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**City Council Minutes**  
**August 5, 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, August 5, 2008 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
JW Musgrove, Pablo Martinez, Mike Murphy, Leslie Feilner, Pete Hallgren (telephonically)
City employees present: City Administrator Mike Tvenge, Finance Officer Dave Zimmerman, Landfill
Supervisor Butch Ellis, Facilities Maintenance Employee Jeremy Williams, City Clerk Pat White
Twelve members from the community were present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

Heinbockel moved to approve the August 5, 2008 agenda as presented; Feilner seconded. Motion carried.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

White reported small changes were made to the July 15, 2008 draft minutes, but they would not alter content. One change was made under the *City Administrator Report* (page 3) in which Musgrove asked about the status of the D6. He actually asked about repairs to the Volvo loader.
Martinez moved to approve the minutes of the July 15, 2008 meeting as amended; Feilner 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 called for Council comments.

Musgrove expressed appreciation for the public turnout because the public's input directly affects how Council conducts business.

Heinbockel said he enjoys driving on the two newly paved roads, which have changed his traffic pattern significantly.

CORRESPONDENCE

Invitation for Homeland Security training on August 16/17, 2008

REQUEST TO SPEAK

Lt. Col. Ron Magee, Commander of the 5th Battalion of the Alaska State Defense Force (ASDF) 49th Military Police Brigade, addressed the correspondence he issued to the City Council on July 28. He said he wished to extend an official invite for Council members to attend a 2-day workshop, "The Changing Tides of Terrorism, Terrorism and Security in the 21st Century" on August 16 and 17 at City Hall. He said a special agent from the east coast would present the Homeland Security training and others from around the State of Alaska will also be attending. Magee introduced Major Bernie Holland, Executive Officer of the 5th Battalion, and Sgt. Major Bill Wright, Command Sgt. Major.

Heinbockel asked about the status of the Brigade.

Magee said Alaska has a fraction of what a normal Brigade consists of and it is called a Cadre. The State allows up to 15% of what a normal strength might be. There are approximately 300 members that are involved statewide and in the event of a disaster or catastrophe they would be the initial leaders.

Flower Cole, Deltana Community Corporation (DCC) Secretary/Treasurer, distributed a letter requesting \$8,800 to match a grant for a Roads and Erosion project to maintain Nome Trail, which is located off Clearwater Road, near Nistler Road. She said neither the City nor DOT maintains the road. There are approximately 10 residences on Nome Trail and the Delta Sportsman's Association (DSA) rifle range is located at mile 0.3, which creates a high volume of traffic. Cole distributed photos of the current road conditions on Nome Trail. She said maintenance would consist of grading, adding material to temporarily fix puddles; basically upgrading a road that needs serious repair. The amount of repair will depend upon the amount of money that is available.

Murphy asked how many miles DCC maintains.

Cole said there is no set amount, that roads are maintained according to requests. Nome Trail is the only road presently being considered.

Heinbockel asked how much money was needed.

Cole said \$2,601 is needed to match the grant, but DCC would appreciate the full \$8,800. Funding of the project will be discussed at the next DCC meeting on September 11.

Heinbockel said federal revenue sharing monies are to be shared with the local area, not necessarily Delta Junction, within City limits.

Discussion followed regarding funding \$2,601 or \$8,800 for the (\$17,600) grant, where the money would come from in the City's budget, heavy use of the rifle range, if residents along the road or DSA have contributed, and if there were leftover monies from the \$40,000 given to DSA for ventilation repairs.

Hallgren said he felt quite favorably toward the request because of how DCC has supported the community in the past.

Heinbockel moved to contribute \$2,601.00 to DCC in support of the Nome Trail project; Martinez seconded.

Heinbockel said his intent is to pay up to the \$8,800 match, upon DCC being awarded the grant.

Musgrove questioned funding and said the landfill sinking fund should be used "inside the fence" only.

Zimmerman said he would know by January, but not enough is known to make a decision at this time.

Murphy said he would vote against the motion because the City used \$250,000 (of Pogo PILT reserve funds) to meet the budget and because residents along the road need to be asked to contribute to their own maintenance.

Motion passed by roll call vote with five (Martinez, Feilner, Hallgren, Heinbockel, Leith-Dowling) voting in favor and two (Musgrove, Murphy) voting against.

Heinbockel said he would have preferred to repair Souhrada Road.

Cole said Souhrada would be upgraded with gravel this year and possibly paved next year.

REPORTS

Rescue Squad – Squad Chief Lisa Shivel reported:

- 140 ambulance runs have been tallied as of the end of July.
- An ETT/EMT I course is tentatively being scheduled.
- Twenty EMTs are presently on the squad roster, but more level II and III members are needed.
- Medic III is currently the primary ambulance because new tires are being mounted on Medic II.
- The LifePak on Medic III is in need of service (by Medtronic in Redmond, WA).

Leith-Dowling said to send the LifePak out to be serviced and to identify funding later.

Fire Department – Fire Chief Carin Bear reported:

- Three new members joined the Delta Junction Volunteer Fire Department (DJVFD).
- Four firefighters will participate in a mass casualty exercise at the Fairbanks International Airport on August 6. The exercise will involve a downed airliner with 50 to 100 victims and participation from all of the Fairbanks entities, including the hospital.

Airport – JW Musgrove presented a \$4,000 check to Mayor Leith-Dowling to cover the portion of the airport insurance premium from the Delta Pilots Committee.

City Clerk – Pat White reported:

- Council made a decision at the June 17, 2008 Council meeting to begin charging for postage on routine passport applications, based on the assumption White received from the training in Fairbanks on June 12. White said she spoke directly with Francisco Carmona, Customer Service Manager at the Seattle Passport Agency, on July 2 and he said non-postal acceptance agencies are not entitled to charge for postage unless the customer chooses to use expedited mail service. White said all applications are sent out by certified mail because of handling original birth certificates, marriage certificates, etc. The minimum postage for each application is \$5.90, but several are mailed together whenever possible. The postage comes out of the \$25 execution fee, which is paid to the City. White said passport processing is a service to the public, but approximately \$1,000 is lost in postage annually.

- The Alaska Municipal League (AML) Conference is in Ketchikan November 10 through 14. She asked Council members to notify her if they plan to attend so accommodations can be made.

- The Department of Commerce, Community & Economic Development (DCCED) is offering “Managing Floodplain Development Through the National Flood Insurance Program” in September. It is normally held in Maryland and for the first time, will be held in Anchorage. Letha Burcham is signed up to take the course September 15 through 19 and FEMA will pay her fees. A second class will be offered September 22 through 26, if there are enough interested participants, but expenses will not be covered.

- Candidate filing period for the October 7, 2008 Municipal Election is August 27 through September 11. Seats C (3-year), E (one-year), and F (3-year) will be on the ballot as well as the proposition to opt out of the Alaska Public Offices Commission (APOC) requirement because the proposition must be adopted by a majority of the voters. White said roughly half of Alaska's 200+ communities have voted to be exempt from the State requirement and she knew of 7 other communities who are voting on it in October. Candidates will still be required to submit Public Officials Financial Disclosure (POFD) statements upon declaring candidacy in the 2008 Municipal Election.

Leith-Dowling said the topic was discussed at the last AML conference because the forms have become more complicated and detailed. There is concern that the disclosure requirement discourages qualified candidates from running for office.

Heinbockel asked that the referendum be advertised so the public has awareness and a fair understanding of the ballot question.

Hallgren asked to contact Attorney Jim DeWitt to avoid what could be construed as influencing the outcome.

White said she would draft a question-and-answer advertisement of the proposition and she would contact Jim DeWitt. She also stated the deadline to register to vote in the municipal election is September 7, 2008.

City Administrator – Mike Tvenge reported:

- The special meeting scheduled for July 23, 2008 was cancelled due to lack of information about paving parking lots, the fairgrounds, and the Nistler bike path. Information is still not available.

- Referencing Right of Ways (ROW) information in the agenda packet, Tvenge said the Public Works employees would be working along listed streets. The information shows widths of each street.

- Teck Pogo held an Open House on July 30 with a presentation of their daily operations and safety programs. Tvenge said there are thirty local residents currently employed at the mine.

- He and Mayor Leith-Dowling met with staff and board members from the Alaska Natural Gas Development Authority in an impromptu meeting at City Hall on August 1. Their mission is to bring natural gas to market at the maximum benefit to Alaskans. The purpose of the meeting was to inform of the proposed gasline from Beluga to Delta Junction. It will be a small line, under 24”, and will have capabilities to supply communities temporarily until the TransCanada natural gas pipeline is built.

- Jeremy Williams created a list of municipal items intended for sale. The items have not been used in the past year and there is no need for them. They are using storage space in the old fire hall.

Williams recommended hosting a silent-auction-type-sale at the Community Center on August 23, between 9:00am and 5:00pm with bids closing at 4:00pm. He asked if the proceeds could be used for new hand and power tools and said he would initiate a sign-out system for employees who use the tools.

Tvenge said some items would be removed from the list if department heads want them.

Heinbockel asked to include the one-ton military trailer that was donated to the City over ten years ago when there was a Civil Defense operation in Delta Junction. It is in excellent condition. He asked to refer to the City Code of Ordinance for proper procedure in handling surplus items.

Musgrove moved to authorize the City Administrator to disperse the City surplus items in accordance with City regulations; Martinez seconded.

Motion passed by unanimous consent.

School Liaison – Lou Heinbockel reported a suspect was arrested in the school robbery that occurred on June 22.

Kent Scifres, Delta-Greely School District (DGSD) Facilities Director, said less than \$10,000 has been raised toward the community's portion to match the State's \$9.5 million to weatherize school facilities. They will have a better idea in another month.

Heinbockel referenced the editorial in the July 17, 2008 Delta Wind, in which Michael Paschall reported the City Council ignored the school district's request for support in raising the \$190,000+. He said Superintendent P.J. Ford Slack presented her case and asked for help at the June 17, 2008 Council meeting, but he was under the impression that the City would help after the community had a chance to donate.

Lands – Pete Hallgren asked for authorization to apply to the AMLJIA Board of Trustees as a representative and member of the Delta Junction City Council. Hallgren said he has attended three of the Risk Management seminars and would appreciate support in running for the Board.

Tvenge reported Lot 16 of Block 26 on South Clearwater is a corner lot. Robert Rucker recently purchased adjoining lots and is interested in purchasing Lot 16, which is 9,780 square feet. It has never been auctioned and therefore cannot be sold over-the-counter. It appears to have been held because of possibly being considered a greenbelt lot. Tvenge asked for input.

Hallgren said the City Code of Ordinance requires the property be auctioned first, but can be sold in certain circumstances, as to a government agency or, as an example, when property was sold to GVEA for location of the John Brown (back-up) generator. Hallgren recommended getting direction from City Attorney Jim DeWitt for possible exceptions and terms in selling it. The property is too small to build on by itself. He asked if Council is willing to sell the property.

Heinbockel moved to sell Lot 16, Block 26 provided there are no discrepancies; Martinez seconded.

Feilner said research is needed to identify why the property was held and not auctioned.

Discussion followed regarding why the property was held and identified as greenbelt.

Feilner amended the motion to clarify why the property was labeled greenbelt; Heinbockel seconded.

Motion passed unanimously on a roll call vote.

Library – Mary Leith-Dowling reported:

- 42,940 patrons visited the library between July 1, 2007 and June 30, 2008. There have been over 4,000 in the past month.

- Staff has been busy during the new extended hours (Monday and Thursday, 10:00 to 6:00pm; Tuesday and Wednesday, 10:00 to 8:00pm; Friday and Saturday, 10:00 to 6:00pm; Sunday, noon to 5:00pm).

- More computers have been ordered, one being a laptop to use during power outages.

- The end of the summer reading program was celebrated with a bug festival. Readers wore costumes and the prizewinner was a spruce beetle.

Discussion followed regarding a light beam that registers people as they enter the library and how the patron count does not reflect the fact that tourism is down.

Park – Lou Heinbockel reported the wet area at the park that was designed years ago to be a leach field. One end of the park is flooded and it will need repair at some time in the future, especially since roads are being paved. He said his children used to catch frogs and polliwogs in that swamp area.

Recreation – Lou Heinbockel reported City employees cleared the property by the Liewer-Olmstead building for installation of the outdoor rink. He said gravel might be needed before construction. The outdoor "rink" on the school grounds was meant to be a tennis and basketball court, but it is flooded and will be unusable for several weeks. Because of that, he advised not building an edge on the outdoor rink.

Tvenge said the bid opening for the outdoor rink is scheduled for August 18.

Public Works – Lou Heinbockel reported history of flooding and drainage problems on Emmaus Road. He said he is amazed at how little cover material is left and it may require a change order. Roads are designed to be 24 feet wide, but are being constructed at 25. Mill-Tan has a 23-foot wide driving surface and is reason to not increase the speed limit from 35mph. The newly paved roads will require raising and leveling, which will cause runoff problems. Heinbockel said French drains might need to be built in certain sections.

Discussion followed regarding differences between right of ways and establishing a standard.

Musgrove asked about the culvert on the east end of Emmaus.

Stephen Hammond, M2C1, said the culvert will be removed and the road will be leveled off.

Ellis said Bill Helkenn, Delta DOT Foreman, recommended it because it would be easier to lose the road than to cause flooding.

Heinbockel asked about the MOA with DOT for City responsibilities on the State's road (Nistler). He wants the State to take responsibility of surface maintenance from the Richardson to Clearwater Road.

Ellis said the MOA addressed signage work only. Maintenance of Nistler from Jack's and the Buffalo to North Clearwater is the City's responsibility. North Clearwater to Rapids Street, east on Nistler, is the State's responsibility. The State took responsibility to put in a crosswalk on Nistler between the school and the rink. Any other crosswalk will be the City's responsibility.

Department of Transportation (DOT) Liaison – Mary Leith-Dowling reported road construction on the Richardson Highway would be done by September 30. Project Manager Frank Ganley and On-site Engineer Pat Shillinger are contacts from the Fairbanks office.

Additional Reports by Council - Mike Murphy asked to address speed bumps.

Heinbockel said they create liability issues, although the City of Valdez has them and they work great.

Discussion followed regarding roads that need speed bumps, the need to discourage excessive speed, adding speed bumps on stretches of road every 400 feet, creating impediment for school buses, and costs associated with speed bumps.

UNFINISHED BUSINESS - none

NEW BUSINESS

Road Surfacing Phase 1 Change Orders

Tvenge referred to a July 30, 2008 fax and explained Change Order 2008-05, totaling \$110,948. He said it is to add material (D-1 and asphalt) to raise roadbeds and support the asphalt on road surfaces for Harper, South Clearwater, Rapids and Emmaus. The change order also allows to-be-determined extra (500 tons of D-1 for \$9,500, item #5, and 250 tons of Type II asphalt for \$27,500, item #6) that will be tracked, but not charged if it is not used.

Hammond said they have not exceeded asphalt quantities yet, but are barely breaking even. The change order is to make sure material does not exceed quantities without Council notification. An extra 4" of D-1 was added at the intersection of Harper and Chena to keep water off the road surface.

Discussion followed regarding need for additional material on streets, heavy trucks using the newly paved streets, and potential for additional change orders.

Tvenge said he did not anticipate any more change orders for the streets in Phase 1 (Harper, South Clearwater, Rapids, Emmaus, Kimball, Deborah, and North Clearwater). All street-related changes will be paid out of State grant funds. He said funding is available for both Phase 1 and Phase 2 of the road surfacing contracts.

Murphy said when the to-be-determined quantities are defined another change order will be generated.

Hammond said change directives would require the contractor to provide cost estimates to hold them to the unit prices. It will allow tracking to certain tonnage and a final total will be tracked against the listed line item.

Martinez moved to approve Change Order 2008-05, not to exceed \$110,948.00; Feilner seconded.

Heinbockel asked to be excused from voting because he owns property on Harper although he no longer resides there. Hallgren and Musgrove stated they would decline from voting also because of the location of their homes.

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

Leith-Dowling said Change Order 2008-04 pertains to adding asphalt for driveway extensions. She said she signed 2008-02 (\$9,935 for Rapids Street sub-grade improvements) on July 22, 2008.

Heinbockel moved to approve Change Order 2008-04, not to exceed \$24,254.00; Feilner seconded.

Hammond said the quantity of asphalt that was budgeted for Deborah has not yet been exceeded and invoices for additional asphalt will be evaluated the same as in Change Order 2008-05.

Discussion followed regarding conflict of interest and Council members abstaining from voting.

Musgrove questioned the need for a change order if the contract has not gone over the budgeted amount.

Hammond said only one road and three-quarters of another have been paved. The change order allows change to the design.

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

Heinbockel moved to approve Change Order 2008-03 (North Clearwater High School connection paving), not to exceed \$6,796.00; Martinez seconded.

Motion passed unanimously a roll call vote.

Hammond said HC Contractors would remove the old asphalt debris from behind the school.

Award of Phase 2 Road Surfacing Contract

Tvenge reported there were two bids received for the Phase 2 road-surfacing contract and the bid opening was at 4:00pm on August 4, 2008. HC Contractors was the low bidder. Streets included in the contract are Service (Remington or "Clinic") Road, Hess Avenue, Hayes Street, Paxson Avenue, Richardson Avenue, Salcha Avenue, and Quartz Avenue.

Heinbockel moved to award Phase 2 of the Road Surfacing Contract to HC Contractors in the amount of \$734,271.00; Feilner seconded.

Discussion followed regarding voting with Murphy, Feilner, and Martinez choosing to abstain and September 30 being the completion date for paving streets, weather permitting.

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

Increase of Mileage Reimbursement Rate from .345 Cents Per Mile to .44 Cents Per Mile

Leith-Dowling referenced Dave Zimmerman's memo, dated August 1, 2008, stating the City's current rate of .345¢ per mile has been in effect since December 2001. The current Alaska rate is 51¢ per mile and the Federal rate increased from 50.5¢ to 58.5¢ on July 1, 2008. He reported local unleaded gasoline is \$4.69/gallon, up from \$3.09/gallon in July 2007. Leith-Dowling said Zimmerman recommended increasing the City's mileage reimbursement to 44¢ per mile.

Heinbockel moved to approve increasing mileage reimbursement to 44¢ per mile; Martinez seconded.

Motion passed unanimously a roll call vote.

Purchase Orders

PO#012741 to Brodart Co. in the amount of \$572.40 for renewal of Library Law Books

PO#012757 to Aetna in the amount of \$8,384.49 for August health insurance

PO#012758 to ATT & Alascom in the amount of \$641.45 for July 911 phones and power

PO#012759 to Scottie Brown in the amount of \$2,130.70 for Delta Junction Motocross (DJMX) fencing materials

PO#012760 to Custom Steel in the amount of \$5,808.62 for Volvo loader bucket parts

PO#012761 to Crowley Petroleum Distribution in the amount of \$1,918.24 for July equipment diesel

PO#012762 to Delta Professional Development in the amount of \$1,662.03 for July equipment gas/oil

PO#012763 to DGSD in the amount of \$600.00 for used Zamboni blade sharpener

PO#012764 to Hale & Associates, Inc. in the amount of \$6,311.00 for annual airport insurance renewal

PO#012765 to J-L Ventures in the amount of \$1,200.00 for rent of equipment to clear land for the outdoor rink

PO#012766 to Joyce McCombs in the amount of \$963.80 for library storage building shelving

PO#012767 to Rainer Equipment Transport, Inc. in the amount of \$2,150.00 for getting the D8 dozer back to Fairbanks

PO#012768 to Galls Incorporated in the amount of \$1,245.08 for Rescue Squad equipment / supplies
Feilner moved to approve purchase orders 012741 and 012757 through 012768 as presented; Martinez seconded.

Murphy asked to explain PO#012763.

Tvenge said the Zamboni blade sharpener was part of the DGSD surplus sale. It is a tool used to sharpen the blade that shaves the ice. He said he bid on it, was awarded the bid, and funding will come out of impact funds.

Murphy said it is one thing to finance capital projects, insurance, fuel, and electricity for the rink, but not for items the Skating Association needs to operate the skating program.

Heinbockel said the City owns two Zambonis, one on loan at Ft. Greely. Neither machine is operational if the blade cannot be sharpened. The original Zamboni was purchased for the school in 1984 and the sharpening tool was part of the package. Last year DGSD planned to surplus that old Zamboni and after protest they gave it to the City. The sharpener should have been included. The skating program cannot function without the blade sharpener.

Murphy moved to amend the motion to remove purchase order 012763 and vote on it separately; Feilner and Heinbockel seconded.

Heinbockel, referring to 012767, clarified that the D6 has been returned.

Motion passed unanimously a roll call vote.

Heinbockel moved to approve purchase order 012763; Hallgren seconded.

Tvenge said the blade sharpener is critical to the whole skating program. Ron Riesgaard operates the Zamboni and he said the blade sharpener is in excellent condition.

Discussion followed regarding school contributions to the skating program, the MOA, supplementing the skating program with fuel and electricity, determining a bid price, and charging \$75 when Tok, Glennallen, and Kenny Lake bring their blades to Delta to get sharpened.

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

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Lisa Shivel thanked the Council for increasing mileage reimbursement.

Cari Novak, Delta Wind reporter, expressed appreciation for spending money on Nome Trail, especially since Delta-Greely students use the shooting range.

Flower Cole expressed appreciation also.

Musgrove asked about the status of the rifle range on the Richardson.

Murphy said there is not enough money to get rid of it because of the cost to clean up the pollution.

Tvenge said he applied for a land use permit to close it down.

White thanked Fire Chief Carin Bear and firefighters, Patrick Krepel and Cory Nydam, for training in handling fire extinguishers on July 17. She, Burcham, and Tvenge participated in the 1 1/2-hour training and were expected to put out paper and grease fires with different types of extinguishers.

Feilner reported a new record was set for rainfall for the month of July. As of July 29, there was 7.01 inches for the month, while the old record was 6.18 inches. There was 2.98 inches of rain over the 24-hour period on July 28/29. Feilner presented photos of rain damage and flooding near Cold Regions Test Center (CRTC). She shared printouts of flooding in Salcha also.

Shivel stated Nenana is also having major flooding problems.

ADJOURNMENT

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