
**City Council General Meeting
April 9, 2008**

Call to Order: A General Meeting of the Gustavus City Council was held on April 9, 2009 at 7:00PM.

Mayor Unkel called the meeting to order at 7:00PM.

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 Marchbanks
Council Member Nixon

Reading & Approval of Minutes

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

Motion:	Council Member Howell moved to amend the minutes to read Councilman's involvement with Salmon River Electric.
Second:	Council Member Cacioppo

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel
No:	None
Motion Passes: 7/0	

Motion:	Council Member Lassiter moved to adopt as amended
Seconded by:	Council Member Berry

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel
No:	None
Motion Passes 7/0	

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Minutes from the April 3, 2009 Special Meeting were read by the City Clerk.

Motion:	Council Member Nixon moved to pass the minutes.
Seconded by:	Council Member Lassiter

ROLL CALL VOTE ON MOTION:

Yes: Berry, Cacioppo, Lassiter, Marchbanks, Nixon

No: Howell

Motion Passes 6/1

Mayor's Request For Agenda Changes: None

Committee Reports:

- GVFD Committee report given by Gus Martinez.
- Lands Committee report given by Vice Mayor Berry.
- Finance Committee report given by Becky King.
- Borough Committee report given by Greg Streveler

Consent Agenda:

- A. Appointment of Wendy Bredow to GVFD Board.
- B. Appointment of Wendy Bredow to GVFD Chairperson
- C. Ordinance 2009-09NCO Fire Dept
- D. Ordinance 2009-11NCO Road Committee
- E. Ordinance 2009-12NCO Admin Budget & Road
- F. Ordinance 2009-13NCO DRC
- G. Ordinance 2009-14 Lands Committee
- H. 2009-15 Title 2 Amendment

Motion:	Council Member Lassiter moved to adopt the consent agenda as listed.
Seconded by:	Council Member Cacioppo

ROLL CALL VOTE ON MOTION:

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

No: None

Motion Passes 7/0

Ordinances for Publication: None

Ordinances for Public Hearing:

- **2009-10 Title 11 Amendments** An Ordinance for 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 Hearing: Janet Lassiter

Motion:	Council Member Lassiter moved to adopt ordinance 2009-10 Title 11.
Seconded by:	Council Member Cacioppo

Council discussion followed.

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Lassiter, Nixon
No:	Howell, Marchbanks, Nixon
Motion Passes 4/3	

- **2009-08NCO** An Ordinance for the City of Gustavus providing for the amendment of the Disposal and Recycling Center budget for Fiscal Year 2009.

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

Motion:	Council Member Berry moved that 2009-08NCO be amended with the amendment shown on the document and republished.
Seconded by:	Council Member Lassiter

Council discussion followed.

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel
No:	None
Motion Passes 7/0	

Resolutions:

▪ **Resolution 2009-10 Ocean Acidification**

Resolution 2009-10 was read by Council Member Lassiter.

Public Comment: None

Motion:	Council Member Lassiter moved to adopt Title 2009-10.
Seconded by:	Council Member Cacioppo

Council discussion followed.

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon
No:	Marchbanks, Unkel

Motion Passes 5/2

▪ **Resolution 2009-11 A RESOLUTION FOR THE CITY OF GUSTAVUS IN SUPPORT OF THE EXTENSION OF A THREE PHASE ELECCTRICAL FEEDER ALONG DOCK ROAD BY GUSTAVUS ELECTRIC COMPANY.**

Resolution 2009-11 was read by Council Member Nixon.

Motion:	Council Member Nixon moved to pass Resolution 2009-11 which is a resolution for the City of Gustavus in support of the extension of a three phase electrical feeder along Dock Road by Gustavus Electric Company.
Seconded by:	Council Member Lassiter

Council discussion followed.

Motion to Amend:	Council Member Berry moved to add a clause under the second whereas that would read whereas the Gustavus Disposal and Recycling Center presently has three phase equipment and would benefit from being able to connect to three phase grid power; and.
Seconded by:	Council Member Nixon

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ROLL CALL VOTE ON MOTION TO AMEND:

Yes: Berry, Cacioppo, Howell, Lassiter, Nixon

No: Marchbanks, Unkel

Motion Passes 5/2

ROLL CALL VOTE ON AMENDED MAIN MOTION:

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

No: Marchbanks

Motion Passes 6/1

- **Resolution 2009-12** A RESOLUTION BY THE CITY OF GUSTAVUS IN SUPPORT OF USING THE FORCE ACCOUNT METHOD FOR THE CONSTRUCTION OF THE PROPOSED NEW BULK FUEL STORAGE FACILITY UPGRADE PROJECT

Resolution 2009-12 was read by Council Member Cacioppo.

(Clerk's Note: A recess occurred from 8:18PM to 8:22PM.)

Motion: Council Member Cacioppo moved to accept Resolution 2009-12.

Seconded by: Council Member Howell

Council discussion followed.

Motion: Council Member Lassiter moved to postpone further action on 2009-12 until a special meeting or until the next regular Council meeting.

Second: None

Council discussion followed.

CONFLICT OF INTEREST: Council Member Nixon asked to be recused from this vote.

RULING: Mayor Unkel restated his ruling from the March General Meeting

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that Council Member Nixon would be recused from voting on Tank Farm issues.

CONFLICT OF INTEREST:

Council Member Marchbanks asked to be recused from all voting on the Tank Farm issue.

RULING:

Mayor Unkel ruled that Council Member Marchbanks should be recused from voting on any matters pertaining to the Tank Farm project.

ROLL CALL VOTE ON MOTION:

Yes: None
No: Berry, Cacioppo, Howell, Lassiter, Unkel
Recused: Marchbanks, Nixon

Motion Defeated 0/5 with 2 Recused

Policy for Publication: None

Policy for Public Hearing: None

Unfinished Business: None

New Business:

- **2009-13** A RESOLUTION BY THE CITY OF GUSTAVUS DECLARING A LACK OF PROTEST IN THE VACATION OF AN EASEMENT (DNR EV-2-996) WITHIN THE GUSTAVUS CITY LIMITS

Resolution 2009-13 was read by Council Member Marchbanks

Public Hearing:

Mike Taylor
Melanie Heacox
Greg Streveler
Dena Matkin
Hank Lentfer
Karen Taylor

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Motion:	Council Member Marchbanks moved we adopt Resolution 2009-13 with the following amendments, that the title be changed to a resolution by the City of Gustavus supporting the vacation of an easement within the Gustavus city limits and adding the language provided by Mrs. Karen Taylor.
Seconded by:	Council Member Lassiter

Council discussion followed.

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel
No:	None
Motion Passes 7/0	

Mayor's Report:

- DMV will be placing public notices in paper regarding registration.
- GVFD looking at ARFF contract.

City Clerk's Report: None

City Council Questions & Comments

- Lou Cacioppo has a concern with Resolution 2009-12.
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Public Comment on Non-Agenda Items:

Janet Lassiter

Adjournment:

With no further business before the Council the meeting was adjourned at 9:15 PM.