



MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

March 7, 2024
Page 1 of 8

1. **Call to Order:**

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

Mayor Bass acknowledged that the Assembly is gathered on the traditional land of the Chilkoot Tlingit people.

The pledge of allegiance was recited.

Mayor Bass read the preamble of the Alaska State Constitution.

2. **Roll Call:**

Present: Mayor: Sam Bass **Assembly Members:** Alex Weddell, Deb Potter, Dan Henry (via telephone), Jay Burnham, Kate Kolodi, Orion Hanson

Absent:

3. **Approval of Minutes:**

A. February 1, 2024

Motion/Second: Potter/Weddell

To approve the February 1, 2024, meeting minutes.

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

4. **Approval of Agenda:**

Motion/Second: Potter/Hanson

To approve the agenda.

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

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

A. **Mayor's Report:**

Mayor Bass indicated that the steel for the floating dock repair has been procured and is in the manufacturing process; applications for the senior coordinator position are being accepted; he is appointing Bruce Schindler and Lynn Davison to the Mayoral ad hoc Housing Committee.

B. **Assembly Committee Reports:**

A. **Assemblymember Jay Burnham:**

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

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

Assemblymember Jay Burnham indicated that the Finance Committee met on March 6, 2024, and:

- All the items from the finance agenda are on tonight's agenda and were discussed and recommended for Assembly approval.

Assemblymember Henry indicated that he attended the Historic District Commission meeting, and they are requesting review of their teleconferencing policy.

Assemblymember Weddell indicated that the Civic Affairs Committee met on February 29, 2024, and discussed previously adopted Resolution 23-09R regarding the Royal Caribbean donation but no recommendation was made at this time. They also discussed Resolution 24-05R from tonight's agenda and recommended Assembly approval. At the upcoming meeting on March 14, 2024, they will discuss the Historic District Commission's teleconferencing policy as well as single use plastic bags.

Assemblymember Potter indicated that the Public Safety Committee met on February 28, 2024, and discussed Ordinance 24-01. The committee did recommend it for Assembly approval; however, after meeting with Manager Ryan, she will be moving to have it reviewed by the Public Works Committee. There was also discussion regarding no parking zones along Spring Street.

C. **Treasurer's Report:**

D. **Manager's Report:**

Manager Ryan indicated that his written report is in the packet.

6. **Communications to the Assembly:**

A. **Correspondence:**

Clerk Burnham indicated that all correspondence was conveyed to the Assembly in accordance with the rules and procedures.

B. **Hear Citizens Present**

Darren Belisle expressed concerns regarding the fencing requirements for chickens or rabbits within the townsite in Ordinance 24-01.

Lynne Davison expressed concerns regarding the fencing requirements for chickens or rabbits within the townsite in Ordinance 24-01

Sherry Corrington summarized her experience at the 2024 Innovation Summit in Juneau.

Mavis Henrickson indicated that she hopes that the Assembly received and considers the documents regarding the financial infeasibility of building senior housing in Skagway.

Fable Wallace expressed her support of Resolution 24-05R.

Reba Radey expressed her support of Resolution 24-05R.

Jeff Mull expressed concerns regarding the fencing requirements for chickens or rabbits within the townsite in Ordinance 24-01.

Denise Caposey expressed concerns regarding how the outdoor recreation position is being funded; and concerns regarding Resolution 24-05R removing the designation of the land for a senior center; and concerns regarding the new street signs on Main Street.

Jennifer Thuss indicated she does not support Resolution 24-05R.

Danielle McManus indicated her support for saving trees, protecting salmon habitat, building a senior center, and introducing a plastic bag ban.

Wendy Anderson indicated her support for saving the trees; however, she has concerns about Resolution 24-05R.

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

A. Resolution 24-02R Adding the Position of Lead Dispatcher at Grade 15

Motion/Second: Potter/Hanson for public hearing and adoption of Resolution 24-02 Adding the Position of Lead Dispatcher at Grade 15

Public Hearing

The Public Hearing closed with no comments.

Manager Ryan indicated that the department head, someone from the manager's office, and the human resources representative use a grading sheet to evaluate which grade a new position should be. In this case, the chief of police, Deputy Manager Deach, and human resources determined that the Lead Dispatcher position was a grade 15.

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

B. Resolution 24-03R Adding the Position of Outdoor Recreation Coordinator at Grade 14

Motion/Second: Kolodi/Hanson for public hearing and adoption of Resolution 24-03R Adding the Position of Outdoor Recreation Coordinator at Grade 14.

Public Hearing

Jason Verhaeghe indicated that he is available to answer any questions as the Recreation Center Director.

The Public Hearing was closed.

Assemblymember Kolodi indicated that communication was received from a member of the Solid Waste Advisory Committee with some recommendations that this position collaborate with city committees on projects and events, such as Harvest Week.

Manager Ryan indicated that this position was not funded by the Royal Caribbean donation; it is funded from the existing rec center budget.

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

C. Resolution 24-04R Amending Port of Skagway Tariff No. 3

Motion/Second: Potter/Hanson for public hearing and adoption of Resolution 24-04R.

Public Hearing

The Public Hearing closed with no comments.

Assemblymember Hanson indicated that most of the changes are just cleaning up the document to make it more streamlined.

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

D. Resolution 24-05R Protecting the Trees and Stream on Lots 11 and 12 of Block 73 and Repealing Resolution 13-06

Main Motion/Second: Weddell/Kolodi for public hearing and adoption of Resolution 24-05R Protecting the Trees and Stream on Lots 11 and 12 of Block 73 and Repealing Resolution 13-06.

Public Hearing

The Public Hearing closed with no comments.

Assemblymember Weddell indicated that in 2022, the Skagway Assembly unanimously voted to sign the Maritime Green Corridor Commitment and agreed on the importance of clean air, environmental considerations within policy decisions, and establishing a green corridor and this resolution is an opportunity to uphold that commitment.

Assemblymember Henry indicated that the stream will be protected by DEC and Fish and Game. There is not currently an approved project; however, citizen comments indicate that the Assembly should be moving forward with a senior center. There needs to be a redesign and funding approved by ballot measure, which will take time. When that happens, the Assembly can make sure that all the criteria, such as protecting the existing trees, will be met. Resolution 13-06 should be maintained to protect the intent of building a senior center.

Assemblymember Kolodi indicated that it is not just about protecting the stream, it is about protecting the whole ecosystem for the salmon, which require the trees for shade and relief from debris. Resolution 24-05R expresses a stronger intent to protect this ecosystem.

Assemblymember Potter indicated that while the trees are beautiful and have environmentally positive benefits, there are people in the community who have been voicing concerns about the lack of housing and that needs to be addressed.

Assemblymember Hanson indicated that putting tight restrictions on the property limits the possibilities to build housing.

Assemblymember Burnham indicated that this is a unique location with a bridge crossing the creek and large trees and there are other locations where housing can be built. This resolution will tell possible future developers that the intent is to keep the trees and the creek.

Secondary Motion/Second: Potter/Hanson to amend resolution 24-05R to modify the now therefore be it resolved to read, "that lot 12 of block 73 within the Municipality of Skagway townsite, in recognition of the significance of the trees and stream as a vital component of the local ecosystem, are hereby officially protected from being cut down, disturbed or polluted by any future developments on site with exception to any trees under 3-inches in diameter or grooming or maintenance of electrical lines or other safety standards, and that every effort will be made to see that no trees are cut down on lot 11"; and to strike the section after "be it further resolved."

Assemblymember Potter indicated that this amendment protects the stream and the immediate trees in the area, allows for future possibility of development, and keeps the intent to develop a possible senior center.

Assemblymember Weddell indicated that it is possible to build housing and to protect trees and the Pullen Creek habitat. A large structure can be built using the square footage of the combined lots without building on lot 12 or impeding on the trees on lot 11. The townsite needs trees to clean air from cruise ship exhaust and to provide screening from the winds.

The Secondary Motion passed by roll call vote, 4 yes, 3 no, 0 absent; with Assemblymembers Kolodi, Burnham, and Weddell dissenting and Mayor Bass breaking the tie by voting yes.

Secondary Motion/Second: Weddell/Henry to send resolution 24-05R to Civic Affairs for further refinement.

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

E. Introduction and First Reading of Ordinance No. 24-01 Amending SMC to Require Dumpster Use for Congregate Housing and Fencing for Certain Domestic Animals

Main Motion/Second: Potter/Hanson for introduction and first reading of Ordinance 24-01.

Secondary Motion/Second: Potter/Hanson to refer Ordinance 24-01 to the Public Works Committee.

Assemblymember Kolodi indicated that it would also make sense to send it to the Solid Waste Advisory Committee.

Assemblymember Potter indicated that she sees value in this being reviewed by the Solid Waste Advisory Committee following review by the Public Works Committee.

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

With no objection from the table, Mayor Bass declared a five-minute recess at 8:42 p.m.

8. Unfinished Business:

9. New Business:

A. Approval of Ore Peninsula Redevelopment Change Order No. 5

Motion/Second: Hanson/Potter for the approval of change order No. 5 in the amount of \$164,791.55.

Manager Ryan provided a breakdown of the several items that are in the change order.

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

B. Approval of Ore Peninsula Redevelopment Project Field Order No. 7 – Head Frame

Motion/Second: Potter/Hanson to approve the Ore Peninsula Redevelopment Project Field Order No. 7 in an amount not to exceed \$327,736.66.

Manager Ryan indicated that this is an element that was in the original plan but was removed due to schedule and cost.

Assemblymember Hanson indicated that the head frame allows the passenger bridge to be removed when not needed and allows the dock to be serviced as needed.

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

C. Award of Skagway Municipal RV Park Management

Motion/Second: Potter/Burnham to award the Skagway Municipal RV Park Management Contract to 26K Cleaning LLC in the amount of \$110,000.00.

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

D. Approval of West Creek Subdivision Levee and Hydrology Study Fee Proposal

Motion/Second: Kolodi/Potter to table the remaining items under new business to enter executive session.

Assemblymember Kolodi indicated that the attorney is currently on a three-hour time difference and out of concern for his time the Assembly should move forward with the executive session and return to the other items after.

Assemblymember Hanson indicated that he believes the remaining items can be completed quickly.

The Motion failed by roll call vote, 3 yes, 4 no, 0 absent; with Assemblymembers Hanson, Weddell, and Potter dissenting and Mayor Bass breaking the tie by voting no.

Motion/Second: Hanson/Potter for approval of the West Creek subdivision levy and hydrology proposal from Respec Engineers in the amount of \$160,000.00.

Assemblymember Hanson indicated that the West Creek levy was not completed after the 2002 flood and the existing roadway is eroding. This will also advance preliminary hydrology analysis for the proposed West Creek subdivision.

Manager Ryan indicated that that this was budgeted for but will need a budget amendment because it was \$10,000 more than expected. Most of the cost is for the design and survey for the levy, which needs to be done.

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

E. Approval of Street Sign Replacement Design & Bid Services Fee Proposal

Motion/Second: Hanson/Potter for approval of street sign replacement design from RESPEC in the amount of \$37,335.00.

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

F. Approval of Main Street Reconstruction Preliminary Design & Public Outreach Proposal

Motion/Second: Hanson/Potter for approval of the RESPEC proposal for the Main Street Reconstruction Preliminary Design and Public Outreach Proposal in the amount of \$294,080.00.

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

G. Approval of Broadway Condition Assessment Report Fee Proposal

Motion/Second: Hanson/Potter for the approval of the Broadway condition assessment proposal from RESPEC in the amount of \$14,651.00.

Manager Ryan indicated that RESPEC will identify all areas that need improvement and potential ways to make repairs.

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

H. Approval of FY2023 Assistance to Firefighters Grant Program Application MOU

Motion/Second: Potter/Hanson for the approval of the FY2023 Assistance to Firefighters Grant Program Application MOU.

Manager Ryan indicated that the Memorandum of Understanding is required to apply for the grant. If awarded, the Municipality will need to match 10% of the cost of the 30 radios.

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

10. Mayor and Assembly Discussion Items:

The Mayor and Assembly discussed: the new coat racks in the chambers and public comments.

11. Executive Session

Motion/Second: Hanson/Potter to adjourn from regular session and reconvene in the executive session for matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity and matters, which by law, municipal charter, or ordinance are required to be confidential; and that this executive session admit Manager Ryan and the Clerk's office, and that Assemblymember Henry and the Borough Attorney are permitted to attend via Zoom.

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

Executive Session lasted from 9:23 p.m. to 10:06 p.m.

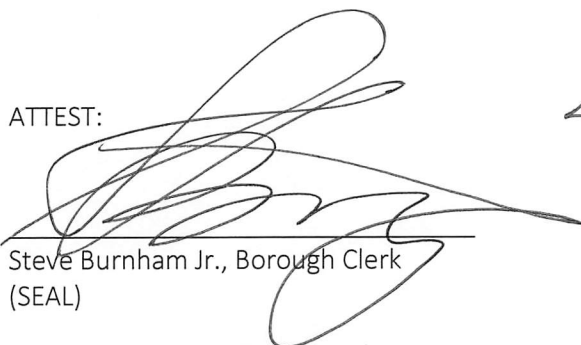
Mayor Bass indicated that Manager Ryan was directed to continue working toward getting the Ore Redevelopment project completed.

12. Adjournment:

Motion/Second: Hanson/Weddell to adjourn at 10:14 p.m.

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

ATTEST:



Steve Burnham Jr., Borough Clerk
(SEAL)

Approved April 18, 2024



Sam Bass, Mayor

