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# Kenai Peninsula Borough

## *Assembly Meeting Minutes*

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October 28, 2014

Regular Meeting - Soldotna, Alaska

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### **CALL TO ORDER**

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on October 28, 2014, in the Borough Assembly Chambers, Soldotna, Alaska. President Pro Tem Johnson called the meeting to order at 6:00 p.m.

### **PLEDGE OF ALLEGIANCE AND INVOCATION**

The Pledge of Allegiance was recited followed by the invocation given by Pastor Frank Alioto from the River Covenant Church.

### **There were present:**

Brent Johnson, Presiding  
Dale Bagley  
Kell Cooper  
Mako Haggerty  
Blaine Gilman

Sue McClure  
Wayne Ogle  
Stan Welles  
Kelly Wolf

comprising a quorum of the assembly.

### **Also in attendance were:**

Colette Thompson, Borough Attorney  
Johni Blankenship, Borough Clerk  
Michele Turner, Deputy Borough Clerk

### **COMMITTEE REPORTS**

Assembly Member Ogle said the Finance Committee met and discussed its agenda items. (06:01:40)

Assembly Member Bagley said the Lands Committee met and discussed its agenda item.

Assembly Member McClure said the Policies and Procedures Committee met and discussed its agenda items.

Assembly Member Haggerty said the Legislative Committee met and discussed its agenda items.

### **APPROVAL OF THE AGENDA AND CONSENT AGENDA**

**MOTION TO APPROVE AGENDA:**

Bagley moved for the approval of the agenda and consent agenda. (06:11:02)

President Pro Tem Johnson called for additions, corrections or deletions to the agenda or consent agenda.

The following items were added to the agenda and consent agenda:

- A Resolution Commending Allie Ostrander for an Exemplary Performance at the 4A Alaska State Cross Country Championships (Gilman)
- Ordinance 2014-19-33: Appropriating Supplemental Funding of \$1,000 for the Replacement of the Quick Dump Feature on Tanker 1 for the Anchor Point Fire and Emergency Medical Service Area (Mayor) (Hearing on 11/25/14) (Referred to the Finance Committee)

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

- October 14, 2014 Regular Assembly Meeting Minutes
- A Resolution Commending Allie Ostrander for an Exemplary Performance at the 4A Alaska State Cross Country Championships (Gilman)
- Resolution 2014-060: Authorizing Community Revenue Sharing Program Expenditures for Unincorporated Communities (Mayor) (Referred to Finance Committee)
- Resolution 2014-061: Reallocating FY14 Community Revenue Sharing Program Expenditures of \$4,451 for the Unincorporated Community of Anchor Point (Mayor) (Referred to Finance Committee)
- Resolution 2014-062: Supporting Homer Soil and Water Conservation District 2014 Grant Application to the State Recreational Trails Program to Address Reroute and Hardening of the Watermelon Trail (Haggerty) (Referred to Legislative Committee)
- Resolution 2014-063: Supporting the Efforts of the Tsalteshi Trails Association to Secure a Recreational Trails Grant from the State of Alaska (Mayor) (Referred to Legislative Committee)
- Ordinance 2014-19-31: Appropriating \$20,000 for the Purchase of Wireless Radiology Reading Equipment at South Peninsula Hospital (Mayor) (Hearing on 11/25/14) (Referred to Finance Committee)
- Ordinance 2014-19-32: Authorizing the Acquisition of Real Property Located at 262 N. Binkley Street, Soldotna, Alaska on Behalf of Central Peninsula Hospital, Appropriating \$604,000 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Purchase, and Authorizing an Amendment to the CPGH, Inc. Lease and Operating Agreement (Mayor) (Hearing on 11/25/14) (Referred to Finance Committee)

*[Clerk's Note: Cooper disclosed that the principal of the real estate holding company was also the principal of a corporation that was one of her clients. President Pro Tem Johnson ruled a conflict did not exist.]*

- Ordinance 2014-34: Confirming the Assessment Roll for the Deep Creek Estates – Fairwood Subdivision Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Hearing on 11/25/14) (Referred to Finance Committee)
- Ordinance 2014-35: Approving Diamond Willow – Fairfield Single-Family Residential R-1 Local Option Zoning District, and Amending KPB 21.46.040 (Mayor) (Hearing on 11/25/14) (Referred to Lands Committee)
- Ordinance 2014-36: Amending KPB 22.40.110 to Provide that Certain Noncontroversial Ordinances Scheduled for Public Hearing May be Placed on the Consent Agenda if No Objection is Received (Bagley) (Hearing on 11/25/14) (Referred to Policies and Procedures Committee)
- Ordinance 2014-19-33: Appropriating Supplemental Funding of \$1,000 for the Replacement of the Quick Dump Feature on Tanker 1 for the Anchor Point Fire and Emergency Medical Service Area (Mayor) (Hearing on 11/25/14) (Referred to Finance Department)

President Pro Tem Johnson called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Unanimous.

### **ASSEMBLY REORGANIZATION**

(6:18:02)

President Pro Tem Johnson called for nominations for the office of Assembly President.

NOMINATION: Gilman nominated Bagley.

NOMINATION: Haggerty nominated Johnson. Johnson respectfully declined.

Seeing no further nominations, President Pro Tem Johnson closed the nomination period and declared Dale Bagley as Assembly President.

President Pro Tem Johnson passed the gavel to Assembly President Bagley.

President Bagley called for nominations for the office of Assembly Vice President.

NOMINATION: Johnson nominated McClure.

Seeing no further nominations, President Bagley closed the nomination period and declared Sue McClure as Assembly Vice President.

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

(06:12:32)

Mayor Mike Navarre Presented a Proclamation Declaring October 2014 as “Domestic Violence Awareness Month” to Sherri Smith of the LeeShore Center.

Mayor Mike Navarre Presented a Proclamation Declaring November 2014 as “Pancreatic Cancer Awareness Month” to Assembly Member Kelly Cooper.

Assembly Member Gilman presented Allie Ostrander with a Resolution Commending her Exemplary Performance at the 4A Alaska State Cross Country Championships.

## PRESENTATIONS WITH PRIOR NOTICE

(06:24:03)

Rick Davis, CEO of Central Peninsula Hospital presented their quarterly report to the assembly.

Larry Persily, Federal Coordinator of Alaska Gas Line Projects gave a presentation regarding the Alaska LNG Project.

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(07:00:09)

President Bagley called for public comment.

**Sterling Staryak**, Sterling addressed the assembly regarding Resolution 2014-058.

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

## MAYOR’S REPORT

(07:04:33)

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
  - a. Authorizing Award of Contract for Road Service Area Capital Improvement Project: Mann Road Gravel Project to Great Northern Construction
  - b. Authorization to Award Contract for ITB15-010 Type IKKK-1822F Compliant 4x4 Medic Unit Equipment, to Braun Northwest, Inc.
  - c. Authorization to Award Contract for Rocky Ridge Landfill (Seldovia) Operations & Maintenance 2015 to Hopkins Brothers Construction, Inc.
  - d. Authorization to Award Contract for Nikiski Fire Service Area Station #1 Electrical Upgrades to Legacy Electric

3. Other
  - a. Budget Revisions – September 2014
  - b. Revenue – Expenditure Report - September 2014
  - c. Litigation Status Report

**ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.**

**PUBLIC HEARING ON ORDINANCES**

(07:12:00)

**Ordinance 2014-19-29: Accepting and Appropriating \$64,965 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management to Purchase Portable Radios and an Emergency Generator (Mayor) (Referred to Finance Committee)**

MOTION: Ogle moved to enact Ordinance 2014-19-29.

President Bagley called for public comment with none being offered.

MOTION: Ogle moved to amend Ordinance 2014-19-29.

The sixth Whereas clause to read, “at its regular meeting on October 15, 2014 the Service Area Board recommended approval by majority consent; and”

VOTE ON MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

Yes: Cooper, Haggerty, Gilman Johnson, McClure, Ogle, Welles, Wolf, Bagley

No: None

Absent: None

MOTION TO ENACT AS AMENDED PASSED: 9 Yes, 0 No, 0 Absent

(07:15:06)

**Ordinance 2014-19-30: Accepting and Appropriating \$463,100 from the State of Alaska on Behalf of the Kenai Peninsula Borough for the Extension of Paved Lighted Pedestrian Path, K-Beach Elementary School to Kenai Peninsula College Project (Mayor) (Referred to Finance Committee)**

MOTION: Ogle moved to enact Ordinance 2014-19-30.

President Bagley called for public comment with none being offered.

The following people spoke in support of Ordinance 2014-19-30:

**Shawna Thorton**, Kenai

**Tammy Willis**, Sterling

**Gary Turner**, Executive Director of Kenai Peninsula College

**Dr. Steve Atwater**, Superintendent of the Kenai Peninsula Borough School District

**Katlyn Vadla**, Soldotna

**Joseph Lamay**, Soldotna

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

**VOTE ON MOTION TO ENACT:**

Yes: Cooper, Haggerty, Gilman Johnson,  
McClure, Ogle, Welles, Wolf, Bagley  
No: None  
Absent: None  
MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

**UNFINISHED BUSINESS**

(07:25:00)

**Resolution 2014-058: Regarding Climate Change and Ocean Acidification and Requesting the State of Alaska to Take Action (Haggerty) [Reconsideration Given by Wolf]**

MOTION: Wolf moved for reconsideration of Resolution 2014-058.

Assembly Member Welles spoke in support of reconsideration.

Assembly Members Haggerty and Cooper spoke in opposition to reconsideration.

**VOTE ON MOTION TO RECONSIDER:**

Yes: Wolf, Ogle, Gilman, Welles, Bagley  
No: Cooper, Haggerty, Johnson, McClure  
Absent: None  
MOTION TO RECONSIDER PASSED: 5 Yes, 4 No, 0 Absent

Assembly Members Welles, Ogle and Gilman spoke in opposition to Resolution 2014-058.

Assembly Members Haggerty, Johnson, Cooper and McClure spoke in support of Resolution 2014-058.

**VOTE ON MOTION TO ADOPT AS AMENDED:**

Yes: Cooper, Haggerty, Johnson, McClure  
No: Wolf, Ogle, Gilman, Welles, Bagley  
Absent: None  
MOTION TO ADOPT AS AMENDED FAILED: 4 Yes, 5 No, 0 Absent

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

(07:49:17)

President Bagley called for public comment with none being offered.

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

(07:49:31)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for November 25, 2014, at 6:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

## **ASSEMBLY COMMENTS**

(07:49:40)

Assembly Member Wolf congratulated President Bagley and Vice President McClure.

Assembly Member Johnson congratulated President Bagley and Vice President McClure. He welcomed the new assembly members; Kelly Cooper, Stan Welles and Blaine Gilman. Mr. Johnson stated it was very refreshing to have a high school student come out and testify on an agenda item. He hoped we would see more of that.

Assembly Member Haggerty congratulated our new President and Vice President. He invited everyone to visit the Alaska ShoreZone website which was a land information site by NOAA that had incredible pictures and movies of Alaska beaches.

Assembly Member Welles thanked everyone for their support with their votes, words and deeds.

Assembly Member McClure gave a Seward “shout-out” to the Seward Elementary School Principal David Kingsland as he was chosen as Alaska’s National Distinguished Principal. Ms. McClure encouraged her fellow assembly members to visit the schools in their area as it was a great experience. She welcomed the new assembly members and wished everyone a fun but safe Halloween.

Assembly Member Ogle congratulated the Mayor and new assembly members; Kelly Cooper, Stan Welles and Blaine Gilman, as well as the election of our new President, Dale Bagley and Vice President, Sue McClure. He stated he looked forward to new energy and vitality on the assembly. He stated it spoke well for his pitch on term limits with the three Bs: “Be Quick”, “Be Brilliant”, and then “Be Gone”. Mr. Ogle shared a Nikiski “nugget” that a community action group had been formed to address the recent thefts and vandalisms in the area. He stated it was great to see that such positive measures were being taken by the community to improve things.

Assembly Member Cooper congratulated President Bagley and Vice President McClure. She thanked Mayor Navarre for the proclamation for pancreatic cancer awareness. She stated it was a crusade that was near and dear to her heart. Ms. Cooper invited everyone to attend the Rotary Health Fair on November 1, 2014 in Homer.

President Bagley congratulated Assembly Member McClure for her vice presidency. Mr. Bagley shared his goals for the upcoming year; to run the meetings as quickly and efficiently as possible, show respect to the visiting members of the public and also make sure assembly members treat each other with respect and professional decorum. He stated he looked forward to working with the Mayor on all borough issues, large and small. Mr. Bagley stated at the November 25, 2014

assembly meeting there was going to be a work session for training on the new software system, as well as newly elected officials training that will be conducted by himself, the legal department and the clerk's office. He requested the assembly members forward their desires for committee and service area appointments as well as seating arrangements.

Mr. Bagley advised he was going to be absent from the December 9, 2014 assembly meeting.

**ADJOURNMENT**

(08:02:48)

With no further business to come before the assembly, President Smalley adjourned the meeting at 8:02 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of October 28, 2014.

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Johni Blankenship, MMC, Borough Clerk

Approved by Assembly: \_\_\_\_\_

UNAPPROVED