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**City Council General Meeting**  
**March 12, 2009**

**1. Call to Order:** A General Meeting of the Gustavus City Council was held on March 12, 2009 at 7:00PM.

Mayor Unkel called the meeting to order at 7:03PM

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

Mayor Unkel  
Vice Mayor Berry  
Council Member Cacioppo  
Council Member Howell - Via Teleconference  
Council Member Lassiter  
Council Member Nixon

Council Members not in attendance:

Council Member Marchbanks -Absent/Excused

**3. Reading & Approval of Minutes -**

Minutes from the February 12, 2009 General Meeting were read by the City Clerk.

Motion:	Council Member Lassiter moved to accept as read.
Seconded by:	Council Member Berry

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None
Motion Passes 6/0	

Minutes from the February 19, 2009 Special Meeting were read by the City Clerk.

Motion:	Council Member Cacioppo moved to accept as read.
Seconded by:	Council Member Lassiter

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None
Motion Passes 6/0	

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Minutes from the March 5, 2009 Special Meeting were read by the City Clerk.

Motion:	Council Member Lassiter moved to accept.
Seconded by:	Vice Mayor Berry

**ROLL CALL MOTE ON MOTION:**

Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None
Motion Passes 6/0	

**4. Mayor's Request for Agenda Changes:**

- Remove 6D from the Consent Agenda - 2009-09NCO for GVFD
- Request to suspend the rules for item 7A (Ordinance 2009-10)

Motion:	Council Member Lassiter moved to suspend the rules to move 7A after 12A.
Seconded by:	Council Member Nixon

**ROLL CALL VOTE ON MOTION:**

Yes:	Berry, Cacioppo, Lassiter, Nixon, Unkel
No:	Howell
Motion Passes 5/1	

*(Clerk's Note: Ordinance 2009-10 An ordinance for publication to amend Title 11 was moved after agenda item 12A which is Ordinance 2009-01 an ordinance that is also amending Title 11.)*

**5. Committee Reports:**

- A.** DRC Committee report given by Vice Mayor Berry and Kim Ney.
- B.** Road Committee report given by Council Member Lassiter.
- C.** GVA report given by Rachel Parks.

**6. Consent Agenda:**

- A. Allison Banks – Appointment as vice-chair Planning Committee
- B. Wayne Clark – Appointment as secretary Planning Committee
- C. DRC 2009-08NCO for publication Transfer Funds DRC (Legal Fees)
- ~~D. Ordinance 2009-09NCO for Publication GVFD~~

*(Clerk's Note: Item (d) Ordinance 2009-09NCO was removed during the Mayor's Request For Agenda Changes.)*

Motion:	Vice Mayor Berry moved to adopt the consent agenda.
Seconded by:	Council Member Lassiter

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None

Motion Passes 6/0

**7. Ordinances for Publication:**

*(Clerk's Note: Item (A) 2009-10 was moved to unfinished business during the Mayor's request for agenda changes.)*

**8. Ordinances for Public Hearing:**

**A. 2009-06NCO** An Ordinance for the City of Gustavus providing for the amendment of the Road Committee Budget for FY09.

Public Hearing:           Kim Ney  
                                  Janet Lassiter  
                                  Junusz Kunat

Motion:	Council Member Lassiter moved to adopt 2009-06NCO for the Road Committee.
Seconded by:	Council Member Berry

Council discussion followed.

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None

Motion Passes 6/0

**B. 2009-07NCO** An Ordinance for the City of Gustavus providing for the amendment of the Road Budget for FY09.

Public Hearing:           Janet Lassiter

Motion:	Council Member Lassiter moved to adopt ordinance 2009-07NCO for the Road Committee.
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Seconded by: Council Member Berry
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<b>ROLL CALL VOTE ON MOTION:</b>
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Yes: Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No: None

Motion Passes 6/0
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**C. 2009-05NCO** An Ordinance for the City of Gustavus providing for the amendment of the City of Gustavus Library Budget for FY09.

Public Hearing: There being no one who wished to be heard the public hearing was closed.

Motion: Vice Mayor Berry moved to adopt budget ordinance 2009-05NCO.
Seconded by: Council Member Lassiter

Council discussion followed.

<b>ROLL CALL VOTE ON MOTION:</b>
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Yes: Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No: None

Motion Passes 6/0
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**9. Resolutions:**

**A. Resolution 2009-08** A Resolution Certifying the Annual Certified Financial Statement of Revenues and Authorized Expenditures for the Year Ending June 30, 2008.

Resolution 2008-08 was read by Mayor Unkel.

Public Comment: None

Motion: Council Member Nixon moved that we adopt 2009-08 a resolution certifying the annual certified financial statement of revenues and authorized expenditures for the year ending June 30, 2008.
Seconded by: Council Member Cacioppo

Council discussion followed.

**ROLL CALL VOTE ON MOTION:**

Yes: Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel

No: None

Motion Passes 6/0

- B. Resolution 2009-09** A Resolution by the City of Gustavus in support of the GVFD request for the Council to bypass the competitive bid process.

Motion: Council Member Nixon moved to accept 2009-09 a resolution by the City of Gustavus in support of the GVFD request for the Council to bypass the competitive bid process.

Seconded by: Council Member Lassiter

**ROLL CALL VOTE ON MOTION:**

Yes: Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel

No: None

Motion Passes 6/0

**10. Policy for Publication:** None

**11. Policies & Procedures for Public Hearing:** None

**12. Unfinished Business:**

**A. 2009-01** Amending Title 11 Public Health and Safety

*(Clerk's Note: The motion from the February General Meeting was: Council Member Marchbanks moved the Council adopt the amendments to Title 11.01 Public Health and Safety with the following corrections: The Title for 11.01 should read Discharge of Firearms with Center Fire Cartridges within the City of Gustavus. I believe there was a mistake when the amended title was published.)*

Motion: Council Member Howell moved to postpone until the next work session.

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Seconded by: Council Member Nixon
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Council discussion followed.

<b>ROLL CALL VOTE ON MOTION TO POSTPONE:</b>
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Yes: Howell, Nixon
No: Berry, Cacioppo, Lassiter, Unkel

Motion Defeated 2/4
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Council discussion followed.

<b>ROLL CALL VOTE ON MOTION:</b>
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Yes: Howell, Nixon
No: Berry, Cacioppo, Lassiter, Unkel

Motion Defeated 2/4
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**B. 2009-10** An Ordinance of the City of Gustavus Amending Title 11, Public Safety Chapter 11.01 Sections 11.01.010 through 11.01.050, of the municipality's Code of Ordinance.

Public Comment: None

Motion:	Council Member Lassiter moved to publish amendments to Title 11 Public Health and Safety by deleting the words in 11.01.01 all the way to 11.01.050 and reserving those numbers.
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Seconded by:	Council Member Cacioppo
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Council discussion followed.

<b>ROLL CALL VOTE ON MOTION:</b>
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Yes: Berry, Cacioppo, Lassiter, Nixon, Unkel
No: Howell

Motion Passes 5/1
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**C. Vacation of Easement – Taylor Property**

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Motion:	Council Member Howell moved that we hold a public hearing at the next City Council meeting to hear the issue of the Taylors and henceforth this process shall become the established policy of the City of Gustavus for addressing such matters with a public announcement followed by a public hearing at the next regularly scheduled City Council Meeting.
Seconded by:	Council Member Nixon

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None
Motion Passes 6/0	

**13. New Business:**

**A. Clinic** – Council Member to visit Wrangell with Clinic

*(Clerk's Note: No action was taken)*

**B. Applying for a 2009 Gaming Permit**

Public Comment: None

Motion:	Vice Mayor Berry moved that the City apply for the 2009 Gaming Permit and I volunteer to be Council representative.
Seconded by:	Council Member Lassiter

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None
Motion Passes 6/0	

**14. Staff Reports**

*(Clerk's Note: A recess occurred at 8:42PM. The meeting reconvened at 8:45PM.)*

**A. City Council Reports**

**1. Report on teleconference about Tank Farm Construction.**

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CONFLICT OF INTEREST: Council Member Nixon declared a conflict of interest due to the Council Members involvement with Salmon River Electric.

RULING: The Mayor ruled that Council Member Nixon should not vote on any subject that deals with the Tank Farm.

**B. Mayor's Report**

1. DMV is changing date of required registration to July 1<sup>st</sup>.

**C. City Clerk's Report:**

1. Clerk will be out of the office next week.

**15. City Council Questions & Comments**

- A. Council Member Nixon asked about the GVFD Class.
- B. Council Member Cacioppo talked about the Fire Fighter 1 course.

**16. Public Comment on Non-Agenda Items:** None

**17. Executive Session:** None

**18. Adjournment:**

With no further business before the Council the meeting was adjourned at 9:03PM.