



# THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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**WHITTIER CITY COUNCIL  
SPECIAL MEETING  
TUESDAY, NOVEMBER 26, 2013  
6:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

## MINUTES

### 1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 6:06 pm.

### 2. OPENING CEREMONY

Mayor Daniel Blair led the Pledge of Allegiance.

### 3. ROLL CALL

**A. Council Members Present:** Natasha Turituri, Ata Ma'ae, Dave Pinguoch (telephonic), Shawni Phillips, Peter Denmark, Dan Blair

**B. Administration Present:** Brenda Krol, City Clerk and Tom Bolen, City Manager

Others present: Dutch Lucore, Monty Irvin, Suzanne Eusden, Scott Korbe, Fred Whittingham, Jim Kubitz and Brooks Chandler

### 4. APPROVAL OF MINUTES

#### A. 15 November 2013, Special Meeting Minutes

**MOTION:** Shawni Phillips made a motion to approve the special meeting minutes of November 15<sup>th</sup> 2013 as written.

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

**VOTE:** Shawni Phillips: Yes, Ata Ma'ae: Yes, Natasha Turituri: Yes, Peter Denmark: Yes, Dave Pinguoch: Yes, Dan Blair: Yes.

**Motion passed 6-0.**

### 5. APPROVAL OF SPECIAL MEETING AGENDA

**MOTION:** Shawni Phillips made a motion to approve the special meeting agenda as written.

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

**VOTE:** Shawni Phillips: Yes, Ata Ma'ae: Yes, Peter Denmark: Yes, Natasha Turituri: Yes, Dave Pinguoch: Yes, Dan Blair: Yes.

**Motion passed 6-0.**

### 6. BUSINESS ITEMS THE SUBJECT OF THE SPECIAL MEETING

#### A. Oath of Office for newly appointed Council Member – Seat A

*City Council Special Meeting Minutes  
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City Clerk, Brenda Krol swore in Victor Shen to City Council Seat A.

After Victor Shen took his oath the Council and audience applauded.

**B. Ordinances – Public Hearing (2<sup>nd</sup> reading)**

**1. #14-2013 – An ordinance approving amendment #4 for the FY 2013 budget of increasing expenditures as necessary for the budget.**

**MOTION:** Peter Denmark made a motion to open the public hearing on ordinance #14-2013.

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

**VOTE:** Peter Denmark: Yes, Shawni Phillips: Yes, Dave Pinguoch: Yes, Ata Ma'ae: Yes, Natasha Turituri: Yes, Victor Shen: Yes, Dan Blair: Yes

**Motion passed 7-0.**

**MOTION:** Peter Denmark made a motion to close the public hearing on ordinance #14-2013.

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

**VOTE:** Motion passed unanimously

**MOTION:** Shawni Phillips made a motion to adopt ordinance #14-2013.

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

**DISCUSSION:** Peter Denmark asked “what is the essence of the professional fees?”

Tom Bolen replied “that is the upfront Caselle costs that need to be paid in 2013 to start the process for conversion in 2014.”

There was some brief discussion regarding the Caselle software and the order of the ordinances.

Tom Bolen agreed that ordinance #15-2013, an ordinance passing the FY 2014 budget should have been first and suggested that Council could table ordinance #14-2013 until after the passing of the FY 2014 budget.

Peter Denmark stated that he just wanted to leave the door open for any conversation about the Caselle software before the Council commits to it.

**MOTION:** Peter Denmark made a motion to table ordinance #14-2013 until later in the meeting.

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

**VOTE:** Motion passed unanimously

**2. #15-2013 – An ordinance approving the FY 2014 budget of revenue and appropriations as necessary for the budget.**

**MOTION:** Shawni Phillips made a motion to open the public hearing on ordinance #15-2013.

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

**VOTE:** Motion passed unanimously

**MOTION:** Shawni Phillips made a motion to close the public hearing on ordinance #15-2013.

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

**VOTE:** Motion passed unanimously

There was some brief council discussion on ordinance #15-2013.

Dave Pinquoch stated that he had someone approach him on the harbor dock regarding the budget and that this individual also sent him an email with specifics.

Dave Pinquoch stated that the questions pertain to harbor depreciation and CVP funds and he believes they should be answered before passing the budget.

Peter Denmark said "I have been away from this table for a number of years and at my last sitting it was my understanding that the CVP dollars were to be deposited in a separate account, not a separate fund."

There was also some brief discussion regarding city staff not being allowed to talk to city council members.

Peter Denmark stated that he would like to have another budget work shop with the city administration present.

After some further discussion regarding the budget the council decided to hold another budget work shop and scheduled it for December 2<sup>nd</sup> 2013 at 6pm.

**MOTION:** Shawni Phillips made a motion to postpone ordinance #15-2013 until December 4<sup>th</sup> 2013 at 6pm at a special council meeting.

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

**VOTE:** Motion passed unanimously

**3. #16-2013 – An ordinance amending Whittier Municipal Code section 2.54.020 (b) to change the regular meeting date of the Port & Harbor Commission to the first Tuesday of each month at 6:00 p.m.**

**MOTION:** Shawni Phillips made a motion to open the public hearing on ordinance #16-2013.

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

**VOTE:** Motion passed unanimously

Suzanne Eusden pointed out a typed error in section 2, it should read first Tuesday instead of first Monday.

**MOTION:** Shawni Phillips made a motion to close the public hearing on ordinance #16-2013.

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

**VOTE:** Motion passed unanimously

**MOTION:** Shawni Phillips made a motion to adopt ordinance #16-2013 as amended, correcting the typo in section 2.

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

**VOTE:** Motion passed unanimously

**MOTION:** Peter Denmark made a motion to remove ordinance #14-2013, which was tabled earlier in the meeting and place it on the December 4<sup>th</sup> 2013 special council meeting agenda.

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

**VOTE:** Motion passed unanimously

### **C. Unfinished Business – WMC Title 2 changes – Excused absences/quorum**

City Manager, Tom Bolen stated that there have been several meetings in the past where Council had talked about this issue of telephonic participation and absences.

Tom Bolen said "so I have pulled up these two passages in code and drafted for purposes of discussion, changes to those passages in regards to these issues."

Tom Bolen welcomed any suggestions or recommendations of different language.

After some brief discussion the council seemed to be in agreement with the idea that members participating by teleconference or other electronic means shall count towards quorum provided that at least three council members are present at the site of the meeting.

Tom Bolen stated that he had a sense of everyone's ideas and that he would bring back another draft of this ordinance for the next regular council meeting and that council can bring this issue up again at that time.

**D. New Business – Presentation from Mr. Jim Kubitz – Alaska Railroad Corporation (ARRC)**

Mr. Jim Kubitz gave a brief presentation regarding land issues between the Alaska Railroad and the City of Whittier.

There was some brief council discussion afterwards and Councilor Denmark stated that when this was brought to the Council's attention at the last meeting his opinion which seemed to be generally accepted, was fast tracking this into this year's legislative session is moving too fast.

Council took a brief break at approximately 8:00pm.  
Council reconvened from break at 8:16pm.

David Pinguoch excused himself prior to the break since he was telephonic and not participating in the executive session.

**E. Executive Session**

1. PCD Leases
2. Whittier Inn, LLC

**MOTION:** Shawni Phillips made a motion to go into executive session at 8:17 pm to discuss Passage Canal Development leases and Whittier Inn, LLC, matters that, if immediately disclosed would tend to adversely affect the finances of the City.

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

**VOTE:** Motion passed unanimously

**MOTION:** Shawni Phillips made a motion to go back into regular session at 10:44 pm.

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

**VOTE:** Motion passed unanimously

**7. CITIZEN'S DISCUSSION (agenda items only)**

None

**8. ADJOURNMENT**

**MOTION:** Shawni Phillips moved to adjourn the meeting at 10:45 pm.

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

**VOTE:** Motion passed unanimously.

**Attest:**



Brenda Krol  
City Clerk



Daniel Blair  
Mayor