

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Final

Tuesday, September 15, 2020

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: 7 - Mayor Jeremy O'Neil
Council Member Ron Ruff (*telephonically*)
Council Member Susan Love
Council Member Sharon Scheidt
Council Member Jimmy Devens
Council Member Dennis Fleming (*telephonically*)
Council Member Alan Sorum (*telephonically*)

Also Present: 6 - City Manager Mark Detter
Assistant City Manager Nathan Duval
Assistant City Manager Roxanne Murphy
Deputy City Clerk Allie Ferko (*telephonically*)
Records Manager Shelley McMillen
City Attorney Jake Staser

IV. APPROVAL OF MINUTES**1. City Council Special Meeting Minutes of March 20, 2020**

The City Council special meeting minutes of March 20, 2020 were approved as presented.

V. PUBLIC APPEARANCES**1. Public Appearance: Kristin Carpenter, Prince William Sound Economic Development District**

Ms. Carpenter introduced herself and shared her excitement in working with the Valdez community. She listed several projects the Economic Development District (EDD) was working on, and invited Council to the EDD's virtual annual meeting on November 12, 2020.

VI. PUBLIC BUSINESS FROM THE FLOORLanette Oliver, Valdez Adventure Alliance (VAA)

Ms. Oliver and several members of her staff invited City Council to the VAA Bike Bash Fun Fest on September 26-28, 2020. Ms. Oliver outlined the event schedule and several of the activities involved. Council Member Scheidt asked if VAA was advertising in other communities for this event. Ms. Oliver stated that the focus this year was local.

Kaitlin Pabo-Eulberg, Kyle Walker & Sam Foist-Swart, Valdez Residents

Ms. Pabo-Eulberg, Mr. Walker, and Ms. Foist-Swart presented their request for City Council, the City of Valdez, the Valdez Police Department, and the community of Valdez to collaborate together and actively work against institutional racism. Ms. Pabo-Eulberg stated with the deaths of George Floyd, Breonna Taylor, and many other people, the country has a closer lens on how institutional racism impacts everyone.

Mr. Walker explained the group had drafted a statement to read before City Council, but realized they had not yet collaborated with many people of color regarding their experience with racism in our community. He explained anything written, such as a statement or proclamation, is also not a substitute for systematic change. He stated authentic relationship building comes from a process that involves people who are most impacted by a system that denies opportunities for Black, indigenous, Alaska Native, and other people of color. He stated he is grateful for the people of color who have engaged the group in conversation and want any efforts moving forward to be truly collaborative.

Ms. Foist-Swart asked the City Council to collaborate with people of color to draft a proclamation denouncing racism and commit to making concrete change against racist narratives in Valdez. She stated Valdez residents want to partner with their elected leaders to do this important work. She stated now is the time to take a stand against racism and make long-term systematic change. She asked to discover Valdez as a place which examines racial bias, holds police accountable, and ends white supremacy. She stated black lives matter.

Ms. Foist-Swart asked Mayor O'Neil to read a letter written by Valdez Chief of Police Bart Hinkle, who was unable to attend the meeting. Chief Hinkle's letter stated *"I personally, and professionally, reject, discourage, and condemn racism, discrimination, and any hate-based conduct. As an individual I am actively working on myself to no longer merely be "not racist" and to become "anti-racist." As the chief law enforcement officer in the community I recognize the need for, and welcome the opportunity, to partner with local community leaders and elected officials to stand against all forms of racism, discrimination, and hatred.*

The City Council expressed their unanimous support for Valdez to be recognized as an inclusive and anti-racist community. Ms. Pabo-Eulberg stated she would connect Mr. Detter to the group of people, which includes people of color, who have agreed to work with the city to draft a proclamation.

Dr. Angela Alfaro, Sound Wellness Alliance Network (SWAN)

Dr. Alfaro explained SWAN was unable to host its annual symposium and health fair, due to concerns related to COVID-19. Instead they created a virtual symposium running from September 21-26, 2020. Dr. Alfaro summarized the activities associated with this year's SWAN events.

VII. CONSENT AGENDA

1. **Appointment to City Economic Diversification Commission (Partial Term - Katharine Adams)**
2. **Approval to Go Into Executive Session Regarding Hilcorp Acquisition of BP**
3. **Renewal of Standard Marijuana Cultivation License #11234 - DKW Farms**
4. **Renewal of Limited Marijuana Cultivation License #10043 – Alaskan Greenery**
5. **Approval to Extend Snow Removal Contract with Nordic Village Supply for Area V for a Term of Two Years.**
6. **Approval to Extend Snow Removal Contract with P&R Enterprises Inc. for Area II for a Term of Two Years**
7. **Approval to Extend Snow Removal Contract with Harris Sand & Gravel for Areas I, III, and VI for a Term of Two Years**
8. **Approval to Extend Snow Removal Contract with Dunning Enterprises for Area IV for a Term of Two Years**

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

VOTE ON THE MOTION:

Yays: 7 - Mayor O'Neil, Council Member Ruff, Council Member Love, Council Member Scheidt, Council Member Devens, Council Member Fleming and Council Member Sorum

MOTION CARRIED.

VIII. NEW BUSINESS**1. Discussion Item: COVID-19 Update**

Mr. Detter provided an overview of COVID-19 cases within the State of Alaska. He outlined the Valdez Unified Command's recommendation for the continuation of Valdez Public Health Mandate #003. He expressed concern over an increase in travel in and around Alaska, especially due to the recent holiday weekend, and stated masking appeared to be one of the most effective mitigation tools available. Mr. Detter identified three separate locations in town which offered rapid testing for COVID-19.

Council Member Scheidt asked about scheduling associated with rapid testing, as well as the cost involved. Dr. Angela Alfaro of The Alfa Doc explained her

office scheduled rapid testing appointments every day of the week depending on the needs of her patients. She stated her office offered both symptomatic and asymptomatic testing. She stated that her office was not charging patients directly, but were attempting to be reimbursed through insurance and different government programs.

Dr. John Cullen of Valdez Medical Clinic stated that his office scheduled rapid testing appointments Sunday through Thursday and results were provided while the patient waited.

Council Member Scheidt stated that people should call and discuss options with one of the offices and based on the information they provided it would be determined which testing option would be best for the situation presented.

Mr. Detter expressed his confidence in the Valdez Unified Command and overall community's preparedness to handle a local outbreak.

2. Approval of Amendment No. 1 to Valdez COVID-19 Public Health Mandate #003

MAIN MOTION: Council Member Love moved, seconded by Council Member Devens, to approve Amendment No. 1 to Valdez COVID-19 Public Health Mandate #003.

Mayor O'Neil opened the conversation by stating how the amendment affected the mandate by creating an expiration date, unless otherwise extended or rescinded. Council Member Love stated she would be more open to considering rolling back the mandate if there were fewer cases statewide. She explained she felt renewing the mandate was the best decision at this time.

Council Member Devens asked why November 18th was selected. Mr. Detter explained that more information on a vaccine should be available at that point. He stated two months would be an appropriate review period, as a month seemed too short and December too long to determine trends in case count numbers statewide. Council Member Devens reiterated his support for extending the mandate.

Council Member Scheidt shared feedback from businesses she had spoken with in regards to the mandate. She stated her support of continuing the mandate, but would offer an amendment to move the date from November 18th to October 21st. She understood it was a shorter timeframe, but felt it was a happy medium for both those wanting to extend and those wanting the mandate to end.

MOTION TO AMEND: Council Member Scheidt moved, seconded by Council Member Sorum, to the strike the proposed date of November 18, 2020 and replace it with October 21, 2020.

Council Member Love asked if the five week period was something the Valdez Unified Command could accommodate. She stated she was concerned that it did not offer enough time to see reliable trends. Council Member Devens also expressed his concern over not having enough time to see a valid statistical

trend. Mayor O'Neil stated that it would be more efficient to review the mandate every two months. Council Members Fleming, Ruff, and Sorum expressed support for the date change.

Council Member Devens reiterated the end date of the mandate is the latest date Council could vote to extend before it expired.

Dr. Alfaro stated that she did not feel one month was adequate. Dr. Kathy Todd, Valdez Medical Clinic, expressed her concern over having enough time to watch the trend of cases within the presented timeframe. She stated she also doubted a vaccine would be available by November.

Council Member Scheidt asked if two months would be enough time, in Dr. Todd's opinion. Dr. Todd explained she favored two months over one month to cut the Council's review work in half. She further suggested reviewing the mandate in two to four months instead.

Council Member Scheidt wanted to know why November was the target and what data would be monitored to decide how to move forward. Mr. Detter responded that the Unified Command would be watching the trends and the number of cases, looking for a steep drop in cases statewide.

Mayor O'Neil reminded Council that flu season was beginning and school had just begun. Fall and winter would also lead to an increase in indoor activities, which could potentially increase the spread of the virus.

VOTE ON THE AMENDMENT:

Yays: 4 - Council Member Ruff, Council Member Scheidt, Council Member Fleming and Council Member Sorum

Nays: 3 - Mayor O'Neil, Council Member Love and Council Member Devens

MOTION CARRIED.

Council Member Fleming stated he did not support Amendment No. 1, nor the original mandate.

Dr. Alfaro commented on the benefit of masks both to others as well as to the individual wearing one. Dr. Cullen shared his opinion as a health professional on the benefit of continuing to require masks. Dr. Todd expressed her gratitude for being able to wear her mask around town and not have to hunker down.

Mayor O'Neil agreed with the statements made by the local doctors. He shared his support for the mask mandate remaining in place.

Council Member Scheidt reiterated that she supported the mandate and that she was also open to reevaluate and extend the mandate past October if that was what was necessary at the time. Council Member Sorum expressed his support for Amendment No. 1 and felt it was not asking too much to discuss the mandate

more often.

VOTE ON THE MAIN MOTION AS AMENDED:

Yays: 5 - Mayor O'Neil, Council Member Love, Council Member Scheidt,
Council Member Devens and Council Member Sorum

Nays: 2 - Council Member Ruff and Council Member Fleming

MOTION CARRIED.

IX. RESOLUTIONS

1. #20-47 - Opposing Issuance of Permit by Department of Natural Resources for Helicopter Operation Project LAS 33373 (Postponed from the City Council Regular Meeting of September 1, 2020)

MOTION TO POSTPONE INDEFINITELY: Council Member Devens moved, seconded by Council Member Scheidt, to postpone Resolution # 20-47 indefinitely.

Mr. Detter shared his conversations with both Mr. Wolf and the Department of Natural Resources (DNR) representative Candice Snow. Mr. Detter suggested postponing the resolution indefinitely.

Mr. Staser agreed postponing the resolution indefinitely was the right choice. Ms. Ferko clarified the purpose and use of postponing the resolution indefinitely within the rules of parliamentary procedure.

Council Member Fleming expressed his concern in postponing indefinitely, as Council had given its word to Mr. Wolf to wait and see what adjustments he brought back to DNR.

Mayor O'Neil stated Council would still be able to address the permit when it came time. Ms. Ferko explained the topic could be added to a future agenda at the request of the mayor or two council members.

Mr. Detter shared Mr. Wolf's desire to develop his business within the Valdez community. He explained Mr. Wolf had looked at other options and was feeling positive about a path forward.

Council Member Scheidt stated she felt it was the role of the City to encourage new business.

VOTE ON THE MOTION TO POSTPONE INDEFINITELY:

Yays: 7 - Mayor O'Neil, Council Member Ruff, Council Member Love,
Council Member Scheidt, Council Member Devens, Council
Member Fleming and Council Member Sorum

MOTION CARRIED.

X. REPORTS

1. **Change Order Report: Change Order #4 with Harris Sand & Gravel Inc. for Pavement Management Phase I - West Egan Drive in the Amount of \$25,500**
2. **Change Order Report: Change Order #1 with Vision Construction International for City Buildings Exterior Caulking Project in the Amount of \$16,249.07**
3. **Change Order Report: Change Order #2 with Cornerstone General Contracting Inc. for Providence Valdez Medical Center Copper Pipe Replacement in the Amount of \$17,581**
4. **Procurement Report: Professional Services Agreement with Day Engineering for New Municipal Well in the Amount of \$91,000**

Council Member Fleming asked about the timeframe for installing the new well. Mr. Duval replied that he hoped to have the well installed in spring 2021, with piping and infrastructure to the well installed in spring 2022. Council Member Fleming asked if the City planned to pave Whalen Drive once the project was complete. Mr. Duval confirmed that was the current plan.

XI. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS**1. City Manager Report**

Mr. Detter updated Council on several projects, including the new fire station, South Harbor Drive, West Egan Drive, Meals Avenue, Robe River Subdivision and the Kelsey Dock decking project.

Council Member Sorum asked Mr. Detter to follow up on the Alpine Woods playground replacement.

Council Member Fleming asked if the Kelsey Dock would be open for motor vehicle traffic this winter. Mr. Detter responded it would be open to traffic, although specific areas might be limited until the decking project was complete.

2. City Clerk Report

Ms. Ferko reviewed upcoming Council work sessions and meetings, as well as vacancies on City boards and commissions. She thanked the Clerk's Office staff for their flexibility and hard work over the past several months.

3. City Attorney Report

Mr. Staser outlined projects and provided updates on cases his firm is working on behalf of the City, including the TAPS settlement, Pacific Pile & Marine, Alaska Trappers Association, and the Joint Audit Plan with the Department of Revenue.

4. Mayor Report

Mayor O'Neil thanked former City Manager Dave Dengel for his service, and expressed his sadness in Mr. Dengel's passing.

He stated he was grateful to meet with CDR Patrick Drayer, the new Commander of U.S. Coast Guard Marine Safety Unit Valdez and looked forward to working with him.

He explained September was Suicide Awareness Month and Providence Valdez Counseling Center put on a march and a program addressing suicide prevention in the community.

Mayor O'Neil stated it was his intention to draft a letter to City Council recommending the Mayor's Flood Task Force and the Mayor's Beautification Task Force come up with plans to wrap up their work. He explained task forces are not designed to be long term and should sunset after their scope of work was completed.

XII. COUNCIL BUSINESS FROM THE FLOOR

All six Council members offered their condolences to the Dengel family and expressed their sadness over the loss of Mr. Dengel.

Multiple Council members expressed their appreciation for the hard work of Mr. Detter, Mr. Duval and the capital project management team in the Capital Facilities Department, the Parks & Recreation Department, and other city staff for their hard work over the summer

Council Member Scheidt reminded everyone to take the Meals Hill survey which will help determine what is done with the new park.

Council Member Scheidt provided a brief update on the activities of the Economic Recovery Task Force. She thanked the Economic Development staff for helping local businesses navigate the CARES Act. She explained the task force is targeting a mid-November date to hold a work session with Council and complete their scope of work.

XIII. EXECUTIVE SESSION

The City Council transitioned into executive session at 8:57 p.m.

XIV. RETURN FROM EXECUTIVE SESSION

The City Council transitioned out of executive session at 9:28 p.m.

XV. ADJOURNMENT

There being no further business, Mayor O'Neil adjourned the meeting at 9:29 p.m.