

ACTION AGENDA
KENAI CITY COUNCIL – REGULAR MEETING
DECEMBER 7, 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. **TIM NAVARRE ELECTED VICE MAYOR. Election of Vice Mayor**
4. Agenda Approval
5. 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. Joy Merriner with BDO – FY2016 City of Kenai Comprehensive Annual Financial Report by the City's External Auditor. [*Clerk's Note: It has been requested to allow 20-25 minutes to complete this presentation.*]
2. Bob McIntosh – Lawton Acres.

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

D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 2926-2016** – Accepting and Appropriating a Donation from Hilcorp Energy Company to Assist with the Annual Kenai Senior Center Thanksgiving Dinner.
2. **ADOPTED UNANIMOUSLY. Resolution No. 2016-46** – Establishing the 2017 Dates for Regular Meetings of the City Council.
3. **ADOPTED UNANIMOUSLY. Resolution No. 2016-48** – Authorizing the City Manager to Accept a Donation, on Behalf of the City, of Property Described as Lot 1, Block 20, Original Townsite of Kenai, Kenai, Alaska from Kenai Bible Church, for the Public Purpose of Including the Property in the Bluff Erosion Restoration Project and Determining that the Public Interest will not be Served by an Appraisal.

4. **ADOPTED UNANIMOUSLY AS AMENDED. Resolution No. 2016-49** – Supporting the Vacation of Section Line Easements Located on the Section Line in Common with Section 7 and Section 18, T5N, R11W, Seward Meridian, further Located on Old Cannery Road between Royal Street and the Mean High-Water of Cook Inlet within the City Limits of Kenai.

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of November 2, 2016

F. UNFINISHED BUSINESS – None.

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. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 1/4/2017**
***Ordinance No. 2927-2016** – Amending Kenai Municipal Code 23.55.020-Compensation Structure by Grade, and 23.55.050-Hourly Rates, to Clarify Step Increase Differences between Permanent Full-Time and Permanent Part-Time Employees.
4. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 1/4/2017**
***Ordinance No. 2928-2016** – Increasing Estimated Revenues and Appropriations by \$1,400,120 in the Water and Sewer Capital Project Fund for Construction of Improvements to the City's Waste Water Treatment Plant and by \$353,791.51 in the Water and Sewer Special Revenue Fund to Provide the Required 30% Local Match to the Project.
5. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 1/4/2017**
***Ordinance No. 2929-2016** – Amending KMC 22.05.100-Sale Procedure, to Eliminate the Requirement that the City Utilize a Title or Escrow Company within the City for Closing of General Fund Land Sales.
6. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 1/4/2017**
***Ordinance No. 2930-2016** – Amending KMC 12.40.060-Violations and Penalties, to Set Specific Fine Amounts for Violations of the City's Regulation of Smoking in Order to Eliminate the Requirement of a Mandatory Court Appearance for each Citation Issued.
7. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 1/4/2017**
***Ordinance No. 2931-2016** – Amending KMC 23.50.010-Employee Classification, to Remove the Class Title of Human Resource Officer and Class

Code 123 in its Entirety and Amend the Class Title Human Resource Specialist/Assistant to City Manager to Human Resource Officer Pursuant to a Position Reclassification.

8. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 1/4/2017**
***Ordinance No. 2932-2016** – Donating and Declaring no Longer Needed for a Public Purpose a Certain Parcel Described as Lot 17, Block 5, Original Townsite of Kenai, (KPB Parcel No. 047-071-21) to the Kenaitze Indian Tribe.
9. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING 1/4/2017**
***Ordinance No. 2933-2016** – Authorizing an Amendment to Extend the Term of Lease to 2035 of Certain City-Owned Land, Identified as a Portion of Lot 3, Block 17, Original Townsite of Kenai and the Building known as the “Fine Arts Center”, to the Peninsula Art Guild, Inc, without a Current Appraisal and Declaring an Amendment to the Lease is in the Best Interest of the City.
10. **CONSENT TO ASSIGNMENT OF LEASE APPROVED. Action/Approval** – Consent to Assignment of Lease of General Fund Lands for Property Described as a portion of Government Lot 10, Section 4, Township 5 North, Range 11 West, and Lots 2 and 4, Amended U.S. Survey 4563 Located at Bridge Access Road from Salamatof Fisheries, LLC (Assignor) to RABUF, LLC (Assignee).
11. **CONSENT TO ASSIGNMENT OF LEASE APPROVED. Action/Approval** – Consent to Assignment of Lease of General Fund Lands for Property Described as Tract C, Kenai Tidelands Survey No. 2 from Salamatof Fisheries, LLC (Assignor) to RABUF, LLC (Assignee).
12. **CONSENT TO ASSIGNMENT OF LEASE APPROVED. Action/Approval** – Consent to Assignment of Lease of General Fund Lands for Property Described as Lot 2, Kenai Spit Subdivision, Located at 2000 Columbia Street from Wild Pacific Salmon, Inc. (Assignor) to North Pacific Seafoods, Inc. (Assignee).
13. **APPOINTMENTS CONFIRMED. Action/Approval** – Mayoral Appointment and Council Confirmation of Council Liaisons to Committees and Commission.
14. **GARY GREENBERG APPOINTED. Action/Approval** – Council Confirmation of the Mayor’s Nomination to Appoint Gary Greenberg to the Planning and Zoning Commission.
15. **JOE HALSTEAD REAPPOINTED AND VICTORIA ASKIN APPOINTED. Action/Approval** – Mayoral Nomination and Council Confirmation to Appoint Applicants to the Planning and Zoning Commission Vacancies.
16. **NOMINATIONS CONFIRMED. Action/Approval** – Mayoral Nomination and Council Confirmation to Appoint or Reappoint Applicants to Committee/Commission Vacancies.

17. **Action/Approval** – Providing Direction to the City Manager Regarding Property Acquisition in Support of the Bluff Erosion Project.
18. **DONATION APPROVED. Action/Approval** – Council Approval of a \$500 Donation to Wreaths Across America Recognizing United States Veterans.
19. **WORK SESSION TENTATIVELY SCHEDULED FOR Action/Approval** – Scheduling a Council Work Session to Discuss FY17 Financial Performance.
20. **Discussion** – Kenai Peninsula Borough Action on City of Kenai Comprehensive Plan.
21. **TERRY EUBANK APPOINTED INTERIM CITY MANAGER. Action/Approval** – Appoint Terry Eubank as the Interim City Manager from January 1, 2017 to January 8, 2017.

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. City Manager Hiring and Recruitment. [*Clerk's Note: Council may convene into executive session to discuss this agenda item pursuant to AS 44.62.310(C)(1)(2)(a) matter of which the immediate knowledge would clearly have an adverse effect upon the finances of the city; a subject that tends to prejudice the reputation and character of an applicant.*]
2. **ADMINISTRATION WAS GIVEN DIRECTION.** Offer to purchase a portion of property located at 10095 Kenai Spur Highway, Kenai AK 99611, KPB Parcel No. 04501003. [*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.]

M. PENDING ITEMS – None.

N. ADJOURNMENT

INFORMATION ITEMS

1. Purchase Orders between \$2,500 and \$15,000 for Council Review.
2. Correspondence from the Performing Arts Society to the Kenai and Soldotna Chamber of Commerce Members regarding Donations for Music Classes.
3. Correspondence regarding the Opposition of further Development of Lawton Acres.

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.