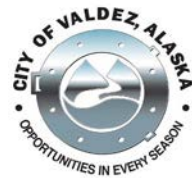


# **City of Valdez**

212 Chenega Ave.  
Valdez, AK 99686



## **Meeting Minutes - Draft**

**Wednesday, July 8th, 2020**

**7:00 PM**

**Regular Meeting**

**Council Chambers**

**Planning and Zoning Commission**

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

Chair Pro-Tempore Haase called the meeting to order at 7:00 p.m. in Valdez City Council Chambers.

**II. ROLL CALL**

Present 6: Chair Pro-Tempore Don Haase  
Commissioner Brandon Reese  
Commissioner Harold Blehm (phone)  
Commissioner Rhonda Wade (phone)  
Commissioner Steve Goudreau (phone)

Absent 1: Commissioner Kipar

Excused 1: Commissioner Gondek

**III. PUBLIC BUSINESS FROM THE FLOOR**

There was no public business from the floor.

**IV. NEW BUSINESS**

- 1. Approval of Temporary Land Use Permit #20-09 for Pruhs Construction for Six Months, for an Approximately 1.75 Acres Portion of 1500 Glacier Haul Road ASLS 79-116, owned by the City of Valdez.**

MOTION: Commissioner Member Blehm moved, seconded by Commission Member Goudreau to approve Temporary Land Use Permit #20-09 for Pruhs Construction for Six Months, for an Approximately 1.75 Acres Portion of 1500 Glacier Haul Road ASLS 79-116, owned by the City of Valdez.

Ms. Huber said she wanted to make sure the Commissioners received a last minute email with additional information from the applicant, as well as a public comment submitted regarding the application. The commissioners confirmed they had all received the email.

Ms. Huber reminded the Commissioners that they had considered an amendment to an existing lease at 1500 Airport Road with RSR Contracting, LLC at the last meeting. She explained that staff had been waiting for legal counsel as to the best procedure to allow multiple parties to use a piece of City property, without having to go through the sublease approval process outlined in Valdez Municipal Code.

She said that in the meantime Pruhs Construction had submitted a temporary land use permit application for an alternative location to operate their asphalt plant, under review by the Commission as the motion on the floor. She said the applicant (Pruhs Construction) had emailed staff that afternoon stating their preferred location was the location reviewed by the Commission at the prior Planning and Zoning meeting, the lease site of RSR Contracting.

Ms. Huber explained that legal had reviewed the options for allowing multiple parties to utilize City property, including an existing lease site, and determined that a temporary land use permit could be issued for a portion of the RSR Contracting lease site if the lessee and temporary land use permit applicant were both amenable to it.

Ms. Huber went on to explain that staff had the option to administratively issue a thirty day temporary land use permit for Pruhs Construction, for a portion of the RSR Contracting lease area, and bring back an application for six month use of the site at the next Planning and Zoning meeting for approval by the Commission.

Commissioner Blehm said he did not have any issues with the solution Ms. Huber had proposed.

Commissioner Goudreau said he was also in favor of Pruhs Construction using the RSR Contracting lease site and said he would like to see that move forward rather than the motion on the floor.

Commissioner Wade agreed with the RSR Contracting lease site would be preferable if staff could make it happen. She noted that she was concerned with the language in the agenda statement that she felt indicated that Pruhs Construction would be responsible for self-reporting the condition of their permitted area before and after use. She also asked what the delay had been in processing this request.

Commissioner Reese commented that he was also uncomfortable with the permittee being able to self-inspect the site and declare it free from contamination.

Ms. Huber explained that staff had been working with legal on a solution that would allow multiple parties to utilize the same permitted area of City property. She added that aid the lease amendment that was requested by RSR Contracting. She said staff had worked with legal, staff did not rely on self-accountability when it came to temporary land use permit or lease area clean up and that there would be a final inspection done by the department.

Chair Pro-Tempore Haase asked the applicant if they were interested in using the RSR Contracting site, rather than the site in review by the Commission with the motion on the floor. Mr. Ken Radach, Pruhs Construction, said he was in favor of a temporary land use permit at the RSR Contracting lease site, and said it would be a mutually beneficial relationship.

Chair Pro-Tempore Haase had procedural questions regarding the motion and, which Ms. Huber answered and explained staff would work with Pruhs Construction to submit an updated temporary land use permit application for the RSR Contracting lease site for six months, and staff would administratively issue a temporary land use permit for 30 days while the six month permit was being approved.

Commissioners Blehm and Goudreau withdrew their motions from the floor.

**(Motion Withdrawn)**

**V. REPORTS**

**1. Planning Director's Report**

Ms. Huber reminded everyone of the upcoming public comprehensive plan meeting with Corvus Design on July 14, 2020 at 6 p.m. She said they would be presenting the existing conditions report and encouraged all commissioners and listening members of the public to attend.

**VI. COMMISSION BUSINESS FROM THE FLOOR**

Commissioner Reese said when he had been listing to the past City Council meeting and Council was discussing approval of Mega Trucking LLC's recent lease application that Ms. Huber had told Council that the Commission had been unable to decide on a recommended length of time for the lease. Commissioner Reese said he remembered voting to recommend a fifteen year lease term and wondered why Ms. Huber had indicated to Council otherwise.

Ms. Huber clarified that when she had gone back and listened to the meeting, she uncovered that the amendment the Commissioners had voted on to recommend fifteen years had received three yays, and two nays which had been read incorrectly for the record as a passing vote, but did not represent the majority of the Commission,

Ms. Roxanne Murphy, Assistant City Manager, spoke and said the confusion had been that the vote had been read like it had passed, when in fact it hadn't. She clarified that four votes were needed under Robert's Rules of Order to be a true victory.

Ms. Huber added that any time the Commission made a recommendation, staff did their best to summarize the whole discussion to City Council.

Commissioner Haase apologized for misreading the vote on the record, and thanked staff for their diligence.

**VII. ADJOURNMENT**

There being no further business, Chair Pro-Tempore Haase adjourned the meeting at 7:40 p.m.