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**City Council Minutes**  
**May 4, 2004 ~ 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 May 4, 2004 in the City Hall Conference Room in Delta Junction, Alaska. Mayor Gilbertson called the meeting to order at 5:02PM.

Council members present: Mayor Roy Gilbertson, Mayor Pro tem Mary Leith-Dowling, Will Pecchia  
Mark Weller, John Sloan, Lou Heinbockel

Council members excused: Susan Kemp-Sandy

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

Additionally thirteen people from the community were present.

#### **AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA**

Mayor Gilbertson reported four items to add as *New Business*:

- ✓ Hockey Rink/Recreation Center with MACTEC and the Hockey Association (*Request to Speak*)
- ✓ Sale of Airport Lot 4, Block 2
- ✓ PO#08838 to GVEA for Landfill and Library Sites
- ✓ Plotter and Additional Software Program for GIS Mapping (after *Oath of Office*)

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

#### **APPROVAL OF MINUTES OF THE PREVIOUS MEETING**

Heinbockel moved to approve the minutes from the April 20, 2004 regular meeting; Leith-Dowling seconded. Motion carried.

#### **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Tana Wood asked to remind the public of National Day of Prayer at the Community Center on May 6. The theme, Let Freedom Ring, is shared nation-wide.

#### **COUNCIL COMMENTS ON NON-AGENDA ITEMS**

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

#### **OATH OF OFFICE – JOHN SLOAN**

White administered the Oath of Office to new council member, John Sloan (appointed on April 20, 2004).

Sloan agreed to assume responsibility for the Public Health & Safety department and represent Council on the Local Emergency Planning Committee (LEPC).

White presented Sloan with a public financial application, requesting it be completed and returned by June 3.

**Planner** (moved from *Reports*) - Dennis Dooley reported he and Delta Area Forester Al Edgren selected grounds near the airport to designate as an area to practice tree cutting. 2) He posted notice of employment

opportunity on both the City and DeltaNewsWeb Internet sites regarding construction of the fire station. It is the only project that is non-union. 3) He provided a mapping photo that accompanied the public advertisement for the June 14 land auction, which was also posted on the web sites. 4) Dooley stated he is still working on a hockey rink zamboni.

**Plotter and Additional Software Program for GIS Mapping** (moved from *New Business*)

Dooley, referring to a 5-3-04 memo, reported the current plotter was not capable of producing aerial photos, which are needed for E911 mapping efforts. He said arrangements had been made to sell the plotter and replace it with another one. The difference in pricing is between \$7,500 and \$8,000. \$2,000 (including \$600 freight cost) was paid for the initial plotter and the plan is to sell it for \$1,500. The new plotter offers a \$2,000 rebate. Dooley stated a purchase order was prepared in advance in order to receive the rebate incentive but it would be canceled should Council not approve the transaction.

Hallgren stated the price is comparable to the same machine in Anchorage. Funding for the plotter is from the E911 account.

Heinbockel moved to approve purchase of the 1055CM plotter and sell of the current plotter as presented; Pecchia seconded.

Motion passed unanimously on a roll call vote.

**REQUEST TO SPEAK**

Hallgren reported a brief history of the Recreation Center. He said MACTEC is the third engineering firm to assess the ice rink since the study was completed in 1999. He asked those in the audience to involve themselves in discussion.

Richard Bonwell introduced Structural Engineer Greg Liebl who is working with MACTEC on three construction projects. He stated their findings (after inspecting the hockey rink/recreation center and contacting the company who built the facility) were to not recommend additional improvements and upgrades (installing additional seating, heat, water and restrooms).

Liebl, referring to his April 19 letter to Bonwell, reported he based his findings on what current building code would require of items on the list of improvements. He said the facility was designed in 1985 and met the building code at that time. It is still a safe building but, because of code changes since the building was constructed, it no longer meets necessary requirements. One item on the list of improvements was to insulate the metal panels on the roof to allow heat in the building. The State Fire Marshal would then require installation of a sprinkler system. He said all structural improvements would require significant upgrades in order to bring them into compliance with the 2000 International Building Code (IBC). His opinion was that it would be neither reasonable nor economically feasible.

Discussion followed regarding past history of snowfall in Delta, snow loads, redistribution because of winds and strengthening the metal roof to handle larger loads, possibly constructing a smaller building inside the main facility and meeting sprinkler system requirements.

Liebl said agencies opt to build bare bones structures in order to save costs but it does not prove economical when upgrades are needed.

Dooley stated he spoke with both the rink manufacturer and the contractor. The facility was bare bones.

Liebl recommended leaving the hockey rink as it is, to continue to use it but to consider building a second adjacent facility.

Bonwell suggested a slightly smaller rink that would house the amenities (locker rooms, bathrooms). One with insulated panels would cost \$700,000.

Discussion followed regarding changes to the existing building and the minimum of what could be done.

Bonwell stated plumbing and bathrooms, any additions, including parking the zamboni inside the rink facility, could not happen without upgrading to the current building code.

Al Edgren asked if the current locker/furnace room violates current code. He said because it is free-standing it would not affect the structural strength of the building. It is understood that the rink will not be heated because

the inside panels cannot be insulated. The bathrooms are key elements. He asked why another free-standing concrete block wall could not be erected for the bathrooms, locker rooms and a zamboni room, which could access a new rink on the other side of the wall.

Bonwell said alterations inside the building are considered enhancements.

Heinbockel said to move the alterations to the other side.

Discussion followed regarding forcing the building code issue and ownership of additional property.

Edgren stated the Hockey Association couldn't afford to operate two buildings.

Discussion followed regarding a portable potty trailer, needing a sprinkler system for the capacity of the facility, and possibly building another structure on the outside of the current rink with a connecting walkway.

Hallgren explained building bathrooms and a zamboni room to the outside of the ice rink would not be beneficial when it is 40 below. A new insulated building could be constructed for the same cost of upgrading the current facility. The City will never be in the position to upgrade the hockey rink in order to heat it. \$2 or 3 million, minus the cost of a zamboni, will be the total funding available for the recreation center after the current construction projects are completed.

Gilbertson asked to look into purchasing a new building now.

Discussion followed regarding "A" rink and "B" rink (current facility which could turn into a practice rink).

Edgren said improvements must be made now. The community has dealt with this issue for 11 years, which is too long.

Hallgren stated he would contact the Fire Marshal to find out if a free-standing facility that would house a zamboni room, two locker rooms and two bathrooms could be incorporated into the current building.

## **CORRESPONDENCE**

Pecchia reported arrangements were made for Doug Gifford to remove the old playground equipment on April 24. On April 21 DGSD Superintendent Dan Beck wrote a letter stating the Gerstle River School was interested in the equipment. A decision was then made at the last minute to use any salvageable equipment. Pecchia stated he was unhappy with the timing but would remain impartial on the decision.

Gilbertson explained he asked Pecchia to withdraw plans to remove the equipment after Beck inspected it. The playground equipment is not up to standards but some of it still has value. Beck assured that the equipment would be removed by May 20 at no cost to the City. He apologized for the circumstances.

Pecchia asked that the school reimburse Mr. Gifford for both the tools he purchased and mileage to/from Fairbanks. He asked to exclude himself from any further discussion because he said he, himself, feels liable if his child or someone else's were to be injured. He based his decisions from Steve Millea's evaluation. (Steve Millea, Risk Manager for Alaska Municipal League/Joint Insurance Association, Inc. (AML/JIA), visited last December.)

Discussion followed regarding removal of equipment (except the volleyball poles), what is salvageable and where it is to be used.

Weller asked why Beck does not work with Gifford.

Heinbockel said Gifford needed reimbursed for his expenses.

Sloan stated decisions need followed through.

Gilbertson stated he stands firm in supporting the school. He apologized for interfering in the decision that was made and asked to allow the school to utilize any of the equipment that was of value.

Heinbockel said the scenario is accepted behavior. Someone was throwing an item away and someone else thought to check it out for potential use. He asked to allow the school to use the equipment if they are willing to accept the liability.

Heinbockel moved to accept Beck's request to utilize the playground equipment, remove it at the school's expense and clean the area afterwards; Leith-Dowling seconded.

Pecchia asked that the school have their insurance agent inspect the equipment before it is removed.

Sloan suggested bringing it up at the next school board meeting as a concerned parent.

**Motion passed** on a roll call vote with four (Heinbockel, Leith-Dowling, Sloan, Gilbertson) voting in favor and two (Weller, Pecchia) voting against.

Hallgren stated an apology letter would be written to Mr. Gifford and the school would be asked to cover his (less than \$200) expenses.

## REPORTS

**Rescue Squad** – Lynn Robertson reported the squad is up to 13 members. Driver training, businesses meetings and ETT classes are all on schedule. Loving Stitches, next to Diehl's Delights, is an alternate drop off for training and class information.

**Fire Department** – Hallgren reported City insurance would not allow a rider to assist the Tok Fire Department in transporting their equipment.

**Airport** – Mark Weller reported another two-story structure is being built on one of the airport lots that was sold.

**Cemetery** – Mary Leith-Dowling reported the first two burials of the season were within the past week. She said volunteers are ready to spread fertilizer soon.

**City Clerk** – Pat White asked to give up duties associated with the charter commission because of the time it requires. She said she would research locating a replacement and identify costs associated with paying for the transcribing service.

Heinbockel said city staff provided the service of recording the meetings and then transcribing them for the public. He stated he appreciated White volunteering her time thus far and supported her in finding someone who can dedicate the time. However, it will increase the City's obligation significantly.

**Department of Economic Development** – Pete Hallgren said dirt is being removed on all three construction sites. One change order on the landfill has already been signed and some changes are being considered for the library.

Hallgren requested hiring MACTEC, who completed the original work at the landfill, to survey and subdivide the house from the rest of the property in order to put it up for sale. Because the property is outside the City limits the subdivision would have to be approved through the State. A survey is required for the proposed plat because separating the house from the rest of the landfill property is creating a brand new lot.

Discussion followed regarding putting the project out for bid to a local surveyor and the condition of the well.

Hallgren suggested listing the property with a local broker and making sure it can be financed. He said he would investigate drilling another well.

Heinbockel said he is uncomfortable selling the well or an easement to the well even if the likelihood of contamination is "slim to none." He asked how the rights to the well could be sold when the engineering firm advised not to sell because of possible contamination.

Sloan asked if the property could be sold "where is, as is" and let the new landowner worry about water.

Hallgren said he would get expertise from a local broker.

Weller said skip the realtor and get an appraiser.

Discussion followed regarding local appraisers and if more than one was required.

Hallgren said he would not order a survey at this time. An appraisal should include potential for both using the existing well and undergoing a new well. He said he understood there to be surface contamination near the well site, not subsurface.

Hallgren reported out-of-pocket at the current landfill was \$5,400 (\$9,200 was brought in and \$14,600 was spent on expenses). He said rates would not change until the end of September.

**Landfill** – Lou Heinbockel reported Delta Youth Court (DYC) would provide community service by concentrating on cleaning the barber shop area. He asked to facilitate them by having a dump truck and loader available. The owner of the property was under dispute. The buildings and contents therein will not be touched, just the surrounding garbage, which is a tremendous amount.

**Park** – Pecchia reported July 8, 9 and 10 are scheduled for installation of the new playground equipment.

**Public Health & Safety** – Stephen Hammond, from the audience, asked about truck traffic notification for the public. He was concerned with potential traffic jams and serious accidents. Presently Delta Concrete vehicles cycle every 5 minutes, transporting 1500 yards every day.

Heinbockel stated it is the State's responsibility to enforce restrictions because Delta Junction has no policing authority. Hammond's point is very valid. Concrete trucks are not stable.

Weller stated Pogo publicized warning of their activities.

Gilbertson asked Hallgren to make inquiries with both Delta Concrete and the local Department of Transportation (DOT).

**Charter Commission** – Lou Heinbockel said he would not sit for another two hours as a commissioner debating note taking.

## **UNFINISHED BUSINESS**

### **Review of MACTEC Budget**

Hallgren reported completion of projects at the end of the summer would cost approximately \$50,000 over what had previously been authorized to pay MACTEC.

Bonwell stated the preconstruction meeting completed the design phase. The construction budget was designed in three parts, one for each project (fire station, landfill, library). It appears funding is short \$32,000, which is needed for the 22 weeks in which the junior field engineer and project manager, who will work at least 50% of the time, will oversee the summer construction projects. Additionally \$17,000 is needed to get through the advertising and bidding stage. The invoice for the landfill was billed through March 5 and it was overbudgeted also. At that time it was decided not to charge the City the \$34,000 difference.

Pecchia asked what the city asked for that was not part of the original bids.

Hallgren stated one example was the 4-day notice that the landfill bid had to be redesigned when Ft. Greely opted to put in an incinerator. It required changes to the bid packets. He also said that engineers intervened when an alternate piece of equipment was proposed for the landfill dozer bid. It required their inspection to verify if it met specs.

Weller stated he would like to see the original proposals when asked to make such decisions.

Pecchia said it was not fair to alter approved quotes unless the City requested additional changes.

Hallgren said MACTEC works on an hourly basis. They break down a task, identify who works on the project and then bill it out. It would be difficult to include impromptu meetings such as the quarterly report, scheduled for May 5, which he invited MACTEC engineers to attend. Their presence would prove useful during the 3-hour meeting with Missile Defense and the State. He said their work is above his own capabilities.

Bonwell stated Council needed to be warned that he would ask for the difference in order to see the three construction projects through to the end.

Heinbockel stated the engineering expertise is needed to protect against changes imposed by the project contractors who will ask for additional funding.

## **NEW BUSINESS**

**Hockey Rink/Recreation Center with MACTEC and the Hockey Association** – See *Request to Speak*

### **Introduction and First Reading of Ordinance 2004-03, An Ordinance Amending Chapter 1.10, City Council, Section 1.10.020, Eligibility**

Heinbockel moved to introduce Ordinance 2004-03, An Ordinance Amending Chapter 1.10, hold the first reading and set the public hearing date for May 18; Weller seconded.

Leith-Dowling reported the change to the ordinance simply requires a one-year residency for Council members.

Hallgren said he would like the City attorney to review the change.

Motion passed unanimously on a roll call vote.

### **Introduction and First Reading of Ordinance 2004-04, An Ordinance Amending Chapter 1.70, Cemetery**

Heinbockel asked about vaults (1.70.035), referring to disinterment between two gravesites.

Discussion followed regarding why vaults needed to be furnished.

Leith-Dowling stated better definition would be needed. "Vaults" is common terminology. Vault and casket are synonymous.

Lynn Robertson stated a vault is a cement box that is sealed over the casket before being dropped into the gravesite hole.

Leith-Dowling asked members of the Council to review the entire chapter.

Heinbockel said it is still perfectly legal in the State of Alaska to inter a body without any requirements.

Hallgren said he would ask for the City attorney's advice.

Heinbockel moved to introduce Ordinance 2004-04, An Ordinance Amending Chapter 1.70, hold the first reading and set the public hearing date for May 18; Weller seconded.

Motion passed unanimously on a roll call vote.

### **Sale of Airport Lot 4, Block 2**

Hallgren reported three airport lots, including Lot 4 of Block 2, remained to be sold.

Heinbockel moved to approve the sell of Airport Lot 4, Block 2 to Martin Recknagel in the amount of \$7,000 plus additional fees for the title search and deed recording; Leith-Dowling seconded.

Motion passed unanimously on a roll call vote.

### **Fee Waiver Request From Adult Learning Programs of Alaska**

Leith-Dowling moved to approve fee waiver requested by Adult Learning Programs of Alaska for the use of the Community Center on May 5, 2004; Weller seconded.

Heinbockel said it would be more appropriate if the DGSD provided a place because it is a more traditional setting.

White stated she voluntarily waived the \$300 cleaning deposit because of the group's difficulty in locating funding. She justified that because participants would be involved in serious testing, not in activities that could cause damage or require upkeep.

Leith-Dowling amended the motion to include waiving the cleaning deposit along with the rental fee; Weller seconded.

Motion passed unanimously on a roll call vote.

### **MACTEC Proposal for Donnelly Dome Television Site Upgrade**

Hallgren reported the last activity at the Donnelly TV site was when it was winterized. Instead of issuing a permit the Army referred the City to the Bureau of Land Management (BLM). As of the end of March the BLM reported there is no problem providing the permit but they will not be able to undertake it until fall, which means another construction season is lost. Hallgren said KUAC TV plans to begin broadcasting digitally this summer. The receive-tower at Donnelly may need to be redesigned. It will depend upon digital reception potential at Donnelly Dome. Hallgren said he asked MACTEC to present a scope of work in order to utilize the summer construction season. It is possible that the FCC would require all broadcasts from Fairbanks to be digital by 2007. If the existing Donnelly system were to be rebuilt at this time it would be useless if Fairbanks changed to digital mode.

Discussion followed regarding TV sites and reception in Delta.

Heinbockel asked to do no further work until there is a permit to allow access to the site. He suggested residents invest in a satellite dish.

Hallgren said Phase II would complete the needed investigations but it would not actually draw up the plans.

Heinbockel stated it is poor judgment to spend another \$19,000 on studies when a permit does not yet exist and future technology is still uncertain. He said any stop-gap work could be dealt with when it presents itself.

### **Purchase Orders**

PO#08799 to Aetna WHO-AAS in the amount of \$4,553.75 for May '04 group health insurance

PO#08800 to Delta Building Supply in the amount of \$1,500.00 for May '04 warm storage lease

PO#08801 to Delta Texaco in the amount of \$697.87 for March '04 gas and oil  
PO#08802 to Hope Counseling Center in the amount of \$720.00 for Social Service Grant Award #4  
PO#08803 to MACTEC Engineering & Consulting, Inc. in the amount of \$11,593.12 for March '04 engineering service on new library  
PO#08804 to MACTEC Engineering & Consulting, Inc. in the amount of \$8,443.66 for March '04 engineering service at new landfill  
PO#08805 to Simplex Grinnell in the amount of \$653.00 for annual fire extinguisher inspection  
PO#08806 to David S. Zimmerman in the amount of \$607.14 for finance convention in Sitka  
PO#08807 to Pat White in the amount of \$3,820.98 for ambulance billing service  
PO#08808 to Lamar J. Cotten in the amount of \$6,288.70 for April '04 consultant service  
PO#08809 to LEAP II in the amount of \$4,144.00 for Social Service Grant Award #4  
PO#08838 to GVEA in the amount of \$40,500.00 for electricity at landfill and library sites  
**Weller moved** to approve purchase orders #08799 through 08809 and 08838; Pecchia seconded.  
**Motion passed** unanimously on a roll call vote.

### **ADDITIONAL PUBLIC COMMENTS**

Janet Boyer asked if there would be additional help at the landfill on May 15 for Community Clean-up. She asked for a list of what cannot be accepted at the dump.  
Heinbockel said there would be additional help at the landfill and the intent is to allow the general public free access to dump anything that is legal for that one day. It excludes automobiles, batteries, tires and non-certified refrigerators.  
Edgren thanked Council for the discussion regarding the hockey rink.  
Heinbockel said he would like to see a new zamboni in its own location, completed bathrooms and the hockey activities out from under school involvement.  
Weller asked what would become of the existing zamboni.  
Edgren said it would be used as a backup machine or auctioned off at a sale. The zamboni ownership is not yet clear.  
Bonwell reported AT&T strung new cables for the new emergency radio system. It is not yet in use because it needs testing with the EMS volunteers.  
Lynn Robertson said it would be best during the 7:00PM radio check. Those on duty for the City, Deltana and Ft. Greely Fire Departments and the Delta Rescue Squad respond.  
Sloan said he would be the point of contact to coordinate a time.

### **ADDITIONAL COUNCIL COMMENTS**

Pecchia asked about enforcing ordinances as of April 15. He was concerned with mobile homes not being placed on permanent foundations.  
Discussion followed regarding mobile homes, trailers and permanent fixed foundations.  
Hallgren said City ordinances are being enforced. He has dealt with several parties recently.  
Heinbockel stated he would like the City to support Pogo in efforts to get back in progress.  
Gilbertson said it looks like they will be operating again by May 15.

### **ADJOURNMENT**

Sloan moved to adjourn at 7:50PM; Weller seconded. Motion carried.