

City Council Minutes
Regular Meeting
May 6, 2003 ~ 5:00PM
City Hall, Delta Junction, Alaska

The regular meeting of the Delta Junction City Council was held on May 6, 2003 in the conference room at City Hall, Delta Junction, Alaska. Mayor Gilbertson called the meeting to order at 5:00pm.

Council members present: Roy Gilbertson, Henry Summers, Mary Leith-Dowling, Mark Weller
Judy Dewar and Lou Heinbockel

Council members excused: Susie Kemp (excused 4-30-03)

City employees present: Dave Zimmerman, Pete Hallgren, Lamar Cotten, Dennis Dooley, Pat White

Additionally there were four members from the community present at the beginning of the meeting. One more arrived after the Executive Session.

Gilbertson and Cotten excused themselves at 6:50pm to attend the School Board meeting at DGSD High School. Leith-Dowling, Mayor Pro tem, presided in Gilbertson's absence.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

White reported add-ons to New Business:

- ✓ PO#07862 to Bank of America for April 03 charges
- ✓ Senator Wilkens' resolution (#12) requesting LBC consider borough incorporation for certain unorganized areas

Leith-Dowling moved to approve agenda as amended; Weller seconded. Motion carried.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

- ✓ April 15, 2003 regular meeting
- ✓ April 21, 2003 special meeting

Leith-Dowling moved to approve minutes from the April 15, 2003 and April 21, 2003 meetings as presented; Weller seconded.

Weller stated he felt the minutes from April 21 seemed incomplete.

White stated she would redo the minutes.

Discussion followed.

Leith-Dowling amended motion to remove approval of April 21, 2003 minutes; Heinbockel seconded. Motion carried.

REQUEST TO SPEAK

Ken Farrow, Executive Director of Alpha Omega Life Care Inc., asked for City assistance in dealing with "run-away" traffic on Rapids Street, where his business is located. He stated it has been an ongoing problem for many years. Copies of Farrow's request for Council support were distributed. His concerns are increased with the understanding that Rapids could possibly be paved. He suggested speed bumps as a possible solution. He also suggested greater AST presence, speeding citations, additional and more visible signs or closing off the street where it enters school property so that school-bound traffic is eliminated, leaving only residents and businesses with access to Rapids Street. Farrow stated he feels there is not any enforcement, nor is there anything to discourage blatant disregard of posted speed limit signs. He said there is also no concern for the safety of citizens.

Heinbockel said traffic problems are on any street in the Junction.

Dewar said she felt it is more of a danger on Rapids than other streets because of the population along the road, the fact that the road runs between the school and the Richardson Highway and because of the blind corner. She said, "Sooner or later someone will get hurt on that curve."

Farrow said the speeding drivers are mostly adults, not young people.

Hallgren, referring to Farrow's handout, stated one of Farrow's solutions was to close Rapids Street so that it does not enter the school area. He asked if Rapids could be closed at Kimball Street.

Farrow said he would appreciate Council consideration in resolving this “disaster in the making” however best it could be resolved.

Connie Ott reported Rescue Squad Chief, Roger Harris, had an apparent heart attack on May 3. He was transported by air to Providence in Anchorage. She said tests will determine if there was heart damage.

EXECUTIVE SESSION TO DISCUSS PRISON NOTE

Heinbockel moved to go into Executive Session to discuss financial matters with Attorney, Ken Jacobus, at 5:10pm (via teleconference); Summers seconded.

Motion passed by unanimous consent.

Six Council members and three City employees (Cotten, Hallgren, White) were present.

Heinbockel moved to end Executive Session and resume the regular Council meeting at 5:33pm; Summers seconded.

Motion passed by unanimous consent.

Park Committee Report (agenda item under New Business, scheduled later in the meeting)

Judy Dewar presented an original map of the community park. She explained what was originally planned, how the park has progressed and the goal to make more recent improvements.

Dewar distributed a Committee Report handout. She and Council members shared ideas and opinions of what the Park Committee recommended. The committee consists of Eileen Herman (present at tonight’s meeting), Diane Ludwig (present), Colton St. Peter, Becky Wilburn and Judy Dewar (present).

Dewar asked for signs designating age restrictions for the playground equipment. She said if the equipment is too old to meet present standards, it is suggested to remove them. It may not be an option when considering the cost of the equipment. There is a risk of liability should a child be injured. Dewar stated the tube slide that was recommended to be removed one year ago has since been vandalized. \$1,163.00 plus freight was quoted as the cost to replace that particular slide. The cost is \$6,000 plus freight to replace the whole apparatus in its newer version. Dewar said a local trucker, who makes regular runs to and from Seattle, may be able to defray the freight cost.

Dewar stated the park equipment is 20 years old and needs to be replaced. The committee recommends getting age appropriate equipment such as spring-loaded rockers. She shared pictures of other parks with playground equipment showing signs that are posted to designate age appropriate equipment.

Dewar discussed outhouses and maintenance. She asked about grant money covering renovation costs.

Hallgren said the funding set aside for the park could include outhouse renovations.

Dewar stated Becky Wilburn of the Softball Association asked that the City take over the maintenance of the fields and charge a user fee. They only use the fields for six weeks. Other groups could do the same. She said it was questioned as to who would oversee collecting the fees.

Dewar stated there are not enough benches and bleachers. The current bleachers get dragged between fields.

Gilbertson said Gary Hall is building 12 through the school district. Hall plans to contact Dewar.

Dewar said trash collection stops after ball seasons end. She asked to have the tip-proof trash containers anchored with cement to prevent trash from being scattered by dogs or other means.

Hallgren said Bob Morley did that but ball players removed the chains.

Discussion followed about chains, padlocks, vandalism and prevention of it.

Dewar stated a certain group of individuals are making their own soccer field and using the trashcans to create it. She said the park was originally designed to have a soccer field and she feels there is a need for one.

Discussion followed regarding a “wish list” of park improvements. Some suggestions for improvements are maintained restrooms, an opening in the fence or a 4-5’ gate for the Little League to transport their

pitching machine, a fenced T-ball field, more benches or bleachers at that end of the park, scorekeeper booth repair, a portable Little League scoreboard, the volleyball court cleaned and refilled, a replacement for the volleyball net.

Dewar stated donations could be collected for the scorekeeper booth repairs and to purchase the scoreboard. She said Delta Mine Training Center's Workforce Investment Act (WIA) Program could provide youth for jobs. However, supervision would be required.

Weller offered to donate a volleyball net.

Dewar listed several other park improvements: Cleanup and refill horseshoe pits that have overgrown, allow WIA to maintain the park and other specific projects, put up signs to keep out pets, place picnic tables and benches throughout the park, trim overgrown brush.

Hallgren said vandals removed No Pet signs.

Discussion followed regarding rampant dogs, no leash laws and no enforcement to keep dogs out of the park.

Dewar stated there are two large sinkholes in the park.

Hallgren said they are called French drains.

Heinbockel said they would be addressed this summer. There are four and they are called French drains. The history is that the park was a swamp and drainage was needed.

Dewar listed brush cutting and the unattractive flower box that was to be an outdoor amphitheatre. She said the final request for park improvements is to get ownership from Mental Health Trust.

Heinbockel said the park was built out of grant money 20 years ago. Upkeep has been with no money. There has not been any use of the amphitheatre in 20 years. He recommended plowing it over.

Dewar said unless there is a group that would want to use it.

Heinbockel said as long as they maintain it. The only gazebo is that from the Kiwanis. The outhouses were built and donated by Alyeska. He said maybe another community organization would like to maintain them. We have no way of enforcing against speeding drivers or keeping people's dogs out of the park. He asked how many thousands of dollars of fencing was put up last year and we can't keep vehicles out of the park.

Gilbertson said it is not reason to give up. We need to support the improvements at the park. He thanked the committee for the ideas that were presented.

Ludwig said there is a need to post age appropriate signs. They are not to be on a wish list or a suggestion. It is a concern that needs to be taken care of.

Gilbertson said businesses are here only because people support them. Volunteers built the gazebo when the materials were provided. Businesses and community members will contribute.

Dewar said for a small town we have a very nice park. The improvements are for Council to consider. She said she needs to know that the City is interested in sincerely making some improvements.

Weller said several thousand dollars was given to the Softball Association last year to purchase materials for backboards and fertilizer.

Herman stated the Little League is self-supporting and they are willing to solicit businesses themselves.

Leith-Dowling stated Little League is discussing which of the projects they can afford to complete.

Dewar said volunteers are available to help and it would be good to get our youth involved. She said they will contact and coordinate with the school playground committee.

Heinbockel said to add a skateboard park to the wish list.

Dewar said presently Jerry Storey's property is being used as a bike ramp.

Heinbockel said a gang of kids hangs out over there. Someone threw a bike over the park fence.

Hallgren said first thing on the wish list is to own the park, which is approximately 20 acres. It is already on the Wish List to the Legislature. He said Dooley is currently working on it and is awaiting an appraisal. The property is leased until 2023. Mental Health must sell for top dollar as they are in business to make money. And the price increases every year we do not purchase.

Weller asked how the land is appraised.

Gilbertson said it would be appraised at what it can be used for.

Hallgren said there is \$25,000 for playground equipment but there is no budget set for the park. The cement for the half-court basketball court (78x40) would cost \$15,000. He spoke with Bechtel and other contractors at MD.

Weller suggested another gazebo/BBQ area, a combined basketball/tennis court and a volleyball court.

Hallgren said the foundation for the court would eat up the allotted \$25,000. Impact money must be directed at certain projects. EDA funds are only allowed for maintenance. That is how the fence was built around the park. Another \$2,000 will be used for fence repair, to be advertised in the May 15 Delta Wind.

The only money available will cover grass cutting outside the ball fields. Last year \$3,200 was spent for grass cutting.

Hallgren reported bids for lawn care were opened today. He provided quote information. He advised to not get involved in ball field upkeep because the amount of labor put in by volunteers is totally phenomenal. The City could not afford the upkeep by contracting the labor.

Dewar said the City could charge a user fee to pay for the lawn mowing.

Hallgren said any group would not want to pay for the service once the ball season has ended.

Hallgren said the City has grant funding for certain projects. He said possibly maintenance money could take care of outhouses. He will research it. It might also be possible to replace some of the existing playground equipment but not expand it.

Discussion followed regarding user fees and registration fees.

Weller asked to remind community members of Cleanup Day on May 17. Those that use the volleyball area may want to clean it.

Heinbockel asked to emphasize that the purpose of a fence is to keep vehicles out. The problem with volunteers is that they do not always lock the gates when they leave. He said he is frustrated in getting funding and then having to repair because of vandalism.

CORRESPONDENCE

Mayor Gilbertson called for correspondence with none being offered.

REPORTS

Airport – Mark Weller referred to a letter about use of EDA money for the airport and that it cannot be used for environmental clearances. It also questions whether we can use it for putting gravel on the airport because we are utilizing a contractor.

Cemetery – Mary Leith-Dowling and Heinbockel discussed the need to seed one corner before the wind blows. Sticks and rocks will also need to be removed.

City Clerk – Pat White stated Shelly Growden from the Elections office in Fairbanks reported the US Department of Justice (DOJ) requires 90 days to pre-clear changes to a polling location. Growden is asking that the Community Center, a central location for the entire area, be the voting place for the three precincts (City, Big Delta, Deltana) in Delta as it once was in the past. She asked if the City would agree that there is no other facility more accommodating than the Community Center. Public notice would be sent out once DOJ approves the change. White reported she informed Growden that it would be beneficial to have one polling place.

Heinbockel said maybe the people from Deltana would object. He said he would if he lived in Deltana.

Discussion followed.

Hallgren asked if the Council would allow the polling place for Deltana to be back at the Community Center if the Deltana people agree.

Council members agreed to no objections.

Weller said it should be up to Deltana to choose where they wish to vote.

Dept of Economic Development – Pete Hallgren reported bids for Lawn & Plant Care Maintenance and Fuel were opened today. Three bid quotes were received for each contract. Copies of the results were distributed. Hallgren stated he would make recommendations after he investigates the bids.

Hallgren reported proposals for the Social Service Grants were opened on May 2. Twenty-three applications were received and they were given to DREDC to review on May 5. Not all the requests will receive funding because there were (three times) more requests than available funds.

Hallgren said he met with engineers working on impact projects on May 2. Ideas from that meeting will be discussed at a special work session next Tuesday, May 13 at 5:00pm.

Landfill – Lou Heinbockel reported the fence was driven into. Garbage has been thrown over the locked fence. Summer hours (May 15 – September 30) allows the landfill to be open to the public one evening each week.

Library – Mary Leith-Dowling reported \$5,500 was raised during this year's Open House. She said a Gates instructor would train library staff next week when the computers are installed.

Leith-Dowling stated summer hours begin in June when the library will be opened six days per week.

Public Works – Lou Heinbockel reported red paint is being put on street corners. It is possible it is to indicate trees and brush that need removed.

UNFINISHED BUSINESS

Council Comments Regarding Teck-Pogo EIS

Hallgren reported he attended both EIS meetings in Delta and in Fairbanks. He wrote a draft Resolution that mirrored his comments made at the EIS meeting in Delta. He said approximately 70 people attended the meeting in Delta. People spoke of concerns but no one spoke against the project. Thirty people spoke at the EIS in Fairbanks. There were over 100 who attended.

Resolution 2003-03, A Resolution Supporting Teck-Pogo Mine

Heinbockel moved to adopt Resolution 2003-03 as presented; Weller seconded.

Motion passed unanimously on a roll call vote.

NEW BUSINESS

Policy for Hanger Lots

Hallgren stated he received an e-mail from JW Musgrove, who presented several ideas. (A copy was in agenda packet for review.) Hallgren stated he had no objections to any of the ideas presented. However, he stated Council must make decisions. Musgrove asked Council to consider his ideas and clarify "aviation related uses" before he begins construction. He asked to build/construct/provide 1) a fly-in B&B with on-sight tie-downs and lodging, 2) fly-in camping with tie-downs, campsite and sanitary facilities, 3) an aircraft maintenance shop with a second story apartment, 4) a hanger with an attached house and 5) a hanger with an adjacent house.

Hallgren said restrictions on lot deeds state they must have aviation related use for 20 years. He stated whatever the Council chooses will set policy for all airport lots. He asked the Council to advise how to respond to Musgrove.

Discussion followed regarding housing versus aviation and also taxiing from home to airstrip.

Gilbertson asked to table the discussion until the next meeting.

Heinbockel asked if private property is aviation related. The lots were sold and limited to aviation use. Is it considered aviation related if a home is in the midst of that?

Weller said there is not enough commercial use in Delta.

Dewar stated the City must have firm zoning laws.

Weller said he'd hate to see this topic drag out like the previous (1 ½ year) process.

Senator Wilkens' Resolution Regarding Borough Incorporation for Unorganized Areas

Cotten reported Senator Wilkens' resolution, which requires the Local Boundary Commission (LBC) to look at four areas for possible borough formation. *Both* bodies of the legislature must object within 45 days of the commencement of that particular session. Senator Therriault's office states they think it will get through the Senate. Cotten said Senator Dyson's staff wishes to expand the resolution so it specifically states Petersburg, Wrangell, Skagway, Eagle River and Delta as boroughs.

Hallgren reported he and Cotten would testify at the LIO in Fairbanks on May 7. He said he does not want to take the position for or against a borough. We do not want a resolution that will foreclose any opportunities of the LBC looking at just a Delta borough instead of an upper Tanana borough extending all the way to the Canadian border. The population of this area centers on Delta, thus the Constitution requires the majority of assembly members live in the Delta area. The same problem would be for the school board. An upper Tanana borough would guarantee that Delta residents would have the majority of seats on both the school board and borough assembly. The ability of providing services from Delta would be a "very daunting task." People in Eagle or Mentasta could not be guaranteed an assembly seat.

Gilbertson and Cotten excused themselves at 6:50pm to attend the School Board meeting at DGSD High School. Leith-Dowling, Mayor Pro tem, presided in Gilbertson's absence.

Proclamation - Military Appreciation Day

Leith-Dowling noted that Mayor Gilbertson had previously accepted and signed a proclamation, in conjunction with the Chamber of Commerce, designating May 17, 2003 as Military Appreciation Day. May 17 is also National Armed Services Day.

Mill-Tan Paving Options and Possible Bid Award

Airport Resurfacing Options and Possible Bid Award

Hallgren asked Council to hold discussion on the bids for both the Mill-Tan Paving and the Airport Resurfacing until the next meeting on May 13. Bids were considerably higher than the engineers estimated and are more than what money is available for the projects. He said he is investigating options of awarding, reducing the scope of the projects and completing some of the work in-house or just re-bidding at a later time.

Heinbockel asked to not postpone. He said it will only lengthen the next meeting.

Hallgren said he would have recommendations at the next meeting.

Heinbockel requested the next meeting be considered a Special Meeting so that we can take action.

Hallgren reported he received a letter from EDA today. It is a response to a request he sent, inquiring about EDA rules. Is gravel considered construction? Their response is confusing. Hallgren is researching but is awaiting materials that were to be mailed. There appears to be no problems as long as the work is done in-house. EDA stated most of the work could be completed by contract.

Weller said it makes no sense that brand new gravel cannot be accepted when a brand new fence can.

Hallgren said the same for sealing cracks in existing pavement. It also constitutes construction. He said it is better to ask instead of dealing with monies improperly spent. There is potential to do the work in-house, as originally planned. A letter is in progress to transfer money between contractual and personnel.

Introduction and First Reading of Ordinance 2003-02, A Procurement Ordinance

Hallgren referred to confidential memos from Attorney Jim DeWitt. He asked Council members to review this memo and be prepared for a full discussion at the next regular meeting on May 20.

Leith-Dowling asked why the procurement is needed.

Hallgren said DeWitt wrote the procurement and the reason for it is because of upcoming complicated construction projects. The second reason is because it does have provisions for possibility of decisions on sole-source procurement in the future. Part of the confidential attorney memo discusses this. It also addresses gifts from consultants.

Heinbockel moved to introduce and hold the first reading of Ordinance 2003-02, A Procurement Ordinance; Weller seconded.

Heinbockel stated the term *Deltana* needs defined. He referred to several areas in the procurement but specified page 10.

Hallgren said he would inquire with the attorney. He said he understood the term to address the area wide. A business in Delta would be favored over a business in another town.

Heinbockel said he would agree the definition should be "the greater Delta area" or "businesses that are within the area of the REAA."

Hallgren said he did not agree with the section that states advertisement must be in another paper besides the local, Delta Wind. He also said we should not be precluded by an ordinance to advertise in the local newspaper. An example is that bids for grass cutting does not belong in the Fairbanks paper.

Heinbockel said resurfacing of Mill-Tan Road needs to be in the Fairbanks News-Miner.

Heinbockel said the local newspaper publishes 26 issues per year.

Hallgren said part of the procurement code would be revised.

Motion passed unanimously on a roll call vote to introduce and hold the first reading of Ordinance 2003-02.

Heinbockel moved to hold the Public Hearing, Second Reading and Adoption of Ordinance 2003-02, A Procurement Ordinance on May 20, 2003, the next regular meeting; Weller seconded.

Motion passed by unanimous consent.

Fee Waiver Request to use the Community Center - Immaculate Conception Parish

Heinbockel asked if there is any regularly scheduled use of the Community Center between 10:00am and 1:00pm on Fridays.

White stated there was not.

Heinbockel moved to approve Immaculate Conception Parish's request to use the Community Center without fee every Friday morning between 10:00am and 1:00pm for the purpose of distributing clothing to families in need; Weller seconded.

Weller said we should agree to allow use of the facility unless there is need by a paying customer. He said the Community Center should not be locked up so that it is not free to rent. He asked if the churches could work together.

Hallgren stated the Assembly of God Church meets every Wednesday to distribute clothing.

Discussion followed regarding possible churches that could be available and tying up the Community Center.

Motion failed on a roll call vote to waive fees associated with renting the Community Center. Weller and Summers voted against. Heinbockel, Dewar and Leith-Dowling voted in favor. (Four votes were needed in order for motion to pass.)

Fee Waiver Request to use the Community Center - Glennallen Bureau of Land Management

Weller moved to waive the fee for the Glennallen Bureau of Land Management to issue federal subsistence permits to the community on July 17 and 18; Dewar seconded.

Weller stated one government agency should pay for services from another government agency.

Heinbockel said residents in past history had to go to Glennallen for subsistence hunting permits. There are more people in Delta than there are in Glennallen. It is a service for them to come to Delta Junction.

Hallgren stated that serving 500 people in two days would make the trip worth the effort to travel here.

Discussion followed.

Motion failed on a roll call vote to waive fees associated with renting the Community Center. All Council members (Weller, Dewar, Summers, Heinbockel, Leith-Dowling) voted against the motion.

Purchase Orders

PO#07845 to Airport Equipment Rentals, Inc in the amount of \$598.00 for dozer rental used on taxiway maintenance

PO#07846 to Letha Burcham in the amount of \$3,000.00 for LEPC typing service

PO#07847 to Lamar Cotten in the amount of \$6,313.63 for April 03 consulting fees

PO#07848 to Aetna WHO-AAS in the amount of \$4,365.50 for May 03 group health insurance
PO#07862 to Bank of America in the amount of \$1,588.65 for April credit card balance (annual card fee, Xerox paper, 100 chairs for CC, chlorine tablets for CC, airfare for Hallgren and Cotten)

Heinbockel moved to approve purchase orders 07845-07848 with addition 07862 as presented; Weller seconded.

Motion passed unanimously on a roll call vote.

ADDITIONAL PUBLIC COMMENTS

Connie Ott, regarding discussion of the procurement code, requested to make the Delta Wind publication requirement lower so that it does not get excluded. It would provide a buffer zone.

Heinbockel said he does not want the local newspaper, Delta Wind, excluded from advertising.

Discussion followed and correct wording was provided.

Hallgren said the attorney is acting cautiously and Delta Wind will not be excluded in the revised version.

ADDITIONAL COUNCIL COMMENTS

Heinbockel apologized for being upset earlier in the meeting. The City has had great suggestions on how to make improvements but nothing has been accomplished because of lack of funds.

Dewar said the \$25,000 will not cover everything but it can accomplish something on the wish list.

Weller said he thought a combined basketball court and tennis court was needed.

Dewar said safety issues need to be addressed first and she thought playground equipment should be the priority.

Weller asked about old-fashioned metal slides.

Discussion followed regarding playground equipment being safe.

Ott said she has witnessed vandalism over the years. She thinks maybe securing areas with a neighborhood watch might cure the problem. She said 10-12 years ago a softball tournament was patrolled by the fire department. There was no vandalism throughout the tournament.

Heinbockel reported that weekend groups using the park have taken boards off the picnic tables and used them for firewood.

Dewar said to use anchors. Use picnic tables and benches that are made out of cement. She said we are not alone. We are the same as other communities. We have no money to patrol. There are more elements coming into this town and it is not going to get better. We must find ways to stay one step ahead.

Weller said Moose Pass has a sign that shows the speed a motorist is traveling. Citizens could take a picture of the vehicle and the speed traveled.

Heinbockel said it would be a challenge for teenage drivers.

Weller asked about a letter from David and Frieda Gibbs, who wrote a resident about intimidating and harassing another local resident. He asked to address the letter at the May 20 meeting.

Hallgren reported digitals were taken of the recently discussed problem area. A letter is ready to be delivered, citing the ordinance and request cleanup.

Weller asked for pictures of the area that Gibbs discusses.

Discussion followed regarding disaster areas.

Heinbockel said he would prefer meetings started at 7:00pm, after supper. He cannot attend work sessions or special meetings on Monday evenings unless they start at 7:00pm.

ADJOURNMENT

Heinbockel moved to adjourn at 7:42pm; Weller seconded. Motion carried.

Respectfully Submitted,

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Pat White
City Clerk