

**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 05, 2010
7:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Lunceford called the meeting to order at 7:00 pm.

2. OPENING CEREMONY

Mayor Lunceford led the Pledge of Allegiance.

3. ROLL CALL

A. Council Members Present: Jerry Vandergriff, Lester Lunceford, Mary Brenneman, Becky Cotner

B. Council Members Absent: Shawni Phillips, Juan Cardenas and Shannon Tolman

Mayor Lunceford stated that he heard from the city office that Shawni Phillips may not be able to attend tonight's meeting but he had not heard anything from the other two absent council members.

Mayor Lunceford entertained a motion for excused absences.

Hearing none Mayor Lunceford stated that they are unexcused.

C. Excused Absence: None

D. Administration Present: Brenda Krol, City Clerk; Ed Barrett, Interim City Manager

Others present included: Kelly Powers, Mike Bender, Bill Rome, Bill Klingler, Sam Gimelli, Don Stevens, Ben Cottle, Gerald Sanger, Rob Cone-Clark, Charlie Eldridge, Roger Truscott, Dave Schofield, Scott Korbe, Eula Schofield, Dave Goldstein, Jack Roskind, Kelly Bender, Ed Fee, Sandy Fee, June Miller

4. APPROVAL OF MINUTES

None

5. APPROVAL OF REGULAR MEETING AGENDA

Mayor Lunceford added under consent calendar trips to Juneau and Washington D.C. for himself and Interim City Manager, Ed Barrett.

MOTION: Jerry Vandergriff made a motion to approve the regular meeting agenda as amended.

SECONDED: Mary Brenneman seconded the motion.

VOTE: Jerry Vandergriff: Yes, Mary Brenneman: Yes, Becky Cotner: Yes, Lester Lunceford: Yes.

Motion passed 4-0.

6. MAYOR'S REPORT

A. Mayor Report – Mayor Lunceford

Mayor Lunceford stated that a couple of weeks ago before the Christmas break we had met with several Homeland Security officials both here and the State of Alaska as well as the Lower 48.

Mayor Lunceford stated that he was very honored that the people from the Lower 48 picked Whittier of all of the places in Alaska to meet.

Mayor Lunceford stated that they had discussed the rock slide incident and how it cut off transportation to and from Whittier and how it impacted Whittier.

Mayor Lunceford stated that the Homeland Security officials are willing to help us come up with some type of disaster plan and hopefully some funding for this.

Mayor Lunceford stated “recently we had a personnel grievance that the Council had to hear a couple of months ago but due to a series of events a couple of different meetings we thought that the situation was resolved by an employee going to arbitration but in reality that was not resolved and as a result we now have that situation left wide open again and as a result we will probably have to have that employee come to the Council and ask for clarification as to whether the Council approves to go through arbitration or not.

Mayor Lunceford stated “with the Council’s permission he would like to ask the City Clerk or our City Administration to contact this former employee and notify her that she does have that option to come to the Council for clarification.

MOTION: Jerry Vandergriff made a motion to direct city administration to notify the former employee of her option to come before the City Council.

SECONDED: Becky Cotner seconded the motion.

VOTE: Jerry Vandergriff: Yes, Becky Cotner: Yes, Mary Brenneman: Yes, Lester Lunceford: Yes

Motion passed 4-0.

B. Vice Mayor Report – Shawni Phillips

None

7. CITY MANAGER'S REPORT

A. City Manager Report – Ed Barrett

See written report in original council packet.

Interim City Manager Ed Barrett briefly went over his written report.

Ed Barrett stated “Mark Earnest has pulled out of here a couple of times in a giant swirl of flying paper and there is still piles of paper to be dealt with and the staff is finding itself facing a huge challenge in trying to understand the grant funding matrix that he is leaving in his wake.”

Ed Barrett stated “It is a very difficult matrix to understand because two projects can be funded by one grant and one grant can affect three other projects and there are some rather sizable amounts of money involved where we are using state funds to match federal grants and federal funds to match stated grants because that is the food that Whittier survives on and a form that keeps our capital projects running.”

Ed Barrett stated “In the past couple of days he has been getting requests from grant funders for information that needs to be supplied and grant funders that are looking for their matches, which are

difficult to find and it is pretty much down to Joey and I to try to get this problem in a condition that we can understand it and not miss our quarterly financial reports and the narratives that these grants require.”

Ed Barrett stated “some of the grant reports are monthly, some of them are quarterly and some of the narratives are annual there are approximately 18 open grants that require administration and that is something that Mark Earnest was the best at, of any person that he has ever seen.”

Ed Barrett stated “that the administration believes that we can keep things bound together and not lose any of the progress that he has made, we cannot guarantee that we can continue to produce money the way he has because of his connections in the State, but we intend to at least keep our capital projects and our development projects underway.”

Ed Barrett stated that the other obvious problem that we have is that we need to fill these two positions one way or another and we have advertised in both the Anchorage Daily News and the Alaska Municipal League website, which most professional public administrators are paying attention to and we have over a dozen applications in for the City Manager position.

Ed Barrett suggested that Council and Administration form a committee to include if not all of the elected officials at least two of them so that we could sit down together and discuss what the first cut should look like.

Ed Barrett stated “I would also offer that although AML, Alaska Municipal League offers this as a service they are very slow at it and I am suggesting that the City pay for due diligence from professionals that do this so that we could get quick reports on whether people are telling us the truth or not about their bona fidas and their educational credentials.”

Ed Barrett stated “Although it would make more sense to hire a new City Manager and let that person hire their number two person, one of the problems that we are facing right now is that the number two person is the person that handles all of the human resources and risk management and personnel files and these are problems that are constant and due not stop.”

Ed Barrett stated “Right now serving you as I do I am working three jobs and I do not want things to fall through the cracks and this is one place where things can fall through the cracks so I might suggest that Council think about allowing me to start working through, or actually I would start working through the one application that we have for the Director of Administration position.”

Ed Barrett stated to council “You will notice that the agenda that you have in front of you basically aside from the department reports has one item on it and that item is a contract that I need to enter into with Council’s permission to keep our Coastal Management Plan working.”

Ed Barrett stated “The reason that this agenda is so light is not because there aren’t things that could be on it but because it is has been my feeling that the staff keeps bringing things forward almost as if they are driving the direction of the City and I think that this an opportunity maybe to go into a different direction, in other words it is your agenda and the people elected you to decide in what direction to go they did not elect the staff, so I would encourage you however it can be done to bring to us the issues that you want us to work on so that we are not working in a lot of directions that maybe aren’t the directions or the issues that you feel are important and the reason I say that is because I have noticed time and time again that we have brought forward agendas where two or three items have been dropped off, postponed or tabled and it is my personal feeling that the people elected you to bring the issues to us for us to work on, so I could continue to bring forward agendas like this but I would encourage you to tell us what you would like us to work on.”

Ed Barrett stated that was all he had and he welcomed any questions.

Mayor Lunceford told Ed Barrett “I am glad that you brought that up and though I cannot speak for all of the Council members up here tonight I can speak for some of the people in the community that have contacted me about their concern about the confirmation process of department heads.”

Mayor Lunceford stated “It was mentioned here recently, within the last couple of months that that particular process was inadvertently left out of the ordinances and as a result there has been some confusion as to whether or not the Council still had the ability to confirm department heads.”

Mayor Lunceford stated “I would like to entertain a motion that we ask administration to research the old statute that dealt with the confirmation process and bring it back to the Council to see if it can’t be reincorporated back into Title 2.”

Mayor Lunceford stated “Not so much to be retroactive but maybe for future confirmations.”

Jerry Vandergriff stated that legally he does not believe they can be retroactive but the department heads were hired at a time when it was not an ordinance.

MOTION: Jerry Vandergriff made a motion to direct the administration to research in Title 2 the ninety day confirmation and find out when and why it was dropped from Title 2 and to bring forth an ordinance putting it back in.

SECONDED: Becky Cotner seconded the motion.

DISCUSSION: Mayor Lunceford asked Jerry Vandergriff for clarification on the ordinance “At the next council meeting or do you want to give them a little extra time?”

Jerry Vandergriff replied “Give them thirty days at least, they have plenty of stuff on their tables right now.”

VOTE: Jerry Vandergriff: Yes, Becky Cotner: Yes, Mary Brenneman: Yes, Lester Lunceford: Yes

Motion passed 4-0.

MOTION: Jerry Vandergriff made a motion to direct the Interim City Manager to work at hiring a new Director of Administration for the City.

SECONDED: Becky Cotner seconded the motion.

VOTE: Jerry Vandergriff: Yes, Becky Cotner: Yes, Mary Brenneman: Yes, Lester Lunceford: Yes

Motion passed 4-0.

B. Director’s Reports

- **Harbor – Ed Barrett**

See written report in original council packet

Ed Barrett stated that he has worked with City Manager, Mark Earnest over the final financial numbers for 2009 and reported that the harbor came just under their projected revenues and extended less than was budgeted for.

Ed Barrett stated that the harbor staff has been busy mailing out and collecting completed contracts and for the first time after many audits and certified letters our files are now clean and have the same information for everybody.

- **Public Safety – Dave Schofield**

See written report in original council packet

Chief Dave Schofield reported that the Whittier Volunteer Fire Department had put together the toys for children program which they had put a lot of man hours into as far as collecting donations, selecting the toys and wrapping the toys and everything went well.

Everyone applauded.

Councilor Becky Cotner thanked the Whittier Volunteer Fire Department and stated that they had gone above and beyond.

- **Public Works – Scott Korbe**
See written report in original council packet

Scott Korbe stated that he is waiting to meet with Whittier School Principal, Stephanie Burgoon to discuss a student internship program and then he would bring details of this program back to Council at the next regular meeting or the one after.

Scott Korbe stated that he had a meeting on December 15th 2009 with (ARWA) Alaska Rural Water Association to discuss one our employee's pending retirement. He stated that he is looking to hire an individual in the water/wastewater department which requires a license.

Scott Korbe reported that he is also working on a work order system for the shop.

8. CITIZEN'S COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

None

9. CONSENT CALENDAR

A. Travel Agenda – Mayor Lunceford and Interim City Manager Ed Barrett

Juneau, Alaska – January 2010

Washington, D.C. – February 2010

MOTION: Jerry Vandergriff made a motion to approve the consent calendar, authorizing travel for Mayor Lunceford and Interim City Manager, Ed Barrett to Juneau in January and Washington D.C. in February 2010.

SECONDED: Becky Cotner seconded the motion.

VOTE: Jerry Vandergriff: Yes, Becky Cotner: Yes, Mary Brenneman: Yes, Lester Lunceford: Yes

Motion passed 4-0.

10. PUBLIC HEARINGS (NON-ORDINANCE)

None

11. PRESENTATIONS

None

12. ORDINANCES

A. Introduction (first reading)

None

B. Public Hearing (second reading)

None

13. RESOLUTIONS

A. #960-09 – A resolution authorizing the City Manager to enter into an addendum to an existing professional services agreement with Glenn Gray and Associates for assistance in implementing the Whittier Coastal Management Plan

MOTION: Jerry Vandergriff made a motion to adopt resolution #960-09.

SECONDED: Mary Brenneman seconded the motion.

VOTE: Jerry Vandergriff: Yes, Mary Brenneman: Yes, Becky Cotner: Yes, Lester Lunceford: Yes

Motion passed 4-0.

14. UNFINISHED BUSINESS

None

15. NEW BUSINESS

None

16. COUNCIL DISCUSSION

Mayor Lunceford read aloud a letter of reprimand for Councilor Tolman.

A copy of the letter is in the original council packet for January 5th 2010.

Mayor Lunceford stated that this letter is public record and a copy will go to City Clerk, Brenda Krol.

17. CITIZENS' DISCUSSION

Dave Goldstein said "as a follow up to this letter of reprimand this is serious, serious business and I commend the council and the Mayor for taking this bold step and I also commend the Ethics Committee, I know it was long and hard for the people who were involved and that they had spent a lot of time on this."

Dave Goldstein also said "I would request that the Council consider posting this as well, this is now public information and I think that all of the community members should have access to this.

June Miller said "I think that Whittier has come a long way and I think that having someone act in that behavior slides us back ten years so I think that we should all team up and help somebody that is having a bad day but still I am so glad that we are stepping up to the plate and saying that this is not acceptable, we are moving forward we don't need that, we need to have good value."

Jack Roskind read aloud a letter from the Chamber of Commerce.

A copy of the letter is in the original council packet for January 5th 2010.

18. COUNCIL AND ADMINISTRATION RESPONSE TO CITIZENS' COMMENTS

None

19. COUNCIL DIRECTION TO CITY MANAGER

None

20. ADJOURNMENT

MOTION: Mary Brenneman moved to adjourn the meeting at 7:58 pm.

SECONDED: Jerry Vandergriff seconded the motion.

VOTE: Motion passed unanimously

Attest:

Brenda Krol
City Clerk

Lester Lunceford
Mayor