



**City Council Minutes**  
**May 17, 2005 ~ 5:00PM**

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

The regular meeting of the Delta Junction City Council was held on Tuesday, May 17, 2005 at City Hall in Delta Junction, Alaska. Mayor Gilbertson called the meeting to order at 5:07PM.

Council members present: Mayor Gilbertson, Mayor Pro tem Mary Leith-Dowling, Lou Heinbockel  
John Sloan, Leslie Feilner

Council members excused: none (two seats need filled by June 2)

City employees present: Pete Hallgren, Pat White

Many members from the community were present, the majority to honor Linda Sorensen.

### **PLAQUE PRESENTATION TO LINDA SORENSEN**

Mayor Gilbertson presented a plaque and vase of flowers to Linda Sorensen “for all the service she’d given to the community.” He expressed his appreciation to her personally and on behalf of the entire community for her dedication to the Local Emergency Planning Committee (LEPC) program, in which she was involved since it was established in 1998.

Public comments were shared with Sorensen.

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

White reported three changes to the agenda:

- ✓ Purchase Order 09892 under *New Business* did not include the sander and plow as indicated
- ✓ *Lawn Maintenance and Flower Bid Awards* would be added to *New Business*
- ✓ Mark Weller’s letter regarding the lawn bids would be discussed under *Correspondence*

Hallgren requested an *Executive Session* to discuss advice from the City Attorney regarding financial matters on a Pogo PILT agreement and potential closeout of the landfill contract. The session would require approximately one hour and City Attorney Jim DeWitt would be present telephonically. It would be early in the meeting in order to work with DeWitt’s schedule.

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

### **EXECUTIVE SESSION**

Heinbockel moved to enter into Executive Session at 5:17PM to discuss a possible Pogo PILT agreement and landfill contract closeout, both of which may tend to prejudice the finances of the municipality; Leith-Dowling seconded. Motion carried.

Present during the Executive Session were Gilbertson, Heinbockel, Leith-Dowling, Sloan, Feilner and Hallgren. Also City Attorney Jim DeWitt was present telephonically.

Sloan moved to come out of the Executive Session and reconvene the regular meeting at 6:25PM; Feilner seconded. Motion carried.

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

Heinbockel asked to reword the very last statement under *Purchase Orders* to read, "...he would not vote to pay any more money toward a very select minority group because there were fewer pilots than there were library patrons."

White reported discussion under the *Fire Department Report* (middle of page 2) needed correction. Zimmerman stated \$84,000 was held in retention for the fire station. Actual amount should read "\$58,000". Retention of \$84,000 was held for the landfill.

Heinbockel moved to approve the minutes from the May 5, 2005 regular meeting as amended; Feilner seconded. Motion carried.

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

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

### **CORRESPONDENCE**

Hallgren, referring to a letter received by Mark Weller earlier in the day, said his comments would be considered under the *Lawn Maintenance Bid Awards*, the first item under *New Business*.

### **REPORTS**

**Fire Department** – Carin Bear reported Fire Fighter 1 would begin on Friday, May 20. She said they have made progress on the furnace and anti-freeze leaks. The Fire Station has a new "sleeve" which is very flexible and extended further, making it more proficient in filling the tenders with water. The whole fill process takes only 10 minutes now. Bear reported the door problem (inability to open the doors from the outside using the remotes) would be resolved once the antennas were installed. The contractor would pay for the parts and Dave Boadwine's labor.

Boadwine reported the coolant leakage problem was simply fittings that needed tightened.

Bear reported the leaking roof problem was being monitored. It appeared to be resolved also.

**Airport** – Leslie Feilner reported approximately 12 planes were tied down at the airport. She would inquire if they were all paying dues.

**City Clerk** – Pat White reported Lynnetta Marcellus submitted a letter of interest (in which copies were distributed) for one of the two vacant Council seats. She said three others had verbally expressed interest. The deadline would be Thursday, June 2 at the close of business and appointments would be made at the next regular Council meeting on June 7.

White reported a local couple visited City Hall and requested corrections be made against recent street naming. (Unidentified streets/roads were given names at the April 19, 2005 Council meeting.) Two roads (*Harrild Way* and *Ward Way*) had previously been recorded under different names, *Barbara Drive* and *Hart Lane*. Burcham was able to research recent addressing projects to determine accuracy of the street names. The couple was asked to deliver a plat map for City Hall records and they were also thanked for requesting the correction.

Hallgren said it appeared the error was directly related to not having complete sets of subdivision plats in the area. The names were checked against the current list to make sure they were not duplicated elsewhere.

White reminded Council of a work session with Jim Kaercher of KAE, Inc. and George Wilson of the State DEC at 2:00PM, (Thursday) May 26 to discuss the Water and Sewer Feasibility Study. Kaercher and Wilson were at a point in their study where Council direction was needed.

**City Administrator** – Pete Hallgren reported the legislature was still in special session. \$300,000 was allotted for City paving in the Senate passed budget. But the Senate had refused to transmit the budget to the House because of various political considerations. The outcome was not yet known.

Hallgren reported the latest BRAC (Base Realignment and Closure) development would move the Cold Regions Test Center (CRTC) headquarters back to Ft. Greely, where most of the CRTC employees were already located. It would mean 4 military and one civilian job would return, after moving to Ft. Wainwright in 1995. He said the Eielson downsizing would be problematic for the entire interior. He said he felt for those involved, having experienced it here.

Hallgren reported DREDC informed that the VISTA volunteer application was approved and DREDC would be advertising for the Recreation Coordinator position. Duties would be to schedule community events that would include military, community and school activities. Jody Zollman, DGSD Recreation Coordinator/Delta Youth Court Director, was selected to supervise the position.

Hallgren said the Fire Department was officially out of the old building. The telephone situation (recording comes on providing weather and temperature when anyone attempts to call in) had yet to be resolved. He said he was unsuccessful in unhooking the device. MACTEC engineers felt the contractor was required to program it.

**Recreation** – Lou Heinbockel reported Mike Tvenge requested funding for maintenance materials at the ice rink. Five polyethylene panels (\$422.50), three acrylic “glass” shielding (\$778.00), 12 protect-all floor mats (\$1,440.00) and freight would total \$3,440.50 in materials requested.

Hallgren said approximately \$3,300 was left in the equipment portion and that budget ends June 30.

Heinbockel said it was affordable if the Skating Association requested 10 protect-all mats instead of 12.

**Sloan moved** to approve ordering what materials were needed as long as it stayed within the budget (ordering 10 mats instead of 12); Heinbockel seconded.

**Motion passed** unanimously on a roll call vote.

**DREDC** – Pat White reported DREDC requested the City appoint someone in Susie Sandy’s absence until new Council members fill the vacated seats. They would be reviewing VISTA volunteer applications at 4:30PM on June 3 and were scheduled to interview the top three candidates on June 6. The next Council meeting would not be until June 7.

Sloan volunteered to attend the meetings as representative of the City.

**Park** – Pat White reported she notified the baseball and softball leagues to remove their grass clippings from the park premises because of past history in which bees established nests in grass stockpiles. White said Kel Weidner was called regarding a restriction in the sewer line at the park pavilion building. It was a repeat from last year. Additionally a broken pipe was discovered between the septic tank and the leach tank, which would be resolved next week or as soon as the ground was thawed enough to dig. White posted notices in the restrooms at the pavilion asking the public not to dispose of diapers in the toilets.

Discussion followed regarding leach tank versus leach field.

Edgren said the leach system was popular in the early 1980’s. It was an open bottom tank on top of a huge pit of bull rock. He advised not to replace the public bathrooms with portable toilets saying that the Skating Association pays dearly for them.

**Personnel** – Pete Hallgren reported Bob Morley gave verbal notice that he would be taking another job at Ft. Greely. Hallgren said he would wait two weeks before replacing Morley, in case Morley opted out of the new job opportunity. Hallgren said he would require more responsibility from Dave Boadwine because of closeout and warranty work at the landfill and fire station. Boadwine would be the direct contact person with the three contractors.

Heinbockel said he felt Boadwine should be grading roads, especially because of recent rain. Some roads were too bad to run the school busses over. Heinbockel said the contractors should be repairing the garage doors and fixing the leaks. If Boadwine was going to be unavailable than the City needed to hire a replacement to run the equipment.

Boadwine reported Emmaus was graded yesterday. It required 16,000 gallons of water (4 loads) even though it had rained. The lime green tanker required 2 hours to spread 4,000 gallons. The new tender takes 15 minutes.

Butch Ellis said dump trucks were creating much of the road problem on Emmaus.

Boadwine said arrangements were being made to rent a compactor from Copper Valley Enterprises.

Hallgren asked about purchasing a compactor. Would there be a place to store it?

Boadwine suggested storing it at the new landfill. It could be transported with the end dump.

**Military Liaison** – Roy Gilbertson reported nothing new as of the Missile Defense Roundtable today.

Hallgren said he and Leith-Dowling attended the quarterly Cohort luncheon at Ft. Greely on May 11.

Leith-Dowling said the radio stations were scheduled to be operating by the end of June.

**Public Works** – Lou Heinbockel reported Community Clean-up was on May 14 and it was very successful. There was more income generated on that free dump day than there had ever been on any regular dump day because enforcers (Boadwine, Ellis and Chad Morris) enforced the will of the Council. Dump trucks carrying sheetrock and building materials were charged for their garbage because it did not fit into the no-charge-for-household category. Otherwise a lot of trash along the roadsides and other areas was cleaned up.

Heinbockel requested the disposal of the Waldo property in June. He asked that it not be held up because of not being subdivided, that it be sold in an outcry auction with sealed bids.

Hallgren said he would prepare to introduce an ordinance for the next meeting.

Heinbockel reported the new Ford truck arrived but the blade and sander had not. The \$52,000 that was budgeted covered the \$37,000 truck, the \$7,500 sander and the \$5,700 snowplow blade.

Boadwine said the plow would be purchased on May 20. It would require one day from him and Chad Morris to attach it but it would save \$600. Approximately \$3,000 would be spent for a toolbox, tract lights, light bar, and other miscellaneous items.

Heinbockel asked about installing radios in the heavy equipment.

Edgren said some hand-held radios might be available. He would suggest the excess radios remain and be used for City purposes.

**Charter Commission** – Lou Heinbockel reported the commission would meet on May 18 to discuss numerous revisions to the Deltana Borough Home Rule Charter draft that were made by the Local Boundary Commission (LBC).

**Department of Transportation (DOT) Liaison** – Roy Gilbertson asked about signage regarding crosswalks at the school. It was needed before the new elementary school opened next fall.

Leith-Dowling said DOT had been waiting on some clarity from the school district.

**Additional Reports by Council** – Roy Gilbertson asked Council to support him in seeking support to salvage the old pumping station near the Trophy Lodge. It was built over 65 years ago and was used as a switching station. It's never been vandalized, is still in beautiful condition and could be turned into a small museum. He asked that a letter be written to the Chamber of Commerce to request moving the historical building to the triangle. It is too nice of a building to be left to decay.

Hallgren said it would fit well with the Alaska Highway construction equipment that was already at the triangle.

Leith-Dowling moved to approve writing a letter promoting the rescue of the old pump station; Sloan seconded.

Discussion followed regarding other historical sites.

Motion passed unanimously on a roll call vote.

## **UNFINISHED BUSINESS**

### **Settlement Agreement Between the City of Delta Junction and UNIT/SKW, LLC**

Heinbockel reported the settlement was discussed during Executive Session and he would propose to resolve the matter as advised by City Attorney Jim DeWitt.

Heinbockel moved to authorize the Mayor to enter into a settlement agreement with UNIT/SKW, LLC incorporating the following general terms: The City will pay over the approximately \$85,000 it holds as

retainage. The City will pay an additional \$64,000, for a total of \$149,000 paid to UNIT. The City shall release all of its claims against UNIT under the Contract. UNIT shall perform all remaining work (training the City in use of the scales, landscaping the entrance area) by June 15, 2005. UNIT shall release all claims it has against the City. UNIT shall indemnify, hold harmless and defend the City from all liability to Alaska Unlimited and Alaska Contractors, Inc. under the Contract. The City shall provide City staff as witnesses and shall cooperate with UNIT, assuming further hearings are necessary. City employees shall be reimbursed their out of pocket expenses by UNIT. The City will make MACTEC available to UNIT, at UNIT's expense. The City will attempt to persuade MACTEC to provide Richard Bonwell at no charge to UNIT for one (1) day, but the City makes no promises it will succeed. The City will make copies of its files available to UNIT (except attorney-client privilege documents) at no charge to UNIT. (Guess & Rudd will furnish copies of its files to UNIT at no charge to the City);

**Leith-Dowling seconded.**

Sloan said he disagreed with paying the additional \$64,000. He said he also felt the second to last statement (...”the city will make MACTEC available to UNIT, at UNIT’s expense.”) was weak.

Heinbockel said the other choices were to face arbitration or court and either one could cost much more.

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

## **NEW BUSINESS**

### **Lawn Maintenance and Flower Bid Awards**

(Lawn Maintenance and Flower Bids were opened at 4:15PM on Friday, May 13. Five bids were received for the three lawn bids and three were received for the flower bids.)

Hallgren stated the lawn maintenance contract was virtually the same as last year with the exception of clarifying details. Bids appeared to be valid. However, last year the three bid contracts were \$12,500 and this year they totaled \$20,400. Hallgren referred to Mark Weller’s letter requesting his bid be increased “if the t-ball field is truly part of the soccer field” but his bid would remain as the low bid at \$3,000 “if the Little League Association will be taking care of the t-ball field.” Hallgren reported City Clerk Pat White issued an addendum that stated the t-ball field would be included in the park responsibilities. Debbie Joslin had inquired prior to submitting a bid for the same, making it clear that it required further explanation. Weller was given the increased description upon turning in his sealed bid. Joslin and Weller were the only two bidders for the park maintenance (Bid #2).

Hallgren distributed a spreadsheet that was created by Finance Officer Dave Zimmerman. It showed a rough calculation for the work to be completed at City Hall, the Community Center and a section of the Richardson Highway (Bid #1) and what it would cost to pay at an hourly rate. Hallgren said he felt Zimmerman’s figures were underestimated as far as time involved. Even if the estimates were low, it was still conceivable that hiring out the grass cutting was considerably less than accepting the one lone bid. He explained that there was \$14,000 in the EDA grant. It was meant to pay the local share of the grant that was completed. Because of receipt from the State, that \$14,000 was not spent. Hallgren said he thought the money would be re-appropriated by the legislature to use toward park maintenance or playground equipment. It could be used also, on a one time basis, to help pay for grass cutting.

Heinbockel asked what was budgeted for lawn maintenance.

Hallgren said \$12,500, the same as last year.

Heinbockel said the City relied on volunteers to maintain the lawns years ago when they could not afford to pay for the work. He guessed mowing between the t-ball and soccer fields and the fence was a minimum of 5 hours of labor.

Hallgren said he would like to budget for a brush hog to remove growth that was last cleared in 2002.

Heinbockel said it must be an adult who had knowledge in handling the brush hog equipment.

Sloan said the total for Bid # 1 and the cemetery (Bid #3) was \$17,400 and he felt it was too much compared to what was paid last year for the two (\$7,525). He would agree to hire a part-time employee to work on an hourly basis. The City would purchase a piece of equipment that would last longer than

one season but it would cost less in the long run because the City would pay an employee far less and get better results that are not bound by contract.

Heinbockel said new bidders would be purchasing new equipment to get them started.

Discussion followed regarding past history when the lawn maintenance functioned off work grants.

Boadwine reported the City had a collection of weed whackers and equipment. He was not sure of the condition of the lawn mower.

Heinbockel moved to approve awarding Lawn Maintenance Bid #1 (City Hall, Community Center, Richardson Highway) contract to Joslin Enterprises in the amount of \$9,800; Sloan seconded for the purpose of discussion.

Sloan said all three contracts were awarded for \$10,067.50 in 2003. "Now we're awarding one for \$9,800!" He asked to throw them out because "we are not the goose that laid the golden egg."

Heinbockel said he agreed that the bids were too high but there were only three individuals that took the time to bid. He felt the State should take responsibility of the Richardson and the City should not assume cutting their grass. The State snubs the City at every turn, be it the high speed limit on the Alaska Highway near town or help in repairing the school road.

Sloan said the contract would automatically increase by 3% each year.

Hallgren said either side (City or the contractor) would have the option to pull out.

Motion failed with four (Sloan, Feilner, Leith-Dowling, Gilbertson) voting against and one (Heinbockel) voting in favor.

Heinbockel moved to award Lawn Maintenance Bid #2 (park) contract to Green Clippings, the apparent low bidder, in the amount of \$3,500, depending on determination of the t-ball field; Leith-Dowling seconded.

Motion passed unanimously on a roll call vote.

Heinbockel moved to award Lawn Maintenance Bid #3 (cemetery) to Joslin Enterprises for the amount of \$7,600; Feilner seconded.

Leith-Dowling said the cemetery work increases in complexity each year. She said she would address the State DOT regarding the highway (part of Bid #1).

Feilner asked who maintained the center triangle.

Discussion followed regarding gravel, destruction of equipment, history of replacing broken windshields and using weed whackers.

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

Hallgren said he would research buying a new riding mower and hiring someone to cut and water the City Hall and Community Center lawns. Neither a trailer nor a pickup truck would be needed.

Sloan moved to award the flower contract to Natalya Obukhovskaya, the apparent low bidder, in the amount of \$485; Leith-Dowling seconded.

White stated she neglected to include the library in the flower bid. To resolve that she said she would ask Ms. Obukhovskaya to add four additional hanging baskets at the same price rate quoted for City Hall baskets. The library, as a separate facility, would be included in next year's bid packet.

Hallgren stated the library flower baskets would come out of the library budget.

Motion passed unanimously on a roll call vote.

### **Purchase Orders**

PO#09880 to Delta Fuel Company in the amount of \$2,109.34 for April '05 heating fuel

PO#09881 to ACS in the amount of \$978.52 for May '05 phone service

PO#09882 to ATT & Alascom in the amount of \$812.79 for May '05 E911 phone service

PO#09883 to Bank of America in the amount of \$2,302.45 for credit card charges (XP Pro Software program for library, Lamar Cotten travel, Pete Hallgren expenses to attend Risk Management courses in Anchorage, Joyce McCombs lodging for library conference in Fairbanks, Kenworth air filters for street equipment, air compressor and gauges for new landfill)

PO#09884 to Craig Taylor Equipment Co. in the amount of \$911.40 for John Deere tractor replacement

clutch

PO#09885 to Delta Building Supply in the amount of \$621.30 for materials and supplies at the Community Center (flashing for roof and eaves) and landfill (ladder, trash barrels, shelvings)

PO#09886 to Delta Building Supply in the amount of \$3,000.00 for April/May '05 warm storage rent

PO#09887 to Delta Industrial Services in the amount of \$1,069.78 for repair of Cascade "drop-off" containers at landfill

PO#09888 to Delta Sanitation in the amount of \$574.50 for April '05 dumpster service

PO#09889 to GVEA in the amount of \$1,625.49 for April '05 electricity

PO#09890 to Guess & Rudd in the amount of \$3,219.15 for April '05 legal services (review of Pogo PILT agreement and UNIT/SKW landfill arbitration)

PO#09891 to MACTEC Engineering & Consulting in the amount of \$3,444.06 for landfill contractor arbitration

PO#09892 to Seekins Ford-Lincoln Mercury in the amount of \$37,314.00 for 2005 Ford crew cab truck **Leith-Dowling moved** to approve purchase orders 09880 through 09892 as presented; Sloan seconded.

**Leith-Dowling** referred to 09888. She said dumpsters were not justified at both the library and the Community Center. She suggested sharing one between the two facilities.

**Hallgren** said he would speak with Bob Morley to find out how many dumpsters were needed.

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

#### **ADDITIONAL PUBLIC COMMENTS**

**Janet Boyer** asked if the additional \$64,000 that was paid on the landfill settlement was paid out of impact funds. If so, it would in fact be money that could have otherwise been spent on the hockey rink?

**Hallgren** said it was.

**Lynnetta Marcellus** introduced herself. She said she would not be available for the June 7 meeting and was the reason she attended tonight's meeting. Her background was in education and she was interested in serving on Council, particularly filling both the School Liaison and Park Council positions. She said she was also involved with Mothers of Preschoolers (MOPS).

#### **ADDITIONAL COUNCIL COMMENTS**

**Mayor Gilbertson** called for additional Council comments with none being offered.

#### **ADJOURNMENT**

Sloan moved to adjourn at 7:53PM; **Leith-Dowling** seconded. Motion carried.

Pat White

City Clerk

Date of approval: June 7, 2005