

**GUSTAVUS CITY COUNCIL  
GENERAL MEETING MINUTES  
March 9, 2020**

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**1. CALL TO ORDER:**

A General Meeting of the Gustavus City Council is called to order on March 9, at 7:02 pm by Mayor Casipit. There are eighteen (18) members of the public in attendance at Gustavus City Hall.

**2. ROLL CALL:**

Comprising a quorum of the City Council the following are present:

Mayor Casipit  
Vice Mayor Cannamore – Via Conference Call  
Council Member Clark  
Council Member Vanderzanden  
Council Member Warner  
Council Member Taylor  
Council Member Owens

There are 7 members present, and a quorum exists

*Mayor Casipit presented the Gustavus Volunteer Fire Department Chief and Volunteers with a certificate expressing the councils' appreciation for their dedication, professionalism and contribution toward the protection and safety of our town.*



**3. APPROVAL OF MINUTES:**

**A. 02-10-2020 General Meeting**

MOTION: Council Member Warner moved to approve by unanimous consent the General Meeting Minutes from 02-10-2020.

SECONDED BY: Council Member Taylor

PUBLIC COMMENT: None

COUNCIL COMMENT: None

*Hearing no objections, Mayor Casipit announced the General Meeting Minutes from 02-10-2020 approved by unanimous consent*

4. **MAYOR'S REQUEST FOR AGENDA CHANGES:**

*Hearing no objections, Mayor Casipit announced the agenda as set*

5. **COMMITTEE REPORTS/STAFF REPORTS:**

**A. Clerk**-City Clerk, Karen Platt provided a written report and oral summary

**B. Financial**-City Treasurer, Phoebe Vanselow provided monthly financials

**C. City Administrator**-City Administrator, Tom Williams provided a written report and oral summary

6. **PUBLIC COMMENT ON NON-AGENDA ITEMS:**

7. **CONSENT AGENDA:**

**A. Certificate of Records Destruction**

**B. FY20-13NCO – Providing for the Amendment of Department Budgets for FY20**

(Public Hearing 4-13-20)

**C. CY20-09 Remote Seller InterGov Agreement**

**D. CY20-10 Introduction of Remote Sellers Ordinance**

**E. FY20-16 Introduction of Title 11 Providing for the creation and adoption of Title 11 - Sales made by remote sellers** (Public Hearing 4-13-20)

**F. FY20-15 Introduction of Title 10 Providing for the Amendments to City**

**Ordinance Title 10 Section 10.07.030 – Special Use of City Land** (Public Hearing 04-13-2020)

MOTION: Council Member Taylor moved to adopt the consent agenda by unanimous consent as presented

SECONDED BY: Council Member Owens

PUBLIC COMMENT: None

COUNCIL COMMENT: None

*Hearing no objections, the Consent Agenda is passed by unanimous consent*

8. **ORDINANCE FOR PUBLIC HEARING:**

9. **UNFINISHED BUSINESS:**

**A. FY20-12 Introduction of Title 8 Providing for the Revisions to City Ordinance**

**Title 8** (Public Hearing 04-13-2020)

MOTION: Council Member Vanderzanden moved to approve introduction of FY20-12 Title 8 Providing for the Revisions to City Ordinance Title 8 (Public Hearing 04-13-2020)

SECONDED BY: Council Member Clark

PUBLIC COMMENT:

- 1) Marine Facilities Chair, Mike Halbert and Vice Chair, Colleen Stansbury provided a summary of recommendations to the Introduction of Title 8

COUNCIL COMMENT:

- 1) Warner
- 2) Casipit
- 3) Taylor
- 4) Clark

MOTION TO AMEND MAIN MOTION: Council Member Taylor moved to amend the Introduction of Title 8 by substituting with



Section 8.01.030 – Implied Agreement for use of Facilities; city liability denied.

**The City of Gustavus may require signed agreement to meet applicable regulatory requirements as a condition to issuing use permits to its harbor facilities.**

The owner, operator, master and/or managing agent of a vessel agrees to the following:

- ~~a. Vessels moored within the harbor facilities shall be capable of meeting the provisions of Section 8.07.090, Underway requirements, at all times, unless specifically authorized by the harbormaster.~~
- ~~b. Vessels, when unattended, shall be securely moored with lines, adequate in size and number for the boat, and suitable for weather and other conditions. Lines shall be easily removed by hand.~~
- ~~c. Vessels moored within the harbor facilities shall, at all times, be seaworthy and ready for immediate or emergency departure into local waters. At no time may a vessel be chained or locked to any float or other component or structure of the harbor facilities.~~
- ~~d. All moorage of vessels in the harbor facilities shall be in accordance with posted signs or as otherwise directed by the Harbormaster or the City of Gustavus.~~
- ~~e. All vessels and vehicles in, at or on the harbor facilities shall be parked, moored and maneuvered in a safe and orderly manner.~~

Section 8.01.040 – Definitions

- z) *Private Vessel.* Any motor vessel that is not engaged in business (business includes, but is not limited to, transportation of passengers **or freight** for hire or commercial fishing)

~~(dd) *Steel breakwater float.* A barrier that breaks the force of waves, attached to the Gustavus Multi-Modal Marine Facility that extends two hundred feet (200') east of the dock face.~~

Section 8.04.010 Conduct in harbor facilities – General Rules.

- a. Vessels moored within the harbor facilities shall be capable of meeting the provisions of [Section 8.07.090](#), Underway requirements, at all times, unless specifically authorized by the harbormaster.
- b. Vessels, when unattended, shall be securely moored with lines, adequate in size and number for the boat, and suitable for weather and other conditions. Lines shall be easily removed by hand.
- c. Vessels moored within the harbor facilities shall, at all times, be seaworthy and ready for immediate or emergency departure into local waters. At no time may a vessel be chained or locked to any float or other component or structure of the harbor facilities.
- d. Moorage of all vessels in the harbor facilities shall be in accordance with posted signs or as otherwise directed by the harbormaster or the City of Gustavus.
- e. All vessels and vehicles in, at or on the harbor facilities shall be parked, moored and maneuvered in a safe and orderly manner.
- f. Use of the float system is not intended for vessel repair, or long - term moorage. Transient moorage in zoned areas is allowed with permission of the harbormaster.

- g. Conduct of users of the marine facilities must be non-confrontational and cooperative, acknowledging the rights of all patrons to use the facilities. Any unresolved disagreements or confrontations should be documented and brought to the attention of City Hall.
- h. Cleaning of fish on the float is prohibited. Cleaning of fish aboard a vessel tied to the float is permitted so long as fish waste is retained on the vessel or packaged for safe removal to a shore disposal site.
- f. Discarding of fish carcasses or by-product waste must be done in accordance with Federal, State, and City of Gustavus laws. Dumping of such waste around City floats, State dock or the Salmon River boat harbor is prohibited. Fish or animal waste may not be discarded at the dock, and not closer than mid-channel of Icy Passage.
- g. Storage of gear, totes, coolers and trash on the floats is prohibited.
- h. Violation of any of these standards may result in suspension of facility use and/or a fine of up to \$200. per violation.

**ROLL CALL VOTE ON AMENDMENT TO MAIN MOTION:**

YES: Owens, Casipit, Clark, Taylor, Vanderzanden, Cannamore, Warner

NO: 0

MOTION **PASSES**/FAILS 7/0

**ROLL CALL VOTE ON MAIN MOTION AS AMENDED:**

YES: Warner, Vanderzanden, Taylor, Casipit, Cannamore, Clark, Owens

NO: 0

MOTION **PASSES**/FAILS 7/0

**10. NEW BUSINESS:**

**A. Review of Gustavus Visitor Association (GVA) Marketing Plan and Budget Request**

*GVA President, Leah Okin provided a summary and was available for questions.*

*Council review took place regarding the marketing plan and budget request of the GVA.*

*The City Council will determine how much to include in the FY21 budget to be approved at the June 8, 2020 General Meeting.*

**B. Review of Gustavus Children's Enhancement Program (GCEP) Budget Request**

*Council review took place regarding the budget request of the GCEP. The City Council will determine how much to include in the FY21 budget to be approved at the June 8, 2020 General Meeting.*

**C. DNR Beach CRMA Revision Negotiation**

**MOTION:** Council Member Taylor moves that the Council authorizes a team comprising Shelley Owens, Tom Williams and Mike Taylor to open negotiations with the Alaska Department of Natural Resources to update the Beach Tracts Cooperative Resource Management Agreement (CRMA) in order to correct technical deficiencies, clarify boundaries and covered areas, strengthen beach lands protection, reflect public input from initial CRMA implementation, and provide clearly for City authority to enforce Beach Park regulations. The Team shall communicate with a representative of the DeBoer

Family to assure that changes do not conflict with Quieting Title covenants held by the family over the Beach tracts and that mutual goals of both parties for beach land protection are assured. The team is to use the draft CRMA changes document, as reviewed in, and edited from, a special work session on January 28, 2020 and revised on March 3, 2020, as a starting point and guide reflecting current Council policy. The Team shall develop a new management plan map attachment reflecting the text updates to the CRMA. The Team shall file progress reports at least biweekly to the Council as negotiations proceed and shall recommend action to the Council when the team believes the negotiations have resulted in a potential agreement with DNR that reflects council policy and the best interests of the community and adjacent landowners.

SECONDED BY: Mayor Casipit

PUBLIC COMMENT:

- 1) Julie Howell

COUNCIL COMMENT:

- 1) Vanderzanden
- 2) Taylor
- 3) Owens
- 4) Warner
- 5) Casipit

ROLL CALL VOTE ON MOTION:

YES: Vanderzanden, Taylor, Cannamore, Owens, Casipit

NO: Warner, Clark

MOTION **PASSES**/FAILS 5/2

#### **FY20-14 Introduction of Title 4 Providing for the Revisions to City Ordinance Title 4 (Public Hearing 04-13-2020)**

MOTION: Council Member Clark moved to adopt FY20-14 Introduction of Title 4 Providing for the Revisions to City Ordinance Title 4 (Public Hearing 04-13-2020)

SECONDED BY: Council Member Vanderzanden

PUBLIC COMMENT:

- 1) Ken Lavine

COUNCIL COMMENT:

- 1) Warner
- 2) Vanderzanden
- 3) Casipit
- 4) Taylor
- 5) Owens

MOTION TO AMEND MAIN MOTION: Council Member Owens moved to amend main motion by deleting section 4.15.230 – Seasonal Fuel Excise Tax

SECONDED BY: Council Member Clark

ROLL CALL VOTE ON MOTION TO AMEND MAIN MOTION:

YES: Owens, Clark, Vanderzanden

NO: Casipit, Taylor, Cannamore, Warner

MOTION **PASSES/FAILS** 3/4

MOTION TO AMEND MAIN MOTION: Council Member Taylor moved to amend to delete from 4.15.230 (a) 3<sup>rd</sup> bullet reading “Diesel – Water Fuel Emulsion”

SECONDED BY: Council Member Vanderzanden

ROLL CALL VOTE ON MOTION TO AMEND MAIN MOTION:

YES: Clark, Owens, Casipit, Warner, Cannamore, Vanderzanden, Taylor  
NO: 0  
MOTION **PASSES**/FAILS 7/0

**ROLL CALL VOTE ON MAIN MOTION AS AMENDED:**

YES: Cannamore, Taylor, Owens, Casipit  
NO: Clark, Vanderzanden, Warner  
MOTION **PASSES**/FAILS 4/3

**11. CITY COUNCIL REPORTS:**

**A. Mayor's Report**-Mayor Casipit provided a written report and oral summary

**12. CITY COUNCIL QUESTIONS AND COMMENTS:**

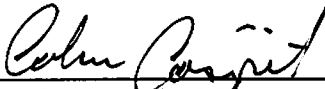
1) Warner-Budget Town Hall 03-11-2020

**13. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

14. EXECUTIVE SESSION

**15. ADJOURNMENT:**

Hearing no objections, Mayor Casipit adjourns the meeting at 8:55 pm.

  
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Calvin Casipit, Mayor

April 14, 2020  
Date

  
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Attest: Karen Platt CMC, City Clerk

4/14/2020  
Date