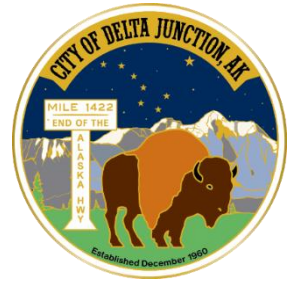


City Council Minutes
Regular Meeting
March 5, 2024 ~ 5:00PM
City Hall, Delta Junction, Alaska



CALL TO ORDER / PLEDGE OF ALLEGIANCE / PRAYER

Mayor JW Musgrove called the meeting to order at 5:03pm.

Council members present: Mayor JW MUSGROVE, Deputy Mayor Igor ZAREMBA, Pamela RAWSON, Travis RIESNER, Pete HALLGREN, Mike PRESTEGARD

Council attending via Zoom: Emily DOVE (until 5:29pm)

City staff present: Finance Officer Kaylee Reiersen, Library Director Tiki Levinson, City Clerk Pat White

City staff attending via Zoom: Administrative Assistant Flower Cole

Public present: 16 people attended the meeting, including six on Zoom.

AMENDMENTS ~ APPROVAL OF AGENDA

Motion: Riesner moved to approve the March 5, 2024 agenda; Hallgren seconded.

Motion passed unanimously on a roll call.

AMENDMENTS ~ APPROVAL OF MINUTES FROM PREVIOUS MEETING

Motion: Riesner moved to approve the February 20, 2024 minutes as presented; Prestegard seconded.

Motion passed unanimously on a roll call.

COMMENTS ON NON-AGENDA ITEMS

Sherman Stebbins reported he would “do a little bit of work for you.” He submitted a Freedom of Information Act (FOIA) to audit a series of checks, bank statements, and contracts between June and December 2023 for the purpose of identifying illegal checks and contracts over \$1,000.

Lisa Conrad invited hardworking women to International Women’s Day at Fast Eddy’s in Tok at noon on March 7th for soup, salad, and sandwiches. Email ManhChohCR@Kinross.com for more information.

Stormie Mitchell reported she has been working with someone from Fairbanks for over a year to create a dog club in Delta. About 50 residents and businesses have expressed interest. She asked the Council to designate property inside the park for dogs. She will donate three or four six-foot-high chain link fencing and she will also solicit community support. Once a dog park is established, a trainer will help socialize dogs.

Musgrove asked Mitchell to submit a proposal for consideration.

Discussion followed regarding the size of the facility, where it would be located, Mitchell preferring an area inside the Community Park, and whether the Pioneer Park would be a consideration.

Mitchell said wherever it is located, it will need to be fenced in with controls in place.

REQUEST TO SPEAK - none

CORRESPONDENCE

City Council Resignation from Emily Dove, Seat A

Musgrove read Emily Dove’s resignation, emailed February 27, “It is with great regret that I must resign, effective immediately, from the Delta Junction City Council. I have moved outside city limits and therefore no longer qualify for my position. I highly value and respect each and every one of you and the time spent working together for our beautiful community.”

Motion: Riesner moved to regretfully accept Emily Dove’s resignation; Hallgren seconded.

Hallgren said he enjoyed seeing new faces on the Council and that he felt Emily fit in very well.

Motion passed on a roll call with six voting (Rawson, Zarembo, Riesner, Hallgren, Prestegard, Musgrove) and one declining (Dove).

Musgrove reported White would initiate the process to fill the vacancy, soliciting letters of interest to appoint a qualified voter within 30 days (Alaska Statutes 29.20.180).

[City Code §2.10.010: A candidate for any City office must be a registered voter living inside City limits for a minimum of one year prior to filing. City Code §1.10.060: ... The person selected to fill a vacancy ... shall fill the vacancy until the next regular election (October 1, 2024) and until a successor is elected and has qualified.]

Division of Natural Resources (DNR) Land Sales Near Delta Junction Public Scoping Meeting - Community Center, March 20, 6:00-8:00pm

Musgrove reported a meeting is scheduled at the Community Center on March 20 to discuss land sales in the area.

E&G Beverage Cellar, LLC Package Store - Liquor License Renewal

Motion: Riesner moved to show no opposition to E&G Beverage Cellar's liquor license renewal; Hallgren seconded.

Motion passed on a roll call with six in attendance (Zaremba, Rawson, Prestegard, Riesner, Hallgren, Musgrove).

U.S. Army Corps of Engineers – SM-1A Dismantling and Decommissioning Public Outreach Meeting - Community Center, March 25, 6:00-8:00pm

Musgrove reported the U.S. Army Corps of Engineers will hold a public outreach meeting at the Community Center on March 25 about dismantling and decommissioning the nuclear plant at Fort Greely.

LTC Keith Marshall reported the project is to last through 2030. There are three meetings scheduled to address public concerns, March 21 at the Fort Greely Aurora Community Activity Center, March 25 at the Delta Junction Community Center, and March 26 at the Clarion Hotel in Fairbanks, all 6:00-8:00pm.

See additional conversation under *Additional Public and Council Comments* (page four).

Dove excused herself from participating in the meeting at 5:29pm.

UNFINISHED BUSINESS**February 15, 2024 Demand for Investigation and Public Hearing**

Musgrove referenced Alaska Statutes 44.62.310(b), Government Meetings Public, aka Open Meetings Act, and read, "Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations." He reported Council would teleconference with City Attorney Mike McLaughlin to discuss the demand letter (from Sherman Stebbins).

Motion: Riesner moved to go into Executive Session; Zaremba seconded.

Hallgren said he would appreciate hearing input from the City Attorney, particularly because of "bad reflection on the City Council, punishable by Alaska criminal codes" (reported at the February 20, 2024 Council meeting).

Musgrove reported two recent instances of criticism, finding fault in how the Council conducted executive sessions. One claimed the public was not given adequate notice, that the executive session was not pre-announced. The second was from the newspaper reporter who said the executive session did not identify an existing court case. There is no court case. Musgrove said neither complaint is an Open Meetings Act requirement. Attorney-client privileges are protected by AS 44.62.310(c)(3), "matters which by law, municipal charter, or ordinance are required to be confidential."

Motion passed on a roll call with six in attendance (Riesner, Prestegard, Hallgren, Zaremba, Rawson, Musgrove). At approximately 5:35pm, Council members Pamela Rawson, Mike Prestegard, Travis Riesner, Igor Zaremba, Pete Hallgren, JW Musgrove, and City Clerk Pat White exited the Council Chambers to the City Administrator's office. City Attorney Mike McLaughlin joined by phone. All but McLaughlin returned at 7:01pm.

Motion: Hallgren moved to reconvene the regular Council meeting; Riesner seconded.

Motion passed on a roll call with six in attendance (Rawson, Hallgren, Riesner, Zaremba, Prestegard, Musgrove).

Musgrove reported response to Sherman Stebbins' February 15, 2024 letter would be postponed to March 19.

NEW BUSINESS**Award Fuel Contract**

Musgrove reported four fuel bids were opened on March 1, but awarding the contract would be delayed because of nuances. Some bids may be found non-responsive.

Request for Additional Funding for Katmai Solutions

Musgrove reported *Additional Funding for Katmai* would be postponed to the March 19 meeting.

City Purchases over \$1,000

CK #22997 to Aetna - \$13,693.60 for employee health insurance for March

CK #22998 to Alliance CPAs - \$8,657.00 for FY22 audit services for January

CK #22999 to C&R Pipe and Steel - \$2,418.50 initial cost to rebuild End-of-the-Alaska-Highway milepost marker

CK #23000 to Northern Lights Memorial Park - \$2,312.00 to replace headstone at Rest Haven Cemetery

Motion: Riesner moved to approve checks #22997 through #23000; Zaremba seconded.

Discussion followed regarding finishing the FY22 audit before starting FY23 (CK #22998) and replacing a headstone at the cemetery that was damaged by City equipment (#23000). [March 8, 2024 correction: C&R Pipe will return CK #22999. Delta Farm Bureau paid C&R Pipe and required reimbursement.]

Motion passed on a roll call with six in attendance (Prestegard, Zaremba, Rawson, Hallgren, Riesner, Musgrove).

REPORTS

Mayor – JW Musgrove reported he has been researching documents about Sherman Stebbins' accusations.

Finance – Kaylee Reiersen reported \$8,350 has been donated so far toward the milepost marker project.

Library – Tiki Levinson reported:

- The library was one of four small libraries in Alaska to receive a Libraries Transforming Communities Grant from the American Library Association. The \$10,000 award is to encourage young adults to find connection and education at the library.
- Dino Day on February 24 had nearly 40 people crammed into the tiny kids' area. One youngster shared his precious piece of fossilized dinosaur poop at the checkout desk.
- The Delta Library Board is busy planning for the annual Block Party on May 11th. The fundraising event supports the many services that the library offers the community.

Health & Safety – no report

Schools – Pamela Rawson reported:

- Elementary School Principal Milt Hooten inquired about plans to install a crosswalk on Nistler that was discussed last year (March 21, August 1, August 15, and September 5).
- The Senior Class is going on a seven-day cruise to the Caribbean.
- School Superintendent Micheal Lee asked if snow could be removed from the ballfields at the park in preparation for the upcoming baseball season.

Musgrove asked Rawson to submit a written request.

Sherman Stebbins offered to donate a few hours with his plow truck.

Emergency Services – Pamela Rawson reported there were 29 ambulance runs in February and no fire calls.

Emergency Preparedness – no report

Park & Recreation – Igor Zaremba reported:

- The seasonal rink manager position has yet to be filled.
- The outdoor rink is getting plenty of use.
- The pavilion at the park needs to be looked at before it falls over.

Landfill – no report

Airport – JW Musgrove reported two new 24 x 96" windsocks were ordered. Blue traffic cones were ordered for the parallel taxiway. All were picked up with the Automated External Defibrillator replacements.

Public Works – no report

At Large – Pete Hallgren reported it's nice being home.

City Administrator – no report

Cemetery – no report

City Clerk – no report

Additional Reports – none

ADDITIONAL PUBLIC AND COUNCIL COMMENTS

Troxell Hebert expressed appreciation for the sitting Council and said, from prior experience, everyone should volunteer to serve on the City Council.

Tony White reported two volunteers, using the City's command vehicle and snow machine, joined the Fort Greely firefighters to train in patient loading. Fifteen first responders exercised together.

Sherman Stebbins referred to an article written by Tim Ellis from KUAC, dated November 22, 2023, about removal of the nuclear reactor at Fort Greely. In the article, a City official stated material could be disposed of in the City landfill if they were deemed clean and not affected by radiation or contaminants. He asked if it is still the Council's stance to accept certified, non-contaminated materials at the landfill.

Musgrove said the newspaper does not necessarily report what happens during a meeting. The public landfill can accept anything that is permitted. Steel was discussed, but there are no plans to accept anything from the SM-1A project at this time.

LTC Keith Marshall said there are no plans to leave anything in Alaska. He encouraged the public to bring questions and concerns to the March 25 meeting at the Community Center.

Travis Riesner said he believes a certain individual's insidious campaign against the mayor, City Administrator, and the City Council is to dismantle the local government to create a borough, of which the Council has been accused of supporting. He believes wholeheartedly that taxation is the goal. The City Council admitted there were some shortcomings and things could have been done better, but nothing was malicious or ill intended. The witch hunt, in the form of labor intensive FOIA requests, will come up with petty clerical errors that have no content or validity. This person harbors malicious intentions toward the city and disregard for the wellbeing of our community. His baseless accusations and unfounded doubts are nothing more than to wreak havoc and sow chaos. Riesner offered a public apology to Stormie Mitchell for a Council member's outburst at the February 20 meeting.

Zaremba and Rawson said they stood behind Riesner's statement.

Zaremba said that the added strain on the staff is unnecessary.

Tiki Levinson reported two unidentified people on Zoom expressed their support for Riesner's statement also.

Amber White said the Council is held to a higher standard.

Sherman Stebbins said, "My words have not been an attack on an individual. The attack was on the Council and the system breaking down ... Instead of sitting in silence, why didn't you say, 'we need to follow the ordinances.' Why didn't you say, 'Sherman we hear you and we understand you.' You only get three minutes to talk in a meeting and then you get run off. Facebook is a platform to relate to the public. What else are we supposed to do? All I've wanted you to do is follow the ordinances."

Musgrove stated Stebbins' opinion that the Council did bad things is not fact. The Council is given legal advice, and they follow rules that are choreographed. According to Alaska's Open Meetings Act, it is not "illegal" for the Council to go into an executive session.

ADJOURNMENT – 7:32pm

JW Musgrove, Mayor

CITY
SEAL

Pat White, City Clerk

Approved: March , 2024