

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Final

Tuesday, September 4, 2018

6:00 PM

**Work Session (ECI - Kelsey Plaza Project Phase II) & Regular
Meeting
Council Chambers**

City Council

WORK SESSION AGENDA - 6:00 pm
Work Session - Kelsey Dock Phase II

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

Mayor O'Neil called the meeting to order at 7:07 p.m. in City Council Chambers.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Present: 6 - Mayor Jeremy O'Neil
Council Member Christopher Moulton
Council Member Lon Needles
Council Member Jim Shirrell
Council Member Dennis Fleming
Council Member Darren Reese

Excused: 1 - Council Member Ron Ruff

Also Present: 4 - City Manager Elke Doom
City Clerk Sheri Pierce
Records Manager Shelley McMillen
City Attorney Jake Staser

IV. PUBLIC BUSINESS FROM THE FLOOR

Patty Relay – Valdez Convention and Visitors Bureau Board President

Ms. Relay reported John Edwards had accepted the position of Executive Director for the Valdez Convention and Visitors Bureau (VCVB).

Mr. Edwards introduced himself and expressed his enthusiasm for his new position.

Diane Kinney – Retired Ports and Harbor Director

Ms. Kinney asked why the Ports and Harbor Commission was not leading the discussion on the Waterfront Master Plan. She expressed concern over discussion occurring about having vendors on the waterfront for cruise ships. She stated a promise had been made to the local businesses if cruise ships were brought to town, visitors would be encouraged to move into the business district in the center of town to spend money. If vendors were set up on the Kelsey Dock, visitors would likely not leave the dock.

Stu Hirsh – Valdez Resident

Mr. Hirsh requested Council begin discussions on putting in crosswalks for pedestrians as he had noticed an increase in foot traffic over the summer.

Council Member Needles stated a crosswalk required a controlled intersection which

typically required stop lights. He explained how stop lights would affect local businesses. He reminded Mr. Hirsh the section of Egan being discussed was managed by the State of Alaska Department of Transportation (DOT) and not the City of Valdez and Council.

Council Member Shirrell encouraged engaging DOT to discuss solving the issue. Ms. Doom agreed. She stated in most areas in the world the pedestrian had the right of way, and visitors from other areas may not understand safety issues crossing Egan.

Joe Prax – Valdez Resident

Mr. Prax shared his concern over projects not being thought through completely before being completed. He identified examples of multiple projects where issues were identified at the end of construction.

V. CONSENT AGENDA

1. Approval To Go Into Executive Session - City Clerk Contract Amendment

MOTION: Council Member Moulton moved, seconded by Council Member Reese to approve the Consent Agenda.

VOTE ON THE MOTION:

Yays: 6 - Mayor O'Neil, Council Member Fleming, Council Member Needles, Council Member Ruff, Council Member Moulton and Council Member Shirrell

Absent: 1 - Council Member Ruff
MOTION CARRIED.

VI. NEW BUSINESS

1. Approval of Change Order #4 with F & W Construction Company, Inc., for the Kelsey Dock Interpretive Center Phase I Project in the Amount of \$56,125.64

MOTION: Council Member Reese moved, seconded by Council Member Needles, to approve Change Order #4 with F&W Construction Company, Inc., for the Kelsey Dock Interpretive Center - Phase I project in the amount of \$56,125.64.

Council Member Reese asked how controls would be managed for the project. Mr. Duval stated the harbor staff would have access to the center. Controls for the heaters would be on and off switches.

Mayor O'Neil asked if the design would be functional in the planned location. Mr. Duval explained the unit identified in the agenda packet was the base unit for the cost proposal and the end product would meet the needs of the space. He continued to explain the installation would not allow for birds to perch on the heaters.

Ports & Harbor Director Jeremy Talbott explained there had been public concern over the lack of heat in the past.

Council Member Shirrell asked if the cost identified included time and materials. Mr. Duval stated the cost did include those items. He explained the only change would be if there was a significant cost adjustment due to the desire for more heaters or a similar situation.

VOTE ON THE MOTION:

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

Nays: 2 - Mayor O'Neil and Council Member Moulton

Absent: 1 - Council Member Ruff

MOTION CARRIED.

2. Approval of Reimbursement to David Lawrence for Plumbing Fixtures in the Amount of \$297.99

MOTION: Council Member Moulton moved, seconded by Council Member Shirrell, to reimburse David Lawrence for plumbing fixtures in the amount of \$297.99.

Council Member Moulton expressed concern over the city not being contacted by the plumber prior to product replacement to check for an issue with the city water system. Mr. Lawrence explained he himself had replaced the fixtures prior to the plumber being contacted. He briefly reviewed the project in its entirety.

Council Member Shirrell asked for information on the document presented by Mr. Lawrence which had not been included in the agenda packet. Mr. Lawrence explained the document showed the cost of the original parts he replaced. He stated Ms. Doom had reimbursed the cost of the plumber, but not the cost of the parts. He stated he felt he was owed the cost of the parts as well. He stated he had not been made aware of the known water pressure issue by the city.

Council Member Fleming asked what steps were taken to inform the public when there was a known water issue with the city system. Public Works Director Rob Comstock stated if there was a known water issue door knockers were issued to those affected. He explained the area had been pinpointed as an insignificant issue to be repaired along with regular maintenance during a survey performed the year prior by a leak detection agency hired by the city. He stated if his department is notified a leak is causing pressure issues, they take care of it immediately. Council Member Moulton asked if the results of the leak detection report were made public in any way. Mr. Comstock stated the reports were not published.

Mr. Lawrence expressed concern over the condition of his driveway in the wake of the repairs. Mr. Comstock explained the area was scheduled to be paved shortly.

Mayor O'Neil stated he found it difficult to depart from the result Mr. Lawrence received from the City Manager.

Council Member Needles asked if the settlement from the City Manager had already been received. Mr. Lawrence confirmed he had received the

reimbursement for the cost of the plumber. Council Member Needles stated he would not have supported the city covering the cost of the plumber either. He expressed concern over the city not being contacted about the issue prior to the home owner taking action themselves.

Mayor O'Neil asked if there had been a pressure issue with every fixture in the house. Mr. Lawrence stated the pressure issue extended to the other fixtures over time.

Council Member Shirrell stated he felt with the low number of issues identified by the leak detection agency, it would be worth the time of the Public Works Department to reach out to those potentially affected. Council Member Moulton agreed notifications should have been sent.

Council Member Fleming requested to recuse himself voting on the item due to family relationships with the applicant.

VOTE ON THE MOTION:

Yays: 2 - Council Member Moulton and Council Member Shirrell

Nays: 3 - Mayor O'Neil, Council Member Needles and Council Member Reese

Absent: 1 - Council Member Ruff

Recused: 1 - Council Member Fleming

MOTION FAILED.

VII. REPORTS

1. Legal Billing - July 2018

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

1. City Manager Report

Ms. Doom provided a report on the summer Alaska Municipal League conference attended by herself and the mayor. She updated Council on current city projects, including the installation of new hard drives and computers.

2. City Clerk Report

Ms. Pierce reviewed the upcoming council calendar, including budget work sessions, the Comprehensive Plan workshop, and the Alaska Municipal League Conference in November.

3. City Attorney Report

Mr. Staser outlined projects and provided updates on cases his firm is working on behalf of the City, including Barton v. City of Valdez, F/V Boulder Bay, C-Plan, Cummings litigation, and the Alaska LNG case.

4. City Mayor Report

Mayor O'Neil provided a report on the summer Alaska Municipal League conference attended by Ms. Doom and himself. He expressed the need to reinstate the bear management program within city limits. He congratulated Axel

Hutchison on winning the 2018 Silver Salmon Derby.

IX. COUNCIL BUSINESS FROM THE FLOOR

Council Member Reese expressed a desire to mitigate risk to the health of the fire department staff and family in the current fire station.

X. EXECUTIVE SESSION

City Council transitioned into executive session at 8:48 p.m.

XI. RETURN FROM EXECUTIVE SESSION

City Council returned from executive session at 9:48 p.m.

XII. ADJOURNMENT

There being no further business, Mayor O'Neil adjourned the meeting at 9:48 p.m.