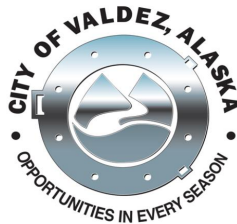


City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Draft

Tuesday, June 5, 2018

5:30 PM

Work Session (Bond Strategy) & Regular Meeting

Council Chambers

City Council

WORK SESSION AGENDA - 5:30 pm*Topic: Bonding Strategies***REGULAR AGENDA - 7:00 PM****I. CALL TO ORDER**

Mayor O'Neil called the meeting to order at 7:00 p.m. in Valdez City Council Chambers.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Present: 5 - Mayor Jeremy O'Neil
Council Member Ron Ruff
Council Member Jim Shirrell
Council Member Dennis Fleming
Council Member Darren Reese

Excused: 2 - Council Member Christopher Moulton
Council Member Lon Needles

Also Present: 4 - City Manager Elke Doom
City Clerk Sheri Pierce
Deputy City Clerk Allie Ferko
City Attorney Jake Staser

IV. PUBLIC BUSINESS FROM THE FLOORMs. Laurine Regan, Executive Director of VCVB

Ms. Regan asked for an update on the status of the City rebranding effort with Kimley-Horn. Ms. Doom stated the Council directed Kimley-Horn cease efforts on the rebranding project due to the performance of their subcontractor, Northstar. Ms. Regan stated she served on the creative committee working with City staff and Northstar on the rebranding effort and encouraged the Council to complete a logo refresh. She stated she believes the current logo is not a true representation of the community. She stated she wished to donate her personal time at no cost to develop a new City logo. She then outlined how she planned to proceed on the project and provided a few different ideas. Several Council members stated Ms. Regan was welcome to bring forth ideas if she so desired to do so.

Ms. Lee Hart, Valdez Adventure Alliance

Ms. Lee Hart with Valdez Adventure Alliance provided an update on her organization's activities in the area and plans for upcoming events including Great Outdoors Month, National Trails Day, a community event to encourage comment on a draft for the trails master plan, and work on Shoup Trail and the cabins at Shoup Bay State Marine Park.

Ms. Hart provided an overview of the upcoming Valdez Rock & Flow climbing and yoga event the following weekend. She expressed concerns with the availability of the rock wall at Gilson Middle School as a weather back-up for her organization's outdoor events. The rock wall is located in a school district facility but owned and operated by the City, so permission must be obtained from both agencies. She asked for a better, more standardized process to request and obtain use of the rock wall facility in the future.

Council Member Shirrell asked for a work session in the future to discuss the Trails Master Plan and perhaps offer an endorsement from the City. Ms. Hart explained the Bureau of Land Management, National Park Service, state of Alaska Department of Natural Resources had also offered recommendations and feedback on the plan. Ms. Hart said she would be happy to work with the City to schedule a future work session on the topic.

V. CONSENT AGENDA

1. **Approval to Purchase a Bagela BA 7000F Asphalt Recycler from Pavement Recyclers in the Amount of \$139,463.02**
2. **Approval of Renewal of License for Retail Marijuana Store- Herbal Outfitters, LLC #10173**
3. **~~Approval of Renewal of Restaurant/Eating Place Liquor License - Ernesto's Taqueria (Moved to New Business #1)~~**
4. **Approval to Go Into Executive Session: Personnel Matter**

MOTION: Council Member Shirrell moved, seconded by Council Member Reese, to approve the Consent Agenda. The motion carried by the following vote

VOTE ON THE MOTION:

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Shirrell, Council Member Fleming and Council Member Reese
Absent: 2 - Council Member Moulton and Council Member Needles

Vla. NEW BUSINESS

1. **Approval of Renewal of Restaurant/Eating Place Liquor License - Ernesto's Taqueria (Moved from Consent Agenda)**

MOTION: Council Member Reese moved, seconded by Council Member Shirrell, to approve renewal of restaurant/eating place liquor license - Ernesto's Taqueria. The motion carried by the following vote after the following discussion occurred.

Council Member Reese asked what the timeframe is for transferring the license from Ernesto's to Stampmill. Ms. Pierce explained she contacted the Alaska Alcohol & Marijuana Control Office (AMCO) for clarification. She explained she had concerns since, although there was license transfer in process, the renewal was actually for Ernesto's, which no longer had a brick and mortar restaurant in Valdez. AMCO explained the transfer of the license from Ernesto's to Stampmill could not be completed until the current license holder was renewed. Ms. Pierce stated she would notate in the City's letter to AMCO that the City Council did not protest renewal of the license on condition of it being transferred in a timely manner to a brick and mortar restaurant.

VOTE ON THE MOTION:

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Shirrell,
Council Member Fleming and Council Member Reese

Absent: 2 - Council Member Moulton and Council Member Needles

Vib. RESOLUTIONS

1. **#18-21 - Amending the 2018 Budget By Accepting the State of Alaska Department of Natural Resources Division of Forestry 2018 Volunteer Fire Assistance Grant in the Amount of \$6,750 and Authorizing the Expenditure**

MOTION: Council Member Ruff moved, seconded by Council Member Fleming, to approve Resolution No. 18-21 accepting a grant from SOA DNR Forestry in the amount of \$6,750 and authorizing its expenditure. The motion carried by the following vote.

VOTE ON THE MOTION:

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Shirrell,
Council Member Fleming and Council Member Reese

Absent: 2 - Council Member Moulton and Council Member Needles

2. **#18-22 - Amending the 2018 City of Valdez Budget by Accepting \$300,000 in Additional Revenue from Providence Valdez Medical Center and Appropriating this Revenue to Establish Reserve Account Funding for the Physician Recruitment and Retention Program**

MOTION: Council Member Reese moved, seconded by Council Member Ruff, to approve Resolution #18-22, amending the 2018 City of Valdez Budget by accepting \$300,000 in additional revenue from Providence Valdez Medical Center, and appropriating same to establish Reserve Account funding for the Physician Recruitment and Retention Program. The motion carried by the following vote.

Mayor O'Neil stated he had a conflict of interest due to his employment and recused himself from the vote and handed the gavel to Council Member Fleming.

VOTE ON THE MOTION:

Yays: 4 - Council Member Ruff, Council Member Shirrell, Council Member Fleming and Council Member Reese

Absent: 2 - Council Member Moulton and Council Member Needles

Abstain: 1 – Mayor O'Neil

VII. REPORTS

1. **Report: Training for Council Members and City Manager G-0402 Incident Command System Overview**
2. **Valdez New Harbor Change Order Report**
3. **Change Order Report - VCT Security Gate Replacement**
4. **Change Order Report - Library Carpet and Paint Walls Project**
5. **Contract Amendment Report: Swimming Pool Renovation**
6. **Monthly Treasury Reports: February and March, 2018**
7. **Report: Temporary Land Use Permit #18-01 for Karen Ables of Fat Mermaid Restaurant for Six Months on 600 Square Feet of Public Right of Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision.**

Ms. Doom explained Temporary Land Use Permit #18-01 for Karen Ables of the Fat Mermaid restaurant appeared before the Planning & Zoning Commission for approval. The Commission waived the ADA compliance portion of the permit and approved it. However, the Commission does not have the power or authority to waive ADA requirements. Following an opinion by City legal, Ms. Doom recommended the TLUP be sent back to Planning & Zoning.

Council Member Reese asked for the accessibility requirements. Ms. Kate Huber, City Senior Planner, explained the minimum requirement for sidewalk accessibility is 36-inches wide and a maximum two percent cross slope.

Ms. Karen Ables, owner of Fat Mermaid Restaurant, stated she would move the posts within one week to comply with the 36-inch accessible width criteria to comply with ADA requirements. City Council asked Mr. Staser if this would satisfy the temporary land use permit requirements. Mr. Staser stated the condition could be written into the permit and it would not be issued by the Community Development Department until Ms. Ables moved the posts and is compliant with ADA.

Council Member Fleming clarified the item was a report and did not allow for action by Council at the meeting.

Mr. Al Cap, Valdez resident, stated he did not support the sidewalks in the harbor area being used by private business. Vehicles already park so they hang over a portion of the sidewalk. He stated using the sidewalks for outdoor seating forces him to walk on the sidewalk on the other side of the harbor, impedes other pedestrian traffic, causes a tilting sidewalk, and destroys the ambiance of the harbor. Ms. Pierce asked how much sidewalk would put Ms. Ables into compliance. Ms. Huber stated 36-inches of the red concrete, which is the appropriate grade for ADA compliance. The gray accent strip cannot be included in the measurement as it does not meet the grade requirement.

8. Property Tax Delinquencies and Foreclosure Process Report

9. 2018 Energy Assistance Program Report

Several Council members expressed their ongoing support for continuation of the energy assistance program in the future as it helps alleviate some of the high costs of living in Valdez.

Council Member Reese asked why seven of the 3,850 applications were declined. Mr. Brian Carlson, City Finance Director, explained there are multiple reasons an application can be declined including property changing hands, closure of utility accounts, residential property used for commercial purposes, and discrepancies between the applications and the utility company account.

VIII. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS

1. City Manager Report

Ms. Doom provided an overview of the recent community military appreciation weekend. She outlined City staff participation in the recent Incident Command System (ICS) 300 class and explained employees are now at 90% completion for basic ICS courses. The next course would be for the executive management team and elected/appointed officials.

Ms. Doom stated they were beginning interviews Parks, Recreation and Cultural Services Director position. She said Ms. Marcie Robertson has done well as interim director, but understandably wanted to return to parks maintenance and working outdoors. Ms. Robertson would assist with finding someone to permanently fill the position.

2. City Clerk Report

Ms. Pierce provided an overview of the upcoming Alaska Air National Guard Memorial Dedication set for June 23rd at noon at the new boat harbor. She said she was preparing the program for the ceremony and would be sending out additional information to the Council. Governor Walker and First Lady Donna Walker would be attending. Mr. Chuck Volanti and his wife and multiple members of the airmen honorees' families would be attending as well. The general from the Alaska Air National Guard, along with his color guard would be participating in the ceremony. The Pioneers of Alaska were also invited.

Ms. Pierce offered special thanks to Ms. Robertson for assistance with landscaping and Mr. Duval for agreeing to hold the dedication while the new harbor was still under construction. The area would open for the ceremony and then close back down afterwards as it was still an active construction area.

Ms. Pierce reported Chief of Police Bart Hinkle met with a citizen group to discuss changes to the alcohol regulations in the Valdez Municipal Code. Topics discussed during the meeting included the Safe Ride program, classroom or in-person training for bartenders, increased police presence during busy bar hours, bartenders talking to bartenders at other establishments to warn them when they had to stop serving a patron due to intoxication, and a reduction of the hours of operation by a licensed premises.

Ms. Pierce explained, current municipal code dictates a license premise cannot offer for sale, give, furnish, or deliver alcohol between 5:00 a.m. and 8:00 a.m. each day of the week. This is the maximum allowed under state statute. The citizen group supported City Council adoption of Anchorage's times for licensed premises, which close from 2:30 a.m. to 10:00 a.m. Monday thru Friday, and 3:00 a.m. to 10:00 a.m. Saturday thru Sunday. Retail premises have further restrictions. Chief Hinkle planned to follow up with bar hours regarding their thoughts regarding operating hours. Ms. Ables stated she owns a licensed establishment and supports bars shutting down earlier. She stated she would not have a problem with being required to stop serving at 2:00 a.m. as most of the issues with intoxicated patrons occurred after midnight in her experience.

Ms. Pierce stated any directive to draft an ordinance adjusting bar hours would have to need to come from Council. She would just need a recommendation on the hours Council wanted to use. Council Member Shirrell asked for a Council work session, with representatives from the police department, local businesses, and the community. He explained a work session would allow

them to air formal recommendations before Council makes decisions or work is put into a draft.

3. City Attorney Report

Mr. Staser sated there is no legal issue with the City passing an ordinance to constrain bar hours, as it is provided for in the state statute and relatively simple to accomplish.

Mr. Staser outlined projects and provided updates on cases his firm is working on behalf of the City, including tax cap, escaped property, AKLNG, the Cummings litigation, and municipal code revisions.

4. City Mayor Report

Mayor O'Neil provided an overview of his participation in the community military appreciation weekend and highlighted those recognized during the ceremony. He expressed his support of recent City staff ICS training as a valuable exercise, most especially based upon the City's heritage. He the two Valdez High School seniors who received the All-American City scholarship, Cassidy Doyle and Lindsey Overdyn.

He explained he attended the ribbon-cutting for the new Totem Hotel and Suites, a testament to revitalization. He said the Totem of old will be relegated to memories and he will think fondly of the Totem skillet.

IX. COUNCIL BUSINESS FROM THE FLOOR

Council Member Shirrell said he met with Senator Mike Shower who is running for reelection in the state legislature. Senator Shower recommended the Council advocate for two specific items in their legislative priorities: municipalities' ability to use tax incentives to promote economic development and the Sharps III program to incentivize recruitment and retention for a wide variety of health care positions.

Council Member Reese stated if the City logo was going to be redesigned, he would like to see it done in the form of an art contest for the community.

X. EXECUTIVE SESSION

City Council transitioned into Executive Session at 8:30 p.m.

XI. RETURN FROM EXECUTIVE SESSION

City Council returned from Executive Session at 8:44 p.m.

XII. ADJOURNMENT

There being no further business, Mayor O'Neil adjourned the meeting at 8:45 p.m.