

CITY OF KOTZEBUE NOTICE

Special City Council Meeting Agenda

June 24, 2025 at 5:15 PM

Kotzebue Youth Center - 815 Wanda Street

THE PUBLIC IS ENCOURAGED TO ATTEND.

For residents who want to participate telephonically call: **1-800-315-6338**; access code:
49401#

[RESOLUTION 25-27 FIRST HEARING]

- I. **Call to Order**
- II. **Roll Call**
- III. **Invocation/Moment of Silence**
- IV. **Pledge of Allegiance**
- V. **Introduction of Staff & Guests**
- VI. **Adoption of The Agenda**
- VII. **Adoption of Minutes**
- VIII. **Citizen Comments**
- IX. **Correspondence**
- X. **Unfinished Business**
- XI. **New Business**

a) RESOLUTION 25-32, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PLACE AND PURCHASE ALCOHOL SUPPLIES FOR THE ARCTIC SPIRITS PACKAGE STORE FOR SHIPMENT ON THE SECOND AML BARGE OF THE SUMMER 2025 BARGE SEASON."

b) RESOLUTION 25-33, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, WORKING WITH THE CITY PLANNER AND CITY ATTORNEY TO ISSUE A TEMPORARY USE PERMIT PURSUANT TO KOTZEBUE MUNICIPAL CODE ("KMC") 3.12.120 TO ARCTIC CIRCLE WILD SEAFOOD ("ACWS") PURSUANT TO TITLE 11, CHAPTER

11.04, "TIDELANDS REGULATIONS", OF THE KMC FOR ITS SALMON-BUYING OPERATIONS FROM LOCAL FISHERMEN DURING THE 2025 SUMMER COMMERCIAL FISHING SEASON."

c) RESOLUTION 25-34, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE TO SUBMIT AN APPLICATION TO THE NORTHWEST ARCTIC BOROUGH VILLAGE IMPROVEMENT FUND FOR \$500,000.00 TO SUPPORT REPAIRS TO THE BALER FACILITY."

d) RESOLUTION 25-27, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE ACCEPTING THE PLANNING COMMISSION RESOLUTION 25-07 AND DESIGNATING THE CITY-OWNED BUILDING AT 289 FIFTH AVENUE AS THE NEW LOCATION FOR THE "ARCTIC SPIRITS" PACKAGE STORE." **[FIRST HEARING]**

XII. Council Members Comments

SEAT A: Ernest Norton

SEAT C: Joshua Hadley

SEAT D: Kathleen Sherman

SEAT E: Ruth A. Moto

SEAT F: Cory Jackson

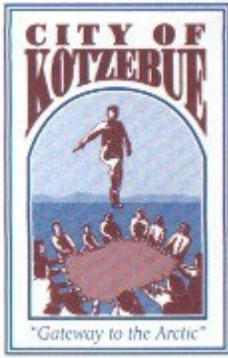
SEAT G: Johnson Greene

SEAT B: Derek Haviland-Lie

Youth Representative: vacant

XIII. Executive Session

XIV. Adjournment



CITY OF KOTZEBUE

258A Third Avenue, P.O. Box 46
Kotzebue, Alaska 99752
www.cityofkotzebue.gov

Phone: 907-442-3401
Fax: 907-442-3424

PUBLIC NOTICE

MAYOR HAVILAND-LIE

HAS SCHEDULED A

SPECIAL CITY COUNCIL MEETING

FOR

TUESDAY, JUNE 24th, 2025 AT 5:15PM

AT THE

KOTZEBUE YOUTH CENTER

815 WANDA STREET

THE PUBLIC IS ENCOURAGED TO ATTEND

FOR RESIDENTS WHO WANT TO PARTICIPATE TELEPHONICALLY CALL
1-800-315-6338 ACCESS CODE 49401#

Please contact the City Clerk's Office if you have any questions:

Office: 907-442-5120

Mobile: 907-412-2489

cityclerk@kotzebue.org

Posted: JUNE 16, 2025
2nd Notice: JUNE 18, 2025

City Hall Bulletin Board City of Kotzebue Facebook Group

KOTZ Radio

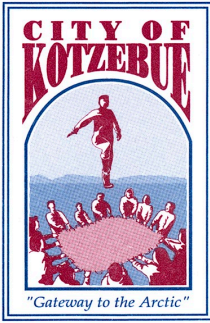
Department Heads

Post Office

Alaska Commercial, Co.

Maniilaq Association (Ferguson Building)

June 24th, 2025 Special City Council Meeting



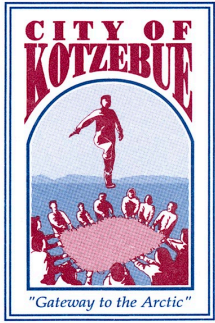
**CITY OF KOTZEBUE
RESOLUTION NO. 25-32**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PLACE AND PURCHASE ALCOHOL SUPPLIES FOR THE ARCTIC SPIRITS PACKAGE STORE FOR SHIPMENT ON THE SECOND AML BARGE OF THE SUMMER 2025 BARGE SEASON.

- WHEREAS,** each barge season the Arctic Spirits Package Store (“Package Store”) purchases alcohol supplies for barge shipment in the summer months;
- WHEREAS,** these purchases must be made at this time of the year in order to make the second AML barge of the 2025 summer barge season;
- WHEREAS,** the Package Store Manager has reviewed the CY2025 Package Store sales and prepared alcohol purchases as set out in Exhibit “A” attached hereto;
- WHEREAS,** these Purchase Orders #LS25-036/PO 1974 (\$115,225.40) from RNDC of Alaska, LS25-037/PO 1975 (\$125,619.45) from Odom Corporation, and LS25-038/PO 1976 (\$136,227.60) from Odom Southern Corporation totaling \$377,072.45; and,
- WHEREAS,** the funding for these purchases is generated by sales at the Package Store and has been approved by the Package Store Manager, Finance Director, and City Manager.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kotzebue authorizes the City Manager or his designee to place the Package Store orders as set forth herein in Exhibit “A” attached hereto

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PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 24th day of June 2025.

CITY OF KOTZEBUE

Derek Haviland-Lie Mayor

[SEAL]

ATTEST:

Donald Jones City Clerk

Attachments:

- Exhibit "A": Package Store Orders [9 pages]

****BILL TO****
 City of Kotzebue
 DBA Arctic Spirits
 Kotzebue, AK 99752

PURCHASE ORDER

Nbr: 1974
 LS25-036

<p>**VENDOR** RNDC 6307 Arctic Spur Rd. Anchorage, AK 99518</p>	<p>**SHIP TO** City of Kotzebue PO Box 46 P.O. box 46 Kotzebue, AK 99752</p>
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Account Nbr	PO Date	Buyer	Terms	Total	Page
	06/03/2025			\$115,225.40	1 of 2

ITEM CODE	BRAND	DESCRIPTION	SIZE	QTY		COST		EXTENDED
				CASE	UNIT	CASE	UNIT	
09824	ALASKAN	ICY BAY BOTTLES	6PK	50	0	38.24	9.56	1,912.00
	ALASKAN	SOLSTICE	4PK	50	0	69.78	11.63	3,489.00
	ALASKAN HARD SELT	CHERRY GRAPEFRU	6PK	75	0	38.24	9.56	2,868.00
01532	ALASKAN HARD SELT	LEMON-LIME	6PK	75	0	38.24	9.56	2,868.00
	ALASKAN HARD SELT	MANGO PEACH	6PK	40	0	38.24	9.56	1,529.60
	ALASKAN VARIETY	HARD SELTZER	12 PK	75	0	35.20	17.60	2,640.00
08968	BUD LIGHT	BOTTLES	6PK	30	0	33.00	8.25	990.00
	BUD LIGHT	CAN	12PK	50	0	26.98	13.49	1,349.00
08952	BUD LIGHT	CAN	18PK	150	0	19.50	19.50	2,925.00
08963	BUD LIGHT	CAN	30PK	75	0	26.24	26.24	1,968.00
	BUD LIGHT	CAN TALL	25oz	25	0	36.30	2.42	907.50
09001	BUDWEISER	BOTTLES	6PK	75	0	33.00	8.25	2,475.00
09014	BUDWEISER	CAN	12PK	150	0	26.98	13.49	4,047.00
08995	BUDWEISER	CAN	18PK	400	0	19.50	19.50	7,800.00
08987	BUDWEISER	CAN	30PK	200	0	26.24	26.24	5,248.00
13691	BUDWEISER	CAN TALL	25oz	50	0	36.30	2.42	1,815.00
02119	KING ST BREWERY	IPA	4PK	50	0	51.78	8.63	2,589.00
	KING ST BREWERY	IPA	12 PK	30	0	36.08	36.08	1,082.40
	ELYSIAN	12PK CONTACT TR	12PK	30	0	0.00	0.00	0.00
	ELYSIAN	MIXED PACK	12 PK	30	0	36.00	18.00	1,080.00
	MATANUSKA BREWING	DOUBLE CITRUS I	6PK	50	0	44.68	11.17	2,234.00
57012	MATANUSKA BREWING	LONG TRACK IPA	6PK	50	0	37.48	9.37	1,874.00
09025	NATURAL ICE	CANS	18PK	200	0	17.05	17.05	3,410.00
10820	NATURAL ICE	CANS	30PK	100	0	20.25	20.25	2,025.00
15025	STACK	STACK 24 OZ CAN	24oz	75	0	20.88	1.74	1,566.00
	STELLA ARTOIS	CANS	12PK	25	0	30.22	15.11	755.50
	DULCE VIDA	BLANCO	750ml	20	0	243.48	20.29	4,869.60
123921	HERRADURA GOLD	TEQUILA	750ml	30	0	239.34	39.89	7,180.20
	HERRADURA SILVER	TEQUILA	750ml	30	0	235.14	39.19	7,054.20
101606	JACK DANIELS	TENNESEE WHISKE	750ml	30	0	226.68	18.89	6,800.40

* Continued *

****BILL TO****
 City of Kotzebue
 DBA Arctic Spirits
 Kotzebue, AK 99752

PURCHASE ORDER

Nbr: 1974

<p>**VENDOR** RNDC 6307 Arctic Spur Rd. Anchorage, AK 99518</p>	<p>**SHIP TO** City of Kotzebue PO Box 46 P.O. box 46 Kotzebue, AK 99752</p>
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Account Nbr	PO Date 06/03/2025	Buyer	Terms	Total \$115,225.40	Page 2 of 2
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ITEM CODE	BRAND	DESCRIPTION	SIZE	QTY		COST		EXTENDED
				CASE	UNIT	CASE	UNIT	
110254	SAILOR JERRY	SPICED RUM (PLST	750ml	30	0	193.20	16.10	5,796.00
113531	TITO'S	HANDMADE VODKA	750ml	100	0	191.99	16.00	19,199.00
	CUTWATER	MARGARITA VARIE	12 PK	100	0	28.79	28.79	2,879.00
	TOTALS:			2550	0			115,225.40

PURCHASE ORDER
 City of Kotzebue
 (907) 442-3401

Vendor: Odom Corporation 1800 Ship Creek Ave. Anchorage, AK 99501	S H I P	City of Kotzebue P.O. Box 46 Kotzebue, AK 99752 ATTN: Arctic Spirits
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VENDOR #	PURCHASE ORDER #	REQUISITION BY:	P.O. DATE	SHIP FREIGHT COLLECT VIA	TERMS
	LS25-037 PO 1975	Jamie Lambert	6/3/2025	AML - 2nd barge	

PART #	DESCRIPTION	ORDERED	RECEIVED	UNIT PRICE	AMOUNT
	See Attached - Alcohol Purchase				125,619.45
TOTAL					\$ 125,619.45

ACCOUNT NUMBER	AMOUNT
603-00-12000	\$ 125,619.45

- INSTRUCTIONS TO VENDORS**
1. Purchase order number must appear on invoice and shipping labels.
 2. An individual invoice must be rendered for each purchase order. No consolidated statement will be paid.
 3. Invoices cannot be process without purchase order.
 4. Terms: 30 days after receipt of completed order unless otherwise specified.

Disbursement of monies by the City of Kotzebue hereunder Shall be subject to the COK Code of ordinances.

AUTHORIZED SIGNATURE: Jamie Lambert
 FINANCE APPROVAL: [Signature]
 OVER \$5,000 APPROVAL - CITY MANAGER: Tom Kian 6/5/2025

VENDOR ACCOUNTING/FINANCE CITY DEPARTMENT PURCHASING/RECEIVING

****BILL TO****
 City of Kotzebue
 DBA Arctic Spirits
 Kotzebue, AK 99752

PURCHASE ORDER

Nbr: 1975
 LS25-037

<p>**VENDOR** Odom Corporation 1800 Ship Ave Anchorage, AK 99501</p>	<p>**SHIP TO** City of Kotzebue PO Box 46 P.O. box 46 Kotzebue, AK 99752</p>
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Account Nbr	PO Date	Buyer	Terms	Total	Page
	06/03/2025			\$125,619.45	1 of 3

ITEM CODE	BRAND	DESCRIPTION	SIZE	QTY		COST		EXTENDED
				CASE	UNIT	CASE	UNIT	
250166	21ST AMENDMENT	BLOOD ORANGE IP	6PK	75	0	34.13	8.53	2,559.75
250102	21ST AMENDMENT	BREW FREE OR DI	6PK	50	0	35.98	9.00	1,799.00
	ARIZONA	HARD LEMON	22oz	75	0	33.48	2.79	2,511.00
491191	COORS	BANQUET STUB BO	6PK	75	0	32.98	8.25	2,473.50
491009	COORS	BANQUET CANS	18PK	200	0	19.49	19.49	3,898.00
491018	COORS	BANQUET CANS	30PK	100	0	26.24	26.24	2,624.00
491026	COORS LIGHT	BOTTLES	6PK	50	0	32.98	8.25	1,649.00
491001	COORS LIGHT	CANS	18PK	300	0	19.49	19.49	5,847.00
491019	COORS LIGHT	CANS	30PK	150	0	26.24	26.24	3,936.00
	CORONA	EXTRA BOTTLES	18PK	100	0	22.49	22.49	2,249.00
10062	CORONA	EXTRA BOTTLES	6PK	30	0	38.98	9.75	1,169.40
11607	CORONA	EXTRA CAN TALL	24oz	30	0	33.55	2.80	1,006.50
33301131	DENALI BREWING	BIG DIPA DOUBLE	6PK	50	0	41.98	10.50	2,099.00
776027	DENALI BREWING	TWISTER CREEK I	6PK	50	0	38.98	9.75	1,949.00
	DENALI BREWING	TWISTER CREEK I	12 PK	50	0	33.74	16.87	1,687.00
205150	FOSTER'S	LAGER	25oz	50	0	36.04	3.00	1,802.00
205152	FOSTER'S	PREMIUM ALE	25oz	50	0	36.04	3.00	1,802.00
	FOUR LOKO	CAMO	24oz	75	0	33.55	2.80	2,516.25
60401	FOUR LOKO	GOLD	24oz	75	0	33.55	2.80	2,516.25
	FOUR LOKO	GRAPE SOUR	24oz	75	0	33.55	2.80	2,516.25
	FOUR LOKO	JUNGLE JUICE	24oz	75	0	33.55	2.80	2,516.25
	FOUR LOKO	USA	24oz	75	0	33.55	2.80	2,516.25
492005	HEINEKEN	CAN	12PK	25	0	34.48	17.24	862.00
205002	MICKEYS FINE MALT	6 PK KEG BOTTLE	6PK	75	0	29.98	7.50	2,248.50
38201155	MICKEYS FINE MALT	KEG BOTTLES	12 PK	50	0	26.23	13.12	1,311.50
	MIKES	FREEZE VARIETY	12PK	30	0	31.89	15.95	956.70
38101021	MIKES HARD	VARIETY BTL	12PK	25	0	31.89	15.95	797.25
16796	MIKES HARDER	CRANBERRY	24oz	75	0	30.02	2.50	2,251.50
16795	MIKES HARDER	LEMONADE	24oz	75	0	30.02	2.50	2,251.50
205058	MILLER	GEN DRAFT CANS	18PK	100	0	19.49	19.49	1,949.00

* Continued *

****BILL TO****

City of Kotzebue
 DBA Arctic Spirits
 Kotzebue, AK 99752

PURCHASE ORDER

Nbr: 1975

LS25-037

****VENDOR****

Odom Corporation
 1800 Ship Ave
 Anchorage, AK 99501

****SHIP TO****

City of Kotzebue
 PO Box 46
 P.O. box 46
 Kotzebue, AK 99752

Account Nbr	PO Date	Buyer	Terms	Total	Page
	06/03/2025			\$125,619.45	2 of 3

ITEM CODE	BRAND	DESCRIPTION	SIZE	QTY		COST		EXTENDED
				CASE	UNIT	CASE	UNIT	
	MILLER	LITE	12PK	50	0	26.98	13.49	1,349.00
205077	MILLER	LITE CANS	18PK	200	0	19.49	19.49	3,898.00
205078	MILLER	LITE CANS	30PK	75	0	26.24	26.24	1,968.00
205083	MILLER	LITE BOTTLE	6PK	30	0	32.98	8.25	989.40
11486	MODELO	18 PACK CANS	18PK	100	0	21.74	21.74	2,174.00
	NEW BELGIUM	VD JUICE FORCE	6PK	30	0	38.98	9.75	1,169.40
226155	NEW BELGIUM	VOODOO IMPERIAL	6PK	50	0	38.98	9.75	1,949.00
226304	NEW BELGIUM	VOODOO RANGER I	6PK	30	0	38.98	9.75	1,169.40
39601015	PABST BLUE RIBBON	12 PACK CANS	12 PK	100	0	22.49	11.25	2,249.00
499069	PABST BLUE RIBBON	18/12 OZ CANS	18PK	200	0	17.24	17.24	3,448.00
	PABST BLUE RIBBON	30/12 OZ CANS	30PK	100	0	21.74	21.74	2,174.00
	SIMPLY SPIKED	VARIETY 12PK	12 PK	30	0	31.89	15.95	956.70
	SMIRNOFF ICE	SMASH VARIETY	12PK	30	0	42.58	14.19	1,277.40
35601161	SMIRNOFF ICE SMAS	BLUE RASP LEMON	23.5	75	0	33.55	2.80	2,516.25
35601134	SMIRNOFF ICE SMAS	STRAWBERRY LEMO	23.5	75	0	33.55	2.80	2,516.25
248019	STEEL RESERVE	211	16oz	30	0	21.38	5.35	641.40
42001466	STONE	DELICIOUS IPA 6	6PK	30	0	38.98	9.75	1,169.40
	TRULY	PARTY PACK	12 PK	30	0	31.89	15.95	956.70
	TRULY	MARGARITA	12 PK	30	0	31.89	15.95	956.70
	TRULY	LEMONADE MIX PA	12PK	30	0	31.89	15.95	956.70
	TRULY	SUMMER POOLSIDE	12PK	30	0	28.24	14.12	847.20
	TRULY	TROP PUNCH VARI	12PK	30	0	31.89	15.95	956.70
	TWISTED TEA	ORIGINAL	24oz	75	0	33.55	2.80	2,516.25
532080	TWISTED TEA	RASPBERRY	24oz	75	0	33.55	2.80	2,516.25
	TWISTED TEA	RASPBERRY CANS	12 PK	50	0	26.64	13.32	1,332.00
	TWISTED TEA	HALF AND HALF	24oz	50	0	33.55	2.80	1,677.50
	WHITE CLAW	VARIETY 24	24PK	50	0	31.27	31.27	1,563.50
16799	WHITE CLAW	VARIETY #1	12 PK	75	0	34.48	17.24	2,586.00
16820	WHITE CLAW	VARIETY #2	12 PK	75	0	34.48	17.24	2,586.00
163838	WHITE CLAW	VARIETY #3	12 PK	75	0	34.48	17.24	2,586.00

* Continued *

****BILL TO****
 City of Kotzebue
 DBA Arctic Spirits
 Kotzebue, AK 99752

PURCHASE ORDER

Nbr: 1975
LS25-037

<p>**VENDOR** Odom Corporation 1800 Ship Ave Anchorage, AK 99501</p>	<p>**SHIP TO** City of Kotzebue PO Box 46 P.O. box 46 Kotzebue, AK 99752</p>
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Account Nbr	PO Date 06/03/2025	Buyer	Terms	Total \$125,619.45	Page 3 of 3
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ITEM CODE	BRAND	DESCRIPTION	SIZE	QTY		COST		EXTENDED
				CASE	UNIT	CASE	UNIT	
16810	WHITE CLAW	MANGO	6PK	50	0	38.98	9.75	1,949.00
	WHITE CLAW	RASPBERRY	6PK	50	0	38.98	9.75	1,949.00
	WHITE CLAW	BLACK CHERRY	6PK	50	0	35.98	9.00	1,799.00
TOTALS:				4375	0			125,619.45

****BILL TO****

City of Kotzebue
 DBA Arctic Spirits
 Kotzebue, AK 99752

PURCHASE ORDER

Nbr: 1976

LS25-038

****VENDOR****

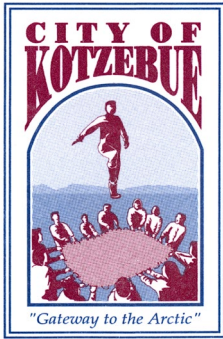
Odom-Southern Corporation
 1800 Ship Ave
 Anchorage, AK 99501

****SHIP TO****

City of Kotzebue
 PO Box 46
 P.O. box 46
 Kotzebue, AK 99752

Account Nbr	PO Date 06/03/2025	Buyer	Terms	Total \$136,227.60	Page 1 of 1
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ITEM CODE	BRAND	DESCRIPTION	SIZE	QTY		COST		EXTENDED
				CASE	UNIT	CASE	UNIT	
	CAPTAIN MORGAN	LONG ISLAND ICE	375ml	30	0	176.28	7.35	5,288.40
	DENALI SPIRITS	BLUEBERRY MOJIT	4PK	30	0	71.28	11.88	2,138.40
	HIGH NOON	TEQUILA SELTZER	8PK	30	0	52.56	17.52	1,576.80
	HIGH NOON	VODKA SELTER	8PK	30	0	48.24	16.08	1,447.20
152173	HIRAM WALKER	PEPPERMINT SCHN	750ml	50	0	132.60	11.05	6,630.00
155210	JAMESON	IRISH WHISKEY	750ml	30	0	243.48	20.29	7,304.40
613233	JIM BEAM	BOURBON WHISKEY	750ml	50	0	167.88	13.99	8,394.00
010455	JOSE CUERVO	ESPECIAL GOLD	750ml	25	0	184.68	15.39	4,617.00
72601204	JOSE CUERVO	ESPECIAL SILVER	750ml	30	0	184.68	15.39	5,540.40
613280	MAKERS MARK	BURBON WHISKEY	750ml	25	0	277.08	23.09	6,927.00
058003	MONARCH	VODKA	750ml	500	0	100.68	8.39	50,340.00
	PATRON	SILVER	750ml	20	0	478.68	39.89	9,573.60
122469	PLATINUM	VODKA	750ml	100	0	117.60	9.80	11,760.00
125704	R&R	RESERVE PLASTIC	750ml	60	0	80.94	13.49	4,856.40
010010	SMIRNOFF	VODKA	750ml	50	0	142.68	11.89	7,134.00
125799	TAAKA	VODKA	750ml	30	0	90.00	7.50	2,700.00
	TOTALS :			1090	0			136,227.60



**CITY OF KOTZEBUE
RESOLUTION NO. 25-33**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, WORKING WITH THE CITY PLANNER AND CITY ATTORNEY TO ISSUE A TEMPORARY USE PERMIT PURSUANT TO KOTZEBUE MUNICIPAL CODE (“KMC”) 3.12.120 TO ARCTIC CIRCLE WILD SEAFOOD (“ACWS”) AND A TIDELANDS PERMIT PURSUANT TO TITLE 11, CHAPTER 11.04, “TIDELANDS REGULATIONS”, OF THE KMC FOR ITS SALMON-BUYING OPERATIONS FROM LOCAL FISHERMEN DURING THE 2025 SUMMER COMMERCIAL FISHING SEASON.

WHEREAS, ACWS will be purchasing salmon from local fishermen during the 2025 July and August summer commercial fishing season as it has done for the last several years and needs to use the City-owned property for its land-based operations and ancillary use of City-owned Tidelands by its local fishermen as has been its practice in past years as set forth in its submittal attached hereto as Exhibit “A” and incorporated by reference herein;

WHEREAS, a Temporary Use Permit shall be issued to ACWS and a Tidelands Permit will be issued to ACWS using the basic format for such from the 2024 Commercial Fishing Season for the period July 1 to August 31, 2025;

WHEREAS, the Planning Commission reviewed these requests from ACWS at its June 23, 2025 meeting and recommended that a Temporary Use Permit and Tidelands Permit be issued to ACWS as set forth in Exhibit “B” attached hereto on such terms and conditions as deemed appropriate by the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kotzebue authorizes the City Manager or his designee, working with the City Planner and City Attorney to issue a Temporary Use Permit to ACWS and authorizes the City Manager, or his designee, working with the City Planner and City Attorney to issue Tidelands Use Permit to ACWS for its fish-buying activities for the 2025 commercial fishing season on such appropriate terms and conditions similar to those same permits as were previously issued for the 2024 commercial fishing season.

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PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 24th day of June 2025.

CITY OF KOTZEBUE

Derek Haviland-Lie Mayor

[SEAL]

ATTEST:

Donald Jones City Clerk

Attachments:

- **Exhibit A:** ACWS submittal for the 2025 Commercial Fishing Season [6 pages]
- **Exhibit B:** AK DEC Division of Spill Prevention and Response [1page]
- **Exhibit C:** Planning Commission Resolution 25-09, dated June 23, 2025 recommending ACWS 2025 Tidelands Permit and 2025 TUP [2 pages]



**City of Kotzebue
TIDELANDS PERMIT
July 1, 2025-August 31, 2025**
[Arctic Circle Wild Seafood, LLC - Permittee]

The City of Kotzebue owns surface Tidelands and submerged Tidelands pursuant to, *inter alia*, Alaska Department of Natural Resources, Division of Lands, Interagency Land Management Transfer, ADL #19285, dated September 10, 1962, State of Alaska Patent, Tidelands No. 185, dated April 11, 1966, recorded at Book 40, Page 107, Noatak - Kobuk Recording District, Noatak - Kobuk Serial No. 66-219, A.T.S. 238 showing 395.208 acres and Alaska Statutes, Title 38, Public Lands.

Chapter 11.04, "Tideland Regulations," of the Kotzebue Municipal Code ("KMC"), governs, *inter alia*, the use of, improvement of, rights-of-way, easements and resources reservation over, under and through the City of Kotzebue's Tidelands and KMC Chapter 11.04 is incorporated, in its entirety, herein by reference. This Tidelands Permit is issued pursuant to City of Kotzebue Resolution No. 25-33, June 24, 2025, and City of Kotzebue Planning Commission Resolution 25-09, dated June 23, 2025.

Nature of Request for Temporary Non-Exclusive Use of Tidelands

Arctic Circle Wild Seafood, LLC ("ACWS") will be buying salmon from local fishermen during the upcoming commercial season from July 1, 2025 to August 31, 2025, as set forth in the ACWS submittal in Exhibit "A" attached hereto and incorporated herein by reference.

Conditions Precedent and Promissory Conditions

As conditions to obtaining this TIDELANDS PERMIT, Arctic Circle Wild Seafood, LLC ("ACWS") warrants and commits as follows:

1. ACWS shall obtain all necessary permits, if any, from the federal government, State of Alaska and local governments required for work in the waters in and around Kotzebue and present copies of said permits to the Acting City Manager, City of Kotzebue, before any work is commenced in the Tidelands;
2. KMC 11.04.510, 11.04.630 and 11.04.640, normally would require ACWS to pay for an appraisal by MacSwain & Associates, LLC, Anchorage, Alaska for the value of the potential, non-exclusive use of the City's surface Tidelands and the value so determined would be paid to the City. However, since it appears that ACWS's use of the City's Tidelands will be incidental, if at all, the requirement for a formal appraisal is hereby waived and ACWS will pay shall pay a one-time Application Fee of \$300.00 and a one-time Permit Fee of \$1,500.00 to the City for its incidental, temporary, non-exclusive use of the City of Kotzebue's Tidelands for the 2025

CITY OF KOTZEBUE TIDELANDS PERMIT

[Arctic Circle Wild Seafood, LLC ("ACWS")]

[City Council Meeting – June 24, 2025]

commercial fishing season by its commercial fishermen who sell their fish to using the tidelands during the commercial fishing season and/or fish in the City-owned tidelands. A check made payable to the City of Kotzebue in the amount of \$1,800 shall be submitted to Leon Kiana, City Manager, P.O. Box 46, Kotzebue, Alaska 99752-0046 within ten (10) days of the issuance of this Permit.

PERMIT TERMS AND CONDITIONS

1. ACWS and/or its agent(s) warrants and commits that it and/or its agent(s) shall comply with all terms of the Temporary Use Permit separately issued for this fishing season as well as well as contracts/agreements/permits entered into/granted by the federal government, State of Alaska and local governments.

2. ACWS and/or its agent(s) shall comply with any and all applicable local, borough, state and federal laws. Failure to abide by any part of this Permit or violation of any pertinent provisions of the Kotzebue Municipal Code, Northwest Arctic Borough Code, Alaska Statutes, Alaska Administrative Code or federal laws or regulations, will be considered grounds for revocation of this Permit or denial of future permit requests and may result in fines or other penalties. This provision shall apply to all persons working under authority of this Permit.

3. All trash and human waste shall be properly disposed of in accordance with State, Northwest Arctic Borough and City of Kotzebue standards for disposal of refuse, human waste and chemicals.

4. All Permit activities shall utilize measures to minimize noise and nuisance affecting surrounding residential properties, including excessive noise, fumes, odors, glare, smoke, vibration, dust, litter, interference in any telephone, radio or television receivers, and/or significant line voltage fluctuation.

5. Equipment/watercraft used in the performance of the activities covered by this Permit shall not be serviced and fueled within the boundaries of the City's Tidelands. Equipment and vehicles must be monitored, daily, for hydraulic leaks. Equipment and vehicles are to be maintained so as not to cause any fuel spills and/or fluid leaks. Equipment shall not be abandoned.

6. ACWS and/or its agent(s) shall immediately notify the City of any damage to the waters and/or bottom of the City's Tidelands, including, but not limited to, environmental spills of oil or other chemicals.

7. ACWS and/or its agent(s) shall immediately notify the City (at least within 24 hours) of any change in the Permit plans and seek modification of the Permit. ACWS and/or its agent(s) shall suspend uses until approval is given by the Public Works Director. If the proposed action constitutes an emergency, ACWS and/or its agent(s) shall comply with directions from the Public Works Director, or his Designee, for such emergency actions and shall make reasonable efforts to conduct modified uses in a manner that avoids or minimizes significant harm to the environment, consistent with the need to protect property and human life.

CITY OF KOTZEBUE TIDELANDS PERMIT

[Arctic Circle Wild Seafood, LLC (“ACWS”)]

[City Council Meeting – June 24, 2025]

8. ACWS and/or its agent(s) are subject to all penalties and civil actions for violation Permit conditions and stipulations prescribed herein.

9. The Permittee shall allow the City and its representatives access to the permitted areas during the term of this Permit to conduct scheduled or unscheduled inspections or tests to determine compliance with this Permit or respond to emergency situations.

10. This Permit is for City Tidelands only and does not apply to other lands within the Kotzebue Sound not held in City ownership.

11. This Permit is not a property right. It is a temporary non-exclusive, authorization, revocable by the City for cause.

12. ACWS is responsible for obtaining authorizations required by other agencies for the permitted activity.

13. The City's primary contact person for this Permit is the Public Works Director, or his/her Designee. The Public Works Director may be contacted at the Public Works Building, at his direct-dial numbers of (907) 442-5200/5201, via fax at (907) 442-2155 and/or via e-mail to lhunnicutt@kotzebue.org and rferguson@kotzebue.org.

14. ACWS assumes all responsibility, risk and liability for all activities of Permittee, its employees, agents, invitees, contractor, subcontractors or licensees directly or indirectly conducted in connection with this Permit, including environmental and hazardous substance risks and liabilities, whether accruing during or after the term of this Permit. Permittee shall defend, indemnify and hold harmless the City of Kotzebue, its employees and agents from and against any and all suits, claims, actions, losses, costs, penalties and damages of whatever kind or nature, including all attorney's fees and litigation costs, arising out of , in connection with, or incident to any act or omission by Permittee, its employees, agents, invitees, contractors, subcontractors or licensees, unless the sole proximate cause of the injury or damage is the negligence or willful misconduct of the City or anyone acting on the City's behalf. Within fifteen (15) days, Permittee shall accept any such cause or action or proceeding upon tender by the City. This indemnification shall survive the termination of the Permit.

15. This authorization is subject to all valid existing rights in and to the land under this authorization. The City makes no representations or warranties, whatsoever, either expressed or implied, as to the existence, number or nature of such valid existing rights.

16. Since this is a temporary, non-exclusive use permit for ACWS, the City reserves the right to grant additional authorizations to other third-parties for compatible uses on or adjacent to the land under this authorization. However, any other users on or adjacent to the area of Tidelands being used by ACWS, LLC, shall not interfere with ACWS’s salmon-buying activities with local fishermen during the commercial fishing season from July 1, 2025 through August 31, 2025.

17. The site used for this Permit shall be left in a clean, safe condition acceptable to the Public Works Director. The site shall be restored to a condition acceptable to the Public Works Director.

CITY OF KOTZEBUE TIDELANDS PERMIT
[Arctic Circle Wild Seafood, LLC (“ACWS”)] [City Council Meeting – June 24, 2025]

18. This authorization is revocable immediately upon violation of any of its terms, conditions, stipulations, nonpayment of fees or upon failure to comply with any other applicable laws, statutes and regulations (federal, state and local).

19. To proceed in areas other than in the above-described City Tideland Area, ACWS must have prior authorization from the Public Works Director and may request this authorization as an amendment to this Permit.

20. All operations must be conducted in a manner that will ensure minimum conflict with other users of the area. There shall be no interference with free public use of City lands and waters. Public access may not be restricted without prior approval of the Public Works Director.

21. The area subject to this Permit shall be maintained in a neat, clean and safe condition, free of any solid waste, debris or litter.

22. The use of the site authorized by this Permit shall be limited to the tideland area specified in this Permit. ACWS is responsible for accurately siting operations within this area. Any proposed revisions to the location or operations of this activity within the City Tidelands must be approved, in writing, by the Public Works Director before the change in use occurs.

23. Secondary containment shall be provided for fuel or hazardous substances, as follows:

- a. Container marking. All independent fuel and hazardous substance containers shall be marked with the contents and ACWS's name using paint or a permanent label.
- b. Fuel or hazardous substance transfers. Secondary containment or a surface liner must be placed under all container or vehicle fuel tank inlet and outlet points, hose connections, and hose ends during fuel or hazardous substance transfers. Appropriate spill response equipment must be on hand during any transfer or handling of fuel or hazardous substances to respond to a spill of up to five (5) gallons. Trained personnel shall attend transfer operations at all times. Equipment refueling shall not occur within 100 feet of open bodies of water.
- c. Storing containers within 100 feet of bodies of water. Containers with a total capacity larger than 55 gallons that contain fuel or hazardous substances shall not be stored within 100 feet of a body of water.
- d. Exceptions. The Public Works Director may, under unique or special circumstances, grant exceptions to this stipulation on a case-by-case basis. Requests for exceptions should be made to the Public Works Director.
- e. Definitions.

"Containers" means any item that is used to hold fuel or hazardous substances. This includes tanks, drums, double-walled tanks, portable testing facilities, fuel

CITY OF KOTZEBUE TIDELANDS PERMIT

[Arctic Circle Wild Seafood, LLC (“ACWS”)]

[City Council Meeting – June 24, 2025]

tanks on small equipment such as light plants and generators, flow test tanks, slop oil tanks, bladders and bags. Manifoldd tanks or any tanks in a series must be considered as single, independent containers. Vehicles, including mobile seismic tanks, are not intended to be included under this definition.

"Hazardous substances" are defined under A.S. 46.03.826(5) as: (a) an element or compound which, when it enters the atmosphere, water, or land, presents an imminent and substantial danger to the public health or welfare, including fish, animals, or vegetation; (b) oil; or (c) a substance defined as a hazardous substance under 42 U.S.C. 9601(14).

"Secondary containment" means an impermeable, diked area or portable, impermeable, containment structure capable of containing 110 percent of the volume of the largest independent container. Double-walled tanks do not qualify as secondary containment unless an exception is granted for a particular tank.

"Surface liner" means any safe, non-permeable container (e.g., drip pans, fold-a-tanks, etc.) designed to catch and hold fluids for the purpose of preventing spills. Surface liners should be of adequate size and volume based on worst-case spill risk.

24. The Permittee shall immediately notify the City, by phone, of any unauthorized discharge of oil or fuel to water, any discharge of hazardous substances (other than oil or fuel), and any discharge of oil or fuel greater than fifty-five (55) gallons on land. All fires and explosions must also be reported.

The DNR 24-hour Spill Report Number is (800) 478-9300. The online reporting site is ReportSpills.alaska.gov The DNR contact number is (907) 465-5250. The City 24-hour number is 442-3351/3352. The ADF&G number in Kotzebue is 442-3420 and the ADF&G fax number in Kotzebue is 442-2420. DNR, DEC and ADF&G shall be supplied with all follow-up incident reports. See, ADEC/SPAR "Report Oil and Hazardous Substance Spills," attached hereto as Exhibit "B." Copies of all such written spill reports shall be provided to the Public Works Director at the e-mail addresses and fax number listed above in paragraph 13, at page 3 of 5.

25. This Permit contains the entire agreement between the Parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this Permit shall have no force or effect except in a subsequent written modification, signed by the Party to be charged.

26. This Permit shall bind and inure to the benefit of the respective successors and assigns of the Parties hereto.

27. This Permit shall be interpreted according to the laws of the State of Alaska. Any litigation involving this Permit shall be exclusively in Superior Court, Second Judicial District, at Kotzebue.

CITY OF KOTZEBUE TIDELANDS PERMIT
[Arctic Circle Wild Seafood, LLC ("ACWS")] [City Council Meeting – June 24, 2025]

28. All Parties to this Permit have participated in the drafting of this Permit. Hence this shall not be construed in favor of one Party against another Party.

29. This Permit shall expire August 31, 2025, unless extended by mutual, written agreement of the Parties.

DATED this ____ day of _____, 2025, at Kotzebue, Alaska.

CITY OF KOTZEBUE

ACWS SERVICES, LLC

Leon Kiana, City Manager

By: _____
Its: _____

Attachments:

- Exhibit "A" – ACWS Submittal [7 pages]
- Exhibit "B" – ADEC/SPAR Page [1 page]

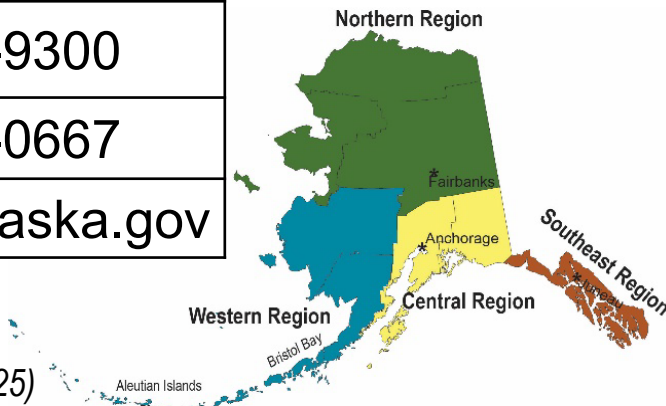
CITY OF KOTZEBUE TIDELANDS PERMIT

[Arctic Circle Wild Seafood, LLC ("ACWS")]

[City Council Meeting – June 24, 2025]

Report Oil and Hazardous Substance Spills

TOLL-FREE	1-800-478-9300
INTERNATIONAL	1-907-269-0667
ONLINE	ReportSpills.alaska.gov



It's Required by Alaska Law!

(AS 46.03.755, AS 46.03.450, 18 AAC 75.300, 18 AAC 75.325)

Oil and Petroleum Product Reporting

Spills to Water

- Any amount spilled to water must be reported **immediately**.

Spills to Land

- Spills in **excess of 55 gallons** must be reported **immediately**.
- Spills in **excess of 10 gallons but less than 55 gallons** must be reported within 48 hours.
- Facilities shall maintain a spill log and report a record of oil discharges from **1 to 10 gallons** monthly.

Spills to Impermeable Secondary Containment

- Spills in **excess of 55 gallons** must be reported within 48 hours.

Hazardous Substance Reporting

Any hazardous substance spill, other than oil, must be reported **immediately**.

Underground Storage Tank (UST)* Reporting

You must report a suspected below ground release from a UST system, in any amount, within 24 hours. (18 AAC 78.212)

If a release is suspected the owner or operator of a UST shall investigate the UST site and shall report to the UST Unit within the period specified. (18 AAC 78.200)



Alaska Department of Environmental Conservation
 Division of Spill Prevention and Response
<https://spills.alaska.gov>

Contact us: (907) 465-5250

* Regulated UST as defined in AS 46.03.450(8)

June 23, 2025



**KOTZEBUE PLANNING COMMISSION
RESOLUTION 25-09**

**A RESOLUTION OF THE KOTZEBUE PLANNING COMMISSION RECOMMENDING
TO THE CITY OF KOTZEBUE CITY COUNCIL THE APPROVAL OF ARCTIC
CIRCLE WILD SEAFOOD ("ACWS") TIDELANDS USE PERMIT FOR
PURCHASING FISH CAUGHT WITHIN CITY-OWNED TIDELANDS**

WHEREAS, the City of Kotzebue ("City") owns surface and submerged Tidelands as delineated in Alaska Department of Natural Resources documents and State Patents "Exhibit B";

WHEREAS, Chapter 11.04, "Tideland Regulations," of the Kotzebue Municipal Code governs the use of City Tidelands;

WHEREAS, ACWS has submitted a request for a temporary non-exclusive use of City Tidelands to facilitate the purchase of salmon from local fishermen during the 2025 commercial season;

WHEREAS, ACWS's main operations will be conducted shoreside on the property described as corner of Fourth and Sixth Street

WHEREAS, ACWS's operations will not be directly located within the bounds of the City Tidelands "Exhibit B", ACWS will still be conducting business with commercial fisherman operating within City Tidelands;

WHEREAS, ACWS has fulfilled the conditions precedent outlined in the Tidelands Permit application, including obtaining necessary permits from federal, state, and local governments "Exhibit A";

WHEREAS, ACWS has maintained its fish buying operation in Kotzebue for a number of years remaining in good standing with the City on all previous Tidelands Use Permits up to this year;

WHEREAS, the requirement for a formal appraisal of the value of non-exclusive use has been waived due to time sensitivity, with ACWS agreeing to negotiate an amount subject to City Council approval;

NOW THEREFORE BE IT RESOLVED:

- 1. The Tidelands Permit is hereby recommended for approval for Arctic Circle Wild Seafood, subject to compliance with all terms and conditions set forth in the permit application and attached agreements (Exhibits A and C).
- 2. ACWS and its agents shall adhere to all federal, state, and local laws, regulations, and permit conditions applicable to activities conducted under this permit.
- 3. ACWS shall maintain the permitted area in a clean, safe condition and comply with spill reporting requirements as specified in the permit conditions.
- 4. This permit shall retroactively take effect July 1st, 2025, and expire on August 31, 2025, unless extended by mutual, written agreement of the Parties.
- 5. The City Manager or their designee is authorized to execute the Tidelands Permit and Agreement on behalf of the City of Kotzebue.

PASSED AND APPROVED by the Kotzebue Planning Commission on this 23st day of June 2025.

**CITY OF KOTZEBUE
Planning Commission**



Ernest Norton, Chairman

ATTEST:

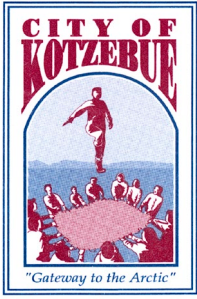

Fred Smith, City Planner

Attachments

Exhibit A- ACWS Tidelands Permit Application

Exhibit B- Map of City of Kotzebue Tidelands

Exhibit C- Proposed ACWS Tidelands Permit Agreement



**CITY OF KOTZEBUE
RESOLUTION NO. 25-34**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE TO
SUBMIT AN APPLICATION TO THE NORTHWEST ARCTIC BOROUGH VILLAGE
IMPROVEMENT FUND FOR \$500,000 TO SUPPORT THE REPAIRS TO THE BALER
FACILITY.**

WHEREAS, the City of Kotzebue (“City”) operates a baler facility that provides essential waste management services to the community and region; and

WHEREAS, the baler facility is in a severely dilapidated state, with structural issues including damaged flooring and aging equipment, posing health, safety, and operational risks; and

WHEREAS, the total estimated cost for the critical repairs and necessary updates to the baler facility is **\$1,000,000.00**; and

WHEREAS, the City seeks to submit a **Village Improvement Fund (“VIF”) application to the Northwest Arctic Borough for \$500,000.00** to partially fund these essential repairs; and

WHEREAS, the City will also submit a **Village Economic Improvement (“VEI”) application to the NANA Regional Corporation** to request the remaining funding necessary to complete the project;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kotzebue hereby authorizes the submission of a VIF application to the Northwest Arctic Borough for \$500,000.00 and a VEI application to NANA Regional Corporation to meet the full project funding needs of \$1,000,000.00 for the baler facility improvements.

BE IT FURTHER RESOLVED that the Mayor, City Manager, or their designee are authorized to execute any and all documents necessary to complete and submit the applications and to administer the funds if awarded.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 24th day of June 2025.

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CITY OF KOTZEBUE

Derek Haviland-Lie Mayor

[SEAL]

ATTEST:

Donald Jones City Clerk



**CITY OF KOTZEBUE
RESOLUTION NO. 25-27**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE
ACCEPTING THE PLANNING COMMISSION RESOLUTION 25-07 AND
DESIGNATING THE CITY-OWNED BUILDING AT 289 FIFTH AVENUE AS THE
NEW LOCATION FOR THE “ARCTIC SPIRITS” PACKAGE STORE.**

- WHEREAS,** the City of Kotzebue (“City”) purchased the real property located at Lot 9, Block 18, USS 2863 from Grain Capital Corporation on November 9, 2023, for the sum of five hundred ninety-five thousand dollars (\$595,000.00), as documented in the Grain Capital Corporation Sales Agreement (Exhibit A);
- WHEREAS,** the Kotzebue Municipal Code Section 17.36.090(D), as cited in Exhibit A, grants the Kotzebue Planning Commission the authority to evaluate and recommend uses for public buildings and land within the City;
- WHEREAS,** the Kotzebue Planning Commission had conducted due diligence, including the evaluation of multiple potential uses for the subject property through formal meetings and deliberation;
- WHEREAS,** the Kotzebue Planning Commission, based on its findings and expert input, including that of the Planning Director, has determined that the most practical and beneficial use of the building is to designate it as the new location for the City’s “Arctic Spirits” Package Store;
- WHEREAS,** the building is currently unoccupied and undeveloped for any specific use, and minimal modification is necessary for its adaptation to serve as a Package Store;
- WHEREAS,** this designation will support the operational needs of the City’s Package Store and ensure efficient use of City assets, with no anticipated significant negative impact on traffic, utilities, or neighborhood compatibility;
- WHEREAS,** the Kotzebue Planning Commission Resolution 25-07 formally recommends to the City Council that this property be designated for use as the “Arctic Spirits” Package Store;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kotzebue formally accepts the Planning Commission Resolution 25-07 and approves the designation of the City-owned building located at 289 Fifth Avenue (Lot 9, Block 18, USS 2863) as the new location for the “Arctic Spirits” Package Store.

That the City Manager or their designee is hereby authorized and directed to take all necessary administrative steps to transition operations of the “Arctic Spirits” Package Store to the newly designated location.

That this resolution shall take effect immediately upon adoption and the building shall be designated for this use as of the date of this resolution.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 24th day of June 2025.

CITY OF KOTZEBUE

Derek Haviland-Lie Mayor

[SEAL]

ATTEST:

Donald Jones City Clerk

Published/Posted: May 30, 2025
Introduction: June 5, 2025
1st Public Hearing: June 24, 2025