

Introduced by: Mayor
Date: 06/06/23
Hearing: 06/20/23
Action: Enacted as Amended
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-19-75**

**AN ORDINANCE APPROPRIATING FUNDS FROM THE GENERAL FUND FOR
DEMOLITION AND REMOVAL OF THE ZIPMART BUILDING**

WHEREAS, Zipmart, owned and operated by Whittier Properties, Inc., was a vehicle fueling station business that began operations in 1985; and

WHEREAS, according to a report published by the State of Alaska’s contractor that was engaged to monitor and perform remediation work at the Zipmart site, soil and groundwater was first discovered in 1995, then in 2001 an assessment found 13 inches of fuel in groundwater monitoring wells at the Zipmart property due to a break in the gasoline tank fill pipe which caused an estimated 53,000 gallons of fuel to be released to the environment; and

WHEREAS, in early 2002, the State of Alaska’s Department of Environmental Conservation (ADEC) assumed management of cleanup activities related to the Zipmart site, soil, and groundwater contamination; and

WHEREAS, the collapsed Zipmart building is a danger and attractive nuisance to the Sterling area youth and local residents; and

WHEREAS, Ordinance 2023-13 pending before the Assembly would issue an order of condemnation and order of removal; and

WHEREAS, the funds appropriated by this ordinance are contingent upon the Assembly enacting Ordinance 2023-13, issuing an order of condemnation for the Zipmart building and ordering the demolition and removal of the collapsed building;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The amount up to \$30,000 is appropriated from the General Fund fund balance to account 100.94910.ZIPMA.49999 for the Zipmart demolition and removal project.

SECTION 2. That the Mayor is authorized into necessary contract or related documents to complete the Zipmart demolition and removal project. However, this project will only move forward and the Mayor may only contract for the demolition and removal of the Zipmart building in the event the Assembly issues an order of condemnation upon recommendation from the Planning Commission and orders the building removed or demolished.

SECTION 3. That appropriations made in this ordinance are project length in nature and as such do not lapse at the end of any particular fiscal year.

SECTION 4. That this ordinance shall be effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 20TH DAY OF JUNE, 2023.


Brent Johnson, Assembly President

ATTEST:


Michele Turner, CMC, Acting Borough Clerk



Yes: Chesley, Cox, Derkevorkian, Ecklund, Hibbert, Ribbens, Tupper, Johnson
No: None
Absent: Elam