



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 21, 2016
7:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 7:06 p.m.

2. OPENING CEREMONY

Dan Blair led the Pledge of Allegiance.

3. ROLL CALL

A. Council Members Present: David Pinquoch, Debra Hicks, Monty Irvin, Dan Blair, Peter Denmark, Victor Shen (telephonically) and Ata Ma'ae (telephonically).

B. Council Members Absent: None

C. Administration Present: Mark Lynch, City Manager, Jennifer Rogers, Acting City Clerk, Scott Korbe, Public Works Director, Andy Dennis, Harbormaster, Lynette Dennis, Finance Officer, Dave Schofield, Public Safety Director, Moe Zamarron, Public Safety Bldg. Mgr., Holly Wells, City Attorney

Others Present: Pete Heddell, Marilynn Heddell, Hai Han Ye, Doug Brown, Dave Goldstein and Tim Lydon

4. APPROVAL OF MINUTES

A. May 17, 2016 Regular Meeting Minutes

B. May 17, 2016 Board of Equalization Hearing Minutes

MOTION: Dave Pinquoch made a motion to approve the Regular Meeting Minutes of May 17, 2016 and the Board of Equalization Hearing Minutes of May 17, 2016.

SECOND: Debra Hicks seconded the motion.

VOTE: David Pinquoch: Yes, Debra Hicks: Yes, Peter Denmark: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Victor Shen: Yes, Monty Irvin: Yes

Motion passed 7-0

5. APPROVAL OF REGULAR MEETING AGENDA

MOTION: Dave Pinquoch made a motion to approve the agenda with an amendment to move Agenda Item #12, Presentations, to Agenda Item #5a, after the approval of the regular meeting agenda.

SECOND: Debra Hicks seconded the motion.

VOTE: David Pinquoch: Yes, Debra Hicks: Yes, Peter Denmark: Yes, Ata Ma'ae: Yes, Victor Shen: Yes, Dan Blair: Yes, Monty Irvin: Yes

Motion passed 7-0

A. PRESENTATIONS

1. Doug Brown- Alaska Public Entity Insurance (APEI)

City Manager, Mark Lynch informed that council members that the main purpose of Doug being here tonight is to explain the optional three year agreement with APEI, which is the new insurance carrier. Information was given to the council regarding the cost comparison between AML/JIA and APEI.

Doug Brown stated that he conducted a cost difference between AML/JIA and APEI. He reported that both function in a similar manner. He then gave a brief presentation explaining the benefits of insuring with APEI. In addition to the cost savings, APEI has paid an average of 70/10 dividends every year. If that continues, we'll see about 8% come back in a form of a dividend.

Mark Lynch added that everything will be insured under the APEI policy. Doug Brown welcomed questions from the council.

Peter Denmark asked what the liability coverage is. Doug Brown replied that the liability coverage is now \$15 million instead of \$10 million, all other coverage remain the same. He added that the deductible for earthquake damage is now \$5,000 instead of \$100,000 with AML/JIA.

2. U.S. Forest Service- European Black Slug Eradication

Tim Lydon stated that the slugs are quickly establishing themselves in Whittier. He gave a brief history of where the black slugs came from and where they can be found now. He went over the economic implications and social concerns that the slugs bring.

He reported that the U.S. Forest Service applied for a Prince William Sound RACK funding. They proposed a multi-year project for Whittier and Chenega Bay; they'll find out in a few months if they're successful. Regardless of whether or not they receive the grant, they'd like to move forward in obtaining support from the city and partnering with the community to eradicate the black slugs.

Peter Denmark suggested that a resolution be created to support the efforts of the U.S. Forest Service.

3. Hai Han Ye- Bottled Water and Micro Brewery

Hai Han Ye stated that he is interested in potentially creating a bottled water and micro-brewery facility in Whittier. By establishing a bottled water and micro-brewery facility, he be able to create local jobs. He explained that he was told by Alcohol Board Control (ABC) that based on population, Whittier can have one micro-brewery. He'll need to obtain signatures from 80% of members of the community who are in favor of this idea in order for him to proceed.

He reported that he still needs to research the idea, but wanted to get the council's approval before moving forward. There was some discussion regarding the location, how many jobs might be created and the distribution market.

Mayor Dan Blair and other council members were in favor of Hai Han Ye's business idea. Marilyn Heddell told Hai Han Ye that she might be able to assist him with obtaining funds through grants with the Prince William Economic Development.

6. MAYOR'S REPORT

A. Mayor Report

Mayor Dan Blair stated that he, Mark Lynch and Holly Wells met with the CEO of the ARR and believe the meeting went well and progress has been made. Another meeting is scheduled for June 22, 2016.

Dan Blair also met with the CEO of Copper River Seafoods and encouraged him to consider Whittier as a possible site to process their fish. Fish processing has been part of our mainstay for over thirty years, so it's important to fill the void created by Great Pacific.

B. Vice Mayor Report

Dave Pinquoch reported that 100,000 silvers were released this year and 91,000 kings will be released tomorrow night. He thanked the public works director and harbor master for their help. He also stated that the school of fish are bigger now than they have been in the past; this is the first year that all age class are returning.

7. 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 and stated that even with an additional 12 million dollars of insurance coverage added, we are still within the budget.

Dan Blair added that he met with the Corps. Of Engineers regarding the head of the bay. It was discovered that funds were being depleted by the Corps. of Engineers because a decision on which project we wanted wasn't made. Because we were quickly running out of funds, Dan made an executive decision and chose the design which included a 6 lane boat launch with a turning basin and a breakwater.

Mark Lynch concurred with Dan's decision since it was the only affordable design. There is a 90-10 federal match. The city is responsible for building the boat launches and the Corps. of Engineers will build the turning basin and breakwater.

Dan Blair stated that in order to move forward with the plans, we need to have an economic value of greater than one by the end of July. Andy Dennis added that we'll need to give them \$100,000 in August and another \$150,000 in November.

There was further discussions about the current boat launch and the future one.

1. Financial Report- Lynette Dennis

See Revenues with Comparison to Budget for the month ending May 31, 2016.

Peter Denmark asked Mark Lynch what impact will the Great Pacific bankruptcy have on the general fund budget. Mark replied that the total estimated loss will be \$340,000. In summary, Mark stated that the City will be able to absorb the loss once other anticipated income come in such as sales tax and property tax revenue is added to the general fund.

B. City Attorney's Report – Holly Wells

Holly Wells stated that she will speak to the council during the executive session but would answer any questions.

C. Directors Reports

- **Harbor Report- Andy Dennis**

See written report in original council packet.

Peter Denmark questioned Andy Dennis about the failing electrical meters. Andy replied that the kilowatt hour meter is failing but because the meters are still covered within the five year warranty, new upgrades were obtained are being installed.

- **Public Safety Report- Dave Schofield**

None

- **Public Works Report -- Scott Korbe**

See written report in original council packet.

- **Public Safety Building Report- Moe Zamarron**

Moe reported that they broke ground yesterday for the foundation. The inspectors will be in soon. Construction is moving along according to the schedule. Moe had the floor plans and submittals out on display for those interested in viewing them. Concrete will be poured on June 28th and the steel will arrive early in July. He reported that there will be a time lapse video available on the city website for those interested in tracking the building progress.

8. COMMISSION REPORTS

- **Planning Commission**

None

- **Port and Harbor Commission**

None

- **Parks & Recreation Committee**

Debra Hicks reported that they worked on the trail near Whittier Creek on June 4th. They have new tools which are available for loan to those who need them.

- **PWSAC**

None

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

Pete Heddell stated that he has been trying to sell his property at the triangle area. Those who have inquired about the property has asked him if the property is leased. He added that there are a lot of business for sale at the triangle area. He feels that the lease might have something to do with the problem. He asked the council and the administration to consider looking at the non-operational lands and negotiate a fee simple status for the property which will provide a basis in the property value.

Peter Denmark explained that with every passing year for leased properties, the terminal lease is reduced which reduces the value of the property.

Dan Blair thanked Pete Heddell for bringing this to their attention and assured him that this topic is a priority. There were discussions regarding various leases and their payment.

9. CONSENT CALENDAR

None

10. PUBLIC HEARING (NON-ORDINANCE)

None

11. ORDINANCES

A. Introduction (1st reading)

None

B. PUBLIC HEARING (2ND reading)

1. #04-2016- An ordinance amending WMC 8.04, "Fireworks"

MOTION: Dave Pinguoch made a motion to open the public hearing for ordinance #04-2016.

SECONDED: Debra Hicks

David Pinguoch: Yes, Debra Hicks: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes, Victor Shen: Yes

MOTION: Dave Pinguoch made a motion to close the public hearing for ordinance #04-2016.

SECONDED: Debra Hicks

David Pinguoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

MOTION: Dave Pinguoch made a motion to adopt ordinance #04-2016.

SECONDED: Debra Hicks

DISCUSSION: Dave Pinguoch reminded everyone that according to the ordinance, it's illegal to possess fireworks in the City of Whittier. He explained that the intent is that should the police see fireworks going off, the police can issue a citation. Citations should not be issued to those who have possession of fireworks, only to those who discharge the fireworks without permission. Mark Lynch clarified that the city manager is authorized to issue permits if this ordinance pass.

David Pinguoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

VOTE: 7-0

2. #05-2016- An ordinance amending WMC 2.26.050, "Duties of the City Clerk"

MOTION: Dave Pinguoch made a motion to open the public hearing for ordinance #05-2016.

SECONDED: Debra Hicks

David Pinguoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes

MOTION: Dave Pinguoch made a motion to close the public hearing for ordinance #05-2016.

SECONDED: Debra Hicks

David Pinguoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

MOTION: Dave Pinguoch made a motion to adopt ordinance #05-2016.

SECONDED: Debra Hicks

DISCUSSION: Peter Denmark asked if the job duties will be specified in the job description. Mark replied that the duties will include everything in the Alaska Statute plus anything we want to add to it.

David Pinguoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

VOTE: 7-0

3. #06-2016- An ordinance enacting WMC 10.24, "Stopping, Standing and Parking"

MOTION: Dave Pinguoch made a motion to open the public hearing for ordinance #06-2016.

SECONDED: Debra Hicks

David Pinquoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

MOTION: Dave Pinquoch made a motion to close the public hearing for ordinance #06-2016.

SECONDED: Debra Hicks

David Pinquoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

MOTION: Dave Pinquoch made a motion to adopt ordinance #06-2016.

SECONDED: Debra Hicks

DISCUSSION: Dave Schofield stated that this is the same ordinance that was adopted years ago, but the parking has been revised. Some sections of the code was removed to comply with the state statutes. Inadvertently, this ordinance was removed. This ordinance have been generalized and condensed; it now has a provision to include hearing officers for parking tickets. Mark Lynch added that we are now required by the State to have a hearing officer for parking ticket hearings. The State offers hearing officers at a reasonable cost so once appeals are received, they will be scheduled for an administrative hearing and the hearing officer will come.

David Pinquoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

VOTE: 7-0

12. RESOLUTIONS

1. **Res.#20-2016- A resolution requesting that the Alaska Department of Fish and Game Develop a sport fish management plan for the Prince William Sound.**

Dave Pinquoch announced that he wrote this resolution.

There was much discussion regarding the challenges regarding the challenges fishermen have with commercial fishermen. Dave's plans to attend the August Chamber of Commerce and provide them with a similar resolution in hopes of gaining their support. He'll also attend the Boat Owners Association and try to gain their support as an organization rather than individual support.

Dave added that there was an article in the Turnagain Times that he wrote regarding the salmon fry. There will be a couple of follow up articles in the future.

Dave reported that the Copper River doesn't have a town, but they have a Copper River Sport Fish Management Plan. Matanuska Valley and the Kenai River both have a Sport Fish Management Plan but the Prince William Sound does not.

There was a lengthy discussion about this plan among the members.

MOTION: Peter Denmark made a motion to adopt resolution #20-2016.

SECONDED: Debra Hicks

Peter Denmark: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, David Pinquoch: Yes, Monty Irvin: No

VOTE: 6-0

MOTION: Dave Pinquoch made a motion to move resolution #21-2016 to after the executive session.

SECONDED: Ata Ma'ae

David Pinquoch: Yes, Ata Ma'ae: Yes, Victor Shen: Yes, Debra Hicks: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes.

VOTE: 7-0

13. COUNCIL DISCUSSION

MOTION: Peter Denmark made a motion to support the Forest Service's efforts and recommendations for black slug eradication in the City of Whittier and environs.

SECONDED: By voice vote, all were in favor.

VOTE: 7-0

Peter Denmark stated that it would benefit the City to establish a community service that would partner with the Forest Service.

Peter also stated that if we're not staffed to police Girdwood then he would not support it. Mark Lynch replied that Dave Schofield will hire additional staff for this.

Victor Shen would like the city to dedicate the land south of the school as a park. Mark replied that this would need to go through the Planning Commission first to see if it needs to be rezoned. Dan Blair added that he would like to add bathrooms there.

14. CITIZEN'S DISCUSSION

None

15. EXECUTIVE SESSION

MOTION: Dave Pinquoch made a motion to enter into executive session at 9:52 to discuss the Whittier Manor lease, temporary 3 day policing for the Girdwood Forest Fair and ARRC negotiations, matters that, if immediately disclosed, would tend to adversely affect the finances of the city.

SECONDED: Debra Hicks

David Pinquoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Peter Denmark: Yes, Monty Irvin: Yes

VOTE: 7-0

Peter Denmark excused himself from the meeting at 9:52 p.m.

MOTION: Dave Pinquoch made a motion to end the executive session and return to the regular meeting at 10:53 p.m.

SECONDED: Monty Irvin

David Pinquoch: Yes, Monty Irvin: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Debra Hicks: Yes, Dan Blair: Yes.

VOTE: 6-0

Res. #21-2016- A resolution authorizing the City Manager to execute an agreement with the Municipality of Anchorage, agreeing to provide police services during the 2016 Girdwood Forest Fair, July 1-4, 2016 for no less than \$5,200 per day.

MOTION: Dave Pinquoch made a motion to adopt resolution #21-2016.

SECONDED: Monty Irvin

David Pinquoch: Yes, Monty Irvin: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Debra Hicks: Yes, Dan Blair: Yes

VOTE: 6-0

16. UNFINISHED BUSINESS

A. Shotgun Cove Road Project

Not discussed during this meeting.

A. Shotgun Cove Road Project
Not discussed during this meeting.

B. ARRC/COW Land Swap
Not discussed during this meeting.

C. Improve Salmon Sport Fishing in Northwest PWS
Discussed under Resolution #20-2016

D. Whittier Manor Lease
Discussed during executive session.

E. Public Safety Complex- Phase 2
Discussed under Director's Reports Section 4, Public Safety Building-Moe Zamarron

F. Paddle Craft Launch
Not discussed during this meeting.

17. NEW BUSINESS

A. Alaska Public Entity Insurance (APEI) Approval for optional 3 year agreement

MOTION: Dave Pinquoch made a motion to authorize the city manager to enter into a 3 year agreement with APEI.

SECONDED: Debra Hicks

David Pinquoch: Yes, Debra Hicks: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Dan Blair: Yes, Monty Irvin: Yes

VOTE: 6-0

B. Authorization for City Manager or his designee to vote on BTI matters relating to City Properties.

MOTION: Dave Pinquoch made a motion to direct the city manager or his designee to vote on BTI matters relating to city properties.

SECONDED: Monty Irvin

David Pinquoch: Yes, Monty Irvin: Yes, Victor Shen: Yes, Ata Ma'ae: Yes, Debra Hicks: Yes, Dan Blair: Yes

VOTE: 6-0

C. Security Cameras for Cruise Ship Dock from CVP funds.

Not discussed during this meeting.

18. ADJOURNMENT

MOTION: Dave Pinquoch moved to adjourn the meeting at 11:05 p.m.

SECONDED: Monty Irvin seconded the motion.

VOTE: Motion passed unanimously.

Attest:


Jennifer Rogers
City Clerk


Daniel Blair
Mayor