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**City Council Minutes**  
**July 15, 2003 ~ 5:00PM**

**Regular Meeting**  
**City Hall, Delta Junction, Alaska**

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The regular meeting of the Delta Junction City Council was held on July 15, 2003 in the conference room at City Hall in Delta Junction, Alaska. Mayor Gilbertson called the meeting to order at 5:08pm.

Council members present: Roy Gilbertson, Mary Leith-Dowling, Lou Heinbockel, Susie Kemp
Council members excused: Henry Summers, Judy Dewar, Mark Weller
City employees present: Dave Zimmerman, Pete Hallgren, Lamar Cotten, Dennis Dooley, Pat White
Additionally there were 13 members from the community present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

Gilbertson reported one add-on to New Business:

- ✓ PO#08057 to Hope Counseling Center (Social Service Grant Award)

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

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Leith-Dowling moved to approve minutes from the July 1, 2003 meeting with noted corrections made prior to the meeting; Heinbockel seconded. Motion carried.

PUBLIC COMMENTS ON NON-AGENDA ITEMS
COUNCIL COMMENTS ON NON-AGENDA ITEMS

Mayor Gilbertson called for public and Council comments on non-agenda items with none being offered.

CORRESPONDENCE

Heinbockel asked to discuss the July 10, 2003 letter from the Department of Community and Economic Development, Division of Community Advocacy – Grants Section, in which copies were provided via Council boxes. He said the \$60,000 being made available for road renovation and construction could be used for dust control on city streets. It was previously understood that it would cost \$40,000 to put calcium chloride on the 29 miles of city streets. That would be both expensive and all 29 miles would not require dust control. Heinbockel said he is more concerned with collective roads, ones that have heavy traffic.

Hallgren stated he would investigate the idea.

REPORTS

Planner – Dennis Dooley reported 9 of the 13 Social Service Grants have signed contracts. He reported the remaining four agencies would request funds in mid-August.

Dooley reported he is awaiting a letter from DOT, explaining their basis for the June 30 response in which they said, "The situation in Delta Junction does not qualify for an additional pedestrian crosswalk." He said Federal DOT completed a major research last year on pedestrian crosswalks throughout the United States in 2000 different areas, both controlled and uncontrolled. They found there were higher incidents of accidents in multiple lane highways crosswalks that were marked. They also said not to use that as an excuse to not provide the service to pedestrians. Flashing lights and a raised median (for road shelter) will provide more than the painted lines. Dooley said the needs for Delta must be redefined.

Dooley reported on the recent landfill inspection. He said Alaska Department of Environmental Conservation (ADEC) would issue a report although he expects no major deficiencies.

Dooley reported Richard Bonwell at MACTEC has hired David Halverson as their project manager for the fire hall. The architects met with the Rescue Squad and firefighters on July 9. A follow-up meeting is scheduled July 17 for a final review of the new bay prior to architectural work. If changes are required after the final review, more money will be involved. There will be a meeting with the Library Board and employees on the same day to discuss the new library. Their final review is scheduled for August 8. Also on the 17th MACTEC will conduct a geotechnical assessment for the new fire hall.

Dooley reported the contractor, hired by Bonwell, has successfully completed crack sealing on Mill-Tan Road. They blew out the cracks with air hoses, performing extra effort before filling the cracks with sealant material. Bonwell was pleased with the work.

Dooley reported the City Fire Chief and Richard Bonwell have reviewed the fire truck specs. Hopefully the City Administrator will be able to review them by the end of the week.

Airport – Hallgren reported an acceptable bid was received for airport and city street gravel. He said the loader has not arrived as planned. It should arrive the first two weeks in August. Until then, the company will loan a loader and the only expense is to transport the loader to Delta. The loan is a courtesy. They are well within the arrival date.

Hallgren said permission was granted by EDA to purchase the leased dump truck. He sent a phone notice to Hutchings Chevrolet to purchase the truck outright.

Cemetery – Mary Leith-Dowling stated volunteer work has not happened as expected.

Department of Economic Development – Pete Hallgren reported \$40,000 was to be received from the governor as a one-time shot at revenue sharing. Legislature has changed that amount to \$25,000, which was half of what was received last year in Revenue Sharing and Safe Communities. PILT increased by 9%. With that increase budget income calculations are all right.

Heinbockel stated the \$15,000 loss is from the Budget and Audit Committee. Senator Wilkens backed it, taking money away from small communities and putting it in larger communities like Fairbanks, Mat-su, Kenai and Anchorage.

Hallgren said Senator Wilkens is interested in Delta but he represents Fairbanks.

Heinbockel said Gene Therriault was involved also and he does represent Delta.

Hallgren reported TV improvements at Donnelly have been verbally approved and will be permitted by the Army. He will meet with Alaska Wireless Cable, a private company that provides (microwave) Internet service in Fairbanks and Eielson. The purpose of their visit is to investigate bringing their high-speed wireless service to Delta. He said Delta would inevitably have a problem with broadcasting (analog) television. "When TV stations are forced to go digital, we will be out of the translator business unless we can get another feed because the digital signals do not reach Donnelly Dome. Microwave can carry digital television services." He reported it is possible to bring three additional Fairbanks stations to the Delta area. Alaska Wireless Cable's main purpose is to sell high-speed Internet access. They are also researching a federal loan and must provide demographics. An acceptance letter is needed from the City approving the service that they may be able to offer. It will also state the City of Delta Junction has no objection to them coming here. However, the letter does not grant a franchise and the City is not in business with them. In order to get the demographics they wish to survey 50-75 Delta residents and hopefully get support from citizens. They feel they would receive better reception if they identify that the City has authorized their survey and is interested in the outcome. Hallgren said he recommended allowing Alaska Wireless Cable complete their survey with the support of the City. Council showed no objection to Hallgren's request.

Hallgren reported Commissioner Blatchford of the Department of Community and Economic Development (DCED) will be at City Hall from 10:00 to noon on July 17 and then will speak at the Chamber luncheon. DCED handles missile defense federal impact funds. Hopefully, they can include a tour of Ft. Greely during his stay.

Discussion followed regarding Commissioner Blatchford attending a meeting with DREDC.

Dooley agreed to coordinate the event.

Cotten reported progress with the Regional Government Options Study Committee. They plan to meet on July 16 to look at property evaluations, particularly with Pogo and oil and gas properties. They will look at how they define and determine values. The amount of money local communities must contribute in a borough is not based on actual income in the area or the number of students or the size of the school. It is determined solely on the property evaluations within the borough boundaries. Cotten reiterated the message that the conclusion of the study does not advocate a borough. It simply presents the findings.

Cotten reported on today's Roundtable meeting. He said Allen Army Airfield would be upgraded, starting with developing a crosswind intersection beginning this year. He said Fluor reported 50% of the project is complete. All the building facilities are underway. The mancamp is maxed at 460 people.

Cotten reported 5 custom homes are being built in the area. 85% of the housing that has been sold has been sold through Alaska Housing Finance Corporation, which means homes had to be upgraded to meet minimum requirements.

Dooley stated school enrollments have not occurred as expected.

Hallgren said an agreement with the State was signed on July 14 to allow construction to begin on the job training facility. DGSD is putting in \$450,000 of the \$1.2 million project.

Hallgren asked Council to approve a three-week leave in September. He needed to get approval in order to make his arrangements.

Gilbertson said he foresaw no problem with him taking the time.

Heinbockel asked, regarding work on the TV situation, "Is there any chance anything can be done this year?"

Hallgren said the request is to have it built this year. If that is not possible, new cables are needed so that a decent picture is received all winter. If the system is not rebuilt, new cables will be installed even if they are to be abandoned next spring.

Hockey Rink – Lou Heinbockel reported Mike Tvenge was authorized to begin work at the hockey rink. Up to \$3,000 was authorized to spend. Heinbockel said it might require more money later.

Landfill – Lou Heinbockel reported the dump was in as good of shape as he's seen in years. Work done by Boadwine last year, the fencing and cleanup, were all excellent. He said the three users of septage pits must lock the gate. The purpose of fences and a locked gate is to protect people from injury and/or from falling into the pits. Heinbockel said, "Maybe someday the only access will be with a city employee and a key and they will pay for the service."

Hallgren said that will be the set up for the new landfill system. There will be gated access.

Heinbockel said it would be nice to have cooperation from those that use the septage pits.

Discussion followed regarding locking the landfill gates.

Lands – Susie Kemp asked that people from the audience have a chance to speak about the Eddy Drop Zone. The topic is listed on the agenda as an Executive Session but not as public discussion.

Gilbertson said those in the audience would have a chance to speak.

Heinbockel said more property was sold at City Hall today. He said there is a demand for property now. A year ago the demand was not known. However, now that the demand is known, Heinbockel said he would like to increase the prices.

Heinbockel moved to increase the City lots from 150% of the last appraised value to 200%; Kemp seconded.

Heinbockel stated if the motion passed that it should not include anyone actively in the process of purchasing at the current price. It would only be for new buyers.

Kemp stated City prices are significantly lower than others in the area.

Heinbockel said all land sale money goes into the permanent fund of the City of Delta Junction, which was created in 1980 and is now valued at about \$800,000.

Hallgren said it provides \$25,000 to \$30,000 in usable income each year for operating.

Motion passed unanimously on a roll call vote to increase lot prices.

Library – Mary Leith-Dowling reported the library website is updated with current hours. She said there has been a steady increase of visitors for the four hours the library is open on Sundays. There were 30 people on July 13. The library staff reports patrons still asking for evening hours. Leith-Dowling stated those at Missile Defense may help to support this request. Library hours must coordinate with their off-work hours.

Public Works – Lou Heinbockel said the City is accumulating equipment and one of the ambulances needs proper storage.

Heinbockel moved to authorize City administration to request proposals for warm storage for equipment between the months of October and April; Leith-Dowling seconded.

Hallgren stated there are two equipment bays that will be made available for ambulances.

Discussion followed regarding the number of ambulances that need storage.

Leith-Dowling said there is a higher demand for ambulance services, which is why the new ambulance is needed.

Hallgren said there is potential to have the third bay built this fall. It will be the builder's option on whether it will be enclosed this winter. He agreed with a RFP because the grader needs warm storage also.

Motion passed unanimously on a roll call vote.

UNFINISHED BUSINESS – None

NEW BUSINESS

○ **Purchase Orders**

PO#08038 to Airport Equipment Rentals, Inc. in the amount of \$3,511.00 for equipment rentals used on the taxiway and Emmaus Road

PO#08039 to Bank of America in the amount of \$2,758.97 for Hallgren & Cotten's travel and lodging, White's clerk seminar, EMT 3-yr narcotic license, Eden-Kilgour & C. Bear's lodging for fire training, park volleyball net

* note - \$540.00 will be reimbursed per duplication in charging

PO#08040 to David Boadwine in the amount of \$644.78 for equipment used on taxiway

PO#08041 to Buffalo Center Auto Parts in the amount of \$820.67 for repair parts needed for City equipment

PO#08042 to Delta Texaco in the amount of \$354.19 for June 03 fuel

PO#08043 to Heiman Fire Equipment in the amount of \$2,419.50 for Fire Department equipment

PO#08044 to Delta Building Supply in the amount of \$1,020.31 for materials needed on Mill-Tan Road construction

PO#08045 to LEAP II in the amount of \$5,490.00 for Social Service Grant Award

PO#08046 to Julia Phillips in the amount of \$2,906.50 for LEPC command vests

PO#08047 to Sunshine Services in the amount of \$3,000.00 for topsoil and hydro seed delivered to the cemetery and debris hauled from the taxiway

PO#08048 to Hope Counseling Center in the amount of \$17,950.00 for Social Service Grant Award

PO#08057 to Hope Counseling Center in the amount of \$2,340.00 for Social Service Grant Award

Heinbockel moved to approve purchase orders 08038 through 08048 with additional 08057 as presented; Leith-Dowling seconded.

Motion passed unanimously on a roll call vote.

○ **Council Response to Range Expansion Projects (Eddy Drop Zone)**

Kemp read a petition and offered it to the audience, asking those interested to distribute and collect signatures. The petition requested reconsideration of the proposed Eddy Drop Zone training site and to find an acceptable alternate. Kemp said it is planned to present the petition to Senator Stevens so he understands that not only the City but also the community as a whole is behind the concern.

Hallgren said he authorized the city attorney to consult with Creig Sharp. If legal action is required, it must be no later than close of court on July 30. Senator Stevens' visit in August will be too late.

Hallgren said he wishes to take action before filing suit. That would be discussed later in tonight's meeting under an executive session. He said filing suit would take more than \$25,000. Grant funds cannot be used. It is not a trivial decision to make. He asked for other organizations to help financially.

Whit Hicks said an EIS is absolutely necessary and asking for that is very reasonable. The EA is full of assumptions. An EIS will provide proof that it was fully studied and the information is unbiased. He provided some examples. Regarding funding, Hicks said to "put out a hat and ask for assistance from those who have a vested interest in the area." He said he could not believe the military would move forward without completing an EIS.

Heinbockel said he is reluctant to dedicate another \$25,000 when \$11,000 has already been spent on attorney fees to date. He said the injunction process appears to be the only way to temporarily stop the project. Political backing from Ted Stevens is needed.

Gilbertson said he is awaiting response from both Senator Stevens and General Brown.

Jack Morris asked when the City would make a final decision regarding an injunction.

Hallgren said July 29 would be the last day to settle without filing.

Hicks said he is willing to donate. Something must be done to change the course before land values are impacted. Some may not be able to contribute \$500 but it is possible to raise the \$25,000 with phone calls. He said there is no other recourse but to fight.

Gilbertson said it would mean more to the legislators if they realize the people of the community are willing to put up their own funds.

Morris asked to contact residents to request donations and support.

Heinbockel said he would support putting in another \$15,000 if the community can raise the rest.

Kemp said because of the lack of time, a phone tree would be the best way to go. We must move before the money can be collected.

Hallgren said the money must be collected by the end of the month. The City can provide receipts for the donations. If what the City spends is less than the full amount it would be up to Council to decide how to refund.

Hicks said to spend from the collected fund before spending the City dollar.

Hallgren said if there is not enough collected by the 28th, the Council will have to decide if they can go forward. A good part of the money may be used prior to the next Council meeting.

Hallgren said if Council votes to authorize preparation of a potential lawsuit tonight, it does not mean we will stop trying to change the military's intentions. At this point we must proceed with the "See you in court" because we have very little time.

Sharp said there is not enough publication. Maybe residents feel they must accept the range and that is why they have not attended the recent meeting.

Leith-Dowling said people felt the meetings did not allow them to express their opinions. The meetings were informational, not open for public comment and opinions.

Kemp said members of the community must band together and make a telephone tree to gather support.

Hallgren said he could talk to the City attorney and set up an accounting plan.

Kemp stated the military has presented two open house meetings. Through cooperative effort between Deltana and the City they could push for a meeting in which the public has an opportunity to get involved. At that time donations could be solicited. And a protest against the Eddy Drop Zone issue can be organized. She said the Chamber of Commerce would take a position on Thursday at their luncheon meeting.

Heinbockel asked to let the Chamber do the fund raising. It is a bad time of the year for the community. However, it is the best time for the Army to plan this attack.

Sarah McKee asked to revise the petition to include donations so that signers could participate in one fell swoop.

Gilbertson said publicizing in the Delta Wind would be helpful.

Hallgren explained the plan: The City will put in the first \$15,000. At least another \$10,000 is needed from the public. If the issue is settled before the first \$15,000 is spent, everyone will receive donations back. If it is settled after the \$15,000 is spent, only a prorated share will be returned. He said he would not hold out a lot of hope in getting a refund. The City will provide receipts for donations made toward the Eddy Drop Zone issue but he cannot guarantee that they would be tax-deductible donations.

Kemp said someone must organize the process no matter what the method.

EXECUTIVE SESSION

Heinbockel moved to go into Executive Session at 6:25pm to discuss the City's response to the military's Eddy Drop Zone action; Leith-Dowling seconded.

Motion passed by unanimous consent.

Four Council members and four City employees (Cotten, Hallgren, Dooley, White) were present.

Kemp moved to end the Executive Session and reconvene the regular Council meeting at 6:45pm; Heinbockel seconded.

Motion passed by unanimous consent.

Heinbockel moved to proceed to appeal to the Federal District Court and ask for a preliminary injunction and to set up a City fund to accept citizen donations to help defray legal expenses; Kemp seconded.

Motion passed unanimously on a roll call vote.

ADDITIONAL PUBLIC COMMENT

ADDITIONAL COUNCIL COMMENTS

Mayor Gilbertson called for public and Council comments with none being offered.

ADJOURNMENT

Heinbockel moved to adjourn at 6:48pm; Leith-Dowling seconded. Motion carried.

Respectfully Submitted,

Pat White
City Clerk