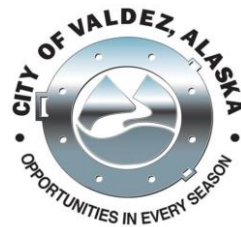


# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Final

**Tuesday, October 16, 2018**

**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 City Council Chambers.

**II. PLEDGE OF ALLEGIANCE**

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

**III. ROLL CALL**

Present: 7 - Mayor Jeremy O'Neil  
Council Member Ron Ruff  
Council Member Christopher Moulton  
Council Member Lon Needles  
Council Member Jim Shirrell  
Council Member Dennis Fleming  
Council Member Darren Reese

Also Present: 5 - City Manager Elke Doom  
City Clerk Sheri Pierce  
Records Manager Shelley McMillen  
Assistant City Manager Roxanne Murphy  
City Attorney Jake Staser

**IV. APPROVAL OF MINUTES**

**1. Regular City Council Meeting Minutes of October 2, 2018**

The regular City Council meeting minutes of October 2, 2018 were approved as presented.

**V. PUBLIC APPEARANCES**

**1. Alaska ADOT&PF Valdez Airport Master Plan**

Ms. Judy Chapman, Northern Region Planning Chief for State of Alaska Department of Transportation & Public Facilities (ADOT&PF), was joined by Mr. John Lin from Stantech, a consultant for the ADOT&PF Valdez Airport master plan.

Ms. Chapman announced they would be running a public open house at the Civic Center until 9:00 p.m. that evening. She stated ADOT&PF had a team of people working on the Valdez Airport master plan update, including herself, John Lin, Daniel Phillips (the northern region maintenance engineer), Jennifer Anderson (transportation planner), and Ryan Cooper with Stantech (airport planner). Ms. Chapman explained the master plan is a comprehensive study of the airport and would recommend short, medium, and long-term capital projects for the facility. She said it would study environmental and socioeconomic impacts and justify future funding and projects, guiding their investment in the airport over the next 20 years.

Ms. Chapman further explained Valdez Pioneer Field is a certificated airport which means it receives aircraft with 30 or more seats. She said the certification requires airport rescue and firefighting personnel be present when flights of that size arrive. She was aware of the difficulty of flights making it into Valdez due to weather and other factors. This is one of the issues being addressed by the open house. She said the plan would deal with the facility's regional role and criticalness of the airport. Her team was anticipating future community needs would involve things such as additional hangers, larger aprons, the Valdez Fly-In event, and floats to wheels conversions.

Ms. Chapman stated they were early in the master plan process and were doing an inventory of airport facilities. The next step would be a forecast gauging aviation activity for the next 20 years. She explained they will look at what the facilities require to meet the forecast. After that, she said they would explore alternatives and do environmental analyses. She said they are also doing an aeronautical survey, which can help with future approach development.

For public involvement, Ms. Chapman said they will have two sets of meetings: one concurrent with tonight's Council meeting and the other taking place in February. She stated they were putting out public radio and newspapers announcements, and working on a project website and a mailing list.

Ms. Chapman said the inventory for the airport was near completion, and is looking at gates, fences, hangers, support facilities, aprons, and taxi ways. Her team is assessing issues like weather, snowfall, maintenance, traffic, and the weather minimums. She stated they are also looking at whether land use around the airport is compatible with the airport, like lease lots, residential areas, and smokestacks that could obscure aircraft on final approach.

Ms. Chapman said they are trying to find the best ways to operate safely, how to increase the benefits of the airport to the community, and how to increase economic advantages the airport can offer to the city. She showed slides of the airport and explained the land of the airport was far greater than the runway and operational services.

Ms. Chapman stated they heard the snow removal equipment building needed to be replaced, and commented that it would be replaced before the end of 2018. She stated that they heard about such issues as weather minimums and difficulty with approaches, necessary safety upgrades for the taxi way, the need for snow and grass airstrips, housing and recreation land uses around the airport, gates and electrical issues, and the need for a sea plane base.

Ms. Chapman commented they would be getting into alternative development a little bit later. She said they would be looking at low growth, medium growth, and large growth alternatives. She explained they had to be practical. The Federal Aviation Administration (FAA) would expect reasonable growth based on the forecast. The FAA would have to approve the forecast with the critical aircraft

identified (the Dash 8 Ravn is using), the airport layout plan (a graphical representation of the airport) and the capital projects taking place for the next 20 years. She expressed people should feel free to contact her, Mr. Lin, or any of the team, if they wanted to discuss any issues related to the airport master planning process.

Council Member Jim Shirrell asked how they were engaging the local government and the City of Valdez. He pointed out it changes to the airport and airport operations will have significant impact on the City's economic well-being. He explained he would like to see the City take an active role discussing the plan on a periodic basis instead of a more passive role where they were just passing along information. He asked administration if the City had someone actively involved in the planning process. City Manager Elke Doom answered the City Community Development Director would be at tonight's public meeting to represent the City and would report back to Ms. Doom. Ports and Harbor Director Jeremy Talbott added airport operations fall under his department and he would also become actively involved in the planning process.

Ms. Chapman said they were open to the City's involvement in the planning process. Jonathan Lim agreed the City needs an active role. He explained the ADOT&PF team wanted to work with City operational staff separately, rather than as part of the general public meetings. However, they wanted to get the basics established before moving forward.

## **VI. PUBLIC BUSINESS FROM THE FLOOR**

### Mr. Harold Blehm, Valdez Resident

Mr. Blehm expressed concerns about the City not having enough housing for seniors and pointed out there was an office building with 15,000 square feet for sale across from the airport.

Mr. Blehm stated one of the partners of the Valdez Senior Center is the Alaska Housing Finance Corporation (AHFC), which is in business to provide affordable housing. He explained they have funded construction projects and support for affordable housing. He was curious as to how this could play into the City's overall comprehensive plan. He warned the Valdez Senior Center is full, with a waiting list of 21 people. He suggested it would be good to investigate AHFC and see if they could provide any help or advice on a way forward.

Mr. Blehm also said there was about five acres of land adjacent to the Valdez Senior Center where a planned utility development could be constructed. He explained the old plan for building an annex was still stored at the Senior Center, but it would have required raising half a million dollars to go forward.

Mr. Blehm expressed hope Valdez would have enough housing for seniors to stay in town as they retired. He stated if a family member does not qualify for the Long-Term Care facility at Providence Valdez Medical Center, families are sometimes forced to

look outside Valdez and must relocate to be close to where their loved one is in assisted living.

Ms. Lee Hart, Valdez Adventure Alliance

Ms. Hart thanked the City for the letter of support for their federal grant application to provide gravel and drainage to the first stretches of the Shoup Bay Trail. She shared news the short film her organization created had been accepted into the Anchorage International Film Fest and will debut sometime between November 30<sup>th</sup> and December 9<sup>th</sup>. She said they also have confirmation of media placements in *Ravn Airlines Spirit* magazine and *Alaska Airlines Beyond* magazine.

Ms. Hart updated Council on the Meals Hill situation and said the project is proceeding in an optimistic direction. She commented, with the airport master plan, waterfront masterplan, comprehensive master plan, and the cruise ships arriving, she wanted to encourage City administration to do a better job of having places online where citizens can keep track of progress and provide input for each project. She said the hot topics on the City website were out of date. Council Member Chris Moulton said providing better internet communication has been discussed and the City Information Technology Department will focus on website improvements after recovering fully from the cyber-attack.

Council Member Shirrell asked if the City was involved in the process of purchasing Meals Hill. Ms. Doom said it was privately owned property and the current land sale negotiation is between the Great Land Trust and the property owners. She explained, originally, the Great Land Trust approached the City and suggested if the Trust purchased the land they would then ask the City to manage it. However, the Trust decided against the process since all the other properties they have purchased so far has been turned over to the state of Alaska for management. Ms. Doom said she expected the role of the City might be creation and maintenance of trails. The land would be a passive recreation area only.

Ms. Hart said the landowner was still negotiating terms with Great Land Trust about purchase price and conditions of sale. These terms would influence a lot of direction regarding what happens next. She explained more should be known by spring 2019. She said once the sale is complete, it will be communicated to the City and state of Alaska. Memorandums of understanding would be developed at that time. Ms. Pierce said the City did a resolution of support when they first started the process.

## **VII. CORPORATIONS**

City Council recessed at 7:34 p.m.

### **1. Appointment to Valdez Museum & Historical Archive Board of Directors**

MOTION: Board Member Moulton moved, seconded by Board Member Fleming, to approve appointment of Lydia Lardy to a one-year, three month term on the VMHA board of directors. The motion carried by the following vote after the following discussion occurred.

VOTE ON THE MOTION:

Yays: 7 - Board Chair O'Neil, Board Member Ruff, Board Member Moulton, Board Member Needles, Board Member Shirrell, Board Member Fleming and Board Member Reese

**2. Valdez Museum and Historical Archive Corporation Annual Meeting**

*VMHA Corporation annual meeting minutes are available by request from the City Clerk's Office.*

City Council reconvened at 8:35 p.m.

**VIII. CONSENT AGENDA**

- 1. Appointments to the City Parks & Recreation Commission**
- 2. Approval of Transfer of Liquor License from Ernesto's Taqueria to The Stampmill LLC**

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

VOTE ON THE MOTION:

Yays: 7 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Needles, Council Member Shirrell, Council Member Fleming and Council Member Reese

**IX. RESOLUTIONS**

- 1. #18-34 - Waiving Solid Waste Fees for Disposal of Debris Resulting from Demolition of a Residential Structure Located at 354 Mendeltna Street**

MOTION: Council Member Moulton moved, seconded by Council Member Ruff, to approve Resolution # 18-34 waiving solid waste fees for disposal of debris resulting from demolition of a residential structure located at 354 Mendeltna Street. The motion carried by the following vote after the following discussion occurred.

Council Member Moulton stated he was glad to see the condition of this house being addressed. Council Member Jim Shirrell asked who currently owned the house. Ms. Pierce said the owner of the property was in the middle of selling to Zastrow Enterprises, who hoped to build a new house there to be sold.

Council Member Shirrell stated demolition of the property was good as the home was close to being condemned. However, he had concerns waiving solid waste fees was a slippery slope. He worried citizens would be seeking the City to pay for demolition clean-up of personal property. He asked if the dump was being opened up for routine waivers. Council Member Moulton explained the situation was a very special case. He said a will was found in the house on a deed so someone wound up owning the property by surprise. However, they did not want

to keep the property. Council Member Shirrell agreed it was a special condition. Mayor Jeremy O'Neil felt this situation did not set precedent as the property was going to be condemned at tremendous expense, cost, and delay. He said waiving solid waste fees was a relatively small expense in comparison.

**VOTE ON THE MOTION:**

Yays: 7 - Mayor O'Neil, Council Member Ruff, Council Member Moulton, Council Member Needles, Council Member Shirrell, Council Member Fleming and Council Member Reese

**2. #18-35 - Amending the City of Valdez Personnel Regulations and Creating an Effective Date**

**MAIN MOTION:** Council Member Moulton moved, seconded by Council Member Reese, to approve Resolution # 18-35 amending the City of Valdez Personnel Regulations and creating an effective date.

Council Member Moulton voiced his support and felt arbitration was expensive on both sides, benefitting those who receive higher salaries since they can afford to take it to binding arbitration. He said there was a structure laid by the Human Resources department over the years in getting employees comfortable with airing grievances and resolving them right away. However, he felt the decision on this resolution should be postponed so the Council could have a work session to meet with the City Employee Relations Team (ERT) and hear their concerns before making a decision. A work session was scheduled for November 1, 2019.

**MOTION TO POSTPONE:** Council Member Moulton moved, seconded by Council Member Shirrell to postpone Resolution #18-35 until the next regular City Council meeting of November 7, 2018. The motion to postpone carried by the following vote after the following discussion occurred.

Council Member Dennis Fleming said he wanted the Council to look at the entirety of the personnel regulations, particularly the merit increase process. He explained he is concerned because supervisors are not being held accountable for completing employee evaluations and linked merit increases. In many cases, merit increases become automatic to not penalize employees whose supervisor do not get evaluations done in time. Mayor O'Neil stated the topic before the Council is the arbitration section of the regulations only.

Ms. Pierce explained the personnel regulations in their entirety would be brought before the Council. She explained Human Resources Director Tim James was working on revisions to other portions of the regulations. Revisions had to first go to the ERT for review and comment.

**VOTE ON THE MOTION TO POSTPONE:**

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

Nays: 1 – Council Member Needles

**X. REPORTS****1. Ports & Harbor Staff Report**

Council Member Shirrell asked for clarification about the abandoned equipment and vehicles left on the beach in Old Town. Mr. Talbott explained a large amount of equipment was discovered beached on City property in Old Town. After a thorough investigation, the owners could not be identified. It appears the owners were attempting to avoid port fees by illegally storing equipment on the beach. The issue was forwarded to the Army Corps of Engineers. However, the equipment disappeared again about 45 days later. Council Member Shirrell asked if the City had been exposed to any liability, damage to the wetlands, or contamination. Mr. Talbott stated there were no issues identified or reported.

**2. September 2018 New Boat Harbor Report****3. Parks, Recreation and Cultural Services Operational Report****XI. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS****1. City Manager Report**

City Manager Elke Doom introduced the new Assistant City Manager Roxanne Murphy and said they were pleased to have her on board. She and Deputy Clerk Allie Ferko volunteered at the high school for the mass flu shot dispensing exercise on October 6<sup>th</sup>.

Ms. Doom attended the employee appreciation dinner on October 5<sup>th</sup> and said it was nice to see families of staff getting to know each other. She expressed thanks to Tina Fifarek, Debbie Roberts, Chef Casey Lean, and other volunteers who coordinated the event. She said they were hoping to have another employee appreciation dinner next year.

Ms. Doom stated she, Ms. Ferko, and Ms. Murphy participated in the TAPS tanker oil spill exercise on October 11<sup>th</sup> at the Valdez Civic Center. She said it was great Incident Command System (ICS) practical training and good to see the Regional Stakeholders Committee put into action. She said exercise organizers were very appreciative the City participated.

Ms. Doom explained City Capital Facilities Director Nate Duval released the request for qualification the new fire station project. Submissions are due by October 23<sup>rd</sup>. She apprised Mr. Duval is waiting for a legal opinion to add a price



proposal into the scope of the RFQ as requested by City Council. Once a response is received from legal, he will do an amendment to the proposal, if needed. Mr. Staser stated the two concerns were about using price proposals in an RFQ and identification of a preferential bidders list. He explained he would prepare written legal opinion on both topics.

## **2. City Clerk Report**

Ms. Pierce reviewed the calendar for the upcoming Council meeting and event schedule, as well as her travel schedule for the International Institute of Municipal Clerks Board of Directors.

Ms. Pierce said there would be a Flood Task Force on October 23<sup>rd</sup> at noon. Council Members Ruff, Fleming, and Needles volunteered to serve on the Task Force.

Ms. Pierce discussed the potential end of the Council meeting broadcasting agreement with KVAK radio. She said the City currently has the capability to livestream audio of meetings on the City website through the Granicus legislative management system. Livestreaming video would also be possible following purchase and installation of camera hardware. Ms. Laurie Prax from KVAK let Ms. Pierce know they were interested in not renewing the agreement for broadcasting in 2019 due to increasing costs and staff burden at the station. However, KVAK would still work with the City to get paid public notices and advertising out to the public. Ms. Pierce said KVAK's radio equipment would be kept in Council Chambers as the Valdez School Board might decide to continue to broadcast meetings on KVAK under a separate agreement. Leaving KVAK's equipment in place would also allow the City to broadcast on the radio during a state of emergency.

Several members of City Council expressed concerns about citizen demographics that do not have good access to online forms of communication. Mayor O'Neil asked if they could entertain the idea of continuing to use radio alongside livestreaming provided it was not cost prohibitive. Ms. Pierce said she would continue the discussion with KVAK about options for 2019.

## **3. City Attorney Report**

Mr. Staser outlined projects and provided updates on cases his firm is working on behalf of the City, including the Alaska LNG Pipeline, municipal code updates with a focus on nuisance abatement code, the Cummings litigation, C-Plan adjudication, the Boulder Bay case, and the Barton litigation.

Mr. Staser said he would compose a written briefing regarding the personnel regulations and removal of arbitration provisions to provide information on dispute resolution channels and the pros and cons of different options. He stated Council could expect the briefing before the November 1<sup>st</sup> regular meeting.

Mr. Staser said he would also get Council a written opinion on whether the City could legally select preferred bidders and send project bid packets directly to them. He was also going to see if RFQ bids could include price proposals under current state of Alaska statute. Council Member Shirrell said the compromise request from Council was to include a price proposal with quotes on hourly rates and other direct costs so they could get a feel on the parameters. However, the price proposal would not be one of the weighted criteria used in the selection process. He explained the data would be helpful to negotiate pricing or price for change orders. Mr. Staser said, as a municipal corporation, the City cannot show favoritism or limit bids to only “preferred bidders”. This practice would result in litigation against the City.

#### **4. City Mayor Report**

Mayor O’Neil said he had spent time out of state, on both sides of the Gulf Coast, when the hurricane came through and expressed regret over the lives lost. He also welcomed the new assistant city manager and the new commission members. He thanked all of the various community members who serve on Valdez boards and commissions.

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

Several City Council Members welcomed the new assistant city manager.

Council Member Moulton said he participated in the flu shot clinic and the new drive-thru option was successful. He said there were more volunteers and less people getting shots than in years past.

Council Member Moulton said he had received a large amount of public comment about RVs and other vehicles parked in the old Three Bears parking lot. He stated issues like these would hopefully be addressed by the new code enforcement officer.

Council Member Reese stated, with the budget process coming up, he would like to see a plan in place for the future of the yellow warehouse by the Kelsey Dock.

Council Member Needles stated, at a recent Council meeting, an individual representing the fire department came forward and passionately asked for Council to respond to a safety issue with the fire department building. The individual expressed worries about the effects of diesel exhaust on fire department staff, volunteers, and families. Council Member Needles asked the Fire Chief to speak on the topic.

Fire Chief Tracy Raynor explained the main concern was the build-up of carbon monoxide released into the fire station when the fire apparatus were started or parked. In recent years, much more data has become available to understand the effects of

diesel exhaust on human health, including elevated risk of cancer amongst fire station personnel. He stated he has been working with the City Capital Facilities Director to obtain price quotes on different exhaust removal systems.

Council Member Shirrell said the exhaust removal system had already come before Council and had support. He asked if the purchased system could transition to the new fire station facility. Mr. Raynor confirmed purchasing a system which could be moved was the intent.

**XIII. ADJOURNMENT**

There being no further business, Mayor O'Neil adjourned the meeting at 9:43 p.m.