



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 16, 2015
7:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 7:02 p.m.

2. OPENING CEREMONY

Mayor Daniel Blair led the Pledge of Allegiance.

3. ROLL CALL

A. Council Members Present: Victor Shen, Debra Hicks, Dave Pinguoch, Daniel Blair, Peter Denmark

B. Council Members Absent: Ata Ma'ae and Shawni Phillips

MOTION: Dave Pinguoch made a motion to excuse Councilor Shawni Phillips from tonight's meeting

SECONDED: Peter Denmark seconded the motion.

VOTE: Dave Pinguoch: Yes, Peter Denmark: Yes, Victor Shen: Yes, Debra Hicks: Yes, Daniel Blair: Yes.

MOTION PASSED 5-0.

B. Administration Present: Brenda Krol, City Clerk and Mark Lynch, City Manager

Others present: Kitty Farnham, Charlene Arneson, Jean Swingle, Dave Goldstein, Dave Schofield, Cole Haddock, Scott Korbe, Dave Brubaker and Perry Solmsonson

4. APPROVAL OF MINUTES

A. 21 April 2015, Regular Meeting Minutes

MOTION: Dave Pinguoch made a motion to approve the regular meeting minutes of April 21st 2015 as written.

SECONDED: Peter Denmark seconded the motion.

VOTE: Dave Pinguoch: Yes, Peter Denmark: Yes, Victor Shen: Yes, Debra Hicks: Yes, Daniel Blair: Yes.

MOTION PASSED 5-0.

B. 19 May 2015, Regular Meeting Minutes

MOTION: Dave Pinguoch made a motion to approve the regular meeting minutes of May 19th 2015 as written.

SECONDED: Peter Denmark seconded the motion.

VOTE: Motion passed unanimously

5. APPROVAL OF REGULAR MEETING AGENDA

MOTION: Dave Pinguoch made a motion to approve the regular meeting agenda as amended to move agenda item #12, Presentations to #6 on the agenda right after Approval of Regular Meeting Agenda.

SECONDED: Victor Shen seconded the motion.

VOTE: Motion passed unanimously.

6. PRESENTATIONS

A. Christina Eneix

None – Ms. Eneix was not present at the meeting.

B. Kitty Farnham – Catalyst Consulting Services

Kitty Farnham gave a brief power point presentation on Community Engagement and Comprehensive Planning

Kitty Farnham answered a few questions from the council and the public.

See handout in original council packet.

7. MAYOR'S REPORT

A. Mayor's Report by Mayor Daniel Blair

Mayor Daniel Blair gave a brief verbal report.

Mayor Daniel Blair stated that he and Mark Lynch recently met with some people to help further the cause of the land swap.

Mayor Daniel Blair stated that he and Mark also met with the Alaska Marine Highway representatives to try and gain access to a portion of our tidelands that would allow us to participate in some of the financial benefit of interacting with the commercial salmon industry.

B. Vice Mayor Report by Vice Mayor Dave Pinguoch

Vice Mayor Dave Pinguoch gave a brief verbal report on salmon stocking.

8. MANAGER'S REPORT

A. City Manager's Report - Mark Lynch

See written manager's report in original council packet.

Mark Lynch briefly went over his written report.

Mark Lynch reported that he had a meeting with the auditors and they indicated that they thought that the audit would be ready to present in July.

- **Finance Report- May 2015**

See May 2015 monthly finance report in original council packet.

B. Directors Reports

- **Harbor Report – Cole Haddock**

See written report in original council packet.

- **Public Safety Report- Dave Schofield**

See written report in original council packet.

- **Public Works Report- Scott Korbe**

See written report in original council packet.

9. COMMISSION REPORTS

- **Planning Commission**

See minutes from the last regular Planning Commission meeting of May 6th 2015 in the original council packet.

- **Port and Harbor Commission**

See minutes from the last regular Port & Harbor Commission meeting of May 7th 2015 in the original council packet.

- **Park & Recreation Committee**

None

- **PWSAC**

None

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

None

11. CONSENT AGENDA

None

12. PUBLIC HEARING (NON-ORDINANCE)

None

13. PRESENTATIONS

A. Christina Eneix

B. Kitty Farnham

Presentations was moved, see agenda item #6 above.

14. ORDINANCES

A. Introduction (1st reading)

None

B. Public Hearing (2nd reading)

None

15. RESOLUTIONS

A. #54-2015 – A resolution authorizing the filing of a lawsuit for the foreclosure of municipal real property tax liens.

MOTION: Peter Denmark made a motion to postpone resolution #54-2015 until the July meeting when the Tax Administrator, Dyanna Pratt could attend to answer any questions.

SECONDED: Dave Pinquoch seconded the motion.

VOTE: Motion passed unanimously.

2. #55-2015 – A resolution approving the amendment and assignment of the ground lease of block 2, lot 10, Harbor Loop to Ryan Collins.

MOTION: Dave Pinquoch made a motion to adopt resolution #55-2015.

SECONDED: Victor Shen seconded the motion.

VOTE: Motion passed unanimously.

3. #56-2015- A resolution allowing participation in the clean harbors program.

MOTION: Peter Denmark made a motion to adopt resolution #56-2015.

SECONDED: Dave Pinquoch seconded the motion.

VOTE: Motion passed unanimously.

16. COUNCIL DISCUSSION

There was some brief council discussion regarding reviewing the leases to make sure that they are in compliance.

Councilor Peter Denmark stated that a place to launch kayaks has been ignored for a long time.

Vice Mayor Dave Pinquoch recommended that the kayak launching issue be turned over to the Parks & Recreation Committee.

17. CITIZEN'S DISCUSSION

None

18. EXECUTIVE SESSION

A. Sue Miller – “Name Clearing” Hearing – Council deliberation on requested remedy.

*** (B) (1) Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

B. ARRC/COW land swap

*** (B) (1) Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

MOTION: Dave Pinquoch made a motion to go into executive session at 9:12 p.m. to address two issues, Sue Millers “Name Clearing” Hearing and the ARRC land swap both of which, if immediately disclosed, would tend to adversely affect the finances of the City.

SECONDED: Peter Denmark seconded the motion.

VOTE: Motion passed unanimously.

MOTION: Dave Pinquoch made a motion to go back into regular session at 9:50 p.m.

SECONDED: Victor Shen seconded the motion.

VOTE: Motion passed unanimously.

Vice Mayor Dave Pinquoch stated that it was not in the best interest of the City to remove the letter from Sue Miller's personnel file as requested in her "Name Clearing" Hearing by Ms. Miller and her attorney, Mr. Charles Coe.

19. UNFINISHED BUSINESS

A. Shotgun Cove Road Project

Public Works Director, Scott Korbe recommended awarding the RFP for the Shotgun Cove Road Project to Pruhs Construction.

Councilor Peter Denmark asked to be excused at 9:55 p.m. for a few minutes.

Scott Korbe stated that the deadline for completion is October 30th 2015 barring any unforeseen circumstances.

MOTION: Dave Pinquoch made a motion to authorize the city manager to enter into a contract with Pruhs Construction for the Shotgun Cove Road Project Bid, in the amount of one million two hundred, eleven thousand, four hundred, eighty dollars plus 10% contingencies.

SECONDED: Debra Hicks seconded the motion.

VOTE: Dave Pinquoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Dan Blair: Yes.

MOTION PASSED 4-0.

B. WMC Title 2 Revision

C. ARRC/COW land swap – Executive Session – See above

D. Improve Salmon sport fishing in Northwest PWS

E. Whittier Manor Lease

F. Public Safety Complex

There was some brief discussion regarding the Public Safety Complex.

Mark Lynch stated that there was never a second two million dollar grant for the Public Safety Complex.

There was some further discussion regarding the Public Safety Complex and suggestions on how to proceed with funding.

Councilor Peter Denmark returned at 10:03 p.m.

20. NEW BUSINESS

A. City legal staffing

Mayor Daniel Blair briefly explained his thoughts on the City's legal staffing.

There was some brief discussion on the City's legal staffing.

Peter Denmark stated that he would like to make a slower rather than a faster transition if we are going to change attorneys

Peter Denmark stated that he would like to take the new firm for a test drive.

Mark Lynch asked Councilor Denmark if he would like another firm come and speak to council at the next meeting.

Peter Denmark replied “without specific issue about it, I would rather choose a task, put it on them and rate their performance, whatever that task may be.”

Peter Denmark said “you are the guy that have to deal with them, pay the bills and see what they are all about, we deal with the aftermath and not the daily nuts and bolts.”

Peter Denmark said “I have always thought that the city’s legal budget was over blown and I have always thought that was a function of our code being conflicting and subjective requiring too much lawyering.”

MOTION: Dave Pinguoch made a motion at 10:58 p.m. to extend the council meeting to 11:15 p.m.

SECONDED: Peter Denmark seconded the motion.

VOTE: Motion passed unanimously.

Dave Pinguoch asked Peter Denmark if he still wanted to choose a task for the new law firm and rate their performance.

Peter Denmark replied “to me this goes to the City Manager’s discretion, I support aggressive advocacy for the City, we are a city manager form of government and it is his responsibility to fulfill the goals that council states to him and if this is a vehicle for him to get there easier than I will support it.”

MOTION: Dave Pinguoch made a motion to direct the city manager to negotiate and if possible enter into a professional services agreement with Birch, Horton, Bittner & Cherot effective July 1st 2015 if there is no contract issues with the city’s current attorney.

SECONDED: Debra Hicks seconded the motion.

VOTE: Motion passed unanimously.

21. ADJOURNMENT

MOTION: Peter Denmark moved to adjourn the meeting at 11:08 p.m.

SECONDED: Dave Pinguoch seconded the motion.

VOTE: Motion passed unanimously.

Attest:



Brenda Krol
City Clerk



Daniel Blair
Mayor