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**City Council General Meeting  
September 10, 2009**

**1. Call to Order:** A General Meeting of the Gustavus City Council was held on September 10, 2009 at 7:00PM.

Vice Mayor Berry acting as Presiding Officer called the meeting to order at 7:05PM.

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

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

**3. Approval of Minutes**

**A. Minutes from the August 7, 2009 Special Meeting**

Motion: Council Member Marchbanks moved the minutes be accepted as submitted for the August 7<sup>th</sup> 2009 Special Meeting.

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 August 13, 2009 General Meeting**

Motion: Council Member Lassiter moved to accept the minutes as submitted.

Seconded by: Council Member Howell

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:** None

**5. Committee Reports:**

- A.** GCN Committee report given by Vice Mayor Berry.
- B.** Marine Facilities Committee no report given.
- C.** Endowment Committee report given by Bruce Tedtsen.

**6. Consent Agenda:** None

**7. Ordinances for Publication:**

- A.** FY10-04NCO (Gravel Pit) An Ordinance for the City of Gustavus for the amendment of the Road Committee budget for Fiscal Year FY10.

Public Comment: None

Motion:	Council Member Lassiter moved that we accept FY10-04NCO for the Road Committee gravel pit expansion for publication.
Seconded by:	Mayor Unkel

Conflict of Interest: Council Member Marchbanks declared a conflict of interest due to the fact that her company will be bidding on the RFQ.

Ruling: Vice Mayor Berry ruled that there is a conflict of interest and that she should not vote on the publication, public hearing, RFQ letting, and award.

Council discussion followed.

ROLL CALL VOTE ON MOTION:	
Yes:	Berry, Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	None
Recused:	Marchbanks
Motion Passes 6/0 with 1 Recused	

**8. Ordinances for Public Hearing:**

- A.** FY10-03NCO (Clinic) AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF THE CITY

**APPROVED 10/8/2009  
City Council Minutes  
City of Gustavus, Alaska**

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OF GUSTAVUS ADMINISTRATIVE BUDGET FOR FY10 FOR  
THE PURPOSE OF A DONATION TO THE GUSTAVUS  
COMMUNITY CLINIC.

Public Hearing:

Diane Klawunder  
Eileen Clark  
Dan Pratchner

Motion:	Council Member Marchbanks moved that we accept Ordinance FY10-03NCO an ordinance for the City of Gustavus providing for the amendment of the City of Gustavus Administrative budget for FY10 for the purpose of a donation to the Gustavus Community Clinic.
Seconded by:	Council Member Cacioppo

Council discussion followed.

CONFLICT OF INTEREST: Council Member Marchbanks declared a conflict of interest due to her daughter in law is the office manager at the Clinic.

RULING: Vice Mayor Berry ruled that there is a conflict and Council Member Marchbanks should be recused from voting.

Motion:	Council Member Howell moved to challenge the ruling.
Seconded by:	Council Member Cacioppo

ROLL CALL VOTE ON MOTION TO OVERRULE:	
Yes:	Cacioppo, Howell, Lassiter, Nixon, Unkel
No:	Berry
Recused:	Marchbanks,
Motion Passes: 5/1 with 1 Recused	

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**City Council Minutes**  
**City of Gustavus, Alaska**

ROLL CALL VOTE ON MOTION:

Yes: Berry, Cacioppo, Marchbanks, Nixon, Unkel

No: Howell, Lassiter

Motion Passes 5/2

**9. Policy for Publication:** None

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

**11. Unfinished Business:**

- A. Resolution 2009-23 (Terminal Building)** A Resolution to support the construction of a terminal building at the newly constructed Gustavus Dock, and; To support Alaska Department of Transportation's conditions that the City of Gustavus provides the maintenance and Operations of said terminal building.

Resolution 2009-23 was read by Council Member Marchbanks.

Public Comment: Ken Klawunder  
Ponch Marchbanks  
Diane Klawunder

Motion: Mayor Unkel moved the Council accept this resolution.  
Seconded by: Council Member Marchbanks

Motion to Amend: Mayor Unkel moved to amend to removed the paragraph that refers to the \$237,000.  
Seconded by: Council Member Lassiter

Council discussion followed on amendment.

ROLL CALL VOTE ON AMENDMENT:

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

No: None

Motion Passes 7/0

**APPROVED 10/8/2009**  
**City Council Minutes**  
**City of Gustavus, Alaska**

Motion to Amend: Council Member Nixon moved to amend to remove the 7<sup>th</sup> paragraph.  
Seconded by: Mayor Unkel

Council discussion on amendment followed

ROLL CALL VOTE ON MOTION TO AMEND:  
Yes: Berry, Cacioppo, Lassiter, Nixon, Unkel  
No: Howell, Marchbanks  
  
Motion Passes 5/2

Council discussion on amended main motion followed.

Motion to Amend: Council Member Marchbanks moved to amend the title to remove and, and strike the second paragraph.  
Seconded by: Council Member Lassiter

Council discussion followed.

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

ROLL CALL VOTE ON AMENDED MAIN MOTION:  
Yes: Cacioppo, Howell, Lassiter, Marchbanks, Nixon, Unkel  
No: Berry  
  
Motion Passes 6/1

**B. Resolution 2009-22 (Road Acceptance)** A Resolution to accept a Road named "End of Trail" as part of the City's maintained road system.

Resolution 2009-22 was read by Council Member Lassiter.

Public Comment: None

Motion: Council Member Lassiter moved we adopt Resolution 2009-22.  
Seconded by: Mayor Unkel

Council discussion followed.

**ROLL CALL VOTE ON MOTION:**

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

No: None

Motion Passes 7/0

**12. New Business:**

**A. Snow Removal Contract**

**CONFLICT OF INTEREST:**

Council Member Marchbanks declared a conflict of interest due to the fact that her company is the lowest responsive, responsible bidder.

**RULING:**

Vice Mayor Berry ruled that there is a conflict.

**Public Comment:**

Kim Ney

**Motion:**

Council Member Lassiter moved that we accept the snow removal contract between the City of Gustavus and Glacier Bay Construction.

**Seconded by:**

Council Member Howell

Council discussion followed.

**ROLL CALL VOTE ON MOTION:**

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

No: None

Recused: Marchbanks

Motion Passes 6/0 with 1 Recused

**B. Appointment of Election Judges/Clerks/Chair**

Public Comment: None

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**City Council Minutes**  
**City of Gustavus, Alaska**

Motion:	Council Member Cacioppo moved to accept the Election Judges and Election Judge Clerks as presented.
Seconded by:	Council Member Howell

Council discussion followed.

**ROLL CALL VOTE ON MOTION:**

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

Motion Passes 7/0

**13. Staff Reports:** None

**14. Mayor's Report:**

- A. Tank Farm tanks are in place.
- B. Tank Farm Business Plan has been signed.
- C. Meeting with NPS concerning MOU with GVFD.

**City Clerk's Report:**

- A. Municipal Elections are on October 6, 2009
- B. Filing period for City Council Declarations of Candidacy is open until September 16<sup>th</sup>.
- C. Election Review Committee which is the City Council will certify the election on October 9<sup>th</sup>.

**15. City Council Questions & Comments**

- A. Council Member Nixon discussed the Marine Facility Committee's plans.
- B. Council Member Cacioppo inquired about the problems with the fuel tank at the Fire Hall.
- C. Council Member Howell discussed the needs of the Fire Department.

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

- A. Diane Klawunder
- B. Ponch Marchbanks

**17. Executive Session**

- A. City Clerk Evaluation

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**City Council Minutes**  
**City of Gustavus, Alaska**

Motion:	Council Member Marchbanks moved to go into executive session in order to evaluate the City Clerk.
Seconded by:	Council Member Lassiter

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

*(Clerk's Note: With no objection the meeting reconvened at 9:46PM)*

Motion:	Council Member Howell moved to increase the City Clerk's wage to \$25.00.
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	

**18. Adjournment:**

With no further business before the Council the meeting was adjourned at 9:50PM.