welcomed Capt. Christopher Culpepper as the new ex-officio Board member representing the U.S. Coast Guard. Capt. Culpepper assumed command of Sector Anchorage in July, replacing Capt. Leanne Lusk following her retirement. We look forward to working with Capt. Culpepper and continuing our strong relationship with the USCG. Capt. Culpepper reported his already extensive travels across the state, including a visit with his team to the CIRCAC offices in Kenai in August.

The Board received updates on agency staffing, research projects, and other work around Cook Inlet from several other of our ex-officio agencies. Tiffany Larson from the Alaska Department of Environmental Conservation (ADEC) introduced Melinda Brunner, the new Program Manager for the Department's Prevention, Preparedness and Response (PPR) program. Jade Gamble, also from ADEC, reported that PPR's central region is again fully staffed. CIRCAC has raised concerns about staffing levels in recent years and we're happy to see progress in this area. ADEC also reported the addition of a certified drone pilot to the staff at the Soldotna office, expanding and expediting response and observation capabilities.

Dr. Kris Holderied, NOAA Director of the Kasitsna Bay Laboratory, provided updates on several long-term studies, most notably a partnership project with CIRCAC and other agencies to assess Cook Inlet ocean forecast models. This project includes a 23-year model hindcast that will wrap up by the end of the year and will help inform future oceanography data collections and improve forecast modeling efforts, such as for oil spill trajectories. She is also excited about recent expansions to their research staff and looks forward to continued partnerships with CIRCAC.

Dr. Scott Pegau, Research Program Manager for the Oil Spill Research Institute (OSRI), reported on some of their efforts towards research, education, and demonstration projects that improve our understanding of and response to oil spills in Arctic and sub-Arctic marine environments. He provided detail on OSRI's roles in projects using remotely operated equipment in oil spill response - including the recent use of Uncrewed Aerial Systems (UAS) for oil slick thickness and oil-in-ice validation experiments and a remotely operated surface vessel (jet ski) that can be rapidly deployed to apply oil herders and conduct controlled in-situ burns when mechanical oil recovery is not possible.

CIRCAC staff reported during the meeting that the organization's triennial recertification application had been completed and submitted and the USCG issued its approval letter on August 23<sup>rd</sup>. Staff provided updates on committee projects and budgeting. The next CIRCAC Board of Directors meeting is scheduled for November 30<sup>th</sup> and December 1<sup>st</sup> in Anchorage.