



MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

September 15, 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. August 18, 2022

Main Motion/Second: Potter/Hylton

To approve the August 18, 2022 Regular Assembly minutes.

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

4. **Approval of Agenda:**

Main Motion/Second: Stone/Potter

To approve the September 15, 2022, Regular Assembly meeting agenda.

Secondary Motion/Second: Hanson/Burnham

To amend the agenda to remove agenda items 7B and 9D.

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

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 further indicated:

- That Alaska Governor Dunleavy declared a State of Emergency in regard to the Skagway rockslide above the north Railroad Dock area.
- The Municipality is working with White Pass to create an agreement that will ensure that Skagway has four berths in 2023.

B. Assembly Committee Reports:

A. Assemblymember Jay Burnham:

Motion/Second: Burnham/Stone

To approve the check run dated September 14, 2022, totaling: \$1,325,589.45.

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

Assemblymember Burnham indicated that finance met on September 14, 2022. Burnham indicated that the Finance Committee recommended:

- the Assembly adopt Resolution 22-29R declaring a sales tax holiday from October 1 through March 31, 2022.
- the Assembly adopt Resolution 22-31R with amendments, regarding a Community Funding Grant policy.
- Further discussion regarding Resolution 22-28R regarding ambulance fees.

B. Assemblymember Potter indicated that the Parks and Recreation Committee met September 12, 2022 and discussed:

- installation of a memorial plaque at Veteran's Park recognizing Skagway citizens who have served or sacrificed.
- A draft RFP for a temporary access equipment trail through the lower lake area to the upper rockslide area. Potter indicated that Assemblymember Burnham recused himself due to his nearby property ownership.

C. Assemblymember Bass indicated that he is in Ketchikan visiting Southeast Conference and added:

- That the conference is a great opportunity for all Southeast partners, businesses and communities.
- That Kaitlyn Jared has been promoted to the Vice-President seat of the Southeast Conference.

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

D. Manager's Report :

Manager Ryan indicated:

- That there is still work to be done regarding the Norwegian berthing agreement.
- The Little Dippers Daycare lease agreement will be extended.
- The Yukon government has engaged with the Municipality regarding the funding of the marine services platform for the Port of Skagway.

6. Communications to the Assembly:

A. Correspondence:

Correspondence was received from:

- Minto Metals re Skagway Ore Terminal (September 8, 2022)
- Dave Hunz re Proposition #1 (September 12, 2022)
- David Brena re Port Revenue Bond (September 14, 2022)

B. Hear Citizens Present

Jennifer Thuss indicated:

- Her thanks for the new podcast version of the Assembly meetings; it is very user-friendly. It would be wonderful if all Municipal meetings could be shared on the same platform.

Mayor Cremata indicated that Clerk Burnham put the podcast together and there has been a lot of positive feedback.

Dave Hunz, indicated that:

- It is difficult to track Municipal funds without financial reports being provided at Finance Committee meetings.
- The Assembly did not look at the adjusted budget after the loss of cruise ship passengers, sales, or CPV funds before approving \$5.00 wage increase.
- Resolution 22-30R encourages the public to provide written comments to the Assembly, but the public cannot find the Mayor's or Manager's reports because they are sometimes last-minute additions. If the public is limited in providing comment, then so should the Assembly be.

Tom Cochran indicated that:

- He would like to request all future finance committee reports include Municipal fund balances and current Municipal indebtedness.
- The Skagway Port Protection Committee is a positive and supportive group of concerned Skagway citizens who have been publicly admonished by Assembly members and have been banned from inclusion on a committee agenda.
- This administration is attempting to eliminate all ore transfer operations, remove the ore terminal and curb industrial capability in the Port of Skagway to create a cruise only port.
- The revenue bond is proposed to be retired by user fees, not taxes, however the public have not seen revenue projection for the repayment.
- The Port Commission previously advocated for keeping the waterfront operations status quo for 5 to 10 years after March 2023, in order to build a competent port department or port authority. All the Assembly had to do was negotiate four leases.

Tim Cochran indicated that:

- He is also part of the Skagway Port Protection Committee and has been advocating for development, but Skagway can do better.

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

- A. Introduction and First Reading of Ordinance No. 22-08 Authorizing the Municipality of Skagway to Lease Waterfront Property to Ocean Raft Alaska LLC

Assemblymember Potter recused herself from participation due to her wife's employment by Ocean Raft Alaska.

Main Motion/Second: Hylton/Hanson For introduction and first reading of Ordinance 22-08.

Main Motion passed by roll call vote, 5 yes, 0 no, 0 absent; Assemblymember Potter was recused.

- B. ~~Public Hearing and Adoption of Resolution No. 22-28R Ambulance Fees and Definitions Repealing 00-06R~~
- C. Public Hearing and Adoption of Resolution No. 22-29R Declaring the Period of October 1, 2022 through March 31, 2023 as a Sales Tax Holiday for Retail Sales

Motion/Second: Hanson/Burnham for public hearing and adoption of resolution 22-29R declaring the period of October 1, 2022 through March 31, 2023 as a sales tax holiday for retail sales.

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

- D. Public Hearing and Adoption of Resolution No. 22-30R Amending Resolution 18-05R Establishing the Assembly Rules of Procedure

Motion/Second: Potter/Hanson for public hearing and adoption of resolution 22-30R amending resolution 18-05R establishing the assembly rules of procedure.

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

- E. Public Hearing and Adoption of Resolution No. 22-31R Amending Resolution 20-43 Providing a Policy for Community Funding Grants

Motion/Second: Potter/Hanson public hearing and adoption of Resolution 22-31R amending Resolution 20-43 providing a policy for community funding grants.

Secondary Motion/Second: Hylton/Burnham amending Resolution 22-31R to incorporate the Finance Committee amendment labeled 7E.1.

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

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

8. **Unfinished Business:**

9. **New Business:**

1. Harvest Week Proclamation

Mayor Cremata read his Harvest Week Proclamation, declaring October 1 -7 of each year as Harvest Week.

2. Confirmation of Appointments to Boards, Commissions, and Committees

Motion/Second: Stone/Hanson to confirm the list of Mayoral nominations to boards, commissions and committees.

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

3. Approval of Small Boat Harbor Boat Launch Extension Construction Administration / Inspection Services Proposal

Motion/Second: Potter/Stone for the approval of the Skagway Small Boat Harbor Boat Launch Extension Proposal by PND Engineers Inc., in the amount of \$78,003.

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

- ~~4. Approval of Norwegian Cruise Line Holdings Berthing Agreement~~

5. Approval of Community Grant Funding Awards
 1. SDC-CDS Economic Development

Motion/Second: Stone/Hanson to approve the community funding grant application from Skagway Development Corporation for \$6,227.12.

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

6. Discussion and Direction re: Rockslide Mitigation and Road Access Improvements

Manager Ryan indicated that:

- He has included two memos for the meeting that relate to this item.
 1. Shannon & Wilson are looking at several different rockslide mitigation methods and access routes for implementation.
 - Those plans will not be considered until they reach a 10% design.
 2. The Municipality is working on alternative mooring plans and solutions to berth four ships at a time in Skagway during 2023.
 - Orchestrating a simulation in Seattle to model options.

- The MOS 500-ft float is scheduled for completion in April of 2023.

Assemblymember Hanson indicated that:

- The proposals seem to be very expensive and construction with those costs may not be possible, even under an Emergency Declaration.
- The Municipality needs to get a contractor involved to gain a better understanding of the project and its real costs.

10. Executive Session:

11. Mayor and Assembly Discussion Items:

Assemblymember Hylton indicated that:

- She understands where Dave Hunz is coming from and has pushed staff for packet items; however, sometimes it is not possible to provide those items until later.

Assemblymember Hanson indicated that:

- What is being proposed for the port is not set in stone and the Municipality is proposing a 1100-ft berth at the Ore Dock with a multi-use facility that includes fuel, ore, and cargo.
 - Ore is not being eliminated.
 - Industrial ships will be able to functionally use the facility once it is completed.
- The revenue bond gives the Municipality ability to maneuver and make improvements to its property, whereas without it there wouldn't be capital to do that.
- The proposed Ore Dock area improvements have been thoroughly vetted for years.
 - Adding a fifth berth would require the Municipality to also improve its upland infrastructure as currently Skagway cannot currently handle that large influx of passengers at one time.

Mayor Cremata indicated that:

- The written comment from a member of the public indicating that the Bermello & Ajamil study recommended that the Municipality create a Port Authority, is inaccurate.
 - Port Director Jennings has done a tremendous job.
- The revenue bond is necessary if Skagway is to construct a project that has been vetted through the community over the last two years.

12. Adjournment:

With no more business on the agenda, Mayor Cremata adjourned the regular Assembly meeting of September 15, 2022 at 8:25 p.m.

Andrew Cremata, Mayor

ATTEST:

Steve Burnham Jr., Borough Clerk

(SEAL)

Approved: