



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Draft

Assembly

Blaine Gilman, President

Brent Johnson, Vice President

Dale Bagley

Kelly Cooper

Willy Dunne

Brandii Holmdahl

Gary Knopp

Wayne Ogle

Stan Welles

Tuesday, April 19, 2016

6:00 PM

Council Chambers - Seward City Hall

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

The invocation was given by Pastor Jim Doepkin of the Seward United Methodist Church.

ROLL CALL

Present: 9 - Dale Bagley, Kelly Cooper, Willy Dunne, President Blaine Gilman, Brandii Holmdahl, Vice President Brent Johnson, Gary Knopp, Wayne Ogle, and Stan Welles

Also present were:

Colette Thompson, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

COMMITTEE REPORTS

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

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

Assembly Member Ogle stated the Legislative Committee met and discussed its agenda item.

APPROVAL OF AGENDA AND CONSENT AGENDA

Johnon 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-681](#) April 5, 2016 Regular Assembly Meeting Minutes

Attachments: [040516 Regular Meeting Minutes](#)

approved.

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

[2015-19-28](#) An Ordinance Appropriating \$400,000 in the Solid Waste Capital Project Fund for Design and Development Costs Associated with Cell #3 at the Central Peninsula Landfill (Mayor)

Attachments: [O2015-19-28](#)

[Memo](#)

This budget ordinance was enacted.

New Business

[2016-022](#) A Resolution Authorizing the Clerk's Office to Publish Agendas for Assembly Meetings on the Kenai Peninsula Borough Home Page Instead of Using Newspapers, in Addition to Continuing Other Current Postings at Various Public Offices Throughout the Borough (Gilman)

Attachments: [R2016-022](#)

[Memo](#)

This resolution was adopted.

[2016-023](#) A Resolution Approving The Reclassification of the Environmental Coordinator Position to an Appendix A Administrative Position Entitled Environmental Program Manager - Solid Waste, and Approving the Revised Job Description (Mayor)

Attachments: [R2016-023](#)

[Memo](#)

[Environmental Program Manager Solid Waste - Job Description](#)

This resolution was adopted.

[KPB-670](#) Authorizing an Application for a New Liquor License Filed by Alaska Centre for Creative Renewal, LLC dba Stillpoint in Halibut Cove

Attachments: [Memo](#)
[Finance Department Review](#)
[Planning Department Review](#)

approved.

Approval of the Agenda and Consent Agenda

President Gilman called for public comments with none being offered.

The motion to approve the Agenda and Consent Agenda as amended carried unanimously.

COMMENDING RESOLUTIONS AND PROCLAMATIONS

None.

PRESENTATIONS WITH PRIOR NOTICE

None.

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Gilman called for public comments with none being offered.

MAYOR'S REPORT

1. Assembly Requests/Responses

None.

2. Agreements and Contracts

- a. [KPB-672](#) Authorization to Award Contract for Central Peninsula Landfill (CPL) Landfill Gas Utilization Feasibility Study to CH2M HILL

Attachments: [Authorization to Award Contract - CH2M Hill](#)

- b. [KPB-673](#) Authorization to Award Contract for ITB16-026 Kenai Central High School Asbestos Abatement to Satori Group of Anchorage, Alaska

Attachments: [Authorization to Award Contract - Satori Group](#)

- c. [KPB-674](#) Authorization to Award Contract for ITB16-017 Sterling Elementary and Chapman Elementary Schools Roof Replacement to Earhart Roofing Company, Inc., Anchorage, Alaska

Attachments: [Authorization to Award Contract - Earhart Roofing Company, LLC](#)

- d. [KPB-675](#) Authorization to Change Business Practice of the Disposal of Surplus Tangible Property from an Outcry Public Auction to an Online Public Auction

Attachments: [Authorization to Change Business Practice - Surplus Tangible Property](#)

- e. [KPB-676](#) Authorization to Award Contract for ITB16-025 Soldotna Prep Gym Floor Refinishing to Alaskan Industries, Wasilla, Alaska

Attachments: [Authorization to Award Contract - Alaskan Industries](#)

3. Other

- a. [KPB-677](#) Budget Revisions – March 2016

Attachments: [Budget Revisions - March 2016](#)

- b. [KPB-678](#) Revenue – Expenditure Report – March 2016

Attachments: [Revenue - Expenditure Report - March 2016](#)

- c. [KPB-679](#) Litigation Status Report

Attachments: [Litigation Status Report](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

Ordinances for Introduction

- [2016-10](#) An Ordinance Placing a Question on the Ballot of Whether the Kenai Peninsula Borough Shall Adopt a Local Option to Prohibit the Operation of Any Commercial Marijuana Establishment in the Area of the Kenai Peninsula Borough Outside of the Cities (Gilman) (Hearing on 05/03/16)

[Clerk's Note: A teleconference site will be established at the Borough Offices in Soldotna (Borough Administration Building, Assembly Chambers) and Homer (206 E. Pioneer, Suite 1, Homer) to receive public testimony on the above ordinance during the assembly meeting.]

[ATTENTION: Public testimony will ONLY be taken from those members of the public who did NOT verbally testify to the above referenced ordinance at the April 5, 2016 Assembly meeting.]

Attachments: [O2016-10](#)[LAYDOWN Gilman Request for Withdrawl Memo](#)[LAYDOWN Planning Commission Recommendations](#)[Memo](#)[2014 Prop 2 Election Results](#)[Public Comments](#)[04/12/16 eComment Report](#)[LAYDOWN Additional Public Comments \(1\)](#)[LAYDOWN Additional Public Comment \(2\)](#)

The motion to introduce and set for public hearing was withdrawn.

PUBLIC HEARINGS ON ORDINANCES

[2015-19-29](#) An Ordinance Expanding The Scope of Authorized Use of Funds for the Health Care Task Force as Originally Appropriated in Ordinance 2014-19-39 (Mayor)

Attachments: [O2015-19-29](#)[Memo](#)[O2014-19-39](#)[Approved Health Care Task Charter](#)

Cooper moved to enact Ordinance 2015-19-29.

President Gilman called for public comments with none being offered.

Assembly Member Ogle spoke in support of Ordinance 2015-19-29.

Assemby Member Welles spoke in opposition to Ordinance 2015-19-29.

The motion to enact Ordinance 2015-19-29 carried by the following vote:

Yes: 8 - Bagley, Cooper, Dunne, Gilman, Holmdahl, Johnson, Knopp, and Ogle

No: 1 - Welles

UNFINISHED BUSINESS

Postponed Item

[2016-017](#) A Resolution Authorizing the Acceptance of a Donation of Engineering Work and Permits for the North Road Extension Project From Apache Corporation (Mayor)

Attachments: [R2016-017](#)

[LAYDOWN Request for Postponement \(2\)](#)

[Memo](#)

[Memorandum of Understanding](#)

[Request for Postponement \(dealt with on 04/05/16\)](#)

[Clerk's Note: The motion to adopt is on the floor from the April 5, 2016 assembly meeting.]

Cooper moved to postpone Resolution 2016-017.

The motion to postpone Resolution 2016-017 to May 3, 2016 carried by the following vote:

Yes: 9 - Bagley, Cooper, Dunne, Gilman, Holmdahl, Johnson, Knopp, Ogle, and Welles

NEW BUSINESS

[KPB-680](#)

Withdrawing the September 15, 2015 Objection to the Transfer of a Liquor License for Echo Lake Superior Meat and Processing, LLC dba Ninilchik Trading due to Proximity to Churches and a School per KPB 7.10.020

Attachments: [Memo](#)

[Planning Department Review](#)

[Licensed Premises Diagram](#)

[Ninilchik Trading 091515 Objection](#)

Cooper moved to withdraw the assembly's September 15, 2015 objection to the Transfer of Ninilchik Trading's liquor license.

President Gilman called for public comments.

The following people spoke in support of the motion.

Sharon Clark, Ninilchik

James Clark, Ninilchik

Lynn Hohl, Seward spoke in opposition to the motion and the measuring methods.

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

Assembly Members Cooper, Knopp and Johnson spoke in support of the motion.

Assembly Member Welles spoke in opposition to the motion.

The motion to withdraw the assembly's September 15, 2015 objection carried by the following vote:

Yes: 9 - Bagley, Cooper, Dunne, Gilman, Holmdahl, Johnson, Knopp, Ogle, and Welles

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Gilman called for public comments with none being offered.

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

April 20, 2016 Health Care Task Force Meeting, Assembly Chambers, Borough Administration Building 6:30pm

April 21, 2016 Marijuana Task Force Meeting, Assembly Chambers, Borough Administration Building, 6:00 PM

May 3, 2016 Regular Assembly Meeting, Assembly Chambers, Borough Administration Building, 6:00 PM

ASSEMBLY COMMENTS

Assembly Member Knopp stated he always looked forward to coming to Seward and thanked Seward's administration for being fantastic year after year. He wished his wife happy birthday.

Assembly Member Bagley thanked Seward for hosting dinner. He stated he was glad the assembly traveled to other communities.

Assembly Member Holmdahl was also excited that the meeting was in Seward and thought it was great to have everyone in Seward.

Assembly Member Cooper thanked Seward for their hospitality. She stated the assembly dealt with difficult decisions and wanted to reassure the public that they do remain open minded and wanted to fairly represent their constituents.

Assembly Member Dunne thanked everyone for their testimony and stated it did make a difference to hear other's opinions. He also thanked the City of Seward for its hospitality. He agreed with Ms. Cooper that he does not come to an assembly meeting with his mind already made up and really valued the opinions of the public and the debate process.

Assembly Member Welles thanked the City of Seward for hosting dinner.

Assembly Member Ogle thanked the City of Seward for hosting them. He stated he felt the borough went to the Nth degree and did its due diligence in regards to the liquor license. Mr. Ogle stated some big issues were ahead, such as the FY17 budget, the Health Care Task Force's work as well as the Marijuana Task Force.

Assembly Member Johnson stated he liked history and liked coming to Seward because it had lots of history. He appreciated Mayor Bardarson, Sue McClure and Lynn Hohl. He stated he would be introducing a resolution supporting the Kenai Peninsula History Conference at the May 3, 2016 assembly meeting. Mr. Johnson also shared that his daughter, Samantha Bower, was a surrogate mother for her co-worker and stated he was proud of her.

Assembly President Gilman stated he grew up in Seward and it was always nice to come back. He shared his thought process regarding Ordinance 2016-10 and stated commercialization of marijuana was not good for families. Mr. Gilman stated he talked to several of his constituents about the initiative process. He stated winning that vote on a ballot would legitimize the commercialization of marijuana outside of the cities.

INFORMATIONAL MATERIALS AND REPORTS

None.

NOTICE OF NEXT MEETING AND ADJOURNMENT

With no further business to come before the assembly, President Gilman adjourned the meeting at 7:23 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of April 19, 2016.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____