

**APPROVED 9/10/2009  
City Council Minutes  
City of Gustavus, Alaska**

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**City Council General Meeting  
August 13, 2009**

**1. Call to Order:** A General Meeting of the Gustavus City Council was held on August 13, 2009 at 7:00PM.  
Mayor Unkel called the meeting to order at 7:04PM.

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

Mayor Unkel  
Vice Mayor Berry  
Council Member Cacioppo  
Council Member Howell  
Council Member Lassiter  
Council Member Marchbanks  
Council Member Nixon

**3. Approval of Minutes**

**A. Minutes from the July 9, 2009 Special Meeting.**

Motion:	Vice Mayor Berry moved to accept the minutes from July 9, 2009.
Seconded by:	Council Member Lassiter

**ROLL CALL VOTE ON MOTION:**

Yes: Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel  
No: None  
Motion Passes 7/0

**B. Minutes from the July 16, 2009 General Meeting.**

Motion:	Council Member Marchbanks requested that the minutes be accepted as submitted.
Seconded by:	Council Member Cacioppo

**ROLL CALL VOTE ON MOTION:**

Yes: Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel  
No: None  
Motion Passes 7/0

**C. Minutes from the July 20, 2009 Special Meeting.**

Motion:	Vice Mayor Berry moved to accept the minutes from July 20, 2009.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:

Yes: Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel  
No: None  
Motion Passes 7/0

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

- 7A FY10-03NCO be moved to the consent agenda.
- 12C Resolution 2009-22 be postpone until the next scheduled meeting 10<sup>th</sup> September.

Motion:	Council Member Cacioppo moved that we move ordinance for publication Item A to the consent agenda.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:

Yes: Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel  
No: None  
Motion Passes 7/0

Motion:	Council Member Nixon moved that we postpone until the next regularly scheduled meeting September 10 Resolution 2009-22.
Seconded by:	Council Member Cacioppo

ROLL CALL VOTE ON MOTION:

Yes: Berry, Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel  
No: None  
Motion Passes 7/0

**5. Committee Reports:**

- A.** GVFD Board report given by Wendy Bredow.
- B.** Lands Committee report given by Paul Berry.

**6. Consent Agenda:**

**A.** Toshua Parker

**B.** Publication: FY10-03NCO AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF THE CITY OF GUSTAVUS ADMINISTRATION BUDGET FOR FY10 FOR THE PURPOSE OF A DONATION TO THE GUSTAVUS COMMUNITY CLINIC.

Motion:	Council Member Marchbanks moved to approve as read.
Seconded by:	Council Member Cacioppo

**ROLL CALL VOTE ON MOTION:**

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

No: None

Motion Passes 7/0

**7. Ordinances for Publication:**

*(Clerk's Note: Item A Ordinance FY10-03NCO was moved by motion to the Consent Agenda during Mayor's Request for Agenda Changes.)*

**8. Ordinances for Public Hearing:**

**A. FY10-01NCO** AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF THE GUSTAVUS COMMUNITY NETWORK (GCN) BUDGET FOR FISCAL YEAR FY10.

Public Hearing: Nate Borson

Motion:	Vice Mayor Berry moved the City Council accept FY10-01NCO an ordinance for the City of Gustavus providing for the amendment of the Gustavus Community Network (GCN) Budget for Fiscal Year FY10.
Seconded by:	Council Member Nixon

Council discussion followed.

**ROLL CALL VOTE ON MOTION:**

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

No: None

Motion Passes 7/0

**B. FY10-02NCO** AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF THE GUSTAVUS COMMUNITY NETWORK (GCN) BUDGET FOR FISCAL YEAR FY10.

Mayor Unkel read Ordinance FY10-02NCO

Public Hearing:           Nate Borson  
                                  Kim Ney  
                                  Ky Sellards

Motion:                   Vice Mayor Berry moved the City Council accept FY10-02NCO an ordinance for the City of Gustavus providing for the amendment of the Gustavus Community Network (GCN) Budget for Fiscal Year FY10.

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

**9. Policy for Publication:** None

**10. Policy & Procedure for Public Hearing:** None

**11. Unfinished Business:**

**A.** Bulk Fuel Tank Farm Agreement

Mayor Unkel stated that there was no change to the Bulk Fuel agreement and he had no information to make a motion on.

**12. New Business:**

**A. Resolution 2009-20** A RESOLUTION BY THE CITY OF GUSTAVUS URGING STATE OF ALASKA REPRESENTATIVES TO SUPPORT HR 2256, THE “PRESERVING THE AMERICAN HISTORICAL RECORD” ACT AND REQUESTING THAT ONCE THE ACT IS ADOPTED, THE FUNDS BE REDISTRIBUTED TO LOCAL MUNICIPALITIES TO MEET THE MANDATES OF ALASKA STATUTE 29.20.380.

Resolution 2009-20 was read by Council Member Nixon.

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Public Comment: None

Motion:	Council Member Howell moved we adopt 2009-20 as read.
Seconded by:	Council Member Nixon

Council discussion followed.

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

**B. Resolution 2009-21 A RESOLUTON SUPPORTING THE GUSTAVUS COMMUNITY CLINICS REQUEST TO ALASKA ISLAND COMMUNITY SERVICE.**

Resolution 2009-21 was read by Council Member Marchbanks.

Public Comment:

- Nate Borson
- Ky Sellards
- Gus Martinez
- Donna Deboer-Williams
- Bill Brown
- Wendy Bredow
- Roy- Good River Bed & Breakfast
- Sandi Marchbanks-Read letter for Margaret Bortko
- Diane Klawunder

Motion:	Vice Mayor Berry moved to adopt Resolution 2009-21 as read.
Seconded by:	Council Member Nixon

Council discussion followed.

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

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**C. Resolution 2009-22** Road Acceptance  
*(Clerk's Note: Resolution 2009-22 was postponed by motion during the Mayor's Request For Agenda Changes.)*

**D. Resolution 2009-23** A RESOLUTION TO SUPPORT THE CONSTRUCTION OF A TERMINAL BUILDING AT THE NEWLY CONSTRUCTED GUSTAVUS DOCK, AND TO SUPPORT ALASKA DOT'S CONDITION THAT THE CITY OF GUSTAVUS PROVIDES THE MAINTENANCE & OPERATION OF SAID TERMINAL BUILDING.

Resolution 2009-23 was read by Mayor Unkel.

Public Comment:

Bruce Tedtsen  
Diane Klawunder  
Karen Taylor  
Gus Martinez  
Mary Hervin  
Sean Neilson  
Ken Klawunder  
Tim Sunday  
Ky Sellards

Motion:	Council Member Nixon moved we postpone action until the next regularly scheduled meeting in September.
Seconded by:	Council Member Lassiter

Council discussion followed.

CONFLICT OF INTEREST: Council Member Marchbanks requested a ruling on if she has a conflict of interest due to her business.

RULING: Mayor Unkel ruled that there is a conflict of interest.

Motion:	Council Member Howell moved to overrule the Mayor's ruling that there is a conflict of interest.
Seconded by:	Council Member Nixon

Council discussion followed.

**ROLL CALL VOTE ON MOTION TO OVERRULE RULING:**

Yes: Cacioppo, Howell, Lassiter, Nixon  
No: Berry, Unkel  
Recused: Marchbanks

Motion to Overrule Passes 4/2 with 1 Recused

**ROLL CALL VOTE ON MOTION TO POSTPONE:**

Yes: Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel  
No: Marchbanks

Motion Passes 6/1

**E. Resolution 2009-24** A RESOLUTION REQUIRING THAT GCN  
REPAY ALL CITY RESERVE FUNDS UDED AS A MATCH FOR  
THE BROADBAND TECHNOLOGIES OPPORTUNITIES  
PROGRAM (BTOP) GRANT APPLICATION.

Resolution 2009-24 was read by Vice Mayor Berry

Public Comment: Nate Borson

Motion: Vice Mayor Berry moved we support Resolution  
2009-24 as read.  
Seconded by: Council Member Nixon

Council discussion followed.

**ROLL CALL VOTE ON MOTION:**

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

Motion Passes 7/0

**F. Gustavus Clinic: Motion to Extend Endowment Fund  
Spending.**

Mayor Unkel read the letter submitted by the Clinic.

Public Comment: Ky Sellards  
Bruce Tedtsen  
Diane Klawunder

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Motion:	Council Member Nixon moved the Council extend the \$750.39 in the endowment fund to 2010.
Seconded by:	Council Member Howell

Council discussion followed.

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

**G. Planning Committee: Motion to Accept Grant Writer RFP**

Motion:	Council Member Howell moved we accept the Grant Writer RFP as presented.
Seconded by:	Council Member Howell

Council discussion followed.

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

**H. Snow Removal RFQ: Motion to accept Road Committee RFQ**

Motion:	Council Member Lassiter moved that we accept the RFQ for the City of Gustavus for Snow Plowing for FY10.
Seconded by:	Council Member Howell

Council discussion followed.

**CONFLICT OF INTEREST:** Council Member Marchbanks declared a conflict of interest.

**RULING:** Mayor Unkel ruled that she does have a conflict of interest due to the fact that her company has in the past bid on the snow plowing.

**ROLL CALL VOTE ON MOTION:**

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

Motion Passes 6/0 with 1 recused

**13. Staff Reports:** None

**14. City Council Reports:**

**A. Mayor's Report**

1. Dock project moving along
2. Tank Farm project moving along. Lease has not been signed.
3. Gravel Pit material contract has been signed.
4. Elections – 4 Council seats open.

**B. Committee Reports**

**C. Clerk Report**

1. Filing period for Council seats is August 22 to September 16<sup>th</sup>.

**15. City Council Questions & Comments**

- A.** Vice Mayor Berry thanked the Clerk for the Council General Meeting E-Packet, and requested that in the future it be put as a link on the City website so that it is available to everybody.

**16. Public Comment on Non-Agenda Items:**

- A.** Eileen Clark

**Adjournment:**

With no further business before the Council the meeting was adjourned at 9:10PM.