



MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

June 16, 2022
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1. **Call to Order:**

Mayor Cremata called the meeting to order at 7:00 p.m.

Mayor Cremata formally acknowledged that the Assembly is gathered on the traditional land of the Chilkat people.

The pledge of allegiance was recited.

2. **Roll Call:**

Present: Mayor: Andrew Cremata **Assembly Members:** Sam Bass, Jay Burnham, Orion Hanson, Reba Hylton, Deb Potter, Dustin Stone

Absent:

3. **Approval of Minutes:**

- A. May 24, 2022 Board of Equalization / Special Assembly
- B. June 2, 2022

Main Motion/Second: Hanson/Burnham

To approve the May 24, 2022 Board of Equalization Special meeting minutes, and the June 2, 2022 Regular meeting minutes.

The main motion passed by roll call vote, 6 yes, 0 no, 0 absent.

4. **Approval of Agenda:**

Main Motion/Second: Hanson/Stone

To approve the June 16, 2022 Regular Assembly meeting agenda.

The main motion passed as amended by roll call vote, 6 yes, 0 no, 0 absent.

5. **Reports of Officials and Committees:**

A. **Mayor's Report:**

Mayor Cremata indicated that there is a mayor's report included in the meeting packet and added:

- That he appreciated the response from the business community regarding the princess medallion program. Mayor Cremata indicated that he intended to share the commentary from the business community with Princess Cruise Lines.

B. **Assembly Committee Reports:**

- 1. **Assemblymember Jay Burnham:**

Motion/Second: Burnham/Bass

To approve the check run dated June 15, 2022 totaling: \$780,779.96.

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

Assemblymember Burnham indicated that finance met on June 15, 2022. Burnham indicated that finance reviewed Resolution 22-16R: Providing Year-round Support for Licensed Daycare Providers in Skagway and requested an amended version return the next Finance meeting as well as to Assembly.

Burnham indicated that Finance reviewed and recommends:

- Approval of the clinic operation assessment proposal from COORS.
- Awarding of the Skagway Breakwater to Anodes Project contract to Alaska Commercial Divers
- Approval of the seven pastures pedestrian path fee proposal
- Approval of the West Creek Subdivision proposal
- Approval of a sole source purchase of a Harris Badger Baler from Recycled Systems, LLC.

2. **Assemblymember Potter** indicated that Parks & Recreation Committee met Tuesday, June 7, 2022. Potter indicated that the committee discussed the adjacent lot near seven pastures and there is strong community support for that lot to be used as a community garden.

3. **Assemblymember Hanson** indicated that the Public Works committee met on June 8, 2022. Hanson indicated that the committee discussed placement of the solid waste transfer station, condition of the incinerator, and outstanding grants the city has applied for. Hanson indicated that the committee recommends the purchase of the Harris Badger Baler.

C. Reports from Boards, Commissions, and Solid Waste Advisory Committee

D. Manager's Report :

Deputy Manager Deach indicated that, in addition to her written report:

- A cost-of-living study by McKinley Research Group was received today; a meeting is schedule next week to discuss their findings.

6. Communications to the Assembly:

A. Correspondence:

Correspondence was received from:

- C.Hays re Support of Community Garden (June 13, 2022)
- S.Logan re Support of 22-18R (June 13, 2022)
- S.Corrington re Support for Permanent Community Garden (June 13, 2022)
- Vogel re Community Garden (June 14, 2022)

- Columbo re Community Garden (June 15, 2022)
- K.Burnham re Community Garden (June 15, 2022)
- Business Community re Medallion Program (June 15, 2022)
- B.Jasky-Zuber re Jewell Gardens (June 15, 2022)
- E.Russell re Jewell Gardens and Community Garden (June 15, 2022)
- Smith re Request to Block Street for Presidents Cruise (June 15, 2022)
- M.Jewell re Jewell Gardens and Resolution 22-18R (June 15, 2022)

B. Hear Citizens Present:

Max Jewell indicated that:

- This issue was not known to him until two days ago and he has not had adequate time to prepare.
- At the last Assembly meeting the discussion surrounded his liquor license renewal application.
- The core mission of Jewell Gardens, multi-generational business is to benefit the community. Jewell indicated that after inheriting the business it has been his goal to provide more community events, parties, education, and school integration; however, cash flow has been an issue and the COVID-19 pandemic caused operations to close.
- He would like to present a business plan.

Bob Fink indicated that:

- He wanted to thank the city for allowing him space to have a garden.
- He was among the first of the community gardeners at the current location, and may be the only original gardener still there.
- Half of his diet comes from that community garden bed.
- He has planted fruit trees and berries at the garden that may need to be moved, should the garden move.
- He just needs a space to garden wherever that may be.

Laura Mabee indicated that:

- She is speaking on behalf of the community garden.
- The community garden at the school currently has 26 garden beds; the garden can accommodate more; however, development has gone down.
- There are many perspectives regarding the proposed 1.3-acre community garden, and she doesn't believe they conflict.
- Her passion is to grow food and supply it.

Beth Smith indicated that she hoped the Assembly could consider both her requests tonight.

Billi Clem indicated thanks to the Mayor for calling her regarding her broken down bus, and further indicated that:

- She has spoken to a lot of people in regard to the medallion program.

- She had the opportunity to engage with a visitor while in the News Depot.
 - This visitor hoped to use the Medallion program to pay for books.
 - Clem indicated to the visitor that the store does not accept the Medallion program because it allows Princess to take 18% of the store profit on the sale.
 - The visitor responded that the customer will receive 7% back on the sale if they use the Medallion, and indicated that all of the shops in Skagway are already owned by Princess.
 - The visitor indicated that representatives on the ship suggested that “It is dangerous in Alaska to carry cash and credit cards.”
- Clem indicated that she is not in favor of paying sales tax on profit that Princess Cruises is going to keep.

Tim Cochran indicated that Skagway needs to use due diligence when considering that sale of the clinic as many questions are still unanswered.

Cory Thole indicated that:

- The mission of the community garden should be refined with grants and partnerships with commercial activities to provide educational opportunities.
- He supports the operational assessment of the clinic.
- The financial input from the Municipality to the clinic needs to be clarified considering the request for financial support from SEARHC.
- The vote should be pushed back.

Eliza Russell indicated that:

- While she would love an expanded community garden, the proposed space would not be adequate.
- Southeast Alaska has a four-month growing season.
- She has not seen a proposed budget for a community garden in the new location.
- The Municipality should slow down and work with the adjacent property owner.
- Russell asked:
 - If the Municipality intended to develop greenhouse infrastructure to facilitate a year-round growing season?
 - Why not put out the former Jewell lease property for bid?

Police Chief, Jerry Reddick detailed the numbers of fire, EMS, Police, DMV, and public safety administrative calls for the last several months:

- March: 293
- April: 568
- May: 952
- June (currently): 391

7. Ordinances, Resolutions, & Proclamations:

- A.** Public Hearing and Adoption of Resolution No. 22-17R: Municipal Fines to the Fine Schedule and Consolidating Existing Fines

Main Motion/Second: Stone/Potter For public hearing and adoption of Resolution 22-17R.

Assemblymember Hanson indicated that he would prefer to see these fines further vetted at the committee level.

Secondary Motion/Second: Hanson/Hylton To refer Resolution 22-17R to relevant subcommittees.

Secondary Motion failed by roll call vote, 2 yes, 4 no; with Assemblymembers Hanson and Hylton assenting.

Main Motion passed by roll call vote, 4 yes, 2 no, 0 absent; with Assemblymembers Hanson and Hylton dissenting.

- B. Public Hearing and Adoption of Resolution No. 22-18R: Designating a Portion of USS 994 Lot 1 for Use as a Community Garden**

Motion/Second: Potter/Burnham For public hearing and adoption of Resolution 22-18R.

Public Hearing:

Max Jewell indicated that:

- He would like an opportunity to sit down with Borough Manager Ryan to discuss the possibility of negotiating a purchase agreement for the lot associated with Resolution 22-18R.
- He hopes the Assembly delays the decision until the first meeting in July.
- He understands that leases are typically put out for a bid, and indicated that there is a strong argument for Jewell Gardens or himself to receive that award.

Bob Fink indicated that:

- There are many ideas regarding the management of community garden or its location. He would like it to stay where it is at.
- As long as decisions made allow for longer term operation of the community garden, so it is not disrupted 10 or 15 years from now.
- He will do what he can to assist with the maintenance of the garden at its current location as an auxiliary garden.

Laura Mabee indicated that:

- She encourages the Assembly to adopt the resolution tonight.
- Having the property designated as a community garden is a huge step and is the principle that everyone has been agreeing on.
- Moving the current community garden frees up the lot space in the townsite.
- However it is managed, either non-profit or otherwise, it will be a lot of work.

Lissa Kramer indicated that:

- She supports the adoption of Resolution 22-18R.
- Securing the land for a community garden is the first and most important step.
- She was involved with Seattle P-Patch program for 12 years.
- Successful community gardens can become community anchors. These anchors are typically positioned on the edges of parks.

Mavis Hendrickson indicated that:

- Mrs. Clark was a neighbor for most of Mavis' first 20 years.
- When World War II occurred, the army moved the farm to install the tank farm.
- The Municipality needs to address the issue of economics and broaden the economy, while upgrading what we do for our visitors.
- Ownership and operation is a big issue as there is now competition with the Traditional Council.
- More planning needs to occur.

Cory Thole inquired:

- What is the detriment of waiting a couple of weeks?

Thole indicated that:

- The property cuts Jewell Gardens in half and is not currently a food garden.
- There is opportunity for a cooperative agreement, where land is used as a community garden and also as benefit to Jewell Gardens under their commercial ventures.

Melinda Munsen indicated that:

- The Skagway School has just one self-contained classroom for kids that do not benefit from general classrooms. The current community garden is a little classroom that is not contained. Kids use it for many activities, as a reward.
- She hopes a portion of the current community garden could be maintained as an open space classroom.

Public Hearing is closed.

Assemblymember Stone read the "NOW THEREFORE BE IT RESOLVED" for the record.

NOW, THEREFORE, BE IT RESOLVED by the Borough Assembly of the Municipality of Skagway that, the Borough Assembly considers the use of a portion of USS 994 Lot 1 as a community garden to be in the best interests of the community, and consistent with the uses of municipal property in the area of USS 994 Lot 1, and designates USS 994 Lot 1 for use as a community garden if implementation is determined feasible by the Borough Manager and upon approval of a

*plan by the Borough Manager and approval of a budget by the
Borough Assembly.*

Assemblymember Stone indicated that there are strong emotions on both sides of this issue, however the Assembly is discussing designating a property to be used as a community garden, so that it cannot be used as anything else.

Stone indicated that the previous lease holder was Jim Jewell and his lease expired over a year ago. Discussions with Max Jewell were broached at that time and were inconclusive.

Stone indicated that the Parks and Recreation Committee intent was to designate this property as a community garden because it is not for sale. The other option would be to open an RFP which could preclude collaboration with Jewell Gardens.

Assemblymember Potter indicated that the resolution secures the space and designates it for the purpose of a community garden with the operational structure, which will be worked out later.

Assemblymember Hanson indicated that road access could be an issue and deed restrictions could be considered to further designate the property into the future.

Assemblymember Bass indicated that consideration should be postponed to allow more time to determine the highest and best use for the property. That an RFP should be considered similar to Petro Marine and Temsco.

Motion passed by roll call vote, 4 yes, 2 no, 0 absent; with Assemblymembers Bass and Hanson dissenting.

8. Unfinished Business:

9. New Business:

A. Approval of Clinic Operation Assessment Proposal

Motion/Second: Potter/Burnham To approve the Clinic Operational Assessment proposal by COORS, for an amount not to exceed \$25,000.

Motion passed by roll call vote, 5 yes, 1 no, 0 absent; with Assemblymember Bass dissenting.

B. Award of Skagway Breakwater Anodes Project Contract

Motion/Second: Hanson/Bass To approve the bid from Alaska Commercial Divers in the amount of \$325,000 for the Skagway Breakwater Anodes Project.

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

C. Approval of Seven Pastures Pedestrian Path Fee Proposal

Motion/Second: Potter/Burnham To approve the Seven Pastures Pedestrian Path proposal by RESPEC for \$21,385.

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

D. Approval of West Creek Subdivision Fee Proposal

Motion/Second: Hanson/Potter To approve the West Creek Subdivision proposal by RESPEC for \$71,113.

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

E. Approval of Public Works Committee Recommendation of Concept No. 1 as 15-Acre Master Plan

Assemblymember Hanson indicated that the Public Works Committee recommended concept number 1 as the 15-acre site master plan and that ideas that had previously included an RV Park constricted necessary requirements.

Motion/Second: Hanson/Stone To approve Concept No. 1 as the 15-acre site master plan.

Assemblymember Bass indicated that if this plan is adopted it will displace the RV Park which had previously been discussed for this area, that this would be a sea change. Bass indicated that the change required more discussion.

Deputy Manager Deach indicated that by moving all of Public Works operations to the 15-acres site, residential general and business general would be opened up in the town site.

Motion passed by roll call vote, 5 yes, 1 no, 0 absent; with Assemblymember Bass dissenting.

F. Approval Sole Source Purchase of Harris Badger Baler 100 S-2-10/7 from Recycle Systems LLC

Motion/Second: Burnham/Hanson To certify that there is no reasonable substitute for the Harris Badger 100 S-2-10/7 baler, and it is obtainable only from Recycle Systems LLC.

Assemblymember Hanson indicated that this is a refurbished trash baler and is available now, whereas a brand-new unit would require a one-year lead time. Hanson indicated that time is not something the Municipality has due to the warp, bent, and burned-out refractor at the incinerator; this refurbished baler is necessary for continued trash operations should the incinerator fail.

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

Motion/Second: Hanson/Burnham To approve the baler purchase from Recycle Systems LLC in the amount of \$230,000 plus shipping.

Assemblymember Burnham indicated that budgetarily, a Badger box baler beautifully brings basic bale benefits to Skagway.

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

D. Discussion of Sale of Kit Cabin

Mayor Cremata indicated that it is disappointing to sell the cabin when Skagway needs more recreation opportunities for people who live in the community; those members of the community should be able to use a cabin at Nahku Bay for free. Cremata indicated that he feels weird when he goes to Nahku.

Assemblymember Hanson indicated that the kit cabin is currently being housed inside the composter facility in the exact location that the badger baler will be installed. Hanson indicated that the cabin needs to be moved elsewhere.

Assemblymember Bass indicated that if a roadside cabin is not the style cabin Skagway needs, the cabin should be sold and the resulting revenue should be used to purchase an off-road cabin.

The Assembly had no objection to directing staff to find out how much square footage the cabin requires for storage.

E. Approval of Station Request to Close Forth Avenue for the Fourth of July Festivities

Motion/Second: Hanson/Burnham To approve both requests for street closures as submitted by Beth Smith.

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

F. Discussion of SEARHC Response to Appraisal

Mayor Cremata indicated that the ballot question for the special election is very clearly worded and the suggested transitional fees, by SEARHC, make the question problematic.

Assemblymember Hanson indicated that the Municipality cannot accept anything less than \$9,500,000.

Assemblymember Hylton indicated that there is still value in holding a vote if that is just to show that there are some community members who do not use the clinic because they do not feel safe there.

Motion/Second: Bass/Hanson To direct the clerk to schedule a special meeting on this coming Tuesday to repeal of resolution 22-14R.

Motion passed by roll call vote, 5 yes, 1 no, 0 absent; with Assemblymember Hylton dissenting.

7. Executive Session:

6. Mayor and Assembly Discussion Items:

Assemblymember Stone indicated that he does not intend to file to retain his seat, and he encouraged interested community members to file for election.

Assemblymember Potter indicated that:

- She attended a lunch meeting with representatives from Holland America Princess where Skagway made it clear that the medallion program was not acceptable.
- That while she was surprised a month ago by the possibility for elimination of an RV Park at the 15-acres, she recognizes that our first capital project priority, after the port, is to get water and sewer across the bridge which will assist with housing concerns.

Assemblymember Hanson indicated:

- That the cruise lines should be ashamed of themselves and the medallion program.
- That the display track and corresponding boardwalk amenities as constructed by Public Works has turned out great and are being highlighted the way they previously should have been.
- His thanks to Cory Thole for his comments and time spent working with the Clinic Board; thanks to Mavis Henrickson for her comments regarding the Clark farm and its history.

Assemblymember Hylton indicated that the RV Park location was discussed. Hylton added that while she does not support the Municipality being in the RV Park business, she does support the Municipality supporting the private sector to allow for development.

12. Adjournment:

With no more business on the agenda, Mayor Cremata adjourned the regular Assembly meeting of June 16, 2022 at 10:41 p.m.

Andrew Cremata, Mayor

ATTEST:

Steve Burnham Jr., Borough Clerk

(SEAL)

Approved: