

City Council Minutes
Regular Meeting
September 3, 2019 ~ 5:00PM
City Hall, Delta Junction, Alaska



The regular meeting of the Delta Junction City Council was held on Tuesday, September 3, 2019 at City Hall. Mayor JW Musgrove called the meeting to order at 5:00pm.

City Council members present: Mayor JW Musgrove, Lou Heinbockel
Pete Hallgren, Charles Lester, Audrey Brown

City Council members excused: Alan Levinson, Deputy Mayor Freda Degnan

City staff present: City Administrator Mary Leith, Scale House Operator Reta Russell-Houghton
City Clerk Pat White

Four residents were present and the meeting was broadcast over KDHS 95.5.

AMENDMENTS ~ APPROVAL OF AGENDA

Brown moved to approve the September 3, 2019 agenda as presented; Heinbockel and Lester seconded. Motion passed with no objection.

AMENDMENTS ~ APPROVAL OF MINUTES FROM PREVIOUS MEETING

Heinbockel moved to approve the August 20, 2019 minutes as presented; Lester seconded.

Brown asked to separate her report into two categories, LEPC and Emergency Preparedness (page 3).

Motion passed on a roll call vote to amend the August 20 draft minutes.

COMMENTS FROM THE AUDIENCE – none

REQUEST TO SPEAK – none

EXECUTIVE SESSION

Musgrove called for an executive session to discuss facts and litigation strategies between Council members and a City Attorney related to the EPA Safe Water Drinking Act violation. Engineering firms of record that may have impacted the violation are M2C1, MACTEC, and USKH.

Hallgren moved to go into Executive Session to discuss the EPA claims against the City, a matter involving City finances where immediate knowledge could clearly have an adverse impact on the City, and to consult the City's lawyers about pending claims and risks; Heinbockel seconded.

Motion passed on a roll call vote with five in attendance (Lester, Brown, Heinbockel, Hallgren, Musgrove).

JW Musgrove, Pete Hallgren, Lou Heinbockel, Charles Lester, Audrey Brown, and Mary Leith exited to the City Administrator's office at 5:13pm. Kristin Crabb, Environmental Attorney with Guess & Rudd, joined by telephone. The executive session ended at 6:14pm and, after a short break, the Council returned at 6:20pm.

Hallgren moved to end the Executive Session and reconvene the regular meeting; Brown seconded.

Motion passed without objection.

CORRESPONDENCE

State of Alaska - Proposal to Close State Land to Mineral Entry

Musgrove referred to a letter from the Department of Natural Resources, Division of Agriculture, dated August 23, and reported approximately 50 acres of state lands (ADL 417437) ten miles south of Delta Junction will be closed to mineral entry. Comment period for the proposal closes September 25. Information is available at City Hall or online (<http://landsales.alaska.gov> or <http://aws.state.ak.us/OnlinePublicNotices/>).

Chamber of Commerce Lease of Visitor Center and Triangle Property

Musgrove read a letter, dated August 28, from Piper Williams, Delta Chamber Secretary/Treasurer, stating the Delta Chamber of Commerce will disband as of October 5, 2019. They will finish at the Visitor Center on September 7 and will winterize the building before locking up by October 5.

Discussion followed regarding others who might be interested in utilizing the building, taking inventory, notifying owners to collect their trophies that are on display, and whether to heat the building over the winter.

Brown asked about the desk with some of Frances Brann's art in the desktop.

Heinbockel recalled when the Chamber welcomed visitors, organized Community Cleanup while encouraging youth to support their interest groups, and hosted military appreciation and welcome-back-to-school events. Hallgren suggested the City establish a plan for next year's tourist season before all the trophies are removed.

UNFINISHED BUSINESS

Farrar Replat

White reported the final plat for the Farrar Replat was approved on August 20. Councilman Alan Levinson quietly questioned whether he should recuse himself from voting because his neighboring property could stand to increase in value. White said she and Leith both directed him to not bother, but should have presented the question to the Council body.

Brown moved to reconfirm the final plat approval of the Farrar Replat on August 20, 2019; Hallgren seconded.

Brown said Levinson's conflict of interest was not enough to recuse himself from voting.

Musgrove and Hallgren agreed that Levinson did not need to recuse himself from voting.

Hallgren amended the motion to include the Council finding no reason for a recusal from Levinson; Brown agreed.

Motion passed on a roll call vote with five in attendance (Lester, Heinbockel, Brown, Hallgren, Musgrove).

NEW BUSINESS

Request to Support Delta Community Health Fair – October 5, 2019

Musgrove referred to a request to sponsor the 31st annual health fair from Reta Russell-Houghton, Delta Health Fair Coordinator, and he reported the City administration contributed \$250 to the 2018 event.

Discussion followed regarding hosting the event at the elementary school, the best venue and largest expense.

Heinbockel moved to donate \$100.00 to the Delta Community Health Fair as requested; Brown seconded.

Motion passed on a roll call with five in attendance (Brown, Hallgren, Lester, Heinbockel, Musgrove).

City Purchases over \$1,000

CK# 220272 to Bill's Small Tractor Service in the amount of \$5,134.00 for lawn maintenance, #3 of 3 payment

Heinbockel moved to approve check #220272 as presented; Degnan seconded.

Discussion followed regarding the excellent condition of the park, despite recent heavy rains.

Motion passed on a roll call with five in attendance (Hallgren, Brown, Heinbockel, Lester, Musgrove).

Second Reading, Public Hearing, and Adoption of Ordinance 2020-02, an Ordinance Renewing the Franchise Agreement with Delta Medical Transport, LLC for Emergency Medical Service

Brown moved to open the public hearing portion of Ordinance 2020-02; Hallgren seconded.

Musgrove explained edits since the ordinance was introduced on August 20, including the two most noteworthy, changing 30 days to 90 days to terminate the contract for cause by either party (Section 6b) and changing 45 days to 90 days to terminate without cause by either party (Section 6c). Referring to Heinbockel's request to start the contract clock on its adoption date, Musgrove said the payment schedule begins ten days after the start date of the contract, so the contract should remain on a fiscal year calendar.

Hallgren asked to put back the non-exclusive franchise verbiage as in the original (2013) contract. The clause does not deny others from establishing a competitive ambulance service.

Musgrove said the change will be added to the final rewrite.

Musgrove called for public comment with none being offered.

Brown moved to close the public hearing; Heinbockel seconded.

Hallgren moved to adopt Ordinance 2020-02 as amended, renewing the agreement with Delta Medical Transport, LLC, effective July 1, 2019; Heinbockel seconded.

Musgrove reported data was gathered from multiple sources to determine the City's actual cost of subsidizing the ambulance service. When necessary, costs were split between the City, Delta Junction Fire Department, and Rural Deltana Fire Department. Sources included a two-bedroom apartment, use of hand-held radios, 911 dispatch and phone system, lease of backup ambulances, fire station utilities and insurance, etc. Research resulted in City expenses totaling **approximately** \$100,000 to support an ambulance service on an annual basis.

Discussion followed regarding Delta Medical Transport (DMT) services in Glennallen and Fairbanks, not including other DMT expenses, i.e. licensing, insurance expenses, etc., assisting Alaska State Troopers with welfare checks and blood draws, and providing ambulance standbys for community events.

Motion passed on a roll call with four in favor (Heinbockel, Hallgren, Lester, Musgrove) and one opposed (Brown).

See continued discussion under *Additional Public and Council Comments* (page 4).

Second Reading, Public Hearing, and Adoption of Ordinance 2020-03, an Ordinance for the City of Delta Junction, Alaska Providing for Amendment of the FY19 Budget

Brown moved to open the public hearing portion of Ordinance 2020-03; Lester seconded.

Discussion followed regarding needing more information.

Brown moved to table discussion until September 17; Hallgren seconded.

Motion passed without objection.

Waive Tipping Fees for Rural Deltana to Clean Up Old Landfill Shop on Tanana Loop Extension

Musgrove read Michael Paschall's request to forgive tipping fees to dispose of material from the old landfill building. The City-owned building has had a significant amount of vandalism. Items stored in it belong to both the City and Rural Deltana and what is hauled to the landfill could be 10,000 pounds, equal to \$800 in tipping fees.

Heinbockel moved to waive tipping fees for RDVFD to dispose of non-hazardous materials; Hallgren seconded. Discussion followed regarding no decision about the Betty Crocker truck that is parked outside and not imposing any other restrictions on Rural Deltana's request.

Motion passed on a roll call with five in attendance (Lester, Heinbockel, Brown, Hallgren, Musgrove).

Musgrove asked for advance notice, so the scale house can track the amount and to remind Rural Deltana firefighters that the blue drums of tar are not to be hauled to the landfill.

REPORTS

Mayor – JW Musgrove reported he spent a lot of time researching information for Ordinances 2020-02 and 03.

Airport – JW Musgrove reported:

- Grass is growing in the ditch lines of airport subdivision roads and it is also evident in the French drain.
- A crew and helicopter from Tok are working on a survey project in Delta.
- The airport has some increased hunting activity.

City Administrator – Mary Leith reported:

- Appraisal for airport lots is expected by October 10.
- During the Council meeting on August 20, Jeremy Heral presented a proposal to extend cable in the

Buffalo Center Townsite where there are no utility easements. Similarly, the City Council granted GVEA a public utility easement (Ordinance 2010-03 adopted November 24, 2009). Leith suggested surveying the area for street rights-of-way because the same issue will repeat itself at some time in the future. Sebastian Saarloos, Delta Surveys, quoted \$2,000 to survey the area.

Discussion followed regarding potential for the road grader to rip cable if placed in the ditch lines.

Musgrove asked to show that the Council had no objection to Saarloos' survey.

Leith reported she received an email from Jeremy Heral today that ACS finalized designs for their underground cable sections. They will stay in State right-of-way and/or existing easements, so urgency is no longer an issue. Still, Leith said she felt the survey will be needed "down the road."

- She and Musgrove met with Brett Nelson with Natural Resources Conservation Service (NRCS), United States Department of Agriculture (USDA) regarding the Delta Clearwater Watershed Project at Mile 1408 Alaska Highway (1999/2003). Handouts are available at the City Hall.

Musgrove said the project dated back to the 1950 and 1960's when the military built fire breaks. A contract for remediation was awarded in February 2018 and expected to be finished by the end of September 2019.

City Clerk – Pat White reported:

- The filing period for the October 1 Municipal Election ends on September 6. One candidate packet has been received for one of three seats.
- Thirteen people attended the Complete Count Committee (CCC) on August 28. Another meeting will be advertised once the time and place are determined. Data collecting for the 2020 census appears hopeful, based on enthusiasm during the August 28 meeting.
- The Fort Greely Garrison will host a public meeting at City Hall (5:30pm, September 24) about missile launch awareness. Sheltering in place in the event of a missile launch is a Fort Greely response, to help the community understand what to expect.

Finance – no report

LEPC – Audrey Brown reported the next LEPC meeting is on September 9 at 6:00pm.

Emergency Preparedness – Audrey Brown reported September is Emergency Preparedness Month.

Discussion followed regarding the mutual aid agreement between fire and emergency services being revised and 30 more House Identification signs ordered.

Public Health – no report

Library – Lou Heinbockel reported Joyce McCombs was featured in the Fairbanks News-Miner today.

Leith reported Tiki Levinson starts work on September 9 as the new Library Director and Joyce McCombs' retirement party will be at the Community Center on September 27, 5:00-7:00.

Schools – no report

Public Works – Charles Lester reported:

- The Public Works crew has been grading and compacting streets.
- The landfill inspection received a 97% compliance score.

Discussion followed regarding continually fighting windblown debris.

Leith reported IGA Food Cache is planning to eliminate plastic bags.

Brown moved to extend the Council meeting to 8:15pm; Heinbockel seconded.

Park / Recreation – Lou Heinbockel reported the park looks better than it ever has, a mound of weeds will be removed next spring, and the pavilion and outhouses will be winterized soon.

Cemetery – Audrey Brown questioned the cost of cemetery plots and burials.

Leith reported 10' x 10' plots are \$450 (increased from \$200 in 2015), opening and closing fees are \$800 (equipment must be rented), and there are no additional fees for cremation burials (City employees only mark plot corners).

At Large – Pete Hallgren reported concerns about spending because of uncertainty about future revenue.

Additional Reports - none

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Sherman Stebbins expressed concern with authorizing a survey without it being on the agenda.

Leith referred to her *City Administrator* report (page 3) and said authorizing it was an administrative call.

Stebbins referred to renewing the ambulance contract (page 2/3) and expressed concerns with the City “propping up a private business” that gets “sweeter every year” and not putting the contract out for bid.

Musgrove said the contract has not changed, arrangements at the fire station have not changed, and training is still available, but mostly for medical personnel and firefighters. DMT also leases the City ambulances. The contract can be advertised for competitive bid at any time, but to date the Council has not opted to do that.

Hallgren said the contract is legal. Everything was done by ordinance and approved by the City attorney.

ADJOURNMENT

The meeting was adjourned at 8:17pm.