



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 427-2327 • Fax (907) 472-2404

**WHITTIER CITY COUNCIL  
REGULAR MEETING  
TUESDAY, MAY 20, 2014  
7:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

**MINUTES**

**1. CALL TO ORDER:** Mayor Daniel Blair called the meeting to order at 7:10 pm.

**2. OPENING CEREMONY:** Mayor Daniel Blair led the Pledge of Allegiance.

**3. ROLL CALL:**

**A. Council Members Present:** Victor Shen, Natasha Turituri, Ata Ma'ae, Shawni Phillips, Dan Blair, Peter Denmark

**B. Council Members Absent:** Dave Pinguoch

**MOTION:** Shawni Phillips made a motion to excuse Vice Mayor Dave Pinguoch from tonight's meeting.

**SECOND:** Ata Ma'ae seconded the motion.

**VOTE:** Motion passed unanimously.

**C. Excused Absences:** Dave Pinguoch

**D. Administration Present:** Brenda Krol, City Clerk and Don Moore, Interim City Manager

Others present included: Scott Korbe, Dave Schofield, Sue Miller, Sally Schug, Ted Spencer, Monty Irvin, Andrea Korbe, Eric Feige, Riley Witt, Dwayne Adams, Karen Dempster and David Alborn

**4. APPROVAL OF MINUTES**

**A. 01 May 2014, Special Meeting Minutes**

**MOTION:** Shawni Phillips made a motion to approve the special meeting minutes for May 1<sup>st</sup> 2014 as written.

**SECOND:** Ata Ma'ae seconded the motion.

**VOTE:** Motion passed unanimously.

*20 May 2014  
Regular CC Meeting Minutes  
Page 1 of 8*

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## **5. APPROVAL OF REGULAR MEETING AGENDA**

**The RCAC report was added to the agenda as item 7A**

**The Hiring Committee was added to the agenda as item 8C**

**MOTION:** Shawni Phillips made a motion to approve the regular meeting agenda for May 20<sup>th</sup> 2014 as amended.

**SECOND:** Ata Ma'ae seconded the motion.

**VOTE:** Motion passed unanimously.

## **6. MAYOR'S REPORT**

### **A. Mayor Report – Dan Blair**

Mayor Dan Blair gave a brief verbal report on the active committees

The Harbor Upgrade Committee held several meeting including one that included a presentation by one of the vendors with interesting solutions available on upgrading the harbor.

The Title 2 Committee has met and presented to the Council a couple of ordinances that they would like introduced and are currently in front of the city attorney for final wording.

The Land Swap Committee held one meeting and Dan stated that he submitted some material that he found in the City Manager's office while he was there.

### **B. Vice Mayor Report – Dave Pinguoch**

None

## **7. CITY MANAGER'S REPORT**

### **A. RCAC Report – Andrea Korbe**

Andrea Korbe gave a brief verbal report on the Regional Citizens' Advisory Council and she welcomed any questions.

### **B. Interim City Manager Report – Donald Moore**

See written manager's report in original council packet

Don Moore briefly went over his written report.

Don Moore stated that he was approached by a member of the Begich Towers board who stated that the BTI would like to start painting the exterior of the building and that they have an assessment process set up.

Don Moore said "the City has 7 units in the building and the calculation in my manager's report shows the bottom line spread over 5 years the cost would be \$10,500.00 and I received that information on Friday, today the BTI did a more precise calculation and I am happy to say that the cost went down and its about \$8,300.00 spread over 5 years."

Don Moore said "I need to know just by a motion from the Council if I should initial the City's concurrence that we will participate in that."

Don Moore stated that he realizes that this is an issue that was dropped on us tonight and he didn't see any reason why the Council couldn't postpone it until the next meeting.

Mayor Dan Blair asked the Council “is everyone comfortable with giving a concurrence or do you want to study it?”

Councilor Peter Denmark replied and stated that he was not comfortable with it.

Mayor Dan Blair stated that the Council will postpone the issue.

Don Moore turned the floor over to Councilor Shawni Phillips and stated that she had something she wanted to mention regarding WERFA.

Councilor Phillips stated that the Whittier Emergency Response and Fire Association (WERFA) had contacted her to try to come up with a solution to distribute funds because they have been inactive for over ten years and have approximately \$14,600 in their bank account.

Councilor Phillips stated that at a council meeting about a month ago she asked the audience and everybody if there were any non profit groups that would care to put in a request for those funds and WERFA had received two requests.

Councilor Phillips stated that the funding for the WERFA program was provided by the State and with the State’s consent the funds will be released to these two groups.

Councilor Phillips stated that she is presenting this at the council meeting because this was a program that was offered within the City even though it wasn’t a city funded program and as long as everyone is happy with the organizations that will receive the funding it will be split 50% going to the school and 50% going to the Chamber of Commerce.

Peter Denmark asked “wasn’t moving the clinic to the first floor mandated by Begich Towers last year?”

Dan Blair said “it was strongly recommended.”

Peter Denmark said “as a function of their own rules, residential only on the upper floors.”

Dan Blair said “that there were two things that have happened since then, one is they found some significant asbestos the other is the composition of the BTI board has changed and the new composition is more amendable to grandfathering in the clinic where it sits.”

Peter Denmark said “ok, my second question is the funding, I garnered that the project is under funded, that which was budgeted by the city council.”

Don Moore replied “that I don’t know, I know how much is left, 38,000.”

▪ **Finance Report – April 2014 – Sally Schug**

See April 2014 monthly finance report in original council packet

▪ **Legal Report – Brooks Chandler**

See legal status report in original council packet

▪ **Lobbyists Report**

None

## **B. Director's Reports**

### **▪ Harbor – Sue Miller**

See written report in original council packet

### **▪ Public Safety – Dave Schofield**

See written report in original council packet

### **▪ Public Works – Scott Korbe**

See written report in original council packet

Dan Blair asked if Council had any questions for the directors.

Scott Korbe gave a brief verbal update on the Shotgun Cove Road Project and the Passenger Transportation Float.

## **8. COMMISSION REPORTS**

### **▪ Planning**

None

### **▪ Port and Harbor**

See original council packet for minutes from the March 4<sup>th</sup> 2014 and the April 23<sup>rd</sup> 2014 Port and Harbor Commission Meeting.

Monty Irvin thanked Scott Korbe and previous City Manager Tom Bolen for getting the Passenger Transportation Float together on time and on budget.

Monty Irvin gave a brief verbal report of the last Port & Harbor meeting.

## **9. CITIZENS' COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING**

### **A. Mr. Eric Feige**

Dan Blair introduced Mr. Eric Feige and stated that he was our new Representative who recently authored the gas line bill.

Representative Eric Feige stated that he has been serving in the legislature now for four sessions and with the magic of redistricting he will be running in the District that encompasses Whittier.

Representative Eric Feige spoke briefly and told the Council and audience a little bit about himself and stated that he is willing to stay around and entertain any and all questions.

### **▪ Hiring Committee – City Manager Recruitment/Selection**

**MOTION:** Peter Denmark made a motion to open negotiations with Mark Lynch.

**SECOND:** Shawni Phillips seconded the motion.

**VOTE:** Motion passed unanimously.

**MOTION:** Peter Denmark made a motion to direct Interim City Manager Don Moore to begin initial contract negotiations with Mark Lynch using the available resources that he sees fit.

**SECOND:** Shawni Phillips seconded the motion.

**VOTE:** Motion passed unanimously

**Councilor Shawni Phillips excused herself at 8:30 p.m. to go to work.**

**Councilor Ata Ma'ae excused herself at 8:30 p.m. to catch the 9p.m. tunnel.**

**Council recessed at 8:30 p.m. for a break.**

**Council reconvened at 8:49 p.m.**

#### **10. CONSENT AGENDA**

None

#### **11. PUBLIC HEARING (NON-ORDINANCE)**

None

#### **12. PRESENTATIONS**

##### **USKH – Shotgun Cove Road Project**

Dwayne Adams introduced himself and gave a brief verbal presentation on the Shotgun Cove Road Project.

Riley Witt, Real Estate/Economic Planner with USKH also spoke briefly regarding the Shotgun Cove Road Project.

Mayor Dan Blair asked Ted Spencer if there was something he wanted to say during citizen's comments.

Ted Spencer stated that the railroad monument is deteriorating at an accelerated rate of speed and asked that council expedite any decisions pertaining to restoring and relocating the monument to the railroad historical plaza.

Karen Dempster, Acting President of the Begich Towers Board of Directors gave a brief verbal report of Begich Towers plans to paint the building.

Karen Dempster asked that the Council please consider making a motion regarding their concurrence with the Begich Towers assessment to paint the building.

There was some brief discussion regarding the Begich Towers assessment to paint the exterior of the building.

Mayor Daniel Blair entertained a motion to direct the City Manager to vote in favor and sign off on behalf of the City for the Begich Towers exterior paint job.

Hearing no motion Mayor Blair continued with the agenda.

#### **13. ORDINANCES**

##### **A. Introduction (first reading)**

None

**B. Public Hearings (second reading)**

**#07-2014 – An ordinance amending sections 3.10.050 and 3.16.060 and 05.14 of the Whittier Municipal Code to reduce the tax levied on passengers transported to or from Whittier by ground and to change the tax period from monthly to quarterly and increases the time allowed for vendors to report their collection from 10 days to 30 days.**

**MOTION:** Peter Denmark made a motion to open the public hearing on ordinance #07-2014.

**SECOND:** Natasha Turituri seconded the motion.

**VOTE:** Motion passed unanimously.

Hearing no public comments Mayor Blair asked for a motion to close the public hearing.

**MOTION:** Peter Denmark made a motion to close the public hearing on ordinance #07-2014.

**SECOND:** Victor Shen seconded the motion.

**VOTE:** Motion passed unanimously.

**MOTION:** Peter Denmark made a motion to adopt ordinance #07-2014.

**SECOND:** Victor Shen seconded the motion.

**DISCUSSION:** Don Moore gave a brief explanation of ordinance #07-2014 and recommended adoption of this ordinance.

**VOTE:** Peter Denmark: Yes, Victor Shen: Yes, Natasha Turituri: Yes, Dan Blair: Yes.

**Motion passed 4-0.**

**#08-2014 – An ordinance amending section 17.16.230 of the Whittier Municipal Code to establish a hotel as a permitted use in the small boat harbor district.**

**MOTION:** Peter Denmark made a motion to open the public hearing on ordinance #08-2014.

**SECOND:** Victor Shen seconded the motion.

**VOTE:** Motion passed unanimously.

Hearing no comments from the public City Manager, Don Moore suggested that the Council postpone this ordinance until the next council meeting.

**MOTION:** Peter Denmark made a motion to postpone ordinance #08-2014 until the next regularly scheduled council meeting.

**SECOND:** Natasha Turituri seconded the motion.

**VOTE:** Motion passed unanimously.

**14. RESOLUTIONS**

**A. #11-2014 – A resolution selecting group health care benefit option \_\_\_ of the Premera Blue Cross Blue Shield of Alaska (PBCBS) plan for 2014.**

**MOTION:** Victor Shen made a motion to adopt resolution #11-2014.

**SECOND:** Natasha Turituri seconded the motion.

**DISCUSSION:** Don Moore gave a brief explanation on resolution #11-2014 and recommended that the Council postpone this resolution until the next regular meeting which will give the Council an opportunity to hear from the insurance carrier.

The maker of the motion and the second both agreed to amend the motion to postpone instead of adopt resolution #11-2014.

**MOTION:** Victor Shen made a motion to postpone resolution #11-2014 until the next regularly scheduled council meeting on June 17<sup>th</sup> 2014.

**SECOND:** Natasha Turituri seconded the motion.

**VOTE:** Motion passed unanimously.

**B. #12-2014 – A resolution authorizing the City Manager to allow variances from the WMC 8.16 nuisances on a case by case basis during the 2014 construction of the Blackstone Road Project.**

**MOTION:** Peter Denmark made a motion to adopt resolution #12-2014.

**SECOND:** Natasha Turituri seconded the motion.

**VOTE:** Motion passed unanimously.

## **15. UNFINISHED BUSINESS**

**A. Shotgun Cove Road Project**

**B. Harbor reconfiguration and financing**

**C. WMC Title 2 revision**

**D. Harbor Float Safety**

**E. ARRC/COW land swap**

**F. RFP Council Chambers Sound/Video improvements**

**G. Kenai Mountain Trail Association (KMTA) Historical Signage Grant**

**H. Great Pacific Lease Settlement**

**I. Gilman moorage settlement**

Mayor Blair briefly went over the unfinished business items.

**MOTION:** Peter Denmark made a motion to authorize the City Manager to execute the Great Pacific Lease Settlement

**SECOND:** Victor Shen seconded the motion.

**VOTE:** Motion passed unanimously.

**MOTION:** Peter Denmark made a motion to authorize the City Manager to execute the settlement agreement between the City of Whittier and Larry Gilman

**SECOND:** Natasha Turituri seconded the motion.

**VOTE:** Motion passed unanimously.

## **16. NEW BUSINESS**

None

## **17. COUNCIL DISCUSSION**

There was some brief discussion regarding inspections of the pilings as outlined in the Manager's report.

Mayor Blair asked if this was ready to go out for RFP.

Donald Moore stated that he would like to discuss this with the engineers and if it is ready for an RFP he would bring it back to the next meeting.

There was brief discussion on keeping the clinic on the third floor.

Mayor Blair stated that he would like to see the Memorandum of Understanding amended to keep the clinic on the third floor.

Councilor Victor Shen stated that he had a business owner approached him about the overflowing dumpsters at the harbor and that a lot of it is card board boxes.

Victor Shen suggested that the City look into get a recycling dumpster.

Donald Moore stated that he could look into it.

**18. CITIZENS' DISCUSSION**

None

**19. EXECUTIVE SESSION**

None

**20. ADJOURNMENT**

**MOTION:** Peter Denmark made a motion to adjourn at 10:40 pm.

**SECOND:** Natasha Turituri seconded the motion.

**VOTE:** Motion passed unanimously.

**Attest:**



\_\_\_\_\_  
Brenda Krol  
City Clerk



\_\_\_\_\_  
Daniel Blair  
Mayor