



~~~~~  
**City Council Minutes**  
**July 21, 2015 ~ 5:00PM**

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

The regular meeting of the Delta Junction City Council was held on Tuesday, July 21, 2015 at City Hall. Mayor Pete Hallgren called the meeting to order at approximately 5:04pm.

City Council members present: Mayor Pete Hallgren, Mayor Pro tem Mary Leith, JW Musgrove, Audrey Brown  
City Council members excused: Lonny Meeks, Freda Degnan  
City employees present: City Administrator Mike Tvenge, Finance Officer Stephanie Prestwich, City Clerk Pat White  
Three members from the community were present and the meeting was broadcast over KDHS 95.5 FM.

**AMENDMENTS ~ APPROVAL OF AGENDA**

Musgrove moved to approve the July 21, 2015 agenda; Leith seconded. Motion carried.

**AMENDMENTS ~ APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Leith moved to approve the minutes from the July 7, 2015 meeting as presented; Musgrove seconded.  
Motion passed on a roll call vote with four in attendance (Brown, Leith, Musgrove, and Hallgren).

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

Brown told Tvenge she was sorry this was his last meeting. She appreciated all he has done to serve the community and for going out of his way to keep City Council members informed.

Musgrove moved to adjourn briefly for farewell cake and ice cream; Brown seconded.

Hallgren called for a break at 5:09pm and reconvened the meeting at 5:20pm.

Discussion followed regarding Tvenge serving on the City Council (2005-2007) and also being the City of Delta Junction's longest running administrator (2007-2015).

**CORRESPONDENCE**

**Seat E Vacancy**

White reported letters of interest for the Council vacancy will be accepted through the close of business on August 3, appointment is scheduled for August 4, and one letter has been received.

**City Administrator Position**

Hallgren reported advertisement for the City Administrator position has been posted in numerous places and it directs applicants to the City's Web site. It has not been advertised nationwide yet because of hopes to hire locally. The first review of applications will be on August 4.

**REPORTS**

**Airport** – JW Musgrove reported:

- He would mow the ski strip.
- Jack Morris paid airport insurance premiums (\$4,000 for 2016 and \$4,000 for 2017).

**Cemetery** – Mary Leith reported:

- The Public Works crew poured cement today to set the memorial wall that was delivered last fall. Roy and Janell Gilbertson purchased the granite wall and paid for its delivery and all the materials to install it. The wall will be placed in the center of Rest Haven Cemetery, parallel to Jack Warren Road. Anyone wishing to memorialize loved ones can purchase (4" x 6") plaques at City Hall and reserve a place on either side of the wall. Plaques cost \$200 each and the memorial wall will accommodate 112 plaques.

- The Public Works crew has been busy with burials and also preparing three winter graves.

**Mayor** – Pete Hallgren reported:

- Tvenge has been finishing and delegating responsibilities as City Administrator.

Tvenge said projects have been laid out for a smooth transition for the next person to step into his place.

Leith asked about the status of the wood stolen from the airport subdivision.

Hallgren said City Attorney Jim DeWitt issued a *Confession of Judgment (without Action)* draft last week and it will be served to the person responsible for cutting timber on City property. The matter will be settled if the proposed payment is paid to the City. If not, the issue will be taken to court.

Discussion followed regarding the value and amount of timber cut illegally to be sold as firewood.

- George Sandlin took over Delta Sanitation's refuse business (April 2015) and, according to a Delta Wind article dated July 16, the Regulatory Commission of Alaska (RCA) will hold a hearing on August 3 regarding whether to revoke Delta Sanitation's Certificate of Public Convenience and Necessity and make them pay overdue regulatory charges.

Prestwich reported Sandlin is operating under Delta Sanitation's certificate, which may be considered theft under Alaska Statutes. RCA did not receive Sandlin's application for a new certificate and they asked him and his business, P&S (Pop and Son Trucking), to stop collecting garbage unless it is free to customers.

Hallgren said he was bothered by the "theft" language because Sandlin stepped in to provide garbage service to the community by paying off Delta Sanitation's outstanding debt to the City (\$4,555.25), hauling months of stockpiled garbage to the landfill, and paying the tipping fees at each and every delivery.

Discussion followed regarding Delta Sanitation's requirement to pay a fee to RCA for gross revenue over \$300,000 between 2010 and 2015 and Sandlin possibly facing fines for not abiding by RCA rules.

**City Clerk** – Pat White reported Diane Sam will speak about a community mapping project at the August 4 meeting.

**City Administrator** – Mike Tvenge reported:

- He and Hallgren met with Chamber of Commerce board members about renting the Visitor Information Center. He said the City owns the building, will soon own the land, and it would be wise to draft a formal agreement no matter who occupies the building.

Discussion followed regarding the 30-year old agreement in which the Chamber leased the building for \$1.00/year and accepted full responsibility of its maintenance, the Chamber carrying liability insurance, and circumstances changing two years ago when the Chamber moved their office to the second floor of the Visitor Center.

Hallgren said the City Council will not press the rent issue (\$425/month per FY16 budget), but will press a use agreement and both matters will be settled at the same time.

- The Pioneer Park property is close to being deeded to the City. The City currently leases the property from the State of Alaska and the Pioneers, Men's Igloo #35 and Women's Igloo #19, use it. The Pioneers constructed a facility and installed a well on the property. Tvenge said the City will own the land and it will always remain in public use.

Discussion followed regarding the Triangle property that is being deeded to the City (where the Sullivan Roadhouse and Farmer's Market are located), still needing use restrictions in regards to contaminated soils that were cleaned up, and still waiting on the State to sign off on the old rifle range plat.

- Bristol Engineering submitted the 2015 landfill permit application to the Department of Environmental Conservation (DEC) after getting necessary information on the Certified Erosion and Sediment Control Lead (CESCL) and Stormwater Pollution Prevention Plan (SWPPP). The five-year plan is over 300 pages and includes development of the new cell at the landfill. Five to eight acres will be excavated and two M2C1 employees who have CESCL credentials will conduct the required inspections as the hole is dug.

Brown expressed appreciation to Tvenge for giving her an in-depth tour and explanation of all the regulations and compliance requirements necessary to pass the annual landfill inspection. She said she was impressed with all the details involved in the landfill operation.

See pages 4/5 for continued discussion about renting equipment for the new cell development.

**Finance** – Stephanie Prestwich reported quarterly grant reports and employee taxes are done. She thanked Pogo for their \$150,000 contribution, which was received on July 8.

**Library** – Mary Leith reported:

- Preschool, elementary, and middle school reading programs celebrated with reward parties last week. Elementary readers completed more than 700 books in six weeks and teen readers read more than 600 hours.

- About 40 people attended the "Primal Mates" jazz and poetry concert on July 10.

- Internet will not be available to the public after 4:30pm on July 24 because ACS will remove equipment from the library. John Johnston will assist with the system reboot and he will update OWL video conferencing on July 25.

**Park** – JW Musgrove asked about removing or repairing the tipped-over dugout on the end of the park near Aurora that appears to have been picked up by the wind.

Hallgren said it would be repaired and set upright or he would authorize building a new one.

**UNFINISHED BUSINESS** - none

## NEW BUSINESS

### Purchase Orders

PO#018122 to Delta Building Supply in the amount of \$749.46 for cleaning supplies used in City facilities, new hoses for the cemetery, cable ties and supplies used at the park, and lawn mower and roach killer used at the Community Center

PO#018123 to Heritage General Contracting in the amount of \$1,125 for cleaning carpets and furniture at the Library

PO#018124 to Rent-A-Can of Delta / Weidner Construction in the amount of \$600.00 for portable outhouses at ballfields

PO#000005 to ACS in the amount of \$1,350.41 for July Internet and phones

PO#000006 to State of Alaska in the amount of \$50,000.00 for annual prison settlement

PO#000007 to AT&T & Alascom in the amount of \$671.12 for E9-1-1 phones and service

PO#000008 to AML in the amount of \$1,628.00 for FY16 membership dues

PO#000010 to Custom Steel in the amount of \$1,825.00 to weld a steel workbench for the Public Works building

PO#000011 to Delta Environmental Services in the amount of \$503.89 to service two dumpsters

PO#000012 to GVEA in the amount of \$2,708.45 for June electricity

PO#000013 to Hale & Associates in the amount of \$5,724.00 for annual airport insurance

PO#000014 to Joslin Enterprises in the amount of \$4,700.00 for lawn maintenance contract, payment #2

PO#000019 to Alaska Library Network in the amount of \$1,189.00 for annual subscription / contracted services

PO#000021 to Hale & Associates in the amount of \$400.00 to bond the Finance Officer, annual payment

Musgrove moved to approve purchase orders 018122 through 018124, 0005 through 0008, 0010 through 0014, 0019, and 0021 as presented; Leith seconded.

Sebastian Saarloos protested PO#0006 on behalf of Lou Heinbockel who served on the City Council for many years and objected to paying the Allvest Prison settlement.

Leith said 11 payments have been made, totaling \$550,000, and the remaining debt is \$650,000.

Hallgren said the State of Alaska did bail the City out of technical bankruptcy and the legislature has voted on forgiving the debt twice, but it was vetoed by two separate governors on the advice of the Attorney General.

Motion passed on a roll call vote with four in attendance (Brown, Musgrove, Leith, and Hallgren).

### Purchase of Riding Lawn Mower

Tvenge reported High School and softball leagues maintain the ball fields when they use them, but not when their season is over. Inside the ball fields is not part of the lawn contract, so weeds spread throughout the park. He explained quotes on three lawn mowers.

Hallgren moved to approve purchasing a riding lawn mower; Musgrove seconded.

Hallgren said the City has never had the time or money to maintain the ball fields to the level that users would prefer and, instead of buying more equipment, maintaining it, and storing it, he suggested periodically hiring the lawn contractor, Joslin Enterprises, to mow weeds inside the ball fields.

Discussion followed regarding summer hire occasionally knocking down weeds with an older riding lawn mower that no longer functions, funding for a lawn mower that carried through to the FY16 budget adoption, cost associated with hiring the lawn contractor, and how well the park and cemetery lawns are looking.

Hallgren withdrew his motion and Musgrove agreed.

Tvenge said he would inquire and, if the price is reasonable, he would authorize Joslin Enterprises to mow inside the ball fields.

### Final Plat Approval - ASLS 2009-39 (Triangle / Visitor's Center Property)

Sebastian Saarloos reported there were no changes to the plat since the preliminary plat approval on July 7 except that Pete Hallgren would be changed to Peter S. Hallgren under the applicant's certificate.

Musgrove moved to approve the final plat for ASLS 2009-39 as presented; Leith seconded.

Saarloos explained the lengthy process of working with the State to survey the Triangle. The property has not changed, but the map has had multiple revisions because of the details that were added, particularly right-of-way information.

Motion passed on a roll call vote with four in attendance (Leith, Musgrove, Brown, and Hallgren).

### National Flood Insurance Program Participation

Tvenge reported the City has been in the National Flood Insurance Program (NFIP) since an ordinance was drafted in 1982. [Taunie Boothby, State NFIP Coordinator, spoke to the Council about the program on November 15, 2011 and conducted an audit August 13/17, 2012, Tvenge attended a seminar the Floodplain Management Seminar March 2/6, 2015, and Ken Hudson explained how to implement procedures to comply with the NFIP at the June 2, 2015 Council meeting.] Tvenge said most recently Taunie Boothby directed the City to make a decision about participation, either meet compliance or get out of the program.

Hallgren said City Attorney Jim DeWitt issued a written opinion on July 15, 2015 indicating that the City has minimal liability to drop out of the program. Staying in the program would require hiring at least a half-time person or contracting the work and updating the Code of Ordinances to address mandated inspections, permits, and enforcement of building codes in the floodplain area. Hallgren said continued participation in the program will be a significant expenditure for a small amount of residents who might possibly benefit from it, if ever. He recommended dropping out of the program because of its cost to stay in it.

Brown expressed concerns with federal aid not being available should a flood occur and she questioned how the librarian in Galena could manage their program.

Tvenge said the program is voluntary, but the City is being forced to fulfill NFIP requirements by contracting or hiring additional personnel at a level that the City cannot afford. He asked to get on with the program to fulfill necessary compliance or get out, but to not do minimal effort. He said residents can still take flood precautions.

Discussion followed regarding inability to obtain some federal loans and mortgage insurance in flood zones and local realtors who indicate that financing is available without association to NFIP.

Saarloos said FEMA required elevation certificates on some homes on Rapids Street and questioned a \$1,500 document when mapping is inadequate. The flood map needs revised in order to stay in the program because it does not account for Nistler Road. Saarloos said the only way Rapids would flood is if Nistler were removed.

Discussion followed regarding Jarvis not flooding in the past five years because of military involvement, flooding prior to 1968 before the dikes were built, and coastal areas more apt to get mapped before interior communities.

Hallgren asked to present a draft ordinance at the next meeting, August 4, to appeal the existing flood management code.

### **Seasonal Street Maintenance Agreement**

Tvenge referred to a bid proposal that was issued in July and reported that the City's street maintenance department consists of one person who is responsible for several miles of roads. The City has an on-call agreement with Delta Concrete to maintain arterial roads during heavy snowfall while school is in session. Delta Concrete was the successful bidder and entered into the contract on October 8, 2013. It was renewed on May 26, 2014 and can be extended one more year through May 26, 2016. Delta Concrete plows Priority One and Priority Two streets and the City crew plows Priority Three streets. Delta Concrete also grades streets in the fall before freeze up. Tvenge recommended continuing the street maintenance agreement for one more year. He said prices are based on an hourly rate (\$125/hour for equipment and operator) that has not changed in three years and there have not been any accidents in the past several years.

Hallgren said the City is unable to staff and accomplish snow removal as inexpensively and as quickly as with contracting it out.

Musgrove moved to extend the Seasonal Street Maintenance Agreement with Delta Concrete through May 26, 2016; Brown seconded.

Leith said she is always relieved to see freshly plowed streets early in the morning before busses are out.

Motion passed on a roll call vote with four in attendance (Musgrove, Leith, Brown, and Hallgren).

### **Award Heavy Equipment Rental for Landfill Cell 2 Excavation**

Tvenge said City employees, Corey Groppe and Rob Bevard, are journeymen operators and have helped draft the plan to excavate the new cell. The (\$875,000) grant expires June 30, 2016, but would not have been enough to complete the project unless it was done in-house; Groppe and Bevard can accomplish the work more economically than contracting it out. This summer is a heavy construction season statewide and equipment has been difficult to locate. Referring to the July 15 bid opening sheet, Tvenge explained the situation as a bit of an emergency and that some of the equipment is no longer available. One excavator with a three-yard bucket and a dump truck (aka rock truck or 40-ton truck) are needed. As of today, three pieces of equipment are available: 1) 345 CAT excavator from Global Equipment Services (GES) that is presently in Circle, Alaska, available within one week, but lacks a thumb, 2) 450 John Deere excavator with a three-yard bucket and a thumb from Airport Equipment Rentals (AER), which became available today and is not on the bid sheet, and 3) 40-yard dump truck from Airport Equipment Rentals. Tvenge explained equipment on the bid sheet that is no longer available, rental costs, delivery costs, and that some equipment must be dismantled to some degree before transporting. Tvenge asked to be allowed to pick one of the two excavators after consulting with Groppe and Bevard.

Leith moved to approve rental of the 40-yard dump truck from Airport Equipment Rentals and the excavator from either GES or AER, based upon availability tomorrow morning and the opinion of the City operators; Brown seconded.

Tvenge said the excavation project will last two months, possibly three. Equipment rental, hourly rates, and fuel costs (100 gallons per equipment per day) are projected and Buffalo Fuel, the City's contracted provider, confirmed that they can provide 200 gallons of fuel per day.

Motion passed on a roll call vote with four in attendance (Leith, Musgrove, Brown, and Hallgren).

Tvenge explained that the City operators are the reason the City can do the project and they agreed to do the work for \$35/hour.

Discussion followed regarding the City crew being taken off of other projects, leaning more on the Street Maintenance Agreement to get through the next couple of months, installing a time clock at the landfill scale house and expecting employees to punch in and out, and anticipating Groppe and Bevard to get overtime (time and a half) on the project.

Tvenge reported the floor design is 30 feet below the existing road and the goal is to dig the first phase, which is one-third of the new cell, but he expects to dig more. The material will be stockpiled on either end and some of it will be used as cover in Cell One. The new cell will allow for more than ten years of use.

Hallgren said the grant does not require building beyond what can be afforded.

Hallgren moved to approve paying \$35/hour for work on the landfill project plus overtime; Musgrove seconded.

Motion passed on a roll call vote with four in attendance (Brown, Musgrove, Leith, and Hallgren).

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

Leith thanked Tvenge for all his time, hard work, and making a difference in helping the City run more efficiently. She wished him well in Kodiak and said he is always welcome to “come back home.” She also thanked him for delegating projects and smoothing out rough edges to make it easier in transitioning his replacement.

Tvenge said a lot has been accomplished during the past eight years, he has fielded very few complaints and has received many compliments, he is very proud of the City’s safety record, and he hoped the City can maintain the platinum level with AML/JIA.

#### **ADJOURNMENT**

Musgrove moved to adjourn at 7:34pm. Motion carried.

Pat White, City Clerk

Approved: August 4, 2015