



City of Gustavus
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PUBLIC PACKET

October 17, 2013

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Mayor's Request for Agenda Changes
5. Committee Reports
6. Public Comment on Non-agenda Items
7. Consent Agenda
8. Ordinance for Publication
9. Ordinance for Public Hearing
10. Resolutions
11. Policy and Procedure for Publication
12. Policy and Procedure for Public Hearing
13. Unfinished Business
14. New Business
15. Staff Reports
16. City Council Reports
 - A. Mayor's Report
 - B. City Clerk Report
17. City Council Questions and Comments
18. Public Comment on Non-agenda Items
19. Executive Session
20. Adjournment

1. Call To Order
2. Roll Call
3. Approval of Minutes of Previous Meetings

A. Minutes of General Meeting 9.12.2013

**Not Yet Approved
City Council General Meeting
September 12, 2013**

1. Call to Order: A General Meeting of the Gustavus City Council was held on September 12, 2013 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. Reading & Approval of Minutes

A. Minutes from the August 5, 2013 Special Meeting were presented by the Interim City Clerk.

Motion:	Council Member Farevaag moved to accept the minutes
Second:	Council Member Sunday

ROLL CALL VOTE ON MOTION:
Yes: DeBoer, Hawley, Mackovjak, Marchbanks, Sunday, Farevaag, Cacioppo
No:
Motion Passes 7/0

B. Minutes from the August 8, 2013 General Meeting were presented by the Interim City Clerk.

Motion: Council Member DeBoer moved to accept the minutes.

Second: Council Member Sunday

ROLL CALL VOTE ON MOTION:

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

No:

Motion Passes 7/0

C. Minutes from the August 26, 2013 City Council Special Meeting were presented by the Interim City Clerk

Motion: Council Member Farevaag moved to accept the minutes.

Second: Council Member DeBoer

ROLL CALL VOTE ON THE MOTION:

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

No:

Motion Passes: 7/0

4. Mayor's Request For Agenda Changes:
None

5. Committee Reports:
GCN Committee report given by Wayne Howell. (report attached)
Marine Facilities Committee report given by Phil Hawley.

6. Public Comment on Non-Agenda Items:
Mike Taylor spoke about the Fish Passage Improvement Project

7. Consent Agenda:
There were no agenda changes

8. Ordinances for Publication:

There were no Ordinances for Publication

9. Ordinances for Public Hearing

There were no Ordinances for Public Hearing

10. Resolutions:

There were no Resolutions to be read.

11. Policy and Procedures for Publication:

A. Resolution 2014-03 A RESOLUTION FOR THE CITY OF GUSTAVUS ADOPTING POLICY AND PROCEDURES FOR PUBLIC RECORDS MAINTENANCE

Motion: Council Member DeBoer moved to adopt the Policy and Procedures for Public Records Maintenance for publication.

Second: Council Member Sunday

ROLL CALL VOTE ON MOTION:

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

Motion Passes 7/0

12. Policy and Procedures for Public Hearing

There were no Policies for Public Hearing

13. Unfinished Business:

There was no Unfinished Business.

14. New Business:

A. Melanie Heacox read a letter from the Gustavus Community Center seeking support from the City for the project. The mayor invited them to draft a letter and attend the work session next Thursday, September 19th at 6:30 p.m.

16. Staff Reports

A. Interim Fire Chief Kelly Graham gave a progress report on the work he had been doing over the past month, including an ambulance billing survey to possibly use with our ambulance service. He also wants to move some money around in the budget from payroll to training.

B. Interim City Clerk/Treasurer Farevaag gave a report on her work in the accounting program and organization.

C. Interim Deputy City Clerk Marchbanks reported reworking sales tax forms for the City web site to allow users direct input on their computer and that the boat registration forms are next.

16. City Council Reports

A. Mayor's Report:

Thanked Kelly Graham for his work as interim Fire Chief.

B. City Clerk's Report: Given during Staff Reports

17. City Council Questions & Comments

18. Public Comment on Non-Agenda Items:

A. Nate Borson thanked the interim clerks for their work.

19. Executive Session - none

20. Adjournment:

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

B. Minutes of Special Meeting September 19, 2013

**Not Yet Approved
City Council Special Meeting
September 19, 2013**

1. Call to Order: A Special Meeting of the Gustavus City Council was held on September 19, 2013 at 7:00 p.m.

2. Roll Call:

Comprising a quorum of the Council the following were present:

Council Member DeBoer
Council Member Mackovjak
Council Member Marchbanks
Council Member Sunday*

*Clerk's Note: Council Member Sunday presided as mayor.

Members not in Attendance:

Council Member Hawley Unexcused Absence

3. Reading & 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 Publication: None

9. Ordinances for Public Hearing: None

10. Resolutions: None

11. Policy and Procedures for Publications: None

12. Policy and Procedures for Public Hearing: None

13. Unfinished Business: None

14. New Business:

A. Council Member Marchbanks informed the council that the City will now be doing some of the city business with online banking, through First National Bank.

Chief Graham came in at this point.

15. Staff Reports:

Interim Fire Chief Graham spoke to the Council about donating the unused Engine 7 to Klawock. The Council Members all agreed and suggested that the City pay for the transportation of the fire truck as well as a gesture of goodwill to another community. Chief Graham also said the state has some unused supplies that will be donated with the fire truck. Chief Graham will make the necessary arrangements.

16. **City Council Reports:** None

17. **City Council Questions and Comments:** None

18. **Public Comment on non-agenda items:** None

19. **Executive Session:** The City Council will go into Executive Session to discuss the applications for the City Clerk position.

Motion: Council Member Mackovjak moved that we go into Executive Session

Second: Council Member DeBoer

ROLL CALL VOTE ON MOTION:

Yes: DeBoer, Mackovjak, Sunday, Marchbanks

No:

Motion Passes: 4/0

Motion: Council Member Mackovjak moved that we come out of Executive Session.*

Second: Council Member DeBoer

ROLL CALL VOTE ON THE MOTION:

Yes: DeBoer, Sunday, Mackovjak, Marchbanks

No:

Motion Passes: 4/0

*The Council came out of Executive Session at 7:25 p.m.

The council reconvened into a public meeting.

Public in Attendance: 0

Motion: Council Member Mackovjak moved that we offer the position of City Clerk/Treasurer to Noel Farevaag.

Seconded: Council Member DeBoer

ROLL CALL VOTE ON THE MOTION:

Yes: DeBoer, Mackovjak, Marchbanks, Sunday

No:

Motion Passes: 4/0

Adjournment:

With no further business before the Council the meeting was adjourned at 7:28 p.m.

C. Minutes of Special Meeting October 4, 2013

**NOT YET APPROVED
City Council Minutes
City of Gustavus, Alaska**

**City Council Acting As the Election Review Committee
October 4, 2013**

1. Call to Order: A general meeting of the Gustavus City Council was held on October 4, 2013 at 6:00 P.M.

There were 5 community members in attendance.

2. Roll Call:

Comprising a quorum of the Council the following were:

Mayor Cacioppo
Council Member DeBoer
Council Member Hawley
Council Member Mackovjak
Council Member Marchbanks

Council Members not in attendance:

Council Member Sunday Excused due to inability to physically inspect ballots by sight.

3. Public Comment on Non Agenda Items

4. New Business:

**A. Canvas All Absentee, Questioned, Defective Ballots
Executed in the Election**

Ballot A

Motion: Council Member Mackovjak moved to accept the recommendation of the Election Judges regarding this ballot, that A& B be accepted and F be rejected.

Seconded: Council Member Hawley

ROLL CALL VOTE ON MOTION:

Yes: Marchbanks, Cacioppo, Hawley, Mackovjak, DeBoer

No:

Motion Passes: 5/0

Ballot B

Motion: Council Member Mackovjak moved to accept the recommendation of the Election Judges regarding this ballot, that A& B be accepted and F be rejected.

Seconded by: Council Member DeBoer

ROLL CALL VOTE ON MOTION:

Yes: Hawley, Cacioppo, Marchbanks, DeBoer, Mackovjak

No:

Motion Passes: 5/0

Ballot C

Motion: Council Member Mackovjak moved to accept the recommendation of the Election Judges regarding this ballot, that A & B be accepted and F be rejected.

Second: Council Member DeBoer

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Mackovjak, Hawley, DeBoer, Marchbanks

No:

Motion Passes: 5/0

Ballot D

Motion: Council Member DeBoer moved to reject the questioned non-resident ballot.

Second: Council Member Mackovjak

ROLL CALL VOTE ON MOTION:

Yes: Hawley, Cacioppo, Mackovjak, DeBoer, Marchbanks

No:

Motion Passes: 5/0

Ballot E*

*Clerk's Note: Ballot E was the single Absentee Ballot cast before the election. The envelope was opened by Mayor Cacioppo and the ballot was opened by Council Member Mackovjak.

Seat A – Mike Taylor

Seat B – Jim Martel

Seat F – Lori Trummer

These were added to the final tally by the Elections Clerk.

B. Certify Election Report**

**clerk's note: The Mayor completed the "Report of Election Results, Form 5.50-A.)

C. Record the Results of the Election

Motion: Council Member Hawley moved to approve the election results and authorize the results to be certified.***

Seconded: Council Member DeBoer

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, DeBoer, Hawley, Mackovjak, Marchbanks

No:

Motion Passes: 5/0

D. Authorize the Results to be Certified

***clerk's note: See motion on Item 4C that authorized the results to be certified.

5. Publicly Declare the Results of the Election

****(clerk' note: The results of the election were publicly declared at the meeting, by email to "News" group, posted on the website, and posted.

6. Adjournment: 6:30 p.m.

With no further business before the Council the meeting was adjourned.

D. Minutes of Special Meeting October 7, 2013

**Not Yet Approved
City Council Special Meeting
October 7, 2013**

1. Call to Order: A General Meeting of the Gustavus City Council was held on October 7, 2013 at 10:00 a.m.

There was one community member in the audience.

Swearing In of New Council Members:

Council Member DeBoer, Council Member Irwin, Council Member Trummer

2. Roll Call:

Comprising a quorum of the Council the following were present:

Mayor
Vice Mayor
Council Member DeBoer
Council Member Irwin
Council Member Marchbanks
Council Member Sunday via teleconference
Council Member Trummer

Council Members not in attendance:

Council Member Hawley Unexcused

No action was taken on Items 3 through 18

19. Executive Session:

The council will go into Executive Session to elect a Mayor and Vice-mayor.

MOTION: Council Member Irwin moved we enter Executive Session.

Second: Council Member DeBoer

ROLL CALL VOTE ON MOTION:

Yes: DeBoer, Marchbanks, Sunday, Irwin, Trummer

No:

Motion Passes: 5/0

Motion: Council Member DeBoer moved we come out of Executive Session.

Second: Council Member Trummer

ROLL CALL VOTE ON MOTION:

Yes: Trummer, Sunday, DeBoer, Marchbanks, Irwin

No:

Motion Passes: 5/0

The Council re-convened into a public meeting at 10:25 a.m.
There were 0 community members in the audience.

Motion: Council Member Sunday moved we have a unanimous consent to elect Council Member Marchbanks as mayor.

Second: Council Member Irwin

Roll Call Vote on Motion*

Yes: Irwin, DeBoer, Marchbanks, Trummer, Sunday

No: Motion Passes: 5/0

*clerk's note: because the clerk did not know the proper procedure for unanimous consent, a roll call vote was used

Council Members DeBoer, Sunday and Trummer each self-nominated for the position of Vice-mayor.

A paper ballot was used for each council member. Council Member Sunday relayed his vote over the phone to the City Clerk. Results of first vote:

A tie between Council Members DeBoer and Trummer.

A second paper ballot was used to cast a tie-breaking vote. Results of the second vote: Council Member Trummer was elected Vice-mayor.

Motion: Council Member DeBoer moved to elect Council Member Trummer by unanimous consent.

Second: Council Member Irwin

ROLL CALL VOTE ON MOTION:* see above clerk's note

Yes: Trummer, Marchbanks, DeBoer, Sunday, Irwin

No:

Motion Passes: 5/0

Adjournment:

With no further business before the Council the meeting was adjourned at 10:45 a.m.

4. **Mayor's Request for Agenda Changes**

5. **Committee Reports**

A. Interim Fire Chief Graham

Notes:

B. Beach Committee

Notes:

C. Library

Notes:

6. **Public Comment on Non-Agenda Items**

This is the first opportunity for the public to comment on non-agenda items only. **Comments on agenda items should be addressed at the time the Item is open to public comment.**

7. **Consent Agenda**

A. FY14-04NCO An Ordinance for the City of Gustavus Providing for the Amendment of the Gustavus Volunteer Fire Department Budget for the Fiscal Year 2014.

**City of Gustavus, Alaska
Ordinance No. FY14-04NCO**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE
AMENDMENT OF THE GUSTAVUS VOLUNTEER FIRE DEPARTMENT BUDGET FOR
THE FISCAL YEAR 2014**

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 2014, 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		
	Original Budget	Amended Budget	Change
INCOME			
Fundraising (Donation)	\$5,000.00	\$6,000.00	+\$1,000.00
EXPENSE			
Payroll	\$77,760.00	\$58,320.00	-\$19,440.00
Training – Fire	\$15,000.00	\$34,440.00	+\$19,440.00

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: October 17, 2013

DATE OF PUBLIC HEARING: November 14, 2013

PASSED and APPROVED by the Gustavus City Council this ____ day of _____, 2013.

Mayor Sandi Marchbanks

Attest: Noel Farevaag, City Clerk/Treasurer

8. Ordinance for Publication

A. Ordinance FY14-05 An Ordinance for the City of Gustavus Adopting an Amendment to Title 2.30.030(a) Regular (General) Council Meetings

CITY OF GUSTAVUS, ALASKA

ORDINANCE FY14-05

**AN ORDINANCE FOR THE CITY OF GUSTAVUS ADOPTING AN
AMENDMENT TO TITLE 2.03.030(a) Regular (General) Council Meetings.**

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

- Section 1. Classification** This ordinance is of general and permanent nature and shall become a part of the City of Gustavus Municipal Code.
- Section 2. Severability** If any section or subsection of this title is determined to be illegal or unenforceable, the remaining provisions shall not be affected, but remain valid and enforceable to the extent permitted by law.
- Section 3. Enactment** Now therefore, be it enacted by the Gustavus City Council that Title 2 be amended as follows: **Bolded** items are additions, ~~strikethroughs~~ are deletions.

TITLE 2

Section 2.30.030 Regular (General) Council Meetings

(a) The City Council shall meet for a regular meeting at 7:00 p.m. on the second **Monday** ~~Thursday~~ of each month. If a regular City Council meeting so scheduled is to take place on a holiday established by Alaska Statute 44.12.010, that meeting shall be rescheduled to take place at 7:00 p.m. on the third **Monday** ~~Thursday~~ of that month. If both the second and third **Mondays** ~~Thursdays~~ of a month are holidays (as defined above), the regular City Council meeting shall be rescheduled to 7:00 p.m. on the fourth **Monday** ~~Thursday~~ of that month. If the City Council regular October meeting is the first regular meeting after the results of a General Election have been certified, that meeting shall be held at 7:00 p.m. on the third **Monday** ~~Thursday~~ of October. The City Council may by motion or otherwise change the date of a meeting as may be necessary or convenient.

Date Introduced: October 17, 2013

Date of Public Hearing: November 14, 2013

Passed and APPROVED by the Gustavus City Council this ____ day of _____, 2013.

Sandi Marchbanks, Mayor

Attest: _____
Noel Farevaag, City Clerk/Treasurer

9. Ordinance for Public Hearing

10. Resolutions:

11. Policy and Procedures for Publication

12. Policy and Procedures for Public Hearing

A. Resolution 2014.03 A Resolution for the City of Gustavus Adopting Policy and Procedures for Public Records Maintenance.

**CITY OF GUSTAVUS, ALASKA
RESOLUTION 2014-03**

**A RESOLUTION OF THE CITY OF GUSTAVUS ADOPTING POLICY AND
PROCEDURES FOR PUBLIC RECORDS MAINTENANCE**

WHEREAS, The City of Gustavus generates numerous documents, files, correspondences, e-mails, and memorializations; and

WHEREAS, Gustavus Municipal Code 2.70.030 requires the Mayor to approve a records retention schedule that details the types of records that will be retained and the period of time for which they will be retained;

NOW THEREFORE BE IT RESOLVED: The Gustavus City Council adopts this Policy and Procedure for Public Records Maintenance that includes a Records Retention Schedule, a Conversation Record, a Request for Public Records and a Certificate of Records Destruction, attached to and made a part of this resolution.

PASSED and APPROVED by the Gustavus City Council this 12th day of September, 2013.

Sandi Marchbanks, Mayor

Lori Trummer, Vice Mayor

Jeff Irwin, Council Member

Tim Sunday, Council Member

Phil Hawley, Council Member

Morgan DeBoer, Council Member

Attest: Noel Farevaag, City Clerk/Treasurer

Item No. 13 Unfinished Business

Item No. 14.New Business

- A. Accept the resignation of Council Member Farevaag.
 - Public Comment:
 - Oral Testimony:
 - Written Testimony Presented to Council: Letter from Noel

- B. Declare City Council Seat D vacant.
 - Public Comment:
 - Oral Testimony –
 - Written Testimony –

Item No. 15 Staff Reports

This is the opportunity for reports to be given by the paid city staff (Fire Department, Disposal/Recycle Center, Library, if reports were not presented under Item No. 5.

Item No. 16 City Council Reports

- A. Mayor's Report:

B. Clerk's Report:

17. City Council Questions and Comments

18. Public Comment on Non-agenda Items Only

This is the second opportunity for the public to comment on non-agenda items only. **Comments on agenda items should be addressed at the time the Item is open to public comment.**

19. Executive Session

20. Adjournment