

ACTION AGENDA
KENAI CITY COUNCIL – REGULAR MEETING
SEPTEMBER 6, 2017 – 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*)

1. **Tim Dillon, Executive Director, Kenai Peninsula Economic Development District** – City, Borough, and State Economic Update.
2. **Johna Beech, Kenai Visitor and Cultural Center** – Second Quarter 2017 Statistics Report.

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

D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 2977-2017** – Amending Kenai Municipal Code Sections 14.20.151 – Application for Conditional Use Permit for Surface Extraction of Natural Resources, 14.20.152 – Review of Application, 14.20.153 – Public Hearing, 14.20.154 – Issuance of Permit, 14.20.155 – Operation, 14.20.156 – Yearly Review, 14.20.157 – Termination, 14.20.158 – Amendment or Transfer, to Allow the City Planner to Determine Application Completeness and Making Other Housekeeping Changes. (*Clerk’s Note: This item was postponed to this meeting at the August 16 meeting for the purposes of preparing a substitute ordinance and a second public hearing; a motion to enact is on the floor.*)
 - **Substitute Ordinance No. 2977-2017** – Amending Kenai Municipal Code Sections 14.20.151 – Application for Conditional Use Permit for Surface Extraction of Natural Resources, 14.20.152 – Review of Application, 14.20.153 – Public Hearing, 14.20.154 – Issuance of Permit, 14.20.155 – Operation, 14.20.156 – Yearly Review, 14.20.157 – Termination, 14.20.158 – Amendment

or Transfer, to Allow the City Planner to Determine Application Completeness, Impose Onsite Clearing Limit Delineations and Making Other Housekeeping Changes.

2. **FAILED. Ordinance No. 2979-2017** – Amending KMC 14.20.330 Standards For Commercial Marijuana Establishments, to Change how Buffer Distances are Measured from Commercial Marijuana Establishments to Post-Secondary Schools, Recreation or Youth Centers, Churches, Correctional Facilities, and Substance Abuse Treatment Facilities and Approving a Policy to Provide Guidance in Measuring Pedestrian Routes.
3. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 2980-2017** – Declaring that Lot 9, Block 8, Original Townsite of Kenai, According to Plat No. K-2970, Located within Section 5, Township 5 North, Range 11 West, Seward Meridian, also Known as 612 Inlet Street, Kenai, Alaska, whose Last Recorded Owner Under Borough Assessment Records was Billy A McCann, Po Box 92, Kenai, Alaska, Shall be Retained by the City Of Kenai for a Public Purpose.
 - **Substitute Ordinance No. 2980-2017**
4. **ADOPTED UNANIMOUSLY. Resolution No. 2017-59** – Authorizing the Use of the Equipment Replacement Fund to Purchase Two Trucks, With Attachments, for the Streets Department to be used as Snow Plows, Dump Trucks, and Sanders Utilizing the Alaska Department of Transportation & Public Facilities Fleet Procurement Contract.

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Special Meeting of August 11, 2017
2. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of August 16, 2017

F. UNFINISHED BUSINESS

1. **POSTPONED TO THE 9/20/17 MEETING. Resolution No. 2017-57** – Consenting to a Renewal of Lease of Certain Airport Lands within the Airport Reserve Between the City of Kenai, Lessor, and SOAR International Ministries, Inc., Lessee, on Property Described as Lot 2, Block 3, General Aviation Apron Number One. (*Clerk's Note: This item was postponed to this meeting at the August 16 meeting; a motion to adopt is on the floor.*)

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval – Bills to be Ratified.
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval – Purchase Orders Exceeding \$15,000.
3. ***Ordinance No. 2981-2017** – Amending Kenai Municipal Code, Chapter 1.15 – Rules of Order, to Change Gender Specific Language to Gender Neutral, Provide

Consistency in the References to the Chair of a Meeting, and Other Housekeeping Changes.

4. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 9/20/2017.**
***Ordinance No. 2982-2017** – Amending Kenai Municipal Code Section 7.30.010 – Airport Land Sale Permanent Fund, to Eliminate References to the Airport Enterprise Fund which is No Longer Utilized.

5. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 9/20/2017.**
***Ordinance No. 2983-2017** – Accepting and Appropriating a Donation to the Kenai Parks & Recreation Department for the Purchase of Bleachers.

6. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 9/20/2017.**
***Ordinance No. 2984-2017** – Amending Kenai Municipal Code Section 23.55.060 – Stand-By Pay, to Amend the Rate of Stand-By Pay and Increasing Water & Sewer Fund Estimated Revenues and Appropriations to Provide Standby Pay for Certified Water and Wastewater Operators that was Not Included in the FY2018 Budget.

7. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 9/20/2017.**
***Ordinance No. 2985-2017** – Amending Kenai Municipal Code Section 13.20.035- Camping, Fires and Other Activities on City Beaches, to Prohibit the Burning of Pallets and Other Wood Materials Containing Metal Fasteners on City Beaches.

H. COMMISSION/COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. EXECUTIVE SESSION

1. **JAMIE HEINZ APPOINTED CITY CLERK/EMPLOYMENT AGREEMENT AWARDED. Action/Approval** - Hiring, Recruitment, and Contract Discussion and

Negotiation for a City Clerk. *[Clerk's Note: Council May Convene into Executive Session to Discuss this Agenda Item which Pursuant to AS 44.62.310(C)(2) May be a Subject that Tends to Prejudice the Reputation and Character of the Applicant and per AS 44.62.310(c)(1) is a Matter of which the Immediate Knowledge may have an Adverse Effect Upon the Finances of the City.]*

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

INFORMATION ITEMS

1. Purchase Orders between \$2,500 and \$15,000 for Council Review.

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.