



City Council Minutes
June 19, 2007 ~ 5:00PM

Regular Meeting
City Hall, Delta Junction, Alaska

The regular meeting of the Delta Junction City Council was held on Tuesday, June 19, 2007 at City Hall in Delta Junction, Alaska. Mayor Mary Leith-Dowling called the meeting to order at 5:04pm.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Lou Heinbockel, Mike Tvenge
Leslie Feilner, JW Musgrove, Mike Jenkins (arrived at 5:10pm), Pablo Martinez (arrived at 5:17pm)
City employees present: Pete Hallgren, Dave Zimmerman, Joyce McCombs, Pat White
Nine members from the community were present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

Feilner moved to approve the June 19, 2007 agenda as presented; Heinbockel seconded. Motion carried.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Heinbockel asked for clearer explanation of his comment under *Additional Council Comments*. He said the public is concerned about the future of the community but they do not attend Council meetings to share those interests and concerns.

Tvenge moved to approve the minutes from the June 5, 2007 regular meeting as amended; Jenkins seconded. Motion carried.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Al Edgren presented a card to Mayor Leith-Dowling and the City Council from the Delta Dry Land Hockey Training Camp, in appreciation for supporting the weeklong event. Edgren said the Social Services Grant paid for the camp, which provided fourteen youth with opportunity to improve their hockey skills and understand the importance of staying active, good nutrition, and maintaining good grades. He said 10 instructors offered their expertise, which was in the heat of summer instead of on ice. Edgren stated the Cooperative Fire Protection Agreement (*New Business* agenda topic) allows the Delta Junction Volunteer Fire Department (DJVFD) to work for the State of Alaska, Department of Natural Resources, Division of Forestry (Forestry) during an emergency. Forestry will compensate at the going rate, which is roughly \$1,000/day per apparatus. It does not commit; it allows Forestry to use City equipment but only at the Fire Chief's call. Edgren said the agreement is important so that the procurement officer can obligate State funds. He said Fire Chief Carin Bear asked for clarification of item #9 and said it deals with wildland fire equipment and gear, such as water hose, that if it is issued but not used, it must be returned to Forestry. Edgren reported extremely warm weather, high winds, and low humidity are expected for the next 6 or 7 days, and all are potential for fire activity. There is also a possibility for golf-sized balls of hail. He said a significant amount of hail dumped near Donnelly Dome

on June 17, leaving 2” of white groundcover. He warned the public to park vehicles in garages or protect them with sheets of plywood in the next 5 to 7 days.

Matthew Joslin presented Council members with color pictures of the areas at the cemetery to locate the covered shelter, his Eagle Scout project. He also distributed a materials list showing what local businesses could contribute.

Musgrove asked if Joslin was accepting donations only from local businesses.

Joslin said he is also accepting them from the general public. He explained what is available locally and what businesses were willing to donate. He asked if the Simpson hangers could be purchased in Fairbanks because they are not carried locally. He is still waiting response from one more local business. He explained floor types and asked for input. D1 would be the cheapest and donated by Delta Industrial. Wood would look the nicest and concrete is the most durable. The structure estimate is approximately \$1,000, not including the Simpson pieces, the 4 x 4's, or the concrete materials.

Leith-Dowling reported the Pioneers chose the center to locate the shelter because it would connect all four sections of the cemetery.

Discussion followed regarding floor choices, providing financial support, giving permission to shop in Fairbanks if materials are not available in Delta, soliciting public support, and advertising that donations could be tax deductible if receipts are issued.

Leith-Dowling said to wait for solid numbers before committing to contribute funding.

Heinbockel asked Joslin to generate as much support from the community and then bring it back to Council.

Dave Becker introduced himself as the President of the Delta-Greely Little League and asked questions about the park ball fields and the building located near the Little League Field.

Discussion followed regarding volunteers who constructed the dugouts, the fence, the storage and concession stand building, and a well.

Heinbockel said the Lions Club built the Little League field.

Becker said Little League takes care of the electricity each summer. He asked for permission to build 2 more dugouts on the t-ball field and leave permanent bleachers at both the t-ball and the Little League fields. He thanked Council for providing outhouses and said he would construct dugouts this season and hopefully purchase bleachers next year.

COUNCIL COMMENTS ON NON-AGENDA ITEMS

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

REPORTS

Rescue Squad – Pete Hallgren reported he was working on a joint response agreement with Ft. Greely at their request.

City Clerk – Pat White reported a “phone” poll was taken on June 8 via e.mail and four Council members (Leith-Dowling, Martinez, Tvenge, Musgrove) responded with consensus by June 11. Sarah Jo Seymore requested use of the park ball fields to host a Slow Pitch Home Run Derby at 6:00pm on June 28, 2007. There would be no time to properly advertise if permission were not given until the June 19 meeting. Proceeds from (\$7) registration fees would be donated to the event, which is a Leukemia and Lymphoma Society fundraiser. It is advertised locally and there is no conflict with the Chamber of Commerce, Adult Softball League or Morley Electric, who maintain the fields.

White reported City Council seats open for the October 2, 2007 regular municipal election are B (currently held by JW Musgrove), D (Leslie Feilner) and G (Mike Tvenge). All are three-years terms. Declaration of Candidacy packets must be filed no sooner than August 22, 2007 and no later than the

close of business on September 6, 2007. The municipal election overlaps the borough election. Because the outcome of the borough election will not be certified and final until the end of September, the City Council election must proceed as usual. White reported mail-in ballots for the Deltana Borough Incorporation Election must be mailed to the Division of Elections, Region III office in Fairbanks by August 21, 2007. They will be counted there on August 31 (10 days after the election date). A non-partisan review board will inspect ballots to make sure they were signed, witnessed and proper identification was provided. The process is open to the public. [White spoke with Region III Director Shelly Growden on June 21, 2007. Ballots would be tabulated on August 21 in the Fairbanks office and again on August 31. Unofficial results would be posted on the Election's website (www.elections.state.ak.us) as early as the evening of August 21.]

White reported e.mail correspondence and news coverage was released on June 8 from the U.S. Department of State regarding delinquent passports. They are issuing temporary proof of passport application for travelers who had not received their passports before their departure date, but it only applies to those who have pending applications. Official proof can be obtained by going online (www.travel.state.gov) and entering personal information.

School Liaison – Mary Leith-Dowling reported the School Board is involved in researching the condition of the high school, to clarify if it is worthy of remodeling.

White reported the REAA School Board Election is scheduled on October 2, 2007. Seats A (currently held by Richard Anderson) and Seat C (Eileen Herman) are available and both seats are 3-year terms. Declarations of Candidacy forms, available at City Hall and the school district, must be postmarked or received by August 3, 2007.

Library – Mary Leith-Dowling reported the Summer Reading Program started on June 15. Sixty-nine children registered for the 6-week program with forty-five attending the first day. She said John Lunn had completed several maintenance projects for the library as well as maintaining the lawns and trimming trees. Both the staff and public have made positive comments. She reported patrons have made lots of comments about generating revenue for library operations because of recent news coverage in the local paper.

McCombs said those comments are more of concern and it is an opportunity to educate people about how library funding works and how important their support is.

Leith-Dowling said Mike Matiatos, library aide, is moving to Sitka and his position will be advertised. She said McCombs would be off for a couple weeks the end of July after knee surgery.

Park – Leslie Feilner reported the park is looking good and is well maintained.

Jenkins said the Kiwanis pavilion is in use almost every Sunday.

Personnel – Mary Leith-Dowling reported Mike Tvenge appears to be the most qualified applicant for the City Administrator position. Clearer information will be presented at the next meeting on July 10.

Hallgren said Tvenge would work with him until his last day, July 13.

Recreation – Mike Tvenge reported the rink upgrade bid opening was postponed from June 15 to 5:00pm on June 22. He hoped to see many positive bids.

Public Health & Safety – Pablo Martinez reported LEPC is working on area-wide disaster planning for pandemic flu outbreak. It will be another month before anything materializes.

Public Works – Lou Heinbockel reported most of the major streets have been graded. He said gutters need installed on the City Hall building and is part of the reason for deterioration of the sidewalk. He said it should be dealt with while the building is being repainted. Heinbockel said past-Council member Susie (Kemp) Sandy's husband, Merle, passed away on June 16 in California.

Charter Commission – Lou Heinbockel said the Elections office in Fairbanks would act as a receiving agent for borough assembly candidacy forms, which must be postmarked no later than 5:00pm on June 27 and mailed to Juneau (as instructed on the packets). Applicants have the option to take them to Fairbanks.

Department of Transportation (DOT) Liaison – Mary Leith-Dowling reported she attended a meeting in Fairbanks on June 18 regarding the Scenic By-ways and creating a partnership plan between Fairbanks and Ft. Greely. She explained the road system and the plans to promote it. The State of Alaska is scheduled to put the project out to bid by the end of August. The project supports tourism.

UNFINISHED BUSINESS - none

NEW BUSINESS

Second Reading and Public Hearing of Ordinance 2008-01, An Ordinance for the City of Delta Junction, Alaska Providing for the Budget for the Fiscal Year 2008

Heinbockel moved to open the public hearing of Ordinance 2008-01; Feilner seconded.

Hallgren explained changes to the draft budget. Draft 5 shows net expenditures decrease of \$3,273. The PERS Alaska Retirement Management Board adopted final rates on June 15. Delta Junction's rate was reduced from 18.6% to 17.27% for Defined Benefits (Tier III) and 10.84% to 9.57% for Defined Contributions (Tier IV). The savings to the City is \$3,961. Hallgren reported an increase of \$688 for liability coverage with AML/JIA. The increase was due to changing the policy's deductible from \$5,000 to zero. It covers liability, fire, and workers compensation insurance.

Leith-Dowling called for public comments.

Martinez asked how many employees worked at the landfill.

Hallgren said 3 employees; one full-time operator, one part-time operator, and one part-time scale house operator.

Discussion followed regarding landfill operations cost, continuing wages and benefits, and comparing the number of employees at the landfill and at the library.

Heinbockel moved to close the public hearing of Ordinance 2008-01; Feilner seconded.

Heinbockel moved to adopt Ordinance 2008-01, An Ordinance for the City of Delta Junction, Alaska Providing for the Budget for the Fiscal Year 2008 as presented including recommendations from Budget Draft 5; Feilner seconded.

Leith-Dowling called for Council comments.

Martinez said the library budget must be trimmed at least 25% by 2009 if income cannot be generated.

Hallgren referenced his June 1, 2007 memo and said the City would not be able to continue operating at the current level of service without more income. Employees and/or services will need to be dropped. Staff was increased because of the Base Realignment and Closure (BRAC 1995-2002) and Missile Defense (MD) transition. Construction projects and MD funding are near completion and the Pogo PILT to the City ends July 1, 2007. The City cannot keep current service levels beyond 2010 if a borough is not formed.

Feilner said the City would continue to operate even if a borough is not formed.

Hallgren said Delta Junction was bigger during pipeline construction. When that funding was gone so was the City government, which consisted of an administrator, a police department, and dispatch.

According to experience, Delta government gets smaller out of necessity. Hallgren said at no time since the city incorporated in 1960 has the Council ever voted to pay themselves a stipend or salary even though they could have.

Heinbockel stated he would have liked a more conservative approach to spending but feels it is better than the first draft, which included spending the entire Pogo money. Financing the local government will be an issue if a borough is not formed. As a second-class city, the City Council has the authority to institute a tax to generate revenue.

Musgrove said he felt the library has been hit pretty hard and said the aviation representatives are increasing airport rates slightly but are still within the range with what the State charges. They get only 20% or less of usage fees for what it actually costs to maintain the airstrip. Musgrove said he personally pays approximately \$1,000/year for his own use of the airstrip.

Martinez said the library operation requires the “biggest chunk of change” and finding a way to increase revenue or reduce spending by 25% will need to be resolved within the next year.

Motion passed unanimously on a roll call vote.

Second Reading and Public Hearing of Ordinance 2008-02, An Ordinance Prohibiting the Hunting of Big Game Within City Limits

Heinbockel moved to open the public hearing of Ordinance 2008-02; Feilner seconded.

Leith-Dowling called for public comments.

Tana Wood said selling moose permits might be an option to avoid cutting library services.

Heinbockel said he hoped for more public input because the proposed moose hunt in October will undo what the Alaska Department of Fish & Game, through their local Advisory Committee, has created over the past thirty years. It affects history, tradition and public desires. Heinbockel said he served on that committee when residents near Clearwater Lake asked for a closed area to prevent hunters from firing near the lake and to protect the wildlife that frequented there. Since then closed hunt areas have expanded to Rhoads Creek, Donnelly, along the Richardson, Tanana River, and the Alaska Highway. He said the proposed cow moose hunt opens a 45-day season to allow over 300 permit holders to shoot in your backyard. It is a safety issue. He said from October 1 through November 15 there are a few hundred kids waiting for school buses each morning between 7:30 and 8:00am and that is a significant safety issue. Resident Lois Remington moved out of Alaska in the early 1970's. She was killed by a stray bullet on opening day of deer season while going to her mailbox in Wisconsin. Heinbockel read e.mail correspondence received from Delta Area Biologist Steve DuBois, which was dated June 18, 2007. Heinbockel said he disagreed with the State Attorney who said municipalities have no authority. Discussion followed regarding other Alaskan communities who have no-moose-hunting ordinances, outlawing high-powered rifles within city limits, restricting shooting in populated areas during the proposed cow moose season, and enforcement.

Hallgren suggested sending a copy of the ordinance to Fish & Game to show Council's intent.

Discussion followed regarding prohibition against firearms in other communities.

Al Edgren said Fish & Game would not be violating any state law but they would make a terrible mistake by not abiding by City Ordinances. He suggested sending a letter to Fish & Game with a copy of the ordinance recommending they close the area to high-powered rifles.

Heinbockel said this would be considered an emergency order. He said he hoped people in the Deltana area would have taken exception to the hunt. On October 1 there could be 180 hunters in the area and most of the land is privately owned, so if hunters do not have permission to be on privately owned property, they are in violation of the law for trespassing.

Edgren said it is difficult to not be on private land this side of Sawmill Creek Road. Legally firearms cannot be discharged in a right of way.

Heinbockel moved to close the public hearing of Ordinance 2008-02; Martinez seconded.

Heinbockel moved to amend Ordinance 2008-02, to strike the wording, “...or the City of Delta Junction.” from Section 3.07.030; Martinez seconded.

Motion passed unanimously on a roll call vote.

Heinbockel moved to adopt Ordinance 2008-02, An Ordinance Prohibiting the Hunting of Big Game Within City Limits as amended; Feilner seconded.

Motion passed unanimously on a roll call vote.

Heinbockel stated he and Hallgren would issue notice to the Department of Fish & Game.

Council broke at 6:33pm and reconvened at 6:41pm.

Second Reading and Public Hearing of Ordinance 2008-03, An Ordinance Amending Chapter 3.21, Sanitary Landfill, Section 3.21.100, Fees, Authorizing Increasing Landfill Rates From \$105.00/Ton to \$125.00/Ton

Heinbockel moved to open the public hearing of Ordinance 2008-03; Feilner seconded.

Leith-Dowling called for public comments with none being offered.

Jenkins moved to close the public hearing of Ordinance 2008-03; Martinez seconded.

Heinbockel moved to adopt Ordinance 2008-03, An Ordinance Amending Chapter 3.21, Sanitary Landfill, Section 3.21.100, Fees, Authorizing Increasing Landfill Rates From \$105.00/Ton to \$125.00/Ton as presented; Martinez seconded.

Hallgren said it would not be known until the first week in July whether Ft. Greely would participate in using the landfill. It would be at that time that the fees could be reduced. He quoted wording in the new ordinance, "This amended fee structure shall be effective July 1, 2007. The fees may be reduced at any time by motion of the City Council." Hallgren explained the current garbage operation, which allows it to break even. It covers equipment maintenance and repairs and construction of the rock separator. The sinking fund does not have enough to replace itself. [The sinking fund currently has \$209,000.] Hallgren said he had high hopes for Ft. Greely's involvement, that they were offered the same price as last year (\$85-90/ton), and their involvement would increase garbage volume by one-third. It will be up to the City Council to approve an agreement with Ft. Greely.

Discussion followed regarding environmental control.

Heinbockel said negotiating with the government should make the landfill self supporting and also reduce the fees that the public must pay.

Hallgren explained recent requests to weigh vehicles at the scale house and he informally decided to charge the minimum garbage fee of \$5.00 for the service. Alyeska initially requested the service and he authorized it at no charge because of their continued support and involvement in the community.

Discussion followed regarding negotiating a contract with Ft. Greely and the recent meeting with them.

Motion passed unanimously on a roll call vote.

Annual Commercial Liability Policy

Zimmerman reported a quote from Hale & Associates for general liability insurance coverage for City facilities, equipment, and workers' compensation from July 1, 2007 through June 30, 2008. He asked to accept the proposal and renew the annual policy for \$89,684. He explained the difference in last year's (\$90,973) and how it was reduced. He said the risk would be re-evaluated after upgrades are done.

Heinbockel moved to approve David R. Hale & Associates to act as agents on behalf of the City of Delta Junction and to renew the FY08 liability insurance policies, effective July 1, 2007; Jenkins seconded.

Motion passed unanimously on a roll call vote.

Donnelly Dome Contract Award

Hallgren reported M2C1 was hired to prepare, advertise, and distribute bid packets for the Donnelly Dome Translator Tower project. Bid opening was scheduled for 5:00pm on June 13 but there were no bids. City Attorney Jim DeWitt recommended offering the project to M2C1 for the engineer's estimate, which was unknown until the bid opening. Hallgren referenced M2C1's estimate and recommended awarding the base bid (\$88,129) plus Option #1 (\$6,083) and Option #2 (\$6,083) for a total amount of \$102,095. He referenced DeWitt's advice in a June 15 e.mail memo, in which he explained legalities. Hallgren said there is no reasonable expectation of being able to revise and re-bid the project before the grant ends on July 1, 2007 so the situation would be considered an emergency, per Ordinance 1.41.030, Emergency Contracts.

Heinbockel said he had difficulty declaring an emergency situation because the funds are due to run out, but **Heinbockel moved** to accept the situation as an emergency to approve the purchase as presented; Feilner seconded.

Heinbockel said the towers have been ongoing for the past 7 years and it is one project he would like to see finished.

Motion passed unanimously on a roll call vote.

Stephen Hammond said he personally delivered bid packets to 4 main contractors and was disappointed in the turnout.

Heinbockel moved to award the Donnelly Dome Transmission Tower Contract to M2C1 Construction & Engineering in the amount of \$102,095.00; Jenkins seconded.

Hallgren said M2C1 was willing to take on the project based on their estimate or they would consider a cost-plus-reimbursable contract. He said he and DeWitt agreed the best way to keep the project unquestionable is to award the contract as bid. The project end date is September 1. Hallgren said initially construction inspection was to be by M2C1. Now something will need to be worked out, which will cost slightly more than the bid price.

Hammond said there is a requirement for a bid bond and that can be waived.

Hallgren said the bid bond would be waived if it were subtracted from the engineer's estimate.

Hammond said M2C1 is willing to perform the work because they are comfortable with the project but still disappointed in getting no local responders. M2C1 will meet the contract dates by September 1 but will not perform fieldwork until August. The site work would start the end of July or first of August.

Hallgren said the contract will be executed upon passing the motion and a notice-to-proceed will be issued.

Motion passed unanimously on a roll call vote.

Heinbockel said he spoke with a Cable TV installer who said their signals would be from satellites and that they have no intention of getting any from the Donnelly Tower.

Storage Lease Agreement for Heavy Equipment

Heinbockel moved to approve the storage lease agreement with Thomas L. and Janell Y. Gilbertson in the amount of \$2,500 per month beginning July 1, 2007 through June 30, 2008 as presented with the option to renew for 2 years; Martinez seconded.

Discussion followed regarding purchasing the storage facility, other possible spaces to rent, and the possibility of not being able to afford rent.

Heinbockel explained recent research and that the rent, which includes heat and electricity, was a good deal for 3,500 square feet of space.

Motion passed unanimously on a roll call vote.

Cooperative Fire Protection Agreement

See previous discussion under *Non-Agenda Items*.

Edgren stated the Cooperative Fire Protection Agreement has been off and on for about twenty years.

Hallgren said Fire Chief Carin Bear approved of the agreement.

Tvenge moved to approve the Cooperative Fire Protection Agreement between the City of Delta Junction Volunteer Fire Department and the State of Alaska, Department of Natural Resources, Division of Forestry as presented; Musgrove seconded.

Tvenge said the agreement is conditioned on availability. It is a win-win situation.

Motion passed unanimously on a roll call vote.

Volvo Loader Transmission Repair

Zimmerman referenced e.mail correspondence from Construction Machinery (CMI) in Fairbanks regarding the cost of labor and parts for the Volvo transmission. The home office paid everything except \$8,493.32 and CMI asked to split that with the City. He said \$4,835.70 was paid last December to expedite (via air express) the new transmission from the Lower 48. Originally the transmission

replacement was expected to cost approximately \$25,000. The City will pay approximately \$9,000 to date in replacing it, if splitting the balance is approved.

Heinbockel moved to approve payment to Construction Machinery Industrial, LLC in the amount of and not to exceed \$4,246.66 for final parts and repair of the Volvo loader transmission; Martinez seconded.

Motion passed unanimously on a roll call vote.

Hallgren asked to send a note of appreciation with the payment.

Purchase Orders

PO#011798 to ACS in the amount of \$1,434.34 for June '07 phone services

PO#011799 to ATT & Alascom in the amount of \$816.75 for June '07 911 phones and power

PO#011800 to Alaska Alpine Flora in the amount of \$1,476.33 for June '07 park contract

PO#011801 to Bank of America in the amount of \$3,572.58 for credit card charges (renewal of mapping software support service, Pat White's attendance at International Institute of Municipal Clerks Conference in New Orleans, and lumber for library storage shed)

PO#011802 to Delta Fuel Company in the amount of \$3,037.03 for May '07 heating oil

PO#011803 to Delta Industrial Services in the amount of \$1,245.00 for 3-day rent of street compactor

PO#011804 to Delta Sanitation, Inc. in the amount of \$704.01 for June '07 dumpster service

PO#011805 to GEOAPPS, Inc. in the amount of \$592.45 for 911 mapping training for Letha Burcham

PO#011806 to GEOAPPS, Inc. in the amount of \$4,087.46 for 911 mapping book (contract signed April 20, 2006 for production of a street / parcel / address guide and map book for area-wide 911 emergency responders)

PO#011807 to GVEA in the amount of \$2,407.80 for May '07 electricity

PO#011808 to Guess & Rudd in the amount of \$5,083.96 for legal services (general, drug test policy, and Ice Arena contract)

PO#011809 to Hope Counseling Center in the amount of \$6,877.52 for Social Services Grant, final '07 quarter

PO#011810 to Joslin Enterprises in the amount of \$2,687.61 for June '07 cemetery contract

PO#011811 to Wingfoot Commercial Tire Systems, Inc. in the amount of \$636.20 for replacement tire for dump truck

Feilner moved to approve purchase orders 011798 through 011811 as presented; Martinez seconded.

Motion passed unanimously on a roll call vote.

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Hallgren reminded Council that the July 3 and 17 meetings are rescheduled for July 10 and 24.

Edgren said June 22 was a very important day and he hoped for bidders on the recreation center project.

He asked Council to look for options to get the project off the ground and to not throw in the towel.

Hallgren said the State has indicated that they would approve an extension for the final project through the end of the year and hopefully there will be money left over.

Tvenge stated the Delta Skating Association (DSA) appreciated use of the Deltana Fairgrounds facility for the Dry Land Training Camp. It was well attended, the ratio and level of coaching was excellent, and they were grateful for the indoor facility during the heavy downpour of rain.

ADJOURNMENT

Tvenge moved to adjourn at 7:36pm; Jenkins seconded. Motion carried.

Pat White, City Clerk

Date of approval: July 10, 2007