



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes

### Assembly

*Brent Johnson, President*

*Tyson Cox, Vice President*

*Kelly Cooper*

*Cindy Ecklund*

*Bill Elam*

*Brent Hibbert*

*Peter Ribbens*

*Ryan Tunseth*

*Mike Tupper*

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Tuesday, February 6, 2024

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 895 1103 3332 Passcode: 193069

[https://us06web.zoom.us/j/89511033332?](https://us06web.zoom.us/j/89511033332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

[pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1](https://us06web.zoom.us/j/89511033332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

[Clerk's Note: The invocation was given by Chaplain Frank Alioto.]

### ROLL CALL

*[Clerk's Note: Assembly Member Ecklund attended via Zoom.]*

Also present were:

Peter A. Micciche, Borough Mayor

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Michele Turner, Borough Clerk

Tamera Ward, Deputy Borough Clerk

### COMMITTEE REPORTS

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

*[9 Present: Cooper, Cox, Ecklund (via Zoom), Elam (arrived at 3:42 p.m.), Hibbert, Ribbens, Tunseth, Tupper, Johnson]*

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

*[9 Present: Cooper, Cox, Ecklund (via Zoom), Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson]*

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

*[9 Present: Cooper, Cox, Ecklund (via Zoom), Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson]*

The Assembly held an executive session to discuss a confidential personnel matter. In attendance were the Assembly Members (except Ms. Ecklund), Mayor Micciche, Borough Attorney Sean Kelley and HR Director Justen Huff.

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

**Vice President Cox moved to approve the agenda and consent agenda.**

January 16, 2024 Regular Assembly Meeting Minutes  
**approved.**

A Resolution Commending the Kenai Central High School Esports Team as the 2023 Fall Alaska Super Smash Brothers State Champion (Mayor, Tunseth)

**This Commending Resolution was adopted.**

An Ordinance Appropriating \$350,000 from the School Maintenance Fund for Snow Removal and Sanding (Mayor)

**This Budget Ordinance was enacted.**

An Ordinance Accepting and Appropriating Opioid Settlement Funds for the Opioid Settlement Fund Program (Mayor)

**This Budget Ordinance was enacted.**

An Ordinance Authorizing a Negotiated Lease with Traylor Bros, Inc. for a Temporary Craft Worker Housing Site in Support of the Sterling Highway MP 45-60 Construction Project Near Cooper Landing (Mayor)

**This Ordinance was enacted.**

A Resolution Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2024 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2023 and Prior (Mayor)

**This Resolution was adopted.**

A Resolution Authorizing a Sole Source Contract for the Tyonek Landfill Operation and Maintenance with Tyonek Contractors, LLC

**This Resolution was adopted.**

An Ordinance Appropriating Supplemental Funds from the Land Trust Fund Fund Balance to Land Management Operations for Surveying Resources (Mayor)

**This Budget Ordinance was introduced and set for public hearing.**

An Ordinance Authorizing the Sale of Certain Parcels of Kenai Peninsula Borough-Owned Land by Outcry Auction Followed by a Secondary Online Auction (Mayor)

**This Ordinance was introduced and set for public hearing.**

Petition to Vacate the Easternmost approximately 30-foot by 660-foot portion of Glacier Avenue West Right-of-Way, Sterling Area, Plat KN 2017-79, KPB 2024-002V

[Clerk's Note: At its regularly scheduled meeting of the Kenai Peninsula Borough Planning Commission on January 22, 2024 the proposed vacation was approved by unanimous consent.]

**approved.**

Confirming the Appointments to Advisory Planning Commissions (Mayor)

Anchor Point Advisory Planning Commission

Catherine Mohn, Seat B, Term Expires 09/30/2026

Kachemak Bay Advisory Planning Commission

Samuel Walker, Seat B, Term Expires 09/30/2025

**approved.**

Approval of the Agenda and Consent Agenda

President Johnson called for public comment with none being offered.

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

## **COMMENDING RESOLUTIONS AND PROCLAMATIONS**

A Resolution Commending the Kenai Central High School Esports Team as the 2023 Fall Alaska Super Smash Brothers State Champion (Mayor, Tunseth)

*[Clerk's Note: Mayor Micciche and Mr. Tunseth presented the commending resolution to the Kenai Central High School Esports team members and coaches.]*

## PRESENTATIONS WITH PRIOR NOTICE

1. Project Homeless Connect Update, Jodi Stuart (10 minutes)

*[Clerk's Note: Jodi Stuart gave a presentation to the assembly.]*

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Johnson called for public comment.

**Nick Conner**, addressed the assembly regarding management of the 911 dispatch center.

**Zen Kelly**, Board of Education President provided the assembly with a school board update.

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

## MAYOR'S REPORT

Mayor's Report Cover Memo

Mayor's Report Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
  - a. Authorization to Award a Contract for ITB24-024 KCHS Pool Boiler Replacement
  - b. Authorization to Award a Contract for ITB24-029 Cybersecurity Hardware Replacement Purchase
  - c. Authorization to Award a Contract for RFP24-008 Safe Streets & Roads for All (SS4A) Comprehensive Action Plan

- d. Authorization to Award a Contract for RFP24-011 Hope School Roof Replacement Professional Design
- 3. Other
  - a. Budget Revision - December 2023
  - b. Revenue Expenditure Report – December 2023
  - c. Tax Adjustment Request Approval
  - d. FY24-2Q Grant Reports
    - 1. Alaska Small Business Development District
    - 2. Kenai Peninsula Economic Development District
    - 3. Senior Center Grants
  - e. Litigation Status Report

#### **ITEMS NOT COMPLETED FROM PRIOR AGENDA**

#### **PUBLIC HEARINGS ON ORDINANCES**

An Ordinance Correcting the Description for the Anchors Aweigh North Subdivision Single-Family Residential (R-1) Local Option Zoning District and Amending KPB 21.46.040 (Mayor)

**Hibbert moved to enact Ordinance 2024-02.**

President Johnson called for public comment with none being offered.

**The motion to enact Ordinance 2024-02 carried by the following vote:**

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

Other

Requesting Formal Assembly Protest to the Transfer of Controlling Interest Application filed by Harbor Gateway Inc. dba Gateway Liquor & Food Mart, License No. 2683, Seward [Tabled on 02/06/24]

[Clerk's Note: Assembly Member Ecklund gave notice to remove

KPB-5789 from the table on 02/15/24, per KPB 22.40.070.]

**Ribbens moved to protest the transfer of interest application.**

Assembly Members Hibbert, Cox, Cooper and Ecklund spoke in opposition to the protest.

**Hibbert moved to table KPB-5789.**

**The motion to table KPB-5789 carried by the following vote:**

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Johnson called for public comment with none being offered.

## **ASSEMBLY COMMENTS**

Assembly Member Elam stated he met with borough legislators and discussed the Sterling Highway corridor project and Central Emergency Services regarding the new fire station bond project. He stated he attended the Eastern Emergency Highway Corridor working group in Cooper Landing. He wished everyone a good evening.

Assembly Member Ribbens stated he attended the Nikiski Fire Department awards banquet and congratulated the firefighters and first responders that received awards. He stated he attended the North Peninsula Recreation board meeting and they were increasing the hours of operation. Mr. Ribbens attended a meeting regarding PFAS issue in Nikiski and stated the testing results would be available in a couple weeks. He encouraged everyone to visit the school district's website and check out the FY25 Balancing Act tool. Mr. Ribbens stated there were a few industrial buildings in Nikiski that went through the proper channels to address asbestos issues and thanked Mayor Micciche for his assistance.

Assembly Member Hibbert stated he volunteered for the Homeless Connect event and shuttled borough residents to and from the event. He stated it was a great event.

Assembly Member Tunseth stated he was in Juneau last week and met with our borough legislators. He stated it was great to see that they all had the borough's state funding priorities highlighted on their desks. He stated they also spoke about the Base Student Allocation (BSA). Mr. Tunseth thanked all borough staff that attend the meetings and provide the assembly information. He encouraged everyone to attend the Kenai City Council meeting 02/07/24 at 6:00 pm.

Assembly Member Cooper extended her gratitude to all those that worked with Homeless Connect to help put on the event. Ms. Cooper congratulated Judy Johnson for breaking the family Scrabble record.

Assembly Member Tupper appreciated the borough administration looking into the

housing issue and crisis intervention.

Assembly Member Ecklund hoped a non-objection was coming forward for Gateway Liquor & Food Mart. She appreciated the presentation from Jodi Stuart at Homeless Connect. She stated she was working with the liaison at the Seward High School and thanked everyone for their donations. She stated she prepared her committee reports and will provide to the Assembly when ready. She wished everyone a happy Valentine's day.

Vice President Cox wished Mr. Hibbert Happy Birthday. He congratulated Soldotna High School Hockey Division II as runner up in the state championship. He reminded everyone that cross country regions were being held at Tsalteshi Trails on 02/09/24 at 1:00 pm and 02/10/24 at 12:00 pm. Mr. Cox stated the Soldotna City Council meeting was on 02/08/24 and the Soldotna Planning and Zoning Commission was reviewing the conditional land use permit for the new Central Emergency fire station.

Assembly President stated Mr. Ribbens, Mr. Tupper, Mr. Elam and himself were attending the AML Winter Legislative Conference in Juneau on 02/20/24 through 02/22/24 to present the borough's state funding priorities and discuss the Base Student Allocation (BSA). Mr. Johnson addressed concerns regarding the management of the 911 dispatch center as previously discussed in the meeting. He shared his personal experience when he called 911 for help.

## **INFORMATIONAL MATERIALS AND REPORTS**

None.

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. February 27, 2024 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Remote participation available through Zoom  
Meeting ID: 895 1103 3332 Passcode: 193069

## **ADJOURNMENT**

With no further business to come before the assembly, President Johnson adjourned the meeting at 7:43 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of February 6, 2024.

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Michele Turner, CMC, Borough Clerk

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