

City of Valdez

*212 Chenega Ave.
Valdez, AK 99686*



DRAFT MEETING MINUTES

Tuesday, July 1, 2025

7:00 PM

Regular Meeting

Council Chambers

City Council

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: 6 - Mayor Dennis Fleming
Mayor Pro Tempore Austin Love
Council Member Jimmy Devens
Council Member Olivia Foster
Council Member Joseph Lally
Council Member Joy Witte

Absent: 1 - Council Member Dominic Lumba

Also Present: City Manager Nathan Duval
City Clerk Sheri Pierce
Deputy City Clerk Elise Sorum-Birk

IV. PUBLIC BUSINESS FROM THE FLOOR

V. CONSENT AGENDA

- 1. Appointment to Prince William Sound Economic Development District Board of Directors- Nominee: Martha Barberio**
- 2. Approval to Go Into Executive Session Re: VMC 3.30 Litigation Strategy**

City Attorney Staser noted that the executive session was no longer needed, and the item was removed from the agenda.

MOTION: Devens moved, seconded by Lally, to approve the consent agenda.

Yays: 7 - Fleming, Love, Devens, Foster, Lally, and Witte

Absent: 1 - Lumba

MOTION CARRIED.

VI. NEW BUSINESS

1. Discussion Item: Rural Roads Assessment - Phasing Plan and Cost Estimates

City Manager Duval presented the completed assessment of all gravel roads in town and outlined the first phase of the plan encompassing maintenance work on gravel roads to be completed by city staff and future paving improvements that would require a contractor.

Council Member Love inquired about the history behind the Corbin Creek Subdivision and whether the neighborhood had been constructed with the intent to pave the streets. Duval clarified that the subdivision had been created as an unimproved neighborhood, but that adding asphalt was justifiable from a future maintenance cost perspective.

Love asked about setting a precedent and whether paving other areas would be equally beneficial. Duval highlighted the varied characteristics of Valdez neighborhoods and noted that infrastructure incorporated during the initial construction process made the streets in Corbin Creek easier and less expensive to pave than other subdivisions.

Love sought and received further clarification about how annual budget would impact the outcomes of work and about road conditions in the Robe Lake neighborhood.

Duval explained that limited available funding would reduce the possible scope of improvements and necessitate project prioritization, highlighting that initial funds would only cover design cost for the Corbin Creek area.

Council Member Devens expressed concerns about whether improving Corbin Creek would be equitable for tax payers and noted that a small number of individuals would receive a large benefit from improvements. Devens voiced support for the best service level possible for residents but warned that large expenditures on improvements of rural neighborhoods might not be viewed favorably by the broader population.

Duval confirmed that improvements near existing infrastructure were more cost effective and encouraged Council to consider their goal qualifier in making decisions.

Mayor Fleming asked that the pavement options be seriously considered for Corbin Creek and other areas, highlighting the limited services provided by the city in outlying subdivisions. Fleming touched on challenges with neighborhoods inherited from the state, including concerns about emergency services vehicles not being able to access homes in Robe Lake and Corbin Loop Subdivisions and lower quality roads overall.

Duval highlighted that the assessment included asphalt estimates for each road and that Council would need to approach project costs as a policy decision then fielded additional questions on cost estimates. He sought consensus from Council on bringing back a contract for the first phase of design work in Corbin Creek.

Council Member Witte inquired about how rural road projects would impact existing pavement projects. Duval advocated for continuing to prioritize existing pavement management projects. Witte asked about snow removal implications of paving rural roads.

City Clerk Sheri Pierce provided a historic note that Robe River Subdivision roads had been paved as a special assessment district and that subdivision residents had initially covered the cost of paving roads for that area.

Council Member Foster expressed appreciation for the assessment having been completed and voiced a desire to provide better services to outlying areas where it was possible and cost effective. Foster echoed concerns about lack of ambulance accessibility in certain areas. She also expressed hope that having design work completed would help with future grant funding opportunities.

VII. ORDINANCES

1. #25-07- Amending Chapter 2.24 of the Valdez Municipal Code Titled Code of Ethics. Second Reading. Adoption.

MOTION: Love moved, seconded by Lally, to approve Ordinance 25-07 in first reading for public hearing.

VOTE ON MOTION

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Absent: 1 - Lumba

MOTION CARRIED.

2. #25-08 - Repealing Chapter 10.20 of the Valdez Municipal Code Titled Recreational Vehicle Parks and Tent Campgrounds and Enacting Chapter 12.14 of the Valdez Municipal Code Entitled Recreational Vehicles and Tent Camping. Second Reading. Adoption.

MOTION: Love moved, seconded Witte, to approve Ordinance 25-08 in first reading for public hearing.

Council Member Love expressed support for overall updates to the ordinance, specifically, the added definition of “temporary occupancy” but questioned the inclusion of specific number limits for recreational vehicles parked in commercial areas and at private clubs.

MOTION TO AMEND: Love moved, seconded by Devens, to amend the ordinance by striking "one" in subsection 12.14.030(D) and strike "three" in subsection 12.14.030(E).

Council Member Lally asked what issues might arise if numbers were removed. City Manager Duval noted he was unsure of what impact not including a limit would have and that if there wasn't a specific number there wasn't a specific enforcement mechanism.

Council Member Foster inquired about the meaning of “self-contained” and noted that provisions related to a private club would be difficult to enforce regardless of number.

Council Member Witte expressed personal support for the inclusion of numbers and noted instances of problematic behavior but stated that she intended to take the public comments received into account and would vote to remove restrictions where possible.

Love noted that he would support numbers if they were established for a logical reason, but that it was unclear why the specific numbers imbedded in the ordinance were used.

Council Member Devens commented that lot size could be a consideration for establishing future number limits and echoed concerns about provisions related to private club membership being difficult to enforce. Devens added that it was common for RV users to rent rather than own a vehicle.

MOTION TO AMEND THE AMENDMENT: Devens moved, seconded by Love, to amend the amendment by also striking Subsection 12.14.030(E)(4).

Mayor Fleming shared his view that the ongoing detailed discussions might not be needed since the current version of the rule had been in place for decades and had never caused problems.

City Manager Duval interjected with additional context related to the numbers, noting that the definition of “recreational vehicle park or campground” in Title 17 referred to “two or more” vehicles and that this definition informed the numbers in the existing code.

VOTE ON SECONDARY AMENDMENT:

Yays: 2 - Devens and Love

Nays: 4 - Fleming, Foster, Lally and Witte

Absent: 1 - Lumba

MOTION FAILED.

City Clerk Pierce asked for confirmation that removal of number limits would create a contradiction in the code, due to the definition of “recreational vehicle park or campground.” City Attorney Staser agreed that there was a need for alignment in number limits.

Council Member Devens inquired about the definition in relation to the existing allowance of three vehicles at private lodges. City Attorney noted that this section was an exception. Devens asked further questions about whether adjustments could be made to the numbers based on whether money was exchanged. Staser noted that the current definition did not refer to payment.

Council Member Love noted that it was now clear what the basis for the numbers was and requested to withdraw the amendment.

Council Member Devens asked for conversation to continue and opined that the recreational vehicle park definition might merit a future update. City Manager Duval noted that it was a zoning definition related to land use and that in the case of a private club, parking recreational vehicles was not the primary land use. Devens noted that he was still in favor of removing specific numbers and requested to vote on the amendment.

VOTE ON MOTION TO AMEND:

Yays: 1 - Devens

Nays: 5 - Fleming, Love, Foster, Lally and Witte

Absent: 1 - Lumba

MOTION FAILED.

Council Member Love discussed whether the quarter mile distance provision in the section related to tent camping was excessive or enforceable.

City Manager Duval noted that there had been issues related to camping in public parks and adjacent to roads, and that the provision as currently written allowed for enforcement as needed.

Council Member Devens shared his support for exploring shortening the distance from a road or trail.

Council Member Love expressed a desire to gain a better understanding of what distances looked like on a map before suggesting a change.

VOTE ON MAIN MOTION:

Yays: 6 - Fleming, Love, Devens, Foster, Lally and Witte

Absent: 1 - Lumba

MOTION CARRIED.

3. #25-09 - Amending Chapter 3.30 Titled Oil and Gas Exploration, Production, Pipeline Transportation and Spill Prevention and Response Property Tax. Second Reading. Adoption.

Mayor Fleming turned the gavel over to Mayor Pro Tem Love due to a conflict of interest related to his employment.

MOTION: Devens moved, seconded by Foster, to approve Ordinance 25-09 in first reading for public hearing.

VOTE ON MOTION

Yays: 5 - Love, Devens, Foster, Lally and Witte

Abstained: 1 - Fleming

Absent: 1 - Lumba

MOTION CARRIED.

VIII. RESOLUTIONS

1. #25-30 - Amending the Tax Calendar for the 2025 Tax Year and Repealing Resolution #25-12

MOTION: Foster moved, seconded Devens, to approve Resolution 25-30.

VOTE ON MOTION

Yays: 5 - Love, Devens, Foster, Lally and Witte

Abstained: 1 - Fleming

Absent: 1 - Lumba

MOTION CARRIED.

Mayor Pro Tem Love returned the gavel to Mayor Fleming.

IX. REPORTS

- 1. Monthly Treasury Report: April 2025**
- 2. Quarterly Financial Summary Reports: March 31, 2025**
- 3. Report: Issuance of Temporary Land Use Permit 25-04 for the Roadside Potatohead, LLC for Six Months on 369 Square Feet of Public Right-of-Way Immediately Adjacent to Lot 12, Block 40, Harbor Subdivision**
- 4. Report: Issuance of Temporary Land Use Permit 25-07 for Valdez Softball Association for An Approximately 4-Acre Portion of 3100 Richardson Highway, Tract D 79-116 owned by the City of Valdez**

X. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS**1. City Manager Report**

City Manager Nate Duval noted that he had included a written report in the packet. He highlighted the following additional items:

- Welcoming incoming Communications Manager Sarah Jorgenson Owen.
- Ongoing conversations with Ravn related to reduced flight schedules.
- Distribution of Department Operations Reports to Council by email.
- Completion of Sewer Force Main drilling.
- Public education around the new “Valdez Alerts” emergency notification platform.
- Comments provided at the state school board meeting related to proposed regulations on “outside of cap” school funding.
- Meeting with Alyeska leadership and opportunities for a future City Council tour of the terminal.
- Upcoming Directors Retreat.

Duval responded to questions from Council on the forthcoming Essential Air Service order from the U.S. Department of Transportation and Ravn ceasing operations.

2. City Clerk Report

City Clerk Sheri Pierce wished everyone a happy Fourth of July.

3. City Attorney Report

City Attorney Jake Staser shared details about:

- Ongoing legal proceedings with Alaska Ventures related to VMC 3.30 personal property tax issues.
- Efforts to seek payment of attorney's fees for the redistricting case.
- Recent communications with the state regarding the contingency plan renewal.
- Wrongful termination lawsuit filed by a former city employee.

4. City Mayor Report

Mayor Fleming expressed appreciation for the productivity of the recent strategic planning session and wished everyone a happy Fourth of July.

XI. COUNCIL BUSINESS FROM THE FLOOR

Council members acknowledged the Independence Day Holiday.

Council Member Witte complimented Parks, Recreation and Cultural Services staff for clean up efforts at Valdez Glacier Lake.

Council Member Lally expressed appreciation to Council and staff members for the work that went into the strategic planning session and thanked Finance Director Jordan Nelson for the fund balance presentation during the work session.

XII. ADJOURNMENT

Mayor Fleming adjourned the meeting at 8:22 p.m.