



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

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**WHITTIER CITY COUNCIL  
REGULAR MEETING  
TUESDAY, MAY 16, 2017  
7:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

## MINUTES

### 1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 7:08 p.m.

### 2. OPENING CEREMONY

Mayor Daniel Blair led the Pledge of Allegiance.

### 3. ROLL CALL

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

**B. Council Members Absent:** Victor Shen

**C. Administration Present:**

Mark Lynch, City Manager  
Jonnifer Rogers, City Clerk  
Scott Korbe, Public Works Director  
David Schofield, Director of Public Safety

Kyle Sinclair, Harbormaster  
John Li, Finance Officer  
Terry Morrison, Public Safety Bldg. Manager  
Katie Davies, City Attorney

**Others Present:**

### 4. APPROVAL OF MINUTES

March 21, 2017 Regular Meeting Minutes and April 18, 2017 Regular Meeting Minutes

**MOTION:** Dave Pinquoch made a motion to approve the meeting minutes of April 18, 2017 as is.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

### 5. APPROVAL OF REGULAR MEETING AGENDA

**MOTION:** Dave Dickason made a motion to approve the regular meeting agenda.

**SECOND:** David Pinquoch

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

## **6. PRESENTATIONS**

None

## **7. MAYOR'S REPORT**

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

Mayor Blair reported that he telephonically attended the Prince William Sound Economic Development District meeting. He also met with the IRT group (Innovative Readiness Training) that will be evaluating the Buckner Building and the P12 Building for structural integrity. He stated that in addition to evaluating these buildings, they hope to present a plan-of-action which will help the City make a decision on how to begin solving the Buckner Building problem. The IRT group is also interested in participating in our Community Plan.

Mark Lynch stated that the IRT group will assist with the City's Comprehensive Plan and will aid in locating possible funding sources. Dan Blair mentioned that there will be four or five engineers and architects who will provide the City with educational information.

Dan Blair reported that he met with the Corps. of Engineers. The City is waiting for Washington to release of funds so that the City can restart the project.

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

None

## **8. MANAGER'S REPORT**

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

See written manager's report in original council packet.

Mark Lynch stated that the Mayor did a good job in summarizing some of the items that he was going to address. Mark said the harbor loan and the water loan for the Public Safety Building is still in the works. He reported that the City had scored very well on the Harbor project and we are next in the queue for the water loan's final steps, which include a financial audit.

Mark shared that Samantha Greenwood, a candidate for the assistant city manager position, was interviewed. He informed the council that he will interview another candidate. He believes we will be successful in choosing one of the candidates, as long as they accept what Whittier has to offer. He disclosed that both candidates are very qualified.

#### **• Financial Report**

See written report in original council packet.

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

City Attorney, Holly Wells stated that the issues she is concerned about will be discussed during the executive session.

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

Melody Clifford went over her written report.

Melody Clifford announced that the last day of school will be on Wednesday, May 24<sup>th</sup>. She also reminded them of the upcoming graduation and invited them to come out to support Whittier's graduates. Melody concluded her announcement by stating the children released their rovers into the harbor and encouraged Council to keep their eyes out on social media for photos on what they found.

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

##### **1. Harbormaster's Report**

See written report in original council packet.

Mayor Dan Blair asked Kyle Sinclair if the railroad permitted access to the Del Long Dock. Kyle Sinclair replied that access was granted and a walk-through meeting is scheduled for the next morning.

The Mayor inquired about the salmon fry. Kyle Sinclair replied that Scott Korbe and his employees assisted the harbor employees with the placement of the fish bin. He reported that the first batch is expected to arrive on Thursday.

Kyle announced that the harbor rebuild construction is going well.

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

None

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

None

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

See written report in original council packet.

Mark Lynch reported that he did a walk-through of the new building and noted that it was coming along. Terry Morrison added that he can do weekly tours on Thursdays for any council member.

#### **9. COMMISSION/COMMITTEE REPORTS**

##### **A. Planning Commission**

No report.

##### **B. Port & Harbor Commission**

No report.

##### **C. Parks & Recreation Committee**

Dave Dickason stated that City Clerk, Jennifer Rogers, sent him a grant application last week from the National Parks Service. They offered some resources with the Labor Grant. Dave believes we have an opportunity to obtain support from them. He stated that he is currently working on the application, but we will not have access to these resources until late June.

Mark Lynch reported that there is an RFP out for a City Engineer. Mark spoke of his communications with Nick from Alaska Mining and Diving. Nick promotes Whittier and said he would like to start attending the Parks & Recreation Committee meetings. Mark believes this will be great exposure for Whittier as Nick will promote the park and other recreational activities that Whittier has to offer on his radio show.

##### **D. Prince William Sound Aquaculture Corp.**

None

##### **E. Regional Citizen's Advisory Council**

None

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

None

**11. PRESENTATIONS**

None

**12. CONSENT CALENDAR**

None

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

**A. Introduction (2<sup>nd</sup> reading)**

- 1. #02-2017 – An Ordinance Amending WMC Chapter 2.10, authorizing a Hearing Officer to preside in hearings regarding violations of Chapter 2.10 entitled, “Code of Ethics” of the Whittier Municipal Code, repealing the Board of Ethics, and updating the Administrative Hearing Process to create a more simple appeal process.**

**MOTION:** David Pinguoch made a motion to open the public hearing for Ordinance #02-2017.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

There was no public comment for this ordinance.

**MOTION:** David Pinguoch made a motion to close the public hearing for Ordinance #02-2017.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**MOTION:** David Pinguoch made a motion to adopt for Ordinance #02-2017.

**SECOND:** Dave Dickason

**DISCUSSION:** Monty Irvin asked if this Ordinance will require a Human Resources Officer. Mark Lynch replied by reading section 2.10.11 complaint and response of the Ordinance saying, “Any person may file a complaint with the Clerk alleging that a public official has violated this chapter.” Mark Lynch and Holly Wells both explained the complaint process to the Council.

Peter Denmark questioned the process involving the removal of an elected official. Mark Lynch and Holly Wells clarified that the hearing officer will make recommendations, but the council will make the final decision.

**VOTE:** Motion passed unanimously

**14. RESOLUTIONS**

- 1. Resolution # 10-2017- A resolution authorizing the City Manager to sell excess City personal property during 2017.**

**MOTION:** David Pinguoch made a motion to adopt Resolution #10-2017.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

## **15. EXECUTIVE SESSION**

- A. Potential future sale of municipal real estate** – Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity. AS 44.62.310(1)
- B. Legal brief union petition** – Matters which by law, municipal charter, or ordinance are required to be confidential. AS 44.62.310(3)
- C. Manager's evaluation and contract extension discussion** – Subjects that tend to prejudice the reputation and character of any person and matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity. AS 44.62.310(1) and AS 44.62.310(2)

**MOTION:** David Pinqouch made a motion to enter executive session to discuss the potential future sale of municipal real estate. Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity. AS 44.62.310(1)

To Discuss the Legal brief union petition. Matters which by law, municipal charter, or ordinance are required to be confidential. AS 44.62.310(3)

To Discuss the Manager's evaluation and contract extension discussion – Subjects that tend to prejudice the reputation and character of any person and matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity. AS 44.62.310(1) and AS 44.62.310(2)

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**Council entered into Executive Session at 8:00 pm**

**MOTION:** David Pinqouch made a motion to end the executive session and return to the regular meeting at 10:00 pm.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

## **16. UNFINISHED BUSINESS**

### **A. Shotgun Cove Road Project**

Nothing new to report.

### **B. ARRC/COW Land Swap**

Nothing new to report.

### **C. Improve Salmon Sport Fishing in Northwest PWS**

Nothing new to report.

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

Nothing new to report.

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

Nothing new to report.

**F. Head of Passage Canal Project**

Nothing new to report.

**17. NEW BUSINESS**

**A. Approval of Tax-Exempt Obligations Tax Compliance Guidelines**

**MOTION:** David Pinquoch made a motion to approve the Tax-Exempt Obligations Tax Compliance Guidelines

**SECOND:** Monty Irvin

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**B. Funding for the Tank Farm property**

Mark Lynch stated that the City is required to pay for a survey and the administrative environmental documentation. He said that the Corps. Of Engineers contacted him the previous week and provided him with an estimate of \$112,000. He clarified that the City doesn't need to pay this yet; he just needs the price to be authorized. He added that an assessment of the property will be done and that it will cost \$112,000 which will be taken from the General Fund to purchase that property (62 acres).

Peter Denmark stated that he thought the property was going to be deeded over to the City.

Dan Blair said that this process is vital. He commented that this process was the "paperwork" process and compared it to the process the Alaska Railroad did for the Del Long Dock property. He explained the steps; the first step being the paperwork, the second step is the cost of appraisal and the final step involves negotiating a purchase price.

Peter asked, "From who?" Mark Lynch answered Peter by replying that the City will negotiate a price with the Corps. of Engineers. He then directed the Council to page 58 of their packet, under *B. Consideration*. He read the section out loud.

Dan Blair explained that there are three types of remediation and for us to agree to this process, the City might have to encapsulate it.

Mark Lynch explained that the only danger of doing this could be a possible price increase by the Corps. of Engineers after work has been done in the area. The Council further discussed this topic with the City Manager.

**MOTION:** Monty Irvin made a motion to authorize the City Manager to expend up to \$112,000 from the City's General Fund to pay for the survey and administrative and environmental documentation costs associated with purchase of the Tank Farm property.

**SECOND:** David Pinquoch

**DISCUSSION:** Dave Pinquoch didn't understand why the purchase was necessary as the property is contaminated and has nothing to offer for the City. Dan Blair replied that this land will come to us for little or no cost and Whittier is at the top of the list. Mark stated that Department of Environmental Conservation will regulate what the City can do on that property if we get it. He said he had talked to Bill O'Connell who stated that the contaminant level is relatively low. Dan Blair explained the pros of having land by the sea and the many opportunity for business and residential. He concluded, "It's a lot cheaper to buy a flatland than it is to make a flatland out of a mountain."

Peter Denmark, No; Monty Irvin, Yes; David Pinquoch, No; Debra Hicks, Yes; Dave Dickason, Yes; Dan Blair, Yes.

**VOTE:** 4- Yes, 2-No.

**C. Temporary Housing for Whittier Seafood**

This topic was not discussed during this meeting.

**18. COUNCIL DISCUSSION**

**19. CITIZEN'S DISCUSSION**

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

**21. ADJOURNMENT**

All were in favor of adjourning the meeting at 11:05 p.m.

**ATTEST:**

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

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