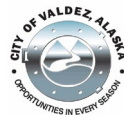


# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Final

**Tuesday, September 1, 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**

City Council led 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: 7 - City Manager Mark Detter  
Assistant City Manager Nathan Duval  
Assistant City Manager Roxanne Murphy  
City Clerk Sheri Pierce  
Deputy City Clerk Allie Ferko (*telephonically*)  
Records Manager Shelley McMillen  
City Attorney Jack Wakeland (*telephonically*)

**IV. PUBLIC APPEARANCES****1. Dan Kitchens, Chief Commercial Officer RAVN Airlines - Update on Reestablishment of Air Service to Valdez**

Mr. Kitchens stated on August 7, 2020 his company purchased Corvus Airlines and intend to operate service into Valdez as RAVN Airlines under new branding. He stated his company is very aware of customer service and reliability challenges in the past and hope to resolve those moving forward. He anticipated a start date of September 24, 2020 and expressed his enthusiasm in working with the Valdez community. Mr. Kitchens stated his company's goals include fewer canceled flights due to weather and the use of their spare aircraft as needed to provide consistent, dependable service.

**V. PUBLIC BUSINESS FROM THE FLOOR**

Lanette Oliver, Valdez Resident

Ms. Oliver shared her excitement and appreciation for the new interpretive panels in the Valdez Cemetery. She thanked Parks Maintenance and others who were involved in that project.

**VI. CONSENT AGENDA**

- 1. Proclamation - Recognizing Valdez Commercial Fish Processing Industry**
- 2. Appointment to Parks & Recreation Commission (Partial Term: Benjamin Rush)**
- 3. Appointment to the Economic Diversification Commission (Partial Term: Meredith Noble)**
- 4. Appointments to Library Board (Full Term: Megan Gunderson & Breanna Odencrans)**

MOTION: Council Member Scheidt moved, seconded by Council Member Ruff, 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.

Mayor O'Neil read the proclamation into the record. Several representatives of the commercial fishing industry, including Silver Bay Seafoods, Peter Pan Seafoods, and Valdez Fisheries Development Association, expressed their appreciation for a collaborative approach to mitigating COVID-19 risk to their workforce and the community. Multiple Council Members expressed appreciation for the hard work of the industry and its employees over the summer.

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

Mr. Detter updated Council on current statewide case numbers and recent downward trends. He stated although things had been difficult at times, the Valdez community had successfully navigated the pandemic up to this point. Ms. Ferko, in her role as public information officer, agreed there had been a learning curve, but everyone had found their groove.

Police Chief Bart Hinkle reviewed how his staff had handled enforcement of mandates up to this point, focusing on education and resource provision. Dr. Angela Alfaro provided an update on her clinic's new rapid testing option and discussed what would happen if a student presented at school with symptoms. Public Health Nurse Terri Lynch explained trends indicate people remain diligent

when running their errands and traveling. However, many people are not following mitigation protocols during social activities and letting their guard down. This has led to several outbreaks around the state. Ms. Lynch encouraged others to keep their social bubbles small and remain vigilant regarding COVID-19 risk.

Council took a brief recess at 8:00 p.m.

Council resumed the meeting at 8:03 p.m.

## **2. Approval of Memorandum of Understanding with Alberta Alaska Rail Development Corporation**

MOTION: Council Member Devens moved, seconded by Council Member Scheidt, to approve the Memorandum of Understanding with Alberta Alaska Rail Development Corporation (A2A).

Mr. Detter explained several members of the city executive team were working with him on this project. He stated if additional resources or personnel are needed to help with the project, he would ensure City Council is aware. The MOU is non-binding and there is no commitment at this time to expend funding or resources on this project. The project team would work in a cooperative manner with A2A while they covered the City's interest in the discussion.

Council Member Devens asked for clarification on materials provided during the work session with A2A. He explained a recent Fairbanks based news story outline the projected valuation of the spur line which did not match the materials provided by A2A. A2A representative Joe Katchen agreed to look into the news story and provide clarification.

Council Member Love wanted to know if A2A had presented their plan to Alyeska Pipeline Service Company and SERVVS and entered into any MOUs with those companies. Mr. Katchen stated to the best of his knowledge, A2A had not been in recent communication with APSC or SERVVS. Mr. Katchen explained one of the benefits of Valdez as a port included the familiarity, expertise, and capacity with oil spill response.

Council Member Love requested information on the safety measures that would be in place to protect the area from potentially toxic cargo on the train. Mr. Katchen cited safety as the top priority. He explained the railroad engineering company working on the project is one of the top firms in the world. They would be coming up with plans to mitigate any safety issues. He stated he could provide additional materials directly from the engineering firm related to the topic in the future.

Council Member Love asked for the current timeframe related to permitting hurdles. Mr. Katchen stated the NEPA EIS would be the biggest hurdle. In the fall, they would be working with DNR to get a right of way established to Fairbanks. The federal NEPA process was anticipated to start in the first quarter of 2021, pending receipt of the required Presidential Permit. The NEPA process

is anticipated to span two to three years.

Council Member Fleming questioned how city staff hours would be tracked for this project. Mr. Detter responded he would report that information once they established a methodology to track staff project time. Council Member Fleming explained this type of information would help City Council make decisions about future resources or funding.

**VOTE ON THE MOTION:**

Yays: 6 - Mayor O'Neil, Council Member Ruff, Council Member Scheidt, Council Member Devens, Council Member Fleming and Council Member Sorum

Nays: 1 - Council Member Love

MOTION CARRIED.

**3. Approval of FY2021 Community Jail Contract with State of Alaska**

MOTION: Council Member Love moved, seconded by Council Member Devens, to approve the Valdez Community Jail contract with the State of Alaska for the third year (July 1, 2020 - June 30, 2021) of an initial five year term.

Chief Hinkle gave a brief overview of the last two years' operations. He stated it had been a positive experience for both his staff and community members.

**VOTE ON THE MOTION:**

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

MOTION CARRIED.

**VIII. 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)**

MAIN MOTION ALREADY ON THE FLOOR.

Mr. Detter briefed Council on his discussion with Mr. Joseph Wolf earlier in the day. Mr. Wolf is still in the process of revising his permit application for Alaska Department of Natural Resources (DNR). Residents in the surrounding neighborhood continue to voice their concerns with the project as currently proposed. Mr. Detter explained Mr. Wolf intends to have his operation in Valdez and was open to different ideas.

Council Member Love asked about the timeline and process for rezoning an area. Mr. Detter said although the current issue presented a more time sensitive

need to address the zoning of this specific area, he had hoped to begin looking at overall city-wide zoning once the City Comprehensive Plan was complete. Mr. Detter stated completion and adoption of the Comprehensive Plan is anticipated in six to eight months. Mayor O'Neil asked when permitting and other actions would be paused in anticipation of the upcoming plan adoption. Mr. Detter stated the topic is being contemplated, but a specific date has not been determined.

Council Member Ruff conveyed concerns expressed to him by the residents of the neighboring subdivision. He explained they are adamantly opposed to this project in any form in the proposed location and were concerned the City Council was not taking the risk as seriously as needed. He requested a stronger worded resolution. He explained he would also like the City legal team to determine what resources and tools were available to the City to help address the situation. Mr. Wakeland stated he would follow-up regarding legal options and tools.

Council Member Ruff explained he did not think City Council needed to wait to draft a resolution opposing the project. He did not believe the residents in the neighborhood would support the project in any fashion, even with adjustments made by Mr. Wolf. He stated he wanted the issue to be addressed in a timely fashion.

Council Member Devens stated he did not feel it would be appropriate to make a decision at this point, as City Council previously told Mr. Wolf they would hold off on taking any action until after he submitted the adjustments to his application. Mayor O'Neil encouraged allowance for due process of administrative procedure while assuring the residents of the neighborhood that Council will make a statement when the issue is fully ripe.

Council Member Scheidt mirrored Council Member Devens' concern about making any decisions at that point. She explained she was in favor of postponing until the Council received further information from the applicant and DNR as previously discussed.

**MOTION TO POSTPONE:** Council Member Devens moved, seconded by Council Member Scheidt, to postpone resolution #20-47 until the next regular City Council meeting on September 15, 2020.

Ms. Cassidy Goodrich, Valdez resident, expressed her concerns with noise level in the neighborhood if a helicopter landing area was allowed in the area. Mayor O'Neil asked if Ms. Goodrich had any issue with postponing the resolution. Ms. Goodrich stated she did not.

Ms. Sarah Hogarth, Valdez resident, asked for the date of the extended comment period deadline. Mr. Detter explained the guidance from Ms. Snow at DNR was that all it will take is an email request from the city manager to extend the comment period. Ms. Hogarth expressed her desire for City Council to act quickly on this topic, as no amount of helicopter traffic in the neighborhood would be acceptable to residents in the area.

An unnamed Valdez resident encouraged the City Council to schedule a special meeting to make sure the timing of any postponement complied with the state of Alaska's comment period. He explained the applicant could appeal if the

comment period was extended for too long.

VOTE ON THE MOTION TO POSTPONE:

Yays: 6 - Mayor O'Neil, Council Member Love, Council Member Scheidt,  
Council Member Devens, Council Member Fleming and Council  
Member Sorum

Nays: 1 - Council Member Ruff

MOTION CARRIED.

**2. #20-48 - Amending the 2020 Budget by Transferring \$1,712,675.08 from Unassigned General Fund Balance to Emergency Preparedness Reserve Fund for COVID Related and 2020 Emergency Expenditures**

MOTION: Council Member Love moved, seconded by Council Member Devens, to approve resolution #20-48.

Finance Director Brian Carlson summarized the purpose of the emergency preparedness reserve fund. He outlined the budget amendment and how it would be affected by the receipt of FEMA funds and CARES Act money in the future. He outlined what types of expenses could be reimbursed by FEMA funds versus CARES Act funds.

Council Member Devens asked if the money received from FEMA and the CARES Act would be returned to the Unassigned General Fund. Mr. Carlson confirmed it would be placed there to offset this budget amendment unless there was a major increase in emergency response spending.

Council Member Scheidt requested clarification on an item listed unrelated to COVID-19. Mr. Carlson responded those items were associated the safety response to the glacial calving event and similar items.

Council Member Scheidt stated she would prefer CARES Act funding be applied to programming instead of wages whenever possible. Mr. Carlson explained he understands this perspective and desires to maximize the City's options.

VOTE ON THE MOTION:

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

MOTION CARRIED.

**3. #20-49 - Authorizing the Continuance of the COVID-19 Local Government Disaster Declaration**

MOTION: Council Member Scheidt moved, seconded by Council Member Love,

to approve resolution #20-49.

**VOTE ON THE MOTION:**

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

**MOTION CARRIED.**

**IX. REPORTS**

- 1. Procurement Report: Professional Services Agreement with Slate for PRCS Seasonal Activity Guide**

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

- 1. City Manager Report**

Mr. Detter provide an update regarding ongoing City projects. He stated the Council budget work session process would begin in October. A work session on September 29<sup>th</sup> was scheduled to discuss space use plans for the old fire station and City Hall campus.

- 2. City Clerk Report**

Ms. Pierce reminded City Council she would be on leave from September 8<sup>th</sup> through September 18<sup>th</sup>. She conveyed cross training was occurring in her department and a plan was in place to catch up on Council meeting minutes. Ms. Pierce outlined multiple vacancies on city boards and commissions. She announced Deputy City Clerk Allie Ferko received her designation as Master Municipal Clerk from the International Institute of Municipal Clerks earlier in the day. She thanked the Clerk's Office staff for their hard work and flexibility over the past couple of months.

Council Member Scheidt requested the Clerk's Office distribute the October Council calendar, as it would be a very busy month.

- 3. City Attorney Report**

Mr. Wakeland outlined projects and provided updates on cases his firm is working on behalf of the City, including the PPM dispute, the Barton appeal, and escaped property.

- 4. City Mayor Report**

Mayor O'Neil reminded the community the fish derbies were coming to a close. He addressed the low number of COVID-19 cases and thanked the community for the measures they had taken to keep the community safe.

**XI. COUNCIL BUSINESS FROM THE FLOOR**

Council Member Fleming expressed his appreciation for the Capital Facilities department and city project information being published.

Several council member congratulated Ms. Pierce on the upcoming marriage of her son and Ms. Ferko for receiving her MMC designation.

Council Member Devens stated he was grateful for the completion of the mold remediation efforts in Fire Station One.

**XII. ADJOURNMENT**

There being no further business, Mayor O'Neil adjourned the meeting at 9:07 p.m.