



---

**City Council Minutes**  
**May 6, 2008 ~ 5:00PM**

**Regular Meeting**  
**City Hall, Delta Junction, Alaska**

---

The regular meeting of the Delta Junction City Council was held on Tuesday, May 6, 2008 at City Hall in Delta Junction, Alaska. Mayor Mary Leith-Dowling called the meeting to order at 5:03pm.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Lou Heinbockel  
JW Musgrove, Leslie Feilner, Pete Hallgren, Pablo Martinez  
City employees present: City Administrator Mike Tvenge, Finance Officer Dave Zimmerman  
Landfill Supervisor Butch Ellis, City Clerk Pat White  
Four members from the community were present.

#### **AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA**

Martinez moved to approve the May 6, 2008 agenda as presented; Feilner seconded. Motion carried.

#### **APPROVAL OF MINUTES OF THE PREVIOUS MEETING**

Martinez moved to approve the April 15, 2008 minutes as presented; Feilner seconded. Motion carried.

#### **PUBLIC AND COUNCIL COMMENTS ON NON-AGENDA ITEMS**

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

#### **OATH OF OFFICE**

White administered the Oath of Office to Michael E. Murphy who joined the table to serve as a newly appointed Council member. Discussion followed regarding Council representation and dropping *Delta Regional Economic Development Council (DREDC)*. Murphy stated he would accept responsibility as *School Liaison* and Hallgren agreed to take *Lands*. Heinbockel said the Mayor automatically assumes position as *Military Liaison*.

#### **REPORTS**

**Fire Department** – Lou Heinbockel asked to repair the green tanker or take it out of service.

**Airport** – Leslie Feilner reported on sonic boom activity and said the Air Force is currently conducting Northern Edge exercises and then Red Flag scheduled June 5-20. F22 activity is based out of Elmendorf. Feilner said 80 complaints from North Pole and Delta were logged in April, but FAA regulations have not yet been violated. She said the public is asked to call 1-800-JET-NOISE and give date, time, and type of aircraft, if known. Legislators can be notified also. Feilner said FAA in Fairbanks informed that aircraft are required to not fly under an elevation of 1,000 feet (3 football fields). Tree level is about 500 feet. She said the goal of the military is to conduct war scenarios over the training areas.

Hallgren said he and Mayor Leith-Dowling attended the public hearing on April 29, 2008 and learned that training would occur during the summer months, excluding the week of the 4th of July and during

moose hunting season. He said recent sonic booms were from a variety of supersonic aircraft originating out of Eielson.

Discussion followed regarding rules related to sonic booms, their allowed perimeters, and data collected during training exercises.

Hallgren stated forms are available at City Hall for homeowners to report damages of personal property and request compensation. He said the public is encouraged to call and complain. Photos of damages would be helpful in filing a claim. Hallgren said the military are responsive to local concerns.

Musgrove said civilian pilots are forbidden from creating sonic booms over land and the military does not come under FAA jurisdiction. He said, "We want our military to have proper training to be good pilots."

**Cemetery** – Mary Leith-Dowling reported several burials are scheduled in the next month. She said the Delta Junction Rest Haven Cemetery is one of 6 cemeteries in Alaska that are featured online ([gravestonearchives.net](http://gravestonearchives.net)).

Discussion followed regarding possibly postponing grave digging because of frozen ground.

**City Clerk** – Pat White stated she would advertise removal of refrigerator and freezer doors before appliances are accepted at the landfill. The policy was amended on April 22, 2008.

Leith-Dowling said removing doors is part of Department of Environmental Conversation (DEC) ruling.

**City Administrator** – Mike Tvenge reported:

- The city street brushing project is underway and will be finished by May 8, 2008. Butch Ellis and Jeremy Williams direct traffic while the contractor clears brush.

Musgrove asked about public comments relating to the brush-clearing project.

Tvenge said there has been less than half a dozen calls and only two were negative (one questioned why the brushing is necessary and the other asked why more is not cleared). He said the brushing project was well advertised.

Murphy urged those involved to clear no more than the 8-feet-from-the-shoulder.

Heinbockel explained some homeowners opted to clear their own frontage, others didn't.

Discussion followed regarding older trees that have grown into the right of way, limiting visibility, and becoming a safety issue.

- Bid opening for the road-paving project is scheduled for May 22, 2008.
- Bid opening for the library canopy is scheduled for May 23, 2008.
- Alaska Energy Authority (AEA) is conducting public meetings throughout Alaska to deal with solutions to the rising costs of energy. He said the public is encouraged to get involved. [The next meeting is in Glennallen on June 3, 2008.]
- Dave Zimmerman prepared a preliminary draft of the FY09 budget.

Discussion followed regarding a budget work session, which was set for 5:00pm on May 13, 2008.

Zimmerman said he would need to make revisions to employee medical insurance and fuel oil costs.

**Finance** – Dave Zimmerman reported purchase orders for Delta Building Supply and Interior Building Supply will be discussed under *New Business*. They cover materials for the library storage shed and the accumulative cost to date for that project is \$7,600.

Tvenge said the building will be completed by the end of this week, but will not be moved until the end of May or early June. Jeremy Williams will paint the building before it leaves the Career Advancement Center facility and it will match the library.

**School Liaison** – Tana Wood, Delta-Greely School Board President, reported High School graduation ceremonies are scheduled for 8:00pm on May 16, 2008.

**Library** – Mary Leith-Dowling reported:

- Approximately \$8,000 was raised at the Library Open House on April 19, 2008.
- Seventy-six kindergarten students visited the library on May 1, Delta Elementary field trips to the library will be scheduled between May 12 and 16, and summer reading programs start on June 13.

- Inventory has been completed and library materials will be weeded over the next 2 weeks.
- Two female bicyclists from Belgium visited the library last week.

**Park** – Leslie Feilner stated two benches near the play area need painted, a chain is missing from one of the trash barrels, the door on the outhouse located on Aurora Avenue is still sticking, and several rocks have been removed from the fire pit. Feilner said the Delta High School baseball team put yellow padding along the top of the baseball fence and burned off the grass in the fields. Discussion followed regarding removal of brush and grass cutting piles that are accumulating along the fence lines.

**Public Works** – Lou Heinbockel reported the brushing project has progressed and looks better than it did initially.

Ellis stated most of the streets south of the Alaska Highway and the north end of Phillips Road were added. He said he has been released from restricted work hours because his medical condition is now in remission.

Heinbockel explained an ongoing street problem, which is caused by drainage off an area built up by Delta Industrial Services (DIS). He said approximately \$5,000 was spent on 4th Street to raise the elevation, with no financial contribution from the business who created the problem. The drainage on Jarvis, behind the business, is the same. Heinbockel said a chain link fence is in the right of way and trailers are being parked on city streets. He said shutting off the right of way with boulders could be a solution.

Ellis said the road damage is obvious near the gas pumps and the car wash and he agreed the fence is on the City's easement. Ellis said he spoke with DIS management last year when they were building Missile Defense (MD) silos. They told him that they would create a runoff ditch to restore roadwork.

Hallgren moved to issue an official letter, requesting DIS remove the fence from the City right of way and to allow 2 to 3 months to accomplish it before legal actions are considered; Heinbockel seconded.

Heinbockel asked that a local surveyor provide a reference point.

Hallgren amended the motion to first determine if DIS is on city property.

Musgrove asked for a uniform policy that does not discriminate one area of town.

Hallgren said a tree, planted 25 years ago, is not the same as a newly installed fence. A policy, which is not necessarily written, simply requires permission to make improvements to City property. He said he is concerned with recent and future improvements and/or encroachments.

Musgrove said he wants a policy that covers all possibilities because it does not matter if encroachment is from a chain link fence or Chevy cars.

Leith-Dowling said the public has been receptive in the past when asked to remove cars and other items in the City's right of way.

Heinbockel said he had a fence around his property for many years. He maintained it by cutting grass on both sides of it and he would have removed the fence, had the City ever required it. It did not create a sight problem nor was it a hazard.

Motion passed on a roll call vote with six (Heinbockel, Hallgren, Feilner, Martinez, Murphy, Leith-Dowling) voting in favor and one (Musgrove) voting against.

**Department of Transportation (DOT) Liaison** – Mary Leith-Dowling reported the North Richardson Scenic Byway meeting is scheduled at the Community Center on May 14 at 5:30pm. Discussion will be about plans to promote the section of the Richardson Highway between Ft. Greely and Fairbanks.

**Additional Reports by Council** – Lou Heinbockel reported Jarvis Creek overflow is close to crossing Nistler Road, but water is also flowing under the Jarvis Creek Bridge.

Ellis said equipment is available at the battle complex (which is under construction) to keep the ice out.

Hallgren said part of the USARAK settlement was to work on potential flooding problems. They reported putting together a plan with federal funding to build diking on Jarvis Creek.

Tvenge reported Gary Hall, Trades Program Coordinator, requested moving the stop signs that are near the Delta Career Advancement Center on North Clearwater.

Ellis asked to wait, to move the signs once school lets out for the summer.

Heinbockel asked to also move the (50mph) speed limit sign on Nistler Road closer to town.

Leith-Dowling said DOT has a contract to re-sign Nistler Road near the school zone. She recommended letting them move the speed limit sign.

Discussion followed regarding discrepancy in ownership of Nistler Road, street paving bids being more than what money is available, if Emmaus should be paved, and rearranging the street priority list.

Heinbockel said five school buses travel on Emmaus Road. It is the most heavily used connector street. South Clearwater is used when Emmaus is in too bad of shape. Most local contractors choose to travel on Emmaus to stay outside of city limits.

## **UNFINISHED BUSINESS - none**

## **NEW BUSINESS**

### **Award of Park and Cemetery Lawn Maintenance Contracts**

Leith-Dowling referenced the April 25, 2008 bid opening sheet for the park and cemetery lawn contracts and said Alaska Wildland Support, a.k.a. Forrest Seibold, is the apparent low bidder for both the park (\$4,299) and the cemetery (\$7,899). [Last year, \$4,429 was paid for park maintenance and \$8,062.84 was paid for the cemetery.]

Heinbockel moved to award Proposal #1 (park) and Proposal #2 (cemetery) lawn maintenance contracts to Alaska Wildland Support in the amount of \$12,198.00; Hallgren seconded.

Hallgren amended the motion to offer the same contract as in the past, to include option to extend contract(s) without bidding for up to 2 additional years at an annual increase of 3%, if both the City and the contractor are in agreement; Heinbockel seconded.

Heinbockel said the other two contractors provided outstanding service and because of that, he disliked policy that requires choosing the lowest responsive bidder.

Hallgren asked to issue an official letter of appreciation to last year's contractors.

Tvenge reported Debbie Joslin would match Seibold's bid if he were unable to fulfill obligations of the two lawn maintenance contracts.

Motion passed unanimously on a roll call vote.

### **D8 Cat Rental**

Tvenge referenced an April 22, 2008 estimate of repairs for the (2005) D6 from NC Machinery Co. He said Alaska Municipal League Joint Insurance Association (AMLJIA) would cover the rental cost (\$9,300/month) for an equivalent dozer plus transportation of it. Ordering parts will take a month or longer. Tvenge said NC Machinery recommended a D8 for the landfill operation. Renting an upgraded dozer (D8) is opportunity to see if it is actually more suitable, but it will cost more money.

Hallgren said it would cost \$8,700, the difference between \$18,000 (D8T) and \$9,300 (D6R/T XL).

Heinbockel said the advantage is 200 hours and a lot of material can be developed in that time. Then the (1983) D6 Case tractor/dozer can be used to cover if the D6 repairs take longer, especially when there will be ample material.

Hallgren moved to rent a D8 from NC Machinery for \$18,000 for one month; Heinbockel seconded.

Hallgren said when the landfill was designed and engineered, it was questioned if a D6 would be adequate. It is more economical, but the ground has proven not as useful because of boulders and poor cover material.

Ellis said the engineers recommended the D6 for compacting trash, but not to develop material.

Hallgren suggested taking the opportunity to test the D8 and compare it to the D6. If it turns out the D8 is better, then it should be put on the top of the Legislative Wish List for next year.

Tvenge said a D8 will cost more to operate and it also might not be immediately available to rent. NC Machinery will reserve a D8, but there may be a wait. Road restrictions are not an issue. NC will trade equipment (deliver the D8 when they pick up the D6 and vice versa). Transportation will cost \$5,630

for two round trips (covered by AMLJIA), but there is a \$5,000 deductible for the whole D6 incident. He asked if bids are required or if he can rent from NC.

Murphy asked if inquiries were made with Airport Rentals.

Musgrove asked if another operator must be hired to work five 10-hour days.

Hallgren asked if the D8 is equipped like the D6. He said he would like room to negotiate between NC Machinery and Airport Rentals.

Ellis said there is no fire suppression on the D8 and it would have a basic 11-foot blade with a ripper. Airport Rentals would likely not have fire suppression either.

Hallgren asked to inquire with NC Machinery, who will do trade-in if or when a D8 is purchased.

Heinbockel said trade-in value is not good, compared to the purchase price four years ago.

Hallgren amended the motion to authorize rental of a D8 for no more than \$18,000 for one month and 200 hours of use, and to leave discretion to the administration as to which company to rent from; Heinbockel seconded.

Murphy asked why renting a D6 is not adequate when cover material is already available.

Ellis said renting a D8 is opportunity to compare it to capabilities of the D6. Six hundred yards of gravel have already been hauled and another 400 yards have been committed.

Zimmerman said the \$7,400 left in the street budget could be transferred to the landfill.

Heinbockel said it might be cheaper to purchase gravel from Delta Sand & Gravel forever, using the D6 or the Case to compact and cover.

Musgrove said running a D8 will cost \$10,000 more than when the D6 was in operation.

Motion passed unanimously on a roll call vote.

### **Purchase Orders**

PO#012529 to Aetna WHO-AAS in the amount of \$7,454.66 for May '08 group health insurance

PO#012530 to ATT & Alascom in the amount of \$814.11 for April '08 911 phones and power

PO#012531 to Alcan Builders, Inc. in the amount of \$34,919.00 for 5% retainage for ice arena

PO#012532 to Construction Machinery in the amount of \$1,859.44 to repair hydraulic hose on loader

PO#012533 to Crowley Petroleum Distr. in the amount of \$2,979.56 for April '08 heating oil

PO#012534 to Delta Building Supply in the amount of \$2,267.84 for materials for library storage building

PO#012535 to Thomas/Janell Gilbertson in the amount of \$2,500.00 for May '08 warm storage rent

PO#012536 to GVEA in the amount of \$3,297.59 for March '08 electricity

PO#012537 to Interior Building Supplies in the amount of \$1,545.47 for materials for library storage building, materials to repair and paint water-damaged wall at new fire hall, materials to repair door at park pavilion, supply of tarps and bungee cords for landfill, and flagging tape for street brushing project

Feilner moved to approve purchase orders 012529 through 012537 as presented; Martinez seconded.

Murphy, referring to PO#012531, asked if there were any outstanding punch list items at the rink.

Zimmerman said there is about \$7,500 remaining to cover the punch list.

Motion passed on a roll call vote with six (Feilner, Martinez, Musgrove, Hallgren, Murphy, Leith-Dowling) voting in favor and one (Heinbockel) voting against.

### **ADDITIONAL PUBLIC AND COUNCIL COMMENTS**

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

Musgrove asked about the outcome of the Alaska Army Guard having a presence in Delta.

Martinez said Brigadier General Thomas Katkus was the guest speaker at the Chamber of Commerce luncheon on April 17, 2008. He briefed the public on involvement and establishing an armory.

Hallgren said he attended the luncheon with Martinez and Mayor Leith-Dowling and he is in support of drafting a resolution from the City.

Musgrove asked about feedback on covered loads.

Zimmerman said 3 tarps were sold today.

Ellis said most customers recognize the situation and are more conscientious of securing their garbage.

Heinbockel asked when the warm storage contract ends.

Tvenge said the end of June.

Ellis said the old fire hall is cleared out and equipment will be moved over by May 17, but the grader will not fit in either the new or the old fire hall.

Heinbockel asked about applicants responding to the equipment operator position and said it is imperative to hire as soon as possible, to fill Chad Morris' vacancy.

Ellis said Jeremy Williams will be able to fill the welding requirements, but an operator with mechanical skills is needed.

Tvenge said Bill Smith is one of the two qualifying applicants and he is a retired operator and probably not looking for full time employment. The other applicant is limited to evenings and weekends.

#### **ADJOURNMENT**

Murphy moved to adjourn at 7:04pm; Feilner seconded. Motion carried.

Pat White, CMC

Approved: May 20, 2008