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**City Council Minutes**

**August 19, 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 19, 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, Mike Murphy
JW Musgrove (telephonically), Pablo Martinez, Leslie Feilner, Pete Hallgren

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

Nine members from the community were present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

White said Robert Miller, who was to request support for a youth activity center, is unable to attend and therefore removed from *Request to Speak*.

Feilner moved to approve the August 19, 2008 agenda as amended; Martinez seconded. Motion carried.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Feilner moved to approve the minutes of the August 5, 2008 meeting as presented; Murphy 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.

REPORTS

Rescue Squad – Lisa Shivel asked that light bulbs be replaced in the squad building.

Fire Department – Carin Bear reported a lot was learned from participating in the mass casualty exercise at Fairbanks International, two firefighters plan to attend the Alaska State Firefighters Conference in Juneau in September, and she hopes to joint train with Pogo mine personnel because of a new volunteer who is employed there.

Airport – Leslie Feilner reported keeping traffic off the runway is an on-going problem. She said on August 16 she witnessed a sapphire blue pickup racing along the side of the runway from the access road, across the runway, and onto Rapids Street. She asked the public to stay off the airstrip.

Musgrove said pilots are very appreciative of the recent brush hogging that was done by city employees. Hallgren said there appears to be more public interest in purchasing airport lots. The section line “road” between the clinic and Mat’s Auto Repair is legal access to the lots that have already been sold. Hallgren suggested using some of the road money to upgrade the access by extending Remington Road in an eastward direction approximately 200 yards.

Heinbockel said upgrading the access is needed, but paving the east-west runway (not the north-south grass area) is also.

Musgrove said fencing would need to be a priority to prevent access because paving the airport would be serious invitation for hotrodding.

Heinbockel said he preferred making it an entire capital improvement project, to include fencing, paving, and road upgrade. He said it is time to improve the situation in Delta, especially since MAST services are

no longer available in the interior and the majority of air evacuations must fly out of Allen Army Airfield. Periodic emergencies require turbo props to land on the graveled Delta airstrip.

Hallgren said effort was made to create joint use with Allen Army Airfield during the Murkowski administration, but there is no support from the actual Army aviators.

Cemetery – Mary Leith-Dowling reported Ellis added topsoil to rain-damaged areas at the cemetery.

City Clerk – Pat White reported advertisement for the ballot proposition was reviewed and edited by City Attorney Jim DeWitt, but was recently sent to Chris Ellingson at Alaska Public Offices Commission (APOC) in Anchorage for her to determine if it is “sufficiently neutral.” White said she learned of potential problems with advertising anything more than the date and time of an election. DeWitt noted three options: 1) advertise as is, without any changes or new ordinances because of statutory protection, or 2) adopt an ordinance appropriating money to run the facially neutral advertisement, or 3) forget advertisement entirely. White said option #2 would allow only 3 weeks to advertise (between the date of adopting the ordinance to appropriate money and the date of the October 7 election).

Hallgren said he does not want to fight with the State regarding rights and statutes. He said the disclosure forms discourage new candidates from running and the expanded forms are not reasonable.

Heinbockel said the new form is extremely intrusive and requires listing information about children of public officials. He said he is in favor of advertising as directed by DeWitt.

Discussion followed regarding school board members being exempt from filing disclosure forms, comparison of old and new forms, potential to violate law in how a disclosure form is completed, and creating a local disclosure form.

Heinbockel moved to issue the informational advertisement; Feilner and Martinez seconded.

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

White said City Hall would be closed on September 1 for Labor Day.

City Administrator – Mike Tvenge reported:

- He and Mayor Leith-Dowling met with military personnel from Ft. Greely and Ft. Richardson on August 14. They discussed flooding and fire safety on Ft. Greely. Photos showed proof that flooding was not a concern at the Battle Area Complex (BAX), which is not yet in operation. Tvenge said details are still being worked out on the MOA relating to fire issues on the BAX.

- Notice to Proceed has been mailed to HC Contractors for Phase 2 of the street paving contract. Tvenge said Phase 1 is temporarily set back because of work on the Richardson Highway, but he expects HC to meet all deadlines.

School Liaison – Tana Wood reported a work session is scheduled for August 21 and meetings will be broadcast over the radio again. Mike Murphy reported:

- Superintendent P.J. Ford Slack received a call regarding the suspect (from the June 22 burglary). The defense attorney was to petition the judge so the student could return to school, but DGSD was in the process of expelling him.

- Student enrollment is down, as expected for the beginning of a school year.
- To date, \$5,000 has been collected toward the grant match and a campaign is being organized.
- On August 18 the school district was presented with a certificate honoring the Delta Elementary School for being recognized by the federal government as a Blue Ribbon School. Murphy said the honor is given to very few schools.

Leith-Dowling stated only two elementary schools in the State of Alaska were given the recognition.

Lands – Pete Hallgren reported Letha Burcham, who handles mapping issues, feels more money will be spent determining how to dispose of Lot 16 (of Block 26), which was recently requested for purchase, than what the piece of property is worth. He suggested adding the lot to a list of property to be auctioned.

Library – Mary Leith-Dowling reported the canopy job is nearly complete and DHS graduate Carrie VanderZwaag and Thomas Brand, educators with the World Teach program, are scheduled to present a slide show tonight at the library about Phonpei, Micronesia, an island in the South Pacific.

Park – Leslie Feilner reported deep ruts were caused by a large charcoal-colored pickup that was spinning 360° circles on Kimball around 4:00pm on August 17. Feilner requested Alaska State Troopers (AST) assistance and they were able to pick the driver out of about twenty adolescents who were playing

volleyball. She said she appreciated the trooper's dedication and quick response so that the negligent act did not go unrecognized. Feilner asked about the drainage area near the gazebo end of the park.

Ellis said the plan is to take care of it this fall.

Tvenge reported the Little League electric bill has increased tenfold according to Dave Becker, who oversees management of the Little League fields. GVEA has dismissed the problem, so Becker turned the power off to the Little League building. The cause is not known, although nothing is out of the ordinary.

Public Health & Safety – Pablo Martinez reported LEPC would request Council members designate at least two points of contact for an emergency alert system. Their responsibility would be to notify a radio station to report an emergency during night or non-business hours.

Public Works – Lou Heinbockel reported posting street signs is done. He said City employees removed the culverts on Emmaus Road and were able to do it for less than what the contractors could. He said a bill should be sent to the responsible party because the City should not bear the expense of the mistake of installing the culverts.

Hallgren said Emmaus is a strange topographic area and after the 2004 flooding, he felt the area is much better off without any culverts. Flooding downtown originated from the south side of Nistler Road after it passed through culverts. Water that collected on the north side never made it downtown. He said flooding could be prevented if water could be stopped on the south side and building up Emmaus will help.

Discussion followed regarding flooding situations at Camp Baldwin, which is located on Emmaus, past history when Emmaus was built, and circumstances related to flooding.

Additional Reports by Council – Leslie Feilner commended Mayor Leith-Dowling for the crosswalk on Nistler between the elementary school and the skating rink. She said building an overpass is too pricey, but the crosswalk is very much appreciated.

Hallgren reported getting a complaint about the road in front of the Senior Center, between the library and the Richardson Highway. Ruts could be resolved by bringing in gravel before grading it.

Ellis said he would take care of it.

Discussion followed regarding traffic from the new library and dumpsters and installing speed bumps.

Heinbockel said speed bumps would be ideal but only after it is paved. That section is not even a street; it is a driveway that accesses the church property and the Senior Center/Community Center.

Hallgren said when the library was built a lane for RV parking was constructed on the side of the Community Center to avoid congestion in the library parking lot. RVs would block entrance to the library because of difficulty in backing out.

UNFINISHED BUSINESS - none

NEW BUSINESS

Request for Easement on Harper

Shirley Beck, resident and homeowner, stated she will be forced to move into the easement ROW on Harper in order to comply with regulations for a new septic system.

Matt Walker, who will install the system, explained the as-built survey that was drafted by Delta Surveys. He said the new septic system would require a sliver of property along Harper in order to protect Beck's well and neighboring wells.

Discussion followed regarding the leach field, property boundaries, interpreting the map, and the issue being public utilities related.

Heinbockel moved to approve the request as presented; Hallgren seconded.

Motion passed unanimously on a roll call vote.

Resolution 2009-01, A Resolution Requesting Fy09 Payment In Lieu of Taxes Funding From the Department of Commerce, Community and Economic Development

Leith-Dowling stated DCCED requires a resolution for cities in the unorganized borough to receive PILT funding. She said it is over half of the City's income.

Hallgren moved to adopt Resolution 2009-01, A Resolution Requesting Fy09 Payment In Lieu of Taxes Funding as presented; Heinbockel seconded.

Motion passed unanimously on a roll call vote.

Award Outdoor Rink Contract (bid opening on August 18)

Tvenge reported four packets were picked up, but only one bid was received for the multi-purpose building improvements and outdoor rink contract. The bid opening was held at 5:00pm on August 18. Heritage General Contractor's total bid was \$265,738.01, but there is not enough money to complete the project. He referenced the bid opening sheet and said City Attorney Jim DeWitt advised reducing the scope of work and putting it back out to bid. It appears to be the same direction as when bids were received for the original construction of the Rec Center/Multi-use project when they were well over the \$2 million that was available.

Hallgren said Item #1 (exterior rink) is within the \$200,000 notional budget, but Item #2 (interior slabs) and Item #3 (interior wall finishes) are not. He asked about finishing Item #1 only.

Tvenge said the motion on July 1, 2008 was to "commit no more than \$200,000 of the remaining money for the recreation project budget to include the completion of the indoor concrete work and then whatever can be done outdoors within that amount of money." He said work couldn't be selected if the scope of work is being reduced and the contract is put back out to bid.

Discussion followed regarding the significant difference between the engineer's estimate (\$198,295) and Heritage's bid, adding an addendum (to reduce risk to the bidders), and not changing the timing of the project so that it is finished this season.

Hallgren said the bid would be considered non-responsive.

Murphy moved to reject the bid for the outdoor rink contract; Heinbockel seconded.

Motion passed unanimously on a roll call vote.

Heinbockel asked to put out two separate bids for the interior slabs (#2) and for interior walls (#3).

Hopefully it would attract smaller contractors who can complete the projects. He said freezing water to make ice in that building cannot be done until the end of October.

Stephen Hammond, M2C1, said it would take 2 to 3 weeks for another procurement cycle, but freezing weather and heating concrete will be reflected in the bids. It would cost approximately \$2,000 to put the contract back out to bid, both now and also in the spring. Pricing will not be as good now as it will be next spring. Contractors do not want to lose money.

Discussion followed regarding present costs of fuel, the \$200,000 collecting 2.6% in a money market account, the interior slabs to replace the dust-covered-by-gravel inside the building, and the interior walls being the minimum that can be completed this season.

Murphy said to put it out for bid with two alternate completion dates.

Tvenge said he would do some fact-finding to avoid delay.

Heinbockel suggested completing the interior work this fall and the exterior rink next spring.

Hallgren said to include specs for asphalt.

Martinez moved to put out two RFPs (one for interior concrete or asphalt slabs and one for interior drywall) with two completion dates (this fall and next spring) and to delay bidding installation of the outdoor rink until next spring; Heinbockel seconded.

Motion passed unanimously on a roll call vote.

Purchase Orders

PO#012769 to ACS in the amount of \$1,639.15 for August '08 telephone service

PO#012770 to Alaska Wildland Support in the amount of \$4,066.00 for August '08 lawn maintenance at park and cemetery

PO#012771 to Analytica Group in the amount of \$633.00 for landfill sewage tests

PO#012772 to ATT & Alascom in the amount of \$641.45 for Aug '08 phones and power

PO#012773 to Bank of America in the amount of \$943.85 for miscellaneous credit card charges (Landfill Manager certification renewal, headset for recorder, travel and lodging for Burcham's flood training)

PO#012774 to Bound Tree Medical LLC in the amount of \$610.91 for ambulance medical supplies

PO#012775 to Crowley Petroleum Distribution in the amount of \$3,097.68 for equipment diesel fuel at the landfill and heating oil at the old fire hall

PO#012776 to Custom Steel / Sam Porter in the amount of \$2,020.86 for parts to repair the Volvo loader bucket

PO#012777 to Delta Building Supply in the amount of \$515.87 for materials on Matthew Joslin's Eagle Scout project at the cemetery
PO#012778 to Delta Industrial Services in the amount of \$630.41 for loader rent to clear outdoor rink area
PO#012779 to Galls Incorporated in the amount of \$523.82 for Rescue Squad equipment
PO#012780 to GVEA in the amount of \$2,221.08 for July '08 electricity
PO#012781 to HC Contractors in the amount of \$395,012.50 for July '08 streets paving
PO#012782 to M2C1 Construction & Engineering in the amount of \$23,675.83 for July '08 streets contract management
PO#012783 to M2C1 Construction & Engineering in the amount of \$4,784.44 for July '08 outdoor rink design
PO#012784 to NC Machinery in the amount of \$14,624.56 for D6 cab repairs
PO#012785 to Santa's Stitches in the amount of \$1,627.73 for Rescue Squad jackets and Fire Department shirts
PO#012786 to Peter C. Sorenson in the amount of \$21,040.00 for 80% progress on library canopy
Feilner moved to approve purchase orders 012769 through 012786 as presented; Martinez seconded.
Heinbockel referred to 012781 and asked if \$395,000 has been completed to date on the streets.
Hammond said an analysis was provided with the invoice and he recommended paying it.
Motion passed on a roll call vote with six (Murphy, Musgrove, Hallgren, Feilner, Martinez, Leith-Dowling) voting in favor and one (Heinbockel) voting against.

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Heinbockel asked if the Department of Public Safety issues statistics on speeding tickets or brodie spinning at the park and said they to get ignored if they are not publicized.

Cari Novak, Delta Wind reporter, said they try to obtain the information, but cannot get it all. Alaska State Troopers (AST) covers a large area.

Leith-Dowling suggested putting locks on City dumpsters and making extra keys to authorized users.

Feilner said the Little League has already done that on their dumpster on Aurora. She explained a small mini landfill situation.

ADJOURNMENT

Feilner moved to adjourn at 7:00pm; Martinez seconded. Motion carried.

Pat White, CMC

Approved: September 2, 2008