

# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Draft

Tuesday, April 16, 2019

7:00 PM

Regular Meeting

Council Chambers

**City Council**

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

**III. ROLL CALL**

Present: 5 - Mayor Jeremy O'Neil  
Council Member Christopher Moulton  
Council Member Lon Needles  
Council Member Dennis Fleming  
Council Member Darren Reese

Excused: 2 - Council Member Ron Ruff  
Council Member Jim Shirrell

Also Present: 4 - Assistant City Manager Roxanne Murphy  
City Clerk Sheri Pierce  
Deputy City Clerk Allie Ferko  
City Attorney Jake Staser

**IV. APPROVAL OF MINUTES****1. City Council Regular Meeting Minutes of April 2, 2019**

The City Council regular meeting minutes of April 2, 2019 were approved as presented.

**V. PUBLIC BUSINESS FROM THE FLOOR**

Mr. Jesse Passin, Mega Trucking, voiced his support from a city gravel extraction plan. He explained the specifics regarding his company's gravel extraction site on Valdez Glacier Stream through land lease by the city and gravel extracted under permit with the state of Alaska. He outlined the expenses associated with this type of gravel pit, as opposed to a dry gravel pit. He explained water-based gravel pits were the only option for gravel extraction at the time he began the process and much more expensive than dry options. Those with current dry gravel pits have a large advantage over others.

Ms. Murphy stated she is in the process of identifying funding to develop a gravel extraction master plan. Mr. Passin explained one idea would be for the city to work with contractors in a public-private partnership to assist with flood mitigation while also allowing the contractor to privately mine gravel. Mr. Passin stated he currently has permits for the next three years to extract gravel south of the bridge. He stated he would also like to work with the city north of the bridge and looked forward to discussing things further.

Council members debated the need to schedule another Flood Mitigation Task Force meeting. Ms. Pierce stated she would work with the city planning department director to

schedule the meeting. Council Member Fleming asked Mr. Passin to participate in the next Flood Mitigation Task Force meeting.

## **VI. CONSENT AGENDA**

- 1. Approval to Go Into Executive Session Regarding Ongoing Litigation Strategy**
- 2. Approval of Waiver of Annual Application Deadline for Disabled Veteran Property Tax Exemption Program - Applicant: Shawn Brown**
- 3. Council Approval of Write-Offs of Various City Fees to Be Forwarded to Collections Agency**
- 4. Appointment to Economic Diversification Commission (One-year, Five-month Term) - Applicant: Jamie Berg**

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

### **VOTE ON THE MOTION:**

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

## **VII. NEW BUSINESS**

- 1. Approval of a Contract with Zastrow Enterprises, Inc. for the Animal Shelter Kennel Renovation Project in the Amount of \$439,249.00**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming, to approve the contract with Zastrow Enterprises, Inc. for the Animal Shelter Kennel Renovation Project in the amount of \$439,249.00. The motion carried by the following vote after the following discussion occurred.

Council Member Reese asked for clarification regarding how the bids were outlined in the bid summary sheet. City Animal Control Officer Rich Long and City Capital Facilities Director Nate Duval explained how the costs were listed.

Mr. Duval clarified the scope of the contract with Zastrow does not include temporary housing of the animals during the project. Temporary housing options will be developed later, however the associated amount for those expenses is included in the budget resolution later in the meeting.

### **VOTE ON THE MOTION:**

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

**VIII. ORDINANCES****1. #19-02 - Amending Chapter 8.20 of the Valdez Municipal Code Related to Nuisances. Second Reading. Adoption.**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming, to approve Ordinance #19-02, amending Chapter 8.20 of the Valdez Municipal Code related to nuisances. Second reading. Adoption. The motion carried by the following vote.

**VOTE ON THE MOTION:**

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

Absent: 2 - Council Member Ruff and Council Member Shirrell

**IX. RESOLUTIONS****1. #19-15 - Amending the 2019 City Budget by Transferring \$570,000 from Unencumbered Capital Projects Contingency to Animal Shelter Kennel, Curbs, and Drains Replacement Project (Postponed from April 2, 2019 Regular Meeting)**

MAIN MOTION ALREADY ON THE FLOOR. The motion carried by the following vote after the following discussion occurred.

MOTION TO AMEND: Council Member Fleming moved, seconded by Council Member Needles to amend Resolution # 19-15 by reducing the amount of transfer from unencumbered capital projects contingency to animal shelter kennel, curbs and drains replacement project from \$570,000 to \$515,000. The motion carried by the following vote after the following discussion occurred.

Ms. Pierce clarified \$15,000 of the overall cost related to the project is designated for temporary housing solutions for the animals during construction. Council briefly discussed the benefits of having the housing solution done through a local vendor.

**VOTE ON MOTION TO AMEND:**

Yays: 4 - Mayor O'Neil, Council Member Moulton, Council Member Fleming and Council Member Reese

Nays: 1 - Council Member Needles

Absent: 2 - Council Member Ruff and Council Member Shirrell

## VOTE ON THE MAIN MOTION AS AMENDED:

Yays: 4 - Mayor O'Neil, Council Member Moulton, Council Member Fleming and Council Member Reese

Nays: 1 - Council Member Needles

Absent: 2 - Council Member Ruff and Council Member Shirrell

**2. #19-21 - Appointing the Judges and Clerks for the Regular Municipal Election to be Held May 7, 2019 and Setting the Hourly Rate of Compensation**

MOTION: Council Member Moulton moved, seconded by Council Member Reese, to approve Resolution #19-21 appointing the judges and clerks for the regular municipal election to be held May 7, 2019 and setting the hourly rate of compensation. The motion carried by the following vote after the following discussion occurred.

Several council members thanked the municipal election workers for their dedicated service to the community.

## VOTE ON THE MOTION:

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

Absent: 2 - Council Member Ruff and Council Member Shirrell

**3. #19-22 - Authorizing the Submission of the 2019-2020 EMPG Matching Grant Application to the Division of Homeland Security and Emergency Management**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming, to approve Resolution #19-22, authorizing the submission of the 2019-2020 EMPG Matching Grant application to the Division of Homeland Security and Emergency Management. The motion carried by the following vote after the following discussion occurred.

Council Member Fleming asked how the grant monies would be used. Ms. Martha Barberio, city emergency manager, explained the grant is in its third year and is used primarily to fund the additional duties of the emergency manager. Ms. Murphy explained she would be bringing a proposal to city council in the near future for an overall city comprehensive emergency management program. Mayor O'Neil added the city is in a unique position to request these funds for salary purposes due to its responsibility for community coordination in emergency situations.

## VOTE ON THE MOTION:

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

Absent: 2 - Council Member Ruff and Council Member Shirrell

**X. REPORTS**

1. **Report: Temporary Land Use Permit #19-02 for Karen Ables for Fat Mermaid Restaurant for Six Months on 600 Square Feet of Public Right of Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision**

City Community Development Director Rochelle Rollenhagen clarified this is the same permit requested by Ms. Ables in 2018 and complies with ADA requirements.

2. **Report: Temporary Land Use Permit #19-01 for Copper Valley Telecom for Six Months, for Lots 4 & 5 of Block 2, Robe River Subdivision**

Council Member Reese asked if CVT would be making an improvements to the lot since it is a dirt lot. City Public Works Director Rob Comstock explained they will be using the lot as is. He stated he will follow-up with CVT about the potential for dragging mud into the streets.

3. **March 2019 Site Visit Report from Kimley Horn**

Council Member Moulton stated he was approached by a member of the Comprehensive Plan Advisory Committee requesting a work session with the City Council. Ms. Murphy stated she had been approached by CPAC members as well regarding Kimley-Horn and would follow up on the request.

**XI. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS**

1. **City Manager Report**

Ms. Murphy explained she recently signed the Meals Hill land transfer agreement and would be working on community engagement for ideas for allowed improvements to the land. She stated she would also be bringing forth recommendations to Council regarding the city emergency management program. She stated the temporary employment contract with Ms. AnnMarie Lain was discontinued, as her services were no longer needed. Ms. Murphy stated the Bear Committee is also looking for a Council Member to serve on the committee.

2. **City Clerk Report**

Ms. Pierce reviewed upcoming City Council meetings and events. She coordinated a change in time for the Board of Equalization hearing to 6:00 p.m. if it was agreeable to the appellant. She provided an update on the upcoming municipal elections, including options for absentee voting, and the All America City Scholarship. Ms. Pierce explained Valdez Municipal Code published online would be updated in the next couple of weeks.

**3. City Attorney Report**

Mr. Staser announced Mr. Bill Walker joined the firm and is a welcome addition to the team. The same structure for services to the city would continue moving forward. Mr. Walker would be utilized primarily for special projects.

Mr. Staser outlined projects and provided updates on cases his firm is working on behalf of the City, including municipal code updates, the Cummings litigation, C-Plan adjudication, the RCAC ocean buoy project, the Barton case, SB 57 and related state budget concerns, and the Meal Hill land transfer agreement.

**4. City Mayor Report**

Mayor O'Neil reviewed upcoming community activities. He encouraged the community to participate in the May 7<sup>th</sup> municipal election. He also encouraged Valdez residents to follow state government activities in Juneau, get engaged in the state legislative process, and utilize resources available at the Valdez Legislative Information Office. He also recommended community members visit the city website to learn more about the proposed fire station project.

**XII. COUNCIL BUSINESS FROM THE FLOOR**

Council Member Reese reminded the public about the upcoming waterfront master plan public meeting. He also requested City administration look into the status and location of the city's emergency supplies referenced in a recent email from the former Valdez fire chief.

**XIII. EXECUTIVE SESSION**

City Council transitioned in executive session at 7:49 p.m.

**XIV. RETURN FROM EXECUTIVE SESSION**

City Council transitioned out of executive session at 8:39 p.m.

**XV. ADJOURNMENT**

There being no further business, Mayor O'Neil adjourned the meeting at 8:40 p.m.