



City Council Minutes
September 21, 2005 ~ 5:00PM

Regular Meeting
City Hall, Delta Junction, Alaska

The regular meeting of the Delta Junction City Council was held on Wednesday, September 21, 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, Lou Heinbockel (arrived at 5:10PM)

Council members excused: John Sloan, Lynnetta Marcellus

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

Five members from the community and two out-of-town guests were also present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

White reported five items to add to *New Business* and one to omit:

- ✓ Consideration of Revised Septic Hauling Policy
- ✓ Purchase Orders 010279 to Carns General Contractors, 010280 to Delta Building Supply and 010281 to GVEA

White reported the Public Hearing and Second Reading of Ordinance 2006-04 would be postponed to a later date. Action would not be taken at tonight's meeting. However, it would be discussed during an Executive Session at the end of tonight's meeting.

Hallgren stated negotiations with the proposed PILT agreement with Teck-Pogo were ongoing and additional time was needed.

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

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Feilner asked to change "infinite" to "definitive" on page 8 of the September 6 minutes. She stated she thought when Heinbockel referenced Pogo's decision that he did not mean for it to go on forever.

Tvenge asked to change wording, also on page 8, where he answered Boyer's question about increasing the amount of people using the local hockey rink. He asked to change "sign" to "concrete". Putting in cement (not a sign for the facility) should not be enough upgrade to require a sprinkler system.

Leith-Dowling moved to approve the minutes from the September 6, 2005 Council 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.

Heinbockel arrived at 5:10PM.

REPORTS

City Clerk – Pat White reported, for the record, that tonight’s meeting was postponed one day so that Mayor Gilbertson and Council could attend an open house scheduled by the Alaska Railroad Corporation (ARRC) on September 20. She said the next two regular City Council meetings would also be postponed one day because of the Municipal Election on October 4 and Alaska Day on October 18. The next two meetings would be scheduled on Wednesdays, October 5 and October 19. City Hall offices would be closed on October 18 for the State holiday. White reported election officials, judges and a canvass board were selected for the upcoming election. She said incumbents Heinbockel, Tvenge and Marcellus submitted petitions before the September 9 deadline. However, there has been no interest in Seat E, which is a three-year term.

City Administrator – Pete Hallgren reported:

- Federal PILT was reported to be \$480,335.23, which is \$30,000 more than what was budgeted and \$13,000 more than what was received last year.
- Mayor Gilbertson, Council members and Hallgren met with the Alaska Railroad Corporation (ARRC) Northern Rail Extension Project staff on September 20 at the Alaskan Steakhouse to discuss the proposition of extending the rail line from North Pole to the Delta Junction area. City officials and landowners were sent invitation to discuss potential routes through Delta but the project staff had difficulty locating landowners. Hallgren said he felt Council members in attendance were very useful in providing information about the Delta area.
- Equipment operators have proposed new public hours for the landfill that would cut the hours of operation and provide evening hours for the public. Hallgren reported the first two months of operation, since opening the new landfill on July 1, over 800,000 pounds of weight garbage was collected. That amount is what MACTEC projected several years ago. No excess money is being made yet and the only way to achieve that is to collect more garbage and/or cut employee costs.
- Energy efficiency for city buildings was still being investigated. Hallgren said Siemen’s provided suggestions for cutting fuel and electricity costs at the new library and the new fire hall. The library was still experiencing problems with equipment, which was part of the problem. Siemen’s suggested changing the air handling at both new facilities. Additional insulation will be put into selected areas of the old fire hall. One reason for excessive heat in the old fire station is due to a hot water leak and the way in which the boiler is rigged. Mormon Missionaries recently volunteered their labor to work with Dave Boadwine in filling the dump truck with trash and rubbish from the old fire hall. The building is exceptionally cleaner now. Electrical efficiency must be addressed in both the old and new fire stations.

School Liaison – Leslie Feilner reported in Marcellus’ absence. She said safety concerns were minimized because school staff carefully monitored students when they crossed Nistler to access the old playground.

DREDC – Mike Tvenge reported DREDC was presently working on a community project plan to help Deltana Community Corporation (DCC) secure funding to improve Souhrada Road. They are also working on the Social Service Grant application.

Library – Mary Leith-Dowling reported there was concern regarding getting parking signs in place before freeze-up. She said the Adam Miller concert was scheduled on September 27 and Cindy Aillaud would sign her new book, Recess at 20 Below, on October 1.

Park – Leslie Feilner reported the year-old playground equipment was in good condition and very well used by the public. The locked outhouses had recent tampering though. It appears someone had tried prying the doors open with a crowbar. Feilner asked to secure the doors better or remove the outhouses entirely.

Hallgren said it was apparent equipment (possibly an axe or a maul) was carried into the park to break into the pavilion concession stand several weeks ago. The metal door was beaten, its handle was broken

off and sections of the doorframe were ripped off. He reported he cut up a tree that had fallen onto the fence and removed several other dead trees that looked like they would do the same. He removed the wood at his own expense and would store it at his residence until he has a chance to burn it.

Recreation – Mike Tvenge reported interested parties plan to pour cement at the hockey rink by the end of September or early October.

Hallgren said workers would be paid through the force account system. He also said it was too late in the season to reconstruct and widen the sidewalk in front of City Hall (which was previously planned to do at the same time the cement was poured at the rink).

Discussion followed regarding clearing snow with the plow truck or the front-end loader and using the John Deere tractor instead of widening the sidewalk.

Tvenge said Alaska Mechanical (AMI) was still using the rink and would grade the tire tracks when they were done. He distributed packets showing sign designs that were being researched.

Tvenge reported local resident Eli Grossmann was featured in the sports section of the September 15 Fairbanks Daily News-Miner. He said the article was very tasteful and highlighted 17-year old Grossmann who presently plays for the Seattle Thunderbirds, a junior level hockey league. Grossmann now has a shot to play for the National Hockey League and Tvenge wished him the best.

Public Works – Lou Heinbockel reported the clinic road is in need of grading repairs. Someone had deposited an old sofa in front of the “unofficial” city rifle range, across the street from the clinic, with an empty box in which the new sofa was shipped. He said he would haul it to the dump and place it in the recycle area where it should have been delivered.

Charter Commission – Lou Heinbockel said he thought the Charter Commission ought to reorganize and meet for an update of information in regards to the Pogo PILT.

Additional Reports by Council – Lou Heinbockel said he gave permission for some locals to remove the downed burned wood on the Waldo property.

UNFINISHED BUSINESS - none

NEW BUSINESS

Public Hearing and Second 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 stated current ordinance (6.05.010) refers to a Park Board but because there has not been an active one in many years, wording was inserted to allow City Council to act as the Park Board with the Mayor having the powers of Park Board Chairman and Director. Section 6.30.050(i) refers to discarding of garbage. Hallgren said wording was added to clarify it would be a violation to take garbage into the park to dispose of it. “Special permits” was added to current code 6.30.120(a), which does not allow people to be intoxicated at the park and 6.30.150, which limits park hours. Additional wording, “be under the influence or bring into, possess or drink any intoxicating liquor in the park except by special permit” was added to regulate or outlaw consumption of alcoholic beverages in the park. Hallgren said permits would be issued by the Park Board / City Council for special events.

Heinbockel moved to open the public hearing and second reading of Ordinance 2006-02, An Ordinance Amending Municipal Code Title VI; Leith-Dowling seconded. Motion carried.

Tracy Blais stated she wanted to encourage adoption of the ordinance. Traditionally alcoholic consumption and parties have been carried out at the park and it would likely continue without local police officers. However, with an ordinance in place, the activity could be curbed because it allows the community to become more self-governing. ‘No Alcohol’ signs will be treated the same as ‘No Dogs’. Some will ignore them while others will encourage people to respect them. Blais said she related alcohol to the increase in destruction and ridiculous amount of trash over the past two years.

Discussion followed regarding Fairbanks North Star Borough (FSNB) and how they handle alcohol.

Heinbockel said he was concerned with inability to enforce the issue and whether adopting the wording would be the “death” of the newly formed adult baseball league.

Feilner said it was important to set precedence by making it part of public record.

Janet Boyer said she was curious to what guidelines would be used to issue the special permits or if it would be left to individual Park Board (Council) members.

Hallgren said he would draft some guidelines if the ordinance passed.

Blais said she hoped it would not be a downfall for the adult softball league. There were more teams this year compared to last year. At the beginning of the season there was a lot of support from spouses and children. However, they quit going because of men becoming vulgar. The no-alcohol ruling may lose some but eventually "the good will outweigh the bad."

Tvenge asked if the park hours (6:00am to 11:00pm) would be enforced if a Midnight Sun tournament were planned. He asked, "Why have the rules if you can't enforce them?"

Heinbockel said no one would stop anyone from playing. He lives closest to the park and enjoys hearing the activity and noise generated from the sports, whether it is baseball, softball or volleyball.

Hallgren said the hours were established when the park was first built.

Butch Ellis asked what the procedure would be if there was someone being extremely rude or obnoxious, especially around children.

Hallgren said the Alaska State Troopers (AST) would intervene and they have the authority to act if there is ordinance governing against such behavior.

Leith-Dowling moved to close the public hearing; Feilner seconded. Motion carried.

Heinbockel moved to adopt 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; Leith-Dowling seconded.

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

Public Hearing and Second Reading of Ordinance 2006-03, An Ordinance Amending Municipal Code Title III, Section 3.30.020, Ambulance Fees

Hallgren said ambulance fees in Delta have not changed in 10 years. Recently neighboring communities have also increased their rates to align them with federal government reimbursement rates. Medicare and Medicaid pay a higher rate than what the City charges for both a transport and mileage. They also reimburse for more than one transport. He explained scenarios of transporting from a residence/scene to the clinic and then onto the hospital/airstrip. City policy has always been to charge for one transport (call-out), keeping ambulance services affordable. The distinction between one transport and two would depend on the length of time in which the patient was detained for observation at the clinic. If for more than one hour the second transport would be charged. Hallgren said the volunteer ambulance crew was interested in providing good service to the public. It was at their request that the transport fees be increased. They wish to reimburse some of their expenses that relate to adding additional dedicated phone lines that would give Delta Rescue Squad their own tone-out. It could run as high as \$10,000 annually.

Heinbockel moved to open the public hearing and second reading of Ordinance 2006-03, An Ordinance Amending Municipal Code Title III, Section 3.30.020, Ambulance Fees; Leith-Dowling seconded. Motion carried.

Gilbertson called for public comment with none being offered.

Leith-Dowling moved to close the public hearing; Heinbockel seconded. Motion carried.

Leith-Dowling moved to adopt Ordinance 2006-03, An Ordinance Amending Municipal Code Title III, Section 3.30.020, Ambulance Fees; Feilner seconded.

Heinbockel asked if a transport to FMH would then cost \$1,800.

Hallgren said it would, if it were legitimately two transports.

Heinbockel said he was concerned for the person who did not have coverage and might choose other means of transportation to seek the medical help they needed.

Discussion followed regarding additional medi-vac charges and the application process for forgiving an ambulance bill.

Heinbockel said as long as he has served on Council a request to excuse or reduce a bill has never been rejected for those who could not pay for economic reasons. He felt the revenue generated supports the ambulance crew so that they can continue to provide the service at the level it has always been.

Motion passed unanimously on a roll call vote.

Public Hearing and Second 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 table the public hearing and second reading of Ordinance 2006-04 until October 5; Feilner seconded.

Heinbockel said he would not be present on October 5 and he wanted to be present during its discussion. He said there had been anticipation since July 1 and because of that two more weeks ought to not be that critical.

Hallgren recommended tabling it until October 5, in hopes that issues could be resolved by then.

Motion failed with two (Heinbockel, Tvenge) voting opposed and three (Leith-Dowling, Feilner, Gilbertson) voting in favor.

Heinbockel moved to table the public hearing and second reading until October 19; Tvenge seconded.

Tvenge said he thought it best to have a full Council present before making a decision.

Motion passed unanimously on a roll call vote.

Community Center Fee Waiver Request – Carenet of the Tanana Valley Pregnancy Resource Center from Fairbanks - October 15

Heinbockel moved to waive the rent fee as requested by Carenet to use the Community Center on October 15 for a fundraiser; Feilner seconded.

Motion passed unanimously on a roll call vote.

Consideration of Revised Septic Hauling Policy

Hallgren explained Council recently approved a policy for septic waste haulers needing to access the landfill during non-business hours when the scales were not in operation. Procedures required the hauler to leave a recorded message at City Hall of when they accessed the landfill and what the capacity of their vehicle was for later billing. Because the vehicle could not be weighed, they would be charged a full load. That policy was dated September 6. Hallgren had since discussed the policy with septic haulers and made adjustments to it. He asked to change the policy and instead of charging for the full capacity and size of the vehicle, allow the hauler to provide estimation of what they dump.

Heinbockel said most residential septic systems hold 1,000 to 1,250 gallons and it was easy to estimate what is being hauled. The City needs to provide the service and he had no problem trusting the local septic haulers.

Hallgren referenced the September 21 revision and recommended accepting the policy to accommodate septic haulers.

Heinbockel moved to approve the recommendation as presented; Feilner seconded.

Motion passed unanimously on a roll call vote.

Purchase Orders

PO#010222 to ACS in the amount of \$1,410.88 for September '05 phone lines

PO#010223 to ATT & Alascom in the amount of \$806.81 for Sept '05 E911 power/phone lines

PO#010224 to Bank of America in the amount of \$1,544.92 for color printer refill cartridge, framing of two Missile Defense photos, refill prepaid phone card, power cord, Hallgren's hotel while at Gas Line meeting in Anchorage, Cotten's August travel to Delta, Chief Bear's firefighter seminar at Mat-Su, park swing chair replacement and welding supplies for the landfill

PO#010225 to Big Brothers/Big Sisters in the amount of \$5,491.18 for Social Service Grant funding, 3rd quarter

PO#010226 Buffalo Fuel, Inc. in the amount of \$720.38 for August '05 diesel for Rescue Squad and landfill

PO#010227 to Delta Fuel Company in the amount of \$4,179.69 for heating fuel for new and old fire hall and fuel for landfill equipment tank

PO#010228 to Delta Texaco in the amount of \$1,023.10 for vehicle fuel (Rescue Squad, landfill, streets)
PO#010229 to Delta Youth Court in the amount of \$13,625.00 for Social Service Grant funding, 3rd qtr
PO#010230 to Delta Wind in the amount of \$580.14 for August '05 City Hall advertisements

(ads, minutes and election notices)

PO#010231 to Guess & Rudd in the amount of \$781.06 for August '05 legal matters (Fire Dept)

PO#010232 to Truckwell of Alaska Fairbanks in the amount of \$6,884.84 for sand spreader to be used on plow truck

PO#010279 to Carns General Contractors in the amount of \$1,663.00 for 1) gravel for new fire hall parking and landscaping and 2) transporting the D6 from the old landfill to the new landfill and trailer repair

PO#010280 to Delta Building Supply in the amount of \$1,500.00 for Sept '05 warm storage rent

PO#010281 to GVEA in the amount of \$2,265.94 for August '05 electricity

Leith-Dowling moved to approve purchase orders 010222 through 010232 and 010279 through 010281 as presented; Feilner seconded.

Heinbockel asked about 010279.

Zimmerman explained the D6 was transported from the old landfill to the new one. It was loaded onto the trailer and in doing so the ripper tore some timbers off of Carns' trailer.

Hallgren said the gravel was used at the new fire hall to fill in the drainage ditches that, as designed, were unnecessary for the amount of rain received in this area. The costs of the gravel and moving the D6 would be covered under impact funds.

Tvenge asked about replacing the new swing (part of 010224).

Zimmerman stated the swing itself was \$65 but the freight brought the cost to \$116.32.

Motion passed unanimously on a roll call vote.

ADDITIONAL PUBLIC COMMENTS

Blais stated her family utilized the landfill for the first time last weekend. She was disappointed in no longer using Delta Sanitation but found the transition very painless. The operators were very helpful and she appreciated how the operation was run and how inexpensive it was to use it.

ADDITIONAL COUNCIL COMMENTS

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

EXECUTIVE SESSION – Pogo PILT

Mayor Gilbertson called for a break, which began at 6:12PM and ended at 6:36PM.

Heinbockel moved to enter into Executive Session to discuss attorney advice regarding PILT negotiations with Teck-Pogo and financial matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City; Feilner seconded. Motion carried.

Present during the session were Mayor Gilbertson, Lou Heinbockel, Mary Leith-Dowling, Leslie Feilner, Mike Tvenge, Pete Hallgren and Pat White.

ADJOURNMENT

Leith-Dowling moved to come out of Executive Session and adjourn the regular meeting at 7:02PM; Feilner and Heinbockel seconded. Motion carried.

Pat White

City Clerk

Date of approval: October 5, 2005