



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Final

Assembly

Kelly Cooper, President
Wayne Ogle, Vice President
Dale Bagley
Kenn Carpenter
Willy Dunne
Paul Fischer
Brent Hibbert
Jill Schaefer
Stan Welles

Tuesday, June 6, 2017

6:00 PM

Assembly Chambers

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

[Clerk's Note: The Invocation was given by Pastor Paul Hartley, Church of the Nazaren, Nikiski.]

ROLL CALL

Present: 9 - Kelly Cooper, Willy Dunne, Wayne Ogle, Stan Welles, Paul Fischer, Dale Bagley, Brent Hibbert, Jill Schaefer, and Kenn Carpenter

Also present were:

Colette Thompson, Borough Attorney

Johni Blankenship, Borough Clerk

Michele Turner, Deputy Borough Clerk

COMMITTEE REPORTS

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

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

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Ogle moved to approve the agenda and consent agenda.

[KPB-1273](#) May 16, 2017 Regular Assembly Meeting Minutes

A motion was made by Ogletto approve the Agenda and Consent Agenda. The motion carried by the following vote:

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

[2016-19-43](#) An Ordinance Appropriating \$29,646.43 of Interest Income to Pay the Cost of Kenai Peninsula Borough School Capital Improvements (Mayor)

This Budget Ordinance was enacted.

New Business

[2017-038](#) A Resolution Amending the Terms of the \$8,500,000 Kenai Peninsula Borough Revenue Bond, 1998 (Southcentral Foundation Project); and Providing for Related Matters (Mayor)

This Resolution was adopted.

[2017-039](#) A Resolution Transferring \$10,000 from the Mayor's Department to the Legal Department for Outside Counsel to Advise the Board of Adjustment and the Board of Equalization (Mayor)

This Resolution was adopted.

[2017-040](#) A Resolution Approving the Sole Source Acquisition of 9-1-1 Caller Location Software for the Soldotna Public Safety Communications Center (Mayor)

This Resolution was adopted.

[2017-041](#) A Resolution Authorizing the Assessor to Accept Two-Late Filed Senior Exemption Applications and One Late-Filed Disabled Veteran Exemption for 2017, Filed After March 31, 2017 (Mayor)

This Resolution was adopted.

*f. [2017-042](#) A Resolution Supporting a Demonstration Composting Project in Kachemak City (Mayor, Cooper, Dunne)

This Resolution was adopted.

[2016-19-44](#) An Ordinance Redirecting \$13,762.13 from a Previously Appropriated Capital Project to be Used for Repairing and Completing the Bear Creek Fire Station (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[KPB-1270](#) Petition to Vacate the dedicated portion of Diamond M Ranch Road between Lots 3A and 5A as shown on Carrol Martin Subdivision Diamond M Ranch Resort Addition, Plat KN 2008-116; located within the N ½ Section 22 Section 15, T5N, R11W, Seward Meridian, Alaska, and within the Kenai Peninsula Borough; KPB File 2017-058V

A motion was made by Ogleto approve the Agenda and Consent Agenda. The motion carried by the following vote:

[KPB-1271](#) Confirming an Appointment to the Kenai Peninsula Borough Planning Commission (Mayor)

Diane Fikes City of Kenai Term to Expire: July 31, 2019

A motion was made by Ogleto approve the Agenda and Consent Agenda. The motion carried by the following vote:

Approval of the Agenda and Consent Agenda

President Cooper called for public comment with none being offered.

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

Yes: 9 - Cooper, Dunne, Ogle, Welles, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

COMMENDING RESOLUTIONS AND PROCLAMATIONS

None.

PRESENTATIONS WITH PRIOR NOTICE

[KPB-1249](#) Kenai Peninsula Borough School District Quarterly Report (10 minutes)

[Clerk's Note: Sean Dusek, Superintendent and Joe Arness, Board of Education President presented the school district's quarterly report.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Cooper called for public comment.

Johana Beech, Kenai Peninsula Tourism Marketing Council introduced their new executive director, Summer Lazenby.

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

MAYOR'S REPORT

1. Assembly Requests/Responses

None.

2. Agreements and Contracts

- a. [KPB-1257](#) Request for Waiver of Formal Bidding Procedures - Computerized Legal Research Contract renewal with Westlaw

This Agreement/Contract was presented.

- b. [KPB-1258](#) Authorization to Award Contract for ITB17-022 Transitional Housing to Triple V Contracting, LLC. Big Lake, AK

This Agreement/Contract was presented.

- c. [KPB-1259](#) Authorization to Award Contract for ITB17-036 FY17 South Gravel Projects: Alder Street & Ester Avenue to Paul's Services, Anchor Point, AK

This Agreement/Contract was presented.

- d. [KPB-1260](#) Authorization to Award Contract for ITB17-015 Multi-Function Copier Purchases to HiSpeed Gear, Inc. Soldotna, AK

This Agreement/Contract was presented.

- e. [KPB-1261](#) Authorization to Award Contract for ITB17-035 Bear Creek Multi-Use Facility-Exterior Surfaces and Interior Completion to Harmon Construction, Inc. Seward, AK

This Agreement/Contract was presented.

- f. [KPB-1262](#) Authorization to Award Contract for ITB17-037 Chapman Elementary School Window-Wall and Siding Replacement to Blazy Construction, Inc. Soldotna, AK

This Agreement/Contract was presented.

- g.** [KPB-1263](#) Authorization to Award Contract for ITB17-041 High Density Landfill Compactor Purchase to AER Inc. Airport Equipment Rentals, Soldotna, AK

This Agreement/Contract was presented.

- h.** [KPB-1264](#) Authorization to Award Contract for ITB17-040 River Center Streambank Restoration to Moore's Landscaping, LLC. Kenai, AK

This Agreement/Contract was presented.

- i.** [KPB-1265](#) Authorization to Award Contract for ITB17-038 Homer High School ADA Elevator Repair to FT Elevator, Anchorage, AK

This Agreement/Contract was presented.

- j.** [KPB-1266](#) Request for Waiver of Formal Bidding – Water Monitoring Program Contract

This Agreement/Contract was presented.

3. Other

- a.** [KPB-1267](#) Investment Portfolio Report as of March 31, 2017

This Mayor's Report was presented.

- b.** [KPB-1268](#) Project Reports - March 31, 2017

This Mayor's Report was presented.

- c.** [KPB-1269](#) Recap of the FY 2017 Surplus Auction

This Mayor's Report was presented.

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

None.

PUBLIC HEARINGS ON ORDINANCES

Suspend the Rules

Bagley moved to suspend the rules to move Ordinance 2017-11 after Resolution 2017-037 on the agenda.

Yes: 9 - Cooper, Dunne, Ogle, Welles, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

[2017-19](#)

An Ordinance Appropriating Funds for Fiscal Year 2018 (Mayor) (Final Hearing)

[Clerk's Note: The motion to enact was on the floor from the May 16, 2017 meeting.]

President Cooper called for public comments.

Summer Lazenby, Kenai Peninsula Tourism Marketing Council spoke in support of their funding.

The following people addressed the assembly regarding Kenai Peninsula College funding:

Gary Turner, Director
Michael Skinner, Kenai
Julie Cottral, Soldotna
Emily Knight, Soldotna
Alan Borris, Kasilof
Hal Smalley, Kenai

The following people spoke in support of funding Central Area Rural Transit System (CARTS):

Heddy Huss, Soldotna
Eric Crowe, Soldotna

The following people spoke in support of school funding:

Lara McGinnis, Ninilchik
Debbie Carey, Ninilchik
Margaret Gilman, Kenai

George Pierce, Kasilof spoke in opposition to funding non-profits.

Charlie Pierce, Sterling spoke in opposition to new taxation.

Tim Dillon, Kenai Peninsula Economic Development Division spoke in support of their funding.

Fred Sturman, Soldotna addressed the assembly regarding unemployment in the borough.

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

Bagley moved to amend the FY2018 budget document as follows:

Pages 318, 325, 345, General Government, decrease account number 407.19010.00000.49999, "Borough Building Mechanical Systems Replacement", \$1,7000.000.

Pages 318, 325, General Government, decrease account number 407.00000.00000.38100, "Transfer from General Fund", \$1,250,000.

Pages 53, 136, NonDepartmental, decrease account number 100.94910.00000.50407, "Transfer to General Government Capital Projects", \$1,250,000.

The motion to amend carried by the following vote:

Yes: 9 - Cooper, Dunne, Ogle, Welles, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

Welles moved to amend the FY2018 budget document as follows:

Page 135, Economic Development, decrease account number 100.94900.00000.43021, "Peninsula Promotion - KPTMC", \$0.

Ogle moved to amend the Welles amendment to the FY2018 budget document as follows:

Page 135, Economic Development, decrease account number 100.94900.00000.43021, "Peninsula Promotion - KPTMC", \$272,000.

The motion to amend the Welles amendment carried by the following vote:

Yes: 5 - Cooper, Ogle, Fischer, Schaefer, and Carpenter

No: 4 - Dunne, Welles, Bagley, and Hibbert

Assembly Members Bagley and Dunne spoke in opposition to the amendment.

The Welles amendment as amended carried by the following vote:

Yes: 6 - Cooper, Ogle, Welles, Fischer, Schaefer, and Carpenter

No: 3 - Dunne, Bagley, and Hibbert

Welles moved to amend the FY2018 budget document as follows:

Page 135, Economic Development, decrease account number 100.94900.00000.43009, "Contract Services - EDD", \$0.

Ogle moved to amend the Welles amendment to the FY2018 budget document as follows:

Page 135, Economic Development, decrease account number 100.94900.00000.43009, "Contract Services - EDD", \$60,000.

Assembly Members Bagley and Dunne spoke in opposition to the amendment.

The motion to amend the Welles amendment failed by the following vote:

Yes: 2 - Ogle, and Fischer

No: 7 - Cooper, Dunne, Welles, Bagley, Hibbert, Schaefer, and Carpenter

Assembly Member Schaefer spoke in opposition to the amendment.

The motion to amend the FY2018 budget document failed by the following vote:

Yes: 1 - Welles

No: 8 - Cooper, Dunne, Ogle, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

Welles moved to amend the FY2018 budget document as follows:

Page 135, Economic Development, decrease account number 100.94900.0000043010, "Contract Services - CARTS", \$0.

[Clerk's Note: Assembly Member Hibbert declared a potential conflict as the cab company he owns contracts with CARTS. President Cooper ruled a conflict did exist and Assembly Member Hibbert abstained from the discussion and vote regarding the Welles amendment.]

Assembly Members Ogle and Bagley spoke in support of the amendment.

The motion to amend the FY2018 budget document carried by the following vote:

Yes: 7 - Cooper, Ogle, Welles, Fischer, Bagley, Schaefer, and Carpenter

No: 1 - Dunne

Abstain: 1 - Hibbert

Ogle moved to amend the FY2018 budget document as follows:

Page 135, Economic Development, decrease account number 100.94900.00000.43011, "Contract Services - SBDC", \$84,000.

Assembly Member Dunne spoke in opposition to the Ogle amendment.

Assembly Member Welles spoke in support of the Ogle amendment.

The motion to amend the FY2018 budget document carried by the following vote:

Yes: 6 - Cooper, Ogle, Welles, Fischer, Schaefer, and Carpenter

No: 3 - Dunne, Bagley, and Hibbert

Bagley moved to amend the FY2018 budget document as follows:

Page 135, Economic Development, increase account number 100.94900.00000.43021, "Contract Services - KPTMC", \$306,000.

The motion to amend the FY2018 budget document carried by the following vote:

Yes: 5 - Cooper, Dunne, Bagley, Hibbert, and Schaefer

No: 4 - Ogle, Welles, Fischer, and Carpenter

Hibbert moved to amend the FY2018 budget document as follows:

Page 71, Mayor Administration, increase account number 100.11210.00000.40110. "Regular Wages", \$441,433; increase account number 100.11210.00000.40210, "FICA", \$40,641; increase account number 100.11210.00000.40221, "PERS", \$97,641; increase account number 100.11210.00000.470321, "Health Insurance", \$101,608; increase account number 100.11210.00000.40322, "Life Insurance", \$1,059.

[Clerk's Note: Assembly Member Bagley declared a possible conflict as he was a candidate for Borough Mayor in the next regular election in November 2017. President Cooper ruled a conflict did not exist as the election had not had not been conducted.]

Fischer moved to amend the Hibbert amendment to the FY2018 budget document as follows:

Increase the Mayor's Salary and prorated benefits to \$105,000.

The motion to amend the Hibbert amendment to the FY2018 budget failed by the following vote:

Yes: 1 - Fischer

No: 8 - Cooper, Dunne, Ogle, Welles, Bagley, Hibbert, Schaefer, and Carpenter

The motion to amend the FY2018 budget document failed by the following vote:

Yes: 2 - Cooper, and Dunne

No: 7 - Ogle, Welles, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

The motion to enact Ordinance 2017-19 as amended carried by the following vote:

Yes: 8 - Cooper, Dunne, Ogle, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

No: 1 - Welles

[2017-12](#)

An Ordinance Authorizing a Cooperative Sale and Exchange of Interests in Lands with the State of Alaska Department of Transportation and Public Facilities in the Areas of Crown Pointe and Miller Loop Road (Mayor)

[Clerk's Note: Ordinance 2017-12 was postponed from the June 6, 2017 Assembly meeting, in order to give the Moose Pass Advisory Planning Commission an opportunity to review the Ordinance and make a recommendation to the Planning Commission.]

Dunne moved to enact Ordinance 2017-12.

President Cooper called for public comments with none being offered.

Dunne moved to postpone Ordinance 2017-12 to June 20, 2017.

The motion to postpone to June 20, 2017 carried by the following vote:

Yes: 9 - Cooper, Dunne, Ogle, Welles, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

UNFINISHED BUSINESS

None.

NEW BUSINESS

Resolutions

[2017-037](#)

A Resolution Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and for Service Areas within the Borough for Fiscal Year 2018, Tax Year 2017 (Mayor)

Hibbert moved to adopt Resolution 2017-037.

President Cooper called for public comment.

The following people spoke in opposition to Resolution 2017-037:

Duanne Bannock, Kenai

Joan Corr, Soldotna

Fred Sturman, Soldotna

George Pierce, Kasilof

The following people spoke in support of Resolution 2017-037:

Debbie Carey, Ninilchik

Jessie Bjorkman, Nikiski

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

Bagley moved to amend Resolution 2017-037 as follows:

Section 1 to read, "That the rate of levy of taxes on all real and personal property within the Kenai Peninsula Borough for the Fiscal Year 2018 is hereby set at [5.0] 4.5 mills on each one dollar of assessed value as determined by the assessment roll and any supplemental rolls hereafter certified by the Borough Assessor."

Assembly Member Dunne spoke in opposition to the amendment.

Assembly Member Welles spoke in support of the amendment.

The motion to amend carried by the following vote:

Yes: 8 - Cooper, Ogle, Welles, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

No: 1 - Dunne

The motion to adopt Resolution 2017-037 as amended carried by the following vote:

Yes: 9 - Cooper, Dunne, Ogle, Welles, Fischer, Bagley, Hibbert, Schaefer, and Carpenter

[2017-11](#)

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)

Hibbert moved to enact Ordinance 2017-11.

President Cooper called for public comment.

The following people spoke in opposition to Ordinance 2017-11:

James Price, Nikiski

George Pierce, Kasilof

Daniel Lynch, Soldotna

Joan Corr, Soldotna

The following people spoke in support of Ordinance 2017-11:

Lara McGinnis, Ninilchik

Debbie Carey, Ninilchik

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

Assembly Members Ogle and Dunne spoke in opposition to Ordinance 2017-11.

Assembly Member Schaefer spoke in support of Ordinance 2017-11.

The motion to enact Ordinance 2017-11 failed by the following vote:

Yes: 3 - Bagley, Hibbert, and Schaefer

No: 6 - Cooper, Dunne, Ogle, Welles, Fischer, and Carpenter

Ordinances for Introduction

[2017-13](#)

An Ordinance Amending KPB 2.04.060 to Increase the Mayor's Salary to \$110,000 (Mayor) (Hearing on 07/18/17)

Hibbert moved to introduce Ordinance 2017-13 and set for public hearing.

President Cooper called for public comments with none being offered.

The motion to introduce Ordinance 2017-13 and set for public hearing failed by the following vote:

Yes: 3 - Cooper, Dunne, and Schaefer

No: 6 - Ogle, Welles, Fischer, Bagley, Hibbert, and Carpenter

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Cooper called for public comments.

Johana Beech, Soldotna thanked the assembly for funding Kenai Peninsula Marketing Tourism Council.

The following people thanked the assembly for the work they do:

Lara McGinnis, Ninilchik

George Pierce, Kasilof

Debbie Carey, Ninilchik

Fred Sturman, Soldotna addressed the assembly stating there should be no more borough or hospital bonds.

Daniel Lynch, Soldotna thanked the assembly for not enacting Ordinance 2017-11.

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

June 20, 2017 Regular Assembly Meeting 6:00 PM
Borough Assembly Chambers, Soldotna, Alaska

ASSEMBLY COMMENTS

Assembly Member Fischer wished everyone a good evening.

Assembly Member Bagley thanked the administration and staff for all their work on the budget. Mr. Bagley stated it was good to see everyone attend. He stated he was still concerned about the deficit, but that was for another day.

Assembly Member Schaefer wished everyone a good evening.

Assembly Member Welles wished everyone a good evening.

Assembly Member Dunne thanked Mayor Navarre and his staff for their work on the budget. He said he was happy with the budget and funding for schools and the college. He stated that it was hard to find balance with the revenues and expenses and had deficits to make up.

Assembly Member Hibbert thanked Mayor Navarre, his staff and the borough employees for the work they do.

Assembly Member Carpenter thanked everyone for their testimony. He thanked Mr. Bagley for being creative and even though it did not work out, it was a good effort and he appreciated that. Mr. Carpenter wished everyone a good evening.

Assembly Member Ogle shared it was the anniversary of "D-Day", the greatest military operation ever. He stated it was unfortunate that our history books did not spend much time on the subject. Mr. Ogle echoed the previous comments regarding the budget and thanks to Mayor Navarre and his staff. He stated there was great testimony and he appreciated everyone's participation.

President Cooper thanked the administration for all their work on the budget. She stated that there would be revenue streams that needed to be looked at and tough decisions to make. Ms. Cooper stated the borough had some great employees and shared a story of how Jake Hagedorn helped her find her missing cell phone. She wished every one a great evening.

INFORMATIONAL MATERIALS AND REPORTS

None.

NOTICE OF NEXT MEETING AND ADJOURNMENT

With no further business to come before the assembly, President Cooper adjourned the meeting at 10:17 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of June 6, 2017.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____