



MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

May 18, 2023
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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 Tlingit people.

The pledge of allegiance was recited.

2. **Roll Call:**

Present: Mayor: Andrew Cremata **Assembly Members:** Deb Potter, Sam Bass, Orion Hanson, Dan Henry, Jay Burnham, Alex Weddell

Absent:

3. **Approval of Minutes:**

A. April 20, 2023

Motion/Second: Bass/Potter

To approve the April 20, 2023 Assembly Meeting Minutes.

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

4. **Approval of Agenda:**

Main Motion/Second: Henry/Potter

To approve the agenda.

Secondary Motion/Second: Hanson/Bass to strike items 8A, 8B, and 11 Executive Session from the agenda.

Assemblymember Hanson indicated that the transfer station bid has been protested and cannot be awarded at this time and it would not be appropriate to award the administration contract if the bid is not awarded.

Mayor Cremata indicated that there is no longer a need to hold executive session because Brad and the attorney can work with Thomas and the Clinic Board on any HRSA questions that may come up. There can be a work session scheduled in the future for the Assembly and Clinic Board to meet together.

The Secondary Motion passed 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:

- His written report is in the packet.

B. Assembly Committee Reports:

A. Assemblymember Jay Burnham:

Motion/Second: Burnham/Henry to approve the check run.

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

Assemblymember Burnham indicated that Finance met on May 17, 2023 and did the following:

- Reviewed the Senior Citizen and Disabled Veterans Property Tax Exemption draft ordinance.
 - Finance will bring this to the Assembly at the June 1 meeting.
- Considered one Community Funding Grant Application.
 - Finance approved a grant request to Skagway Pride in the amount \$5,000.
- Reviewed National Forest Receipts Title I Funds for Schools and/or Roads.
 - Finance recommends the Assembly accepting these funds.
- Reviewed the Skagway River Levee Maintenance Repair Engineering Proposal.
 - Finance recommends Assembly approval.
- Discussed the of Cost-of-Living Adjustment.

Assemblymember Bass indicated that Public Safety met on May 16, 2023 and did the following:

- Discussed public safety in Dyea, focusing on fire mitigation.
- Discussed overnight parking and working with Chief Reddick to mitigate people using their vehicles to sleep in lieu of housing.
- Reviewed a draft resolution amending parking zones and they will recommend that to the Assembly at the next meeting.
- Discussed fire and police department summer staffing levels. There are some concerns and the committee will continue to discuss this issue and provide the Assembly with some recommendations in the future.

Assemblymember Henry indicated that Health, Education and Welfare met and did the following:

- Awarded the Cy Coyne Scholarship to Adelia Deach in the amount of \$2,000.
- Considered the timeframe in which the daycare subsidy applications are due, which is January 1 to April 1. The Committee elected to change the application deadline to November 1.
- Considered the Little Cherubs daycare application; it was approved but will need to go to the city manager for final approval.

C. Treasurer's Report:

D. Manager's Report :

Manager Ryan provided a summary of his written report available in the packet.

6. Communications to the Assembly:

- A. **Correspondence:**
- B. **Hear Citizens Present**

Mavis Henrickson indicated that:

- She was born in Skagway and is likely the oldest living resident.
- The federal government requires the Municipality to pay for the school, but there is no such requirement for childcare and the citizens of Skagway should not be paying for that.
- The city manager should be given a new contract that details his duties without the management of the waterfront, which is a business and should be run as such.
- She is concerned with Municipal spending.
- Changing the shipment of ore into a containerized system is not a good plan because it will drive the cost up and risks putting the Municipality out of the ore business.

Jaime Price, Westmark indicated that:

- He is the food and beverage manager at the Westmark in Skagway and he is here to answer any questions they may have regarding the liquor license renewal application for the Glacial Lounge.

Mark Jennings, M&M Tours indicated that:

- The comments about M&M Tours made during the last Assembly meeting were false.
- The company has been in business for 23 years and employs ten year-round employees.
- They offer tours that are sold on the ship, independent tours, and new tours. They sell for companies that are too small to have contracts with the ships.
- 25 to 30% of guests coming off of the ships will not buy tours from the cruise lines for one reason or another. The Assembly should protect this independent market.
- He asks that the Assembly fact check when they hear gossip before repeating comments during an Assembly meeting.

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

- A. **Public Hearing and Adoption of Resolution No. 23-21R** Replacing Resolution 22-16R Providing Year-round Support for Licensed Childcare Providers in Skagway

Motion/Second: Henry/Weddell to adopt Resolution No. 23-21R.

Public Hearing

The Public Hearing was closed with no comments.

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

- B. **Introduction and First Reading of Ordinance No. 23-11:** Amending SMC 3.14 to Add a Secretary to the Skagway Visitor Advisory Board

Main Motion/Second: Henry/Potter for introduction and first reading of Ordinance 23-11.

Mayor Cremata indicated that he brought this forward because all boards, committees, and commissions should be following Robert's Rules, which stipulate that there should be a chair, vice-chair, and secretary elected. The Visitor Advisory Board's code does not state that a secretary should be appointed, so this ordinance is just to clarify requirements. He believes there should be uniform code for all boards, so there may be more changes in the future.

Assemblymember Henry indicated that it is important for meetings to be recorded by a secretary.

Assemblymember Weddell indicated that she has the following concerns:

- Taking minutes is laborious and can put a strain on volunteer board members.
- Code changes like this should be discussed at the committee level first and not brought directly to the Assembly table.
- Robert's Rules is not a legal authority and are abandoned when there are competing formats, such as city code.

Secondary Motion/Second: Weddell/Burnham to refer Ordinance 23-11 to Civic Affairs.

Mayor Cremata indicated that someone from staff cannot take the minutes because the mayor and Assembly do not have the authority to direct staff to do that role. If the mayor needs to speak to the person taking minutes and that person is a staff member, then that becomes problematic.

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

8. Unfinished Business:

- ~~A. Award of Solid Waste Transfer Station Construction Contract~~
- ~~B. Approval of Solid Waste Transfer Station Construction Administration Proposal~~

9. New Business:

- A. Mayoral Proclamation: In Support of the Prevention of Sexual Assault and Intimate Partner Violence in Skagway

Mayor Cremata read his proclamation in full for the record:

"WHEREAS, Alaska's sexual assault rate is the highest in the nation at 4 times the national average impacting both rural and urban areas at devastating rates. 59% of women in Alaska have experienced intimate partner violence, sexual violence, or both; and

WHEREAS, the majority of individuals who experience rape/sexual assault and nearly half of those who experience intimate partner violence do not report to the police. Rape and sexual assault are the most underreported crimes in our nation. Skagway acknowledges that this under reporting of sexual assault/rape/intimate partner violence is also happening in our community; and

WHEREAS, survivors of sexual assault and intimate partner violence suffer long term effects and reactions which may include; PTSD, anxiety, depression, insomnia, addiction, and suicide. Survivors of sexual trauma and intimate partner violence often suffer in silence with debilitating feelings of guilt, shame, and lack of self-worth; and

WHEREAS, the municipality recognizes a historical lack of resources, data, and protocols in place in our community for victims of sexual assault or intimate partner violence and vows to create and help facilitate a network of resources to support survivors including the training and maintenance of local advocates, medical staff and our police officers via the SART (Sexual Assault Response Teams program); and

WHEREAS, the municipality does recognize there is help available immediately by calling The Skagway Police Department at 911 or 907-983-2232 to report your assault. Medical assistance and rape kit exams are available at the Dahl Memorial Clinic 907-983-2255. ADVOCACY ASSISTANCE SAFE SHELTER AND LEGAL ADVICE are all available by calling AWARE in Juneau at 1-800-478-1090 or 907-586-1090. Mental health services are available at Dahl Memorial Clinic, AWARE, Taiya Counseling Services 907-983-2459, SEARHC Behavioral Health (877) 294-0074, and the National Sexual Assault Hotline 1-800-656-HOPE.

NOW, THEREFORE, I, ANDREW CREMATA, Mayor of the Municipality of Skagway, do hereby proclaim that the Municipality of Skagway will actively support the prevention and prosecution of Sexual assault and intimate partner violence in our community. We officially declare a zero-tolerance policy towards such acts of violence and encourage reporting so survivors can get the vital support they deserve.”

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

Motion/Second: Potter/Hanson to appoint Johanna Evans to the Skagway Visitor Advisory Board.

Mayor Cremata indicated that Johanna has been serving diligently in the alternate seat and she has agreed to fill the now vacant full seat on the board.

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

C. Consideration of Liquor License Renewal Applications

1. Westmark Hotels, Inc. dba Westmark Inn Skagway – Glacial Lounge – License #5512

Motion/Second: Potter/Henry to protest license #5512.

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

D. Assembly Direction re: National Forest Receipts Title I Funds for Schools and/or Roads

Motion/Second: Hanson/Burnham to accept the funds.

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

E. Assembly Direction re: Elks Lodge Land Disposition

Motion/Second: Potter/Hanson to direct staff to put together a quick claim deed on the Elks' property.

Assemblymember Potter indicated that documentation shows that the city sold the building to the Elks in 1945 and that every tax roll since that time has listed the owner as the Benevolent and Protective Order of Elks #431.

Assemblymember Hanson indicated that he believes fully that the building and land belong to the Elks.

Assemblymember Weddell indicated that there are records showing the Elks Lodge has been paying taxes in good faith for around 78 years.

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

F. Approval of School Assessment Proposal

Motion/Second: Bass/Henry to approve the School Assessment Proposal in the amount of \$87,000.

Manager Ryan indicated that the entire proposal is for roughly \$113,000, but only \$50,000 was budgeted for so a budget amendment will be needed. Additionally, the Assembly could choose to remove the modeling program that provides a 3D model and layout of the entire school at a savings of \$26,688. The data will be saved and the model could be purchased at a later date when funds allow.

Assemblymember Bass indicated that he would like to proceed with the proposal without the 3D model and make that purchase another time.

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

G. Approval of Skagway River Levee Maintenance Repair Engineering Proposal

Motion/Second: Potter/Henry to approve the Maintenance Repair Engineering Proposal from RESPEC in the amount of \$93,514.

Manager Ryan indicated that the levee is losing a critical set of infrastructure to protect Skagway from flooding, so this repair is a necessity. It will also keep us eligible for FEMA funds should there ever be a massive flood event. An EDA grant will be sought to pay for the repair itself, however it is important to move forward with design.

Assemblymember Hanson indicated that this came in under the FY23 budgeted amount of \$100,000.

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

10. Executive Session:

~~Pursuant to AS 44.62.310(c)(1) and (2), Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon the Finances of the Public Entity and Subjects that Tend to Prejudice the Reputation and Character of Any Person, Provided the Person May Request a Public Discussion: To Discuss With Borough Attorney, Legal Aspects of the Dahl Memorial Clinic~~

11. Mayor and Assembly Discussion Items:

Assemblymember Potter indicated that:

- She met with Jim Sager, Dr. Coughran, and Bonnie Westland, who is the director of sustainability and community relations for Holland America Princess Group, regarding the 4th and 5th grade presentations about bus electrification and rain gardens. Ms. Westland will work with the school to set up a visit for these classes, after school resumes, to tour the environmental systems on one of the Holland America ships.
- She will schedule a Parks and Recreation Committee meeting to discuss the Pullen RV Park bathroom remodel.
- She values the independent tour broker in Skagway.

Assemblymember Burnham indicated that:

- He appreciates comments made during citizens present that hold the Assembly accountable.

Assemblymember Hanson indicated:

- The Assembly should have discussions about the Garden City RV Park and give some directions to staff.

Assemblymember Bass indicated that:

- He is in agreement that discussions regarding Garden City need to be had.
- The assembly should have a discussion of developing a port authority.

Assemblymember Henry indicated that:

- The borough manager is doing a good job, but the Assembly governs the city.
- Comments made at the Assembly table are to be representative of the governing body and a result of due diligence and fact checking.
- He extends his apologies to M&M Tours.

Mayor Cremata indicated that:

- He extends his congratulations to the graduating class of 2023

12. **Adjournment:**

With no more business on the agenda and receiving no objection from the table, Mayor Cremata adjourned the regular Assembly meeting of May 18, 2023 at 8:16 p.m.

Andrew Cremata, Mayor

ATTEST:

Steve Burnham Jr., Borough Clerk

(SEAL)

DRAFT