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**City Council Minutes**  
**May 20, 2008 ~ 5:00PM**

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

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The regular meeting of the Delta Junction City Council was held on Tuesday, May 20, 2008 at City Hall in Delta Junction, Alaska. Mayor Mary Leith-Dowling called the meeting to order at 5:02pm.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Lou Heinbockel  
JW Musgrove (telephonically), Pete Hallgren, Mike Murphy

Council member excused: Leslie Feilner

Council member absent: Pablo Martinez

City employees present: City Administrator Mike Tvenge, Finance Officer Dave Zimmerman  
Landfill Supervisor Butch Ellis, City Clerk Pat White

Sixteen members from the community were present at the start of the meeting.

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

Heinbockel moved to approve the May 20, 2008 agenda as presented; Murphy seconded. Motion carried.

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

White reported a correction (under the *Park Report* on page 3 of the May 6, 2008 minutes). She said School Custodian Kent Scifres clarified that the Delta High School baseball team, not school personnel, put up the yellow padding on the fence and burned off the grass in the fields.

Discussion followed regarding burn permits and notification of Forestry and the Fire Department.

Heinbockel asked to change wording (in the last sentence under *Additional Reports by Council* on page 4) to read, "Most local contractors choose to travel on Emmaus Road to stay outside of the city limits."

Hallgren moved to approve the minutes of the May 6, 2008 meeting as amended; Heinbockel seconded. Motion carried.

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

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

Hallgren said he received a request to increase the 35mph speed limit on Mill-Tan.

Heinbockel said Mill-Tan Road was developed as a gravel road and the maximum speed for gravel roads is 35mph. A private individual paved one mile of the gravel road, but it was not wide enough to meet pavement standards. The problem was compounded when the City paved the second mile using the same standards. Heinbockel said there would be a safety issue if the speed limit is set too high and it is a known fact that everyone travels over the posted speed limit. He would agree to increase the speed limit, if the road were 2 feet wider and if lines were painted.

Hallgren said he is bothered by the lack of striping on Mill-Tan and that DOT would not paint it because of liability issues.

## REPORTS

**Fire Department** – Fire Chief Carin Bear introduced three members of the City Fire Department, Levi McLaren, Cory Nydam, and Amelia Morlock. She reported:

- Rural Deltana Volunteer Fire Department (RDVFD) has requested automatic aid from Ft. Greely, including aid to the City Fire Department (DJVFD). She asked if the City planned to make changes to the existing mutual aid agreement. She said presently the Ft. Greely Fire Department responds to both RDVFD and DJVFD, whichever requests assistance, and both local departments respond automatically to each other's tone-outs.

Hallgren said in the past the fire departments did not want automatic response from Ft. Greely, nor did the Rescue Squad.

Bear said she had concerns that an automatic aid agreement would require training together, which is not in place, and that volunteer firefighters might quit if they are not needed because of professionally paid firefighters responding. She said she also had concerns with Ft. Greely being unable to respond.

Hallgren explained the current agreement and questioned who pays costs for damaged equipment.

Discussion followed regarding who is responsible for site command, concerns with how calls are toned out from Fairbanks Dispatch, and who would be responsible for workers comp issues.

- Fairbanks Fire Marshal Ernie Mishewitz is currently working on a fire prevention program for elementary students through the 8<sup>th</sup> grade. He is working with Fire Chief Carin Bear and local teachers to bring the Fairbanks North Star Borough (FNSB) program to Delta this fall.
- A controlled burn at the fairgrounds was successful and uneventful.
- Engine 5, the newest red one, is having pump and manifold problems, but the extent of the problems will not be known until it can be looked at on May 22 or 23. The tanker is fine as long as it is driven at a reasonable speed.
- Periodically there is water on the floor at the fire station. It is because the drainage system does not absorb the water, not because Tender 5, the yellowish green tender, leaks (only a quart to a gallon if it sits for a month). There is rust in the tank and the baffles are gradually corroding. The green tender must be driven at a slow speed because of the baffles and weight of the water. She said she could accept repairing or replacing the green tender, but it is operational and getting rid of it would be insane. It would cause her to lose credibility as a fire chief and in the firefighting community because the two tenders together provide good fire suppression and losing one of them would reduce capabilities of the Fire Department. Bear said firefighters must be skilled whether they are involved in ventilation operations or operating a vehicle.

Heinbockel said unsafe vehicles should be taken out of service. He explained recent history of two tragedies, resulting in deaths, from activities associated with the Fire Department.

Tvenge said he would research costs to repair tanks or replace them.

**City Clerk** – Pat White thanked everyone for participating on the City Slickers team in the 3rd annual Relay for Life (Cancer Society Fundraiser), which was held May 9 and 10 at the DGHS track area.

**City Administrator** – Mike Tvenge reported:

- Fifty-four vehicles delivered garbage to the landfill on May 17, 2008, Community Clean Up Day, compared to 72 vehicles last year. Twenty-nine customers delivered garbage the previous Saturday, on May 10. Of the 54 vehicles, 27 averaged volume over 300 pounds. Overall 13.8 tons of garbage was delivered to the landfill on May 17, equivalent to \$1,184 in lost revenue (compared to \$1,600 last year). Additionally 6,200 pounds of yellow-bagged garbage was delivered from Delta Sanitation's roll-off at the Triangle. It was \$386 in lost revenue.
- A budget work session was held on May 13, 2008, but another meeting is needed before the FY09 budget is introduced on June 3, 2008.

Discussion followed and it was decided to hold a second work session at 5:00pm on May 28, 2008.

- Legislative staff for Senator Ted Stevens and Senator Lisa Murkowski will be in Delta Junction on June 5. They will locate at the Post Office to be available for community input between 10:00 and 1:00pm. Tvenge said they might want to meet with the Council, but a time has not been set.
- Governor Sarah Palin introduced a short-term (\$1.2 billion) plan to reduce energy costs to Alaskans. \$475 million will fund electric utilities and give PFD recipients a one-time energy debit card of \$100/month, totaling \$1,200/year. It is being reviewed in a special legislative session.

Hallgren said the energy plan is designed to help individuals. It would not impact City fuel costs, but it could help with electricity to some degree. He said private individuals would be required to pay \$200 to \$300 in taxes for the debit card income.

- The Foundation Search grant program and remainder of impact funds will be topics at the June 3, 2008 Council meeting.

**School Liaison** – Mike Murphy reported the school administration (and district business office) will be moving across the street to the University building and Cyber School will move into the High School. The administration will be in one facility and students in the other.

Heinbockel referenced the “pitch” from the article in the May 15, 2008 local newspaper for the community to raise \$190,000 for building repairs at the High School.

Leith-Dowling said raising funds would be a requirement, but it is contingent upon the school being awarded the \$9.5 million grant, which would not be known until May 23.

Discussion followed regarding the potential of raising the funds and the needed school repairs.

**Lands** – Pete Hallgren explained a recent process that required a title search, quit claim, and deed back to the City by the initial owners.

**Park** – Lou Heinbockel reported the park looks better than it ever has, due to brushing and clean up by Jeremy Williams and summer hire, Theo Hallgren and Josh Corey.

White stated the park was reserved seven times in twelve days and users are responsible to remove their own garbage. Open garbage barrels, birds, and high winds required employees to clean up garbage left from graduation parties and other unscheduled use. The park contract, which includes picking up trash, does not begin until June 1.

**Recreation** – Lou Heinbockel reported:

- Receipt of a letter from Ron Liewer, dated May 13, 2008, which listed a number of items that are still needed at the rink, including a suggestion for of an overpass on Nistler Road.
- The gate at the former City rifle range is down (due to the fallen tree that acted as an anchor). Heinbockel said he would like to remove the range by making it inaccessible. The area is totally trashed and those that do use it abuse it. Users do not shoot into the safe area; they are shooting the trees to knock them down. They are also moving into the gravel pit area and shooting into the dike, which the Department of Natural Resources (DNR) will surely put a stop to. The chain and lock would need to be removed. He said the area is unsafe and asked Council members to support shutting it down.

Murphy said he disagrees, that the range is a useful place. It is trashy, but it is out of sight.

Hallgren said the area is located in a section line and the City does not own the property on either side. Title to the land on the north side has not yet been transferred from the State to the City. He said the south side belongs to DNR. The rifle range is not on City property and it could be shut off.

Discussion followed regarding the Delta Sportsman's Association developing a new rifle range at Mile 1408 of the Alaska Highway, the condition of the old rifle range, efforts over the years to keep the area clean, and using computers as targets and leaving them.

Heinbockel said the previous administration supported the rifle range, but individuals have maintained it and those individuals are now tired of doing it. Replaced shooting benches are continually destroyed and four-wheelers are now ruining the access road.

Tvenge said he would request input and involvement from DNR. He reported square dancers would be using the rink restrooms between May 23 and 25 during the annual Buffalo Wallow event.

**Public Works** – Lou Heinbockel reported:

- The D8 is in operation at the landfill and it is far superior to the D6 for breaking ground.
- The Delta Industrial (DIS) fence, which was discussed at the May 6 meeting, is not in the City's right of way, by 2 feet. Vehicles are in the right of way and DIS has agreed to move them.

Tvenge said DIS is also looking into installing a culvert to resolve the road issue and pooling of water.

- Two employees have been hired for the summer and they are currently cleaning up plastic bags along the tree line and preparing for the annual landfill inspection. Heinbockel said a fence is needed to localize the trash because the new landfill is located in a very windy and open area.

Hallgren said the perimeter of the landfill is fenced, but the cells are not.

Ellis suggested orange plastic safety nets because of snow removal and ability to access certain areas.

Discussion followed regarding funding and budgeting.

- Septic pits are thawing, water is flowing, and the system appears to function efficiently.

**UNFINISHED BUSINESS** - none

## **NEW BUSINESS**

### **Annual Fire Subscriptions**

Tvenge asked to assist Rural Deltana Volunteer Fire Department (RDVFD / Deltana) with their annual fire subscriptions by helping them mail out letters of support.

Hallgren said Administrative Assistant Letha Burcham agreed to undertake the extra work. The City does not budget for the income, but brings in approximately \$15,000/year on fire subscriptions. Three quarters of the community live in Deltana, outside city limits.

Discussion followed regarding the cost to provide the service to Deltana.

Heinbockel said the City receives federal and state revenue sharing to provide services to the community. This money can be shared with Deltana, who depend strictly on volunteers.

Tvenge said RDVFD is considering raising their donations from \$50 to \$75. He asked if the City wished to increase rates also.

Hallgren said he preferred to keep the City's rate at \$50, but because Deltana has no other income, he would like to make a one-time \$10,000 or \$15,000 donation to them.

Murphy and Leith-Dowling verbally agreed.

Tvenge asked if Council chose to keep the \$2,500 fee for non-subscribers.

Heinbockel said a check was received from a non-subscriber for \$2,500. He asked to return the payment to the family survivor because of the death associated with the fire. Friends of the deceased collected enough money to make the payment.

Heinbockel moved to excuse all or a portion of the \$2,500 fire response fee; Hallgren seconded.

Murphy said he disagreed because everyone has a choice to pay either the \$50 subscription or the \$2,500 call-out fee.

Discussion followed regarding the process of collecting the \$2,500 non-subscription fee.

Musgrove said he was not opposed to keeping the \$2,500, but felt the funds should be designated to purchase a particular piece of equipment for the Fire Department. The green tanker could be repaired or a motorized gurney could be purchased. A plaque could be used to dedicate it to the deceased.

Hallgren said fire subscription funds are not budgeted, but he agreed that those funds should be used for the Fire Department above the established budget. Taxes are not collected, but fire subscriptions are. They do not cover the cost of fire suppression but services are provided whether or not residents choose to support it. Hallgren said providing services does lower homeowner's insurance premiums.

Heinbockel said volunteerism is helping neighbors in a time of need. It is not dependent on if they can afford it. He talked about history of forgiving fire and ambulance debts. He said he would support the Council if the decision is to go through small claims court and attachment of PFD money, but only if

everyone is treated the same. No exceptions. Many folks in this community can afford a \$50 fire subscription, but they cannot afford a \$2,500 call-out. The ones who do not pay the \$50 donation also do not contribute anything to the community.

Bear stated three fire departments spent the initial full night at the fire scene with two of them remaining on the scene for the following three days. The State Fire Marshal was on the scene for two days. Also the City's front-end loader was used for two days. She said she felt the bill was justified.

Motion failed on a roll call vote with three (Murphy, Musgrove, Leith-Dowling) voting against and two (Heinbockel, Hallgren) voting in favor.

Musgrove said he would like the funds earmarked for the Fire Department.

Hallgren said a "fire income" account could be set up.

Heinbockel asked Bear how they deal with being called to a fire scene when a resident refuses help.

Bear said it depends on the situation and if lives, exposure, or neighboring property are at risk. They would respect the owner and let the structure burn, if there were no risks for personal injury.

Discussion followed regarding the collection procedure, follow up and enforcement of small claims action, and recent fire training at the fairgrounds.

Heinbockel said \$50 is the cheapest insurance he pays on anything.

Tvenge asked Council to consider lifetime subscriptions, which would eliminate annual billing.

### **Resolution 2008-10, A Resolution for the City of Delta Junction to Support the Establishment of a local Army National Guard Armory**

Tvenge said he drafted the resolution after conversation at the Chamber luncheon on April 17, about bringing an Army National Guard Armory to Delta Junction. He said, "The National Guard Armory provides economic benefits through added income, additional jobs, and year-round City employment opportunities. Local employment and education opportunities minimize the migration of the younger generation from small communities to larger cities. Alaska National Guard has more than seventy armories in communities statewide, providing a safe location for constructive social interaction between community members. Trained guardsmen are ready and able to support the community during local emergencies such as fire, flood, and civil strife. The Alaska National Guard's primary role is to defend and serve our State, our communities, and when called upon, our country."

Leith-Dowling said City employee Josh Corey is signed up to join the Guard.

Hallgren said there are a lot of full-time guard jobs at Ft. Greely that could eventually lead into careers.

Hallgren moved to approve Resolution 2008-10; Murphy seconded.

Hallgren asked about mention of private land, which the Army would lease, (in the second paragraph).

Tvenge said the National Guard would rent first, before establishing a certain number of soldiers. Then they would consider building. They prefer to lease land from the community, maintain it, and then donate it to the community. What land is not known, but they require twenty acres.

Hallgren asked to change *would* to *could* in the second paragraph to read, "...the Army could lease from the City of Delta Junction land for the construction and operation of a National Guard Armory;"

Discussion followed regarding terms of leasing, being in competition with the public, if it is necessary to make the same provisions to others interested in leasing, and how much property the City owns that could be leased. Hallgren said specific ordinances allow lease to government agencies. An example of it is when property was sold to GVEA for location of the John Brown generator.

Heinbockel said leasing could generate a source of revenue.

Motion passed unanimously on a roll call vote (after changing the wording in the second paragraph).

### **Purchase Orders**

PO#012565 to American Red Cross of Alaska in the amount of \$2,125.00 for emergency shelter trailer

PO#012566 to ACS in the amount of \$1,624.22 for May '08 telephone services

PO#012567 to ATT & Alascom in the amount of \$525.52 for May '08 911 phones and power

PO#012568 to Buffalo Center Auto Parts in the amount of \$2,107.87 for maintenance (grease, oil, filters, hoses) for fire engines and landfill equipment

PO#012569 to Craig Taylor Equipment Co. in the amount of \$999.00 for DR mower/trimmer

PO#012570 to Crowley Petroleum Distribution in the amount of \$1,051.01 for heating oil and equipment fuel at the landfill

PO#012571 to GVEA in the amount of \$2,881.61 for April '08 electricity

PO#012572 to Guess & Rudd in the amount of \$1,715.16 for April '08 legal services (street paving RFP, personnel matters)

PO#012573 to Hawks Enterprises in the amount of \$29,808.00 for 11.04 acres of brush clearing

PO#012574 to M2C1 Construction & Engineering in the amount of \$2,504.44 for street paving design bid proposal

PO#012575 to M2C1 Construction & Engineering in the amount of \$1,918.44 for construction management of Zamboni addition

PO#012576 to M2C1 Construction & Engineering in the amount of \$5,000.00 for dish antenna installation at Donnelly Dome

Musgrove moved to approve purchase orders 012565 through 012576 as presented; Murphy seconded. Heinbockel questioned the electric bill (012571) and said it was high for this time of the year. He said \$590/month for the fire hall is too much and asked if the water heater or the lights need to be turned off.

Tvenge said lights are all off, except the emergency ones.

Discussion followed regarding the lighting system and base-plus-usage charges.

Heinbockel stated Hawks Enterprises' final bill (012573) included work on Phillips Road that was not on the initial list of streets designated for brushing. He questioned why Phillips was added when it did not meet the criteria. Three families live on Phillips, it is a dead end road, school buses do not travel on it, and there is no overhang of brush because the road is wide. He asked how many acres were involved in brushing Phillips and how much it cost.

Ellis said a private individual requested brushing on Phillips and he regretted not having time to brush other streets, especially where several new houses have been built. The area will need to be maintained at a higher level this winter, depending on the amount snowfall.

Tvenge said Phillips totaled 1.6 miles, which was \$2,500 in cost.

Heinbockel said he was bothered that \$2,500 was spent to brush a road that did not need it because it did not create visibility issues from overhang, when the same amount, in the form of a fire-call bill, cannot be excused from the estate of a deceased. He said he paid to have his own private road brushed.

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

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

Leith-Dowling called for additional public comments.

Cari Novak asked about the budget work session on May 28, 2008.

Heinbockel said no action will be taken, but it is a public meeting.

Leith-Dowling called for additional Council comments.

Hallgren stated 5 wrecked vehicles have been towed into his neighbor's yard for a commercial auto repair business. He asked to research violations and enforce the residential zoning ordinance.

Heinbockel asked to investigate other businesses also.

Tvenge said he would look into noise, junk, and traffic violations.

#### **ADJOURNMENT**

Heinbockel moved to adjourn at 7:04pm; Murphy and Hallgren seconded. Motion carried.