



City Council Minutes
September 6, 2005 ~ 5:00PM

Regular Meeting
City Hall, Delta Junction, Alaska

The regular meeting of the Delta Junction City Council was held on Tuesday, September 6, 2005 at City Hall in Delta Junction, Alaska. Mayor Gilbertson called the meeting to order at 5:05PM.

Council members present: Mayor Gilbertson, Mayor Pro tem Mary Leith-Dowling, Leslie Feilner
Mike Tvenge, Lynnetta Marcellus (arrived at 5:23PM), John Sloan (excused at 6:05)
Lou Heinbockel (excused at 6:05PM and returned at 6:21PM)

City employees present: Pete Hallgren, Dave Zimmerman, Pat White
Seven members from the community were also present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

Gilbertson reported one item to add to *Unfinished Business*:

- ✓ Landfill Boulders

Gilbertson reported one item to add to *New Business*:

- ✓ Introduction and First Reading of Ordinance 2006-04, An Ordinance Adopting an Agreement for Payment in Lieu of Taxes with Teck-Pogo, and Providing for an Effective Date

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

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Leith-Dowling moved to approve the minutes from the August 16, 2005 Council meeting as presented; Heinbockel seconded. Motion carried.

Heinbockel requested clarification on page 6 of 9 where White spoke regarding ambulance transports (call-outs).

PUBLIC COMMENTS ON NON-AGENDA ITEMS

COUNCIL COMMENTS ON NON-AGENDA ITEMS

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

REPORTS

Rescue Squad – Sue Miller reported ambulance runs to date totaled 151, an increase of 12 from last year.

Fire Department – Lou Heinbockel acknowledged a typed report submitted by Fire Chief Carin Bear.

Airport – Leslie Feilner reported government employees were using the airstrip because they were collecting soil samples along the proposed gas pipeline. The public is asked to refrain from using the area.

City Clerk – Pat White reported two Council members, Lynnetta Marcellus and Lou Heinbockel filed for re-election. Marcellus filed for Seat E (one year remaining) and Heinbockel filed for Seat C (three-year term). She said there had been no interest in Seat F, which is a three-year term, and Councilman John Sloan did not plan to re-run. Mike Tvenge had not yet submitted his declaration for Seat G (two-year term). The filing period would end at the close of business on September 9.

City Administrator – Pete Hallgren reported the landfill hours of operation were being refined and planned to make recommendations to include opening one evening during the week and also cutting back present public hours to accommodate deliveries from Delta Sanitation. After the schedule is determined a scale house operator could be located. Hallgren said he was currently involved in structure utility costs. He said the library heating problem ended up being related to a failed exhaust fan. Siemen's of Fairbanks was helping to make the system function. Hallgren said the old fire station had excessive indoor temperatures and he was looking into turning the bays into cold storage area, heating only the old fire hall admin office with minimum heat elsewhere in the building. It may require putting in more insulation in the bays. Hallgren said he was disappointed in the new (library and fire station) structures not being as energy efficient as the older buildings. He suggested possibly turning off the heat to the landfill household hazardous waste (16 x 8') connex-looking building also. Hallgren said City Hall was the most frugal building owned.

School Liaison – Pat White reported the ribbon cutting of the Delta Elementary School was scheduled for 2:30PM on September 15. An Open House (2:30–7:00PM) for the community would follow. Four Council members were able to commit to attend the ribbon cutting.

Heinbockel reported school officially opened today, after a two-week delay in construction of the new elementary school. He said the new school was very, very nice and a welcomed addition to our community.

DREDC – Mike Tvenge reported several members of DREDC, City Council and the public welcomed René Greenfield, the VISTA Recreation Program Coordinator on September 29. Social Service Grant applications are on the September 19 agenda and would be presented to Council on November 1. Tvenge said the Chamber of Commerce and Deltana Fair Board are interested in participating in discussions.

Library – Mary Leith-Dowling reported:

- The fireplace hearth was completed during Deltana Fair weekend by Alex (Glushko) & Sons.
- The hot water heater in the workroom (kitchen) was replaced. The plumbers advised getting a larger tank for the hot water heater in the janitor's closet, as they recommended during construction.
- Internet was restored after 7 days. ACS finally admitted it was their problem and because of the loss of service both City Hall and the library would receive one week's credit. The circulation system (checking books) required Internet access.
- Winter Library hours resumed this week. The library would be open Monday through Friday, 10:00 – 6:00PM, and Saturday and Sunday, 11:00 – 5:00PM.
- Nancy King was scheduled to be in Ketchikan September 15 – 18 attending classes in preschool programming, collection development and program evaluation, courtesy of a \$1,000 grant from the Alaska State Library.
- Folksinger Adam Miller was scheduled to be in Delta on Tuesday, September 27 visiting the school and presenting a concert for the public at 7:00PM at the Community Center. The Library Board would sponsor the event. No admission would be charged but donations to the library matching Rasmuson fund would be accepted.
- Local Delta elementary physical education teacher, Cindy Lou Aillaud, authored "Recess at Twenty Below". A nationwide book launch would start at the Delta Library on Saturday, October 1, 10:00AM to 2:00PM. Refreshments, including snow cones, would be served. Leith-Dowling said books were presently available through amazon.com. Aillaud's book features her

photography and, as examples, describes what happens to hair after removing a hat when temperatures are 20° below and warns not to place your tongue on a frozen flagpole.

Marcellus arrived at 5:23PM.

Park – Leslie Feilner said the drinking issue would be a moot point considering the upcoming winter months. She referenced Ordinance 2006-02, which would be discussed under *New Business* and said the current ordinance was too vague with wording, “cannot be under the influence.” She asked what “with special permit” meant.

Discussion followed regarding private parties, wedding receptions and supervised events.

Hallgren said any event in which liquor was served at the park would require Council approval, “special permit.”

Heinbockel said businesses that serve liquor provide other options for events where liquor is accepted.

Feilner asked about park signs, if and when they would be posted.

Hallgren said signs would be dealt with if the ordinance passed.

Recreation – Mike Tvenge displayed a copy of the Liewer-Olmstead Ice Arena building sign (drawing 1) that was approved at the last Skating Association meeting. He stated the sign would be similar to the 4X8’ Moose Lodge sign, which was simple with light bulbs that reflect hand-placed letters that are protected by a clear screen. He would inquire if the quoted price, as per one year ago, was still the same. Tvenge reported the price of concrete was \$110 per yard from Delta Concrete. Multiplied by 73 cubic yards, the total came to \$8,030. With approximately three bundles of steel, it totaled \$10,500 to \$12,000.

Gilbertson estimated it would cost \$4,000 to hire the labor.

Tvenge said the pours would be simple and soliciting help would not be difficult.

Heinbockel moved to authorize Tvenge and/or City administration to organize and spend up to \$20,000 of federal impact funds to pour the concrete before the skating season begins; Sloan seconded.

Hallgren said too much time would be wasted if the project were put out for bid. He suggested force-accounting.

Discussion followed regarding acquiring the property near the existing rink.

Tvenge stated Ron Riesgaard declined to operate the zamboni this year but would train someone new.

Hallgren asked if the front entrance walk in front of City Hall could be added to the project.

Heinbockel amended the motion to authorize up to \$20,000 work at the existing rink and to authorize replacement of the City Hall front entrance sidewalk by force-accounting; Sloan seconded.

Motion passed unanimously (seven members) on a roll call vote.

Public Health & Safety – John Sloan reported he will not run in the next election and his position as Local Emergency Planning Committee (LEPC) Co-Chair would need to be filled by another Council representative.

Discussion followed regarding duties and responsibilities of co-chair and the purpose and function of the volunteer organization.

Sloan said the organization is very worthwhile and the people involved are good to work with.

Feilner expressed appreciation for Sloan’s service on Council and his conservative stance.

Charter Commission – Lou Heinbockel said he was concerned about the 2005-06 budget because it was predicated on a \$500,000 PILT agreement that had yet to be finalized. Pogo would like not to pay anything.

Hallgren said the local government could survive without the Pogo PILT this year. Money simply would not be deposited into the sinking fund for the landfill.

Heinbockel said the mining industry in the State of Alaska does not want to contribute their fair share. Nor do they want to be taxed. He said if Delta were to incorporate into a borough the main source of income would come from Pogo because of the mining industry up the Goodpaster. He said he planned to recommend the Charter Commission rewrite the charter to include a substantial severance tax on what Pogo produces if the PILT is not agreed upon.

Department of Transportation (DOT) Liaison – Mary Leith-Dowling said she and Marcellus were unable to resolve the issue regarding crosswalks on Nistler Road.

Marcellus stated the school understood crosswalks were not in their control because the State owned Nistler Road. She also reported the school staff was doing a great job bussing elementary children across the road for soccer games.

Heinbockel said the City owned Nistler Road between the Richardson and North Clearwater, near the hockey rink. The State built and owns the additional six miles of Nistler.

Leith-Dowling said the State feels the City's responsibility was not to North Clearwater, but past it to Emmaus Road.

Gilbertson suggested addressing a letter to the State, requesting their assistance.

Discussions followed regarding requirements and liability issues related to constructing crosswalks, requesting involvement from the State and/or waiting for the State to take action next year as planned.

Heinbockel suggested putting up signs and crosswalks. He said the issue should possibly be taken to the Governor's office because extending construction of Nistler significantly affected it and other streets.

Hallgren said the legislature approved \$300,000 of the \$900,000 requested for street maintenance from the Capital Projects Wish List. Paving Kimball, from the Richardson to the school, was City Council's number one priority for the past two years. Actual statute identified the funds be used for street maintenance, not specifying paving. Hallgren said he would research the subject and recommend not funding crosswalks if DOT actually clarifies they plan on doing them next year.

Discussion followed regarding past history when assistance from the State was requested for a secured crosswalk between the Post Office and IGA (grocery store) in the middle of town.

Heinbockel said taking responsibility of maintaining Nistler Road was a mistake. An agreement was negotiated in approximately 1980 when the State of Alaska funded paving Nistler as long as the City maintained it.

Additional Reports by Council – Lynnetta Marcellus reported the school district adopted the new school calendar. The new elementary gymnasium flooring was changed to synthetic materials and would be completed in two weeks.

UNFINISHED BUSINESS

Reducing Minimum Price of Certain City Lots

Hallgren referred to a packet of current over-the-counter lots available for sale by the City, which showed physical locations and prices that were 200% of the last appraisals (in the 1980's and some more recently).

Heinbockel repeated his suggestion at the August 16 meeting in which he said to sell four lots for the price of 3. He said there were several places on the map that would not even be applicable. He still felt the City should not be a land baron and should offer the property for a decent rate to get rid of it.

Tvenge said small lots are not even the choicest pieces. A buyer would need at least four.

Marcellus asked if the information just needed more advertisement. She said it was a good time to sell.

Feilner stated the recent water and sewer feasibility study reported there was very little permafrost in Delta Junction. She said if the school was constructed in that area, certainly homes could be built next door. There was no reason to consider the property of no value.

Heinbockel said there had not been a lot of enthusiasm but the available property should be well advertised. He asked to also research the property around City Hall within the next year.

Hallgren agreed to post the information regarding available property for sale on the news web. He said the land adjoining City Hall property would need to be surveyed and could be subdivided and platted as desired. It would have to be sold at public auction prior to being sold over-the-counter.

Heinbockel and Sloan excused themselves at 6:05PM.

Landfill Boulders

Feilner reported the military at both Ft. Wainwright and Eielson AFB purchased most of Fairbanks' supply of boulders after "9-11". She referred to a company in Fairbanks who explained the market for

rocks. Feilner said boulders were sold by the pound and according to quality. In August the City sold approximately 400,000 pounds of top quality boulders for \$6,400 (\$80 per boulder). She said the rocks were handpicked by the purchaser and transported to Eielson AFB. Feilner proposed to sell all landfill boulders for 10¢ per pound, regardless of quality. To get the weight, the landfill operators can weigh the vehicle upon entry and again after the rock(s) are loaded. She explained different types of rock and that they do not lose their value. One boulder was twice the size of her 4' daughter. As an example a 2 X 3' boulder in Fairbanks cost approximately \$100, at 10¢/lb. She explained some rock sells for 5¢ a pound while others sell for 15¢ a pound. Feilner said as long as the landfill is open there will be boulders to sell. The revenue generated from the sale of rocks will benefit the community by offsetting the cost of the landfill operation.

Hallgren said 10 cents per pound would be reasonable. The question would be how to handle loading boulders. He suggested a \$50/hour minimum be charged to use the loader. He also said the landfill operators should maintain the right to load or refuse to load out of concerns for (City or customer's) equipment. Any larger boulders should be reserved to sell to commercial haulers. Ellis is presently stockpiling rocks as he works around them. Customers wanting certain rocks can label them with paint or some other method. They would be permitted to load their own boulders as long as they were not in the way of the landfill operation and they do not destroy the roads. It must be clear that the hauler is responsible for their own vehicle and any damages sustained.

Feilner said if the 80 boulders were sold by the pound, they would have sold for \$14,000 instead of \$6,400.

Marcellus moved to charge 10 cents per pound for any boulder, regardless of size, shape or quality, charge a minimum \$50.00 per hour loading fee and the City maintain the right to refuse service in respect to City-owned equipment or equipment owned by the customer; Leith-Dowling seconded.

Motion passed unanimously (five members - Marcellus, Leith-Dowling, Feilner, Tvenge, Gilbertson) on a roll call vote.

Hallgren said he would draft a boulder policy and advertise on the City's website.

NEW BUSINESS

Introduction and First Reading of Ordinance 2006-04, An Ordinance Adopting an Agreement for Payment in Lieu of Taxes with Teck-Pogo, and Providing for an Effective Date

Hallgren reported a draft PILT agreement was received this morning from City Attorney Jim DeWitt. It has been in review for a number of months. The Charter Commission recommended the City Council adopt the agreement by ordinance because it forms the major portion of any borough funding under the draft borough petition. If the PILT agreement does not meet approval of City Council or Pogo, the Charter Commission indicated they intended to come up with Plan B on how to fund the proposed borough. Hallgren clarified the borough process. A formal petition would be submitted to the Local Boundary Commission (LBC) and if accepted the State would hold a public election on whether or not to form a borough to incorporate the entire Delta area.

Leith-Dowling moved to introduce and hold the first reading of Ordinance 2006-04, An Ordinance Adopting an Agreement for Payment in Lieu of Taxes with Teck-Pogo, and Providing for an Effective Date, and set the public hearing and second reading date for September 20; Feilner seconded.

Hallgren said there would be one or more draft changes before the second reading on September 20.

Motion passed on a roll call vote with four (Leith-Dowling, Feilner, Tvenge, Marcellus) voting in favor and one (Gilbertson) opposed.

Emergency Septic Dumping Procedure at the Landfill

Hallgren reported an emergency procedure was needed to accommodate septic haulers during hours in which the landfill was not open and the scale house was not available. The interim plan sets out that the hauler would be issued a key to access the landfill and would be charged a full capacity load (number of gallons X 8 pounds per gallon X latest septic waste fee per pound). The average cost to empty a 1,000-gallon septic tank would be \$45 to \$50. Within one hour of dumping the commercial hauler would be

expected to leave a recorded message at City Hall with their company name, time, date and capacity of equipment used. Hallgren said the City would reserve the right to change or end the interim policy, including changing the locks without notice to septic haulers.

Heinbockel returned at 6:21PM.

Discussion followed regarding restricting after-hour emergencies to septic waste but not solid waste and altering the plan if needed.

Leith-Dowling said the plan was workable during a crisis.

Heinbockel moved to adopt the interim procedures for septic haulers as presented; Feilner seconded.

Motion passed unanimously (six members) on a roll call vote.

Introduction and First Reading of Ordinance 2006-02, An Ordinance Amending Municipal Code Title VI, Sections 6.05.010, 6.30.050(i), 6.30.120(a), and 6.30.150

Hallgren explained changes made to the City's Code of Ordinance to bring it up to date and address the alcohol issue at the park.

Heinbockel moved to introduce and conduct the first reading of Ordinance 2006-02, An Ordinance Amending Municipal Code Title VI, Sections 6.05.010, 6.30.050(i), 6.30.120(a), and 6.30.150, and set the public hearing and second reading date for September 20; Feilner seconded.

Motion passed unanimously (six members) on a roll call vote.

Hallgren asked how long the porta-potty needed to remain in the playground area.

Heinbockel said October 1.

Hallgren said rental cost was approximately \$300/month. Looking into retro-fitting the existing outhouses may be an option to cut costs.

Marcellus said servicing them needed to be a consideration if porta-potties were no longer used.

Introduction and First Reading of Ordinance 2006-03, An Ordinance Amending Municipal Code Title III, Section 3.30.020, Ambulance Fees

Leith-Dowling moved to introduce and hold the first reading of Ordinance 2006-03, An Ordinance Amending Municipal Code Title III, Section 3.30.020, Ambulance Fees, and set the public hearing date for September 20; Heinbockel seconded.

Feilner asked how fees were determined.

Hallgren said ambulance fees had not changed in slightly over 10 years.

Heinbockel said transport fees were determined by reviewing the average figures from other communities on the road system and what the federal government accepted as a reasonable charge.

Tvenge said the increased price of fuel was also considered.

Hallgren reported there would be an increase in monthly costs for radio communications for the Rescue Squad. It could be as expensive as \$800/month.

Sue Miller stated Robb Phillips, Alaska Land Mobile Radio (ALMR) Systems Manager, was a guest speaker at the Local Emergency Planning Committee (LEPC) meeting on September 1. She explained the system and the plans to eliminate use of hard phone lines.

Hallgren said he was depending on advice from Al Edgren who was working with the State and licensing board on the radios, repeaters and required frequencies. He said the project to obtain better radio communications might be more expensive than anticipated.

Motion passed unanimously (six members) on a roll call vote.

Alaska Health Fair – Request Funding for (\$250) Site Fee

Cheryl Helkenn said this was the first year Delta was asked to contribute a site fee, which was used to bring the health fair and their staff to Delta. She said she would appreciate support for the event.

Heinbockel moved to approve donation of \$250 to sponsor the Alaska Health Fair on October 8; Leith-Dowling seconded.

Motion passed unanimously (six members) on a roll call vote.

Delta Skating Association – Request for Community Center Fee Waiver – Sept 7**Delta Chamber of Commerce – Request for Community Center Fee Waiver – Sept 15****Alpha Omega Life – Request for Community Center Fee Waiver – September 16**

Leith-Dowling moved to approve fee waiver requests by the DSA, Chamber of Commerce and Alpha Omega Life due to the services they provide to the community; Tvenge seconded.

Heinbockel said the Delta Chamber of Commerce profits from their business at the Visitor's Center and from pull-tabs. They normally use the Jarvis Building and he wondered if a cost was associated with using that building. He said he would vote in favor but disagreed that the Chamber could not afford to rent the Community Center.

Motion passed unanimously (six members) on a roll call vote.

Purchase Orders

PO#010188 to Aetna WHO-AAS in the amount of \$7,016.91 for Sept '05 group health insurance

PO#010189 to Delta Chamber of Commerce in the amount of \$3,119.34 for Social Service Grant #3

PO#010190 to Delta Building Supply in the amount of \$3,000.00 for July / August warm storage rent

PO#010191 to Delta Library Association in the amount of \$700.00 for rock fireplace materials

PO#010192 to Aleksandr V. Glushko in the amount of \$1,858.78 for library fireplace installation

PO#010193 to Delta-Greely School District in the amount of \$155,037.71 for reimbursement for

April – June '05, job training program at high school

PO#010194 to Hope Counseling Center in the amount of \$17,748.70 for Social Service Grant, #3

PO#010195 to Interior Building Supply in the amount of \$511.70 for landfill ladders and hand tools

PO#010196 to Lamar Cotten in the amount of \$1,400.00 for Aug '05 consultant services

PO#010197 to LEAP II in the amount of \$6,420.00 for Social Service Grant, payment #3

PO#010198 to Mactec Engineering & Consulting, Inc. in the amount of \$1,253.06 for July '05

landfill and library engineering services

PO#010199 to OCLC, Inc. in the amount of \$662.00 for library on-line reference service

PO#010200 to Emergency Medical Products, Inc. in the amount of \$2,591.98 for ambulance medical

Supplies

Leith-Dowling moved to approve purchase orders 010188 through 010200 as presented; Feilner seconded.

Tvenge asked about 010198 because he thought MACTEC had already closed out.

Zimmerman reported closeout pertained to contractor work. The present purchase order dealt with obtaining the final water well permits for the library and landfill projects. The library permit was originally rejected from the State of Alaska because contractor work failed under inspection and needed to be modified. MACTEC produced the drawings that were required for the permit.

Hallgren said there would be a couple small bills because \$5,500 was held for the contractors to finish work. Upon finishing it would then go through MACTEC again.

Marcellus asked about the library fireplace.

Leith-Dowling reported the rock material for the fireplace (010191) and the labor involved (010192) were finish work for the fireplace that was already built.

Joyce McCombs reported the cultured stone that was used was actually paid by the Library Board.

Motion passed unanimously (six members) on a roll call vote.

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Janet Boyer stated elementary students were crossing Nistler every day and the principal was aware of the hole in the fence that they used to access the old playground.

Heinbockel said he looked for evidence but could not find any.

Boyer stated three ordinances were introduced and would possibly be passed after the public hearing on September 20. She asked Council to be aware that the next Delta Wind newspaper would not be published until September 22.

Hallgren said extra steps to advertise would be taken.

Boyer asked to clarify the loading fee cost.

Hallgren said it would be \$50 per hour and a minimum charge of \$50.

Boyer asked about improvements made to the hockey rink. The architect said a sprinkler system would be required if any improvements were made that encouraged more people to use the facility. So the \$20,000 that was voted on tonight to make improvements at the rink, will it encourage more of the public to attend?

Tvenge said the cement work would reduce dust and gravel on the walkways that cause damage to skates. He said he would be hard-pressed to think concrete would require a new sprinkler system but certainly did not want the building shut down.

Hallgren said restrooms would require heat and that would require a sprinkler system.

Boyer asked about 010193. Who received the money and how was it used? Did it provide any adult education?

Zimmerman said impact grant funds were used for the Delta Career Advancement Center program. Quarterly reports are submitted by the school district and progress of the center is reported to Missile Defense on a quarterly basis also.

Hallgren said construction of the career center was a minor part of the funding.

Heinbockel, referring to upgrading of the hockey rink, said Delta Junction was a community of approximately 800 people but the City Council serves the entire area, which is up to 5,000. He said there is a point, regardless of opinions from engineers and architects, when choices must be based on "what is right." Some communities cannot afford a million dollar heating system.

Hallgren said he would not participate in any construction that might violate safety requirements.

Tvenge said carpet was a health issue because of mold and it did not resolve the rock problem. Paving would be the only logical plan but it would only be a small portion of the entire facility.

Heinbockel said he missed 20 minutes in the early part of tonight's meeting. During his absence Ordinance 2006-04 was introduced. He asked if the PILT agreement as written was the final document.

Hallgren said there would be amendments at the September 20 meeting.

Heinbockel asked if Pogo had given any indication that they would agree to the agreement.

Hallgren said any issues were directed to City Attorney Jim DeWitt.

Heinbockel said he would be reluctant to act if Pogo does not provide something definitive. He would have voted against it had he been present earlier in the meeting.

Gilbertson said he voted against Ordinance 2006-04 because he had concerns over the PILT terms.

EXECUTIVE SESSION – Salary Discussion

Heinbockel moved to enter into Executive Session at 7:05PM to discuss matters that may prejudice the finances of the municipality and to include City employee Joyce McCombs; Leith-Dowling seconded. Motion carried.

Present during the Executive Session were Gilbertson, Leith-Dowling, Heinbockel, Marcellus, Tvenge, Feilner, Hallgren, McCombs (excused at 7:40PM) and White.

Leith-Dowling moved to come out of Executive Session and reconvene the regular meeting at 7:58PM; Feilner seconded. Motion carried.

ADJOURNMENT

Leith-Dowling moved to adjourn; Heinbockel seconded. Motion carried.

Pat White

City Clerk

Date of approval: September 21, 2005