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**City Council Minutes**  
**March 2, 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, March 2, 2010 at the Delta Junction City Hall. Mayor Mary Leith-Dowling called the meeting to order at 5:02pm.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Pete Hallgren, JW Musgrove  
Sherman Stebbins, Lou Heinbockel, Dawn Grossmann, Pablo Martinez (arrived at 5:11pm)  
City employees present: City Administrator Mike Tvenge, Finance Officer Dave Zimmerman  
Landfill Supervisor Butch Ellis, City Clerk Pat White  
Ten members from the community were present.

**AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA**

Leith-Dowling stated a purchase order would be added to *New Business* to pay the application fee to DNR to vacate the easement in the airport subdivision.

Heinbockel moved to approve the March 2, 2010 agenda as amended; Musgrove seconded. Motion carried.

**APPROVAL OF MINUTES OF THE PREVIOUS MEETING**

Heinbockel moved to approve the February 16, 2010 minutes; Stebbins seconded. Motion carried.

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

**Jennifer Brant**, Delta resident, parent, teacher, coach, and community volunteer, distributed and referenced a packet, titled *Community Park Improvements 2010*, and stated she requested park improvements last summer (July 28, 2009) and is back with a list of priorities. She explained issues with each item: 1) Remove old "Community Park" sign and replace it with a new one plus an additional one, preferably the same style as the one at the library, 2) Replace existing outhouses near the Little League field and the youth playground area with low-maintenance, accessible, single-vault outhouses, 3) Resurface gravel walkways, 4) Pave a path along the interior park fences to allow biking, walking, jogging, roller-blading, and pushing strollers, 5) Replace two old sheds with one large one, 6) Renovate park pavilion by enclosing the staircase and upstairs, turning it into a storage room, and putting on new siding to match new outhouses, 7) Add more benches throughout the park, 8) Repaint all trash cans, 9) Remove all old signs, 10) Establish a contract for maintenance of the ball fields, and 11) Replace turf around home plates of each ball field.

Discussion followed regarding details of the Rocky Mountain vault outhouse, two of them costing roughly \$70,000, paving or resurfacing along the interior fence, which would eliminate keeping the area brushed out, working the project into the budget cycle in June, previous discussion about a rubberized track (February 2, 2010), and possibly adding park improvements as a packet to the annual Capital Improvement Projects (CIP) list to avoid using operational funds.

Grossmann said it is a good time for the upgrades because of the 50th anniversary celebration in July. Brant, who also serves on the 50th planning committee, said now is the time for the City to show that the park and schools can and should be the heart of the community.

Tvenge said the gravel pathways to the pavilion and the outhouses can be maintained to an acceptable condition throughout the summer.

Leith-Dowling said the east side, near the Harper Street gate entrance, is like walking in a bog and needs more material added to prevent walking in water.

Lindsey Pinkleman said accessibility must be addressed, especially with the upcoming celebration.

Discussion followed regarding acts of vandalism, how the list was prioritized (build the park from the whole community's perspective and then take care of the ball fields), creating a community match to secure funding for improvements, history of the Lions Club starting baseball (Little League) in Delta, the gazebo near the playground being built by the Kiwanis, and replacing weathered ball field signs.

Grossmann said park users have proven contributions toward in-kind match with sweat and effort.

Leith-Dowling said grant funding requires keeping records to show proof of in-kind services.

Discussion followed regarding Gary Hall and Construction Trades students offering to replace the old sheds, history and condition of the sheds, location of the well house, in-kind services that resulted in park improvements (in 2002), fencing around the cemetery (2001/2004), more park improvements (in 2009), Morley Electric's involvement in maintaining ball fields over the past two years, Cold Regions Test Center (CRTC) loaning bleachers to the park (in 2007), and concrete picnic tables that were built by the Construction Trades students from the Career Advancement Center (in 2008).

Leith-Dowling told Brant to communicate with Heinbockel, Council representative for *Park and Recreation*, regarding park improvements.

Grossmann thanked Brant and Pinkleman and said she is willing to work with them also.

Heinbockel said \$35,000 is not available to build a new outhouse, nor will it be in the foreseeable future. If the current outhouses are intolerable, he would suggest they be shut down and porta-potties be rented for the summer months. He explained the history of the "pit toilets," which were built out of 48" pipeline pipe that was donated by Alyeska during Frank Geiger's era on City Council (1983/1992).

Brant questioned if there is a priority to research that is more important than the outhouses.

Musgrove said anything with safety concerns need to be top priority.

Leith-Dowling said any project that has public support and commitment to bring costs down and requires less financial investment from the City would have a greater likelihood of getting done.

Discussion followed regarding making inquiries with capable equipment operators and the Construction Trades.

**Mike Stockinger** stated he built the City Campus signs (at City Hall, Community Center, and the library) six years ago. He sealed them with a product called Poxy Coat, which had a 10-year guarantee from the manufacturer, but two years later the varnish was boiling off the south side of each sign from UV exposure. He would try to refurbish the signs this summer, when it is warmer and also in time for the 50th anniversary. Poxy Coat is no longer backed by warranty and similar products appear to last 3 or 4 years. Stockinger said because the Community Center sign was installed in January it will need to be removed and leveled again. He guarantees his workmanship, but he cannot do anything about material flaws. Signs in the community are basically his "portfolio." He said his timing, regarding the need to repair the signs, is coincidental and not meant to promote park improvements or make more business for himself (building a park sign).

Musgrove questioned the cost of repainting the signs.

Stockinger said it would cost about \$500 in materials for the three signs.

Musgrove, Hallgren, and Martinez agreed to reimburse Stockinger for the cost of materials.

Heinbockel asked using spray foam because of concrete problems in cold climates.

Stockinger said will look into using foam to set the Community Center sign and he will submit an invoice for the cost of materials to refurbish the three signs.

Musgrove referenced a recent Delta Wind newspaper and said he hoped for some restraint in taking photos at City Council sessions because some people spend thousands of dollars on wardrobes and he did not want to be categorized because his shirt did not coordinate with his socks.

Stebbins added he did not want to be accused of an ethics violation for wearing his Arctic Cat jacket.

**REPORTS****Rescue Squad** – Michael Nuckols reported:

- The Delta Rescue Squad is hosting a free avalanche class on March 6 and a \$200 EMT course March 7 through May 8. Nuckols said he appreciated the support from Ft. Greely, as the EMT class is being taught by a Ft. Greely firefighter.
- Medic III is ready to be picked up.

Tvenge said half the cost of the transmission repairs was covered by warranty and the other half totaled \$1,440.52. Ford Motor will allow a grace period to make sure the vehicle is operating properly.

- Several people will attend the Interior Region EMS Symposium in Fairbanks March 26/27.

Stebbins asked about de-commissioning the oldest ambulance.

Nuckols said nothing has been done until Medic III is back and running.

Zimmerman said \$34,000 is left in the (State of Alaska) ambulance and medical equipment grant.

**Airport** – JW Musgrove reported:

- The wind is keeping the snow blown off the airstrip.
- Fish & Game created quite a bit of activity last week implementing procedures to track baby moose calves by radio.

**Mayor** – Mary Leith-Dowling reported she and Riki Ellison of the Missile Defense Advocacy Alliance (MDAA) spoke with a Council member from Kauai, a county in Hawaii. She said she would present more information once a packet is received regarding becoming a sister-city with one in Kauai.

**City Clerk** – Pat White reported passport fees might increase following a 30-day public comment period that began February 9, 2010. Notice was received on March 1, but apparently e.mail notices were sent February 12th. Customer Service Manager Francisco Carmona said he was surprised “so few media outlets have picked up on the news.”

Discussion followed regarding acceptance facility fees not increasing, issuing passports once a child is born, at the same time Social Security numbers are issued, and ramping up infrastructure to meet the demands of producing passports.

**City Administrator** – Mike Tvenge reported:

- The Emergency Services Assistant position was advertised on February 26 in Fairbanks, Anchorage, and Delta newspapers as well as linked on the DeltaNewsWeb to the City’s website. Three letters of interest with resumes have been received and three other potential applicants have made inquiries. The position would be kept open for two more weeks before interviewing and filling it.

- There have been inquiries about Pioneer Park, which the City leases from the State. A letter was submitted to DNR on March 26, 2009 requesting a transfer from the lease to a sale, so that the property would end up in the possession of the Pioneers who have made (and want to make more) improvements on the property. One term on the transfer is that the property would always remain a public park, available to the public, but at this time the State still owns it.

Stebbins asked if the City was going to take on the responsibility of maintaining another park.

Hallgren said the easiest way to transfer the property, is for the City to acquire title, then deed it to the Pioneers. The City does nothing with the property. The Pioneers have made the improvements.

Martinez said he understood the park was to remain city property and it would be leased to the Pioneers on a long-term basis.

Leith-Dowling said the Pioneers must decide how much more money they want to spend on improvements if ownership of the park is in question.

Tvenge said he would make inquiries on where the title exchange stands. Robert Layne, who has worked with Delta Junction land issues, has since retired from the DNR.

- Superintendent P.J. Ford Slack responded on March 1, 2010 with a packet of information regarding contributions and fundraising efforts for the DGSD weatherization project, which was requested at the February 16 Council meeting.

**Finance** – Dave Zimmerman referenced the June 30, 2009 audit report from Mikunda, Cottrell & Company and said an overall unqualified opinion was given, which means, “We passed the test.” One material weakness, bank reconciliation, was fixed, but a new one was identified.

Hallgren explained the new deficiency, that the City does not have internal controls over journal entries. A second person is needed to look over each and every entry to make sure it is put in the right spending or income category and that it is transferred correctly. It is a problem for most small communities because it would require a lot of time for a Council member to do it or it would require having to hire the job out. Left to one person there is potential for mistakes and shuffling money into wrong places. The deficiency will be difficult to fix.

Discussion followed regarding history when there was no audit, reinstating it 10-12 years ago, this audit costing \$16,300 to date, protecting the Finance Officer and the City, and federal grants requiring audits.

Zimmerman said 3 copies of the audit are sent to Juneau and one copy is sent electronically to the federal government in Washington, DC.

**Lands** – Pete Hallgren reported he received a call on March 1 from a party interested in purchasing over-the-counter lots. He referenced the rules for selling lots near South Clearwater and Nistler, that were established in 2003, and said the smaller, older lots do not meet lot size desires (half acre) so 2 or 3 lots must be sold together, making sure a single lot is not orphaned. He asked if the City is willing to sell two-lot combinations that are slightly less than half an acre.

Terry Oakes introduced himself and said one combination that he is interested in is two lots, 10,800 square feet each, which is shy by only 180 feet. The two lots (21,600 total) are enough to meet the State of Alaska regulations for water and septic separation, but not the City's half-acre minimum. Oakes said he would like to buy two lots, not three.

Discussion followed regarding lot sizes in the North Delta Townsite, argument about half-acre versus one-acre lot sizes, and drafting the over-the-counter policy in 2003 instead of resurveying the area.

Musgrove said the Council was asked to reduce the price (on May 15, 2007) of some lots because of the requirement to buy two or more. He said he felt the City should not have to enforce State regulations, that if half an acre is a gold standard, one-acre lots are not necessary. If there is something intrinsically right about a one-acre minimum, then the City is wrong by allowing a half-acre or less. Musgrove said the property owner should be able to choose what is done on his property, even if he chooses to have no water or sewer.

Leith-Dowling said the 2003 policy was created to prevent lot owners from moving their septic systems into City streets. She asked if the Council intended to stick with the over-the-counter rules.

Oakes said if the State says he cannot put a septic system on a two-lot parcel, he would install a tank next to his well and have it pumped.

Stebbins said when the town was first platted it was for small cabin structures. Large homes were probably not a consideration.

Hallgren said the lot sizes would have worked for City-run water and septic systems.

Grossmann said she would refrain from conversation because she owns some of the adjoining lots.

Stebbins said he chose not to buy from the City in 2004 because of the over-the-counter rules.

Hallgren suggested putting the topic on the next agenda because it must be resolved before the next person wants to purchase lots. If the policy is to be changed, the general public needs to be informed.

White said another party has made inquiries about two of the lots Oakes is interested in. What happens if that other party comes in and makes a deposit?

Hallgren said land is available to anyone on a first-come, first-served basis.

Oakes said he was fine with taking time to research it and if lots sell, he'll look elsewhere.

Discussion followed regarding property that has never been appraised or put up for auction and Lots 13 + 14 of Block 28 not meeting the half-acre minimum when combined.

Heinbockel suggested re-platting the remaining lots so they meet the one-acre size.

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

- Joyce McCombs is in Anchorage attending the State Library conference through March 9.
- ACS removed pay phones around the State because they are no longer maintaining them. It

included pay phones at the library, City Hall, and DGSD. The library has a strict policy about the public using phones, but they do allow short local calls, usually kids needing a ride.

- The Delta Library Association is sponsoring a presentation by Whit and Cindy Ailluad called "Bhutan, A Trek in the Land of the Thunder Dragon" on March 4 at the Delta Community Library. Aillauds, retired Delta Junction teachers, traveled to Bhutan, a small country near Nepal and India that recently started to allow visitors.

- The Library Board, Fairbanks Concert Association, Alyeska Pipeline Service Company and DGSD will sponsor a free concert series by Les Yeux Noir, a Paris-based sextet with two violin-playing brothers, at 7:00pm on March 28 at the Delta High School. McCombs said it is "part gypsy, part klezmer, and is music that has moved people to sing and dance around the world for centuries."

**Personnel** – Sherman Stebbins asked about ramifications if a City employee is in an accident while conducting City business while driving a personally owned vehicle.

Hallgren said the employee would be covered under the City's workers' compensation liability, but the employee's vehicle is not covered by the City's insurance.

**Public Works** – Butch Ellis reported a new starter was put in the grader. He explained the situation of breaking down in the middle of Nistler and the confusion in getting the replacement part.

**50th Birthday Celebration** – Dawn Grossmann reported the group is progressing with plans. She displayed the City's Facebook page and said there are over one hundred people who have signed on as fans. She invited Council members and the public to the next planning committee meeting at 5:00pm on March 8 at City Hall.

## UNFINISHED BUSINESS

### Vacating Granite Avenue

Heinbockel referenced a petition that was signed by the three property owners and said it starts the process of vacating Granite Avenue. He said that there should be no further expense to the City of Delta Junction in granting this easement. If Delta Industrial (DIS) wants to pursue vacating Granite Avenue, they will have to bear all costs to do it.

Leith-Dowling said an ordinance would be drafted, the property will need to be re-platted, proof of ownership from the three property owners will be needed, and there will be two open meetings to allow for the public hearing process.

Tvenge said legal advice is to replat the property between 4th and 6th, which is less than one acre.

Hallgren said he felt it would be in the City's best interest to vacate and sell the property.

Heinbockel said he favors vacating it also and does not feel there will be opposition from the public. Discussion followed regarding getting proof of title before asking City Attorney Jim DeWitt to draft the ordinance, the petitioners paying the costs, and what would actually get passed on to DIS.

Hallgren said every street vacation and sale of city property, not already covered by an ordinance, needs to be approved by a special ordinance.

Mike Crouch said he would need to have an estimate of costs before committing to the vacation.

Hallgren said costs would include the City Attorney's fees, which are normally the City's responsibility, the deed, title insurance, and advertising in the newspaper. He said the City should hire the appraiser and if the sale goes through, that cost should be charged to DIS.

Tvenge said he would provide a list of costs.

Stebbins said if Granite Avenue is vacated it will adjoin major business properties, which makes it fairly valuable. Will the appraisal include the improvements already done by DIS? What will happen if DIS opts to not pursue vacating the street?

Discussion followed regarding dropping the project, an outcry auction, and recent history (September 2009) of vacating the other end of Granite Avenue.

Crouch said the property is not useful the way it is and everyone that uses it benefits from the improvements that were made.

Musgrove said DIS hires a lot of people, they have decent prices on gasoline, and they provide a year-round car wash, but obtaining the property is for their own financial benefit.

Crouch said he would appreciate moving as quickly as possible so that work can be done this summer.

Heinbockel excused himself at 7:25pm.

**NEW BUSINESS****New Local Emergency Planning Committee (LEPC) Members**

Leith-Dowling said the LEPC approved four new members at their February 9, 2010 meeting. They must now be approved by the Division of Emergency Services, but only after the City Council accepts their applications also. She explained the four new members and their roles on the LEPC.

Martinez moved to accept Local Emergency Planning Committee (LEPC) membership applications from Ransome W. Bush, Maggie Olsen, Karin Carr, and William F. Wright; Hallgren seconded.

Hallgren said he appreciates volunteers who serve the community.

Motion passed by unanimous consent (with six present).

**Resolution 2010-04, A Resolution to Approve Amendments to the Cooperative Participation Agreement and Bylaws of the Alaska Municipal League Joint Insurance Association, Inc. Effective July 1, 2010**

Leith-Dowling referenced changes to the Bylaws and Cooperative Participation Agreement (CPA).

Tvenge said AMLJIA requires two-thirds of the members to approve the changes.

Heinbockel returned at 7:27pm.

Musgrove moved to approve Resolution 2010-04 as presented; Stebbins seconded.

Motion passed by unanimous consent (with seven present).

**New Computers and Printers for Rescue Squad and Fire Department**

Leith-Dowling referenced Dave Zimmerman's memo explaining the need for upgrading computer systems and associated costs of Dell desktop computers and multifunction laser printers.

Heinbockel asked why it comes as a request and not as a purchase order, especially if it falls in the realm of making purchases and is in their respective budgets.

Stebbins asked if computer stores inside Alaska were researched. He would have preferred a cover letter stating research was done and the computers are the best options and best price.

Tvenge said both the Rescue Squad and the Fire Department requested matching systems.

Grossmann said a 3-year service plan is included, but she does not understand why it needs approval.

Martinez moved to approve purchase of new computers and printers for both the Rescue Squad and the Fire Department, not to exceed \$3,628.00; Stebbins seconded.

Discussion followed regarding buying snowmachines without prior approval and the City not operating with a requisition policy in place to approve purchases.

Stebbins questioned not requiring a vote on \$3,000 worth of computers when the City required a vote on a \$3,000 welder at the February 2 meeting.

Hallgren said it does not hurt to alert the City Council so there are no surprises, even though Ordinance does not require prior approval, if under \$10,000. He explained an \$11,000 gurney that was purchased (in December 2006) without prior approval and resulted in going over the Rescue Squad's budget.

Martinez withdrew the motion; Stebbins agreed.

**Purchase Orders**

PO#014109 to Aetna WHO-AAS in the amount of \$10,741.88 for March '10 group health insurance

PO#014110 to Alaska Industrial Hardware in the amount of \$832.97 for air impact wrench to work on D6 dozer tracks and vinyl gloves

PO#014111 to ATT & Alascom in the amount of \$655.78 for Feb '10 911 phones and power

PO#014112 to Bank of America in the amount of \$608.83 for credit card charges (Lodging for Mike Tvenge to attend AML Risk Management seminar in Anchorage, Lodging for Pete Hallgren to attend the Alaska Railroad Corporation (ARRC) Open House in Fairbanks on January 26, luncheon for plating committee on January 27, renewal of anti-virus software for City Hall, and replacement wheels for library disc buffer that removes scratches from DVD and CDs)

PO#014113 to Delta Chamber of Commerce in the amount of \$3,000.00 for donation toward Festival of Lights fireworks

PO#014114 to Moore Medical LLC in the amount of \$1,004.90 for Rescue Squad equipment and supplies (head immobilizers, child pocket masks, moisture-proof pillows, “spider” straps, and 1/2” to 2” wide tapes)

PO#014120 to State of Alaska – DNR in the amount of \$750.00 for application fee to vacate easement in airport subdivision

Martinez moved to approve payment of purchase orders 014109 through 014114 and 014120 as presented; Grossmann seconded.

Musgrove, referring to purchase order 014110, asked if it was researched to determine if someone in Delta could have provided the wrench for the same price as AIH. Just because it is not on the shelf, does not mean it cannot be delivered. He said to ask around.

Leith-Dowling asked how much babysitting of each department is necessary.

Zimmerman said 3 businesses in town were checked and the tool was found in Fairbanks.

Hallgren said sometimes reminding City staff of the written policy is needed.

Stebbins asked how many times Hallgren, acting as City Administrator, had to remind an employee.

Hallgren said numerous times.

Motion passed unanimously on a roll call vote.

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

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

#### **ADJOURNMENT**

Musgrove moved to adjourn at 7:45pm; Martinez seconded. Motion carried.

Pat White, CMC

Approved: March 16, 2010