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**City Council General Meeting**  
**April 11, 2013**

**1. Call to Order:** A General Meeting of the Gustavus City Council was held on April 11, 2013 at 7:00PM.

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

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

Mayor Cacioppo  
Vice Mayor Farevaag  
Council Member DeBoer  
Council Member Hawley  
Council Member Mackovjak  
Council Member Marchbanks  
Council Member Sunday

**3. Approval of Minutes**

A. March 12, 2013 Special Meeting

Minutes of the March 12, 2013 meeting were approved by unanimous consent.

B. March 14, 2013 General Meeting

Minutes of the March 14, 2013 meeting were approved by unanimous consent.

**4. Mayor's Request For Agenda Changes:** None

**5. Committee Reports:**

A. Lands Committee report given by Ken Klawunder and Hayden Kaden.

**6. Public Comment On Non-Agenda Items:**

1. Pep Scott
2. Hayden Kaden
3. Diane Klawunder

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**7. Consent Agenda:**

- A. Appoint John Savage to Road Committee
- ~~B. Appoint Brad Rider to Marine Facilities~~
- ~~C. Appoint Phillip Hawley to Marine Facilities~~
- ~~D. Appoint Phillip Hawley Chairperson Marine Facilities~~
- ~~E. Appoint Donald Duke to Marine Facilities~~
- ~~F. Appoint Joe Vanderzanden to Marine Facilities~~
- ~~G. Appoint Morgan DeBoer to Marine Facilities~~
- H. Resolution 2013-10 PILT
- I. Resolution 2013-11 Certified Financial Statement
- J. FY13-15NCO—Amending Road Budget– Publish
- K. FY13-16NCO—Amending DRC Budget-Publish

*(Clerk's Note: Consent Agenda items B, C, D, E, F, and G were requested to be removed and are now on New Business as agenda items E, F, G, H, I, and J. Resolution 2013-10 and Resolution 2013-11 were read by Vice Mayor Farevaag.)*

Motion:	Vice Mayor Farevaag moved we adopt FY13-13NCO as amended.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:	
Yes:	Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday
No:	None
Motion Passes 7/0	

**8. Ordinances for Public Hearing:**

- A. FY13-13NCO-Amending Library Budget

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

Motion:	Vice Mayor Farevaag moved we adopt FY13-13NCO amending the Library budget.
Seconded by:	Council Member Hawley

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**ROLL CALL VOTE ON MOTION:**

Yes: Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks,  
Sunday

No: None

Motion Passes 7/0

**B. FY13-14-Amending Title 4.13**

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

Motion: Vice Mayor Farevaag moved we adopt FY13-14  
amending Title 4.13.

Seconded by: Council Member Hawley

**ROLL CALL VOTE ON MOTION:**

Yes: Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks,  
Sunday

No: None

Motion Passes 7/0

**9. Unfinished Business:** None

**10. New Business:**

**A. Resolution 2013-12 Endowment Fund Authorized Investments**

*(Clerk's Note: Resolution 2013-12 was read by Noel Farevaag.)*

Public Comment: None

Motion: Vice Mayor Farevaag moved we adopt Resolution  
2013-12 endowment fund authorized investments.

Seconded by: Council Member DeBoer

**ROLL CALL VOTE ON MOTION:**

Yes: Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks,  
Sunday

No: None

Motion Passes 7/0

B. ABC License Renewal—Glacier Bay Country Inn

Public Comment: None

Motion:	Vice Mayor Farevaag moved we protest the ABC renewal for Glacier Bay Country Inn.
Seconded by:	Council Member Mackovjak

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday
No: None
Motion Passes 7/0

C. Approval of Job Description– City Clerk/Treasurer

Public Comment:

1. Paul Berry

CONFLICT OF INTERESTS: Vice Mayor Farevaag declared a conflict of interest due to the fact that she might apply for the job.

RULING: Mayor Cacioppo declared that there was a conflict of interest.

Motion To Overturn Ruling:	Council Member Marchbanks moved that the Mayor's ruling of the conflict of interest on Noel Farevaag be overturned.
Seconded by:	Council Member Mackovjak

ROLL CALL VOTE ON MOTION TO OVERTURN:
Yes: Cacioppo, Mackovjak, Marchbanks, Sunday
No: DeBoer, Hawley
Motion Passes 4/2

Motion:	Council Member DeBoer moved the City Clerk job description be adopted.
Seconded by:	Vice Mayor Farevaag

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Motion To Amend:	Vice Mayor Farevaag moved we add the word desired after Certified Municipal Clerk (CMC) or Master Municipal Clerk (MMC).
Seconded by:	None –Motion Lacked A Second And Fell To The Floor

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday
No: None
Motion Passes 7/0

D. Approval of Job Description- Fire Chief (Regular)

Public Comment: None

Motion:	Vice Mayor Farevaag moved to postpone 10D job description Fire Chief until a work session where it can be discussed.
Seconded by:	Council Member Hawley

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday
No: None
Motion Passes 7/0

*(Clerk's Note: Paul Berry of the DRC gave a Staff Report after agenda item 10D and prior to 10E.)*

E. Appoint Brad Rider to Marine Facilities

Public Comment:

1. Diane Klawunder
2. Ken Klawunder

Motion:	Council Member Mackovjak moved to appoint Brad Rider to Marine Facilities Committee.
Seconded by:	Council Member Sunday

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**ROLL CALL VOTE ON MOTION:**

Yes: Cacioppo, DeBoer, Farevaag, Hawley, Mackovjak, Marchbanks,  
Sunday

No: None

Motion Passes 7/0

F. Appoint Phillip Hawley to Marine Facilities

Motion: Council Member Farevaag moved we appoint Phil  
Hawley to the Marine Facilities Committee.

Seconded by: Council Member DeBoer

**ROLL CALL VOTE ON MOTION:**

Yes: Hawley, Marchbanks, DeBoer, Cacioppo, Farevaag, Mackovjak,  
Sunday

No: None

Motion Passes 7/0

G. Appoint Phillip Hawley Chairperson Marine Facilities

Public Comment:

1. Hayden Kaden

Motion: Council Member Farevaag moved we appoint Phil  
Hawley as the Chairperson of the [Marine Facilities]  
Committee

Seconded by: Council Member DeBoer

Motion: Council Member Hawley moved to postpone the  
appointment of Phil Hawley as Chair of the Marine  
Facilities Committee until there is a [Marine Facilities]  
Committee meeting.

Seconded by: Council Member Farevaag

**ROLL CALL VOTE ON MOTION:**

Yes: Hawley, DeBoer, Marchbanks, Cacioppo, Mackovjak, Farevaag,  
Sunday

No: None

Motion Passes 7/0

H. Appoint Donald Duke to Marine Facilities

Motion:	Council Member Mackovjak moved we appoint Don Duke to the Marine Facilities Committee
Seconded by:	Council Member Farevaag

ROLL CALL VOTE ON MOTION:

Yes: Mackovjak, Sunday, Cacioppo, DeBoer, Hawley, Farevaag, Marchbanks

No: None

Motion Passes 7/0

I. Appoint Joe Vanderzanden to Marine Facilities

Public Comment:

1. Ken Klawunder

Motion:	Council Member Sunday moved we appoint Joe Vanderzaden to the Marine Facilities Committee.
Seconded by:	Council Member Mackovjak

ROLL CALL VOTE ON MOTION:

Yes: Hawley, Cacioppo, Marchbanks, Farevaag, Sunday, DeBoer, Mackovjak

No: None

Motion Passes X/X or Motion Defeated X/X

J. Appoint Morgan DeBoer to Marine Facilities

Motion:	Council Member Farevaag moved we remove Morgan DeBoer's application to the Marine Facilities [Committee] due to the fact that there are two council members [already] on the Committee
Seconded by:	Council Member Mackovjak

ROLL CALL VOTE ON MOTION:

Yes: Hawley, Mackovjak, Cacioppo, Sunday, Marchbanks, Farevaag

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No: DeBoer

Motion Passes 6/0

**11. Staff Reports:**

*(Clerk's Note: Paul Berry of the DRC gave a Staff Report after agenda item 10D and prior to 10E.)*

**12. City Council Reports**

**A. Mayor's Report**

The Mayor stated that he had toured the gravel pits.

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

[The Clerk's report is] in packets.

**13. City Council Questions & Comments**

Council Member Mackovjak discussed an audit.

Council Member Marchbanks discussed an audit.

Motion:	Council Member Marchbanks moved that conducting an audit of the City books in the year 2013 be placed on the agenda under New Business for the May General meeting
Seconded by:	Council Member Mackovjak

Motion:	Council Member Marchbanks moved that an invitation to DCCED to this class [the rules and responsibility class for the Council] be placed on the May General Meeting and that Councilman Mackovjak write the letter.
Seconded by:	Council Member Mackovjak

*Interim Clerk's notes: The Mayor ruled that it [a vote] could not be done since it [the object of the motion] is not on the agenda. In consequence, no vote was taken.*

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



1. Greg Streveler

**15. Executive Session**

None

**16. Adjournment:**

With no further business before the Council the meeting was adjourned at 9:27PM.

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Lou Cacioppo, Mayor

ATTEST: \_\_\_\_\_  
Paul Berry, Interim City Clerk