City Council Minutes Regular Meeting April 15, 2025 ~ 5:00PM City Hall, Delta Junction, Alaska

CALL TO ORDER / PLEDGE OF ALLEGIANCE / PRAYER

Mayor Igor Zaremba called the meeting to order at 5:00pm.

Council members present: Mayor Igor ZAREMBA, Deputy Mayor Mary LEITH,

Michael PRESTEGARD, Stormie MITCHELL, Travis RIESNER

Council excused: Pete HALLGREN, Lance STRICKLIN

City staff present: City Administrator Lori Roberts, Finance Officer Kaylee Reierson,

Library Director Tiki Levinson, Library Aide Shona Hilton, City Clerk Pat White

Public present: Approximately 35 people (13 on Zoom) were present at the beginning of the meeting. The meeting was

broadcast over KDHS 95.5 FM radio.

AMENDMENTS ~ APPROVAL OF AGENDA

Reierson asked to add New Hire Pay to New Business.

Zaremba reported New Brewery Repackaging Endorsement would be removed from Correspondence.

Motion: Leith moved to approve the April 15, 2025 agenda as amended; Riesner seconded.

Motion passed on a roll call with five in attendance (Mitchell, Riesner, Prestegard, Leith, Zaremba).

AMENDMENTS ~ APPROVAL OF MINUTES FROM PREVIOUS MEETING

White reported she errored in reporting two dates as May instead of March and "affort" instead of afford.

Motion: Leith moved to approve the minutes from the March 28, 2025 special meeting as amended; Riesner seconded.

Motion passed on a roll call with five in attendance (Leith, Prestegard, Riesner, Mitchell, Zaremba).

White reported Shona Hilton's name was corrected, and the Mayor's Report (page 3) was reworded.

Motion: Leith moved to approve the minutes from the April 1, 2025 regular meeting as corrected; Zaremba seconded.

Mitchell said the minutes need to reflect what Zaremba said during discussion about firing an employee.

Zaremba reported personnel issues are to be discussed in executive sessions, not publicly.

Motion failed on a roll call with one in favor (Leith) and four opposed (Prestegard, Mitchell, Riesner, Zaremba).

Motion: Riesner moved to discuss the recent termination in an executive session on May 6, 2025; Prestegard seconded.

Motion failed on a roll call with three voting in favor (Mitchell, Riesner, Prestegard) and two opposed (Leith, Zaremba).

REQUEST TO SPEAK

Dan Williamson - Alyeska Pipeline Excavation

<u>Dan Williamson</u> reported his team is responsible for 151 miles of Alyeska Pipeline rights-of-way. They are preparing to dig up pipe in the ROW south of Nistler Road where people park during the fair. Signage will be posted, fencing will barricade the area from public access, a security guard will be on site every night, and traffic will be accommodated for the two-month project.

PUBLIC COMMENTS

<u>Chris Morley</u> referenced his Letter to the Editor in the (April 10, 2025) local newspaper and reported "your" recall election was unfairly staged against Stormie Mitchell. Referring to the recall advertisement, Morley pointed out the error describing City boundaries (Precinct 050 was correct, but 6 AAC.309.608 was repealed). Referring to outdated City Code of Ordinances that also referenced outdated Alaska Statutes and a timeline of failed attempts to revise the City Code of Ordinances (first ten pages of Title I), Morley said the City had no guidance in the recall process.

[Clerk Note: The City adhered to Alaska Statutes under Municipal Government §29.26.240 through 29.26.340 for direction in the recall process that was initiated by City-precinct voters. City Code revisions were the beginning of City Administrator Lori Roberts' attempt to update the outdated Code of Ordinances, which unfortunately coincided with the public's recall of Stormie Mitchell.]

<u>Mike Presetegard</u> referred to revisions to Title I (Ordinance 2025-04 adopted on March 18) that were hole-punched and ready to replace sections in individual Code of Ordinances binders. He compared two versions of §1.10.015 and said one line (Council members are expected to attend and be prepared to make decisions regarding business items set forth in the agenda) was added after the revisions were adopted. He questioned whether it influenced the judge's decision to deny Mitchell's motion (Temporary Restraining Order and Preliminary Injunction).

[Clerk Note: Alaska Statutes Title 29 was followed because of a small section in the City Code that addressed recall elections (1.10.090).]



Discussion followed regarding the purpose of making changes in Title I, personal attacks, lack of respect for opposing views, and Mitchell accusing "the tight little group" of spending too much money on frivolous things, mismanagement of City finances, and pushing the community toward borough formation and taxes.

Motion: Leith moved to table discussion about code changes to the May 6, 2025 meeting; Zaremba seconded.

<u>Leah Sorenson</u> said she and Deltana Community Corporation (DCC) support Chris Morley's community-owned EMS proposal, but she was critical of the recall efforts against Stormie Mitchell.

Mitchell referred to the recall election schedule and reported a private meeting was held to inspect the ballot.

[Clerk Note: Per AS 29.26.330(2), a sample of the recall ballot was to be inspected 20 days before the election (March 28). It was not part of the special meeting agenda on March 28. City Attorney Pam Weiss instructed White to post the ballot at the front counter at City Hall. Several Council members (Mary Leith, Travis Riesner, Lance Stricklin, Igor Zaremba) stopped to see City Administrator Lori Roberts after the March 28 meeting adjourned. Because of finishing work, White asked them to look at the ballot. Pam Weiss, Lori Roberts, and Kaylee Reierson had inspected it earlier in the day. There was no private meeting. Mitchell, Prestegard, and Hallgren had already left the building. White printed 300 ballots the following day (Saturday) to avoid disrupting City business during work hours.]

<u>Mitchell</u> referenced the recall election schedule again, noting that advertisement was sent to Fairbanks Daily Newsminer on March 28. It was actually sent on Thursday, March 27, before the judge made his determination (March 28). It was to appear in every newspaper between March 30 and April 18.

[Clerk Note: White spoke with Linda Lacey at Fairbanks Daily Newsminer on March 27. City Code 2.05.04 required the first advertisement of the recall election be "at least 20 days prior to the election." It was already too late for Friday and Saturday publications, so it would start Sunday, March 30. Also, the number of classified ads was reduced to Sundays only (March 30, April 6, and April 13). Delta Wind would advertise on Thursdays, April 3, April 10, and April 17.] Mitchell asked White why she was not allowed a "200-word statement" on the ballot.

White reported communication with Mitchell was cut off because of her lawsuit with the City. AS 29.26.330(2) required the recall ballot contain "a statement by the official named on the recall of 200 words or less *if* the statement is filed with the clerk for publication and public inspection at least 20 days before the election." Nothing was received from Mitchell by the March 28 deadline, nor the next day before the ballots were printed. Mitchell's claim was also denied on March 28, but litigation is still ongoing.

<u>Sherman Stebbins</u> asked the Council to apply for Capital Project Submission and Information System (CAPSIS) funding before the next legislative session.

Motion passed on a roll call with five in attendance (Leith, Mitchell, Prestegard, Riesner, Zaremba) to continue discussion about code revisions on May 6.

Steve Hilton, Rural Alaska Emergency Services (RAES) Board member, invited the public to attend a presentation about their non-profit EMS model at the Community Center on April 16.

CORRESPONDENCE

Liquor License Renewal – The Big Delta Brewing Company (#5959)

Motion: Leith moved to show no opposition to The Big Delta Brewing Company's liquor license renewal; Riesner seconded.

Motion passed on a roll call with five in attendance (Prestegard, Riesner, Leith, Mitchell, Zaremba).

Community Cleanup – May 3, 2025, 10:00am-3:00pm

50% Discount at Landfill - May 17, 2025, 9:00am-5:00pm

Library Open House and Block Party – May 10, 2025, 11:00am-4:00pm

Visitor Center Milepost Dedication – May 24, 2025, 11:00am Ribbon Cutting

Roberts reported flyers for upcoming events were advertised.

Laural Jackson - Concern about Marijuana Shop

<u>Roberts</u> reported a pot shop is being built near Shaw Creek, outside of the City's jurisdiction and the ten-mile radius imposed by the State of Alaska (for municipalities that ban commercial marijuana sales). Jackson's letter was forwarded to the State Alcohol and Marijuana Control Office (amco.regs@alaska.gov).

Recall Election Schedule – April 18, 2025, 8:00am-8:00pm, at the Community Center

White reported in-person and special needs voting dates and:

- Ballots will be counted as soon as the polls close at 8:00pm on April 18 and again by the Canvass Board at 4:00pm on April 25. All early votes will be included in the recount.
 - Election results will be certified during a special Council meeting on Tuesday, May 13, 2025.

April 18, 2025 Sample Ballot – see discussion about ballot inspection (page 2)

Approval of Election Officials

White reported:

- City Code §2.15.010(c) requires election officials to be qualified voters who reside within the City precinct. City Code §2.15.010(a) requires election officials to be appointed by the City Council.
- Due to a scheduling conflict Carol Dufendach had to cancel ballot counting (8:00pm, April 18). Charlie Lester, a former Council member (2018-2021), filled her timeslot.
- Four Council members (Leith, Riesner, Stricklin, Zaremba) voted to appoint the election officials via a phone poll on April 14. Prestegard opposed the vote, and Mitchell could not be reached (voicemail not set up).

Zaremba reported Stricklin participated in the phone poll but was unable to attend tonight's meeting. Hallgren was out of the country and could not be reached.

Mitchell said she objected to approving the election officials because four of them signed the recall petition.

Prestegard reported the election officials were not neutral, so there is potential for them to be dishonest.

Zaremba said there were four election officials who did *not* sign the petition. There was no reason to believe any of them would sabotage the election.

Discussion followed regarding hand counting ballots in local elections, control measures at every step of the election process, contacting the FBI, and threatening jail time for mishandling the election.

<u>Leith</u> reported that the public can watch the ballot count at 8:00pm, April 18 and again at 4:00pm, April 25. Two different sets of people count the same ballots.

Zaremba said he did not intend to observe the ballot counting because he trusted those conducting the election.

UNFINISHED BUSINESS - none

NEW BUSINESS

New Hire Pav

<u>Tiki Levinson</u> reported the new part-time library assistant, Raegan Tlapa, started employment on April 14. Because of five years' experience in libraries, Levinson asked to start Tlapa at Step 3 of Grade 3 (\$19.35/hour).

Motion: Leith moved to approve the grade, step, and wage for the library aide position; Riesner seconded.

Motion passed on a roll call with five in attendance (Mitchell, Prestegard, Riesner, Leith, Zaremba).

Resolution 2025-02, A Resolution to Authorize the Issuance of a Public Recreational Easement in Perpetuity for the Public to Utilize an Unconstructed Right-of-Way

Roberts reported Quartz Avenue, a platted and undeveloped street parallel to Harper Avenue, was vacated on April 1, 2025. The Council voted to renew the Public Recreational Easement (Right-Of-Way, labeled Quartz Avenue, between Block 16 and Block 14, Fairbanks Plat #63-7859, North and West Additions to Delta Junction Townsite, Township 010 South, Range 010 East, Section 14, Fairbanks Meridian, AK), changing it from a ten-year public access to perpetuity. Ron Liewer recently deeded 16 lots to the City between Harper Avenue and Quartz Avenue to forever remain in public use. The Liewer Community Trail weaves around the lots that Liewer transferred to the City.

Motion: Prestegard moved to adopt Resolution 2025-02, with the attached plat showing beginning and end of Quartz Avenue; Leith seconded.

Motion passed on a roll call with five in attendance (Riesner, Leith, Prestegard, Mitchell, Zaremba).

Purchases over \$1,000.00

CK #23512 to Alasconnect - \$3,166.55 for April managed IT services

CK #23513 to Follett Content Solutions - \$2,244.70 for library books

CK #23514 to GVEA - \$6,837.80 for March electricity

CK #23515 to Aetna - \$17,213.80 for March group health insurance

CK #23516 to Bank of America – roughly \$8,000.00 for March credit card purchases (\$2,210 for books, \$1,766 supplies, \$2,520 fuel, \$600 postage, \$1,100 subscriptions, and \$250 on training)

Motion: Leith moved to approve checks 23512 through 23516; Riesner seconded.

<u>Reierson</u> reported the Bank of America bill had not been received before preparing the agenda on April 11, but she did receive notice that the credit card had maxed out (CK#23516).

Motion passed on a roll call with five in attendance (Prestegard, Riesner, Mitchell, Leith, Zaremba).

REPORTS

Mayor - Igor Zaremba reported Tyler O'Dell, the new equipment operator, is transitioning well. **City Administrator** - Lori Roberts reported:

- The Pioneers are relocating their cabin from Rest Haven Cemetery to the Pioneer Park.
- She is getting quotes to repair the damage done to the City plow truck.
- She is working to update the Code of Ordinances, one chapter at a time.
- She is still working on the Hazard Mitigation Plan.
- Two public records requests were received for all personal emails and texts sent and received from Stormie Mitchell that relates to City business. An email was sent to Mitchell at 1:07pm, April 11, requesting response within ten days. A copy of the letter was placed in her Council box at 3:20pm, April 11 and a certified letter was mailed to her at 3:44pm, April 11.
- She received another FOIA request for audit records dated back to January 2022. She asked anyone with information to email it to the City Clerk, so the information can be compiled. The person who filed the request was informed that anything over five hours will be charged and 50% of the estimated cost must be paid up front.
- She was notified on March 27 that Stormie Mitchell called the Department of Labor to inquire about who she should contact about potential wrongful termination.
- Mitchell's litigation is still open, so all communication must be between attorneys. City Attorney Pam Weiss issued a proposed global settlement, but Mitchell wanted to wait until after the recall election (April 18) even though the court denied her claim (March 28).
- She has received inquiries about whether Rural Alaska Emergency Services (RAES) was transparent. Minutes, financials, and profit/loss statements are available for public review online (emsalaska.org). Deltana Community Corporation still has not produced their financials and minutes from January and February.
 - City staff, volunteers, and contractors are being harassed by a group of local residents.

Finance - Kaylee Reierson reported the FY23 audit is almost finalized. The FY24 audit starts next week. The FY25 third-quarter report will be presented on May 6.

Library - Mary Leith reported:

- The Delta Library Board is collecting donations for the annual fundraiser and Block Party on May 10.
- The Alaska Public Library Assistant Grant, \$7,000 per institution, should continue into FY26, but funding for interlibrary loan services (sharing material with other libraries) would not because the Institute for Museums and Libraries was targeted by the Department of Government Efficiency (DOGE). The Delta Community Library is the #1 user of the interlibrary loan service in Alaska.
 - Two garden planting classes are scheduled for April 28. Seed swapping is available at the library.

Health & Safety - Stormie Mitchell referred to recent snow and icy conditions and said the weather is unpredictable. **Airport** - Mike Prestegard reported airport fees have all been paid and the tie-down area is covered in snow. **Emergency Preparedness / Parks & Recreation** - Travis Riesner asked the public to be mindful of kids on four-wheelers who don't slow down before pulling out of driveways or the parking lot behind the library. He reported volunteers repaired winter damages along the park fence.

Additional Reports – Igor Zaremba reminded Council to not interrupt the public during their time to speak.

ADDITIONAL PUBLIC COMMENTS

<u>Dean Seibold</u> expressed concerns about lawlessness, the Open Meetings Act, and the impact of the marijuana shop that will be built at Shaw Creek. He said there is movement to look into Mitchell's recall and fast forward referrals to prosecute law breakers. Seibold also criticized the City's handling of the EMS situation and the proposed merger of the Delta Junction Volunteer Fire Department and Rural Deltana Volunteer Fire Department into the Alcan Fire Department.

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Igor Zaremba, Mayor	SEAL	Pat White, City Clerk
		Approved: May 6, 2025

Recorded meetings available at City Hall upon request.