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**City Council Minutes**

**February 16, 2010 ~ 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, February 16, 2010 at the Delta Junction City Hall. Mayor Mary Leith-Dowling called the meeting to order at 4:58pm.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Pete Hallgren
Sherman Stebbins, JW Musgrove, Lou Heinbockel, Dawn Grossmann

Council member excused: Pablo Martinez

City employees present: City Administrator Mike Tvenge, Finance Officer Dave Zimmerman
City Clerk Pat White

Eleven members from the community were present.

AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA

Grossmann asked to discuss planning for the 50th Birthday Celebration under *Unfinished Business* and that it be added as a regular report for future meetings.

Heinbockel moved to approve the February 16, 2010 agenda as amended; Stebbins seconded. Motion carried.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Musgrove said the statement about the section line easement (page 2 of the February 2, 2010 minutes, first paragraph under *Airport Subdivision Design*) needed better clarification, the bottom sentence on the same page (Heinbockel said it is reason to have the section line easement vacated) was removed because it was confusing, and a correction (one too many prepare words) was made to a sentence under the *Park/Recreation Report* on page 4.

Leith-Dowling asked Hallgren if he was joking by commenting that he would like to look into becoming a sister city with a community in Hawaii (page 3, *Mayor Report*).

Hallgren said he understood it was a group decision to have City Administrator Mike Tvenge research the potential details.

Heinbockel referred to the end of the *School Liaison Report* (page 4) and, after discussion, decided the sentence, "Prior to pipeline days, every wage earner in Alaska paid a \$10 annual school tax that generated \$700,000" was correct.

Heinbockel moved to approve the February 2, 2010 minutes as altered; Musgrove seconded. Motion carried.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Mark Pliska introduced himself as the Pastor of the Valley of Decision Church of God and said they presently rent the conference rooms at City Hall. He asked to extend their time beyond the current 3-month limit. The church is unable to pay \$1,000 to \$1,500 per month for commercial property when the building is only occupied 3-4 hours each week. Pliska said it would be more feasible to put that kind of money toward building and he has donated 2 acres on the Richardson for that. The City Council Chambers (large City Hall conference room) is a perfect location for Sunday Church services and the small conference room, for Thursday night Bible study. They serve water, not food or coffee.

Leith-Dowling said the policy was set in February 2005 and was based on problems at the time.

Hallgren explained past history and that it cost more to clean than what was received in rent. The City is not in business to subsidize a church organization that is trying to get on its feet.

Grossmann said she understands a blanket policy, but not when it is specific to churches.

Discussion followed regarding treating all groups the same, rental rates reduced in 2006 for non-profits, other groups booking the conference rooms on a regular basis, handling booking conflicts, City rates being less expensive and in competition with local businesses, and Pliska not needing to switch facilities (City Hall and Community Center) because of the 3-month rule.

Heinbockel said the policy was created to help, not discourage from establishing a permanent location.

Grossmann said extending the 3-month policy should be an administrative issue; it should not tie up a City Council meeting. She suggested granting Pliska a 3-month extension and to have a committee review the policy and put it in writing.

Leith-Dowling suggested a committee update all City facility policies.

Musgrove moved to allow Pliska to rent another 90 days; Grossmann seconded.

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

COUNCIL COMMENTS ON NON-AGENDA ITEMS

Musgrove said the community enjoyed the Festival of Lights fireworks and the people he has talked to express appreciation for the snow being plowed. He said the fireworks were seen as far away as Hanson Road.

REPORTS

Rescue Squad – Mike Tvenge reported Medic III (2004 ambulance) is now at Seekins for transmission repair. Because the ambulance has had problems “since day one” Seekins will cover part of the repairs through warranty. The City’s cost will be \$1,607. The return date is not known.

Discussion followed regarding current status of emergency vehicles (new 2009 Medic I, 2002 Medic II, 2004 Medic III, and old 1993 Medic I) and retiring the old Medic I via the City’s disposal policy.

Airport – JW Musgrove reported he has cautioned potential airport lot owners that development of the new airport subdivision will take at least one year because of vacating the section line easement.

Mayor – Mary Leith-Dowling reported Riki Ellison, founder of Missile Defense Advocacy Alliance (MDAA), was unable to meet on February 11 or 12 because of the weather.

City Administrator – Mike Tvenge reported Aurora Avenue, since it has been plowed, is a great example of what the streets look like when they don’t get plowed.

Musgrove said there was an awful lot of snow to move.

Lands – Pete Hallgren reported they (Hallgren, Burcham, Musgrove, Tvenge) have had several meetings on the subdivision platting checklist. It will be brought to the City Council in about one month, once City Attorney Jim DeWitt reviews the final draft.

Library – Mary Leith-Dowling reported the Library Association works on the Open House (April 24) throughout March and April. Baskets can be dropped off at the library anytime for this year’s event.

Tvenge reported Joyce McCombs wished to acknowledge library staff for their support during her absence, as well as Letha Burcham who was able to fill in periodically at the front desk. (McCombs was injured on February 4, 2010 at the Edgewater Hotel & Casino in Laughlin, NV.)

Park / Recreation – Lou Heinbockel, referring to purchase orders 014063 and 014065, asked Council members to review the overall costs of running the hockey facility for one month. He said the \$4,450 covered heat and lights only, not insurance or Zamboni costs. It would not happen if the Delta Skating Association and the Delta High School did not share costs.

Musgrove said he would like to compare it to last year.

Public Works – Lou Heinbockel reported:

- The D6 track pads took four days to replace. Butch Ellis is convinced one extra day and extra tools (torque wrench and impact wrench) still saved money to do the job.

- The cost of opening Aurora and clearing snow around the park should be part of the City’s contribution toward the Festival of Lights because fireworks should not come out of government funds. It should come from the public.

Musgrove said State and Federal funds are expected to be used for public interests.

UNFINISHED BUSINESS

Executive Session on December 1, 2009

Tvenge said the City is unable to comment about the reason for the Executive Session on December 1, 2009, but would when it is time to disclose information.

Granite Avenue ROW Request from Delta Industrial Services

Tvenge said Delta Industrial Services (DIS) has asked to re-designate use of Granite Avenue that runs between their properties. Asphalt (paved parking lot) would be considered permanent improvements so instead of granting a license to use the ROW, City Attorney Jim DeWitt advises rededication, vacating Granite Avenue. City Ordinances, 4.70.040a, spell out the process and the first step is the majority of property owners that front the platted-street must petition the City for the vacation.

Musgrove said the City Council can make the decision, but he felt it best to go through the public process. The City can vacate the easement or the public can vacate the property.

Hallgren said the petition would be considered and the vacated portion could be sold at fair market value.

Discussion followed regarding vacating only that section of Granite Avenue, it being a drivable "trail," three property owners involved, liability on property that is fenced in by DIS, and obstruction on other city streets and easements.

Musgrove said there should be no further improvements on Granite Avenue until the process is completed, whether or not it is vacated. Fences and underground utilities make it difficult to deny the request because so much money is involved.

Leith-Dowling asked Mike Crouch, DIS President, to submit a petition with signatures from the three property owners to vacate the entire area between 4th and 6th streets if that is their wish.

50th Anniversary Planning

Grossmann reported the 50th anniversary planning committee met on February 8 and will meet again on February 22. She said the City's 50th would be in conjunction with the Deltana Fair (July 30/31 through August 1), which draws the biggest amount of people to the community. In order to continue with the planning, a date needs settled for the community picnic, Sunday, July 25 or Wednesday, July 28. She said more Council participation would be needed. Projects have been delegated, but the picnic/BBQ will need more volunteers. Grossmann said other plans are to have a booth at the fair, a weeklong trivia contest, softball and volleyball tournaments at the park, and basketball and roller-blade/hockey tournaments at the outdoor rink/court. Prizes could be given away on Sunday at the fair. She said Council members are needed to man the fair booth, (50th anniversary) pins could be given away, people could tell stories about history, a log could be signed of when people first came to Delta, and historic photos could line the City booth.

Discussion followed regarding food and expenses for the picnic and to schedule it for July 25, 2010.

Stebbins said the City's booth would be next to the Chamber of Commerce and a logo, pins, and t-shirts are all being researched.

Grossmann said the park must look nice for the celebration and the outhouses need repair. They are dark, creepy, and small. As a previous pre-school teacher, Grossmann said they had a picnic at the park every year and she had to drag 3 and 4 year olds into the outhouses, which are not happy places. She said if the City can shoot \$3,000 into the sky (for fireworks), money could be spent to upgrade the park. Decent outhouses could permit closing the pavilion restrooms, which are subject to continuous vandalism, and the outhouses can be open all year long. A structure could fit over bolted down porta-potties that can be serviced by contract. Grossmann said when the dugouts around the ball fields were built, they were only meant to be temporary. "As a gift to the City, let's fix up the park."

Tvenge said the dugouts were painted last summer and park improvements were also started.

Hallgren said it is an example of too little money and too many desires. The City has majored in recreation for the past several years and maybe other things should be looked into.

Grossmann said she disagreed. The City was given Base Realignment and Closure (BRAC) monies and the community decided to put them toward recreation. Paving and emergency services have not been neglected.

Hallgren said all City funds come from someone else, not one nickel is raised locally. It is the City Council's duty to decide how best to spend it for the community.

Stebbins said the outhouses could be improved with some venting and greenhouse plastic for roofing.

Grossmann said the outhouse interiors were painted last summer, but there are no windows. She asked to bulldoze them down and replace them because they are an embarrassment.

NEW BUSINESS

Delta Greely School District (DGSD) Weatherization Project

Delta-Greely Cyber School Principal Duncan Ware, referenced a letter from Superintendent P.J. Ford Slack, dated February 16, 2010, in which she asked for a contribution toward the 2% (\$193,878) match for the \$9.6 million weatherization project. The 2% match is due by August 2011 or sooner, if the project is completed as expected in September 2010. Ware said any amount of money would be appreciated and anything (up to \$70,000 that is collected between October 2009 and June 2010) would be doubled because of Pogo Mine's offer to match community contributions dollar-for-dollar.

Leith-Dowling asked how much has been gathered to date, without Pogo's match.

McCowan said \$125,878 has been raised. It does include Pogo's match on funds that have been collected since October, but that amount is not clear.

Discussion followed regarding not knowing what was raised in local contributions and how much of it was matched by Pogo, what the City might contribute, the thermometer (near Wells Fargo Bank) and in the local newspaper not showing accurate figures, and a clear date of when the 2% is due.

Grossmann said City business relies on funds from the Federal Government and the State of Alaska. They are not community funds to match additional State funds that the schools run on. There is no borough or other means to generate funding, but Grossmann said she felt government funds do not represent community participation.

Musgrove said he would like to see a list of things that the school has done to generate the \$40,000 that is posted on the thermometer. He also asked what the community has contributed.

Hallgren agreed and said he wanted to know how much local people have chipped in.

Discussion followed regarding finding an amount in this year's budget because July 1, 2010 will be too late to meet Pogo's timeframe of doubling it, Alyeska supporting community activities for many years, other wealthy corporations in and around Delta that are not contributing, and exploring the idea of not sending the \$50,000/year indebtedness payment to Juneau and instead giving it to the local school.

McCowan asked the City Council to draft a letter to the school district outlining the specific requests of information needed.

Hallgren asked about school reserves, if they are accessible or not, and if they can be used toward the weatherization project.

McCowan said there is an undesignated reserve that can be used for contingencies. \$130,000 was spent when a tree blew up a main electrical feed in August 2009. The reserves can be tapped as long as the costs do not exceed 10% of the total district budget. He said the reserve would be lawful to use toward the community match. The requirement for the matching fund did not explicitly forbid a source of any portion of the matching fund.

Discussion followed regarding being able to contribute City funds while staying within the budget and pulling from undesignated City reserves.

Stebbins said he was not looking for the City of Delta Junction to pay off the balance; he wanted an amount that the City could give to the school district now, not \$30,000 or \$40,000, but \$10,000 or \$15,000. Just a feasible amount so the school district can know where they stand and the City does not delay any longer. Stebbins said he believes the City has the ability to make a small donation.

Hallgren moved to donate \$15,000 to DGSD toward the 2% weatherization match; Stebbins seconded.

Zimmerman said \$15,000 is available in the City's budget.

Leith-Dowling said she had difficulty turning over that amount without knowing what portion the community has contributed.

Grossmann said she agreed.

Heinbockel said he would vote against it because he thinks \$15,000 is not enough.

Musgrove said he suspects the school district will come up short and come back for more.

McCowan said the City operates on a tight budget just as the school does and he doubted anyone would say that \$15,000 was not a generous donation, especially if it is matched by Pogo.

Sherman said \$15,000 should be a final donation and once matched, it would boost the school district to drive for the rest of the \$193,878.

Heinbockel said the community was asked to come up with 2% of \$9.6 million, but “this community sees no reason to contribute to the education of their kids.” One of the tenets that founded this country was that a free public education is necessary for the welfare of the nation. Alaska is the ultimate welfare state. The City of Delta Junction represents one-fourth of the area population and one-fourth of \$193,878 is approximately \$50,000. It would be fair to generate that amount either from the residents within city limits or from the City Council. He questioned what Deltana, Whitestone, and Healy Lake have contributed.

Discussion followed regarding whether a \$15,000 donation would be accepted as a final contribution.

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

McCowan thanked the Council for considering the request and said the founders of this country realized the necessity to have an educated public to maintain liberty. They believed it was essentially important to have a public education system and they must have believed it to be the public’s responsibility also. McCowan said 3,000 residents in the Regional Educational Attendance Area (REAA) qualify for the PFD each year and the thought was that if each person contributed \$100 each (equal to \$1.00 per day) it would be more than enough to pay the 2%.

Purchase Orders

PO#014063 to ACS in the amount of \$1,512.70 for Feb ’10 telephone services

PO#014064 to Bank of America in the amount of \$3,851.94 for credit card charges (Bobcat 250amp Miller Stix welder with 50’ welding cables, grounding clamp, and terminal connectors)

PO#014065 to Crowley Petroleum in the amount of \$8,416.50 for Jan/Feb ’10 heating oil

PO#014066 to GVEA in the amount of \$5,466.88 for Jan ’10 electricity

PO#014067 to Guess & Rudd in the amount of \$1,620.84 for legal services (land platting, Granite Avenue easement)

Heinbockel moved to approve payment of purchase orders 014063 through 014067 as presented; Grossmann seconded.

Grossmann reported the Bantams won the President Day’s Tournament in Anchorage.

Heinbockel reported the DHS team took third in the State Hockey Tournament, which is very good considering they are competing against schools that have ability to recruit from a bigger pool. He asked about the cost of a rubber track (as discussed during the February 2, 2010 meeting).

McCowan said the current High School track is paved and approximately 25 years old. It would be a good capital improvement project.

Tvenge said Superintendent P.J. Ford Slack informed that much more is involved in hosting a track meet in Delta Junction besides having an Alaska School Activities Association (ASAA)-approved rubberized track.

McCowan said most field events are held indoors. Twenty years ago, an 8-lane rubberized track was estimated to cost \$1.5 to \$2 million.

Motion passed unanimously on a roll call vote.

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Flower Cole said she wanted to express appreciation for the prep work for the Festival’s fireworks and for opening Aurora Avenue. She said the Delta Public Health staff would provide H1N1 vaccinations at the Community Center on February 17. Cole said she visited the outhouses at the City Park last summer, deliberately checking to see how bad they could be, and she “is still traumatized.” She asked the Council to “please do something dramatic.”

Heinbockel said the federal government provides people-friendly outhouses on the military ranges and the State of Alaska provides nice ones in public parks. The pavilion restrooms at the park are subject to vandalism. Renting porta-potties is an alternative.

Grossmann said there are parks that have built shelters over bolted down porta-potties. They are maintained (pumped and kept clean) by contract.

Michele Trainor said the City Council would be expected to ride on the 50th Anniversary float during the Deltana Fair Parade.

Stebbins said he was in the Middle East and voted absentee during the borough election (2007). He said it is a wonderful thing for this community to subsist and survive on welfare monies, but he is disappointed in the greater Delta community for not supporting the school's request to help on the weatherization project. It is enough to change an anti-borough person into a pro-taxation person. People want everything for free. Stebbins said he did not want to put the City of Delta Junction in that category because of failing to donate funds, but he hoped the City could donate a minimal realistic amount and \$15,000 was a fair for what little money flows through the City.

Heinbockel asked if the Council would support approaching the Legislature to shift the \$50,000 loan payment, which is due the end of July, to the local school district. Can the money stay here and be put toward the weatherization project? He asked Mike Tvenge to look into it if the Council showed no aversion to the concept. He said he felt the settlement against the City was wrong, but he would have no problem sending the money to the school district.

Hallgren said he agreed and he clarified that the State loaned the money to pay the settlement and the City is required to repay the State for the loan.

Tvenge said he would make inquiries.

ADJOURNMENT

Musgrove moved to adjourn at 7:05pm; Stebbins seconded. Motion carried.

Pat White, CMC

Approved: March 2, 2010