

ACTION AGENDA
KENAI CITY COUNCIL – REGULAR MEETING
APRIL 6, 2016, 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
<http://www.kenai.city>

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

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

B. SCHEDULED PUBLIC COMMENTS (*Public comment limited to ten (10) minutes per speaker*)

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

D. PUBLIC HEARINGS

1. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2016-13** – Amending City Council Policy 2014-01, Kenai Council Public Recognition Policy, to Provide Letters of Recognition and Plaques for City Committee, Commission and the Council on Aging Members After Five and Ten Years of Service Respectively.
2. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2016-14** – Requesting that the Legislature and Governor Enact Legislation Including Cost Reductions and Revenue Enhancement to Address Current and Future State of Alaska Budgets During the 2016 Legislative Session.

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA** *Regular Meeting of March 16, 2016

F. UNFINISHED BUSINESS

1. **RECONSIDERED AND ENACTED. Reconsideration of Ordinance No. 2882-2016** – Waiving a Sale Restriction Imposed by Kenai Municipal Code Section 21.05.010(B) with Respect to Lot 1, Block 1, Gusty Subdivision (KPB Parcel No. 04327008) Located within the Airport Reserve; Authorizing the Sale of Lot 1, Block 1, Gusty Subdivision to Ronald and Shirley Smith; and Determining that Lot 1, Block 1 Gusty Subdivision is Not Needed for a Public Purpose.
[Clerk's Note: At the March 16 meeting, Mayor Porter, who voted on the prevailing side, requested a reconsideration be placed on the next meeting agenda for consideration.]
2. **POSTPONED TO 4/20/16. Resolution No. 2016-10** – Confirming the Assessment Roll on the VIP Drive Lid Street Improvement Special Assessment District.
[Clerk's Note: At its March 16 meeting, Council postponed the Resolution to the April 6 meeting allowing the City Manager to review to process and report to Council. A motion to approve is on the floor. The Council may convene in executive session to discuss this matter pursuant to AS 44.62.310(c)(1)(3) a matter of which the immediate knowledge may have an adverse effect upon the finances of the City, and a matter by which law, municipal charter, or ordinance are required to be confidential.]

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** – Bills to be Ratified.
2. **APPROVED BY THE CONSENT AGENDA. *Action/Approval** – Renewal of Liquor License No. 204 for Applicant G&P, Inc. D/B/A George's Casino Bar.
3. **INTRODUCTION POSTPONED TO 5/4. Ordinance No. 2883-2016** – Amending Kenai Municipal Code Section 21.15.260 – Acquisition of Real Property, to Allow for Acquisition of Real Property Outside the Airport Reserve as Airport Lands for Public Use, Including Use for Establishing and Maintaining Buffer Zones.
4. **INTRODUCTION POSTPONED TO 5/4. *Ordinance No. 2884-2016** – Enacting Kenai Municipal Code Section 14.20.065 – Airport Light Industrial Zone, Amending Kenai Municipal Code Section 14.22.010 – Land Use Table and Kenai Municipal Code Chapter 14.24 – Development Requirements Table, to add the Airport Light Industrial Zone.
5. **INTRODUCTION POSTPONED TO 5/4. *Ordinance No. 2885-2016** – Amending the Official Kenai Zoning Map by Rezoning 51 Parcels Owned by the City of Kenai, Located within the Airport Reserve Boundary from Conservation Zone, Rural Residential Zone, Suburban Residential Zone, and Light Industrial Zone to Airport Light Industrial Zone and Ratifying the Application to the Planning And Zoning Commission for the Amendments.

6. **DIRECTION PROVIDED TO CITY ATTORNEY TO FILE LAWSUIT FOR INJUNCTIVE RELIEF. Action/Approval** – To Provide Direction to the City Attorney Regarding Enforcement of the City’s Moratorium on Existing Local Marijuana Clubs. *[Clerk’s Note: The Council may convene in executive session to discuss this matter pursuant to AS 44.62.310(c)(3), a matter by which law, municipal charter, or ordinance are required to be confidential.]*
7. **DIRECTION PROVIDED TO THE MANAGER. Action/Approval** – Approving a Settlement Agreement with Teea Winger regarding Kenai Café Operations. *[Clerk’s Note: The Council may convene in executive session to discuss this matter pursuant to AS 44.62.310(c)(1), a matter of which the immediate knowledge may have an adverse effect upon the finances of the City.]*
8. **SPECIAL USE PERMIT GRANTED. Action/Approval** – Approving a Special Use Permit to HDL Engineering Consultants, LLC for Building/Land Lease.
9. **REMOVED FROM THE AGENDA. Action/Approval** – Approving a Special Use Permit to Louise Nutter, D/B/A Burning the Midnight Oil for Terminal Space Lease.
10. **SPECIAL USE PERMIT GRANTED. Action/Approval** – Approving a Special Use Permit to the State of Alaska Division of Forestry for an Apron Lease.
11. **WORK SESSION SCHEDULED FOR 4/18/16 AT 5:30PM. Action/Approval** – Schedule a Work Session to Discuss Senior Center Funding and the Multi-Purpose Facility Expansion – Build out.
12. **POSTPONED TO 5/4/16. Action/Approval** – Schedule a Work Session to Discuss Proposed Ordinances Relating to Establishment of Airport Light Industrial Zone and the Rezoning of Parcels to Airport Light Industrial.
13. **MANAGER DIRECTED TO NEGOTIATE A SPECIAL USE PERMIT. Discussion/Action** – To Provide Direction to the City Manager to Meet with Representatives of the United Way Regarding the Temporary use of Vacant Office Space Owned by the City of Kenai.

H. COMMISSION/COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

1. City Manager
 - Establishing a Working Group to Review the Airport Sales Process
2. City Attorney
3. City Clerk

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION – See Agenda Items F. 2, G.6. and G.7

M. PENDING ITEMS – None.

N. ADJOURNMENT

INFORMATION ITEMS

1. Purchase Orders between \$2,500 and \$15,000 for Council Review.
2. Correspondence to the Alaska State Legislature Supporting Legislative Confirmation of Robert Ruffner to the Alaska Board of Fisheries.

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