



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Final

### Assembly

*Dale Bagley, President*  
*Sue McClure, Vice President*  
*Kelly Cooper*  
*Blaine Gilman*  
*Mako Haggerty*  
*Brent Johnson*  
*Wayne Ogle*  
*Stan Welles*  
*Kelly Wolf*

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Tuesday, February 3, 2015

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

The invocation was given by Pastor Frank Alioto of the River Covenant Church.

### ROLL CALL

**Present:** 9 - Kelly Wolf, Wayne Ogle, President Dale Bagley, Brent Johnson, Mako Haggerty, Vice President Sue McClure, Blaine Gilman, Stan Welles, and Kelly Cooper

[Clerk's Note: Assembly Member Welles participated telephonically.]

Also present were:

Colette Thompson, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

### COMMITTEE REPORTS

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

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

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

### APPROVAL OF AGENDA AND CONSENT AGENDA

McClure moved to approve the agenda and consent agenda.

President Bagley called for public comment with none being offered.

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-0192](#) January 20, 2015 Regular Assembly Meeting Minutes

*Attachments:* [012015 Regular Assembly Meeting Minutes](#)

**Approved.**

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

[2014-19-38](#) An Ordinance Appropriating \$34,300 from Central Emergency Service Area Fund Balance for the Purchase of Personnel Scheduling Software (Mayor)

*Attachments:* [O2014-19-38.pdf](#)

[Memo](#)

**This Budget Ordinance was enacted.**

New Business

[2015-008](#) A Resolution Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2015 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2014 (Mayor)

*Attachments:* [R2015-008.pdf](#)

[Memo](#)

**This Resolution was adopted.**

[2015-009](#) A Resolution Establishing Kenai Peninsula Borough Federal Capital Project Priorities for the Year 2015 (Legislative Committee)

*Attachments:* [R2015-009.pdf](#)

[R2015-009 Federal priorities pamphlet](#)

**This Resolution was adopted.**

Approval of the Consent Agenda

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

Yes: 9 - Wolf, Ogle, Bagley, Johnson, Haggerty, McClure, Gilman, Welles, and Cooper

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

None.

## PRESENTATIONS WITH PRIOR NOTICE

None.

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Bagley called for public comment.

**Chase Duncan**, Kasilof spoke regarding the petition application he filed to recall Assembly Member Wolf.

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

## MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. [KPB-0186](#) Authorization to Award Contract for Central Peninsula Landfill Equipment Maintenance Building Professional Design Services to Klauder & Company Architects, Inc.  
*Attachments:* [Authorization to Award Contract - Klauder & Company Architects](#)
  - b. [KPB-0188](#) Authorization to Award Contract for Chapman Elementary School Window-Wall and Siding Replacement Professional Design Services to K+A designstudios  
*Attachments:* [Authorization to Award Contract - K & A designstudios](#)
3. Other
  - a. [KPB-0189](#) Budget Revision – December 2014  
*Attachments:* [Budget Revision - December 2014](#)
  - b. [KPB-0190](#) Revenue - Expenditure Report – December 2014  
*Attachments:* [Revenue Expenditure Report - December 2014](#)

c. [KPB-0191](#) Project Reports – December 31, 2014

*Attachments:* [Project Reports - December 31, 2014](#)

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

None.

**PUBLIC HEARINGS ON ORDINANCES**

[2014-19-39](#) An Ordinance Appropriating \$200,000 to Fund Consultants and Research Efforts to Identify Ways to Provide the Most Affordable Health Care for Kenai Peninsula Borough Employees and Residents (Mayor)

*Attachments:* [O2014-19-39.pdf](#)

[Memo](#)

[Public Comment](#)

[LAYDOWN Assembly Member Welles Comments for Consideration](#)

**Johnson moved to enact.**

President Bagley called for public comment with none being offered.

Assembly Members Welles and Ogle spoke in opposition to Ordinance 2014-19-39.

Assembly Members Cooper, Gilman, Haggerty, McClure, Wolf and Johnson spoke in support of Ordinance 2014-19-39.

**The motion to enact carried by the following vote:**

**Yes:** 7 - Wolf, Bagley, Johnson, Haggerty, McClure, Gilman, and Cooper

**No:** 2 - Ogle, and Welles

[2015-01](#) An Ordinance Amending KPB 3.04.160 to Allow the Administration to Establish Personnel Policies for Administrative Employees and Repealing Resolution 2011-087 (Mayor, Bagley)

*Attachments:* [O2015-01.pdf](#)

[Memo](#)

[Amendment Memo](#)

[LAYDOWN R2011-087](#)

**McClure moved to enact Ordinance 2015-01.**

President Bagley called for public comment with none being offered.

**McClure moved to amend Ordinance 2015-01.**

Amend the ordinance title to read, "An Ordinance Amending KPB 3.04.160 and 3.04.220 to allow the Administration to Establish Personnel Policies for Administrative Employees and Repealing Resolution 2011-087"

Amend the third whereas clause and insert new fourth and fifth whereas clauses to read as follows:

"WHEREAS, KPB 3.04.160, last amended in 1981, states that the assembly will adopt policy for various personnel matters via the budget process or by resolution [and in recent years been applied to policies developed to address administrative employees who are not covered by the cba]; and

WHEREAS, KPB 3.04.220, last amended in 1978, states that the assembly will by resolution policies regarding employee activities and work rules not already covered by the code; and

WHEREAS, these sections of the code have in recent years been applied to policies developed to address administrative employees who are not covered by the CBA; and"

Insert a new section 2 and renumber the remaining sections.

The new Section 2 to read as follows, "3.04.220 Employee Activities - Authorized when.

The assembly shall establish, either through the approved annual borough operating budget or by resolution, [adopt policies] employment conditions related to employee expenditures and activities [regarding employee activities and work rules] not specifically covered by this code, including but not limited to, travel on official business, outside employment, automobile usage, and required uniforms. The administration shall adopt personnel policies consistent with the employment conditions established by the assembly, for all administrative employees."

**The amendment was approved unanimously.**

**McClure moved that this Ordinance be enacted as amended. The motion carried by the following vote:**

**Yes:** 9 - Wolf, Ogle, Bagley, Johnson, Haggerty, McClure, Gilman, Welles, and Cooper

## **UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

[2015-03](#)

An Ordinance Amending KPB 5.18.200 to Repeal the Seasonal Exemption from Sales Taxes of Non-Prepared Food Items (Gilman)

(Hearing on 03/17/15)

**Attachments:** [O2015-03](#)

[Memo](#)

[Public Comment](#)

**McClure moved to introduce Ordinance 2015-03 and set for public hearing on 03/17/15.**

President Bagley called for public comment.

**David Brighton**, Kenai spoke in support of Ordinance 2015-03.

**James Price**, Nikiski spoke in opposition to Ordinance 2015-03.

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

**The motion to introduce and set for public hearing carried by the following vote:**

**Yes:** 7 - Wolf, Ogle, Bagley, Johnson, McClure, Gilman, and Welles

**No:** 2 - Haggerty, and Cooper

[KPB-0193](#)

Confirming an Appointment to the Planning Commission (Mayor)

Robert F. Ernst, Board Seat Northwest Borough, Term Expires July 31, 2017

**Attachments:** [Planning Commission Appointment](#)

[LAYDOWN Public Comments](#)

**McClure moved to confirm the Planning Commission appointment.**

President Bagley called for public comments with none being offered.

Assembly Members Ogle and Wolf spoke in opposition to the appointment.

Assembly Members Johnson, Haggerty, McClure and Cooper spoke in support of the appointment.

**The motion to confirm the Planning Commission appointment carried by the following vote:**

**Yes:** 5 - Bagley, Johnson, Haggerty, McClure, and Cooper

**No:** 4 - Wolf, Ogle, Gilman, and Welles

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Bagley called for public comments with none being offered.

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

February 24, 2015 Regular Assembly Meeting Soldotna

## ASSEMBLY COMMENTS

Assembly Member Wolf extended his condolences to the Bryson family for their loss of Phil Bryson.

Assembly Member Johnson extended his condolences to the Bryson family for their loss of Phil Bryson. Mr. Johnson stated he served on the Planning Commission with Phil Bryson and he was a "wonderful and honest person". He stated he attended the Governor's Ball and the highlight for him was when Margaret and Blaine Gilman's daughter sang the National Anthem. Mr. Johnson stated he attended the school board meeting on February 2, 2015 and shared some highlights of that meeting.

Assembly Member Cooper extended her condolences to the Bryson family for their loss of Phil Bryson. Ms. Cooper encouraged everyone to attend the Winter Carnival in Homer over the weekend.

Assembly Member Haggerty thanked the Mayor for his efforts in putting together a health care task force and hoped the task force comes up with some creative ideas.

Assembly Member Welles stated, "Aloha from Hawaii".

Assembly Member Gilman stated he also attended the school board meeting and shared their discussions regarding the state cutting school funding. Mr. Gilman welcomed Mr. Price's comments regarding Ordinance 2015-03 and stated he believed groceries were a fair revenue source to tax. Mr. Gilman extended his condolences to the Bryson family for their loss of Phil Bryson.

Assembly Member Ogle extended his condolences to the Bryson family for their loss of Phil Bryson and stated he was always a great resource with institutional knowledge, for both the City of Kenai and the borough. Mr. Ogle stated he was looking forward to the discussion of non-prepared food sales tax. He wished the Mayor well with his ambitious endeavors in forming the health care task force and believed good things would come of it. Mr. Ogle stated he also attended the Governor's Ball and agreed with Mr. Johnson that the National Anthem that was sung was a great moment. He thanked the Mayor for the 2014 Popular Annual Financial Report and stated he was very impressed with our Finance Department; they were top notch and should be commended for it.

Assembly Member McClure extended her condolences to the Bryson family for their loss of Phil Bryson and stated she served on the Planning Commission with Mr. Bryson and stated he was a very "kind and helpful person". She invited everyone to come to Seward for the

Annual National Ocean Science Bowl this weekend.

President Bagley also offered his condolences to the Bryson family for their loss of Phil Bryson. He asked everyone to welcome the clerks from Matanuska-Susitna Borough; Lonnie McKechnie, Borough Clerk and Jamie Newman, Deputy Borough Clerk - they were observing our meeting management software and its interaction with the iPads.

**INFORMATIONAL MATERIALS AND REPORTS**

None.

**NOTICE OF NEXT MEETING AND ADJOURNMENT**

With no further business to come before the assembly, President Bagley adjourned the meeting at 7:24 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of February 3, 2015.

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Johni Blankenship, MMC, Borough Clerk

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