

# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Draft

Tuesday, April 20, 2021

7:00 PM

Regular Meeting

Council Chambers

**City Council**

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

Mayor Scheidt called the meeting to order at 7:17 p.m. in Valdez City Council Chambers.

**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 Ron Ruff  
Council Member Susan Love  
Council Member Dawson Moore  
Council Member Jimmy Devens  
Mayor Pro Tem Dennis Fleming (*by telephone*)  
Council Member Alan Sorum

Also Present: 6 - City Manager Mark Detter  
Assistant City Manager Nathan Duval  
Assistant City Manager Roxanne Murphy  
City Clerk Sheri Pierce  
Records Manager Shelley McMillen  
City Attorney Jake Staser

**IV. APPROVAL OF MINUTES****1. City Council Regular Meeting Minutes of April 6, 2021**

The City Council regular meeting minutes of April 6, 2021 were approved as presented.

**V. PUBLIC BUSINESS FROM THE FLOOR****Robbin Capers – Valdez Adventure Alliance**

Ms. Capers provided an update on the financial benefit of the 2021 Bike Bash, and thanked Council for their support. She presented a video of highlights from the Bike Bash.

**Ken Lares – Valdez Snowmachine Club**

Mr. Lares explained the upcoming UTV Rally and those involved. He presented a video from the 2021 Mayor's Cup Race.

Council Member Fleming asked for further information regarding sponsors for the Motor Madness event. Mr. Lares provided a list of sponsors. Council Member Fleming asked if Council could provide reasonable financial assistance for the event. Ms. Pierce outlined the process to request event funding from the City. Mr. Lares stated he was aware of the annual community service organization grant program. He explained he did not

come to this meeting prepared to present on how the event might benefit from City funding. Mr. Detter suggested a more long term approach to funding in an effort to set an appropriate precedent. Council provided consensus on this approach.

Faith Revell – Valdez Museum & Historical Archive

Ms. Revell thanked Council for their continued support of the Museum. She thanked the City maintenance team for their efforts to maintain the Museum. She shared a recent educational opportunity for local students and provided a brief update on current exhibits and upcoming events.

**VI. CONSENT AGENDA**

- 1. Proclamation: Professional Municipal Clerks Week**
- 2. Approval to Go Into Executive Session Regarding Alaska Trappers Association Litigation**

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

VOTE ON THE MOTION:

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

MOTION CARRIED.

**VII. NEW BUSINESS**

- 1. Discussion Item: COVID-19 Update**

Mr. Detter provided a brief update on state and local case counts. He expressed confidence in local testing and vaccination distribution efforts. He updated Council on plans to support safety efforts of the local fish processors for the upcoming season.

Public Health Nurse Terri Lynch outlined current local vaccination and testing efforts as well as local case counts and trends. She shared current recommended mitigation practices.

Dr. Angela Alfaro, physician consultant to the Valdez Unified Command, explained what an individual should do if they test positive for COVID-19 and different available treatment options.

Council Member Love requested clarification on the fish processing companies plans to keep their employees on campus again in 2021. Mr. Detter confirmed the companies themselves had made this decision and requested permission to install a check point on North Harbor Drive. These processes had not been a directive from the City for the 2021 season.

**2. Approval of Contract with Orion Construction, Inc. for the Council Chambers Upgrades Project in the Amount of \$767,868**

MOTION: Council Member Ruff moved, seconded by Council Member Love, to approve the contract with Orion Construction, Inc. for Council Chambers Upgrades Project in the amount of \$767,868.

Mr. Duval explained the purpose for the proposal. He made suggestions on how to balance the budget by reallocating unused funds from the fire station project to the Council Chambers upgrades.

Council Member Love asked if other projects had been explored to see if they might also come in above budget due to increases in material costs. Mr. Duval explained the cost of materials had increased recently nationwide. He stated there could be an increase for other projects as well, however he did not believe it would be a drastic change.

Council Member Devens stated he believed other upcoming projects were of higher priority than the Council Chambers remodel. He stated he would be comfortable postponing the project.

Ms. Pierce explained Council Chambers was used consistently throughout the week for both daytime meetings and evening Council and commission meetings. She explained upgrades to the room had been minimal for at least thirty-five years. She explained COVID-19 had made it clear upgrades to technical capabilities available in Council Chambers were critical for public participation in meetings. She stated if Council wanted to pare the project down, staff could suggest smaller changes to the project scope. However, she strongly advocated for moving forward with the project.

Council Member Sorum voiced his support for Ms. Pierce's explanation of the necessity of the project. Council Member Devens reiterated his preference to spend project funds elsewhere. Council Member Fleming stated the scope of the project could certainly be reviewed, however he agreed the building needed to be remodeled. Council Member Ruff agreed the project had been deferred for some time and was due for upgrades. Mayor Scheidt and Council Member Love supported moving forward in spite of the materials cost increase.

Council Member Devens asked what items in the project were a necessity to the building upgrades beyond the audio/video upgrades. Ms. Pierce explained there had been no structural improvements to the building in over thirty-five years and listed a number of structural concerns.

Mr. Dettner explained prioritizing the Council Chambers remodel was a priority for City administration.

**VOTE ON THE MOTION:**

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

**MOTION CARRIED.**

**3. Approval of Landlord Agreements for Peter Pan Seafood Company, LLC for Their Leases of City of Valdez Properties Known as Tracts C, F, L, and T, Harbor Subdivision and Portion of USS 495 (Tidelands)**

MOTION: Council Member Sorum moved, seconded by Council Member Devens, to approve landlord agreements for Peter Pan Seafood Company, LLC for their leases of City of Valdez properties known as Tracts C, F, L, and T, Harbor Subdivision and portion of USS 495 (Tidelands).

VOTE ON THE MOTION:

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

MOTION CARRIED.

**4. Discussion Item: Revised Budgeting Policies and Procedures for Community Service Organizations**

Finance Director Brian Carlson explained the purpose for the drafted revision to the Community Service Organization grant program. Council Member Moore outlined where items in the CSO grant application process had been adjusted or revised.

Council Member Love requested clarification on procedural issues for the application process. Mr. Carlson outlined the current process. Council Member Moore explained the step-by-step process moving forward was still a work in progress. Council Member Devens stated he had suggested scheduling an application review work session as a portion of the new procedure. However, the group revising the policy did not concur with his recommendation. Council Member Sorum explained why he preferred the process as written in the drafted revision.

Mayor Scheidt shared her appreciation for those who worked on the revision. She asked if a standardized scoring criteria had been discussed. Council Members Devens and Moore explained why the committee had opted to maintain the pass or fail approach to application review. Council Member Love requested a clearly defined scoring criteria be looked into for the future. She explained the Council does not currently need to rank applicants against each other, but may need to do so in the future if funding is reduced. Council Member Moore explained the process could be adjusted by future Councils as needed based on the situation at the time. Council Member Fleming stated he looked forward to trying out the policies and procedures as written in the revision, and making adjustments as the need arose.

Council Member Love requested clarification on the process for funding certain non-profit organizations which had been moved out of the community service

organization grant process and into the City's Economic Development Department operational budget. She asked for clarification specifically on the interaction between the City economic development director and funding for the fisheries industry and the Valdez Convention and Visitors Bureau.

Mr. Carlson outlined those organizations would make funding requests to the department as part of the annual operational budget process instead of as a community service organization. The Economic Development Department would then include those requests as presented for review during the department portion of the budget. The department would then act as administrator for those funds, if approved. Mr. Carlson explained it made sense to move the organizations tied almost exclusively to economic development instead of community service under the appropriate department responsible for that type of mission. The Finance Department would collaborate with the Economic Development Department to review documentation submitted by those organizations and work together as good stewards of City funds allocated for economic development priorities and initiatives. Council Member Love expressed her desire to maintain a clear funding separation between City operations and economic development centric non-profit operations.

## **VIII. ORDINANCES**

### **1. #21-04 - Amending Chapter 7.04 of the Valdez Municipal Code Titled Elections. Second Reading. Adoption.**

MOTION: Council Member Love moved, seconded by Council Member Ruff, to approve Ordinance # 21-04. Second Reading. Adoption.

VOTE ON THE MOTION:

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

MOTION CARRIED.

### **2. #21-05 - Repealing and Reenacting Valdez Municipal Code Title 17.48.140 Temporary Land Use Permits. First Reading. Public Hearing.**

MOTION: Council Member Love moved, seconded by Council Member Ruff, to approve Ordinance #21-05. First reading. Public Hearing.

Planning and Zoning Director Kate Huber explained the goal and purpose of the ordinance.

Council Member Sorum requested an appeal process be inserted into the process. Mr. Staser explained there is an overarching appeal process currently imbedded in Valdez Municipal Code. Council Member Sorum suggested including a reference to the location of the appeal process to help facilitate cross referencing different portions of the Code. Ms. Pierce explained an appeal

process was cited in the letter sent to applicants as a standard in most instances. Ms. Huber agreed to review the application for temporary land use permits and look at adding a notice of the appeal process to the text included in the application.

Council Member Fleming requested clarification on insurance requirements. Ms. Huber explained the requirements came from industry standards and specifically identified exceptions.

Mr. Lares encouraged more upfront collaboration with those applying for permits. He requested clarification on properties listed as exemptions. Ms. Huber explained why the Pipe Yard property had not been included on the list. Mr. Lares asked if it was possible to consider moving the permitting process for the Pipe Yard through the Port in the future to streamline the process.

**VOTE ON THE MOTION:**

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

**MOTION CARRIED.**

**3. #21-06 - Establishing Valdez Municipal Code 17.50.080 Conditional Use Permits for Telecommunication Tower. First Reading. Public Hearing.**

MOTION: Council Member Ruff moved, seconded by Council Member Love, to approve Ordinance #21-06. First reading. Public hearing.

Ms. Huber outlined the purpose of the ordinance.

Council Member Devens expressed concern with the distance between towers and the potential effect the Code language would have on future communications tower upgrades. Ms. Huber stated the Code as written makes allowances for exceptions. Mr. Staser agreed he felt there was enough flexibility in the code to allow for 5G upgrades and other future concerns. Council Member Devens recommended removing section C subsection 7 entirely. Mr. Detter cautioned against eliminating the subsection. Council Member Fleming expressed his desire to maintain the ordinance as written.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor Scheidt, Council Member Ruff, Council Member Love, Council Member Moore, Mayor Pro Tem Fleming and Council Member Sorum

Nays: 1 - Council Member Devens

**MOTION CARRIED.**

**IX. RESOLUTIONS**

1. **#21-17 - Appointing the Judges and Clerks for the Regular Municipal Election to be Held May 4, 2021 and Setting the Hourly Rate of Compensation**

MOTION: Council Member Sorum moved, seconded by Council Member Devens, to approve resolution #21-17.

VOTE ON THE MOTION:

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

MOTION CARRIED.

**X. REPORTS**

1. **Comprehensive Plan Update Report**
2. **Personnel History Report: 2016-2021 Changes**
3. **Report: Approval of Temporary Land Use Permit 21-05 for the Roadside Potatohead Too, LLC for Six Months on 325 Square Feet of Public Right-of-Way Immediately Adjacent to Lot 12, Block 40, Harbor Subdivision**
4. **Verbal Presentation: Human Resources Department**

This agenda item was administratively postponed until the next regular meeting due to lack of time remaining in the meeting.

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

1. **City Manager Report**

Mr. Detter updated Council on the current state legislation session.

2. **City Clerk Report**

Ms. Pierce reminded Council absentee voting had begun at City Hall and to reach out to Ms. Katie Carr from the City Clerk's Office with questions. She updated Council on where Valdez was in the process of becoming a Coast Guard City.

3. **City Attorney Report**

Mr. Staser reserved comment on the Alaska Trappers Association for Executive Session.

4. **City Mayor Report**

Mayor Scheidt reminded Council to finalize Ms. Pierce's evaluations by April



22<sup>nd</sup>. She provided a brief update on the Alaska Gasline Port Authority Board of Directors.

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

Council Member Devens encouraged the community to remember to vote.

Council Member Love thanked those involved in updating the budgeting policy.

Council Member Sorum updated Council on the weather buoy project in Prince William Sound. He thanked those involved in the buoy project, including the Harbor, the City, Alyeska, & the U.S. Coast Guard.

## **XIII. EXECUTIVE SESSION**

City Council transitioned into executive session at 10:00 p.m.

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

City Council transitioned out of executive session at 10:20 p.m.

## **XV. ADJOURNMENT**

There being no further business, Mayor Scheidt adjourned the meeting at 10:20 p.m.