



City of Gustavus
P.O. Box 1
Gustavus, AK 99826
Phone: (907) 697-2451

**COUNCIL PACKET
NOVEMBER 8, 2012 GENERAL MEETING**



CITY COUNCIL MEETING AGENDA

GENERAL MEETING

NOVEMBER 8, 2012 - THURSDAY

7:00PM @ CITY HALL

Lou Cacioppo

Mayor

lou.cacioppo@gustavus-ak.gov

Mayor Term Expires 2013

Council Seat Term Expires 2013

Noël Farevaag

Vice Mayor

noel.farevaag@gustavus-ak.gov

Term Expires 2014

Phil Hawley

Council Member

phil.hawley@gustavus-ak.gov

Term Expires 2015

Jim Mackovjak

Council Member

jim.mackovjak@gustavus-ak.gov

Term Expires 2013

Sandi Marchbanks

Council Member

sandi.marchbanks@gustavus-ak.gov

Term Expires 2014

Tim Sunday

Council Member

tim.sunday@gustavus-ak.gov

Term Expires 2015

Vacant

Council Member

@gustavus-ak.gov

Appointed Until October 2013

Term Expires October 2015

COUNCIL MEETINGS:

Work Sessions:

1st & 3rd Thursdays

General Meeting:

2nd Thursday

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - A. October 4, 2012 Special Meeting
 - B. October 5, 2012 Election Review Committee
 - C. October 8, 2012 Special Meeting
 - D. October 18, 2012 General Meeting
4. Mayor's Request for Agenda Changes:
5. Committee Reports:
 - A. DRC
 - B. Road
 - C. GVA
6. Public Comment on Non-Agenda Items
7. Consent Agenda:
 - A. Resolution 2012-23 Shared Fisheries Payment
8. Ordinance for Public Hearing:
 - A. FY13-08NCO Amending The Library Budget
9. Unfinished Business: None
10. New Business:
 - A. Council Direction To Lands Committee
 - B. Nominations for Council Member
 - C. Council Member Voting
 - D. Tally & Announcement of Vote For Each Applicant
 - E. Appointment of New Council Member
11. Staff Reports:
12. City Council Reports
 - A. Mayor's report
 - B. City Clerk report
13. City Council Questions and Comments
14. Public Comments on Non-Agenda Items
15. Executive Session
 - A. Executive Session To Discuss The Matter Of The Gustavus Tank Farm And Its Potential Adverse Effect On The City's Finances.
16. Adjournment

NOT YET APPROVED
City Council Minutes
City of Gustavus, Alaska

City Council Special Meeting
October 4, 2012

1. Call to Order: A Special Meeting of the Gustavus City Council was held on October 4, 2012 at 6:00PM.

Mayor Taylor called the meeting to order at 6:04PM.

2. Roll Call:

Comprising a quorum of the Council the following were present:

Mayor Taylor
Vice Mayor Cacioppo
Council Member Farevaag
Council Member Mackovjak -Via Teleconference
Council Member Marchbanks
Council Member Sunday

Council Members not in attendance:

Council Member Lesh -Absent

3. Approval of Minutes: None

4. Mayor's Request For Agenda Changes: None

5. Committee Reports: None

6. Public Comment On Non-Agenda Items: None

7. Consent Agenda: None

8. Ordinances for Public Hearing: None

9. Unfinished Business: None

10. New Business:

A. Accept Final Broadband Plan Submitted by ICF

Public Comment:

Nate Borson

Motion:	Vice Mayor Cacioppo moved to accept GCN & ICF Broadband Plan.
Seconded by:	Council Member Marchbanks

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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Mackovjak, Marchbanks, Sunday, Taylor
No: None

Motion Passes 6/0

B. Administrative Librarian Position Description

Public Comment:

Sylvia Martinez
Lori Wilson-Ortega
Artemis BonaDea

Motion:	Council Member Farevaag moved to adopt the Library Administration position description.
Seconded by:	Vice Mayor Cacioppo

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Sunday, Taylor
No: Marchbanks, Mackovjak

Motion Passes 4/2

C. Public Relations Librarian Position Description

Public Comment:

Lori Wilson-Ortega

Motion:	Vice Mayor Cacioppo moved to accept the Public Relations position description.
Seconded by:	Council Member Sunday

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Sunday, Taylor
No: Marchbanks, Mackovjak

Motion Passes 4/2

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- D. FY13-07NCO—publish—not to exceed \$1,750 for PND Engineers for review/calculations with engineer's stamp of snow-shed roof design.

Public Comment:

Mike Taylor
Artemis BonaDea
Sylvia Martinez

Motion:	Vice Mayor Cacioppo moved to publish FY13-07NCO.
Seconded by:	Council Member Farevaag

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Mackovjak, Marchbanks, Sunday, Taylor
No: None

Motion Passes 6/0

- E. DRC—Award DRC Office Project Design

Public Comment:

Paul Berry
Mike Taylor

Motion:	Council Member Sunday moved to award the RFP to Jensen, Yorba, Lott.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Mackovjak, Marchbanks, Sunday, Taylor
No: None

Motion Passes 6/0

- F. Beach Committee Resolution

Public Comment: None

Motion:	Council Member Marchbanks moved to postpone this.
Seconded by:	Council Member Farevaag

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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Mackovjak, Marchbanks, Taylor

No: Sunday

Motion Passes 5/1

G. Award Winter Road Contract

Public Comment:

Mike Taylor

Morgan DeBoer

CONFLICT OF INTEREST:

Council Member Marchbanks declared a conflict of interest due to the fact that she is an owner in Glacier Bay Construction.

RULING:

Mayor Taylor declared there is a conflict of interest and that Council Member Marchbanks should be recused from voting on this agenda item.

Motion: Council Member Farevaag moved to award the winter snow plow contract to Glacier Bay Construction.

Seconded by: Council Member Sunday

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Mackovjak, Sunday, Taylor

No: None

Recused: Marchbanks

Motion Passes 5/0 with 1 recused

11. Staff Reports: None

12. City Council Reports

A. Mayor's Report

- Thanked everyone for coming to the Special Meeting

B. City Clerk's Report:

- City Council will act as the Election Review Committee tomorrow Friday October 5, 2012 at 6:00PM.
- City Council Special Meeting Monday October 8th to elect Mayor and Vice Mayor.

13. City Council Questions & Comments

- Vice Mayor Cacioppo thanked the Mayor for her work.

14. Public Comment on Non-Agenda Items: None

15. Executive Session: None

16. Adjournment:

With no further business before the Council the meeting was adjourned at 7:44PM.

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City Council Minutes
City of Gustavus, Alaska

City Council Acting As The Election Review Committee
October 5, 2012

1. Call to Order: A meeting of the Gustavus City Council acting as the Election Review Committee was held on October 5, 2012.

2. Roll Call:

Comprising a quorum of the Council the following were present:

Mayor Taylor
Vice Mayor Cacioppo
Council Member Farevaag
Council Member Marchbanks
Council Member Sunday

Council Members not in attendance:

Council Member Lesh
Council Member Mackovjak

3. Public Comment on Non Agenda Items: None

4. New Business:

- A. Canvas All Absentee, Questioned, Defective Ballots
Executed in the Election – Certify Election Report, Record
The Results of the Election – Authorize The Results To Be
Certified – Publicly Declare The Results of The Election

(Clerk's Note: Council Member Marchbanks and Council Member Sunday participated in votes, but did not touch any of the envelopes or ballots due to being a declared candidate or one of the top receivers of votes.)

Motion:	Vice Mayor Cacioppo moved to reject this Oath & Affidavit Envelope with the ballot sealed inside for the following reason – not registered in Gustavus.
Seconded by:	Council Member Farevaag

<p>ROLL CALL VOTE ON MOTION:</p>

<p>Yes: Cacioppo, Farevaag, Marchbanks, Sunday, Taylor No: None</p>

<p>Motion Passes 5/0</p>

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Motion:	Vice Mayor Cacioppo moved to reject this Oath & Affidavit Envelope with the ballot sealed inside for the following reason – did not return absentee ballot.
Seconded by:	Council Member Farevaag

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Marchbanks, Sunday, Taylor

No: None

Motion Passes 5/0

(Clerk's Note: With no one contesting the election the Council authorized the results to be certified, the Mayor completed and signed the "Report of Election Results, Form 5.50-A" certifying the election. The election results were publically declared at the meeting, by email to "News", and posted on the city website.)

6. Adjournment:

With no further business before the Council the meeting was adjourned at 6:30PM.

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City Council Special Meeting
October 8, 2012

1. Call to Order: A Special Meeting of the Gustavus City Council was held on October 8, 2012 at 6:00PM.

Acting Mayor Cacioppo called the meeting to order at 6:02PM.

2. Roll Call:

Comprising a quorum of the Council the following were present:

Acting Mayor Cacioppo
Council Member Farevaag
Council Member Hawley
Council Member Mackovjak - Via Teleconference
Council Member Marchbanks

3. Approval of Minutes: None

4. Mayor's Request For Agenda Changes: None

5. Committee Reports: None

6. Public Comment On Non-Agenda Items: None

7. Consent Agenda: None

8. Ordinances for Public Hearing: None

9. Unfinished Business: None

10. New Business:

A. Administration of Newly Elected Officials Oath of Office

(Clerk's Note: Council Member Hawley who had previously affirmed the oath of office in writing affirmed the oath of office verbally.)

B. Executive Session

Public Comment: None

Motion:	Council Member Marchbanks moved that we go into executive session to discuss the election of Mayor and Vice Mayor.
Seconded by:	Council Member Farevaag

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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks
No: None

Motion Passes 5/0

Motion:	Council Member Hawley moved that we go to regular session.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks
No: None

Motion Passes 5/0

C. Organization of Council – Election of Mayor & Vice Mayor

Public Comment: None

Motion:	Council Member Farevaag moved to nominate Lou Cacioppo for Mayor.
Seconded by:	Council Member Hawley

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks
No:

Motion Passes 5/0

Motion:	Council Member Farevaag moved to appoint Lou Cacioppo as Mayor.
Seconded by:	Council Member Hawley

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks
No: None

Motion Passes 5/0

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Motion:	Acting Mayor Cacioppo moved to nominate Noel Farevaag to the position of Vice Mayor
Seconded by:	Council Member Hawley

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks
No: None
Motion Passes 5/0

Motion:	Council Member Hawley moved to appoint Noel Farevaag to Vice Mayor.
Seconded by:	Mayor Cacioppo

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks
No: None
Motion Passes 5/0

11. Staff Reports: None

12. City Council Reports

A. Mayor's Report: None

B. City Clerk's Report: None

13. City Council Questions & Comments

- Council Member Mackovjak thanked everyone.

14. Public Comment on Non-Agenda Items: None

15. Executive Session

(Clerk's Note: The executive session occurred during agenda item 10B.)

16. Adjournment:

With no further business before the Council the meeting was adjourned at 6:40PM.

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City Council Minutes
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City Council General Meeting
October 18, 2012

1. Call to Order: A General Meeting of the Gustavus City Council was held on October 18, 2012 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 Hawley
Council Member Mackovjak-Via Teleconference (Joined at 7:08PM.)
Council Member Marchbanks
Council Member Sunday

Council Members not in attendance:

Council Seat F - Vacant

3. Approval of Minutes

A. September 13, 2012 General Meeting

Minutes of the September 13, 2012 meeting were approved by unanimous consent.

4. Mayor's Request For Agenda Changes: None

5. Committee Reports:

- A. Beach Committee report given by Morgan DeBoer.
- B. Library Committee report given by Artemis BonaDea.

6. Public Comment On Non-Agenda Items:

- 1. Sylvia Martinez
- 2. Artemis BonaDea

7. Consent Agenda:

- A. FY13-08NCO Amending the Library Budget - Publish

Motion:	Vice Mayor Farevaag moved to adopt the consent agenda.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday
No: None

Motion Passes 6/0

8. Ordinances for Public Hearing:

A. FY13-06NCO -Amending GCN Budget

Public Hearing: None

Motion:	Vice Mayor Farevaag moved to adopt FY13-06NCO amending the GCN budget.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday,
No: None

Motion Passes 6/0

B. FY13-07NCO –Not to exceed \$1,750 for PND Engineers for view/calculations with engineer’s stamp of snow-shed roof design (from Public Works)

Public Hearing:

Artemis BonaDea

Motion:	Council Member Hawley moved to adopt FY13-07NCO.
Seconded by:	Vice Mayor Farevaag

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday
No: None

Motion Passes 6/0

9. Unfinished Business:

A. Resolution 2012-22 Beach Committee Resolution

(Clerk's Note: Council Member Marchbanks read Resolution 2012-22)

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Public Comment:

Morgan DeBoer

Motion:	Vice Mayor Farevaag moved we adopt Resolution 2012-22.
Seconded by:	Council Member Hawley

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Farevaag, Hawley, Marchbanks, Sunday
No: Mackovjak
Motion Passes 5/1

10. New Business:

A. Merrill Lynch Presentation

(Clerk's Note: Brian Lingle of Merrill Lynch gave a presentation via teleconference about the history of the endowment fund and possibilities for the future.)

B. Clover Hitch ABC Application

Public Comment: None

Motion:	None
Seconded by:	None

C. Declare Council Seat F Vacant

Public Comment: None

Motion:	Council Member Sunday moved that the Council declare Council Seat F vacant.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:
Yes: Cacioppo, Farevaag, Hawley, Mackovjak, Marchbanks, Sunday
No: None

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Motion Passes 6/0

11. Staff Reports: None

12. City Council Reports

A. Mayor's Report: None

B. City Clerk's Report: None

13. City Council Questions & Comments: None

14. Public Comment on Non-Agenda Items: None

15. Executive Session: None

16. Adjournment:

With no further business before the Council the meeting was adjourned at 8:25PM.

**CITY OF GUSTAVUS, ALASKA
RESOLUTION No. 2012-23**

**A RESOLUTION BY THE CITY OF GUSTAVUS ADOPTING AN
ALTERNATIVE ALLOCATION METHOD FOR THE FY13 SHARED
FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS
ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION
OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN
FMA 17: NORTHERN SOUTHEAST**

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY13 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2011 from fisheries business activities; and,

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce Community and Economic Development; and,

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effects of fisheries business activity on the respective municipalities in the area; and,

WHEREAS, the City of Gustavus City Council proposes to use an alternative allocation method for allocation of FY13 funding available within the FMA 17: Northern Southeast in agreement with all other municipalities in this area participating in the FY13 Shared Fisheries Business Tax Program;

NOW THEREFORE BE IT RESOLVED, the City of Gustavus City Council by this resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2011 of fisheries business activity in FMA 17: Northern Southeast:

All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.

PASSED and APPROVED BY THE GUSTAVUS CITY COUNCIL this 8th day of November, 2012.

Lou Cacioppo, Mayor

Noel Farevaag, Vice Mayor

Jim Mackovjak, Council Member

Sandi Marchbanks, Council Member

Tim Sunday, Council Member

Phil Hawley, Council Member

Vacant, Council Member

Attest: Kapryce Manchester, MMC
City Clerk

City of Gustavus, Alaska
Ordinance No. FY13-08NCO

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF
LIBRARY BUDGET FOR FISCAL YEAR 2013**

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

Section 1. Classification. This is a **Non-Code Ordinance**

Section 2. For the Fiscal Year of 2013, estimated expenditures have changed from the estimates in the approved budget.

Section 3. For the current fiscal year the budget is amended to reflect the changed estimates as follows:

Budget Category	Amounts		Change
	Original Budget	Amended Budget	
INCOME			
<i>Grant (PLA)</i>	\$6,300.00	\$6,500.00	+\$200.00
EXPENSE			
<i>Maintenance & Repairs</i>	\$1,500.00	\$1,760.00	+\$260.00
<i>Equipment</i>	\$ 250.00	\$ 190.00	-\$60.00

Section 4. The budget is hereby amended as indicated and any portion of the approved budget inconsistent with this amendment is repealed.

Section 5. Effective Date. This ordinance becomes effective upon its adoption by the Gustavus City Council.

DATE INTRODUCED:

DATE OF PUBLIC HEARING:

PASSED and APPROVED by the Gustavus City Council this _____ day of _____, 2012.

Lou Cacioppo
Mayor

Attest: Kapryce Manchester, MMC
City Clerk

COUNCIL SEAT F – October 2012



Date Received:

RECEIVED
OCT 19 2012

BY: X Manchester

APPLICATION FOR APPOINTMENT TO OPEN COUNCIL SEAT
CITY OF GUSTAVUS

Name: DeBoer Morgan B
Last First MI

Residence Address: 1 mi Dark Rd

Mailing Address: Box 51

Home Phone: 697-2214

E-Mail Address: morgandeboer@gmail.com

Can you regularly attend meetings? ☒ YES ☐ NO

Are you currently affiliated with the City in any way?
(For example emergency responder, employee)

☐ YES ☒ NO

If yes, please list positions: _____

committee chair - beach committee

Have you been a member of the City Council before? No

Reason for interest in being a Council Member: Gustavus needs
people who care & know town in & out

Brief background of experience that would qualify you for the position:

2 time GCA Association chair

Morgan DeBoer Morgan DeBoer 10/19/12
Signature Printed Name Date