



City Council Minutes
July 24, 2007 ~ 5:00PM

Regular Meeting
City Hall, Delta Junction, Alaska

The regular meeting of the Delta Junction City Council was held on Tuesday, July 24, 2007 at City Hall in Delta Junction, Alaska. Mayor Mary Leith-Dowling called the meeting to order at 5:00pm.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Lou Heinbockel, Mike Jenkins
Leslie Feilner, JW Musgrove (telephonically), Pablo Martinez (arrived at 5:10pm)

City employees present: Mike Tvenge, Dave Zimmerman, Butch Ellis, Pat White
Jim DeWitt (telephonically starting at 6:39pm)

Thirteen members from the community were present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

Mayor Leith-Dowling reported:

- ✓ *New Business* item, Military Discount on Rocks, would be moved to *Request to Speak*
- ✓ Matthew Joslin would speak under *Public Comments on Non-Agenda Items*
- ✓ An Executive Session would be held at the end of the meeting to discuss litigation that could potentially involve the City of Delta Junction and matters that could adversely affect finances.

Heinbockel moved to approve the June 24, 2007 agenda as amended; Feilner seconded. Motion carried

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Heinbockel moved to approve the minutes from the July 10, 2007 regular meeting as presented; Feilner seconded. Motion carried.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Matthew Joslin presented floor pricing for the Eagle Scout shelter project he planned to construct at the cemetery. He said the total structure cost would be approximately \$2,250. Benches would be added to half of the triangle-shaped structure and they would cost \$150. He asked Council for input on flooring, to choose between wood, concrete, or plastic decking.

Discussion followed regarding comparisons to other floorings in the area and required maintenance.

Leith-Dowling said she preferred a platform floor on a concrete base. The wood in the City Hall gazebo has aged well because it has protection from a roof.

Zimmerman stated the plastic flooring separates and leaves 2 to 3" gaps. The planks shrink in the winter but are unable to expand back in the summer.

Heinbockel said pressure treated stained wood is used for foundations but concrete lasts longer. He asked to have a smooth concrete surface and not build a separate floor.

Joslin said it would be more difficult to raise the extra money. The project cost would increase to \$3,600 if concrete is used for flooring.

Heinbockel moved to approve spending up to \$1,500 to match what Joslin is able to raise; Feilner seconded.

Heinbockel said he had no problem with treated wood and it would bring the cost closer to Joslin's goal.

Joslin said he would finish the project next spring but would try to get it done by this fall.

Motion passed unanimously on a roll call vote.

COUNCIL COMMENTS ON NON-AGENDA ITEMS

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

REQUEST TO SPEAK **Rock Sale / Request for Military Discount**

William Christensen introduced himself and said he was speaking on behalf of Captain Scott Slaughter who was driving back from Fairbanks and unable to attend. He said Slaughter requested reducing the current sale price for ornamental rock from 5¢ per pound to 2 1/2¢ and that the discount be given to military (active or retired).

Heinbockel said there are a lot of rocks at the landfill and they are not selling at 10¢ or 5¢ per pound. He moved to reduce the price of boulders to 2 1/2¢ per pound for a period of 90 days and thereafter revert back to the 5¢ sale with a military discount of 3¢ per pound; Martinez seconded.

Butch Ellis recommended a policy of first-come-first-served to eliminate people marking rocks to hold and then not returning to purchase them. He said new ones will be turned over that look just like the old ones. He asked to also advertise the \$50 minimum fee to load rocks into customer vehicles.

Motion passed unanimously by consent.

(Captain Slaughter arrived at 5:30pm, prior to *Park Report*, and thanked Council for approving the military discount.)

REPORTS

Airport – Leslie Feilner reported John Lunn mowed the main airstrip and the ski strip with the John Deere tractor.

Leith-Dowling stated she received a \$5,000 quote to purchase terrorist insurance for runway operations. She asked Council if they agreed with her decision to not purchase it. Council agreed.

Musgrove said the Delta Pilots' Advisory Committee advised not purchasing it.

City Clerk – Pat White reported one letter of interest was received for the vacant Council seat. Letters would be accepted until the close of business on August 3, 2007 and appointment will be made at the August 7 Council meeting.

City Administrator – Mike Tvenge reported:

- Construction of the Donnelly transmission tower begins this week and he, acting as the designated project inspector, would be documenting reports and photos. He said he anticipated little disruption of service.
- Aaron Weddle, Staff Assistant to Senator Ted Stevens in Anchorage (907-271-5915), and David Fisher, Legislative Correspondent to Senator Lisa Murkowski in Washington, DC will be in Delta Junction on August 15, 2007. They will be available to hear federal issues and concerns from the public. Tvenge said they would also like to meet with the City Council.
- The Deltana Fair Association requested use of the bleachers that are stored at the rink. City employees transported them to the fairgrounds on July 23. Grader work was requested also but other volunteer operators were able to meet the need.
- The part-time temporary equipment operator and part-time permanent maintenance positions have been advertised. Some of the interested applicants are presently working out of town.
- John Lunn will be mowing street edges with the John Deere tractor.
- Two young adults will do general labor and maintenance at the landfill and around town.

Finance – Dave Zimmerman reported an application was submitted to the 2007 Homeland Security grant program for \$275,000 to purchase additional radios, batteries for radios that were purchased from previous grant funds, a new motorized gurney for the Rescue Squad, and equipment replacements for the Fire Department. The initial application lacked two items and is being corrected and resubmitted.

Library – Mary Leith-Dowling reported the summer reading program ended July 20. 173 books were read in a 6-week period. She said 6 copies of Harry Potter arrived yesterday and every one of them are checked out.

Park – Leslie Feilner reported:

- More vandalism occurred at the park over the weekend with attempted break-in at the concession building near the Little League field. Damage is estimated at \$250 to replace the door and lock. She said someone also tried burning a hole in the playground equipment, most likely by using a blowtorch. The vandalism was reported to the Alaska State Troopers (AST) who are maintaining a running file since previous destruction (benches, Kiwanis building, graffiti on the playground equipment). They will patrol the park perimeters and Feilner asked the public to notify the troopers of any suspicious activity.
- Cold Regions Test Center (CRTC) is willing to loan bleachers to the City. They have not been used since 1993 and come in eleven 15' sections. She shared photocopies.

Discussion followed regarding CRTC transporting the bleachers, coordinating with a forklift, lining out a work crew to handle the job, and placing the majority at the park and some sections at the fairgrounds.

Additional Reports by Council – Lou Heinbockel reported Ordinance 2008-02, which was approved on June 19, 2007 and relates to big game hunting, would be repealed at the August 7 Council meeting because the City has no legal authority to limit hunting. A new ordinance will be introduced to eliminate shooting within city limits. He said Council, representing the community, tried to address a safety issue and will need to petition the Department of Fish & Game to initiate an emergency closure on moose hunting for that period of time. It is within their prerogative. The Constitution for the State of Alaska expressly gives the authority over fish and game matters to a commission, who make regulations that have the affect of law. Our ordinance is not legal but we can prohibit the discharge of firearms within city limits.

UNFINISHED BUSINESS

Landfill Rate Reduction as Requested by Delta Sanitation

Tvenge reported Chris Boerst, Ft. Greely Acting DPW / Environmental Chief, stated today that they should have a decision regarding use of the landfill by August 31. Tvenge explained \$125/ton is needed to break even unless there is an increase in tonnage.

Heinbockel asked Bethany Mitchell if Delta Sanitation (DS) notified their customers of the rate increase. Mitchell stated they have been informed that it was not definite if the rate would jump to \$125 until Ft. Greely's participation is known. She asked why the fee would be higher than what Ft. Greely will be charged.

Leith-Dowling stated the negotiating process is not finished.

Mitchell said DS might have to discontinue weekly service because of costs to customers. DS currently pays \$6,000 to \$8,000 in tipping fees during the winter months and over \$13,000/month in the summer. She said they must pass increases onto their customers.

Leith-Dowling said people should realize that where there are no taxes, user fees must be collected. People must pay to dump their garbage.

Feilner said there is a \$2,000 fine to dump in Salcha.

Heinbockel stated rates would go back to \$125/ton (as approved June 19, 2007) on August 1, 2007 (as approved July 10, 2007).

Mitchell said they petitioned Council at the July 10 meeting to wait on increasing the rates until the status of Ft. Greely was known.

Heinbockel said he would insist that Ft. Greely's rate be the same as what the general public pays, when it comes time to negotiate.

Rink Upgrades

Tvenge referenced a bid from Alcan Builder's, Inc., dated July 20, 2007, and said they submitted a (third) revised bid as requested and that it is within available funds. The baseline bid includes 1) structural upgrades, 2) electrical upgrades, and 3) installing a well. Alternate D is arctic entrances and canopies, Alternate E is replacing existing lighting with new fixtures, and Alternate F is to construct an adjacent Zamboni room.

Discussion followed regarding putting the alternates out for bid or approving them as part of the general contract.

Tvenge said the upgrades must be completed by December 31.

Stephen Hammond, M2C1, recommended:

- Awarding the base bid with Alternate E (new lighting fixtures);
- To put Alternate F out as a separate bid with a 2-week turnaround and to include restrooms and a septic system with the construction of the Zamboni room; and
- Deal with Alternate D after the Zamboni room pricing is known.

Heinbockel moved to award the rink contract (base bid for Items 1, 2, and 3 and Alternate E) to Alcan Builders, Inc. not to exceed the revised bid of \$703,284.00; Jenkins seconded.

Council shared bid costs with the public.

Feilner asked if installation of the well must be part of the base bid or if it could be bid separately.

Hammond said it is part of the baseline and never was an alternate.

Motion passed unanimously on a roll call vote.

Heinbockel stated bids for the other two alternates, D and F, need to be advertised.

Tvenge said Hammond would redraw the Zamboni room with restrooms. It would include a corridor from the building to the restrooms.

Hammond said he felt it would not be a problem but planned to meet with the Fire Marshal on July 25.

NEW BUSINESS

Preliminary Plat Approval - Harold and Lucille Stock Subdivision

Ralph Mathews, Mathews Land Surveying, Inc., referenced the plat map and explained the nature of the road. He said he has discussed the right-of-way with the Department of Transportation (DOT) in Fairbanks to avoid controversy over the width of easement and he believed the 50' easement was perfectly adequate for the road use on Spengler Road. The river has cut into the bank at the north end of the subdivision and DOT has a maintenance easement in place, which gives them the right to do maintenance against riverbed erosion. The property owners have a septic system at the edge of the 50' easement also. Why were the northern lots larger (7 and 8 acres) compared to the other two (3+ acres each)? It was the Stock's preference. The property owner of the adjacent property (Tract E in the Fred Cook Estates) wants to purchase Lot 4 of the Stock Subdivision so it can merge into his. Mathews said the public utility easement on the easterly boundary is only 15' because of the location of poles on the neighboring Fred Cook Estates. A section was added to give GVEA the 30' easement that they require based on the existing poles.

Martinez moved to approve the Harold and Lucille Stock Subdivision preliminary plat as presented; Feilner seconded.

Mathews said the subdivision is named Harold and Lucille Stock. He asked if Council would approve the final plat if it has a slightly different name change. Council showed no opposition.

Motion passed unanimously on a roll call vote.

Rock Sale, Request for Military Discount

See *Request to Speak*

Mikunda, Cottrell & Company to Audit 2007 Financial Records

Zimmerman reported Mikunda, Cottrell & Company has been the City's accountant for the past 6 years. He asked for approval to audit through the year ending June 30, 2007 and said it would cost approximately \$15,000.

Heinbockel moved to approve Mikunda, Cottrell & Company auditing the City of Delta Junction's financial records for the fiscal year, ending June 2007; Feilner seconded.

Leith-Dowling asked about changing companies every 2 or 3 years.

Zimmerman said it is common to put out a request after the 5th year to compare costs and get a company prospectus to know who their other clients are. It is important to ask for an "audit review by their peers report" to determine quality of work. He said he would put out a Request for Proposal next year and get a rating of potential companies.

Motion passed unanimously on a roll call vote.

Resolution 2008-01, A Resolution to Continue Participation in the AML/JIA Loss Control Incentive Program

White reported participation in the Loss Control Incentive Program qualifies the City of Delta Junction for a discount on insurance rates for workers compensation, liability, and property. The City saved \$1,210 in 2005 and \$1,128 in 2006. \$1,210 is expected to be the savings for the 2007-2008 policy year. Upcoming monthly meetings cover First Aid, (WC) Injury Reporting, Winter Driving, Slips, Trips & Falls, Blood Borne Pathogens, Drug-free Workplace, Back Safety, Seven Common Accident Causes, and Fire Safety and Prevention.

Martinez moved to approve participation in Resolution 2008-01, A Resolution to Continue Participation in the AML / JIA Loss Control Incentive Program as presented; Feilner seconded.

Motion passed by unanimous consent.

Purchase Orders

PO#011865 to Bank of America in the amount \$789.78 for credit card charges (Senior Center window glass, calling card minutes, and LEPC wireless Internet router and transcription recorder)

PO#011866 to Delta Fuel Company in the amount of \$683.65 for diesel fuel for landfill equipment

PO#011867 to GVEA in the amount of \$2,068.71 for June '07 electricity

PO#011868 to Guess & Rudd in the amount of \$2,472.90 for June '07 legal services

PO#011869 to M2C1 Construction & Engineering in the amount of \$14,813.80 for June '07 arena procurement support

PO#011870 to ATT & Alascom in the amount of \$814.11 for July '07 911 phones/power

PO#011871 to Aetna WHO-AAS in the amount of \$6,971.80 for July '07 group health insurance

PO#011872 to ACS in the amount of \$1,782.88 for July '07 phone services

PO#011873 to Brodart Company in the amount of \$572.40 for library annual law book series

PO#011874 to Emergency Medical Products, Inc. in the amount of \$1,157.90 to replenish Rescue Squad supplies (neck collars, gloves, swabstix)

PO#011875 to City of Fairbanks in the amount of \$4,805.99 for July/Dec '07 dispatch services

PO#011876 to GEOAPPS, Inc. in the amount of \$3,750.34 for third draft of emergency response book

PO#011877 to T / J Gilbertson in the amount of \$2,500.00 for July '07 equipment storage rent

PO#011878 to Green Grass of Alaska in the amount of \$1,476.33 for July '07 park lawn maintenance

PO#011879 to Guess & Rudd in the amount of \$1,630.00 for Jun '07 Donnelly Dome and ice arena bids

PO#011880 to Joslin Enterprises in the amount of \$2,687.61 for July '07 cemetery lawn maintenance

PO#011881 to State of Alaska, Division of Administration Services, DCED in the amount of \$50,000.00 for 3rd annual loan payment

Feilner moved to approve purchase orders 011865 through 011881 as presented; Jenkins seconded. Heinbockel referred to 011881, which is a payment to the State of Alaska on a loan, in which they bailed the City out on the prison issue. He said he did not agree with it because the \$50,000 must be taken from funding from those that live within city limits even though the Deltana community incurred the debt. The Council attempted to do what was right according to what the community appeared to want and it resulted in a \$1,200,000 debt. Heinbockel said the State did not have to make the City carry the load. **Motion passed** unanimously on a roll call vote.

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Leith-Dowling called for additional public comments.

Charlie Hennager stated the Delta Skating Association (DSA) has taken steps to raise operation funds by increasing player participation fees. He said if there are not going to be restrooms with the upgrades, the DSA would like an outdoor rink. The building must be upgraded but because of how the bid(s) came in, it might be best to put it out for re-bid in smaller blocks. He said most local contractors that are interested can bond in smaller amounts, up to \$300,000, so it would be wise to keep the building upgrades with Alcan Builders. Hennager, President of DSA, said regardless if restrooms are built; it will cost approximately \$1,500/month to operate. He said he supported the upgrades but really wants restrooms.

Tvenge said M2C1 engineers were asked to add restrooms to the Zamboni drawings.

Heinbockel asked Joseph Jenkins about the upcoming softball tournament during the Deltana Fair.

J. Jenkins said 10 teams are signed up, 6 from Delta and 4 from Fairbanks. Neither Valdez nor Glennallen have league teams this year. Umpires will come from Fairbanks.

EXECUTIVE SESSION

Heinbockel moved to enter into Executive Session at 6:25pm to discuss litigation that could potentially involve the City of Delta Junction and matters adversely affecting the City of Delta Junction. Immediate knowledge of these matters could have an adverse affect on the finances of the City; Feilner seconded. Motion carried.

Council broke and reconvened at 6:39pm.

Present during the Executive Session were Mayor Mary Leith-Dowling, Mayor Pro tem Lou Heinbockel, Pablo Martinez, Mike Jenkins, Leslie Feilner, JW Musgrove (telephonically), Mike Tvenge, Dave Zimmerman, and Jim DeWitt (telephonically).

Heinbockel moved to end the Executive Session at 7:00pm and reconvene the regular meeting; Feilner seconded. Motion carried.

ADDITIONAL COUNCIL COMMENTS continued

Martinez asked to return to discussion about lowering the landfill rate until the military come on line. He said, "It is like Home Depot and other businesses. The more you get, the less you pay." He said if Delta Sanitation is given a lower rate, the general public should be given the same discount.

Discussion followed regarding current issues at the landfill, Tvenge's transition from Council member to City Administrator, and public services as tied into borough incorporation.

ADJOURNMENT

Heinbockel moved to adjourn at 7:30pm; Feilner seconded. Motion carried.