



CITY OF UTQIAGVIK

"Farthest North Incorporated City"

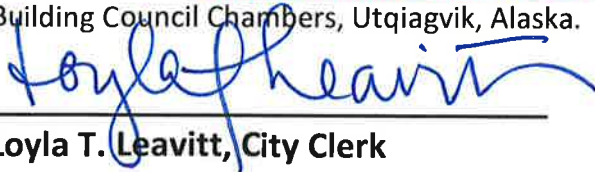
Loyla T. Leavitt, City Clerk

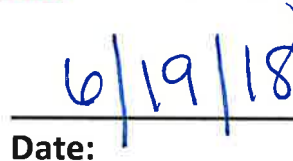
PUBLIC NOTICE

**UTQIAGVIK CITY COUNCIL
REGULAR MONTHLY MEETING & PUBLIC HEARING
JUNE 28, 2018, 7:00 PM
NATHANIEL OLEMAUN, JR.
CITY HALL BUILDING - COUNCIL CHAMBERS**

To the General Public:

You are hereby notified that the Utqiagvik City Council **Regular Meeting and Public Hearing** are scheduled for **Thursday, June 28, 2018 at 7:00 p.m.** in the Nathaniel Olemaun, Jr. City Hall Building Council Chambers, Utqiagvik, Alaska.


Loyla T. Leavitt, City Clerk


Date:

Agenda Items:

1. **ORDINANCE #02-2018-** AN ORDINANCE TO A LEASE AGREEMENT WITH TUNDRA TOURS, INC. FOR THE YOUTH CENTER. ATTACHMENT: PROPOSED LEASE AGREEMENT COU & TUNDRA TOURS - **INTRODUCED AT MAY 24, 2018 REGULAR MEETING ACTION ITEM – PUBLIC HEARING @ THIS MEETING.**
2. **ORDINANCE #03-2018-** AN ORDINANCE AMENDING CHAPTER 12.12 OF THE CITY OF UTQIAGVIK CODE OF ORDINANCES REGARDING CEMETERIES. **FOR INTRODUCTION ONLY - PUBLIC HEARING JULY 26, 2018**
3. **ORDINANCE #04-2018-** AN ORDINANCE THAT WOULD PLACE QUESTIONS ON THE BALLOT AT THE OCTOBER 2, 2018 REGULAR CITY ELECTION ASKING CITY VOTERS WHETHER THE SALE OR IMPORTATION FOR SALE OF MARIJUANA, IN ADDITION TO THE SALE OR IMPORTATION FOR SALE OF MARIJUANA PRODUCTS, SHOULD BE PROHIBITED IN UTQIAGVIK. **FOR INTRODUCTION ONLY - PUBLIC HEARING JULY 26, 2018**



CITY OF UTQIAGVIK

"Farthest North Incorporated City"

Introduced by:	Fannie Suvlu, Mayor
Date:	May 24, 2018
Public Hearing:	June 28, 2018
Action:	
Vote:	

ORDINANCE #02-2018

AN ORDINANCE RELATING TO A LEASE AGREEMENT WITH TUNDRA TOURS, INC. FOR THE YOUTH CENTER

WHEREAS the City of Utqiagvik ("City") owns the Utqiagvik Youth Center at 1004 Kiogak Street ("the Property"); and

WHEREAS Tundra Tours, Inc. ("Tundra Tours") desires to lease a portion of the Property from May 15, 2018 to September 15, 2018 for a variety of tourist related activities, such as cultural presentations and performances, and

WHEREAS the terms and conditions of the proposed lease agreement with Tundra Tours are attached as Exhibit A to this Ordinance;

WHEREAS the City Council finds that leasing a portion of the Property to Tundra Tours for the above described uses is in the public interest because the lease will benefit the City and its residents;

BE IT ORDAINED by the City Council of Utqiagvik, Alaska, that:

SECTION 1. Classification. This ordinance is not permanent or general in nature and shall not be placed in the City of Utqiagvik Code of Ordinances ("Code").

SECTION 2. Inapplicability of Code Provisions. The requirement for an appraisal in Sections 13.12.020.A and 13.12.030.A of the Code and the requirement for a lease auction in Section 13.12.060 of the Code shall not apply to the Lease Agreement with Tundra Tours ("Tundra Tours Lease").

SECTION 3. Council Approval. In accordance with Sections 13.12.010 and 13.12.050 of the Code, the City Council hereby authorizes the terms and conditions of the Tundra Tours Lease attached

as Exhibit A to this Ordinance and authorizes the Mayor to execute the Tundra Tours Lease attached as Exhibit A to this Ordinance.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon adoption and shall have retroactive effect back to the first date that the City administration began to negotiate the terms and conditions of the Tundra Tours Lease attached as Exhibit A to this Ordinance.

ENACTED THIS __ DAY OF _____, 2018, by a vote of __ in favor and __ opposed.

Fannie Suvlu, Mayor

ATTEST:

Loyla T. Leavitt, City Clerk



CITY OF UTQIAGVIK

"Farthest North Incorporated City"

Introduced by:	Fannie Suvlu, Mayor
Date:	June 28, 2018
Public Hearing:	July 26, 2018
Action:	
Vote:	

CITY OF UTQIAGVIK, ALASKA

ORDINANCE #03-2018

AN ORDINANCE AMENDING CHAPTER 12.12 OF THE CITY OF UTQIAGVIK CODE OF ORDINANCES REGARDING CEMETERIES

WHEREAS the City of Utqiagvik ("City") has designated certain City lands as public cemeteries; and

WHEREAS the City regulates burials in public cemeteries through Chapter 12.12 of the City of Utqiagvik Code of Ordinances; and

WHEREAS the City Council wishes to amend Chapter 12.12 to provide that burials shall be conducted only at the times authorized by the City and that the City shall have access to public cemetery grounds at all times in order to properly prepare the grounds for burials.

BE IT ORDAINED by the City Council of Utqiagvik, Alaska, that:

SECTION 1. Classification. This ordinance is permanent and general in nature and shall be placed in the City of Utqiagvik Code of Ordinances ("Code").

SECTION 2. Amendment to Chapter 12.12. Chapter 12.12 of the Code is amended by adding new sections to read as follows:

12.12.095. **Burial Scheduling**. The City administration shall have sole and exclusive control over the scheduling of burials in the public cemeteries

established in Section 12.12.010 of this Chapter. Burial during snow storms or other inclement weather is prohibited unless approved in advance and in writing by the Mayor.

12.12.096. Access to Cemetery Grounds. At all times, City employees responsible for preparing burial sites shall have clear and unimpeded access to burial sites in order to prepare them properly for burial.

SECTION 3. Severability. Nothing in this ordinance shall be construed to authorize or condone actions which would violate any requirement of applicable state or federal law. This ordinance is intended to be interpreted consistently with, where possible, the Constitution of the United States, the Constitution of the State of Alaska, federal statutes and regulations, and Alaska statutes and regulations. Where it is not possible to construe a provision of this ordinance consistently with these state and federal provisions, the conflicting provision of this ordinance shall be void.

SECTION 4. Effective Date. This Ordinance shall become effective upon passage by the City Council.

ENACTED THIS ___ DAY OF _____, 2018, by a vote of ___ in favor and ___ opposed.

Fannie Suvlu, Mayor

ATTEST:

Loyla Leavitt, City Clerk



Introduced by:	Fannie Suvlu, Mayor
Date:	June 28, 2018
Public Hearing:	July 26, 2018
Action:	
Vote:	

CITY OF UTQIAGVIK, ALASKA

ORDINANCE #04-2018

AN ORDINANCE THAT WOULD PLACE QUESTIONS ON THE BALLOT AT THE OCTOBER 2, 2018 REGULAR CITY ELECTION ASKING CITY VOTERS WHETHER THE SALE OR IMPORTATION FOR SALE OF MARIJUANA, IN ADDITION TO THE SALE OR IMPORTATION FOR SALE OF MARIJUANA PRODUCTS, SHOULD BE PROHIBITED IN UTQIAGVIK

WHEREAS AS 17.38 legalized the retail sale, importation, cultivation, manufacturing and testing of marijuana and/or marijuana products in Alaska as a result of a statewide voter initiative; and

WHEREAS marijuana products are commonly known as “edibles;” and

WHEREAS AS 17.38 provides for the operation of marijuana establishments throughout Alaska for the importation, retail sale, cultivation, and testing of marijuana and for the importation, retail sale and manufacture of edibles; and

WHEREAS AS 17.38 allows a local community to prohibit the operation of marijuana establishments for the retail sale, importation, cultivation, and testing of marijuana and the retail sale, importation and manufacture of edibles in the local community by an ordinance duly enacted by the governing body of the local community, or by a majority vote of the voters in the local community; and

WHEREAS in accordance with AS 17.38, the City Council passed Ordinance #18-2017 Revised (“Ordinance”) on January 25, 2018 which established a local regulatory authority to process applications for lawful operation of marijuana establishments in the City to import, sell, cultivate and test marijuana; and

WHEREAS in accordance with AS 17.38, the Ordinance also prohibited the sale, manufacturing or importation of edibles for sale; and

WHEREAS some members of the public have expressed the view that whether the sale, importation, cultivation, and testing of marijuana or the sale, importation and manufacturing of edibles should be allowed in Utqiagvik should be decided by the voters; and

WHEREAS in light of this commentary from some members of the public, the City Council first wishes to present the question to the voters of whether the sale or importation for sale of marijuana, in addition to the sale or importation for sale of marijuana products, should be prohibited in Utqiagvik; and

WHEREAS depending on the outcome of the vote on the ballot question, the City Council may thereafter act to prohibit the operation of marijuana establishments for the retail sale, importation, cultivation, and testing of marijuana and the retail sale, importation and manufacture of edibles in Utqiagvik.

BE IT ORDAINED by the City Council of Utqiagvik, Alaska, that:

SECTION 1. Classification. This ordinance is not general or permanent in nature and shall not be incorporated into the City of Utqiagvik Code of Ordinances ("Code").

SECTION 2. Marijuana and Marijuana Product Ballot Question.

The City Clerk shall place the following question on the ballot at the October 2, 2018 regular election for the City of Utqiagvik.

Question

PROHIBITION ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS AND PROHIBITION ON IMPORTATION OF MARIJUANA AND MARIJUANA PRODUCTS FOR SALE WITHIN THE CITY

Shall Utqiagvik change the local option currently in effect that prohibits the sale, manufacturing or importation of marijuana products and adopt in its place a local option to prohibit the sale of marijuana and marijuana products, or the importation of marijuana and marijuana products for sale within the City?

Yes

No

SECTION 3. Effective Date. This Ordinance shall become effective upon passage by the City Council.

ENACTED THIS ___ DAY OF _____, 2018, by a vote of ___ in favor and ___ opposed.

Fannie Suvlu, Mayor

ATTEST:

Loyla T. Leavitt, City Clerk