1. **Call To Order:**
Mayor Cremata called the meeting to order at 7:00 p.m.

2. **Roll Call:**
   Present: Mayor: Andrew Cremata Assembly Members: David Brena, Jay Burnham, Steve Burnham Jr. (via telephone), Orion Hanson, Dan Henry (via telephone), Dustin Stone
   Absent:

3. **Approval of Minutes:**
Minutes for the January 16, 2020 regular Assembly meeting were approved as presented by roll call vote, 6 yes, 0 no, 0 absent.

4. **Approval of Agenda:**
The agenda of the February 6, 2020 regular Assembly meeting was approved as presented by roll call vote, 6 yes, 0 no, 0 absent.

5. **Reports of Officials and Committees:**
   A. **Mayor’s Report:**
   Mayor Cremata indicated that his written report is included in the meeting packet, and it has been a busy two weeks with his trip to AME Mineral Roundup in Vancouver, the Bermello, Ajamil, & Partners (B&A) presentation to the Assembly on February 4, and handling ferry service issues. Mayor Cremata indicated that he intends to hold a Town Hall meeting in March to address ferry issues and look at options; a letter is being developed supporting day boats, and the Alaska Municipal League (AML) is holding a meeting on ferries tomorrow. Mayor Cremata thanked the Planning and Zoning Commission (P&Z) for all of its work on the 2030 Comprehensive Plan.

   B1. **Finance Committee:**
   Motion/Second: Brena/S. Burnham
   To approve the check run for February 6, 2020:
   - General checks 119685 through 119803 and ACHs totaling $1,501,756.24:
   - Payroll check 119684 and Direct Deposits DD22346 through DD22411 totaling $140,734.02;
   - Grand total of $1,642,490.26.
   Assemblyman Hanson asked about the frequency of the bond payments for the Public Safety Facility and Library. Manager Ryan indicated that he would check on this and report back.
   Motion passed by roll call vote, 6 yes, 0 no, 0 absent.
Assemblyman S. Burnham reported that the Finance Committee met and recommended approval of the PDC Engineers design, bid services, and construction administration proposal for the Small Boat Harbor lift station upgrades in the amount of $55,505, and recommended approval of the HDR Alaska scope of work for the Odor Control Improvements project in the amount of $59,994. Assemblyman S. Burnham indicated that the committee also recommended Assembly approval of the budget transition and timeline as detailed by Manager Ryan in his memo, and that the Municipality consider a memorandum of agreement (MOA) with the School due to the modified budget schedule. Assemblyman S. Burnham indicated that the committee had no recommendation on code amendments pertaining to water and sewer main extensions, and the matter will be researched further with the borough attorney. Assemblyman S. Burnham reported that the committee recommends a budget amendment to come forward at a future meeting, and has a recommendation for the 2030 Comprehensive Plan that will be discussed later in the meeting.

B2. **Public Safety Committee:** None.

B3. **Public Works Committee:**
Assemblyman Hanson reported that the Public Works Committee met and approved selling two lots on Alaska Street currently used by the Public Works Department; the equipment there will be moved to the new Klondike Highway parcel, and the lots will be combined and classified for high-density use. Assemblyman Hanson indicated that the committee discussed and recommends a resolution establishing crosswalks in town, and discussed the water and sewer main extension project loan application from the Department of Environmental Conservation (DEC); the Municipality is proceeding with the loan application.

Assemblyman Hanson applauded P&Z on their work on the 2030 Comprehensive Plan. Assemblyman Hanson noted that P&Z proposed Ordinance No. 20-05 which provides a definition for “yurt,” and this will be discussed under agenda item 7C. Assemblyman Hanson reported that the Port Commission met and he updated them on his trip to AME Mineral Roundup in Vancouver, and the commission also discussed ferry service. Assemblyman Hanson noted that Commissioner Steve Hites provided correspondence regarding Southeast Asia cruises, which will redeploy to off-days in Skagway. Assemblyman Hanson reported that the commission voted in favor of Commissioner Sam Bass being the point of contact for port infrastructure needs for ore; the commission will look at these needs and how to shape the port accordingly. Assemblyman Hanson noted that as discussed in the Mineral Roundup report in the packet, the Alaska Industrial Development and Export Authority (AIDEA) has not passed along information regarding Yukon mines to the Municipality, and it is important to have this contact.

B4. **Civic Affairs Committee:** None.

B5. **Health, Education and Welfare Committee:**
Assemblyman Stone reported that the Clinic Board met and discussed multiple topics and will be interviewing Physician Assistant candidates; the candidate from Tok dropped out, but the board will be interviewing more candidates this week. Assemblyman Stone noted that the board discussed streamlining its interview process by Skyping with candidates prior to bringing them to Skagway for interviews.
B6. **Parks and Recreation Committee:**
Assemblyman J. Burnham reported that the Recreation Board met and recommended municipal Youth/Recreation grant awards. Assemblyman J. Burnham noted that four applicants were awarded as follows: Skagway Hoop Camp for $4,000; Little League and T-Ball for $800; Prickles Robotics for $4,400; and Women’s Elks Basketball for $800. Assemblyman J. Burnham indicated that the board also discussed the Recreation Center expansion project and identified upgrading the existing facility as its number-one capital project priority.

C. **Staff Report:**
Manager Ryan reported that the composter facility project will be delayed due to ferry service; this is another impact of changes in ferry service. Manager Ryan indicated that the Public Works lot sale will be conducted through a request for proposals (RFP) process. Manager Ryan indicated that he and staff have held meetings with the Environmental Protection Agency (EPA) regarding wastewater treatment plant upgrades, and the Municipality is being careful about these upgrades so permitting changes are not needed.

6. **Communications to the Assembly:**

A. **Correspondence:**
The following correspondence is included in the meeting packet:
- 2020 Mineral Roundup meeting notes from Lobbyist John Walsh, Mayor Cremata, and Assemblyman Hanson; and
- The Municipality of Skagway’s written comments on the 2020 summer ferry schedule.

No additional correspondence was received.

B. **Hear Citizens Present:**
Tom Cochran, Skagway delegate to Hugh O’Brian Youth Leadership 1982, indicated that he believes the bond payments are annual, and they are a big chunk of change. Mr. Cochran thanked the Assembly for hiring B&A and getting the ball rolling; he has questions, comments, and ideas and he looks forward to a port development action plan. Mr. Cochran indicated he is glad the Assembly pushed for the industrial component of the port; the Mineral Roundup notes are good and underscore the need for this type of use. Mr. Cochran noted that the acquisition of the ferry real estate will facilitate more accommodation of industrial use in the port.

Tiffany Metz thanked the Assembly for addressing the definition of “yurt” in municipal code, and indicated that yurts provide a safe housing solution.

7. **Ordinances, Resolutions & Proclamations:**

A. **Introduction and First Reading of Ordinance No. 20-03:** Adopting the 2030 Skagway Comprehensive Plan Dated January 2020 and Repealing the 2020 Skagway Comprehensive Plan Dated January 2009

Motion/Second: Hanson/Stone

To have first reading of Ordinance No. 20-03.
Assemblyman S. Burnham indicated the Finance Committee discussed this ordinance and how the Comprehensive Plan could be used for budgeting and scheduling purposes; it seems the 2030 Comprehensive Plan did not have its usual survey that gauged community support for plan recommendations. Assemblyman S. Burnham noted that while the plan development process was otherwise thorough, the plan is not inclusive of a major cross section of the community and there is no community gauge of how the Assembly should use public funds.

Motion/Second: S. Burnham/Brena

To amend the main motion to state that should Ordinance No. 20-03 pass first reading, that second reading be delayed until a third-party survey is completed for inclusion as an addendum, and that staff research and execute the survey as soon as practicable.

Assemblyman Brena noted that the survey could be done by Sheinberg Associates, and he agreed with Assemblyman S. Burnham that the survey is necessary as a decision-making tool. Assemblyman Hanson asked for clarification about what is incomplete in the plan, as there are two surveys already included.

Assemblyman S. Burnham indicated that past comprehensive plans included a survey that was typically done by telephone in an attempt to reach a cross-section of the community; for example, if 1,000 people are called at random a big cross-section of the community is covered. Assemblyman S. Burnham indicated that this method reaches people who are known community members who may not otherwise engage with someone at a meeting or community event, in addition to those who do. Assemblyman S. Burnham indicated that in creating the 2030 Comprehensive Plan the outreach that was done was important, but he is not seeing inclusive engagement with the full community on an even opportunity and in the past, this was done. Assemblyman S. Burnham noted that the survey in the 2020 Comprehensive Plan was a tremendous help when budgeting for capital projects; the survey and high level of community support was one of the reasons the Municipality has done so much work towards recycling and garbage.

Assemblyman J. Burnham explained that the comprehensive plan team conducted surveys and gathered a lot of information; this additional survey would help to prioritize the information that was gathered.

Assemblyman Hanson indicated that his understanding of the discussion is that the surveys were not truly a random cross-section of citizens in Skagway; therefore, the Municipality would like to conduct a survey that would provide a true, random cross-section of Skagway so the Assembly can prioritize the capital improvements list.

Assemblyman S. Burnham indicated he would not limit prioritization to capital improvements, which are important, but the survey would also gauge support for recommendations such as how parking should be done on Broadway. Assemblyman S. Burnham indicated that the survey could gauge support on a 1-5 scale, or maybe citizens need more information about a particular project
or recommendation, and knowing that would help the Assembly understand when a community work session on a particular item is needed.

Assemblyman Stone clarified that the motion specifies a third-party would do the survey.

**Motion to amend passed by roll call vote with Assemblyman Hanson and Assemblyman Stone dissenting, 4 yes, 2 no, 0 absent.**

**Main motion as amended passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.**

**B. Introduction and First Reading of Ordinance No. 20-04: Amending SMC Section 3.12.070 Meetings to Clarify Meeting Requirements of the Library Board**

*Motion/Second: Brena/Hanson*

To have introduction and first reading of Ordinance No. 20-04.

**Motion/Second: Hanson/J. Burnham**

To amend Ordinance No. 20-04 to include the language suggested by the borough attorney in the clerk’s memo, as follows:

3.12.070 Meetings.

The board shall meet annually, **at a date and location in Skagway to be determined by the board** during the first week in January. Additional meetings may be called at the discretion of the chair, or shall be called at the request of three (3) members.

**Motion to amend passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.**

**Main motion as amended passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.**

**C. Introduction and First Reading of Ordinance No. 20-05: Amending SMC Section 19.02.065(B) Specific Definitions to Establish a Definition for “Yurt”**

*Motion/Second: Stone/Hanson*

To have introduction and first reading of Ordinance No. 20-05.

**Motion passed by roll call vote with Assemblyman S. Burnham dissenting, 5 yes, 1 no, 0 absent.**

**8. Unfinished Business:** None.

**9. New Business:**

**A. Alaska Excursions dba Malamute Saloon Liquor License Renewal Application**

A motion to acquiesce to the Alaska Excursions dba Malamute Saloon liquor license renewal application was rescinded with Assembly concurrence. The Assembly discussed the definition of
“acquiesce.” Assemblyman S. Burnham indicated that to acquiesce means to comply passively, but the Alcohol and Marijuana Control Office (AMCO) does not need the Assembly to approve the application, only to decide whether or not it will protest; for this reason, a motion to protest is appropriate though it can be confusing. Assemblyman Brena indicated that to acquiesce is defined as not protesting. Assemblyman S. Burnham indicated that this particular definition is not included in Webster’s.

**Motion/Second: Stone/Brena**

To protest the Alaska Excursions dba Malamute Saloon liquor license renewal application.

**Motion failed unanimously by roll call vote, 0 yes, 6 no, 0 absent.**

**B. Discussion of Budget Preparation and Submission**

Assemblyman S. Burnham indicated that the Finance Committee recommends approving the budget process outlined in Manager Ryan’s memo, and also entering into a Memorandum of Agreement (MOA) with the School due to the differing budget submission requirements of the Municipality and the State of Alaska. Assemblyman S. Burnham indicated that in the MOA, the Municipality would agree to revisit the municipal budget in order to accommodate the School’s potential needs.

**Motion/Second: Hanson/S. Burnham**

To direct the manager to come up with an agreement with the School Board as suggested by the Finance Chair; create a 6-month FY20.5 budget that will end on December 31, 2020; start a new time cycle for our budget beginning on January 1, 2021 to December 31, 2021; and have three Assembly of the Whole Committee budget meetings February 26, 2020, March 25, 2020, and April 1, 2020; as outlined in Manager Ryan’s memo.

**Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.**

**C. Approval of Boat Harbor Lift Station Replacement**

**Motion/Second: S. Burnham/Hanson**

To approve the PDC Engineers proposal dated January 20, 2020 regarding Boat Harbor lift station upgrades for engineering design, bid services, and construction administration, in the amount of $55,505.

Assemblyman Brena noted that the Finance Committee unanimously recommended that the Assembly approve the proposal. Assemblyman Hanson indicated that the project should be funded by Commercial Passenger Vessel (CPV) excise tax because it benefits cruise ships.

**Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.**

**D. Approval of WWTP Odor Control CA Services**
Motion/Second: S. Burnham/Brena

To approve the HDR scope of work dated January 22, 2020 for the wastewater treatment plant odor control improvements project, in the amount of $59,994.

Assemblyman Hanson indicated that the project should be funded by Commercial Passenger Vessel (CPV) excise tax because the need for the project is directly tied to cruise ships, passengers, and crew.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

10. **Executive Session**: None Scheduled.

11. **Mayor and Assembly Discussion Items**:  
Assemblyman S. Burnham spoke regarding funding for the $7 million water and sewer main extension project, and noted that municipal code requires that the project is funded through a special assessment area including the customers benefitting from the extension. Assemblyman S. Burnham indicated that this matter has been discussed in several committee meetings; in addition to private landowners, the Municipality has property that will be served by the extension. Assemblyman S. Burnham indicated that he is concerned about changing code and how the project is funded without discussions with property owners; Manager Ryan will be researching this further with the borough attorney.

Assemblyman S. Burnham indicated that he voted “no” on Ordinance No. 20-05 regarding a definition for “yurt” because there is not a good understanding of why the Municipality would want yurts to be houses in the Skagway townsite; until now, yurts were considered to be tents. Assemblyman S. Burnham indicated that the Municipality may not want to allow yurts south of 23rd Avenue because of aesthetics, similar to municipal code regarding trailers, and he is not sure of the benefits to the community. Assemblyman S. Burnham noted that there is not a P&Z member present at the meeting to introduce the ordinance.

Assemblyman S. Burnham indicated he was encouraged by the B&A presentation; it worked fine for him to follow along with the presentation over the phone. Assemblyman S. Burnham indicated that he looks forward to the full report and plan at the end of February. Assemblyman S. Burnham indicated that regarding the budget process, the Municipality should find ways to make decisions about long-term projects that are planned for implementation over multiple fiscal years.

Assemblyman Henry confirmed that the full B&A report is due by February 28.

Assemblyman Brena indicated that those involved in the budget process are in favor of the budget process changes; the only issue was differences between the municipal and School budget processes, which can be accommodated with a MOA. Assemblyman Brena noted that the Finance Committee also discussed electric vehicle charging stations; it was suggested that level-three charging stations be installed instead of level-two because level-three units can charge vehicles up to 80-percent in 20 minutes. Assemblyman Brena indicated that he would personally like to see
the Municipality picking up the cost of charging for a time to incentivize use of the stations, and should discuss acquiring electric buses for SMART. Assemblyman Brena indicated that this will reduce emissions in town and the Municipality can lead by example.

Assemblyman Hanson spoke regarding Assemblyman S. Burnham’s comments about yurts, and noted that he personally is ambivalent about the change because yurts will not be prevalent and will still be costly to build. Assemblyman Hanson indicated that amendments can be proposed at the second reading of the ordinance that could include language to address aesthetics and other concerns. Assemblyman Hanson indicated that as proposed, yurts would need to meet life-safety criteria. Assemblyman Hanson indicated that there was tremendous outreach done during development of the 2030 Comprehensive Plan, including 13 meetings and work sessions and input from 115-120 people at the annual health fair.

Assemblyman Hanson indicated that the Mineral Roundup trip was active and he, Mayor Cremata, and Lobbyist Walsh had at least 12 meetings. Assemblyman Hanson noted that the Port of Vancouver also needs to be expanded because of demand, and they are implementing measures to reduce ship emissions through incentives to plug in instead of penalties. Assemblyman Hanson indicated that the municipal group told the Yukon Government that the Municipality would be interested in a large hydroelectricity project in the Yukon if the cruise ships could plug in while in port, and if it dovetails with mining needs. Assemblyman Hanson reported that the group met with multiple mining companies and learned a lot, including that barges in the Port of Skagway have issues due to the salinity of the water, and that mines have a need for bulk lime in their operations. Assemblyman Hanson indicated that it was clear that Skagway is important to the Yukon.

Assemblyman Stone thanked Mayor Cremata for communicating with the public during Skagway’s recent travel and weather issues. Assemblyman Stone noted that he had concerned guests but Mayor Cremata provided answers, and he received positive feedback.

Mayor Cremata indicated that at SeaTrade and Mineral Roundup it was clear that there is false information about Skagway out there; the Municipality could benefit from a mission statement that details the community’s core values. Mayor Cremata indicated that by identifying a mission statement and values, the Assembly can have guidance in its discussions and decisions.

12. **Adjournment:**
With no additional business before the Assembly, Mayor Cremata adjourned the regular Assembly meeting of February 6, 2020 at 8:08 p.m.

[Signature]
Andrew Cremata, Mayor

[Signature]
Emily A. Deach
Municipal Clerk

Approved: February 20, 2020