



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Draft

Assembly

Wayne Ogle, President
Dale Bagley, Vice President
Norm Blakeley
Kenn Carpenter
Kelly Cooper
Willy Dunne
Paul Fischer
Brent Hibbert
Hal Smalley

Tuesday, January 16, 2018

6:00 PM

Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was offered by Carrie Henson, from Last Frontier Freethinkers, Soldotna, Alaska.]

ROLL CALL

Present: 8 - Willy Dunne, Paul Fischer, Dale Bagley, Brent Hibbert, Kenn Carpenter, Norm Blakeley, Hal Smalley, and Wayne Ogle

Excused: 1 - Kelly Cooper

Also present were:

Charlie Pierce, Borough Mayor

John Quick, Chief of Staff

Colette Thompson, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

COMMITTEE REPORTS

Assembly President Ogle stated the Assembly had a joint budget work session with the Kenai Peninsula Board of Education and Administration.

Assembly Member Fischer stated the Finance Committee met and discussed its agenda items.

Assembly Member Carpenter stated the Lands Committee met and discussed its

agenda items.

Assembly Member Hibbert stated the Policies and Procedures Committee met and discussed its agenda items.

APPROVAL OF AGENDA AND CONSENT AGENDA

President Ogle called for public comment.

George Pierce, Kasilof spoke in opposition to Resolution 2018-003.

There being no one else who wished to speak, the public comment period was closed.

Bagley moved to approve the Agenda and Consent Agenda.

Copies have been made available to the public, Borough Clerk Johni Blankenship noted by title only the resolutions and ordinances on the consent agenda.

[KPB-1543](#) January 2, 2018 Regular Assembly Meeting Minutes
approved.

The following public hearing items met the required conditions of KPB 22.40.110 and were added to the consent agenda:

[2017-19-13](#) An Ordinance Appropriating \$44,555 from the Kenai Health Center Major Maintenance Fund for Boiler Replacement at the Kenai Health Center (Mayor)
This Budget Ordinance was enacted.

[2018-01](#) An Ordinance Authorizing the Assessor to Accept One Late-Filed Senior Citizen Exemption Application for 2017, Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor)
This Ordinance was enacted.

New Business

[2018-003](#) A Resolution Establishing Kenai Peninsula Borough 2018 State Capital Project Priorities for Public Safety (Mayor)
This Resolution was adopted.

[2018-05](#) An Ordinance of Assessment Confirming the Assessment Roll for the Clarence Drive Road Improvement Assessment District (Mayor)

This Ordinance was introduced and set for public hearing.

[2018-06](#) An Ordinance Adopting Amendments to “Community Recommendations on a Land Use Plan for Borough Lands at Cooper Landing, 1992”, an Element of the Comprehensive Plan (Mayor) (Hearing on 02/20/18)

This Ordinance was introduced and set for public hearing.

[KPB-1532](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, License No. 12572 Filed by Henley’s Happy Harvest, Subject to the following Standard Conditions

[Clerk’s Note: Standard Conditions for Marijuana Facilities are as follows]

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in the borough rights-of-way generated by the marijuana establishment.
3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).]

approved.

[KPB-1533](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, License No. 12989 Filed by Pinnacle Projects, Subject to the Standard Conditions

[Clerk’s Note: Standard Conditions for Marijuana Facilities are as follows]

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in the borough rights-of-way generated by the marijuana establishment.
3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).]

approved.

[KPB-1534](#) Authorizing a Letter of Non-Objection of the Issuance of the New

Liquor License as requested by Seward Salmon Bake, License No. 5609 in Seward
approved.

Approval of the Agenda and Consent Agenda

The motion to approve the agenda and consent agenda as amended carried by the following vote:

Yes: 8 - Dunne, Fischer, Bagley, Hibbert, Carpenter, Blakeley, Smalley, and Ogle

Absent: 1 - Cooper

COMMENDING RESOLUTIONS AND PROCLAMATIONS

None.

PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-1530](#) Project Homeless Connect Update, Jodi Stuart (10 Minutes)
[Clerk's Note: Jodi Stuart, PR Chair and Leslie Rohr, Executive Director of Love, Inc. gave the assembly an update on Project Homeless Connect.]
2. [KPB-1531](#) Borough Practices and Procedures, Kristine Schmidt (RESCHEDULED)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Ogle called for public comment.

Stan Welles, Sterling spoke in support of the invocation.

George Pierce, Kasilof spoke in opposition of funding non-profits and in support of a bed tax.

John Sanborn, Soldotna spoke in support of school district funding.

Carrie Henson, Soldotna spoke in opposition to the invocation.

Fred Sturman, Soldotna spoke in support of the invocation and shared his view of the borough's economy.

There being no one else who wished to speak, the public comment period was closed.

MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-1540](#) Authorization to Award Purchase of Calcium Chloride, ITB 18-008 from Univar USA, Inc., Seattle, Washington.
3. Other
 - a. [KPB-1541](#) Litigation Status Report - Quarter Ending 12/31/17
 - b. [KPB-1542](#) Andeavor/Tesoro Foundation Award and Project Update
 - c. [KPB-1546](#) General Fund - Fund Balance Report

ITEMS NOT COMPLETED FROM PRIOR AGENDA

None.

PUBLIC HEARINGS ON ORDINANCES

[2017-31](#) An Ordinance Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor)

[Clerk's Note: The motion to enact was on the floor from the December 5, 2017 meeting.]

President Ogle called for public comment with none being offered.

Carpenter moved to table Ordinance 2017-31.

The motion to table Ordinance 2017-31 carried by the following vote:

Yes: 8 - Fischer, Bagley, Hibbert, Carpenter, Blakeley, Smalley, Ogle, and Dunne

Excused: 1 - Cooper

[2017-32](#) An Ordinance Amending KPB Title 16 to Authorize Certain Volunteers to Serve on their Respective Service Area Board (Dunne, Fischer, Carpenter)

[Clerk's Note: The motion to enact was on the floor from the December 5, 2017 meeting.]

President Ogle called for public comment with none being offered.

Dunne moved to amend Ordinance 2017-32 as follows:

Amend the four Whereas clause to read, "the service areas facing these issues at this

time include Anchor Point Fire and Emergency Medical Service Area[.] and Bear Creek Fire Service Area [AND KACHEMAK EMERGENCY SERVICE AREA]; and"; and

Amend the sixth Whereas clause to read, "at its meeting of November 15, 2017, the Anchor Point Fire and Emergency Medical Service Area Board recommended approval; [AND]"; and

Delete the seventh Whereas clause.

Delete Section 1 and renumber Sections 2 and 3 accordingly."

The motion to amend Ordinance 2017-32 carried by the following vote:

Yes: 8 - Dunne, Fischer, Bagley, Hibbert, Carpenter, Blakeley, Smalley, and Ogle

Excused: 1 - Cooper

The motion to enact Ordinance 2017-32 as amended carried by the following vote:

Yes: 8 - Dunne, Fischer, Bagley, Hibbert, Carpenter, Blakeley, Smalley, and Ogle

Excused: 1 - Cooper

UNFINISHED BUSINESS

None.

NEW BUSINESS

Resolutions

[2018-002](#) A Resolution Classifying 66.5 +/- Acres of Borough Land in the Cooper Landing Area as Recreational (Mayor)

Carpenter moved to adopt Resolution 2018-002.

President Ogle called for public comment with none being offered.

Carpenter moved to postpone Resolution 2018-002 to February 20, 2018.

The motion to postpone Resolution 2018-002 to February 20, 2018 carried by the following vote:

Yes: 8 - Dunne, Fischer, Bagley, Hibbert, Carpenter, Blakeley, Smalley, and Ogle

Excused: 1 - Cooper

[2018-004](#) A Resolution Establishing a Material Site Work Group (Mayor)

Carpenter moved to adopt Resolutuion 2018-004.

President Ogle called for public comment for both Resolution 2017-004 and

Resolution 2017-004 (Mayor) Substitute with none being offered.

Carpenter moved to amend Resolution 2018-004 by substitute.

The motion to amend Resolution 2018-004 by substitute carried by the following vote:

Yes: 8 - Dunne, Fischer, Bagley, Hibbert, Carpenter, Blakeley, Smalley, and Ogle

Excused: 1 - Cooper

The motion to adopt Resolution 2017-004 (Mayor) Substitute carried by the following vote:

Yes: 8 - Dunne, Fischer, Bagley, Hibbert, Carpenter, Blakeley, Smalley, and Ogle

Excused: 1 - Cooper

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Ogle called for public comment.

Carrie Henson, Soldotna spoke in opposition to the invocation.

George Pierce, Kasilof spoke in opposition to Ordinance 2018-04.

There being no one else who wished to speak, the public comment period was closed.

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

February 6, 2018 Regular Assembly Meeting 6:00 PM
Assembly Chambers, Soldotna, Alaska

ASSEMBLY COMMENTS

Assembly Member Fischer wished everyone a good night and a safe drive home.

Assembly Member Dunne stated he hoped everyone was able to take some time on Martin Luther King day to reflect on what that really means. Mr. Dunne stated he was not only saddened by the vulgar language used by top elected officials of our federal government, but was saddened that it was also happening here in our local community. He encouraged everyone to attend the Woman's March in Homer on Saturday, January 20, 2018 at noon; starting at the Homer Education Recreation Building on Pioneer Avenue.

Assembly Member Blakeley wished everyone a good evening.

Assembly Member Smalley thanked everyone for testifying and thanked Mr. Dunne for his comments. Mr. Smalley thanked Mr. Sanborn for his testimony and the work he does in the classroom.

Assembly Member Hibbert shared that he attended the Industry Outlook Forum on January 10, 2018 that was hosted by Kenai Peninsula Economic Development District and stated it was a great event. He stated that the presenters indicated Alaska was coming out of recession.

Assembly Member Carpenter thanked everyone who testified. He encouraged everyone to attend the Polar Bear Jump in Seward on February 27. Mr. Carpenter wished everyone a good evening.

Assembly Member Bagley shared that there were positive things happening in the State, such as the possibilities with ANWR; the new LNG plant; price of oil was around \$70 per barrel; third year in a row that oil production had increased in the pipeline; and Agrium appeared to be gearing back up as well. Mr. Bagley wished everyone a good evening.

Assembly President thanked everyone who testified and those who listened on the radio. He shared he too attended the Industry Outlook Forum and echoed Mr. Hibbert and Mr. Bagley's comments regarding the positive outlook of the state's economy. Mr. Ogle stated he also enjoyed Mr. Sanborn's testimony. He asked everyone to extend their good thoughts to Assembly Member Cooper.

INFORMATIONAL MATERIALS AND REPORTS

None.

NOTICE OF NEXT MEETING AND ADJOURNMENT

With no further business to come before the assembly, President Ogle adjourned the meeting at 7:42 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of January 16, 2018.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____