



City Council Minutes
November 27, 2007 ~ 5:00PM

Regular Meeting
City Hall, Delta Junction, Alaska

The regular meeting of the Delta Junction City Council was held on Tuesday, November 27, 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, Pablo Martinez
Mike Jenkins, Leslie Feilner, Pete Hallgren, JW Musgrove
City employees present: City Administrator Mike Tvenge, Finance Officer Dave Zimmerman, and
City Clerk Pat White

Twenty four to thirty one members from the community were present during parts or all of the meeting.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

Leith-Dowling reported two items to add to *New Business*:

- ✓ Resolution 2008-03, A Resolution to encourage the legislature to fund the STIP and major road maintenance projects
- ✓ Resolution 2008-04, A Resolution to adopt Richardson Highway improvements as a legislative priority and request planning money

Martinez moved to approve the November 27, 2007 agenda as amended; Feilner seconded. Motion carried.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Leith-Dowling clarified “old rifle range” as the “old landfill on Tanana Loop Extension not being used as a rifle range” (page 4 under Bill Dunham’s comment).

Heinbockel moved to approve the minutes of the November 13, 2007 regular meeting as amended; Martinez seconded. Motion carried.

PUBLIC AND COUNCIL COMMENTS ON NON-AGENDA ITEMS

Leith-Dowling called for public and Council comments on non-agenda items.

Musgrove said he appreciated the large number of public in attendance.

White stated Ken Farrow was to speak under non-agenda items but appeared not to be present.

Heinbockel said it could be tabled until the December 4, 2007 Council meeting.

CORRESPONDENCE (One letter was received from Pastor Carin “Bear” Bjorn von Letzendorf on November 20, 2007 and one was received from Dr. Clinton Crusberg on November 23, 2007. Both letters objected to Council approval to let Heart Fur Animals schedule a spay/neuter clinic in a city facility.)

Hallgren asked to discuss the correspondence even though there was no one in the audience to answer questions. He asked if in fact Heart Fur Animals was authorized to use the old fire hall and if there were associated fees to use it.

Heinbockel said use of the fire hall was without cost.

Leith-Dowling said it was not definite, that more discussion is needed regarding fees. Collecting rent helps pay for heat and lighting.

Martinez said it was decided on June 1, 2006 that everyone would pay equally to use city facilities.

Heinbockel said there was no established fee schedule for the old fire hall and \$25 was a consideration.

He said he asked that the use of the building be free of charge at the November 17 meeting.

Hallgren clarified that Heart Fur Animals was given use of the building on a one-time basis for a \$25 fee. He said he had concerns with them using the facility and he motioned to revoke Council's decision until health matters are settled.

Feilner said she was concerned with follow-up care (because the surgeries would be performed on December 31).

Heinbockel said someone on the prevailing side of a vote must request reconsideration.

Discussion followed regarding official actions.

Musgrove questioned inspection requirements. He asked if a vet clinic must pass inspection similar to what is required of hotels or restaurants. He said the vet is from out-of-state.

Discussion followed regarding the timeframe until the clinic is held and if advertisement has been posted.

Hallgren withdrew the motion and said if he continues to have concerns after the December 31 spay/neuter clinic he will bring it back for additional discussion.

Feilner agreed to allow the use of the fire hall and to deal with the health issues thereafter, if there are any.

Leith-Dowling asked to discontinue discussion because there were too many unanswered questions.

REPORTS

City Clerk – Pat White reported City Hall would be closed on Tuesday, December 25 for Christmas (but open on Monday, December 24) and again on Tuesday, January 1 for New Year's (but open on Monday, December 31). The landfill would be closed also. White asked if an alternate day should be made available to the public to make up for the two Tuesdays. She said Butch Ellis suggested Wednesday, December 26.

Discussion followed regarding whether the general public would utilize an extra weekday and it was decided that Friday and Saturday hours would be sufficient during the holidays.

City Administrator – Mike Tvenge reported:

- Negotiations have begun with Chugach/Alutiiq J.V. for use of the municipal landfill.

- The Delta Skating Association is using the recreation center now and completion of the Zamboni building is on schedule (complete date, December 23). Tvenge said the exhaust fan is still on order and would not be installed until as late as January 15. All preliminary work is complete except for inserting the fan, which is part of the ventilation system. It will remove moisture from the building. Moisture and rust were detected during the structural phase of the upgrades.

Library – Mary Leith-Dowling reported Librarian Joyce McCombs was presently on personal leave.

Personnel – Mike Tvenge reported Butch Ellis would be returning from Seattle on December 1.

Public Works – Lou Heinbockel reported the landfill operation has been managed very well in Ellis's absence. The majority of the construction debris is from the old gold dredges off the Taylor Highway that were delivered in August and September. A huge amount of tires was delivered and Heinbockel said he had concerns with filling up the landfill "in a heartbeat." He suggested researching recycling tires. Discussion followed regarding recycled tires for fireplaces and road material.

UNFINISHED BUSINESS

Impact Funds

Tvenge stated funding requests from Delta Junction Motocross (DJMX) and Delta Sportsman's Association were discussed during the November 20, 2007 Council work session.

Discussion followed regarding requests. DJMX requested \$125,700/\$129,650.86 for three items, a skate ramp, well, and fencing. Delta Sportsman's Association requested \$39,786.43 for materials to upgrade

their shooting facilities (building heat exchanger, insulated exterior duct way, and installation of both, ceiling insulation, re-roofing west end of building, indoor backstop extension, and re-roofing outdoor 100-yard range).

Heinbockel moved to honor the Delta Sportsman's Association request and fund \$40,000 toward upgrades to the shooting facilities; Jenkins seconded.

Hallgren said he and his wife are lifetime members of Delta Sportsman's Association but they are currently not active.

Heinbockel said Leith-Dowling is a member also but neither were a conflict of interest because they would receive no personal or financial gain in the matter.

Tvenge stated inquiries were made with DJMX about the legitimacy of their organization and they are obtaining the necessary documents. Delta Sportsman's Association is also providing the same. The State has approved use of federal impact funds for recreation, specifically the recreation center, but they have also allowed latitude to use the funding toward other recreational needs within the community and DJMX and Delta Sportsman's fall within those perimeters. Tvenge said the federal impact grant ends December 31, 2007 but some options are allowed under an extension through next summer. As much as possible needs to be accomplished by the end of the calendar year and any additional options beyond the grant limit must be discussed and documented with Jo Grove, Grants Manager, Department of Commerce, Community, & Economic Development (DCCED). Concrete is an issue and will require written documentation that it will be completed by next summer.

Hallgren said State approval for DJMX and the Delta Sportsman's may need additional documentation.

Tvenge said DJMX fencing can be purchased but installation would have to be after December 31.

Mike Bender, President of the Delta Sportsman's Association, said they plan to purchase the concrete now and will use volunteer labor for installation of it next summer. The money is already extended and if extra money is needed they will pay for it out of their own pocket.

Motion passed unanimously on a roll call vote.

Heinbockel moved to approve awarding \$40,000 of impact funds to Delta Junction Motocross (DJMX), contingent on proof of status as a non-profit organization; Martinez seconded.

Heinbockel said fencing quotes were \$34,800 and \$36,000, a well was \$50,000, and the skate ramp was \$40,900 and \$43,650.86.

Discussion followed regarding possibly processing funding through the Deltana Fair Association because the motocross tracks are located at the fairgrounds and the Fair Association is a non-profit.

Heinbockel amended the motion to specify that funding be used for fencing; Martinez seconded.

Motion passed unanimously on a roll call vote.

Discussion followed regarding remaining funds, \$50,000 being an exorbitant amount for outdoor rink lighting, expending funds by December 31, and whether competitive bids would be fair or highly inflated for work that would be completed next spring.

Tvenge said lighting of the outdoor rink would be revisited once remaining funding is known.

Heinbockel explained the amount of recreation center upgrades was leveled at \$225,000. The outdoor rink and scoreboard have already been purchased. Concrete work still needs design and installation reviews. Thereafter, will the indoor rink be paved and will funds be available to purchase basketball boards and lighting? Heinbockel shared his idea of locking money into the landfill sinking fund. What is already in the account can be spent but the federal money would not be touched.

Hallgren agreed with the concept but would like more discussion when it comes time for actual spending.

Martinez moved to allocate \$8,000 for concrete picnic tables at the park; Feilner seconded.

Motion passed unanimously on a roll call vote.

Discussion followed regarding conversation and support from DCCED to put all unallocated funds into the landfill sinking fund.

Tvenge said there might be some change orders, specifically the canopies.

NEW BUSINESS**Boynton Office Systems**

White explained the topic would be tabled because a letter was not received from Ronald Boynton, who requested to be put on the agenda on October 17. She said Boynton was called away on family business. His company is providing service to the DGSD and offered the same to the City. Boynton Office Systems provides office efficiency studies.

Resolution 2008-03, A Resolution of the City of Delta Junction, Alaska Joining With Other Municipalities of the Richardson Highway Corridor to Encourage the Legislature to Use General Fund Dollars as Additional Funding to Alaska Department of Transportation / Public Facilities (ADOT/PF) for Statewide Transportation Improvement Plan (STIP) and Major Maintenance Projects

Leith-Dowling explained the resolution was drafted after meetings during the recent AML conference in Fairbanks. She read the resolution draft aloud and explained some immediate changes. She said discussion of road improvements to the Richardson Highway, the first highway built in Alaska, has been on-going for several years and re-emphasized more recently. DOT employees encouraged municipal involvement from mayors and government leaders. It was decided communities (North Pole, Valdez, Fairbanks, Glennallen, Paxson, and Delta Junction) would stand together in support of road improvements. Leith-Dowling said every community has transportation issues, including maintenance, construction, and changes to the road system.

Hallgren moved to approve Resolution 2008-03 as presented; Feilner seconded.

Hallgren said more and more stipulations are tacked onto federal highway dollars as to where the money can be used. Construction is down, but aspects concerning safety have increased. Safety deals with guardrails that are non-existent and researching why there are increased incidents of motorists driving off the road at Mile 300. Hallgren said the public comment period ends December 3, 2007 and thereafter, Governor Palin would put together a plan. He said it is important to submit comments.

Leith-Dowling said opinions on revenue sharing are also necessary.

Motion passed by unanimous consent.

Resolution 2008-04, A Resolution of the City of Delta Junction, Alaska Joining With Other Municipalities of the Richardson Highway Corridor in Adopting Richardson Highway Improvements as a Legislative Priority and Requesting Planning Money for Prioritization of Necessary Projects

Leith-Dowling explained the resolution and identified problem areas of the Richardson Highway.

Martinez moved to approve Resolution 2008-04 as presented; Feilner seconded.

Heinbockel said DOT priorities change. The Jarvis Creek Bridge was once a high priority but now it is the Shaw Creek Bridge. He said the Jarvis Bridge has more traffic cross per day because of commuters traveling to and from jobs at Ft. Greely. Heinbockel said the Council must impress upon the legislators that the Jarvis Creek Bridge is the priority. He said it is too narrow and the speed limit should not increase until south of the Jarvis Bridge. He said he also disagreed with not elevating the road level as planned for railroad construction.

Hallgren asked to include wording in the resolution that addresses replacing the Jarvis Bridge and realigning the Richardson Highway.

Discussion followed regarding revisions to the resolution draft.

Martinez amended the motion to include wording in the fourth paragraph specifically identifying the Jarvis Creek Bridge; Feilner seconded.

Motion passed by unanimous consent.

Purchase Orders

PO#012186 to Alaska Association of Municipal Clerk c/o Alaska Municipal League in the amount of \$560.00 for White registration for AAMC and AML conferences

PO#012187 to ACS in the amount of \$1,448.10 for Nov '07 phone services

PO#012188 to AML in the amount of \$1,350.00 for (Leith-Dowling, Feilner, Hallgren, Tvenge) AML conference registrations

PO#012189 to American Red Cross of Alaska in the amount of \$2,242.45 for Rescue Squad CPR training and materials

PO#012190 to ATT in the amount of \$812.11 for Nov '07 phones and power

PO#012191 to Bank of America in the amount of \$938.79 for credit card purchases (Tvenge air travel to Anchorage for Lorman Contracts course, City Hall color printer belt repair, and library supplies)

PO#012192 to Becker Arena Products, Inc. in the amount of \$64,254.19 for 50% deposit of outdoor hockey rink

PO#012193 to California Contractors Supplies, Inc. in the amount of \$872.50 for (25) Fire Department battery-operated turbo flares

PO#012194 to Crowley Petroleum Distribution in the amount of \$13,912.75 for Oct '07 heating fuel

PO#012195 to GVEA in the amount of \$3,349.00 for Oct '07 electricity

PO#012196 to NC Machinery, Co. in the amount of \$10,232.86 for D6 dozer repairs

PO#012197 to Rainer Equipment Transport, Inc. in the amount of \$900.00 for dozer transport from Fairbanks

Martinez moved to approve purchase orders 012186 through 012197 as presented; Feilner seconded.

Martinez questioned 012194 regarding the amount of petroleum use.

Discussion followed regarding heating the old fire hall and reducing heat in the new fire station.

Jenkins asked about 012193 regarding turbo flares.

Zimmerman said the battery-operated turbo flares would be used by the Fire Department.

Bear said each flare has 100,000 hours of life and they will be shared with the Rescue Squad.

Motion passed unanimously on a roll call vote.

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Leith-Dowling called for additional public comments.

Al Edgren said Alaska has a problem with energy conservation. It was a topic of discussion during a recent conference. Alternate heating methods are being researched because some villages are paying as much as \$8/gallon for fuel and twenty villages recently closed because they can no longer afford the expenses. Edgren offered to assist in researching alternate sources of energy (wood fire boilers, burning pellets, solar systems). He said the Delta Squirts (9-10 years of age) played 6 games in 3 days and took the championship in Division D at the 2007 Turkey Shootout in Anchorage over the Thanksgiving holiday weekend. The players had only a couple hours of rented ice time along with training they received at the Dryland Hockey Camp this past June.

Margie Mullins asked Council to purchase a public address system that will enable everyone to fully hear during Council meetings. She said public meetings are not public unless all the public can hear. The system the city presently owns does not suit the City Hall conference room where it is needed. She asked to consider purchasing a system, for both large and small crowds in the conference room(s), especially considering what was just spent on recreation.

Carin Bear apologized for not being available at the beginning of the meeting when correspondence was discussed but she appreciated the right to speak. She said she was assured that discussion would be at a time in the meeting when she could attend. (White accepted Bear's November 15, 2007 letter on November 20 and stated it would be the first item of New Business on November 27 in order for Bear to arrive – by 6:15pm. However, White failed to remember the agreement when preparing the agenda packet on November 23. Upon receiving a letter from Dr. Crusberg that same day, she put both letters under *Correspondence* and both parties were unavailable for discussion because of their prior commitments, the reason they could not attend until 6:15pm. White takes total responsibility for the change and apologizes for it.) Bear said she objected to subletting the old fire hall to the financial benefit of an out-of-town vet for the purpose of performing spay and neuter services, as discussed at the November 13, 2007 Council

meeting and she said it was the reason for her November 15 letter. She said the spay/neuter service is not “non-profit” and other ways should be investigated to provide the service and that local residents would support the cause. Bear said she felt the fire station should be inspected because she felt it was not appropriate for a spay/neuter clinic. She said she wrote her thesis for her master’s degree on medical ethics and that it affects all areas of medical practice. An inspection is needed but it may not be possible on a day like December 31. Bear said she had difficulty with adequate follow up care also. What if there are complications with the surgeries? She asked Council to reconsider the decision of letting Heart Fur Animals use the building, that it may not be “necessarily a good thing” particularly because of ethical implications. She said she felt the City was legitimizing the practice by allowing use of city buildings, essentially giving a stamp of approval.

Martinez said use of the city building would not be free of charge and the health issue is a problem between the local vet and Heart Fur Animals. He said an understanding between the two parties is needed.

Clint Crusberg said the spay/neuter clinic is scheduled in an inappropriate place and there are statutes that pertain to it. (12AAC68.080, AS08.98.235 were referenced in a March 26, 2007 letter from Crusberg.)

Crusberg said he had no problem with charging, but he had a problem with the way the clinic is run.

Bear said she would inquire with the State for an inspection on December 31 but doubts she will be successful. She asked why the name of the doctor was not disclosed.

Feilner asked about the veterinarian and follow-up care.

Lee Ann McKenzie said Dr. Jayne resides in Arkansas. He was previously based in Alaska and is still fully licensed in the State of Alaska. McKenzie said Heart Fur Animals did not choose December 31. It is the day Dr. Jayne has available. She said other than suture removal there is not a lot of follow-up care required for spay and neuter surgeries. There are new suturing techniques, pet owners are instructed on follow-up care, and a phone number is available a few days following the surgeries. McKenzie said hundreds of surgeries have been performed in Delta and she said Healy and Palmer would appreciate Dr. Jayne repeating his services in their communities.

Bear asked how many animals would receive surgeries and if they would consider her offer of making up the difference in fees. Would McKenzie be willing to move her staff to the local vet’s office?

McKenzie said forty surgeries are planned. She said they did not want to beat the local vet out of business but accepted Bear’s offer.

Martinez said the good dialog should continue amongst the two parties.

McKenzie said they would prefer using the Community Center and will continue searching for another facility that is centrally located.

Mike Bender thanked the Council for approving the Delta Sportsman's request for funding.

ADJOURNMENT

Feilner moved to adjourn at 6:34pm; Martinez seconded. Motion carried.

Pat White, CMC

Approved: December 4, 2007