

# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Final

Tuesday, October 5, 2021

7:00 PM

Regular Meeting

Civic Center Conference Room

## City Council

**REGULAR AGENDA - 7:00 PM****I. CALL TO ORDER**

Mayor Scheidt called the meeting to order at 7:00 p.m. in the Civic Center Conference Room.

**II. PLEDGE OF ALLEGIANCE**

City Council led in the Pledge of Allegiance to the American flag.

**III. ROLL CALL**

Present: 7 - Mayor Sharon Scheidt  
Council Member Todd Wegner  
Council Member Susan Love  
Council Member Dawson Moore  
Council Member Jimmy Devens  
Council Member Dennis Fleming  
Mayor Pro Tem Alan Sorum

Also Present: 6 - City Manager Mark Detter (*by teleconference*)  
Assistant City Manager Nathan Duval (*by teleconference*)  
Assistant City Manager Roxanne Murphy  
City Clerk Sheri Pierce  
Deputy City Clerk Allie Ferko  
City Attorney Jake Staser

**IV. APPROVAL OF MINUTES**

No minutes were included on this agenda for approval.

**V. PUBLIC BUSINESS FROM THE FLOOR**

Mr. Joe Prax, Valdez resident, suggested Council look inward in regards to the cost of housing. He stated one moment Council was concerned about the cost of housing while creating the Comprehensive Plan, and the next the Planning and Zoning Commission was holding a meeting to discuss if someone could put roof over their porch. He suggested there may be a correlation in Council's rules in Valdez Municipal Code which may have contributed to the cost of housing. Mr. Prax expressed concern over Council declaring a COVID-19 disaster at the last meeting. He shared his concern over Council putting the onus of enforcing the mask mandate on local business owners. He suggested the Fire Department loan the hospital their highly trained EMTs to assist with the staffing shortage. He encouraged the community to vaccinate against COVID-19.

**VI. CONSENT AGENDA**

1. **Proclamation: Domestic Violence Awareness Month**
2. **Acceptance of Resignation from Planning and Zoning Commission: Jess Gondek**

**3. Approval To Go Into Executive Session Re: Legal Strategy for Redistricting Process**

MOTION: Council Member Devens moved, seconded by Council Member Fleming to approve the Consent Agenda.

VOTE ON THE MOTION:

Yays: 7 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

MOTION CARRIED.

**VII. ORDINANCES****1. #21-10 - Amending Title 2, Chapter 2.60 of the Valdez Municipal Code, Titled Economic Diversification Commission. Second Reading. Adoption.**

MOTION: Council Member Devens moved, seconded by Council Member Love to approve Ordinance # 21-10. Second Reading. Adoption.

VOTE ON THE MOTION:

Yays: 7 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

MOTION CARRIED.

**2. #21-11 - Amending Chapter 5.06 of the Valdez Municipal Code Titled Regulation of Marijuana. First Reading, Public Hearing.**

MOTION: Council Member Devens moved, seconded by Council Member Moore to approve Ordinance # 21-11 on first reading, public hearing.

Council Member Wegner expressed concern over allowing marijuana and alcohol on any of the City properties. He explained allowing consumption of either was inconsistent with the schools' message teaching young people about things which are detrimental to health. He stated he was not in favor of the ordinance.

Council Member Devens agreed the ideal outcome for intoxicating substances was abstinence, but he was also a proponent for the victimless partaking by someone of age as allowable by law. He stated because there were already provisions for alcohol consumption, he felt it would be reasonable to allow for marijuana consumption.

Council Member Sorum stated he did not support the legal sale of marijuana and he would not support this ordinance either.

Council Member Moore stated it should be viewed as a consistency issue. He expected to see a proposed amendment to discontinue use of alcohol if any Council members voted against the current ordinance for use of marijuana.

Council Member Love shared her support of consistency. She stated if people were willing to go through the proper channels to make the request thoughtfully and consume it responsibly, it needed to be in line with how alcohol was treated.

Council Member Fleming supported the ordinance as long as it was done with the same consistency as alcohol.

Mayor Scheidt shared her support of adjustments being made for consistency. She asked if the only two available places for this type of permit were Dock Point and the Gold Fields. She asked how the decision on locations was made.

Chief of Police Bart Hinkle outlined his discussion with Parks & Recreation Direction Nick Farline, including the need for these types of permits to be allowable for only private events to mitigate potential issues. He explained the two designated areas guaranteed privacy and access control points. He reminded Council there was no statutory requirement to accommodate at the same level alcohol was accommodated. He stated he felt the two locations offered the best opportunity to follow the required guidelines.

Council Member Wegner asked if there was a connection between marijuana and domestic violence. He felt allowing marijuana usage on City property was counterproductive to taking a stance against potential domestic violence situations triggered by the use of intoxicating substances. Council Member Moore stated statistically there was not a correlation between marijuana and domestic violence.

Council Member Devens was of the opinion if the argument was going to expand into the scope of amending the current process for alcohol use permits, he felt it was a discussion for a later time.

Mr. Derek Morris, manager of Herbal Outfitters, agreed there were studies between the correlation of alcohol consumption and domestic violence, but studies had shown cannabis was in no way on the same level. In addition, he felt it would be a better avenue to support the ordinance and proceed legally and transparently, than to have people hide behind corners and buildings to consume marijuana. He agreed it was a consistency issue between legal use of alcohol and legal use of marijuana.

Council Member Devens did not believe it was constructive to compare the dangers of alcohol and marijuana. He stated they were both intoxicating substances and they were both allowed by the law. He stated the comparison should end there for the purposes of this discussion.

#### VOTE ON THE MOTION:

Yays: 5 - Mayor Scheidt, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming

Nays: 2 - Council Member Wegner and Mayor Pro Tem Sorum

MOTION CARRIED.

## VIII. RESOLUTIONS

1. **#21-38 - Supporting Adoption of the Alaska Redistricting Board Proposed House District 36 Boundaries as Depicted in the Draft Composite Redistricting Plan Version 1 and 2 Maps Published on September 9, 2021 (Item Postponed from the City Council Special Meeting on September 21, 2021)**

MAIN MOTION ALREADY ON THE FLOOR.

MOTION TO LAY ON THE TABLE: Council Member Devens moved, seconded by Council Member Fleming to table Resolution # 21-38 until after executive session during the current meeting.

VOTE ON THE MOTION TO LAY ON THE TABLE:

Yays: 7 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

MOTION TO LAY ON THE TABLE CARRIED.

## IX. REPORTS

1. **GFOA Distinguished Budget Presentation Award, 2021**

Council congratulated the Finance Department on the award. Finance Director Carlson quoted good teams win Super Bowls, great teams win multiple Super Bowls, and his team was going to win all the Super Bowls. He stated he was pleased with the performance of his team and grateful for the recognition both from GFOA and from Council.

2. **Report: Temporary Land Use Permit #21-12 for Valdez Motor Sports Club for a 21-Acre Portion of USS 439 (Pipe Yard)**

3. **Monthly Treasury Report: August, 2021**

## X. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS

1. **City Manager Report**

Mr. Duval updated Council on multiple projects, including the Landsharks demolition, the Pipeline Club demolition, pavement projects, City Hall light poles, Small Boat Harbor maintenance pad, Fire Station 1 replacement, water line project and generator project at the schools, Mineral Creek bridge repairs, transfer ramp repairs, bids on the Robe River well house booster pump, Well #5, and the library restroom, and design work updates on the sewer force main.

Council Member Wegner asked if the striping in the residential pavement projects was necessary as it was not something the area had previously. Mr. Duval stated he would have to look into it. Council Member Devens asked if the new double yellow striping would affect parking in the residential areas. Mr. Duval said it would not.

Ms. Murphy updated Council on COVID-19 communications and community outreach. She stated City Manager Mark Detter intended to reinstitute COVID updates during each regular City Council Meeting.

Chief Hinkle stated regardless of striping, residents should not park on the street as snow would be arriving very soon. He provided a brief update on behalf of City Emergency Manager Aaron Baczuk, explaining the testing supply shortage and oxygen concentrator acquisition to support the local medical community.

## 2. City Clerk Report

Ms. Pierce stated she would be traveling to California to attend the mid-year board meeting for the International Institute of Municipal Clerks the week of October 17<sup>th</sup> and Ms. Ferko would be available in the office. She reminded Council the Pipeline Club and Landsharks properties had been set aside as community purpose properties until Council was able to hold a work session to discuss how to move forward with the properties.

Council Member Devens reminded those listening the City's acquisition of the Pipeline Club and Landsharks properties had been through a tax foreclosure. He explained Council had the opportunity to take a good hard look at the development of the well placed properties.

## 3. City Attorney Report

Mr. Staser provided updates on cases his firm is working on behalf of the City, including the Alaska Trappers, Pacific Pile & Marine, escaped properties, and redistricting.

## 4. City Mayor Report

Mayor Scheidt agreed it was necessary to add the COVID updates to the beginning of the new business section of regular City Council meetings again.

She thanked Mayor Pro Tem Sorum for standing in for her at the previous meeting.

She congratulated the City of Valdez and Thompson & Co. for winning the Marketing Communications Aurora Award from the Public Relations Society of America - Alaska Chapter for the Travel Voucher program.

## XII. COUNCIL BUSINESS FROM THE FLOOR

Council Members congratulated the Finance Department on their award.

Council Member Moore encouraged vaccination in regards to COVID-19.

Council Member Sorum thanked Ms. Ferko and Human Resources Director Rhea Cragun for their efforts with the flu shot point of dispensing clinics.

Council Member Devens extended his gratitude to City Administration for reinstituting the COVID updates during council meetings. He addressed domestic violence awareness and encouraged the community educate themselves on the signs someone

was being abused.

Council Member Wegner stated he had the pleasure to listen to Former Governor Walker speak to Mr. Chadwick's government class at Valdez High School. He stated he would not be surprised if some of the students who were of age showed interest in some of the open seats on boards and commissions. He stated Former Governor Walker had asked if there was a student representative on City Council. Council Member Wegner felt it would be worthwhile to look into instituting a non-voting youth representative position, similar to the format of the Valdez School Board. Ms. Pierce agreed to look into the possibility and provide feedback to Council at a later date.

### **XIII. EXECUTIVE SESSION**

City Council transitioned into executive session at 7:58 p.m.

### **XIV. RETURN FROM EXECUTIVE SESSION**

City Council transitioned out of executive session at 8:57 p.m.

### **XV. (TABLED ITEM) #21-38 - Supporting Adoption of the Alaska Redistricting Board Proposed House District 36 Boundaries as Depicted in the Draft Composite Redistricting Plan Version 1 and 2 Maps Published on September 9, 2021**

MOTION TO TAKE FROM THE TABLE: Council Member Devens moved, seconded by Council Member Love to take Resolution #21-38 from the table.

VOTE ON THE MOTION TO TAKE FROM THE TABLE:

Yays: 7 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

MOTION TO TAKE FROM THE TABLE CARRIED.

VOTE ON THE MAIN MOTION:

Nays: 7 - Mayor Scheidt, Council Member Wegner, Council Member Love, Council Member Moore, Council Member Devens, Council Member Fleming and Mayor Pro Tem Sorum

MAIN MOTION FAILED.

### **XVI. ADJOURNMENT**

There being no further business, Mayor Scheidt adjourned the meeting at 9:02 p.m.