



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes

Assembly

Kelly Cooper, President
Hal Smalley, Vice President
Norm Blakeley
Jesse Bjorkman
Kenn Carpenter
Tyson Cox
Willy Dunne
Brent Hibbert
Brent Johnson

Tuesday, February 4, 2020

6:00 PM

Betty J. Glick Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was given by Roy J. Wilson.]

ROLL CALL

Present: 8 - Jesse Bjorkman, Norm Blakeley, Kenn Carpenter, Tyson Cox, Brent Hibbert, Brent Johnson, Hal Smalley, and Kelly Cooper
Excused: 1 - Willy Dunne

Also present were:

Charlie Pierce, Borough Mayor
James Baisden, Chief of Staff
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 Johnson stated the Lands Committee met and discussed its agenda items.

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

MOTION: Hibbert moved to authorize Assembly Member Hal Smalley to attend the National Association of Counties Legislative Conference in Washington DC, February 28 through March 4.

The total expense was estimated to be approximately \$3,390, \$1,750 of which will be reimbursed by the Alaska Municipal League (AML) as Mr. Smalley is AML's NACo Representative. The total anticipated expense to the borough was estimated to be no more than \$1,640.

Yes: 8 - Bjorkman, Blakeley, Carpenter, Cox, Hibbert, Johnson, Smalley, and Cooper

Excused: 1 - Dunne

APPROVAL OF AGENDA AND CONSENT AGENDA

Smalley moved to approve the agenda and consent agenda.

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-2458](#) January 21, 2020 Regular Assembly Meeting Minutes
approved.

[2020-04](#) An Ordinance Authorizing the Mayor to Select a Parcel of Land in the City of Kenai Through the Kenai Peninsula Borough's Municipal Entitlement Land Grant and Authorizing the Conveyance of the Parcel to the City of Kenai for a Municipal Park (Mayor)

[Clerk's Note: The final Whereas clause of Ordinance 2020-04 was amended to read, "the Kenai Peninsula Borough Planning Commission held a public hearing on January 27, 2020 and recommended approval by unanimous consent."]

This Ordinance was enacted as amended.

[2020-05](#) An Ordinance Amending the Kenai Peninsula Borough Hazard Mitigation Plan by Deleting Existing Annex A, 2015 City of Homer All Hazard Mitigation Plan Update, and Adopting the City of Homer All Hazard Mitigation Plan 2018 Update as the New Annex A (Mayor)

This Ordinance was enacted.

[2020-010](#) A Resolution Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2020 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2019 (Mayor)

This Resolution was adopted.

[2020-011](#) A Resolution Authorizing the Acquisition by Donation of 20 Acres of Land Located in the Seward Area on Behalf of the Seward Bear Creek Flood Service Area (Mayor)

[Clerk's Note: The final Whereas clause of Resolution 2020-011 was amended to read, "the Kenai Peninsula Borough Planning Commission, at its regularly scheduled meeting of January 27, 2020 recommended approval by unanimous consent."]

This Resolution was adopted as amended.

[2020-012](#) A Resolution Asking the Alaska Board of Fisheries for Due Diligence in Supporting Biological Management of Salmon Stocks in Upper Cook Inlet (Johnson, Bjorkman)

This Resolution was adopted.

[2020-013](#) A Resolution Supporting House Bill 208 Changing the Name of College Road in Soldotna to Alan Boraas Road (Cooper, Smalley)

This Resolution was adopted.

[2020-014](#) LAYDOWN A Resolution Supporting The Status Quo Level of Total Constant Exploitation Yield in International Pacific Halibut Commission Area 3A Charter Sector for the 2020 Season (Cooper)

This Resolution was adopted.

[2019-19-27](#) An Ordinance Appropriating Matching Funds for the Japanese Creek Levee Flood Risk Mitigation Feasibility Study (Mayor)

This Budget Ordinance was introduced and set for public hearing.

[2020-06](#) An Ordinance Authorizing a Community Trail Management Agreement on Borough Land within the City of Soldotna with Shimai Toshi Garden Trails, Inc. (Mayor)

This Ordinance was introduced and set for public hearing.

[KPB-2461](#) LAYDOWN Confirming the appointment to the Eastern Peninsula Highway Emergency Service Area Board (Mayor)

Edward Kahles, Seat E, Term Expires October, 2020
approved.

Approval of the Consent Agenda

President Cooper called for public comment.

Paul Shadera, Soldotna spoke in favor of Resolution 2020-012.

Debbie Cary, Ninilchik spoke in favor of Resolution 2020-014.

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

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

Yes: 8 - Bjorkman, Blakeley, Carpenter, Cox, Hibbert, Johnson, Smalley, and Cooper

Excused: 1 - Dunne

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-2456](#) Mayor's Proclamation Declaring February 14, 2020 as "League of Women Voters Day, Women's Voting Rights Day"

PRESENTATIONS WITH PRIOR NOTICE

[KPB-2457](#) Brad Keithley, Alaskans for Sustainable Budgets (10 Minutes)
[Clerk's Note: Brad Keithley, Managing Director for Alaskans for Sustainable Budgets, gave a presentation to the assembly.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Cooper called for public comment.

Bradley Savely, Soldotna addressed the assembly regarding the Rustic Avenue Road Improvement Assesment District.

Carrie Henson, Kalifornsky addressed the assembly regarding volunteering in the community.

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

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

[2020-01](#) An Ordinance Amending KPB 4.30.010 and KPB 4.30.050 Regarding

Candidate Qualification and Review of Candidate Qualifications for Borough Elections (Johnson, Cox)

Smalley moved to enact Ordinance 2020-01.

President Cooper called for public comment with none being offered.

Johnson moved to amend Ordinance 2020-01 as follows:

Section 1 "[E. A CANDIDATE FOR ANY OF THE ABOVE OFFICES SHALL DECLARE IN WRITING ALL ABSENCES FROM THE STATE OF ALASKA OF OVER 45 DAYS DURING THE MONTHS PRIOR TO FILING FOR OFFICE ALONG WITH THE REASON FOR THE ABSENCE.]"

The motion to amend Ordinance 2020-01 carried by the following vote:

Yes: 8 - Bjorkman, Blakeley, Carpenter, Cox, Hibbert, Johnson, Smalley, and Cooper

Excused: 1 - Dunne

Johnson moved to postpone Ordinance 2020-01 to the February 25, 2020 assembly meeting.

The motion to postpone Ordinance 2020-01 to the February 25, 2020 meeting carried by the following vote:

Yes: 8 - Bjorkman, Blakeley, Carpenter, Cox, Hibbert, Johnson, Smalley, and Cooper

Excused: 1 - Dunne

[2020-02](#)

An Ordinance Amending KP.B 2.54.060 Regarding Response to Requests for Access to Public Records Requests to Increase Time Limits for Response (Cooper at the Request of the Borough Clerk)

Smalley moved to enact Ordinance 2020-02.

President Cooper called for public comment with none being offered.

The motion to enact Ordinance 2020-02 carried by the following vote:

Yes: 8 - Bjorkman, Blakeley, Carpenter, Cox, Hibbert, Johnson, Smalley, and Cooper

Excused: 1 - Dunne

UNFINISHED BUSINESS

NEW BUSINESS

MAYOR'S REPORT

[KP.B-2450](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts

- a. [KPB-2451](#) Authorization to Award a Contract for ITB20-013 Calcium Chloride Purchase Summer 2020 to NorthStar Supply, LLC., Palmer, Alaska.
3. Other
 - a. [KPB-2452](#) Budget Revisions - December 2019
 - b. [KPB-2453](#) Revenue - Expenditure Report - December 2019
 - c. [KPB-2454](#) FY20-2Q Senior Grant Reports
 - d. [KPB-2455](#) FY20-2Q Economic Development Grant Reports

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Cooper called for public comment.

Carrie Henson, Soldotna thanked the Mayor for the proclamation to the Alaska League of Women Voters. She also mentioned Darwin's Day in February.

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

ASSEMBLY COMMENTS

Assembly Member Johnson thanked Mr. Bjorkman for co-sponsoring Resolution 2020-012. He also thanked the public for their input on the fisheries issues. He spoke on the history of the Kenai Peninsula fisheries and the importance of specific information within Resolution 2020-012. Mr. Johnson congratulated Tustumena Elementary for being one of two schools in the State of Alaska to win the National Elementary and Secondary Education Act Award.

Assembly Member Blakeley thanked everyone for attending and encouraged everyone to get home safely.

Assembly Member Bjorkman thanked everyone for attending and Mr. Wilson for his invocation. He congratulated the Nikiski High School girls and boys basketball teams for their first place finishes in Kotzebue. He congratulated and thanked the Nikiski Fire Department as well as Mike Vandergrif for their response and excellent service to an emergency at the Marathon plant. He stated that he looked forward to working with his fellow assembly members on borough issues.

Assembly Member Cox stated he attended the Solarize the Kenai event at the Soldotna Library. He stated there was a tax credit available for individuals who

wished to utilize solar power. Mr. Cox attended "Coffee and Conversation" with KPBSD Superintendent O'Brien. He mentioned there was more opportunities to speak with Mr. O'Brien over the next few weeks and encouraged the public to attend.

Assembly Member Hibbert thanked everyone for coming. He stated that he participated in Project Homeless Connect. He thanked the Borough employees for their hard work and maintaining the borough properties and wished Mr. Uhlin well on his new journey.

Assembly Member Carpenter congratulated the Seward High School boys and girls basketball teams on their successful tournament finishes. He thanked everyone for coming and to have safe evening.

Assembly Member Smalley congratulated Ross Rademann on being named KPB employee of the month. He wished Mr. Uhlin well on his move to Florida. He congratulated the League of Women Voters on their one hundred year anniversary. Mr. Smalley stated he volunteered at the Homeless Connect event and congratulated them on a successful event.

President Cooper stated the importance of Homeless Connect and appreciated that they added Homer and Seward to the event. She stated it was well attended and a huge success. She stated the Homer Winter Carnival started February 8, 2020 in Homer and encouraged everyone to attend. She wished everyone a good evening.

PENDING LEGISLATION

1. [2019-34](#) An Ordinance Amending KPB 21.46.040 to Create the Kalifornsky Center Single Family Residential R-1 Local Option Zoning District on an Approximately 55-Acre Borough-Owned Parcel (Mayor) [Tabled on 01/07/20]
2. [2019-24](#) An Ordinance Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)
3. [2020-03](#) An Ordinance Amending KPB 5.18 Sales Tax Code and Enacting KPB 5.19 Uniform Remote Seller Sales Tax Code (Cooper, Smalley)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

February 25, 2020 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

ADJOURNMENT

With no further business to come before the assembly, President Cooper adjourned the meeting at 8:05 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of February 4, 2020.

Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: _____