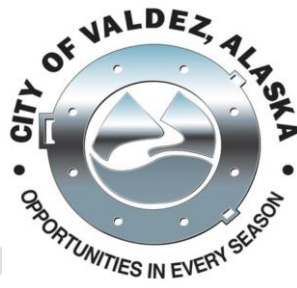


# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Draft

Tuesday, July 2, 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 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 Christopher Moulton  
Council Member Dennis Fleming  
Council Member Alan Sorum

Excused: 2 - Council Member Sharon Scheidt  
Council Member Darren Reese

Also Present: 4 - Interim 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 June 4, 2019**
2. **City Council Regular Meeting Minutes of June 18, 2019**

There being no revisions, the City Council regular meeting minutes of June 4, 2019 and June 18, 2019 stand as presented.

**IV. PUBLIC BUSINESS FROM THE FLOOR**

Ms. Patty Relay, Valdez Museum and Historical Archive Executive Director provided a brief verbal presentation regarding upcoming museum exhibits, operations, programming, staffing, and financials. She also outlined the museum's interactions with recent cruise ship visitors.

**VI. CONSENT AGENDA**

1. **Approval to Go into Executive Session RE: 1. Update on the Pacific Pile and Marine Claims, 2. Status of Kimley Horn's Comprehensive Plan Contract, and 3. City Manager Applications**
2. **Appointment to City Economic Diversification Commission (One-year, Two-month Term)**
3. **Appointments to the City Ports & Harbors Commission (Three-year Terms)**

- ~~4. Approval of Beautification Task Force Recommendation to Award 2019 Beautification 50/50 Matching Grants in the Amount of \$86,672.93 (MOVED TO NEW BUSINESS #8)~~
4. **Approval of Conversion from Standard Marijuana Cultivation Facility License to Limited Marijuana Cultivation Facility License - Alaska Greenery (MOVED FROM NEW BUSINESS #3)**

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

VOTE ON THE MOTION:

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Fleming and Council Member Sorum  
Excused: 2 - Council Member Scheidt and Council Member Reese

## VII. NEW BUSINESS

### 1. Discussion Item: Child Day Care (Requested by Mayor O'Neil)

City Council took a ten-minute recess.

Mayor O'Neil provided a brief explanation of why he requested this agenda item. He explained his intention was to revisit the community childcare conversation started in December 2018, as well as address a recent written request by Stepping Stone Learning Center to lease the Valdez Recreation Center owned by the City.

Mayor O'Neil provided an overview of information he had personally researched regarding other municipalities' efforts around community childcare. Ideas from other municipalities included identification of public facilities which could be used for childcare, establishing a loan fund for childcare start-ups, direct funding for existing childcare facilities, and adopting a Best Starts model with funding. He provided data regarding childcare facilities and recreation facilities in other communities based upon his research. He expressed concerns with attracting and retaining a professional local workforce without appropriate childcare services in town.

Ms. Kristina Roche, local resident and employee of Stepping Stones Learning Center explained her background and the history of local daycare providers in Valdez. She explained the repercussions of lack of childcare on the community and stated Stepping Stones' current facility is unable to meet current childcare needs due to space. Stepping Stones can only accommodate 35 children, compared to 120 children accommodated in the former Royal Center location. She additionally outlined the basic state licensing requirements for childcare facilities and explained Stepping Stones is the only local provider to serve children in the foster care system. She stated Stepping Stones Learning Center is a non-profit organization looking to temporarily lease the Valdez Recreation Center. She explained it was not her organization's goal to impact the Recreation Center's operations and that much of the programming in the Center could be

temporarily relocated. She also explained the non-profit would also happily consider other appropriate facility locations.

Council Member Ruff asked for a work session to be scheduled to discuss childcare concerns and develop solutions. Mayor O'Neil agreed, but stated he wanted to continue with public comment so those who came to the meeting to speak had a chance to speak.

Ms. Sara Ellis-Sanborn, local resident and a parent of two Stepping Stones' students, expressed her support for allowing Stepping Stones to temporarily lease the Valdez Recreation Center. She explained why she believed the Valdez Consortium Library, Valdez Civic Center, and local school buildings could not meet childcare facility licensing requirements. She encouraged innovative thinking to reach a resolution to meet all programming needs.

Council Member Moulton asked, if the discussion regarding Stepping Stones leasing the Recreation Center continued into a work session, he would like to know a few additional facts including the terms of the proposed lease, requirements for occupancy changes, renovation costs, and timeline for the overall process. Council Member Sorum stated the Hospital Expansion Task Force identified childcare as a need and consideration for hospital campus expansion. He encouraged other stakeholders be included in the childcare discussion.

Mayor O'Neil described his tour of the current Stepping Stones facility. He asked for more information on the licensing process in emergent situations. Ms. Roche explained she spoke with state of Alaska fire marshal who told her it would likely be a ten to twelve week process for the fire marshal review. That review had to occur prior to beginning the licensing process for a different facility.

Mr. Nicholas Farline, city parks, recreation, and cultural services director, stated he appreciated both the community's passion regarding childcare and their support of the Recreation Center and its programming. He stated his department is more than willing to be a partner in working through the process. He explained his department has begun to look into the substantial modification requirements which would be needed if the Recreation Center was to be used as a licensed childcare facility. He has been in direct contact with childcare licensing representatives from the state of Alaska to learn more about specific requirements. Mayor O'Neil expressed his appreciation for the hard work of the Recreation Center staff to increase its number of users and improve the quality of offered programming.

Ms. Natalie Lawrence, local resident and Stepping Stones board member, expressed her appreciation for the City Council and City of Valdez for helping their company in the past. She also encouraged other members of the community to step up and join their non-profit board of directors.

Council Member Moulton asked for relevant community stakeholders to attend the Council work session to better inform the conversation. Ms. Murphy stated she believed work should be done to move forward with building a childcare facility in the long term regardless of the outcome. She volunteered to help facilitate conversations with other interested community stakeholders about financing and potential public-private partnership opportunities.

Council Member Moulton asked for a specific focus for the work session. Council Member Sorum stated the work session should be focused on a collaborative short term solution. He stated a long term solution would be easier as many employers in town have a vested interest in childcare solutions for their employees and would more than likely be involved in the process. Council Member Ruff expressed his support with focusing the work session on a short term solution. Council Member Fleming asked for a definition of "short term". Mayor O'Neil stated he believed short term would be the length of time needed to build a long term facility. Council Member Moulton asked Mr. Farline to provide at the work session the Recreation Center's strategic plan moving forward if their facility was repurposed.

Mr. JJ Kinstrey, local resident and Parks & Recreation Commission Member, expressed his frustration the topic was not first brought to the Parks & Recreation Commission for vetting prior to be presenting to City Council. He stated the Commission needed to discuss the topic, relevant data, and programming impacts prior to the Council work session as the Recreation Center falls within their purview.

Mr. Joe Prax encouraged City Council to have all the interested and affected stakeholders present at the work session to discuss solutions before dismissing possible options.

Mr. Tom Sanborn, local resident, encouraged City Council to consider risk versus benefit when making decisions regarding community childcare needs. He expressed his support of utilizing the Recreation Center to solve short term childcare needs.

Ms. Amy Gould, local resident and chair of the Parks & Recreation Commission, clarified the name of the facility is the Ike "Woody" Woodman Recreation Center. She stated residents calling the facility by the wrong name is a minor frustration, but also an indicator that people involved in the discussion about using the facility for childcare or saying it would be easy to move recreation programming have not really done proper research into the facts. She cautioned against assuming.

Mr. Henry Martinez, local teen, stated he just moved to Valdez and explained he made many friends his very first day visiting the Recreation Center. He stated the Recreation Center is a safe place to have fun with friends and family, but was willing to give up the facility in the short term for the younger kids.

## **2. Appointment to City Planning & Zoning Commission (One-year, Five-month Term)**

City Council selected Mr. Steven Goudreau by paper ballot to fill the vacancy.

MOTION: Council Member Sorum moved, seconded by Council Member Moulton to appoint Steven Goudreau to the City Planning & Zoning Commission for a one-year, five-month term. The motion carried by the following vote.

VOTE ON THE MOTION:

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

3. ~~Approval of Conversion from Standard Marijuana Cultivation Facility License to Limited Marijuana Cultivation Facility License – Alaska Greenery~~  
(MOVED TO CONSENT AGENDA #4)

4. **Approval of Change Order #5 to Orion Construction, Inc., for the Valdez Swimming Pool Renovation Project in the Amount of \$187,367.46**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming to approve change order #6 to Orion Construction, Inc. for the Valdez Swimming Pool renovation project in the amount of \$187,367.46. The motion carried by the following vote after the following discussion occurred.

Council Member Moulton asked if there would be any operational or policy changes moving forward to prevent issues moving forward. Mr. Nate Duval, city capital facilities director, stated there would be additional training provided to staff on operation of the pool facility systems.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

5. **Approval of FY 2019/2020 Community Jail Contract with State of Alaska**

MOTION: Council Member Moulton moved, seconded by Council Member Ruff to approve FY 2019/2020 community jail contract with the state of Alaska. The motion carried by the following vote.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

6. **Approval of a Contract Award to Harris Sand & Gravel, Inc., for Pavement Maintenance in the Amount of \$741,910**

MOTION: Council Member Moulton moved, seconded by Council Member Ruff to approve contract award to Harris Sand & Gravel, Inc. for pavement maintenance in the amount of \$741,970. The motion carried by the following vote after the following discussion occurred.

Council Member Moulton clarified this project accomplishes the pavement maintenance for this year previously discussed by City Council, with planning already underway for subsequent years. Mr. Duval clarified this as correct, although some necessary deteriorating sections of asphalt may be temporarily fixed this year and then need to be replaced with a permanent fix next year. He

stated his department intends to send out post office box mailers to affected residents.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton,  
Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

**7. Approval of the City's Property and Casualty Insurance Renewal**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming to approve the City's property and casualty insurance renewal. The motion carried by the following vote after the following discussion occurred. Council Member Sorum asked if the city has filed any claims since AML/JIA took over property and casualty insurance services. Mr. Brian Carlson, city finance director, stated there have been three large claims filed – the 2018 ransomware incident, the boat lift incident, and water damage at the school district office.

Council Member Sorum asked if AML/JIA provided good service to the city. Mr. Carlson explained all three claims were pending, but he was pleased with their service thus far. Mr. Carlson and the city's insurance broker, Mr. David Hale, briefly outlined basic changes and overall trends, both locally and nationally, regarding this renewal. Mr. Carlson explained an AML/JIA agent recently visited Valdez and all the city's facilities. The agent provided feedback on areas of risk and potential options for mitigation efforts.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton,  
Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

**8. Approval of Beautification Task Force Recommendation to Award 2019 Beautification 50/50 Matching Grants in the Amount of \$86,672.93 (MOVED FROM CONSENT AGENDA)**

MOTION: Council Member Moulton moved, seconded by Council Member Fleming to approve Beautification Task Force recommendation to award 2019 Beautification 50/50 matching grants in the amount of \$86,672.93. The motion carried by the following vote after the following discussion occurred.

Council Member Moulton asked if more weight could be given in scoring grant projects in the future for locally sourced labor and materials. Ms. Kathy Neilson, representative from the Beautification Task Force, stated those criteria could

certainly be added to the application and scoring model for the 2020 program.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton,  
Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

**VIII. ORDINANCES**

**1. #19-04 - Amending Title 6, Chapters 6.04 and 6.08 of the Valdez Municipal Code Related to Animals. First Reading. Public Hearing.**

MOTION: Council Member Moulton moved, seconded by Council Member Sorum to approve Ordinance #19-04. First reading, Public hearing. The motion carried by the following vote.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton,  
Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

**2. #19-05 - Amending Title 10, Chapter 10.04 of the Valdez Municipal Code Related to Traffic Code. First Reading. Public Hearing.**

MOTION: Council Member Moulton moved, seconded by Council Member Ruff to approve Ordinance #19-05. First reading, Public hearing. The motion carried by the following vote.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton,  
Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

**IX. RESOLUTIONS**

**1. #19-31 - Establishing Fees for Solid Waste Service and Repealing Resolution No.16-09 Formerly Setting Fees**

MOTION: Council Member Moulton moved, seconded by Council Member Ruff to approve Resolution #19-31. First reading, Public hearing. The motion carried by the following vote after the following discussion occurred.

Ms. Pierce explained requests come before Council from time to time asking to waive certain fees. The reason for bringing the resolution forward in this manner is to provide a mechanism for the city manager to waive certain fees in conjunction with the nuisance abatement program.



Council Member Moulton asked if there is a process to prevent abuse of fee waivers. Chief of Police Bart Hinkle explained abuse can be prevented administratively through the documented voluntary compliance agreement. Further, only certain materials are authorized to be disposed of from residential properties under the agreement. He explained the intent is to offer a three-day, one free dump of eligible materials to help abatement efforts. The waiver would be in addition to the standard free 10-yards of materials allowed to all residents.

Council Member Moulton asked if a neighbor could dispose of their materials under someone else's voluntary compliance agreement. Chief Hinkle reminded the public the code enforcement officer will have an information booth at the 4<sup>th</sup> of July at which they will be raffling free use of a dumpster for residential property clean-up.

**VOTE ON THE MOTION:**

Yays: 5 - Mayor O'Neil, Council Member Ruff, Council Member Moulton,  
Council Member Fleming and Council Member Sorum

Excused: 2 - Council Member Scheidt and Council Member Reese

**X. REPORTS**

1. **May 2019 New Boat Harbor Report**
2. **Lowe River Levee Certification Update Report**
3. **Monthly Treasury Report - April, 2019**

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

**1. City Manager Report**

Ms. Murphy introduced Ms. Rhea Cragun, the City's new human resources director. She also provided an invite to residents and visitors to attend the City's upcoming 4<sup>th</sup> of July festival. She provided a brief overview of festival events.

She reminded the community about the prohibition on sale and use of fireworks due to high fire danger.

She explained the state of Alaska DMV office in Valdez will reopen July 15<sup>th</sup>.

She thanked everyone who coordinated and participated in the recent new boat harbor grand opening and town hall events.

She thanked city departments actively working on flood mitigation activities. She explained the city emergency management team is working to put together a request for proposals to update the emergency operations plan and will bring an update to Council at the next regular meeting.

She explained she previously mentioned bringing a group of individuals together to discuss housing options. She explained she has decided to hold off on the idea as the community learns more about the impacts of the state budget cuts

and governor's vetoes.

She announced city facilities are now 100% on dark fiber and the new City website is live.

Council Member Moulton thanked Ms. Murphy for her weekly email updates to Council.

## **2. City Clerk Report**

Ms. Pierce provided an overview of the community town hall held on January 29<sup>th</sup> regarding local impacts of the state budget cuts. She explained almost 200 people attended the event in person and 368 people have viewed the livestream recording thus far. She reviewed the list of panelists – Mayor O'Neil, City Finance Director Brian Carlson, City Attorney Robin Brena, Valdez Fisheries Development Association Executive Director Mike Wells, PWSC Director Dan O'Connor, Valdez City Schools Superintendent Shawn Arnold, PVMC Finance Director Lindsie King, and Connecting Ties Executive Director Robin James. State Representative George Rauscher was present at the event and provided comments. Many community members asked questions and provided testimony. Ms. Pierce thanked those who participated and helped facilitate the event, including the eight panelists, Jen James and the Civic Center staff, Seed Media for livestreaming and videography services, Serendipity Supper Club for catering, emcee Dawson Moore, and Grace Jang/Allie Ferko for logistics and coordination. Ms. Pierce provided the website address for those members of the public wishing to view the livestream recording.

She provided an overview of upcoming vacancies on City boards and commissions and how interested citizens could apply.

Ms. Pierce reminded Council about upcoming work sessions.

## **3. City Attorney Report**

Mr. Staser echoed Ms. Pierce's praise of the community town hall event. He also praised the new boat harbor opening ceremony event.

Mr. Staser provided updates on projects and cases his firm is working on behalf of the City, including the Meals Hill purchase, the Barton case, the C-Plan adjudication, and drafting a formal response to the FERC DEIS.

## **4. City Mayor Report**

Mayor O'Neil encouraged community members to reach out and write to their legislators and get actively engaged in the state legislative process. He thanked Ms. Gloria Day for her profound and inspiring video message to attend the town hall meeting.

## **XII. COUNCIL BUSINESS FROM THE FLOOR**

Several Council members wished the community a safe and happy 4<sup>th</sup> of July.

Council Member Sorum stated the panelists for the community town hall did an excellent job. He was quite surprised how many people showed up and were engaged

on a Saturday morning. He explained it was a good start to get the community moving down the right path.

Council Member Sorum also expressed his appreciation for the hard work of city staff on the new boat harbor opening event, which also had an excellent turnout, good food, and great weather.

Council Member Fleming provided an update on the activities on the Mayor's Flood Mitigation Task Force. Once the maintenance plans are in place for Mineral Creek and Valdez Glacier Stream, those will sunset from the task force agenda. The task force would continue to work on mitigation efforts for the Lowe River. He thanked Mr. Duval for providing a tour of all the local dikes.

Council Member Fleming expressed his appreciation for the water spraying the City public works crew has been doing the recent hot weather to keep the dust down around town.

Council Member Moulton stated task forces should be short term or specific task based and sunset after its tasks conclude or its goals are achieved. If a task force, like the Beautification Task Force, becomes more long term, the Council should consider evolving it into a City commission with specific term lengths and rotating appointments.

Council Member Moulton discussed the benefits of Prince William Sound College and the impacts of the governor's vetoes on their programming.

Council Member Moulton discussed recent and upcoming fire department related events and responses. He encouraged community members to be fire safe with the recent hot weather.

### **XIII. EXECUTIVE SESSION**

City Council transitioned into executive session at 9:12 p.m.

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

City Council transitioned out of executive session at 10:44 p.m.

### **XV. ADJOURNMENT**

There being no further business, Mayor O'Neil adjourned the meeting at 10:45 p.m.