



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

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**WHITTIER CITY COUNCIL  
REGULAR MEETING  
TUESDAY, FEBRUARY 21, 2017  
7:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

## MINUTES

### 1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 7:00 p.m.

### 2. OPENING CEREMONY

Mayor Daniel Blair led the Pledge of Allegiance.

### 3. ROLL CALL

**A. Council members present and establishing a quorum:** Debra Hicks, Monty Irvin, Dave Pinquoch (telephonic), Victor Shen, Dave Dickason Peter Denmark and Daniel Blair.

**B. Council Members Absent:** None

#### **C. Administration Present:**

Mark Lynch, City Manager  
Jennifer Rogers, City Clerk  
Scott Korbe, Public Works Director

Kyle Sinclair, Harbormaster  
John Li, Finance Officer  
Terry Morrison, Public Safety Bldg. Manager

#### **Others Present:**

Mike Bender	Lindsey Erk	Linda Swiss
Gregg Clifford	David Goldstein	Brooke Taylor
Melody Clifford	Mike Hawley	
Sam Daniel	Pete Heddell	

### 4. APPROVAL OF MINUTES

December 20, 2016 Regular Meeting Minutes

**MOTION:** Victor Shen made a motion to approve the meeting minutes of December 20, 2016 as is.

**SECOND:** Monty Irvin

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

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

**MOTION:** Victor Shen made a motion to approve the regular meeting agenda with the amendments to move business Items #12 and 18 to after Item #5.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

## **6. PRESENTATIONS**

### **A. Prince William Sound Regional Citizen's Advisory Council**

Brooke Taylor introduced herself as the Director of Internal Communications for PWSRCAC and Linda Swiss as one of the product managers. City Council members were given updates regarding the Regional Stakeholder Committee. PWSRCAC has encouraged communities to submit comments relating to the proposed changes made by the Department of Environmental Conservation.

Linda Swiss spoke about the designated dispersant avoidance areas within the preauthorized area. RCAC's official position is that they don't support the use of dispersants until they have been proven to be safe. Four meetings were held throughout the state last month and comments provided are on their website.

Brooke Taylor will provide updates and progress reports regarding the upcoming tug and barge contract change. They are monitoring the transition since this is the largest employment of personnel and equipment change since the program was established. Edison Chouest will replace Crowley Maritime Corporation. They are contracted through 2028.

The next PWSRCAC board meeting will be held in Whittier on September 14-15, 2017.

Lastly, Linda Swiss announced that changes to areas of oil spill planning is ongoing. The State has ten sub-area plans for responding to spills in the event of a hazardous incident. The EPA and Coast Guard are proposing to consolidate those ten areas into four. Whittier would be grouped in with the Cook Inlet sub-area, which includes Cook Inlet, Bristol Bay, the Aleutian chain and Kodiak.

## **7. NEW BUSINESS**

### **A. Appoint new Port & Harbor Commission Member**

With no objections from the Council, Mayor Daniel Blair appointed Greg Clifford to the Port & Harbor Commission.

## **8. MAYOR'S REPORT**

### **A. Mayor's Report by Mayor Daniel Blair**

Mayor Dan Blair announced that he and the City Manager went to Juneau and met with Senator Dunleavy and Representative Rauscher. They had discussion over the lack of conversations with the railroad regarding the land swaps and DeLong Dock.

They also met with the DOT Commissioner and discussed keeping the Portage Highway and the highway between the tunnel and Alaska Marine Ferry Terminal roads clear. The snow removal service was disrupted in 2015 due to budget cuts. There are solutions in place for 2017 and 2018.

### **B. Vice Mayor Report by Vice Mayor Dave Pinquoch**

None

## **9. MANAGER'S REPORT**

### **A. City Manager's Report- Mark Lynch**

See written manager's report in original council packet.

Mark Lynch announced that he met with the State Harbormaster, Mike Luskin and thanked him for the assistance he provided with the Tier I and II Harbor Grants. He and the Mayor also met with the Governor's Deputy Chief of Staff, John Hozey regarding the railroad issues.

A few days before Christmas, he received notice that the prior harbormaster, Andy Dennis had accepted a job in Wisconsin, so he and his wife were going to leave. Fortunately, he was able to find replacements within a short amount of time. He introduced John Li as the new Finance Director and Kyle Sinclair as the new Harbormaster.

He then announced that Moe Zamarron submitted his notice due to family issues. After meeting with several people, Terry Morrison was selected as the new project manager for the Public Safety Building.

Mark Lynch briefly went over his written report.

#### **• Financial Report**

None

### **B. City Attorney's Report**

Mark Lynch announced that city attorney, Holly Wells, was ill and wasn't able to make it to the meeting.

### **C. School District Report**

Melody Clifford went over her written report.

Mike Hanley introduced himself as the assistant superintendent who is moving into the Chugach School District Superintendent role for the upcoming school year. He stated that a couple of his primary goals is to strengthen the relationship between the school and the community and build partnerships throughout the state.

He then spoke about some of the financial challenges the school is facing due to the budget constraints of the State. He'd like to provide a positive education for the children with the resources available.

### **D. Director's Reports**

#### **1. Harbor Report**

None

#### **2. Public Safety Report- Dave Schofield**

See written report in original council packet.

#### **3. Public Works Report- Scott Korbe**

See written report in original council packet.

#### **4. Public Safety Building Report**

See written report in original council packet.

## **10. COMMISSION/COMMITTEE REPORTS**

### **A. Planning Commission**

None

B. Port & Harbor Commission  
None

C. Parks & Recreation Committee

Dave Dickason provided a written report on behalf of the Parks and Recreation Committee.

There some discussion regarding the safety of the pedestrian trail for the new city park. Peter Denmark confirmed that a pedestrian trail was supposed to be created along the creek and the area landscaped at the same time. Mayor Blair stated that there are safety concerns and would like the council to support a protected pedestrian court.

Dave Dickason replied that they have done the best they can to keep everything on the water side because safety is a priority. Victor Shen suggested that the City Manager draft a Memorandum of Understanding. Peter Denmark offered to share his documents which pertains to the creek side trail.

Mayor Blair thanked Dave Dickason for his report.

D. RCAC

Presentation moved to Item #6.

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

Lindsey Erk provided each council member with a letter she wrote and she then read it out loud. She thanked the Public Works and Public Safety Department for their quick response to snow removal which provides safe roads for the citizens.

Girdwood Board of Supervisor Co-Chair, Sam Daniel, thanked the City Council and the community of Whittier for partnering with them in providing safety in Girdwood. He went on to say that the partnership has been very successful and the Chief and officers have been well received.

Office space has been secured in Girdwood for the officers to meet with the public.

Sam Daniel added that Colonel Cockrell from the Alaska State Troopers, announced that the Troopers will no longer be responding along the Seward Highway to Portage effective on May 1<sup>st</sup>. The Bureau of Highway Patrol Officers will still patrol the highway, but the crime unit will not respond in Bird, Indian, Portage or Rainbow.

## **12. CONSENT CALENDAR**

A. Approval of Liquor Licenses

1. Sportsman's Inn
2. The Outpost Liquor
3. Wild Catch Café
4. Whittier Inn

**MOTION:** Peter Denmark made a motion to approve the consent agenda.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

## **13. ORDINANCES (Non-Ordinance)**

A. Introduction (1<sup>st</sup> reading)

1. #01-2017 – An ordinance amending WMC 2.02.030 entitled, **Organizational Chart**, to permit City Council to amend the City Organizational Chart by Resolution rather than ordinance and adopting a new organizational chart reflecting the current organization of Whittier's City Government.

**MOTION:** Victor Shen made a motion to introduce Ordinance #01-2017 and set the public hearing date for March 21, 2017.

**SECOND:** David Dickason

**DISCUSSION:** Victor Shen asked City Manager, Mark Lynch, to explain the purpose of this ordinance. Mark Lynch replied that he is updating the WMC. He explained that the last Organizational Chart was formally adopted by the City was approximately around 1980. He added that the city attorney recommended that the language be amended so that the chart can be updated by resolution instead of ordinance. The organizational chart should be updated anytime a position is created or deleted.

Mayor Daniel Blair and Victor Shen stated their concerns regarding the wording used in the ordinance and a brief discussion proceeded.

**VOTE:** Victor Shen: No, Dave Dickason: Yes, Peter Denmark: No, Debra Hicks: Yes, Monty Irvin: Yes, Dave Pinquoch: Yes, Dan Blair: No

**MOTION PASSED:** 4-3

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

1. **Ordinance #10-2016- An ordinance amending WMC 2.54.020 (B) to amend meeting frequency of the Port and Harbor Commission.**

**MOTION:** Dave Dickason made a motion to open the public hearing for Ordinance #10-2016.

**SECOND:** Peter Denmark

**DISCUSSION:** As a member of the Port & Harbor Commission, David Goldstein clarified the reason for this ordinance is to resolve attendance issues. The Commission decided on four meetings per year; two meetings in the fall and two meetings in the spring before summer season begins.

Dave Goldstein pointed out that the third sentence of section two, addresses members missing meetings. He asked for an amendment to the ordinance which addresses the consequences for excessive or unexcused absences.

**MOTION:** Dave Dickason made a motion to close the public hearing for Ordinance #10-2016.

**SECOND:** Victor Shen

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**MOTION:** Dave Dickason made a motion to adopt Ordinance #10-2016.

**SECOND:** Monty Irvin

**DISCUSSION:** There was further discussion regarding the recommended amended change suggested by David Goldstein, and it was decided by the Council members that there would be no change to the ordinance presented.

**VOTE:** Motion passed unanimously

#### **14. RESOLUTIONS**

1. **Resolution # 01-2017- A resolution adopting an alternative allocation method for the FY2017 Shared Fisheries Business Tax Program.**

**MOTION:** Victor Shen made a motion to adopt #01-2017

**SECOND:** Dave Dickason

**DISCUSSION:** Mark Lynch explained that this resolution is derived from the template provided by the state. All three communities listed on the resolution all share an equal amount of the fish tax.

**VOTE:** Motion passed unanimously

**2. Resolution #02-2017- A Resolution opposing siting and timing of the U.S. Navy training exercises that pose risks to fish and fisheries in the Gulf of Alaska.**

**MOTION:** Victor Shen made a motion to adopt Resolution #02-2017.

**SECOND:** Monty Irvin

**MOTION:** Dave Pinguoch made a motion to amend the motion by removing the section which reads, "the City of Whittier finds no scientific information and add a third Be it Further Resolved that the City of Whittier *supports a U.S. Navy* and have the training exercises conducted."

Peter Denmark suggested that the word *limited* replace the word, *no*, in the section which reads, the City of Whittier finds no scientific information, on the seventh WHEREAS.

**SECOND:** Debra Hicks

**VOTE:** Motion passed unanimously

**MOTION:** Victor Shen made a motion to adopt Resolution #02-2017 with the following amendments. On the seventh WHEREAS, the word *limited* should replace the word *no*.

On the third BE IT FURTHER RESOLVED, the wording, *the City of Whittier supports a U.S. Navy*, is added.

**SECOND:** Debra Hicks

**VOTE:** Motion passed unanimously

**3. Resolution #03-2017- A Resolution adopting the FY2017 Employee Classification Plan, establishing titles and pay levels for City employees which include a .4% cost of living increase effective with the pay period beginning February 27, 2017.**

**MOTION:** Victor Shen made a motion to adopt Resolution #03-2017.

**SECOND:** Dave Dickason

**DISCUSSION:** Peter

Denmark asked Mark Lynch if the Department Heads have had their annual review. Mark Lynch replied that they are complete, but he hasn't had time to review them with the employees. Merit increases are typically done around the same time as the COLA. Peter also asked about the process in which salary increases are given.

Mark replied that the increases are given upon a successful performance evaluation.

**VOTE:** Motion passed unanimously

**15. EXECUTIVE SESSION**

Public Safety Building Phase II- Design and Build Options

**MOTION:** Dave Dickason made a motion to enter into executive session to discuss Public Safety Building Phase II. Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

**SECOND:** Debra Hicks

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**Council entered into executive session at 9:03 p.m.**

**MOTION:** Monty Irvin made a motion to end the executive session and return to the regular meeting.

**SECOND:** Peter Denmark

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**Council ended the executive session and returned to the regular meeting at 10:00 p.m.**

## **16. UNFINISHED BUSINESS**

### **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**

Not discussed during this meeting.

### **D. Public Safety Complex- Phase 2**

**MOTION:** Dave Dickason made a motion to authorize the City Manager to negotiate a contract, not to exceed \$85,000 for a fire alarm system for the new Public Safety Building.

**SECOND:** Peter Denmark

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

### **E. Paddle Craft Launch**

Not discussed during this meeting.

### **F. Head of Passage Canal Project**

Mayor Daniel Blair explained that the head of the bay project was accidentally placed on the Inactive List, but it is now back on the Active List. Funding for the project should be received soon.

**Phone connection with Dave Pinnoch was lost at 10:32 pm.**

## **17. NEW BUSINESS**

Moved to Item #5 on the agenda.

## **18. COUNCIL DISCUSSION**

Peter Denmark thanked the City staff for putting together the certificate of appreciation and memoriam for Marilyn Heddell in December. He then asked if the same will be done for Gerry and Dodi Protzman. Mark replied that we can, but he'll need some assistance with it since he has limited information about them. Peter Denmark volunteered to help with this.

Peter Denmark asked if the P-12 Bldg. qualifies for the Brownfield Grant. Mark replied that it does. Peter stated that he would like to have an exit plan in place so that when the new Public Safety building is complete, the building can be transferred to someone else. Mark stated that a decision will need to be made on whether or not the building should be sold or leased in order for him to proceed.

Peter also asked to review documentation which shows where the funds are being applied. Mark replied that other than \$500,000, the harbor project is being funded by bonds. Peter would like to review the

expense versus revenue report

There was another discussion among the council members and city manager regarding the access to the pedestrian creek. Mark replied that he would look into the agreement with Barnett and see if there's language pertaining to it. Mayor Blair added he's certain that since the creek enters the tidelands that by default, at least 25 ft. of access should be allowed.

Mayor Dan Blair asked Mark Lynch if he can provide an estimate or expectation on when he can hire an assistant city manager. Mark Lynch replied that he has a stack of resumes on his desk and will continue the search as soon as he has time.

Victor Shen stated that he would like an exit strategy created for the P-12 building. Peter Denmark provided his opinions on how the building should be marketed and sold.

Victor Shen voiced that he would like the Parks and Recreation Committee benefit from the CVP funds. Mark replied that he will review the state statute regarding the permitted uses of the funds.

## **19. CITIZEN'S DISCUSSION**

Dave Goldstein asked for clarification regarding the harbor reconfiguration plan for boats with square hulls. He asked if the council has a plan on paper as to what we can expect when it comes to the waterfront. The only plan he recalls is the reconfiguration of the harbor and the establishment of recreational facilities at the head of the bay.

## **20. COUNCIL AND ADMINISTRATION'S RESPONSE TO CITIZEN'S COMMENTS**

Mayor Daniel Blair explained that the projects are described in phases; he believes we are on Phase II of the floats. The pilings will be replaced during Phase III.

Mayor Dan Blair further explained the planning and process of the harbor reconfiguration and head of the bay project. The only plan at the head of the bay is to build a launch ramp, break water and turning basin. The Corp will only build the break water and turning basin, which will cost approximately \$11 million dollars, so the City's portion would be \$1 million dollars and whatever other upland improvements the City decides to make.

City Manager, Mark Lynch, clarified that he is working off of the same plan that was decided when he came to the City; nothing has changed. \$7 million will finish the harbor which includes the pilings. There was some discussion regarding the placement of boats in the harbor. Mark welcomed Dave Goldstein to visit him in the office to view the plan on paper.

Greg Clifford stated that there is another launch ramp at Smitty's Cove. With some improvements to the launch ramp, it can be used alleviate traffic during busy weekends and holidays.

## **21. ADJOURNMENT**


**MOTION:** Peter Denmark moved to adjourn the meeting at 10:57 p.m.

**SECOND:** Dave Dickason

**VOTE:** Motion passed unanimously.



**ATTEST:**

  
\_\_\_\_\_  
Jennifer Rogers  
City Clerk

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