



MEMORANDUM

Date: September 22, 2026

To: Mayor and City Council

From: Jackie C. Wilde, City Manager

Subject: Short-Term Leases for Harbor View and Harbor Triangle Lots

This memorandum provides notice that I will be entering into the following short-term leases:

- **MiKelly Whittier Enterprises, Inc., d/b/a Friskey Mermaid Cafe & Gifts – Whittier Fudge**, for Harbor View Lots 2, 3, and 4.
- **Sandra Bartles and Rebecca Langton, d/b/a Fee's Custom Seafood LLC**, for Harbor Triangle Lots 12 and 13.

Both applicants have filed complete lease applications with the City and have met all applicable criteria. Each applicant operates an existing business, and their applications adequately address the proposed use of the property, proposed improvements and development, relevant business experience, anticipated number of employees, and the community and economic benefits their businesses provide to the City.

Under **Whittier Municipal Code Section 3.38.350(B)**, the City Manager may execute a short-term lease without City Council approval when the City Manager determines that the lease is in the City's best interest and provides written notice to the Council of the lease and its essential terms. This memorandum provides that notice.

Whittier Municipal Code Section 3.38.360 authorizes the City Manager to review lease applications and award a lease, and **Whittier Municipal Code Section 3.38.430(B)** authorizes the City Manager to negotiate the terms of a short-term lease.

Based upon my review of the applications and the applicable criteria, I have determined that these short-term leases are in the City's best interest. Each lease will be for a period not to exceed six months and will allow the applicants to occupy and use the properties while the City completes the appraisals.

Under **Whittier Municipal Code Section 3.38.450(B)**, the City Manager may waive the appraisal requirement for a short-term lease. The appraisals will be completed before the proposed long-term leases are finalized.

Once the appraisals are complete, proposed long-term leases for both applicants will be brought before the City Council for consideration and approval as required by the Whittier Municipal Code.

Gateway to Western Prince William Sound

P.O. Box 608, Whittier, Alaska 99693 | Phone: 907-472-2327 | Fax: 907-472-2404 |

www.whittieralaska.gov



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LEASE APPLICATION

Per Whittier Municipal Code Chapter 3.38

- ☒ Request for New Lease; New Lessee
- ☐ Request for New Lease; Existing Lessee *(with no remaining options to renew)*
- ☐ Request for Assignment of Lease *(transfer existing lease to a new owner/business)*
- ☐ Request for Amendment of Lease *(modify existing lease)*

APPLICATION INSTRUCTIONS

- The information provided on the following pages shall be used by City Staff, City Council, and Commissions (as applicable) during the review process of your lease proposal. This application is considered public information and will be included in the public meeting packets.
- Any financial information included with your application is considered confidential and will be used by City Staff only; it will not be part of the public review process.
- All applicable fees must be included with your application in order to process the application. Payments can be made either by check payable to "City of Whittier" or by credit card. Current fees established by the City Fee Schedule are:
 - Lease Application Fee - \$500.00**
 - Lease Amendment/Assignment Fee - \$250.00**
- Submit your completed application, required attachments, and application fee to:
 - City of Whittier
 - Attn: Assistant City Manager
 - PO Box 608, Whittier, AK 99693
 - acm@whittieralaska.gov
 - (907) 472-2327 ext. 206
- Answer all questions, noting "N/A" on any question that is not applicable. Attach additional pages, if needed.
- Your application will go through an initial review to ensure completeness. Lease staff will be in touch to coordinate any follow-up meetings, requests for missing information, and to schedule your lease application for the applicable public meetings.
- Lease applications are evaluated based on the criteria outlined in [Whittier Municipal Code 3.38.380](#)

PROPERTY INFORMATION			
Physical Address	Lot 2, 3 & 4 Whittier Small Boat Harbor		
Legal Description	Lot 2 containing aproximately 1,050 square feet Lot 3&4 containing apporximately 2,110 square feet.		
Lot Size	☒ Full Lot ☐ Portion of Lot	If portion, list dimensions	

APPLICANT INFORMATION			
Legal Name	MiKelly Whittier Enterprises, Inc.		
Doing Business As	Frisky Mermaid Cafe & Gifts - Whittier Fudge		
Type of Entity	☐ Individual ☐ Sole Proprietorship ☐ Partnership ☒ Corporation ☐ LLC ☐ Nonprofit ☐ Governmental Entity ☐ Other: _____		
Alaska Entity Number (if applicable)	53694D	Alaska Business License Number (if applicable)	2231950
Authorized Representative Full Name & Title	Michael Bender, President Kelly Bender, Vice President		
Mailing Address	PO Box 747		
City, State, Zip Code	Whittier, AK 99693		
Phone Number(s)	907-529-0235	Email	info@mikellywhittier.com

LEASE PROPOSAL	
1. Proposed Use of Property Briefly describe the proposed use of the property, including the primary activities to be conducted on the site.	
See Attached Addendum 1, #1	

2. Proposed Improvements and Development

Describe any proposed improvements, development, structures, utilities, or other site work associated with this proposal. If applicable, include the anticipated phases of development and estimated commencement and completion dates.

See Attached Addendum 1, #2
and draft architectural plans Addendum A

3. Estimated Capital Investment (if applicable): \$300-400,000 See Attached Addendum1, #3

4. Funding Source

Briefly describe how the proposed project will be funded.

See Attached Addendum 1, #4

5. Applicant Experience

Describe the applicant's experience related to the proposed use, project, business, or activity.

See Attached Addendum 1, #5
and Murkowski Letter Addendum B
and City Proclamation Addendum C

6. Anticipated Employees at Site: See Attached Addendum 1, #6

7. Community or Economic Benefits (Optional)

Describe any anticipated community, public, economic, or employment benefits associated with the proposal.

See Attached Addendum 1, #7

Requested Initial Lease Term: 30 years

Requested Renewal Options (if any): ☒ 1 additional term ☐ 2 additional terms of _____ years each

FINANCIAL DISCLOSURE	
Has the applicant, or any principal of the applicant entity, within the last ten years:	
☐ Yes ☒ No	Filed for bankruptcy protection?
☐ Yes ☒ No	Had a judgment entered against them that remains unsatisfied?
☐ Yes ☒ No	Had a lien filed that could materially affect the applicant's ability to perform the proposed lease obligations?
If yes, explain:	

REQUIRED SUBMITTALS	
☒	Application Form (signed and dated)
☒	Site Plan or Concept Drawing
☐	Proof of Financing <i>N/A self financed</i>
☐	Nonrefundable Application Fee

CERTIFICATION

I understand that I may be required to pay the cost of surveys, appraisals, recording fees, permits, and other costs associated with lease processing, development, and lease administration.

I understand that insurance may be required as a condition of lease approval and ongoing occupancy of City property.

I certify that the information provided in this application is true and complete. I understand that submission of this form does not guarantee approval and that additional documentation, appraisal, or public process may be required before a lease is awarded.

I certify that I am authorized to submit this application and enter into lease negotiations on behalf of the applicant.

Applicant Signature: *Michael J. Bender* Date: *8/20/2026*

City Use Only			
Date	<i>8-20-26 @ 8:00am</i>	Current Lessee?	☐ Yes ☐ No
Application Fee Paid	☒ Yes ☐ No	In good standing?	☒ Yes ☐ No
Staff Reviewer	<i>ew</i>	Completeness Review Date	
Alaska Entity Active Through		Next Steps	
Alaska Business License Expiration			

ADDENDUM 1 - LEASE APPLICATION LONG-FORM RESPONSES

1. Proposed Use of Property

Our historic business operations (formerly Lazy Otter Charters, and currently Frisky Mermaid Cafe & Gifts, and Sound Ideas Whittier Fudge) have long been integral components of Whittier's harbor and tourism ecosystem. Moving forward, our operations will focus exclusively on the Frisky Mermaid Cafe & Gifts, Whittier Fudge, and AVIS Alaska car rental.

Our proposed plan is to consolidate Lots 2 and 3 to expand our existing building. Bringing AVIS Alaska indoors, out of its current trailer, and expanding our retail and dining spaces will significantly enhance the pedestrian experience and connectivity within the Harbor Business District. This expansion will maximize the utility of the leased land and allow us to accommodate:

- More waterfront dining tables to serve growing visitor demand.
- A dedicated counter and workspace for Whittier Fudge.
- A permanent check-in counter for AVIS Alaska.
- Sufficient indoor storage, eliminating the need for the existing temporary storage huts on the property.

In addition to the expanded building on Lots 2 and 3, we intend to retain and revitalize Lot 4. Historically, this lot was utilized as a staging and storage area for our marine operations, supporting tasks such as engine repair and equipment storage. Moving forward, we plan to transition Lot 4 away from heavy utility use, incorporate some ground cover, and transform it into a dedicated outdoor seating and gathering area for our café patrons.

This plan aligns directly with the Whittier Comprehensive Plan and the Waterfront and Economic Development Plan (WEDP) by stimulating local economic growth and ensuring the highest and best use of limited City-leased land.

2. Proposed Improvements and Development

Our property improvement plan requests that Lot 2 and Lot 3 be consolidated into one extended lot to accommodate a larger, unified building extending from our existing structure on Lot 2.

For Lot 4, our improvements will consist of clearing the historical marine storage and repair equipment to develop an inviting, dedicated outdoor seating area (including ground cover instead of the gravel) that enhances the pedestrian-friendly atmosphere of the Harbor Business District.

Phases & Timetable: Our intent is for site preparation for the building to begin in the spring of 2027 (see draft architectural plans in Addendum A).

Note: Finalizing the architectural plans and construction timetable is contingent upon the formal consolidation of Lots 2 and 3 and final lease approval. If the combination of these lots to accommodate an expanded building is not granted, our development plans will need to be reevaluated.

3. Estimated Capital Investment

We estimate a capital investment of \$300,000-400,000 for the Lot 2 and 3 building expansion and Lot 4 revitalization.

4. Funding Source

This expansion will be entirely self-funded. Over the past 31 years, we have consistently reinvested in Whittier's infrastructure. Past investments include building the original Lazy Otter Café in 2000, continually expanding a multi-vessel marine fleet, acquiring Sound Ideas and Whittier Fudge in 2021, and purchasing four condominiums in Begich Towers to provide permanent family and staff housing (the funds for which have been generated from accrued savings and personal loans).

5. Applicant Experience

We have successfully operated visitor and maritime businesses in Whittier for over 30 years. We opened our café in 2001 and have steadily grown sales and revenue every year. In 2026, we became the Whittier operator for AVIS Alaska, which has already proven to be a successful venture.

Operating as MiKelly Whittier Enterprises, Inc. (formerly Lazy Otter Charters, Inc.), we maintain an impeccable financial and credit history with the City, boasting an exemplary record of timely payments for all leases, property taxes, utility bills, and sales and passenger taxes. Following our acquisition of the Sound Ideas Fudge Shop in 2021, we increased its annual revenues from \$70,000 to over \$150,000.

Our decades of experience and dedication to the community have been formally recognized at both the municipal and state levels:

- **Industry Awards:** We are the proud recipients of the Tourism Advancement Award (Visit Anchorage, 2016), the Alyeska Award (Alaska Travel Industry, 2018), and the Lifetime Achievement Award (Visit Anchorage, 2025).
- **State Recognition:** In April 2026, Senator Lisa Murkowski formally commended our Lifetime Achievement Award, noting our "long-standing commitment to enhancing the visitor experience" and our direct contributions "to the economic vitality of our community" (*see Addendum B*).
- **City Recognition:** On April 21, 2026, the Mayor and City Council of Whittier issued a formal proclamation honoring our lifetime of service, noting our "deep investment in the people, culture, and future of Whittier" and our role in "shaping Whittier's identity as a welcoming gateway to Prince William Sound" (*see Addendum C*).

Community Leadership: As local business owners, we are deeply involved in regional advocacy and leadership.

- Mike has represented Whittier on the Prince William Sound Regional Citizens' Advisory Board for 11 years and was previously on the Ports & Harbors Commission.
- Kelly currently serves as the President of the Greater Whittier Chamber of Commerce, oversaw the creation of Whittier's Tourism Best Management Practices program, and sits on the boards for the PWS Stewardship Foundation and the Alaska Travel Industry Foundation.

Finally, we are permanent residents of the State of Alaska, maintaining homes in both Eagle River and Whittier (where we own a condo in Begich Towers for our personal use). MiKelly Whittier Enterprises, Inc. holds all proper and current business licenses required by both the State of Alaska and the City of Whittier to operate our businesses.

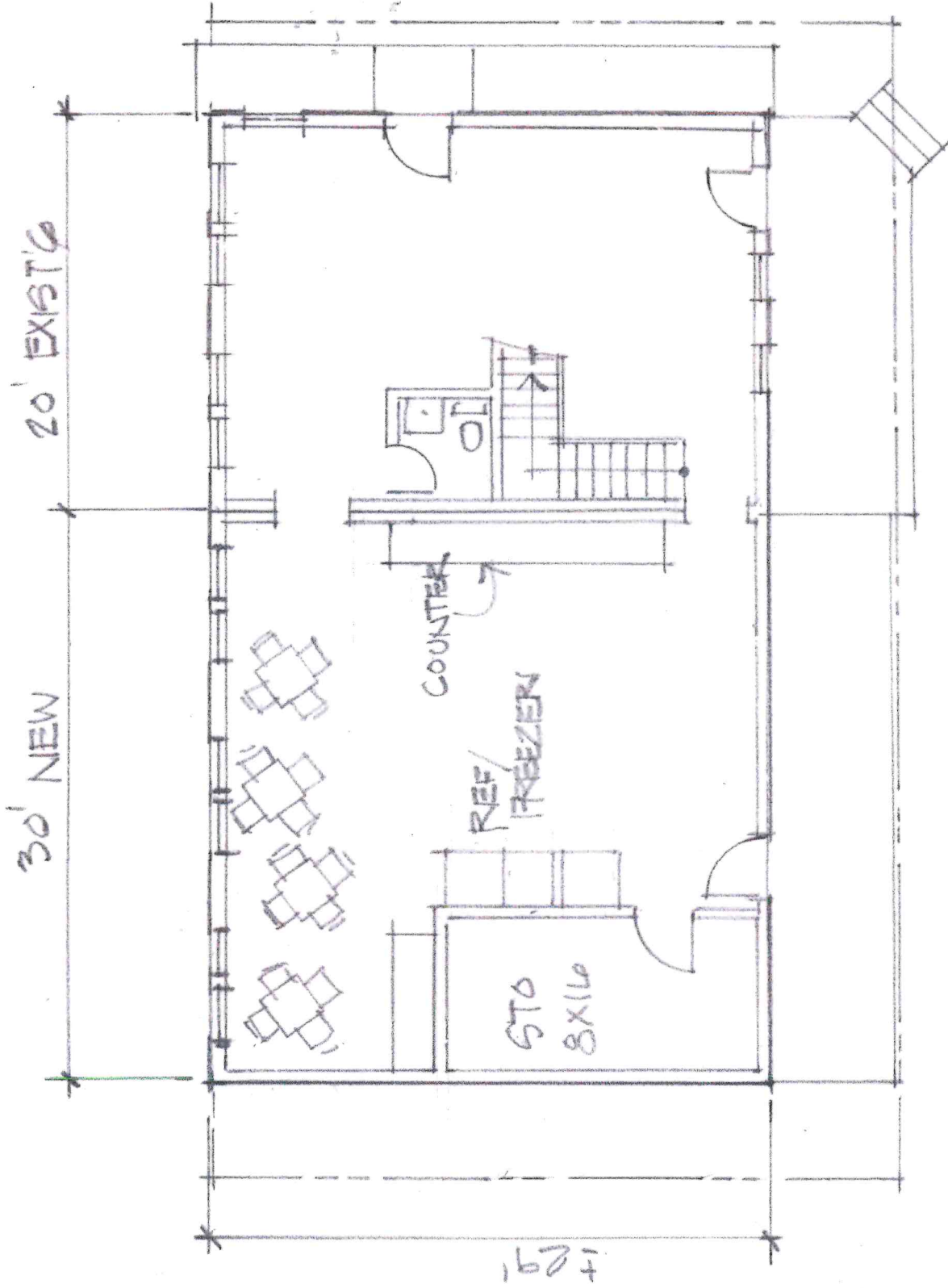
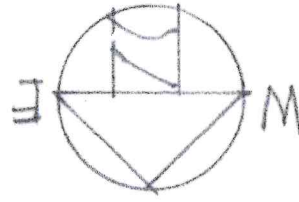
6. Anticipated Employees at Site

For the 2026 season, our operations employ 16 individuals (from May through September), all of whom

Time Sensitivity & Future Revenue

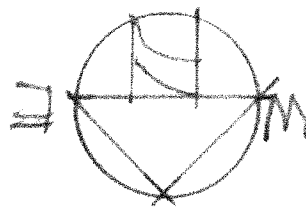
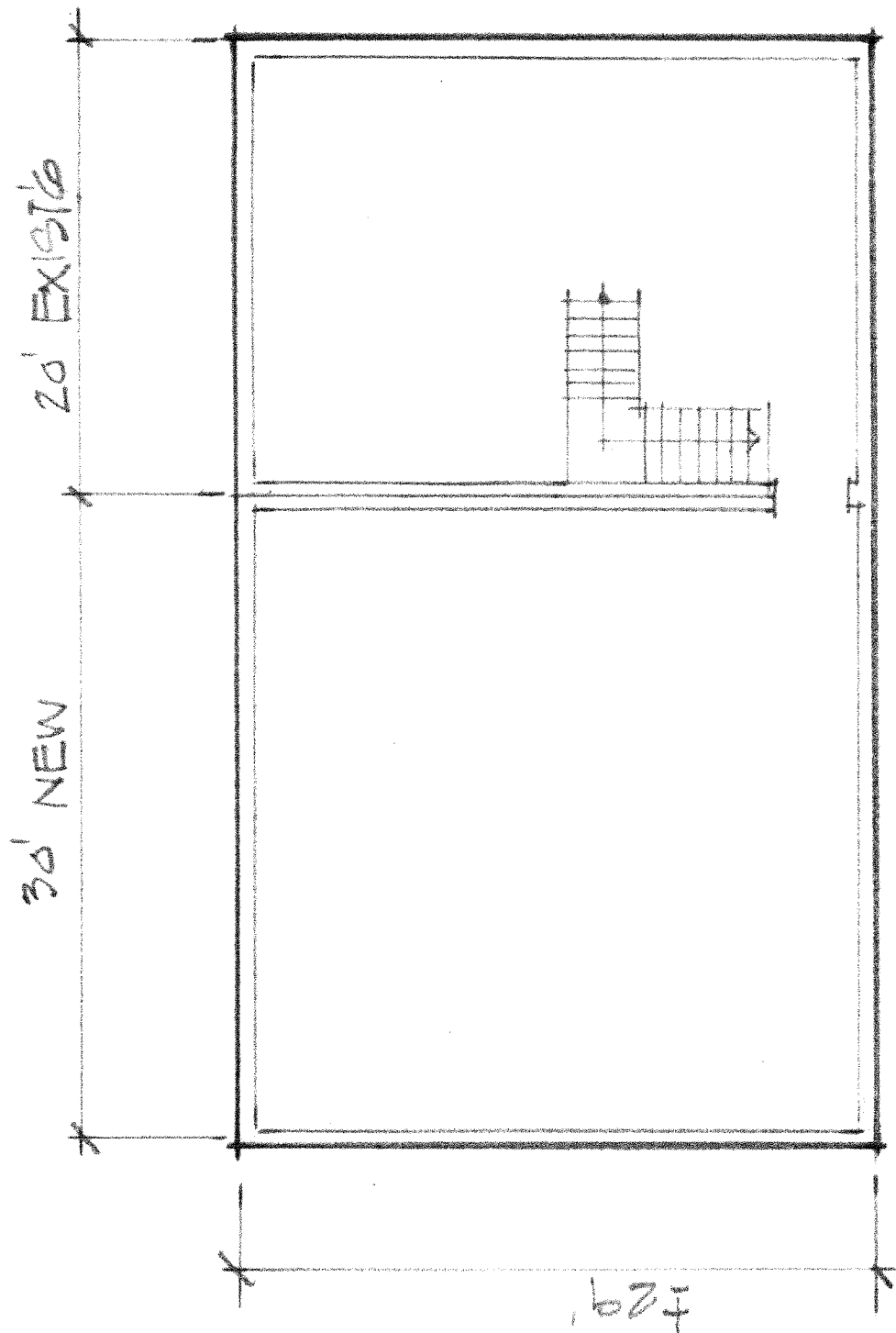
Finally, we respectfully request the Council's prompt consideration and approval of this lease application. With our current lease potentially ending in late September 2026, we are facing severe operational uncertainty. We are currently receiving multiple inquiries daily for the 2027 season. Without a secured lease, we cannot accept these bookings, resulting in an immediate loss of business for our family and a corresponding loss of future sales tax revenue for the City. Resolving this lease promptly will allow us to confidently secure 2027 business and continue serving Whittier without interruption.

Addendum A



LAZY OTTER ADDITION 1ST FLOOR PLAN

GORDO 11.12.25 1/8" = 1'-0"

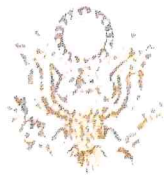


LAZY OTTER ADDITION 2ND FLOOR PLAN

CARD 11.12.25 1/8" = 1'-0"

Addendum B

LISA MURKOWSKI
ALASKA



United States Senate

WASHINGTON, D.C. 20510

April 3, 2026

Mike and Kelly Bender
6754 Waterfall Drive
Eagle River, AK

Dear Mike and Kelly,

It is my pleasure to offer my congratulations on your receipt of the Lifetime Achievement Award from Visit Anchorage. This award reflects your hard work, dedication, and long-standing commitment to enhancing the visitor experience with Lazy Otter Charters. In addition to providing unforgettable Alaskan experiences, you are contributing to the economic vitality of our community.

Your efforts are one of the many reasons Alaska continues to thrive. Thank you for all that you do on behalf of our state. Keep up the great work!

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa", with a large, elegant loop at the end.

Lisa Murkowski
United States Senator

Addendum C

CITY OF WHITTIER PROCLAMATION Honoring Mike and Kelly Bender

WHEREAS, Mike and Kelly Bender have been dedicated members of the Whittier community for several decades, contributing significantly to the economic vitality and character of the city through their longstanding local business ownership; and

WHEREAS, their work has supported residents and visitors alike, helping to shape Whittier's identity as a welcoming gateway to Prince William Sound; and

WHEREAS, beyond their business contributions, Mike and Kelly Bender have demonstrated a sustained commitment to community involvement, service, and the well-being of Whittier; and

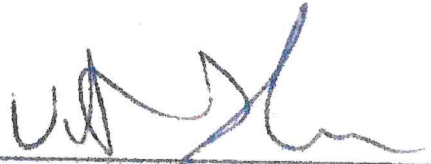
WHEREAS, their efforts have left a lasting impact on the community, reflecting a deep investment in the people, culture, and future of Whittier; and

WHEREAS, in recognition of their outstanding contributions, Mike and Kelly Bender were honored with the **Lifetime Achievement Award** by Visit Anchorage, acknowledging their enduring influence and dedication to Alaska's visitor industry;

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and City Council of the City of Whittier hereby recognize and honor Mike and Kelly Bender for their lifetime of service, their meaningful contributions to the community, and their well-deserved recognition as recipients of this distinguished award; and

BE IT FURTHER PROCLAIMED that the City of Whittier extends its gratitude and appreciation to Mike and Kelly Bender for their lasting legacy and continued impact on the community.

Dated this 21st day of April, 2026



Victor Shen
Mayor



PO Box 608, Whittier, AK 99693
Phone: (907) 472-2327 | Fax: (907) 472-2404
www.whittieralaska.gov

LEASE APPLICATION

Per Whittier Municipal Code Chapter 3.38

- ☐ Request for New Lease; New Lessee
- ☒ Request for New Lease; Existing Lessee *(with no remaining options to renew)*
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Lease Application Fee - \$500.00
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City of Whittier
Attn: Assistant City Manager
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acm@whittieralaska.gov
(907) 472-2327 ext. 206
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- Your application will go through an initial review to ensure completeness. Lease staff will be in touch to coordinate any follow-up meetings, requests for missing information, and to schedule your lease application for the applicable public meetings.
- Lease applications are evaluated based on the criteria outlined in [Whittier Municipal Code 3.38.380](#)

PROPERTY INFORMATION

Physical Address	LOTS 12 and 13		
Legal Description	LOT 13 Harbor Triangle Area A Plat 88-64 LOT 12 Harbor Triangle Area A Plat 88-64		
Lot Size 10505 sq ft EACH	☒ Full Lot	☐ Portion of Lot	If portion, list dimensions

APPLICANT INFORMATION

Legal Name	SANDRA BARTLES AND REBECCA LANGTON		
Doing Business As	FEES CUSTOM SEAFOODS LLC		
Type of Entity	☐ Individual ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☒ LLC ☐ Nonprofit ☐ Governmental Entity ☐ Other: _____		
Alaska Entity Number (if applicable)		Alaska Business License Number (if applicable)	2209871
Authorized Representative Full Name & Title	SANDRA BARTLES (OWNER) REBECCA LANGTON (OWNER)		
Mailing Address	PO Box 790		
City, State, Zip Code	Whittier AK 99693		
Phone Number(s)	907 2485055 9073178210	Email	feescustomseafoods@yahoo.c

LEASE PROPOSAL**1. Proposed Use of Property**

Briefly describe the proposed use of the property, including the primary activities to be conducted on the site.

WE ARE A FISH PROCESSOR, GIFT SHOP, FISH MARKET

- PROCESSING CHARTER BOAT GUEST FISH
- PROCESSING COMMERCIAL FISH FOR MARKET SALES
- STORAGE AND SHIPPING OF GUESTS FISH
- RETAIL SALES OF ALASKA MADE FOOD ITEMS. SMOKED FISH, GIFT ITEMS
ART WORK, BOOKS AND GENERAL SNACKS
- RETAIL SALES OF LOCALLY CAUGHT PRINCE WILLIAM SOUND SEAFOOD

2. Proposed Improvements and Development

Describe any proposed improvements, development, structures, utilities, or other site work associated with this proposal. If applicable, include the anticipated phases of development and estimated commencement and completion dates.

- ADD ADDITIONAL FREEZER FOR QUICK FREEZE AND STORAGE OF FISH AS CHARTER FLEET GROWS
- PAINT BUILDING
- APPLY FOR BEAUTIFICATION GRANT 2027 TO MAKE OUTDOOR FREEZER MORE AESTHETICALLY PLEASING USING LOCAL ARTISTS

3. Estimated Capital Investment (if applicable): APPROXIMATELY \$50,000

4. Funding Source

Briefly describe how the proposed project will be funded.

SAVINGS AND PERHAPS WOMENS BUSINESS LOAN

5. Applicant Experience

Describe the applicant's experience related to the proposed use, project, business, or activity.

THIS IS OUR 24th year of this business at this LOCATION

6. Anticipated Employees at Site: 6

7. Community or Economic Benefits (Optional)

Describe any anticipated community, public, economic, or employment benefits associated with the proposal.

- WE HIRE LOCAL RESIDENTS
- WE CONTRIBUTE FINANCIALLY TO THE CITY VIA SALES TAX, LEASE PAYMENTS UTILITY USE, AND PROPERTY TAXES.
- WE ARE MEMBERS OF THE GWCC - 14 years as SECRETARY
- FINANCIALLY DONATE TO COMMUNITY EVENTS, ie CASH, FISH, GIFT BASKETS

Requested Initial Lease Term: 25 years

Requested Renewal Options (if any): ☒ 1 additional term ☒ 2 additional terms of 10 years each

FINANCIAL DISCLOSURE

Has the applicant, or any principal of the applicant entity, within the last ten years:

- | | |
|---|--|
| ☐ Yes ☒ No | Filed for bankruptcy protection? |
| ☐ Yes ☒ No | Had a judgment entered against them that remains unsatisfied? |
| ☐ Yes ☒ No | Had a lien filed that could materially affect the applicant's ability to perform the proposed lease obligations? |

If yes, explain:

REQUIRED SUBMITTALS

- | | |
|-------------------------------------|-------------------------------------|
| ☒ | Application Form (signed and dated) |
| ☒ | Site Plan or Concept Drawing |
| ☐ | Proof of Financing |
| ☒ | Nonrefundable Application Fee |

CERTIFICATION

I understand that I may be required to pay the cost of surveys, appraisals, recording fees, permits, and other costs associated with lease processing, development, and lease administration.

I understand that insurance may be required as a condition of lease approval and ongoing occupancy of City property.

I certify that the information provided in this application is true and complete. I understand that submission of this form does not guarantee approval and that additional documentation, appraisal, or public process may be required before a lease is awarded.

I certify that I am authorized to submit this application and enter into lease negotiations on behalf of the applicant.

Applicant Signature:

Sandra R. Smith Date: 8/19/26

City Use Only

Date	08/20/2026 @ 8:00 AM	Current Lessee?	☐ Yes ☐ No
Application Fee Paid	☒ Yes ☐ No	In good standing?	☐ Yes ☐ No
Staff Reviewer	Shelby Carlson	Completeness Review Date	
Alaska Entity Active Through		Next Steps	
Alaska Business License Expiration			

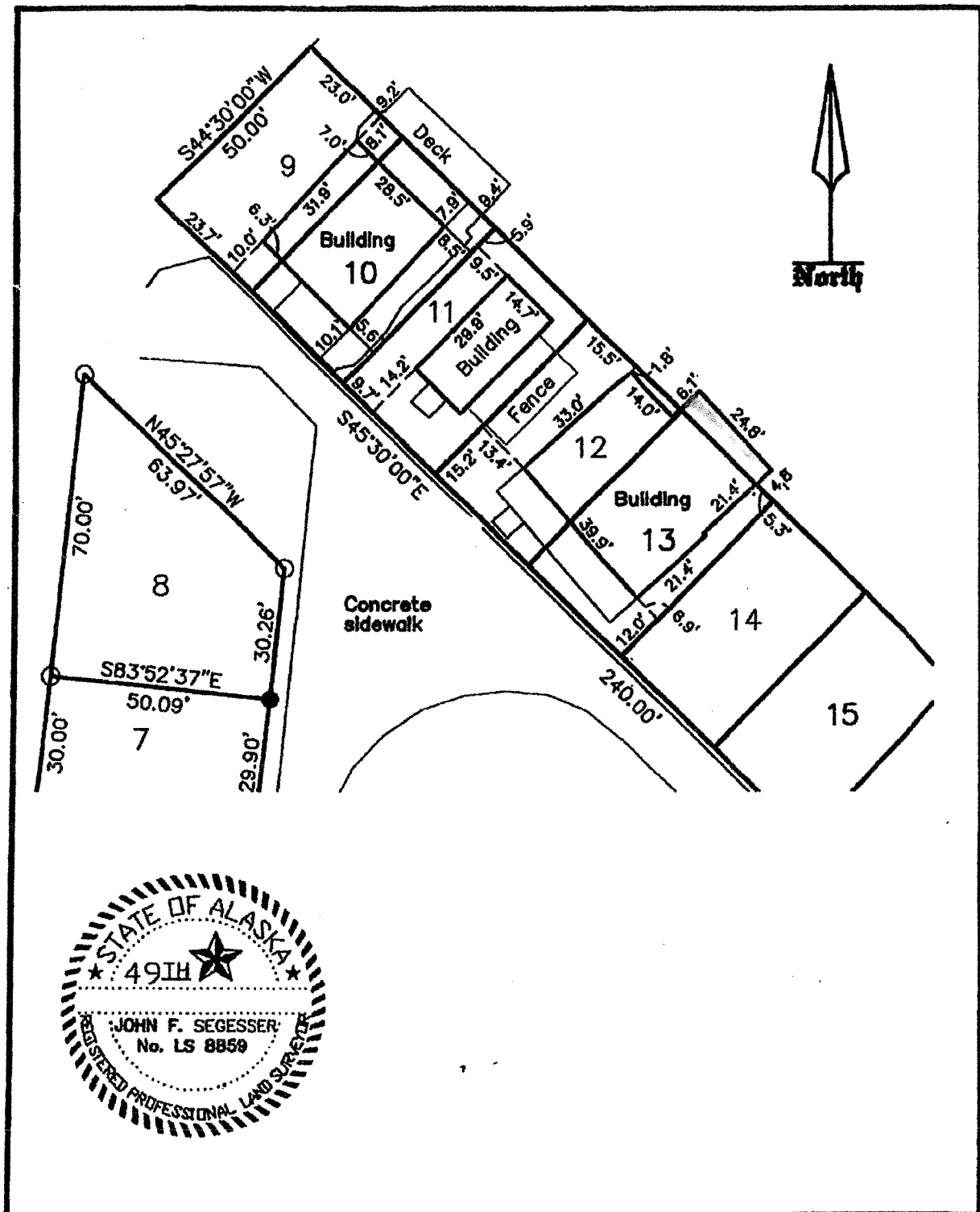


EXHIBIT A