



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda 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

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA

(All items listed with an asterisk () are considered to be routine and non-controversial by the Assembly and will be approved by one motion. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)*

G. APPROVAL OF MINUTES

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

Attachments: [040516 Regular Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

MAYOR'S REPORT

1. Assembly Requests/Responses

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 Withdrawal 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 \(2\)](#)

PUBLIC HEARINGS ON ORDINANCES

Ordinances referred to Finance Committee

[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](#)

[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](#)

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](#)
[Memo](#)
[Memorandum of Understanding](#)
[Request for Postponement 2 \(dealt with on 04/19/16\)](#)
[Request for Postponement \(dealt with on 04/05/16\)](#)
[04/19/16 eComment](#)

O. NEW BUSINESS

1. Resolutions

Resolutions referred to Policies and Procedures Committee

[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](#)

[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](#)

2. Other

Other items referred to Finance Committee

[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](#)

[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](#)
[Ninikchik Trading 091515 Objection](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

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

S. PENDING LEGISLATION

(This item lists legislation which will be addressed at a later date as noted.)

1. [2016-03](#) (Mayor, Johnson) Substitute: An Ordinance Amending KPB Chapters 21.44 and 21.46 Regarding Local Option Zoning, and Repealing KPB 21.50.050 Relating to Fines and Reenacting as KPB 21.50.055 (Mayor, Johnson)

Attachments:

[O2016-03 \(Mayor, Johnson\) Substitute](#)

[Substitute Memo](#)

[Substitute Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Substitute Advisory Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Substitute Knopp Amendment \(dealt with on 04/05/16\)](#)

[Advisory Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Memo](#)

[Sectional Analysis](#)

[Proposed KPB 21.44 with no legislative format](#)

[Public Comment](#)

[Marijuana Task Force Recommendation Memo](#)

[Planning Commission's Request for Additional Public Hearing and Joint Workse](#)

[Additional Public Comment](#)

[eComments Report](#)

[O2016-03 \(Amended by Substitute on 04/05/16\)](#)

[01/25/16 Amendment Memo \(not moved\)](#)

[02/02/16 Bagley Amendment \(not moved\)](#)

[02/11/16 Mayor Johnson Amendment \(not moved\)](#)

[02/23/16 Welles Amendment \(not moved\)](#)

[03/24/16 Welles Amendment \(dealt with on 04/05/16\)](#)

2. [2016-09](#) An Ordinance Amending KPB 5.18.200 to Change the Seasonal Exemption from Sales Taxes of Non-Prepared Food Items to Apply From October 1 to March 31 of Each Year (Bagley)

Attachments:

[O2016-09](#)

[Memo](#)

[04/12/16 eComment Report](#)

3. [2016-11](#) An Ordinance Repealing the Central Kenai Peninsula Hospital Service Area Board (Bagley)
- Attachments:* [O2016-11](#)
[Memo](#)
[Service Area Board Recommendations](#)
4. [2016-12](#) An Ordinance Amending KPB 7.30.020 to Change the Way Minimum Distances are Measured Between Marijuana Establishments and Schools, Churches and Correctional Facilities, and Imposing Minimum Distances Between Marijuana Establishments and Local Option Zoning Districts (Welles)
- Attachments:* [O2016-12](#)
[Memo](#)
[Planning Commission Recommendations](#)
[Marijuana Task Force Recommendation](#)

INFORMATIONAL MATERIALS AND REPORTS

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on May 3, 2016 at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).

Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at www.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinances and resolutions.