



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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**WHITTIER CITY COUNCIL
SPECIAL MEETING
THURSDAY, MARCH 06, 2014
6:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Daniel Blair called the meeting to order at 6:07 pm.

2. OPENING CEREMONY

Mayor Daniel Blair led the Pledge of Allegiance.

3. ROLL CALL

A. Council Members Present: Victor Shen, Natasha Turituri (telephonically), Ata Ma'ae, Dave Pinguoch, Shawni Phillips, Dan Blair and Peter Denmark

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

Others present: Sue Miller, Scott Korbe, Dave Goldstein, Dyanna Pratt, Jennifer Rogers, Don Stevens and Mike Bender

4. APPROVAL OF SPECIAL MEETING AGENDA

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

SECONDED: Dave Pinguoch seconded the motion.

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

Motion passed 7-0.

5. BUSINESS ITEMS THE SUBJECT OF THE SPECIAL MEETING

A. City Manager contract extension

MOTION: Shawni Phillips made a motion to approve the City Manager contract extension 2014 Council/Manager 6 month negotiated version.

SECONDED: Peter Denmark seconded the motion.

DISCUSSION: Councilor Victor Shen asked who negotiated this contract.

Dave Pinguoch replied "at the direction of the City Attorney, Mayor Dan Blair and myself met with the City Manager and we submitted a proposed 6 month contract at the same salary that he is being paid today and with a 30 day termination clause by either party and he would continue to accrue annual leave at the current rate."

Dave Pinguoch said "this contract is actually his answer back to our offer; it is not a negotiated version."

Dave Pinguoch briefly explained the difference between this contract and the contract that Mayor Blair and he had proposed.

Natasha Turituri asked "why was the contract changed to 6 months, I thought it was going to be a 1 year contract?"

Natasha Turituri also asked "are we looking for another City Manager and do we have time? What is the next step?"

Mayor Dan Blair replied "I think at this point we are marching into an area that would need to be in executive session."

Natasha Turituri asked "do we have to make a decision on this tonight?"

Dan Blair said "I'm not comfortable discussing this in public, I think that it would be observing of Mr. Bolen's rights."

Tom Bolen stated that he will waive his right to an executive session and explain it and anybody is welcome to correct him if he misstates.

Tom Bolen said "the way this was explained to me was that there was some level of discomfort with having me as a manager for another year and the initial explanation suggested the 6 month contract with one of the possibilities being that things would improve and I would be offered subsequent employment and another of the options being that perhaps the council members might decide to look for another manager."

Tom Bolen said "my intent all along has been to pursue a longer term contract, my initial proposal was for 2 years, I'm willing to accept a 1 year and I'm now willing to accept the 6 month contract in the absence of any other contract offer, however I shared with Mayor Blair and Vice Mayor Pinguoch and I share with all of you now, as I've stated in paragraph D of section 4, what the 6 month contract means to me is essentially a vote of no confidence and as such I feel it would be prudent for me to be aware of and or seek out other employment during the 6 month period."

Tom Bolen said "that's not what I want to do but it is what I feel I have to do as a result of these conditions."

Tom Bolen told council "If there is intent to march forward with the 6 month contract on a part of all of you or at least 4 of you then I will work during those 6 months to ensure that it leads to a longer term contract because I want to stay in Whittier."

The maker of the motion, Shawni Phillips stated that she would like to amend her motion to enter into a contract extension with the City Manager since there is such confusion over these versions that are in front of Council tonight.

Peter Denmark stated that these two different contracts represent different products, a motion could be made to approve the 1 year and if it didn't go through then a motion could be made to approve the 6 months and all bases would have been covered but the motion should be specific instead of just entering into a contract extension.

MOTION: Shawni Phillips made a motion to approve the City Manager 6 month contract extension.

SECONDED: Peter Denmark seconded the motion.

VOTE: Shawni Phillips: No, Peter Denmark: No, Ata Ma'ae: No, Victor Shen: No, Natasha Turituri: No, Dave Pinguoch: No, Dan Blair: Yes

Motion failed 6-1.

MOTION: Natasha Turituri made a motion to retain City Manager, Tom Bolen for one year.

SECONDED: Ata Ma'ae seconded the motion.

VOTE: Natasha Turituri: Yes, Ata Ma'ae: Yes, Dave Pinguoch: No, Shawni Phillips: No, Victor Shen: No, Peter Denmark: No, Dan Blair: No

Motion failed 5-2.

MOTION: Dave Pinguoch made a motion to grant Tom Bolen \$4,000 in severance pay which is equivalent to 2 weeks.

SECONDED: Shawni Phillips seconded the motion.

VOTE: Motion passed unanimously.

MOTION: Dave Pinguoch made a motion to appoint Mayor Dan Blair as Acting City Manager effective immediately after the term of the current Manager's contract of March 7th 2014 and until a special meeting can be scheduled not to exceed 7 days.

SECONDED: Shawni Phillips seconded the motion.

VOTE: Dave Pinguoch: Yes, Shawni Phillips: Yes, Ata Ma'ae: Yes, Victor Shen: Yes, Natasha Turituri: Yes, Peter Denmark: No, Dan Blair: Yes.

Motion passed 6-1.

B. Whittier Harbor Safety for 2014 summer season

MOTION: Dave Pinguoch made a motion to postpone agenda item 5B, Whittier Harbor Safety for 2014 summer season until the next regular council meeting.

SECONDED: Shawni Phillips seconded the motion.

VOTE: Motion passed unanimously.

Councilor Natasha Turituri excused herself from the meeting so that she could return to work.

6. CITIZEN'S DISCUSSION (agenda items only)

Mike Bender told council "I do not know anybody who would want to come down and go through sitting there while your future is dissected in front of you, I don't know how any of you could in good conscious do that?"

Mike Bender said "I don't know where we would get a City Manager who would want to come down and do the same thing, how many City Managers have we gone through in the last 4 years?"

Mike Bender said "We have treated everyone very poorly, when something like this happens we all need to realize that we failed, I am not sure of the whole back story here but we didn't provide that man some proper guidance that would give him the tools to be successful in our town and now we have to start all the way over from zero once again with which looks like some pretty heavy duty business on our white board there."

Mike Bender told the council "I hope you guys choose better next time, this is an embarrassment."

7. ADJOURNMENT

MOTION: Dave Pinguoch moved to adjourn the meeting at 7:03 pm.

SECONDED: Shawni Phillips seconded the motion.

VOTE: Motion passed unanimously.

Attest:



Brenda Krol
City Clerk



Daniel Blair
Mayor