

**City Council General Meeting
November 11, 2010**

1. Call to Order: A General Meeting of the Gustavus City Council was held on November 11, 2010 at 7:00PM.

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

2. Roll Call:

Comprising a quorum of the Council the following were present:

Mayor Mackovjak
Vice Mayor Cacioppo
Council Member Lassiter
Council Member Lesh
Council Member Nixon
Council Member Sunday
Council Member Taylor

3. Approval of Minutes

- A.** Minutes of the October 8, 2010 City Council acting as the Election Review Committee meeting were approved by unanimous consent.
- B.** Minutes of the October 11, 2010 Special Meeting were approved by unanimous consent.
- C.** Minutes of the October 14, 2010 General Meeting were approved by unanimous consent.
- D.** Minutes of the October 28, 2010 Special Meeting were approved by unanimous consent.

4. Mayor's Request For Agenda Changes:

Mayor Mackovjak requested that Consent Agenda Item 70 be moved to New Business 10C.

5. Committee Reports:

- A.** DRC Committee report given by Mike Taylor.
- B.** Road Committee report given by Ed Bond.
- C.** GVA report given by Rachel Parks.

6. Public Comment on Non Agenda Items: None

7. Consent Agenda:

- A. Templin Professional Services Contract—Amend
- B. MOA State/City– Salmon Habitat Restoration Program
- C. FY11-13NCO– Road Budget Amendment
- D. FY11-09—Amending COG Ordinance 2030.030
- E. Resolution 2010-27 Business License Fee
- F. FY11-11NCO—Library Budget Amendment
- G. Appointing Kim Heacox to the Septage Committee
- H. Approval of pay increase for Sylvia Martinez
- I. Approval of pay increase for Paul Berry
- J. Approval and authorization for Mayor to Sign NPSFY11 DRC Disposal Services Agreement
- K. Approve Mike Taylor as Chair of DRC Committee
- L. Authorize City Employee Paul Berry to Operate City-Owned Brush Cutter for Remainder of Calendar Year 2010.
- M. Approve Award of Snow Plowing RFQ to Glacier Bay Construction.
- N. FY11-14NCO—Fire Department Budget Amendment
- ~~O. Approve award of Tower RFQ to Glacier Bay Construction~~

(Clerk’s Note: Item 7O was requested to be removed and is now New Business Item 10C.)

Motion:	Council Member Lesh moved that the Council adopt the consent agenda as amended.
Seconded by:	Council Member Cacioppo

ROLL CALL VOTE ON MOTION:	
Yes:	Cacioppo, Lassiter, Lesh, Mackovjak, Nixon, Sunday, Taylor
No:	None
Motion Passes 7/0	

8. Ordinances for Public Hearing:

- A.** FY11-05NCO—GCN Budget Amendment

Public Hearing:

- Nate Borson
- Kim Ney
- Paul Berry
- Ed Bond

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CONFLICT OF INTEREST: Council Member Lesh declared a conflict of interest due to the fact that her husband has worked for Rainforest every so often.

RULING: Mayor Mackovjak ruled that there was not a conflict of interest because this is for the construction of the tower and Rainforest was not a bidder.

CONFLICT OF INTEREST: Council Member Nixon reminded the the council that he had previously been ruled to have a conflict of interest on this issue.

Motion:	Council Member Lesh moved the Council approve Ordinance FY11-05NCO for public hearing.
Seconded by:	Council Member Sunday

Council discussion followed.

ROLL CALL VOTE ON MOTION: Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Sunday, Taylor No: None Recused: Nixon Motion Passes 6/0 with 1 recused

B. FY11-06CNO—GVFD Budget Amendment

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

Motion:	Council Member Nixon moved that we move for public hearing FY11-06NCO an ordinance for the City of Gustavus providing for the amendment of the Gustavus Volunteer Fire Department Budget for Fiscal Year 2010.
Seconded by:	Vice Mayor Cacioppo

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Nixon, Sunday, Taylor

No: None

Motion Passes 7/0

C. FY11-07—Amending COG 5.90.060

Public Hearing:

Paul Berry

Motion: Council Member Taylor moved that we adopt FY11-07

Seconded by: Council Member Lassiter

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Nixon, Sunday, Taylor

No: None

Motion Passes 7/0

D. FY11-08NCO—Amending Road Budget

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

Motion: Council Member Lassiter moved that the Council accept FY11-08NCO.

Seconded by: Council Member Lesh

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Nixon, Sunday, Taylor

No: None

Motion Passes 7/0

E. FY11-10NCO—Creating Beach Committee Budget

Public Hearing: With no one who wished to be heard the public

hearing was closed.

Motion:	Council Member Sunday moved that we pass and adopt FY11-10NCO.
Seconded by:	Vice Mayor Nixon

ROLL CALL VOTE ON MOTION: Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Nixon, Sunday, Taylor No: None
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Motion Passes 7/0

9. Unfinished Business: None

10. New Business:

A. Nate Borson—Conflict of Interest Hearing

Public Comment:

Lacie Lester

CONFLICT OF INTEREST: Nate Borson declared possible conflict of interest concerning his work as GCN administrator and the proposed new broadband project. He stated that he would not bid on the construction of the new broadband project.

RULING: Mayor Mackovjak ruled that there was not a conflict of interest.

(Clerk's Note: A recess occurred from 7:59PM to 8:00PM)

B. GCN CIP Submission to Governor

Public Comment:

Nate Borson

Motion:	Council Member Lassiter moved that we postpone the GCN submission until Nate is comfortable with his numbers and the Council has had a chance to review it.
Seconded by:	Council Member Lesh

Council discussion followed.

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Nixon, Sunday, Taylor

No: None

Motion Passes 7/0

C. Approve award of Tower RFQ to Glacier Bay Construction

Public Comment:

Nate Borson

Motion: Council Member Lesh moved that the Council approve the award of the tower project to Glacier Bay Construction.

Seconded by: Council Member Tim Sunday

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Lassiter, Lesh, Mackovjak, Sunday, Taylor

No: None

Recused: Nixon

Motion Passes 6/0 with 1 recused

(Clerk's Note: Council Member Nixon had previously been ruled to have a conflict of interest on the tower project, and that ruling applies to this agenda item.)

11. Staff Reports:

A. Paul Berry - DRC

12. City Council Reports

A. Mayor's Report

- AEA and Tank Farm
- Landing Craft Boat Harbor Fees
- Charter Boat Harbor Fees
- Acting Mayor will be Council Member Lassiter during the time that the Mayor and Vice Mayor will be at AML
- The new NPS Superintendent has arrived in Gustavus
- GERVA Donation

B. City Clerk's Report:

- Clerk will be out of town for Conference and Clerk's Academy.
- Mayor, Vice Mayor, and Council Member Taylor will be at AML training.
- Work Session next Thursday

13. City Council Questions & Comments

- Council Member Sunday
 - Floats are scheduled to bid in January
 - Commented on the health insurance stipend for full time employees.
- Council Member Taylor
 - Suggested ordinance for health insurance
 - Would like to work on policy and procedures
- Council Member Lesh
 - Will be addressing policy and procedure at the Lands Committee meeting.
- Vice Mayor Cacioppo
 - Suggested employees kept a time log
- Council Member Nixon
 - Stated the Council started on the items that they had listed on the board.
 - Thanked Sandi Marchbanks for putting those items on paper.

14. Public Comment on Non-Agenda Items:

- Sandi Marchbanks

15. Executive Session: None

16. Adjournment:

With no further business before the Council the meeting was adjourned at 8:30PM.

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