

**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY, MARCH 02, 2010
7:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Lunceford called the meeting to order at 7:02 pm.

2. OPENING CEREMONY

Mayor Lunceford led the Pledge of Allegiance.

3. ROLL CALL

A. Council Members Present: Shawni Phillips, Jerry Vandergriff, Lester Lunceford, Juan Cardenas, Mary Brenneman, Shannon Tolman, Becky Cotner

B. Council Members Absent: None

C. Excused Absence: None

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

Others present included: Don Stevens, Dave Goldstein, Bonnie Lymer, Sue Miller, Dave Schofield, Scott Korbe, Cam Bender, Kelly Powers, Doug Maliski, Jack Roskind, Gerald Sanger, Charlie Eldridge, June Miller, Ben Cottle

4. APPROVAL OF MINUTES

A. 24 February 2010, Special Meeting Minutes

MOTION: Jerry Vandergriff made a motion to approve the special meeting minutes of February 24th 2010 as written.

SECONDED: Becky Cotner seconded the motion.

VOTE: Motion passed unanimously

5. APPROVAL OF REGULAR MEETING AGENDA

Jerry Vandergriff asked that the meeting minutes for October 20, 2009 be removed from the agenda because they were not finished.

Mayor Lunceford added the appointment to RCAC to the agenda under Consent Calendar.

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

SECONDED: Juan Cardenas seconded the motion.

VOTE: Motion passed unanimously.

6. MAYOR'S REPORT

A. Mayor Report – Mayor Lunceford

Mayor Lunceford thanked Councilor Becky Cotner for stopping by the Forest Service in Girdwood and bringing to our attention that there was some attention needed to our trails grant.

Mayor Lunceford reported that he had been in contact with the Forest Service today and that Interim City Manager Ed Barrett would be following up with this by meeting with the Forest Service soon to work out the details.

Mayor Lunceford also reported that he had turned in a grant today that Mark Earnest had wrote to the Energy Authority three or four months ago.

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 that he continues to work with the Washington delegation to continue funding for Shotgun Cove Road.

Ed Barrett stated that he has been collecting letters of support for that project; so far he has received letters from RCAC and the Alaska Railroad.

Ed Barrett stated that it doesn't hurt to get letter from constituents.

Ed Barrett reported that the Port and Harbor Commission has recommended that the City hold a public hearing on March 20th so that the public could discuss the Harbor rebuild project and the Northern Economic study on moorage fees.

Ed Barrett stated that he was going to see about holding the public hearing at the School.

MOTION: Jerry Vandergriff made a motion to hold a special city council meeting/public hearing on March 20th 2010 at 7pm.

SECONDED: Becky Cotner seconded the motion.

VOTE: Motion passed unanimously.

Juan Cardenas stated that he voted yes but he will be unable to attend because he has a work commitment that day.

Shawni Phillips also voted yes but stated that she will be unavailable because she will be out of State.

Ed Barrett stated that the Holy Rosary Academy is going out on the Alaska Ferry and they have requested the desire to be released from the parking tariff. We always tell people who want to do this that we cannot adjust the tariffs when we feel like it.

Ed Barrett stated that only the City Council can excuse the tariff so in council's packets there is a letter from the Holy Rosary Academy.

Councilor Mary Brenneman declared a perceived conflict of interest as a State employee working for the Ferry.

Juan Cardenas asked if Council could vote on whether Councilor Brenneman has a conflict because he did not believe there was a conflict.

Councilor Becky Cotner stated “a conflict of interest meaning a financial gain I don’t see where Mary has a conflict.”

MOTION: Juan Cardenas made a motion that Council vote that Mary Brenneman does not have a conflict of interest and therefore can vote on the parking tariff issue.

SECONDED: Shannon Tolman seconded the motion.

VOTE: Juan Cardenas: Yes, Shannon Tolman: Yes, Becky Cotner: Yes, Mary Brenneman: Abstain, Lester Lunceford: Yes, Jerry Vandergriff: Yes, Shawni Phillips: Yes.

Motions passed 6-0-1 abstain.

Lester Lunceford stated that for clarification the motion was that Mary Brenneman does not, key word not have a conflict of interest and the positive vote would be yes.

MOTION: Juan Cardenas made a motion to forgive the parking tariff for the Holy Rosary Academy.

SECONDED: Jerry Vandergriff seconded the motion.

VOTE: Juan Cardenas: Yes, Jerry Vandergriff: Yes, Shawni Phillips: Yes, Shannon Tolman: Yes, Becky Cotner: No, Mary Brenneman: No, Lester Lunceford: No.

Motion passed 4-3.

Juan Cardenas stated that he had asked for some hard copies of a few documents at the last meeting and he asked if administration was able to get them.

Ed Barrett replied “I have the information that you had asked for, I did not produce copies but would be glad to testify to the information and supply you with a copy afterward.”

Juan Cardenas said “okay, that works.”

B. Director’s Reports

• **Harbor – Ed Barrett**

None

• **Public Safety – Dave Schofield**

See written report in original council packet

Dave Schofield welcomed any questions.

Mayor Lunceford stated that he would add to the Public Safety report that he has made contact with Jim Jansen of Lynden and he will be back in the office tomorrow afternoon so I am expecting a call from him as to what if anything he is going to be able to do to get the City’s fire truck from Alabama to Washington State.

Juan Cardenas asked “did we have a chance to talk to him also in regards to sitting down once again with the Council and discussing where we are at?”

Mayor Lunceford replied “I didn’t discuss that with him.”

Juan Cardenas asked “is there any perceivable date for that?”

Mayor Lunceford replied “no.”

Juan Cardenas said “I thought we were going to try and expedite this.”

Mayor Lunceford said “The City Manager should probably put that call in.”

Juan Cardenas suggested that this be put on the next regular meeting agenda under new business.

Mayor Lunceford asked “to invite Lynden out here to discuss development by Whittier Manor?”

Juan Cardenas replied “yes, it’s what we had talked about a couple of months ago and it sort of lost traction and everybody forgot about it.”

- **Public Works – Scott Korbe**

See written report in original council packet

Scott Korbe reported that he and Cam went to Job Corps and inspected the facilities, with the pending retirement of one of our long term employees we are starting to look at options on what the City of Whittier can do in preparation of that.

Scott Korbe stated that he had also made contact with the Whittier School principal for opportunities for Whittier students to go and take advantage of this program and two of them were currently thinking about it and we are working on coordinating an effort to get a few of the students down here to view the facilities and to spend time telling them what the program is about, the different opportunities and classes and traits to learn.

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

None

9. CONSENT CALENDAR

A. RCAC Appointment

Mayor Lunceford entertained a motion to reappoint Marilyn Heddell to the RCAC board.

Mayor Lunceford stated that Marilyn Heddell has served on the RCAC board for fourteen years and he had received a letter from RCAC asking for her to be reappointed.

MOTION: Jerry Vandergriff made a motion to reappoint Marilyn Heddell to the RCAC board.

SECONDED: Juan Cardenas seconded the motion.

VOTE: Motion passed unanimously.

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. #963-10 – A resolution directing the City Clerk to destroy the ballots, ballot numbers, tally sheets, certificate of persons voting, return envelopes and nomination petitions from the October 2, 2007 Regular Municipal Election, January 15, 2008 Special Election and October 7, 2008 Regular Municipal Election.

MOTION: Jerry Vandergriff made a motion to adopt resolution #963-10.

SECONDED: Becky Cotner seconded the motion.

VOTE: Motion passed unanimously

14. UNFINISHED BUSINESS

A. Land Acquisition

Ed Barrett stated that Council had asked him to look into the lot that is leased by Passage Canal Development that would be involved in public work in preparation for a visitor center.

Ed Barrett stated that he had conferred with the City's attorney and he told me that we are involved in a dispute over increased lease payment over that same piece of land.

Ed Barrett said "the question was asked what a transfer of the lease back to the City would cost us and Mr. Chandler indicated to me that the dispute is about the value of the land."

Councilor Cardenas declared a conflict of interest and asked to be excused to sit in the audience.

Mayor Lunceford excused Juan Cardenas.

Juan Cardenas said "as a representative of Passage Canal Development there has been no offer made to Passage Canal Development in writing or email from our attorney or from the City and I would like to see documentation stating otherwise."

Ed Barrett said "I think we are talking two different things here Juan because we have not made an offer for the property we are trying to determine its value."

Jerry Vandergriff stated that if there is a legal dispute anything to do with the land between the City and Mr. Barnett once the attorneys are involved we cannot talk directly to the party it has to go through the attorney.

Mayor Lunceford suggested that the City's attorney do a little more research on this and report back to the City Manager who will report back to us.

Ed Barrett said "I would just like to make this clear to the Council; I was asked to find out what the situation is not to determine whether a property could change hands or make offers."

Shannon Tolman said "we have a lot of these lots that are undeveloped with the stipulation to build within a year."

There was some brief discussion on leases not being in compliance.

Shannon Tolman suggested that the City start dealing with the leaseholders who are not in compliance by sending them a certified letter.

MOTION: Jerry Vandergriff made a motion directing administration to send non compliance letters to all the leaseholders who are not in compliance with their lease agreements and informing them that they need to contact the City Manager with plans for developing or coming into compliance with their lease.

SECONDED: Becky Cotner seconded the motion.

VOTE: Motion passed unanimously.

15. NEW BUSINESS

A. Tariff Issue / Parking Fees

This new business was dealt with earlier in the meeting after the City Manager's Report.

16. COUNCIL DISCUSSION

Juan Cardenas said "due to not being able to schedule time off from work I would like to formally resign from the Ports and Harbor Commission."

Juan Cardenas said "I thought I would be able to ask for a couple of hours off to come in late to work on that Saturday but its not happening and I think we need to fill it."

MOTION: Shannon Tolman made a motion to accept Juan Cardenas' resignation from the Port and Harbor Commission.

SECONDED: Jerry Vandergriff seconded the motion.

VOTE: Motion passed unanimously.

Mayor Lunceford entertained for nominees to the Port and Harbor Commission from the Council.

Juan Cardenas nominated Shannon Tolman.

Shannon Tolman nominated Mary Brenneman.

Mary Brenneman nominated Becky Cotner.

Councilor Tolman accepted the nomination and stated that he would try and if it doesn't work out he would let Council know.

Mayor Lunceford appointed Councilor Shannon Tolman to the Port and Harbor Commission.

MOTION: Jerry Vandergriff made a motion to accept Mayor Lunceford's appointment of Shannon Tolman to the Port and Harbor Commission.

SECONDED: Juan Cardenas seconded the motion.

VOTE: Motion passed unanimously.

17. CITIZENS' DISCUSSION

Charlie Eldridge asked if the City was doing something with the vessel "Tradition" at Smitty's and he asked if that was being collected on monthly.

Ed Barrett stated that a bill has been sent out to collect the five hundred dollars a month that Council determined would be the fee for the storage of that vessel until July.

Ed Barrett stated that he would be glad to create a letter without signature to move the collection and removal process forward and bring it to the next meeting.

June Miller asked if Whittier had a current earthquake plan and suggested that the Department of Public Safety put together a drill.

Dave Goldstein stated that several years ago an emergency plan was put together here and I don't believe we have ever exercised those plans which bring up a bigger issue of follow up.

Dave Goldstein stated that we had the State put in the tsunami siren and it was his understanding that the City has to test that siren periodically and he believed that the only time it was turned on was when it was first installed.

Dave Goldstein stated that there is a lack of follow up with issues such as the Buckner Building and the vessel at Smitty's Cove.

June Miller stated that the Chamber of Commerce is beefing up the fishing derby, a treasure hunt and a geo caching event and she asked if there was any way that the city could link with the chamber of commerce's website.

Mayor Lunceford suggested that the Chamber of Commerce get in touch with the City Manager to arrange that.

Cam Bender stated that he liked the idea of the camera in the Council Chambers and the City Council Meetings on Channel 23 and he asked if there was anyway that the City could bump it up a little bit and improve the audio.

Mayor Lunceford stated that this was actually an experiment from Yukon Telephone or Supervision but I might be something worth discussing on the Council to try and do some upgrading to see if we can't make our meetings accessible to all people.

Juan Cardenas asked if the issue could be placed under new business for the next council meeting.

Mayor Lunceford agreed that it should go on the next meeting agenda and suggested maybe asking the City Manager to direct staff to get some price quotes on some microphones for Council and a more advanced camera.

18. COUNCIL AND ADMINISTRATION RESPONSE TO CITIZENS' COMMENTS

None

19. COUNCIL DIRECTION TO CITY MANAGER

None

20. EXECUTIVE SESSION

MOTION: Jerry Vandergriff made a motion to go into executive session at 8:20 pm for personnel reasons

SECONDED: Juan Cardenas seconded the motion.

VOTE: Motion passed unanimously.

MOTION: Jerry Vandergriff made a motion to go back into regular session at 9:25 pm.

SECONDED: Shannon Tolman seconded the motion.

VOTE: Motion passed unanimously.

21. ADJOURNMENT

MOTION: Mary Brenneman moved to adjourn the meeting at 9:26 pm.

SECONDED: Jerry Vandergriff seconded the motion.

VOTE: Motion passed unanimously

Attest:

Brenda Krol
City Clerk

Lester Lunceford
Mayor