

Mayor
John K. Handeland

Manager
Glenn Steckman

Deputy Clerk
Jeremy Jacobson



Nome Common Council
Scot Henderson
Mark Johnson
Adam Martinson
Maggie Miller
Cameron Piscoya
M. Sigvanna Tapqaq

NOME COMMON COUNCIL
RESCHEDULED REGULAR MEETING AGENDA
MONDAY, JANUARY 29, 2024 at 7:00 PM
COUNCIL CHAMBERS IN CITY HALL

102 Division St. ▪ P.O. Box 281 ▪ Nome, Alaska 99762 ▪ Phone (907) 443-6663 ▪ Fax (907) 443-5345

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

COMMUNICATIONS

- A. MEMO of December 6, 2023 from the Office of the Lieutenant Governor to Department of Commerce, Community and Economic Development re: Revocation of Marijuana Acceptance (3 AAC 306.305)
PAGE 4
- B. Letter of December 19, 2023 from Village of Solomon to Nome Common Council re: Proposal for a Plastic Bag Ban,
PAGE 18
- C. MEMO of December 20, 2023 from Office of the Lieutenant Governor to Department of Commerce, Community & Economic Development re: 3 AAC 306.100: Marijuana Control Board: Ownership Changes,
PAGE 20
- D. Letter of January 7, 2024 from Mark Synnott to Nome Common Council re: Request Refund of 2024 Tax Payment, Penalty, & Interest Paid,
PAGE 27
- E. Letter of January 9, 2024 from Alaska Marijuana Industry Association (AMIA) to Nome Common Council re: Opposition Against Nome Ordinance No. O-24-01-01 Amendments to Chapter 3.25 of Nome Code of Ordinances Prohibiting Drive-Through and Curbside Sale of Age Restricted Products,
PAGE 31
- F. Parks & Recreation Department Quarterly Report (October - December 2023),
PAGE 32
- G. Letter of January 15, 2024 from Gregory Smith / Nome Grown LLC to Nome Common Council re: Request of Opposition to the Proposed Ordinance Prohibiting the Sale of Age-Restricted Items through a Drive through or Curbside,
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CITIZEN'S COMMENTS

UNFINISHED BUSINESS

- [A.](#) O-24-01-01 An Ordinance Amending Chapter 3.25 of the Nome Code of Ordinances with the Addition of a New Section 3.25.040 Prohibiting Drive-Through and Curbside Sale of Age-Restricted Products, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE,**
PAGE 38

NEW BUSINESS

- [A.](#) R-24-01-09 A Resolution Approving An Employment Agreement Between the City of Nome and Gregory Knight for the Position of City Clerk,
PAGE 40
- [B.](#) R-24-01-10 A Resolution Awarding the Contract for the Heating and Ventilation System Upgrade Project for City Hall to Sturgeon Electric,
PAGE 45

UTILITY MANAGER'S REPORT

- A. Activity Report: January 6, 2024 to January 26, 2024,
VERBAL

CITY MANAGER'S REPORT

- [A.](#) Manager's Activity Report: January 6, 2024 to January 19, 2024,
PAGE 46
- B. Manager's Activity Report: January 20 to January 26, 2024,
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- [C.](#) November 16, 2023 Nome Port Commission Regular Meeting Minutes,
PAGE 52
- [D.](#) Port Monthly Update - January 2024,
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- [E.](#) Public Works FY24 2Q Report,
PAGE 60
- [F.](#) Carrie M. McClain Memorial Museum FY24 2Q Report,
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- [G.](#) City Building Inspector FY24 2Q Report,
PAGE 64
- [H.](#) Kegoayah Kozga Library FY24 2Q Report,
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- [I.](#) Police Department FY24 2Q Report,
PAGE 69

CITIZEN'S COMMENTSCOUNCIL MEMBER'S COMMENTS

MAYOR'S COMMENTS AND REPORT

- A. Activity Report: January 6, 2024 to January 26, 2024,

VERBAL

EXECUTIVE SESSION

Discussion of Contractual and Personnel Matters the Immediate Knowledge of Which Could Have Adverse Effects on City of Nome Finances,

- A. Discussion of Police Chief Candidate,
- B. Discussion of Norton Sound Health Corporation Contract,
- C. Update on Real Property Tax Dispute with NSHC

ADJOURNMENT

From: [CED AMCO REGS \(CED sponsored\)](#)
Cc: [CED AMCO REGS \(CED sponsored\)](#)
Subject: 2023200227 NOTICE OF ADOPTED AND FILED REGULATIONS OF THE MARIJUANA CONTROL BOARD Eff. 1/5/2024
Date: Tuesday, January 9, 2024 11:00:01 AM
Attachments: [2024-1-5 MCB Regulations re Revoke Acceptance Transportation.pdf](#)

This sender is trusted.

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Greetings Local Governments,
-

-
NOTICE OF ADOPTED AND FILED REGULATIONS OF THE MARIJUANA CONTROL BOARD Eff. 1/5/2024

-
On November 15, 2023, the Marijuana Control Board adopted regulations in 3 AAC 306. The regulations concern revocation of marijuana acceptance and transportation.

The regulations were reviewed and approved by the Department of Law, signed, and filed by the Office of the Lieutenant Governor on December 6, 2023, and are effective on January 5, 2024. Attached is a copy of the filed regulations.

The regulation changes will first appear in Register 249, April 2024, of the Alaska Administrative Code.

Updated unofficial regulations will be posted on AMCO's website no later than 1/5/2024.
<https://www.commerce.alaska.gov/web/amco/>

You may also link to the online public notice posting with this link:
<http://notice.alaska.gov/213597>.

Respectfully,

Kristina Serezhenkov
Regulations Specialist
Alcohol and Marijuana Control Office
amco.regs@alaska.gov

Nancy Dahlstrom
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV




530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sara Chambers, Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: December 6, 2023

RE: Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board regulations re: Revocation of Marijuana Acceptance (3 AAC 306.305)

Attorney General File:	2023200227
Regulation Filed:	12/6/2023
Effective Date:	1/5/2024
Print:	249, April 2024

cc with enclosures:

Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Jane P. Sawyer, Regulations Specialist
Kristina Serezhenkov, Regulations Specialist

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

December 5, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *3 AAC 306.305 - .750 Marijuana Control Board Revocation of Marijuana
Acceptance*
Our file: 2023200227

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Marijuana Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Marijuana Control Board after the close of the public comment period.

The regulations concern the ability of marijuana businesses to reject or revoke acceptance of marijuana products, along with the transportation of marijuana products. Under the amended regulations, marijuana businesses may reject and return products up the supply chain and marijuana producers and cultivators may accept rejected products. The regulations maintain all current tracking requirements on rejected products. Finally, the regulations allow secured marijuana compartments to be accessed during transport, provided the seal is not broken on product packaging, and clarifies the prohibition on unnecessary stops during transportation.

The Honorable Nancy Dahlstrom
File No. 2023200227

December 5, 2023
Page 2 of 2

The August 14, 2023 public notice and the November 29, 2023 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

Technical corrections were necessary to conform the regulations in accordance with AS 44.62.060. On December 1, 2023, your office accepted and filed regulation project 2023200352: 3 AAC 306.405(a)(9): Marijuana Control Board - Seeds and Clones with an effective date of December 31, 2023. The attached regulation rennumbers 3 AAC 306.405(a)(9) as (10). Considering project 2023200352's effective date will pre-date the effective date of the attached regulations, the attached regulations have been amended to incorporate the provisions of 2023200352 and to add a history note indicating the effective date of project 2023200352. The corrections are incorporated into the attached copy of the regulations. We would advise making the publisher of the register aware that 3 AAC 306.405(a)(9) has been amended by consecutive projects.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Digitally signed by
Rebecca C. Polizzotto
Date: 2023.12.05
15:24:13 -09'00'

Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

RCP/KMD

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist 2
Department of Commerce, Community and Economic Development

Kevin Higgins, Assistant Attorney General
Department of Law

Kevin Dilg, Assistant Attorney General
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE MARIJUANA CONTROL BOARD

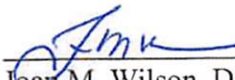
The attached eight pages of regulations, dealing with revoke acceptance of marijuana product and transportation, is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its November 15, 2023, meeting, under the authority of AS 17.38.121 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Marijuana Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 11/29/2023 _____



Joan M. Wilson, Director

FILING CERTIFICATION

April Simpson for

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

December 6, 2023 at 1:46 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


for Lieutenant Governor *Nancy Dahlstrom*

Effective: January 5, 2024.

Register: 249, April 2024.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



Nancy Dahlstrom

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 249, April 2024

COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 306.305(a) is amended to read:

3 AAC 306.305. Retail marijuana store privileges. (a) A licensed retail marijuana store is authorized to

(1) sell marijuana purchased from a licensed marijuana cultivation facility, packaged and labeled as required under 3 AAC 306.345, 3 AAC 306.470, and 3 AAC 306.475 in an amount not exceeding the limit set out in 3 AAC 306.355, to an individual on the licensed premises or as permitted under 3 AAC 306.995 for consumption off the licensed premises;

(2) reject or revoke acceptance of marijuana purchased from a licensed marijuana cultivation facility;

(3)[(2)] sell a marijuana product purchased from a licensed marijuana product manufacturing facility, packaged and labeled as required under 3 AAC 306.345, 3 AAC 306.565, and 3 AAC 306.570, in a quantity not exceeding the limit set out in 3 AAC 306.355, to an individual on the licensed premises or as permitted under 3 AAC 306.995 for consumption off the licensed premises;

(4) reject or revoke acceptance of a marijuana product purchased from a licensed marijuana product manufacturing facility;

(5) salvage and sell kief, trim, or flower separated from marijuana purchased from a licensed marijuana cultivation facility while preparing the marijuana with required packaging and labeling under 3 AAC 306.345, 3 AAC 306.565, and 3 AAC 306.570 to an individual on the licensed premises;

(6)[(3)] store marijuana and marijuana product [PRODUCTS] on the licensed premises in a manner consistent with 3 AAC 306.710 - 3 AAC 306.720;

(7)[(4)] with prior approval of the board, permit consumption of marijuana or a

Register 249, April 2024

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marijuana product purchased on the licensed premises, in a designated area on the licensed premises.

(Eff. 2/21/2016, Register 217; em am 4/17/2020 - 8/14/2020, Register 234; am 11/24/2020, Register 236; am 12/10/2020, Register 236; am 1 / 5 / 2024, Register 249)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200
AS 17.38.070 AS 17.38.190 AS 17.38.900
AS 17.38.121

3 AAC 306.330(a) is amended to read:

(a) A retail marijuana store shall use a marijuana inventory tracking system as provided in 3 AAC 306.730 to ensure all marijuana and marijuana product in the retail marijuana store's possession is identified and tracked from the time the retail marijuana store receives, **rejects, or revokes acceptance of** any batch of marijuana or lot of marijuana product through the sale, transfer to another licensed marijuana establishment, or disposal of the batch of marijuana or lot of marijuana product.

3 AAC 306.330(b) is amended to read:

(b) When marijuana from a marijuana cultivation facility or marijuana product from a marijuana product manufacturing facility is delivered or transported to the licensed premises of a retail marijuana store, the retail marijuana store shall immediately enter identification information for that batch of marijuana or lot of marijuana product into the retail marijuana store's marijuana inventory tracking system. A retail marijuana store **shall reject** [MAY NOT ACCEPT] marijuana or a marijuana product that does not have a valid transport manifest generated from the marijuana inventory tracking system of the marijuana establishment that

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originated the delivery.

(Eff. 2/21/2016, Register 217; am 1/22/2023, Register 245; am 1 / 5 / 2024, Register 249)

Authority:	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.405(a) is amended to read:

(a) A licensed standard marijuana cultivation facility is authorized to

(1) propagate, cultivate, harvest, prepare, cure, package, store, and label marijuana;

(2) sell marijuana only to a licensed retail marijuana store, to another licensed marijuana cultivation facility, or to a licensed marijuana product manufacturing facility;

(3) accept marijuana from a licensed retail marijuana store that

(A) rejected a shipment of marijuana; or

(B) revoked acceptance of a shipment of marijuana;

(4)[(3)] provide samples to a licensed marijuana testing facility for testing;

(5)[(4)] store inventory on the licensed premises; any stored inventory must be secured in a restricted access area and accounted for in the marijuana cultivation facility's marijuana inventory tracking system as required under 3 AAC 306.730;

(6)[(5)] transport marijuana in compliance with 3 AAC 306.750;

(7)[(6)] conduct in-house testing for the marijuana cultivation facility's own use;

(8)[(7)] provide marijuana samples to a licensed retail marijuana store or marijuana product manufacturing facility for the purpose of negotiating a sale;

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(9)[(8)] begin initial operations at the time of preliminary inspection by an employee or agent of the board with

(A) 12 or fewer mature, non-flowering plants, designated and used as mother plants;

(B) any number of immature plants; and

(C) any number of seeds for cultivation on the licensed premises;

(10)[(9)] introduce a new strain after written approval by the director on a form prescribed by the board, by

(A) receiving not more than twenty clones or cuttings from a person 21 years of age or older, without compensation; or

(B) receiving seeds from a person 21 years of age or older, without compensation, for cultivation on the licensed premises.

(Eff. 2/21/2016, Register 217; am 10/20/2018, Register 228; am 12/10/2020, Register 236; am 12/31/2023, Register 248; am 1 / 5 / 2024, Register 249)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200
AS 17.38.070 AS 17.38.190 AS 17.38.900
AS 17.38.121

3 AAC 306.480 is amended to read:

3 AAC 306.480. Marijuana tax to be paid. A marijuana cultivation facility[, INCLUDING A STANDARD MARIJUANA CULTIVATION FACILITY AND A LIMITED MARIJUANA CULTIVATION FACILITY,] shall submit monthly reports to the Department of Revenue and pay the excise tax required under AS 43.61.010 and 43.61.020 on all marijuana sold or provided as a sample to a marijuana establishment. (Eff. 2/21/2016, Register 217;

Register 249, April 2024 COMMERCE, COMMUNITY, AND EC. DEV.

am 1 / 5 / 2024, Register 249)

Authority: AS 17.38.010 AS 17.38.121 AS 17.38.200
 [AS 17.38.030] AS 17.38.150 AS 17.38.900
 AS 17.38.070 AS 17.38.190

3 AAC 306.505(a) is amended to read:

(a) Except as provided in 3 AAC 306.515, a licensed marijuana product manufacturing facility, including a marijuana concentrate manufacturing facility, is authorized to

(1) purchase marijuana from a marijuana cultivation facility or from another marijuana product manufacturing facility;

(2) extract marijuana concentrate in compliance with 3 AAC 306.555;

(3) manufacture, refine, process, cook, package, label, and store marijuana **product** [PRODUCTS] approved under 3 AAC 306.525, including

(A) marijuana concentrate; or

(B) any product intended for consumption or use on the body that is comprised of marijuana and other ingredients, including edible products, ointments, salves, patches, or tinctures;

(4) sell, distribute, or deliver marijuana extract or any marijuana product only to a licensed retail marijuana store or to another licensed marijuana product manufacturing facility;

(5) reject or revoke acceptance of marijuana purchased from a licensed marijuana cultivation facility or another marijuana product manufacturing facility;

(6) accept marijuana product from a licensed retail marijuana store or another marijuana product manufacturing facility that

(A) rejected a shipment of marijuana product; or

Register 249, April 2024

COMMERCE, COMMUNITY, AND EC. DEV.

(B) revoked acceptance of a shipment of marijuana product;

(7)[(5)] provide and transport samples of marijuana concentrate or other marijuana product to a licensed marijuana testing facility for testing;

(8)[(6)] provide a sample of marijuana concentrate or a marijuana product approved under 3 AAC 306.525 to a licensed retail marijuana store for the purpose of negotiating a sale;

(9)[(7)] store inventory in a restricted access area on the licensed premises as provided in 3 AAC 306.535;

(10)[(8)] transport marijuana in compliance with 3 AAC 306.750;

(11)[(9)] conduct in-house testing for the marijuana product manufacturing facility's own use.

(Eff. 2/21/2016, Register 217; am 12/10/2020, Register 236; am 1 / 5 / 2024, Register 249)

Authority:	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.540(a) is amended to read:

(a) A marijuana product manufacturing facility shall use a marijuana inventory tracking system as provided in 3 AAC 306.730 to ensure that the marijuana product manufacturing facility identifies and tracks any marijuana or marijuana product from the time the marijuana or marijuana product is received, through

(1) use of the marijuana or marijuana product in manufacturing any other marijuana product;

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COMMERCE, COMMUNITY, AND EC. DEV.

(2) sale or transfer of the marijuana or marijuana product originally received, or any marijuana product manufactured at that marijuana product manufacturing facility to another licensed marijuana establishment; [AND]

(3) return of marijuana product from a licensed retail marijuana store or another marijuana product manufacturing facility that

(A) rejected a shipment of marijuana product; or

(B) revoked acceptance of a shipment of marijuana product;

(4)[(3)] disposal of any expired or outdated marijuana or marijuana product that is not sold or transferred to another licensed marijuana establishment and

(5) [(4)] relocation of marijuana or marijuana product [PRODUCTS] to the new licensed premises in the case of a transfer of a marijuana establishment license to another location approved by the board.

(Eff. 2/21/2016, Register 217; am 1/22/2023, Register 245; am 1 / 5 / 2024, Register 249)

- Authority:**
- AS 17.38.010 AS 17.38.150 AS 17.38.200
 - AS 17.38.070 AS 17.38.190 AS 17.38.900
 - AS 17.38.121

3 AAC 306.750(d) is amended to read:

(d) During transport, the marijuana or marijuana product must be in a sealed package or container and in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product. **While the secure storage compartment may be opened to access or rearrange its contents, the** [THE] sealed package **containing the marijuana or marijuana product** may not be opened during transport. A vehicle transporting marijuana or a

Register 249, April 2024

COMMERCE, COMMUNITY, AND EC. DEV.

marijuana product must travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and may not make unnecessary stops in between except to deliver or pick up marijuana or a marijuana product at another licensed marijuana establishment.

For the purposes of this subsection, “unnecessary stops” do not include stops for the safe delivery of marijuana or marijuana products, including

(1) transport vehicle refueling;

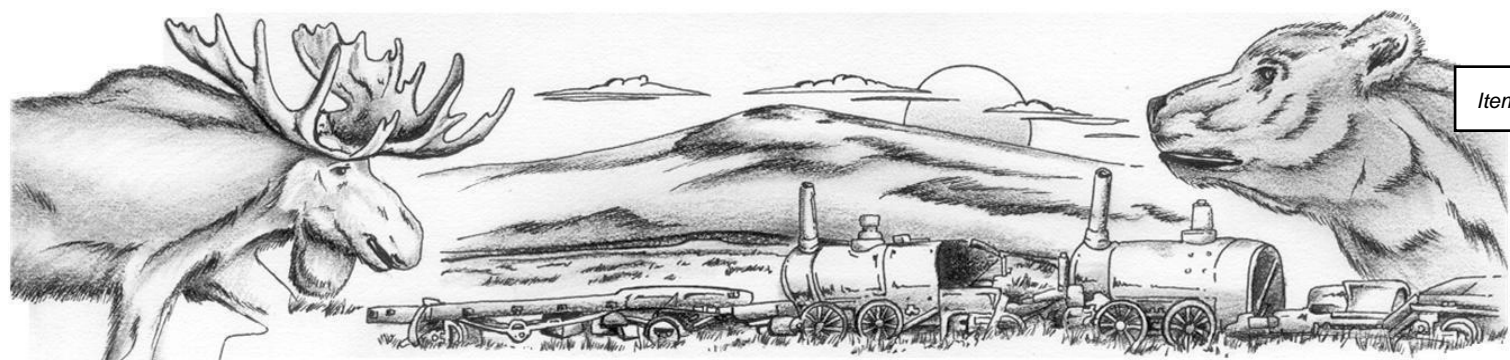
(2) basic transport vehicle maintenance;

(3) necessary rest and food breaks for a person transporting marijuana or marijuana product;

(4) delivery or deposit of monetary receipts at a financial institution or payment of state excise taxes if the delivery, deposit, or payment location is not significantly off the transport route.

(Eff. 2/21/2016, Register 217; am 10/11/2017, Register 224; am 8/11/2018, Register 227; em am 4/17/2020 - 8/14/2020, Register 234; em am 5/7/2020 - 8/14/2020, Register 234; am 1/22/2023, Register 245; am 1 / 5 / 2024, Register 249)

- Authority:**
- AS 17.38.010 AS 17.38.150 AS 17.38.200
 - AS 17.38.070 AS 17.38.190 AS 17.38.900
 - AS 17.38.121



Mayor John Handeland
City Council Members
c/o Bryant Hammond
Council Chambers City Hall
102 Chambers Street
Nome, AK 99762

December 19, 2023

Dear City Council of Nome and Mayor Handeland,

On behalf of the Village of Solomon tribe, I am writing to support the plastic bag ban for the City of Nome in an effort to reduce plastic pollution within the Bering Strait Region. The Village of Solomon is proposing the City of Nome to adopt the 'Ban the Bag' campaign as a new City ordinance to eliminate plastic grocery bags in order to mitigate the high demand for plastic generation.

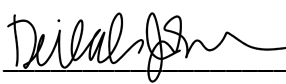
Not only have the entire states of California, Connecticut, Delaware, Hawaii, Maine, New York, Oregon and Vermont banned single use plastic bags, but so have the cities of Hooper Bay, Unalaska, Seward, Homer, Wasilla, Palmer, Bethel, Kodiak, Unalakleet, Brevig Mission, St. Michael, Anchorage and Fairbanks. Altogether, over 400 U.S. cities have banned single use plastic bags.

The suggested proposal from extensive research within other rural cities is to ban single use plastic bags meaning, local businesses would be required to only distribute paper bags or the consumer would bring their own reusable bags, but they would have at least one year before the ban takes effect for local businesses to transition i.e. local restaurants, gas stations, grocery stores, etc.

VOS has applied for an ANTHC Solid Waste grant to hire an intern in order to relaunch the Ban the Bag campaign. We have been able to distribute new reusable totes with information to provide to the community in raising awareness about the detrimental non-biodegradable plastic pollution within our coastal community. As a community and region that relies on subsistence, the importance of shedding light on such a ban, is to protect the future generations of subsistence culture.



Please do not hesitate to reach out to Environmental Coordinator, Deilah Johnson at the Village of Solomon office if you have any questions or concerns regarding this letter.



Deilah Johnson

12/20/2023

Date

From: [CED AMCO REGS \(CED sponsored\)](#)
Cc: [CED AMCO REGS \(CED sponsored\)](#)
Subject: 2023200259 NOTICE OF ADOPTED AND FILED REGULATIONS OF THE MARIJUANA CONTROL BOARD EFF. 1/19/2024
Date: Tuesday, January 9, 2024 10:50:49 AM
Attachments: [2024-1-19 MCB Regulations re Ownership Changes.pdf](#)

This sender is trusted.

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Greetings,

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NOTICE OF ADOPTED AND FILED REGULATIONS OF THE MARIJUANA CONTROL BOARD Eff. 1/19/2024

On November 15, 2023, the Marijuana Control Board adopted regulations in 3 AAC 306. The regulations concern entity ownership changes.

The regulations were reviewed and approved by the Department of Law, signed, and filed by the Office of the Lieutenant Governor on December 20, 2023, and are effective on January 19, 2024. Attached is a copy of the filed regulations.

The regulation changes will first appear in Register 249, April 2024, of the Alaska Administrative Code.

Updated unofficial regulations will be posted on AMCO's website no later than 1/19/2024.

<https://www.commerce.alaska.gov/web/amco/>

You may also link to the online public notice posting with this link:
<http://notice.alaska.gov/213841>.

Respectfully,

Kristina Serezhenkov
Regulations Specialist
Alcohol and Marijuana Control Office
amco.regs@alaska.gov


Nancy Dahlstrom
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
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530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Sara Chambers, Department of Commerce, Community and Economic Development
FROM: April Simpson, Office of the Lieutenant Governor 
465.4081
DATE: December 20, 2023
RE: Filed Permanent Regulations: Marijuana Control Board
Marijuana Control Board regulations re: Ownership changes (3 AAC 306.100)

Attorney General File: 2023200259
Regulation Filed: 12/20/2023
Effective Date: 1/19/2024
Print: 249, April 2024

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Jane P. Sawyer, Regulations Specialist
Kristina Serezhenkov, Regulations Specialist

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

December 14, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *3 AAC 306.100: Marijuana Control Board: Ownership changes*
Our file: 2023200259

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Marijuana Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Marijuana Control Board after the close of the public comment period.

The regulations concern the alteration of fees charged to a licensed marijuana establishment for changes of ownership. Under the prior regulations, every change of ownership required the payment of a \$250 fee. Under the attached regulations, an applicant requesting a change of ownership to multiple licenses will pay \$250 when the licensee owns one license and \$500 when the licensee owns two or more licenses.

The September 20, 2023, public notice and the November 30, 2023, certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

The Honorable Nancy Dahlstrom
File No. 2023200259

December 14, 2023
Page 2 of 2

No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: Rebecca C. Polizzotto
Digitally signed by
Rebecca C. Polizzotto
Date: 2023.12.14
13:28:53 -09'00'
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

RCP/KMD

CC w/enclosure: Kristina Serezkenkov, Regulations Specialist
Department of Commerce, Community and Economic Development

Kevin Higgins, Assistant Attorney General
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE MARIJUANA CONTROL BOARD

The attached one page of regulations, dealing with fees, ownership changes, is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its November 15, 2023, meeting, under the authority of AS 17.38.121 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Marijuana Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 11/30/2023 _____



Joan M. Wilson, Director

FILING CERTIFICATION

April Simpson for

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

December 20, 2023 at 9:08 a. m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


for Lieutenant Governor *Nancy Dahlstrom*

Effective: January 19, 2024

Register: 249, April 2024.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 249, April 2024

COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 306.100(c) is amended to read:

(c) The non-refundable fee to request board approval of a change in a licensed marijuana establishment's business name, [OWNERSHIP,] licensed premises diagram, operating plan, or proposed new marijuana product is \$250. A change fee does not apply to an application for transfer of a marijuana establishment license, transfer of controlling interest to another person, or transfer of a marijuana establishment license to another location.

3 AAC 306.100 is amended by adding a new subsection to read:

(i) The non-refundable fee for an application to request board approval of an ownership change under 3 AAC 306.040 is \$250 when the licensee requesting the change owns one license and \$500 when the licensee requesting the change owns two or more licenses. (Eff. 2/21/2016, Register 217; am 7/19/2017, Register 223; am 8/11/2018, Register 227; am 2/21/2019, Register 229; am 4/11/2019, Register 230; am 5/1/2019, Register 230; am 5/9/2019, Register 230, am 3/25/2020, Register 233; am 7/30/2022, Register 243; am 1/22/2023, Register 245; am 4/16/2023, Register 246; am 1 / 19 / 2024, Register 249)

Authority:	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.28.900
	AS 17.38.121		

January 7, 2024

City of Nome Common Council
PO Box 281
Nome, Alaska 99762

Dear Nome Common Council,

My name is Mark Synnott and I'm the owner of a 47-foot sailboat called Polar Sun which spent the winter of 2022/2023 on the hard in Nome. I came to Nome from Maine via the Northwest Passage during the summer of 2022. It was an eventful voyage and I was most thankful to make it to your wonderful community, where I was lucky to meet Rolland Trowbridge, who managed to get us out of the water. I also communicated extensively with the harbor master.

One subject which never came up is that I would be charged property tax for keeping my boat in Nome over the winter. I got there so late in the season that there was no way to continue on, especially since all of my crew had left, so I would have stayed anyway. But nonetheless, I was caught off guard by the property tax bill. As soon as it arrived I called the town clerk and pointed out that the tax bill referenced Polar Sun as a "commercial vessel," which it is not. (Please see the attached Coast Guard certificate of documentation which list my vessel's operation endorsements of "recreation" only.) I was told by this person that it didn't matter and there was no way I could get out of the tax bill. At no point was I told that it was possible to appeal.

The original tax bill I received from the city of Nome listed only a physical address of 102 Division St. I sent a check to this address and it was eventually returned saying the address didn't work. I incurred penalties for late payment, and I wrote back to ask that these late penalties should be removed since it wasn't my fault I was given the wrong address.

I had been waiting to hear back with a decision on this and after months with no response, I called the tax office. This time I spoke with a man named Jeremy Jacobson who informed me that I was required to submit a property declaration to confirm that my boat was moved out of Nome in July 2023. This declaration form includes instructions where it lists exemptions to those required to pay property taxes in Nome. Here is the relevant section:

nomes.

DO NOT REPORT automobiles, snow machines, ATVs boats & motors and trailers held for personal and/or subsistence use.

- C) **NO LONGER IN BUSINESS.** See Section A on reverse side of this form.
- D) **IN BUSINESS BUT NO PERSONAL/BUSINESS PROPERTY TO REPORT** See Section B on reverse side of this form.
- E) **EXEMPTIONS.** (NCO 17.20.020): 1) Household furniture and personal effects of members of a household, 2) all aircraft, 3) snowmachines, ATVs, boats/motor and trailers held for personal and/or subsistence use and, 4) business inventories held for resale in the normal course of business of a seller as defined by NCO 17.10.180 and who is issued a City sales tax certificate.

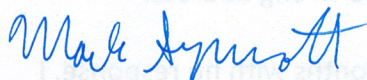
I was surprised to see that "boats held for personal use" are supposed to be exempt from property tax. Since I was just passing through Nome, and my boat is used for personal and recreational use—NOT COMMERCIAL (as you classified my vessel)— I believe that I have been charged property tax in error.

My tax bill has been paid in full, including penalties, and I believe that based on your own statutes that I am owed a refund.

As such, I would appreciate it if you would please review this matter.

Thanks for your consideration and with my best regards,

Mark Synnott



SV Polar Sun

PO Box 72

Jackson, NH 03846

mark@marksynnott.com

603-986-9607

From: [Mark Synnott](#)
To: [Jeremy Jacobson](#)
Subject: Re: Nome Common Council Work Session & Regular Meeting - Monday, January 8, 2024 - 5:30PM / 7:00 PM
Date: Sunday, January 7, 2024 6:53:05 AM
Attachments: [image001.png](#)
[image002.png](#)
[Certificate of Documentation Polar Sun.pdf](#)

Caution! This message was sent from outside your organization.

Forgot to attach the Coast Guard documentation which shows that my vessel is not "commercial."

PO Box 72
 Jackson, NH 03846
 603-986-9607
www.marksynnott.com
www.instagram.com/m_synnott
www.facebook.com/MarkSynnottOfficial



From: Jeremy Jacobson <JJacobson@nomealaska.org>
Date: Saturday, January 6, 2024 at 6:41 PM
To: Mayor <JohnH@njus.org>, Scot Henderson <SHenderson@nomealaska.org>, Mark Synnott <mark@marksynnott.com>, Adam Martinson <AMartinson@nomealaska.org>, Maggie Miller <MMiller@nomealaska.org>, Cameron Piscoya <CPiscoya@nomealaska.org>, Meghan Topkok <MTopkok@nomealaska.org>
Cc: Department Heads <DepartmentHeads@nomealaska.org>, Ken Morton <kenm@njus.org>, Thomas Simonsson <thomas@njus.org>, Rose Reale-Gray <rreale-gray@nomealaska.org>, Brad Soske <BSoske@nomealaska.org>, Walter Bell <WBell@nomealaska.org>, "agorn@nshcorp.org" <agorn@nshcorp.org>, Nome Chamber of Commerce <director@nomechamber.com>, Greg Smith <Gsmithnome@gmail.com>, Diana Haecker <diana@nomenugget.com>, "news@nomenugget.com" <news@nomenugget.com>, KNOM Hotlines <hotline@knom.org>, KICY Front Office <office@kicy.org>



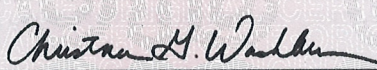
UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD



NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

VESSEL NAME POLAR SUN		OFFICIAL NUMBER 657328	IMO OR OTHER NUMBER QSC477270382	YEAR COMPLETED 1982	
HAILING PORT PORTLAND ME		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 23 GRT	NET TONNAGE 21 NRT	LENGTH 43.2	BREADTH 14.3	DEPTH 6.6	
PLACE BUILT KAOHSIUNG TAIWAN					
OWNERS MARK SYNNOTT HAMPTON SYNNOTT			OPERATIONAL ENDORSEMENTS RECREATION		
MANAGING OWNER MARK SYNNOTT 6 IRON MOUNTAIN RD PO BOX 72 JACKSON NH 03846					
RESTRICTIONS NO COASTWISE - FOREIGN BUILT; NO FISHERY - FOREIGN BUILT					
ENTITLEMENTS NONE					
REMARKS NONE					
ISSUE DATE DECEMBER 21, 2021		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES DECEMBER 31, 2026					



COPYBAN CAPTURES ANTI-FRAUD PROTECTION





Date: 01/09/2024

From: Alaska Marijuana Industry Association (AMIA)
Board of Directors
PO BOX 190283
Anchorage, AK 99619
president@alaskamia.org

To: Nome Common Council
Honorable Mayor John Handeland
johnh@njus.org
City Manager Glenn Steckman
gsteckman@nomealaska.org
Member, Scot Henderson
SHenderson@nomealaska.org
Member, Mark Synnott
mark@marksynnott.com

Member, Adam Martinson
AMartinson@nomealaska.org
Member, Maggie Miller
MMiller@nomealaska.org
Member, Cameron Piscoya
CPiscoya@nomealaska.org
Member, Meghan Topkok
MTopkok@nomealaska.org

Re: Opposition Against Nome Ordinance No. 0-24-01-01
Amendments to Chapter 3.25 of Nome Code of Ordinances Prohibiting Drive-Through and Curbside Sale of Age Restricted Products

Dear Honorable Mayor Handeland, Nome Common Council, and City Manager Steckman:

We are writing to express our strong opposition to Ordinance No. 0-24-01-01, an ordinance prohibiting drive-throughs and curbside sales of age-restricted products. We believe that allowing for curbside and drive-throughs for marijuana establishments are necessary and aligned with the evolving landscape of the cannabis industry.

Alaska's cannabis industry was able to operate drive through windows and offer curbside pick-up during the COVID-19 pandemic. During that time there were no violations issued that presented a risk to public health and safety. There were no documented sales to persons under the age of 21 years. There was also no reported increase in under the influence driving during this period. We believe that the benefits of providing this type of service far outweigh the potential risks. Simply put; elderly residents, disabled residents, or single parents - should have the ability to purchase cannabis without having to walk into a store on an icy-cold winter day. This is common practice in every pharmacy in the country, often serving much stronger medications than cannabis.

The requirement for video surveillance of a drive-through or walk-up exterior window ensures the safety of both customers and staff while also safeguarding against potential illicit activities. Video surveillance is a standard requirement in the marijuana industry.

On behalf of our Board of Directors, thank you for your dedication to the well-being and progress of the community of Nome. We appreciate your time and consideration of this matter.

Best regards,

Ryan Tunseth
President, AMIA



Date: January 13, 2024
To: Glenn Steckman, City Manager
From: (u) Chip Leeper, Director of Parks and Recreation
CC: Jeremy Jacobson, Deputy City Clerk
Angie Nguyen, Administrative Assistant

Subject: Parks and Recreation Department Quarterly Report (October – December 2023)

Nome Recreation Center

Even with the lack of snow the past few months blustery winter weather has driven many local residents into our facility to meet their recreational wants and needs.

For the youth this meant packing the place during open gyms. For the adults it was the weight room, instructed classes and sports leagues that allowed them to get their sweat fix.

Things got started in October with our Co-Ed Adult Volleyball League. Played on Mondays, Thursdays and a few Tuesday nights this past season attracted 9 teams across two divisions- Competitive for the more serious players and Recreational for the exercise seeking crowd.

After two months of play and a postseason tournament Ivory Plug after finishing the regular season in second place rallied to take home the crown in the competitive division; meanwhile Aces took the top spot in the recreational bracket after finishing the regular season undefeated.

The volleyball stanchions were immediately stowed and basketballs brought out as we began City League Adult Basketball play in early November.

Played on Mondays, Tuesdays and Thursdays the league was composed of three divisions: Women (4 teams); Men's A (3 teams); and Men's B (4 teams). After playing a 6-week schedule the league will take a break for the holiday season.

Heading into the break Janet's and Q-Trucking were battling it out with the former posting a 5-1 record to edge out the latter (record 4-2) for the top spot in the Women's Division.

In the Men's A Division Rough Country ran roughshod over the competition and raced into the winter intermission with a record of 6 wins and 1 loss. Trailing closely behind was CNC Sherman with a 4-2 record.

NSHC Ballers led a fairly balanced Men's B Division with a 4-2 record and look to fight off second half charges from Bering Air and Beah's that both finished tied for second with identical 3-3 records.

After a two-week break the second half of the season will resume in January and run through late February/early March.



In addition to the leagues outlined above we also hosted some other events. The first one was an Indigenous Peoples Celebration on October 9th. It was jointly co-hosted by Norton Sound Health Corporation (NSHC) and the Native Village of Solomon.

Festivities involved singing, dancing, potluck and an amazing fashion show. A variety of kuspuks, mukluks, jewelry and hats made by local sewers and artists were on display much to the delight of the capacity crowd attending the event.

The Nome Volunteer Fire Department hosted their annual Winter Carnival on the traditional first Saturday of December. As is typical the carnival attracted throngs of people to the facility to play games, bingo and eat food supplied by a variety of organizations fundraising for their respective causes.

Nome Swimming Pool

The ongoing construction in the pool's mechanical room continued. The plan was to have Polar Pools come to Nome the week of December 18th-22nd, to complete the piping system and attempt to temporarily reuse one of the old pump isolation flex boot in order to get the system flowing with water and begin to process of bringing the pool up to temperature.

Unfortunately, once they arrived and picked up their freight from the airlines they discovered that the shipper somehow managed to snap off three custom-made fittings from their pipe. As these are specialty fittings available only from the manufacturer new ones had to be ordered with a two-week lead until they were shipped out.

Not having the fittings meant they couldn't connect the entire plumbing system and couldn't begin circulating and heating the pool water. The trip wasn't a total loss as they still were able to:

- Hang the new pipe and so that when the replacement parts arrive, they will be fusion welded onsite;
- Install one of the old flex boots to get the system running.
- Install all the piping labels and valve tags that will help the staff to understand the operation and maintenance procedures and process;
- Install the new filter valve actuators for all four filter valves;
- Bring up their electrician to do the wiring from the actuators to the PLC panel.
- Modify the new acid pump as needed for this application and hoisted a drum of Muriatic Acid into the pool mechanical pit;
- Sent photo documentation to the DeNora Team for their approval of the installation of the Sodium Hypochlorite generation system.

Still to do:

- Return to Nome on January 22nd with the new fittings;



- Troubleshoot issues with the sump pit, as this will severely impact Backwashing. Polar Pools will go over this element with selected members of the maintenance team;
- Reconnect all piping and turn the system on. If the old flex boot holds then heating the water will begin. Estimated warming time is a week;
- Commission ProMinent Pool controller (1 day);
- Have the SCADA Tech to program everything into the PLC and the Pool Managers Office computer (3-4 days);
- Test the Automatic Backwash feature and verify the system will function automatically;
- Telechine Ozone and DeNora representatives need to commission and verify equipment is functioning properly (2 days);
- Confirm the ability to generate enough Sodium Hypochlorite to operate the system;
- Crew/Staff Training on all components (2 days).

Golden Strike Bowling Alley

For most part things ran fairly smoothly in the bowling alley this past quarter. Traffic was fairly steady until December when things picked up due to the holiday season. Several entities throughout Nome utilize the bowling alley for their staff Christmas parties.

At the end of the quarter we began advertising for a winter bowling league and are hoping enough teams register to support a league.

January 15, 2024

Dear: Mayor John Handeland, City Manager Glenn Steckman, and Honorable Members of the Nome Common Council:

As City Council Members you have the responsibility to protect consumers and defend public safety. Unfortunately, politics and business don't always align, and quite often, as in this situation, marijuana establishments are blamed for a problem we did not create. The current "vaping crisis" brought before the Council is a public safety issue of tantamount concern for all. We at Nome Grown share that concern as well. The vaping crisis stems from youth having access to nicotine vapes and unregulated vape juice products that are outside of the marijuana regulated system. Youth access these products by shopping at non-age gated establishments, such grocery stores, gas stations, and head shops – prohibiting marijuana drive-thrus will do nothing to combat Youth's access to vaping products, quite simply because the Youth can already purchase vaping products from non-age gated businesses in our community. Youth are unable to purchase any products from Nome Grown, a licensed marijuana retail store. Moreover, unlike the vaping products the Youth can access at the gas stations, grocery stores, etc., all of our products are carefully sourced, tested for contamination, tracked through the state's rigorous tracking system, and legally approved for sale by the State of Alaska Marijuana Control Board. Each product is individually tracked and traced. Every sale is recorded on camera, the purchaser must provide valid identification evidencing their age is over 21, the sale of that specific product and its tracking number is documented in the state mandated seed to sale system, and the purchase is required to be sealed in a child resistant exit packaging before leaving the premises. All of this, and more, is required of any potential drive-thru sale – none of this is required when a Youth purchases a vape product at a gas station or grocery store.

At Nome Grown, we have systems in place that will identify any potential activity by our customers that may result in the diversion of product (including to minors). If irregularities appear, we address and correct as needed, including banning customers who may pose a risk to public safety. There is still a significant black market in Nome for all age restricted items. A black-market entrepreneur can deliver products directly in the private residence of their customer and at a cheaper price (due to the heavy taxation and regulations imposed on legal licensed cannabis at the state level). The unregulated market is tough to compete with, especially since it provides delivery, and ultimate convenience to the consumer. At Nome Grown, our products are tested and regulated, which helps us draw consumers to the store, but if we can offer some level of convenience on snowy icy days, that would significantly help draw market share away from the unregulated, untaxed, and untested black market. Allowing the black market to flourish by denying the public the convenience of a drive thru to access regulated tested products furthers the black-market sale of unregulated products where there is no quality controls, no testing procedures or tax revenue for public resources which puts the public at risk. Marijuana establishments are not allowed to offer delivery services by state statute, but they are allowed to provide drive-thrus under state statute recognizing the need to provide convenience to consumers, and address that there is a significant share of cannabis consumers who are elderly or have disabilities that make it challenging for them to get in and out of vehicles and risk falling on ice, hence the importance of a drive through/ exterior pick up window.

Supporting the effective operation of state-sanctioned cannabis activities fits with our commitment to addressing the opioid crisis and rising overdose deaths. As we know by the state of affairs in the Bering

Strait Region and by general history, banning any product or hampering its sale has largely served to feed black market activity, often with disastrous results.

When the pandemic hit, we were considered an essential business by the State of Alaska Governor's order. In conjunction with this order, AMCO issued an emergency order for the use of exterior pick up window/ drive through for marijuana retail stores to employ. We at Nome Grown utilized an exterior pick-up window during the time the order was in effect. We did not have any adverse incidents during that timeframe nor did numerous other marijuana stores around the state. The Marijuana Control Board recognized that drive-thrus were a success, regulatorily speaking, as there were no documented sales to underage persons, and there were no complaints by the public regarding any negative impact on the community by allowing drive-thrus. The state then and has since drafted Exterior Pick-up window/ Drive through regulations with the intent to permanentize a successful model and eliminate the need for future emergency orders and help to ensure public safety. Regardless of the policy choices made, demand for these products will continue. Meeting this demand only in a regulated, legal marketplace better protects consumers and the general public.

The opening of our Exterior Pick-up Window/ Drive through will create 2 full-time living wage jobs; something Nome could surely use. It will bring new tax revenue by enticing black marketers into the light while providing for public safety on many fronts; including that of our employees. A marijuana store was robbed at gunpoint and the budtender was shot in Anchorage in recent history. We would love to provide an extra level of security for our employees as well, help us accomplish that goal.

I respectfully request that you vote against the proposed ordinance prohibiting the sale of age-restricted items through a drive through or curbside. I would welcome the exploration of alternative measures that address public safety concerns without restricting responsible business activities or by limiting responsible adult consumer choices. Thank you for your time and consideration of this matter.

Sincerely, Gregory Smith/ Nome Grown LLC

1st Reading: January 8, 2024
2nd Reading: January 22, 2024

Presented by:
City Manager
Action Taken:
Yes____
No____
Abstain____

**CITY OF NOME, ALASKA
ORDINANCE NO. O-24-01-01**

**AN ORDINANCE AMENDING CHAPTER 3.25 OF THE NOME CODE OF
ORDINANCES WITH THE ADDITION OF A NEW SECTION 3.25.040 PROHIBITING
DRIVE-THROUGH AND CURBSIDE SALE OF AGE-RESTRICTED PRODUCTS**

IT IS HEREBY ORDAINED by the Nome Common Council as follows:

SECTION 1. Classification. This is a code ordinance.

SECTION 2. Amendment of Chapter 3.25. Chapter 3.25. of Nome Code of Ordinances is hereby amended with the addition of a new Section 3.25.040, to read as follows:

3.25.040. Drive-through and curbside sale of age-restricted products.

(a) No person shall make a retail sale of or serve age-restricted products through a walk-up or drive-through exterior window.

(b) No person shall make a retail sale of or serve age-restricted products through curbside pickup or otherwise sell or serve age-restricted products outside the premises of a building. This subsection shall not apply to the retail sale or service for on-site consumption of an age-restricted product, provided that the sale or service complies with applicable permits and laws.

(c) For the purposes of this section, “age-restricted product” means any good or product for which a buyer is required, by state or local law, to be of a minimum age, including tobacco, alcoholic beverage, and marijuana. “Age-restricted product” does not include a prescription drug dispensed by a pharmacy.

SECTION 3. Effective Date. This ordinance is effective upon passage.

APPROVED and SIGNED the 22nd day of January, 2024.

JOHN K. HANDELAND
Mayor

ATTEST:

JEREMY JACOBSON
Deputy City Clerk

Presented By.
City Manager

Action Taken:
Yes ___
No ___
Abstain ___

CITY OF NOME, ALASKA

RESOLUTION NO. R-24-01-09

A RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NOME AND GREGORY KNIGHT FOR THE POSITION OF CITY CLERK

WHEREAS, the City of Nome wishes to employ the services of Gregory Knight as the City Clerk of the City of Nome; and,

WHEREAS, Mr. Knight wishes to be employed as the City Clerk of the City of Nome, Alaska, under the terms and conditions recited in the accompanying Employment Agreement; and,

WHEREAS, the City Clerk position is considered a professional exempt position, not subject to overtime provisions of the Federal Fair Labor Standards Act and Alaska Wage and Hour Act; and,

WHEREAS, the City and Mr. Hammond desire to provide for certain procedures, benefits and requirements regarding the employment of Mr. Knight by the City.

NOW, THEREFORE, BE IT RESOLVED that the Nome Common Council approves the accompanying Employment Agreement with Gregory Knight for the position of Nome City Clerk.

APPROVED and **SIGNED** this 22nd day of January, 2022.

JOHN K. HANDELAND, Mayor

ATTEST:

JEREMY JACOBSON, Deputy City Clerk

EMPLOYMENT AGREEMENT

Between the CITY OF NOME, ALASKA and Gregory Knight for the Position of City Clerk for the City of Nome

This Agreement, effective the 5th day of February, 2024 is between the City of Nome (hereinafter referred to as "City") and Gregory Knight (hereinafter referred to as "Employee"). The City agrees to employ the Employee as the City Clerk under the direction of the City Manager. This agreement shall continue until September 24, 2026, unless terminated or extended as provided below.

In consideration of the mutual covenants and promises of the Parties hereto, the City and the Employee agree as follows:

Section 1. MUTUAL ASSENT TO EMPLOYMENT

The City hereby employs the Employee to perform services as the City Clerk for the City of Nome, Alaska, and Employee hereby accepts and agrees to such employment.

Section 2. GOVERNING LAW

Unless otherwise provided in this Agreement, this agreement and the employment of the Employee hereunder shall be subject generally to all applicable provisions of Title 29 of the Alaska Statutes and the Nome Municipal Code and all amendments thereto and judicial determinations thereof. In the case of any conflict between the provisions of Chapter 2.45 of the Nome Municipal Code and any personnel policies adopted pursuant thereto, the terms of this contract shall govern.

Section 3. DUTIES OF CITY CLERK

Under the direction of, and answerable to the City Manager, the Employee shall perform all duties required as described in the job description attached as Appendix A of this Agreement, and other duties as assigned.

Section 4. EXTENT OF SERVICES

The Employee shall devote sufficient time, attention, knowledge and skills to the interests of the City to provide for efficient, effective, accountable and credible administration and operations of the City Clerk's Office. Employee agrees not to undertake any obligations, have other business affiliations, or engage in any activities which are competitive, incompatible, adverse to, or in conflict with, the City's interests, except as provided in this Agreement or as

specifically approved by the City Manager. This does not prohibit Employee from being involved with unrelated business or passive personal investments.

Section 5. TERM OF EMPLOYMENT

This Agreement shall be for a Term of three (3) years, from February 5, 2024 to February 4, 2027, subject to termination provisions by either of the Parties as addressed in following sections of this Agreement. Upon expiration of the initial Term, the parties may, by mutual consent, extend the Employment Agreement for additional years.

Section 6. TERMINATION OF THE EMPLOYMENT AGREEMENT

A. The Parties agree that the City's business can only succeed if the Employee and the City Manager enjoy a working relationship based upon mutual respect, trust, and positive attitudes. Accordingly, Employee serves at the pleasure of the City Manager and is an "at will" employee of the City of Nome. The City may terminate the employment of the Employee, without cause, at any time during the term of this Agreement by directing written notice of termination to Employee by certified or registered mail, return receipt requested, or by hand delivery. In the event of termination without cause while Employee is ready, willing, and able to perform the duties of the City Clerk for the City of Nome, City shall pay Employee a sum equal to two (2) month of Employee's annual compensation. The Employee shall also be entitled to the balance of accrued personal leave to the date of termination.

8. City may terminate Employee for "just cause" based upon the performance and professional conduct of the Employee. Should City intend to terminate Employee for "just cause," Employee shall be given written notice of the reasons for the termination and an opportunity to respond in person before the City Council, in either open or executive session at Employee's sole option, prior to the effective date of the termination of employment. If the relationship is so terminated; the Employee shall not be entitled to any severance or termination pay. The Employee shall be entitled to the balance of accrued personal leave to the date of termination.

C. The Employee, for any reason or no stated reason, may terminate this Agreement upon giving sixty (60) days written notice to the City Manager. Upon receipt of notice, the City Manager may immediately terminate the relationship, or require the Employee to continue employment for a period not to exceed sixty (60) days, at the regular rate of pay from the date of receipt of notice. If the relationship is so terminated, the Employee shall not be entitled to any severance or termination pay. The Employee shall be entitled to the balance of accrued personal leave to the date of termination.

Section 7. COMPENSATION

- It is agreed and understood by the Parties that the position of City Clerk is an exempt position under the guidelines of the Federal Fair Labor Standards Act and the Alaska Wage and Hour Law. It is specifically understood by the Parties that no overtime compensation will accrue to the Employee or be offered or paid to the Employee.
- The City shall pay Employee in full payment of Employee's compensation at the annual rate of Ninety Thousand Dollars (\$90,000.00 for twelve (12) months of employment. The Employee will be eligible for a salary review after six months,
- At the one-year anniversary, and thereafter on the annual anniversary dates of employment, the City Manager shall conduct a performance evaluation. Employee may receive a salary increase after the annual evaluation, during the term of this Agreement, based upon that performance evaluation.

Section 8. BENEFITS

A. The City shall provide the Employee, Employee's spouse, and dependents with health (medical, dental, vision) insurance coverage equivalent to the insurance package provided to regular City employees.

8. The City agrees that the Employee will participate in the Public Employees Retirement System (PERS).

- The City shall provide the Employee with a term life insurance policy in an amount of Fifty Thousand dollars (\$50,000).
- The City shall provide the Employee workers' compensation insurance coverage.
- The City will provide three months of housing in the city apartment to allow the employee to secure permanent housing.

Section 9. LEAVE

The Employee shall accrue 14.66 hours of personal leave per month (22 days per year). Any unused personal leave at the termination of employment will be paid to the Employee at the wage rate in effect at the time. Any personal leave time may not be taken unless authorized by the City Manager.

Section 10. HOLIDAYS

The City shall extend to the Employee all holidays awarded to regular City employees: Seven holidays and five floating holidays.

Section 11. CITY VEHICLE

The City shall provide, for business use of the Employee only, an existing vehicle owned by City providing for insurance, fuel and maintenance of such vehicle.

Section 12. PERFORMANCE EVALUATIONS

The City Manager shall conduct and present a written performance evaluation of the Employee's work annually, and emergency evaluations as deemed necessary by the City Manager to call attention to marked improvements or deterioration of the Employee's work performance.

Section 13. ENTIRE AGREEMENT

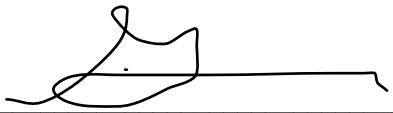
This instrument and identified appendices contain the entire Agreement of the Parties. It may not be changed orally, but only by agreement in writing and signed by all Parties hereto.

Wherever approval of the City is required, it is understood that such approval will be by the City Manager of the City of Nome, Alaska.

Section 14. CONTRACT APPROVAL

This Agreement shall become effective after signature by the Employee and the City Manager.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates indicated

_____	_____
Glenn Steckman, City Manager	Date
	01/16/24
_____	_____
Gregory Knight, Employee	Date

Presented By.
City Manager

Action Taken:
Yes ___
No ___
Abstain ___

CITY OF NOME, ALASKA

RESOLUTION NO. R-24-01-10

A RESOLUTION AWARDING THE CONTRACT FOR THE HEATING AND VENTILATION SYSTEM UPGRADE PROJECT FOR CITY HALL TO STURGEON ELECTRIC

WHEREAS, the City of Nome received responses higher than estimated, and,

WHEREAS, the Common Council directed the City Manager and Bristol Engineering, City of Nome’s contracted engineering firm, and,

WHEREAS, the heating and ventilation system in City Hall needs an upgrade; and,

WHEREAS, the City of Manager and City Engineer were successful in negotiating a reduced cost from \$1,598,500.00 to \$1,406,400.00, and,

NOW, THEREFORE, BE IT RESOLVED that the Nome Common Council awards the contract to Sturgeon Electric for \$1,406,400.

APPROVED and **SIGNED** this 22nd day of January, 2024.

JOHN K. HANDELAND,
Mayor

ATTEST:

JEREMY JACOBSON,
Deputy Clerk

TO: The Mayor and Common Council

FROM: Glenn Steckman

RE: City Manager's report addition

January 26, 2024

City Hall Ventilation:

To pay the cost of the heating and ventilation improvements, I am recommending that the ARPA funds be used primarily (\$1.1m) and the balance supplemented from the General Fund (CARES)

Recreation Center:

The facility needs substantial improvements to it. The heating and ventilation system improvement is expected to cost \$2.4m. Proposed improvements to showers, locker room and an expanded sauna is \$1.4m. Installation of bleachers, increased storage, bathroom updates (non-related to locker room and sauna improvements) bowling alley improvements at least \$500,000.

City staff have completed an overhaul of the rec center kitchen and installed commercial appliances. The appliances were purchased through grants. These grant funds have also allowed the city to purchase 40 new tables and 320 chairs.

Port Project Agreement:

The formal agreement was signed Thursday afternoon. I want to thank those from Nome who were able to attend this signing ceremony. I especially want to thank Joy, Lucas and Angie for working with the Corp of Engineers representative and Alaska Delegation representatives.

Vaping:

I have spoken to two of the three cannabis shop owners. Both sell cannabis vaping devices. Only one sells nicotine vaping devices. I also visited AC's on Nome-Teller Highway. That store sells nicotine vaping devices only in its alcohol dispensary. All three of these locations restrict access to anyone under the age of 21 years of age.

Hopefully, a joint meeting of the three cannabis shop owners can be held soon to discuss ways to control underage use and access.

Swimming Pool:

The pool is filled and filtering is taking place. There are some small plumbing and ventilation issues that city staff will address. The companies warranting the pool mechanicals are expected to be here in Nome

the last week of February. These manufacturer reps will certify the warranties and when the pool can be open to the general public. Legally to operate a commercial pool the city must have a self-activated and controlled chemical feeding systems.

TO: The Mayor and Common Council

FROM: Glenn Steckman

RE: City Manager's Report

January 17, 2024

Work session:

There will be three items on the work session for Monday night:

Item one: ADF&G wishes to remove weapons restrictions beginning August 1, 2024 on the hunting of Muskox and changes to the TX095 Muskox Tier II Permit Hunt with permission of the Common Council. In your packet is an email from Sara Henslee and map proposals. Acting Police Chief Crocket will make the presentation.

Item two: John Bles from Bristol Engineering will be available by Zoom to discuss awarding the bid to Sturgeon Electric to proceed with the heating and ventilation system replacement in City Hall. The original price has been reduced from 1,598,500 to \$1,406,400. The price could be further reduced by eliminating the "fire alarm system" which I am not recommending. I am proposing that funds that were saved by the CARES Act be used to pay a portion of this project.

Item three. Are reports from the Department of Public Works Director Cole Cushman and acting Police Chief Will Crocket to discuss their departmental reports.

City Clerk:

I am requesting permission to hire Mr. Greg Knight as the new city clerk. It is a three-year contract, with a starting salary of \$90,000.00. The city will provide him an apartment for three months while he secures more permanent housing.

Port Strategic Development Plan:

The Port Commission will be hosting three nights of meetings on the landside development of the port. The questions that will be asked of the community: what it should look like? What services do you believe need to be developed? Etc. This is not a meeting to discuss the first phase of the port development project. That portion of the project is going out to bid this February.

Polar Pools:

Bob Walker, from Polar Pools, will be here this Monday, January 22 to begin completion of the project. Nome School District is being requested to turn up the heat. This is necessary to warm the pool water up to minimum of 80 degrees.

Snow Removal:

Our snow removal crews are operating 8-9 hours a day. There is also no limit placed on funding for this key operation.

There is one problem that city crews are facing. After the roads are plowed and piles of snow removed, private contractors dump snow right back into the streets. City Hall is also receiving complaints from property owners having snow dumped on their properties including vacant lots.

The NPD will start enforcing the parking restrictions on Front Street from 5am-8am. This year, a number of people are leaving their cars parked overnight. This prevents Front St. from being cleared properly by AKDOT.

I want to acknowledge Cole Cushman, the road crew, our temporary staff of drivers and our contractors in their efforts these last ten days.

GCSIT:

The city's long term thirty party provider of IT support services was sold to LMJ Consulting on January 1, 2024. City staff will be evaluating whether the services received by LMJ Consulting are equal or better than GCSIT's. There also is a sixty-notice clause to end the contract if the city is not happy with services.

At this time the transition has been bumpy.

Iditarod:

The scheduled Common Council meeting for March 11 will not be held due to Iditarod. The council chambers will be used by the media for the event.

ADA and security upgrades for the NSD buildings:

The changes needed for ADA and Security Improvements are ready to go out to bid. The contractors will need to return their bids by February 15 at 3pm. Bristol Engineering has provided the design services for the project. The project should be completed by this summer depending on the bids come in for.

Planning Commission:

The Planning Commission met on January 9th. It was decided to schedule meetings on the first Tuesday of each month. This schedule will be firm and the meetings will start at 7pm with work sessions at 5:30pm.

At the meeting the “Opening Meetings Law” was discussed in a presentation by Sam Severin. Also, discussed was the variance process. Unfortunately, a variance was granted improperly by the Planning Commission.

I am scheduling additional training for the membership in the coming months.

At the work session of the Planning Commission, city planner, Erin Reinders walked the commission through ideas on a “Downtown Zoning District” to encourage development in the historic heart of the city.

Public Safety Advisory Commission:

The PSAC met on Saturday, 1/13, at 10:00am and again this past Thursday to discuss the police chief candidates.

Day Shelter:

After a staffing shortage, the Day Shelter was able to get staffed back to levels to allow the shelter to remain open until 8pm. I want to acknowledge the staff at the Day Shelter who were out taking care of our homeless population during the week plus of snow storms.

Staffing:

I am pleased to announce that the city has hired a new accounts payable clerk (Jovan Dull). On the agenda is a request to hire a new city clerk (Greg Knight). The NPD is also in the process of hiring a new police officer.

Nome Volunteer Ambulance Department:

I have met with three of the four employees that will be affected by the shutting down of the city ambulance service. Two employees will transfer to other positions in the city. Another employee is leaving Nome.

Norton Sound Hospital:

Sam Severin and I are drafting an agreement to be presented to NSHC. Despite my efforts, NSHC has not agreed to meet face to face which may prolong negotiations.

Traffic control improvements at Nome Elementary:

The improvements for pedestrian safety and traffic improvements are being submitted by NEC with City of Nome support.

Alaska Native Housing:

At the last council meeting, a question was asked about what the city is doing to increase Native Alaska housing opportunities. The access to funding for these development projects is restricted to the local tribal governments and Native Alaska corporations. The City of Nome does not have its own housing authority.

NJUS and the City of Nome partner with these organizations on their draft housing developments which are supported by grant funding. This includes supporting grant funding to develop the infrastructure necessary to develop these homes.

Our partners with the 3D printed housing have also met with tribal leadership to discuss how this construction project may be beneficial to provide more attainable housing.

City Manager
Glenn Steckman

Port Director
Joy Baker

Harbormaster
Lucas Stotts



102 Division St. • P.O. Box 281
Nome, Alaska 99762
(907) 443-6619
Fax (907) 443-5473

**NOME PORT COMMISSION
MINUTES
REGULAR MEETING
NOVEMBER 16th 2023 @ 5:30 PM
COUNCIL CHAMBERS CITY HALL**

Nome Port Commission
Jim West, J
Charlie Lean, Vice
Item B.
Derek McLarty
Shane Smithhisler
Russell Rowe
Gay Sheffield
Drew McCann

The Regular Meeting of the Nome Port Commission was called to order at 5:30 pm by Chairman West at the City Hall Council Chambers.

ROLL CALL

Members Present: Smithhisler; Lean; West; McCann; Sheffield

Absent: Rowe; McLarty

Also Present: HM Stotts;

In the audience: Megan Gannon – Nome Nugget; Anna Rose MacArther – Kawerak.

APPROVAL OF AGENDA

Chairman West asked for a motion to approve the agenda

Motion to approve made by Sheffield, seconded by Smithhisler.

At the Roll Call:

Ayes: Lean; West; McCann; Sheffield, Smithhisler

Nays:

Abstain:

The motion **CARRIED.**

Discussion: none

APPROVAL OF MINUTES

September 21st, 2023 and

October 5th, 2023 Mtgs Motion made by McCann, seconded by Lean to approve both minutes with noted corrections.

Discussion:

- Lean noted one duplicate typo to be removed under roll call.

At the Roll Call:

Ayes: West; McCann; Sheffield; Smithhisler; Lean

Nays:

Abstain:

The motion **CARRIED.**

CITIZENS' COMMENTS

- None

COMMUNICATIONS

- 23-09-27 R&M Offshore Sample Core Locations (Port Expansion Geotech)
- 23-09-28 JOA Surveys GNSS-R Installation at Port of Nome
- 23-10-04 OPR-R390-KR-23_Final_Progress_Report_09_22
- 23-10-21 Arctic Today - Increased Arctic Shipping Brings Increased Risks
- 23-11-01 AK News Source- 7 ports across Alaska receive combined \$72M in federal grant funding

Discussion:

- HM Stotts gave brief overview of R&M sample location project and JOA Surveys GNSS (radar) installation at Nome to study sea ice.
- Lean commented it is good news on the federal grant funding.

COMMISSIONER'S UPDATES

- Lean commented that the NOAA trawl survey results came out and had interesting results; The King Crab survey discovered roughly 1-inch diameter crab in the NOAA survey that was not seen in the Fish and Game survey and crab in the pipeline is great news.
- Sheffield commented that she does samples for harmful algal blooms with Norton Sound Health Corporation Office of Environmental Health with Emma Pate with NSHC. Noted that she was called to a meeting for the Cape Nome expansion project with the USACE and other Nome stakeholders. They were asked if there were any issues with their future samplings in that location and were shown the plans for a future expansion at Cape Nome to provide deeper water and more protection from waves.
- Sheffield commented that UAF Northwest Campus and Alaska Sea Grant are hosting the Western Alaska Interdisciplinary Science Conference between 2 – 4 April, 2024. This is a Western Alaska science conference that travels the state.

HARBORMASTER'S REPORT

- HM Stotts gave an overview of the following;
 - FY24 1st Qtr Report
 - 2024 draft cruise ship schedule with additional sailings to be added.
 - Impoundment results from 2023 impound round.
 - End of the year billing and statistics.

Discussion:

- Sheffield asked if there will be any interruptions to the Port of Nome facility commercial traffic during the expansion project construction. HM Stotts commented that there will be minor delays on the uplands at times most likely, but the contractor will work with his office to ensure use of the docks and uplands are open for commercial traffic.

PORT DIRECTOR'S REPORT

- HM Stotts gave a brief overview of the Project Manager Monthly Reports.
 - 23-10-16 PM Monthly Projects Report
 - 23-11-16 PM Monthly Projects Report

Discussion:

- Sheffield asked on what date the RFP would be out on the street. HM Stotts commented that the Corps team was working through it and no date was set, but it should be in the next couple months, hopefully sooner.

- Sheffield asked about the incinerator project and if there was a committee working on this project or if it was just port staff. HM Stotts commented that there is not yet a committee but would bring additional information back to the group when we know more.
- Sheffield asked if port staff had heard from any of the 5 different National Science Foundation groups that earlier this summer had said they would all be in Nome. HM Stotts commented that he had not since earlier this summer.
- Lean commented that the Nome port project drawing provided by R&M Consultants for drill locations is different than he has seen in the past. HM Stotts commented that he also had not seen that graphic and that it is not the most current drawing.

OLD BUSINESS

- None

NEW BUSINESS

- FY25 State of Alaska Municipal Harbor Facility Matching Grant Program – Requesting Support through Council Resolution.

Discussion:

- None

Chairman West asked for a motion to approve the request to support the FY25 State of Alaska Municipal Harbor Facility Matching Grant Program through Council resolution.

Motion to approve made by Lean, seconded by Smithhisler

At the Roll Call:

Ayes: McCann; Sheffield; Smithhisler; Lean; West

Nays:

Abstain:

The motion **CARRIED**.

CITIZENS' COMMENTS

- Lean commented that he was looking at the low tide and was shocked to see a sand bar extending from the east causeway, through where the LULU barge used to be, then back to the outer portion of the east causeway. He has seen vessels using this in the past but it now appears plugged up and does not appear to be getting any maintenance by the USACE annual dredging. Stated it appeared to be from the Murbok storm.
 - HM Stotts commented this seems to be a result from the Murbok storm but had not seen this in the past. Stated he would get more info.

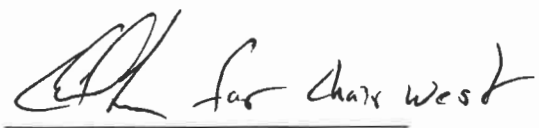
COMMISSIONER'S COMMENTS

- Sheffield commented that she was in a LEPC meeting today and they discussed the lack of the Nome siren and lack of a way to notify the public in the event of a large-scale emergency. The PC had previously discussed the potential for the Port of Nome to look into a tsunami emergency action plan and this seemed to fit in.
- McCann commented that in the meeting they stated; if there would have been a tsunami north of the Aleutian Islands, that wave could be in Nome in as little as 3 hours.
- Lean commented that there used to be different sirens in Nome around the time that Rock Creek Mine started up due to hazmat materials being transported but fell off for some reason.
- Smithhisler stated that currently the City of Nome is trying to fix the Public Safety radio system and maybe this siren system could be added to that.

ADJOURNMENT

Motion was made by for adjournment at 6:35 pm.

APPROVED and **SIGNED** this 18th day of January 2024.



Jim West, Chairman

ATTEST:



for Lucas Stotts, Harbormaster



Memo

To: Glenn Steckman – City Manager
 From: Joy L. Baker – Project Manager *JLB*
 CC: Mayor Handeland & Common Council; Planning Commission; Port Commission
 Date: January 15, 2024
 Re: Monthly Projects Update – Jan 2024

Administrative:

Strategic Development Plan (SDP) Update:

As a part of the SDP Update, City consultants will be in Nome from 23-25 Jan 2024 to gather input from the Council, Commissions, staff, users and the public regarding development at the Port & Harbor. The intent is to capture the City's strategic priorities and the community's vision to inform long range planning for onshore development. It is important to capture a variety of input, encourage discussion, and offer residents an opportunity to comment. (See attached flier)

Tariff Rate Study (TRS) & Analysis:

Things are progressing with the TRS, with the consultant providing an update via Zoom to the Port Commission during their Work Session at 5:30pm on 18 Jan 2024. (See attached Progress Report.)

Causeway:

Arctic Deep Draft Port – Port of Nome Modifications (PONM) Project:

The Alaska Corps District and Pacific Ocean Division (POD-HI) have completed review of the 100% design drawings and specifications for Phase 1 construction. The Contracting Office is finalizing the solicitation package, and once authorized by POD, will be released to bidders sometime in Feb 2024.

An additional requirement before solicitation is execution of the Project Partnership Agreement (PPA), also known as the Construction Agreement. Due to weather earlier in the month, the ceremonial signing has been rescheduled for 25 Jan 2024 in Nome. However, in an effort to remain on schedule for project solicitation in Feb 2024, the PPA has been signed and submitted to POD and Corps Headquarters. More precise dates for solicitation and anticipated award are forthcoming.

Local Service Facilities (LSF) Design:

Upon release of the final PONM Phase 1 solicitation package in Feb 2024, the City's design teams will remain onboard and available during the bidding process to address contractor questions, and throughout construction to provide inspection services and ensure the LSF elements are built correctly.

U.S. DOT Maritime Administration (MARAD) – Port Infrastructure Development Program (PIDP) Grant Pre-Award:

The Finance Director and I will participate in a project kickoff call with MARAD/PIDP staff, to discuss pre-award submittals which must be sent and approved before the \$11.25M grant agreement is executed. These funds will be used to cover a portion of the costs needed to purchase and construct the marine utilities for Phase 1 of the Port of Nome Modification Project. The City will provide matching funds in the estimated amount of \$16M, which will be sourced through eligible state funding. The exact amount of the match will depend on the winning bid for the work.

Causeway Bridge Repairs and Sediment Removal:

The Corps has awarded the contract to Bristol Engineering for the repairs to the abutment and girders on the north end of the Causeway bridge. The project field work is now scheduled for early summer 2024.

Arctic Port Reception Facility – Solid Waste Disposal (Incinerator):

Additional funding opportunities are on the horizon and being evaluated for this project.

Harbor:

Inner Harbor CAP 107 Study (Deepen/Widen the Inner Basin):

The city continues to make inquiries on the status of this project, with District reporting they are awaiting direction from Corps HQ on how to proceed. The delays on this issue have also been submitted to Alaska Delegation staff members for action. Recent information indicates there has been movement at Corps HQ on this project.

Port Industrial Pad:

West Nome Tank Farm (WNTF) - Property Conveyance:

The City and ADEC completed review of the final Quit Claim Deed and Environmental Covenants, and returned to the USAF. Inquiries have been made at several levels to assist in expediting this property conveyance.

Thornbush Laydown Site Development (TBS):

Dredge spoils from the port expansion and inner harbor project have been given clearance by two ADEC programs (Solid Waste and Contaminated Sites), to be disposed of in the undeveloped 9-acre portion of this property. The spoils will require dewatering before serving as a hardened base layer to the specified fill and surfacing to complete development of the 18-acre parcel.

Port Rd. Improvements (ADOT Project cost-shared with City/Port):

This state STIP project has been postponed to approximately 2028/2029 to avoid conflicting with the heavier truck traffic during the port expansion. There is ongoing discussion regarding fixing drainage/pavement breaks in 2024.

FEMA DR4672 Merbok Recover Projects:

Inner Harbor Dredging – South Wall and East Ramp:

The city continues working with DHS/FEMA regarding the estimated quantity of the sediment that was pushed along the south wall of the inner harbor by the storm. Once the Scope of Work and material quantity are deemed final, disaster funds will be obligated and the work scheduled for 2024.

Cape Nome Jetty Repair:

PND (subcontractor to Bristol) is proceeding toward 95% level design drawings and specs, with Bristol preparing contract bidding documents, all of which will be sent to FEMA for approval in Feb 2024. Once the package is approved, the project will go out to bid with intent to award repairs to be performed in the 2024 season.

Italics reflects no change in project information from previous report

PORT OF NOME STRATEGIC DEVELOPMENT PLAN UPDATE



The waterfront planning team will be visiting Nome and would like to hear from you!
Come join us and tell us about your vision and priorities for the Port of Nome.

PUBLIC MEETING #1

Tuesday, January 23 at 6:30 pm
Old St. Joe's, 407 Bering St. (Anvil City Square)

PORT COMMISSION WORK SESSION

Wednesday, January 24 at 5:30 pm
Old St. Joe's, 407 Bering St. (Anvil City Square)

PUBLIC MEETING #2

Thursday, January 25 at 6:30 pm
Old St. Joe's, 407 Bering St. (Anvil City Square)

WHAT IS YOUR VISION FOR THE PORT OF NOME?

What are your economic goals for Nome?
What role does the port play to meet those goals?

What are the short and long term needs for the port and Nome's waterfront?

What new opportunities should Nome pursue due to changes in the Northwest Passage?

What new waterfront facilities will help diversify Nome's economy and make it a premier port?



Progress Report: Port of Nome Tariff Rate Study & Analysis

Date: January 2, 2023

To: Port Director Joy Baker

From: Mike Fisher

This progress report covers the month of December 2023.

Work Performed During This Period

In December, we collected and updated historical information for PON vessel traffic and waterborne statistics (commodity movements) from 2012-2022, we analyzed Port revenues and expenses for both funds, reviewed and documented rates across Alaskan Ports, forecasted demand and growth for Cargo/ Gravel/Fuel, and began analyzing the impact of this demand on revenue and expenses.

Work Planned and Underway

In January, we will complete interviews with port users and personnel (in conjunction with the Strategic Development Plan work) and develop growth scenarios. Lastly, the output from these activities will be used to Develop recommendations for a sustainable rate structure and capital replacement strategy. We will deliver our draft report and conduct a Zoom presentation/review meeting, in addition to our regular progress meetings.

Needs

During our next check-in, the team needs to develop three growth scenarios to evaluate. These scenarios may include different growth rates and/or discrete single shocks to the system. The analysis will look at the financial outcomes of each scenario over the forecast period.

Date: January 17, 2023

To: Glenn Steckman, City Manager

CC: City Clerk

Angie Nguyen, Administrative Assistant

From: Cole Cushman, Public Works Supervisor

Re: Quarterly Report, Fiscal year 23 -24, 2nd Quarter

Road Crew

The Road crew was better prepared for winter this year than the past couple and was able to respond when the first snows hit. The crew hauled off 1007 truck loads of snow in November and 582 in December. This small amount of snow allowed the crew to do some training and spend the extra time to shape and smooth out the roads. The road crew took some time before freeze up to try to get the new hockey rink area as flat as possible. On the maintenance side, we were able to get every piece of equipment running with the exception of the Komatsu D61EX which needs an engine rebuild. We able to take care of some minor repairs for the ambulances and police trucks as well.

Building Maintenance

Building Maintenance had some struggles getting all the boilers to play nicely. We seem to have them working correctly now. We had inspections across some of our buildings from AKOSH and the Fire Marshall. There were some discrepancies, but the crew took care of them and are more proactive in dealing with these things as they're found. The building maintenance team also installed the new Christmas tree and Old Saint Joe's along with the other Holiday decorations. Other projects included refinishing the lobby floor of the Foster building, repairs at 504 Warren's, and installing the used oil furnace at the landfill.

Landfill

Getting ready for winter was the game plan for the landfill. There was a rush in October to shred tires and cover the summer garbage with cover material (dirt). We were able to get the used oil furnace installed and operational. This allows us to get rid of the used oil from the port and city shop and turn the boiler at the landfill building down to a minimum.

Cemetery

The crews pushed through to have all burials done before the ground was too frozen and started the winter season with an empty Morgue. By the end of December, the Morgue was half full (7).

**CARRIE M. MCLAIN MEMORIAL
MUSEUM**
PO Box 281
Nome, AK 99762
907-443-6630



Date: January 16, 2024,
To: Glenn Steckman, City Manager
CC: City Clerk
From: Cheryl Thompson, Museum Director
Re: Quarterly Report, Fiscal year 24, 2nd Quarter
October, November, December

October brought a slowdown of guests to Museum. While the cruise ship season has ended, life at the museum is still happening. An opportunity came about for the museum to acquire 'Jano's nugget', a 41-ounce gold nugget that Jano Kralik and his son Michael found at Gold Run. With help from the Nome Historical Foundation, it has been secured and we look forward to placing it on display sometime in the next year. Thank you, Nome Historical Foundation!

On October 26th the museum presented a talk about the Beringia Russian Sled Dog Race featured in a photo exhibit. Sue Steinacher spoke about her experiences mushing dogs in Russia and Charlie Lean talked about staking trail for the Hope Race which ran in both Alaska and Russia. We had a good turn out of mostly mushers, plus about 15 to 20 teenagers and staff from NACTEC. The kids were really attentive and it was interesting to see them think about kids in Russian villages, not all that far away.

In November, Mo Davis left to move to Petersburg and Rick Anderson came to work. Rick has lived in Nome for a long time and is interested in history so we are very happy to have him. He's also skilled at fixing things like the door on Nome's first phone booth and the light in it.

One big accomplishment in November was the packing up and return to Germany of an artifact display on tools used to build a sod roofed dwelling. Even though these artifacts originated in Alaska, they were brought back over from Germany in about 2014 for the display. Due to the death of the professor the following year and the lengthy permit process for their return, it was just accomplished now. An associate working for the professor's widow came to Nome and together we carefully checked and packed each item and they were safely returned to Germany with no problems. The regulations concerning marine mammal parts and import/export are quite rigorous even when the items are hundreds of years old.

In December, on a foggy day in the villages, the museum entertained visitors who could not complete the Operation Santa Claus. People from Air Guard, Army Guard, Commissary (military grocery store), and the band, who were all here for various reasons, came in to visit.

I have had a couple meetings with our grant coordinator from IMLS, Institute of Museum and Library Services. This is a \$100,000 grant to basically put our collection on line, that the previous Director

**CARRIE M. MCLAIN MEMORIAL
MUSEUM**
PO Box 281
Nome, AK 99762
907-443-6630



secured. We have a grant extension to June of 2024 and if needed (probably) can ask for another one-year extension.

Our most successful event in December was a Family Fun Night at the Foster Building organized and advertised by Marguerite. It was December 21st and the kids were on school break. The Library, Museum and Katirvik Cultural Center all took part with different activities or crafts. The Museum was basically just open with the regular exhibits but we featured the KIVA planks. These are very nice, precise, hardwood blocks that can be stacked quite tall. I was impressed with how much the kids were engaged in playing with them. There were almost 90 people overall and 60 of them made it into the museum.

The final museum activity of the year was taking down the Russian Dog Race Exhibit and mailing it back to the owner.

That last weekend also had the Public Works crew (Harry Karmun) put a new coat of finish on the wood floors in the lobby and Foster Room. When more oil arrives, the Museum floors will be done also. It really brings out the rich color of the wood.

A possibility of an acquisition has come up: the availability to purchase Scotty Allen's sled from 1909. Scotty Allen drove the winning team in the All Alaska Sweepstakes in 1909 and we also have the beautiful silver trophy from that year. It would be quite a match.

We have started using one of the museum's 3 cash registers from the collection to handle the money brought in through purchases. Our Square System handles the actual transactions but the cash register gets attention. A tag on the bottom of the drawer shows it was purchased in 1900 for a business in Nome. It has been fun to use.

Our statistics for the fourth quarter are 390 visitors and \$328 taken in.



1/18/2024

To: Glenn Steckman, City Manager
Cc: City Clerk
Angie Nguyen, Executive Assistant
From: Cliff McHenry, Building Inspector

Re: FY24 Quarterly Report, Building Inspection


My Gov permits as follows:

- 1) 23-141 Building Permit
- 2) 23-140 Remodel Permit
- 3) 23-139 Remodel Permit
- 4) 23-138 Remodel Permit
- 5) 23-137 Remodel Permit
- 6) 23-136 Remodel Permit
- 7) 23-135 Remodel Permit
- 8) 23-134 Moving Permit Completed
- 9) 23-133 Mechanical Permit Completed
- 10) 23-132 Remodel Permit
- 11) 23-131 Remodel Permit
- 12) 23-130 Building Permit
- 13) 23-129 Remodel Permit
- 14) 23-128 Remodel Permit
- 15) 23-127 Building Permit Not Issued, No Fire Marshall Permit
- 16) 23- 126 Remodel Permit Completed

Orientation with Angie regarding Flood Plain, My Gov, locations of City Buildings.
Researching Building Code implementation required for 3D Housing and Tiny Homes.
Working on training to maintain 5 International Residential Code certifications.
Studying to obtain International Building Code certification.
Working with Bryant on Abatement process.
Finalizing Abatement list.
Working with Public Works on Right of Way issues.
In the process of working with potential buyers for the Nugget Inn to reopen.
Assisting with final inspections of previous permits.
Working on flood plain permits for Bering Air and Nugget Inn



Kegoayah Kozga Library

DATE: January 15, 2024
TO: W. Glenn Steckman III, City Manager
FROM: Marguerite La Riviere, Library Director 
SUBJECT: FY2024 Second Quarter Report

Library Hours effective July 1, 2022:

The Kegoayah Kozga Public Library opened to 40 hours a week effective July 1, 2022 with the following hours:

Monday through Thursday 12:00 noon to 7:00 p.m.
Friday and Saturday 12:00 noon to 6:00 p.m.
Closed Sundays and Holidays

Grant Duties for Other Departments by Library Director (\$103,317):

In addition to writing and maintaining the grants for the library, the Library Director was tasked by the Finance Director and the City Manager with the following grants:

DHSS Healthy and Equitable Community Funding 2023 grant Amendment #1 (\$103,317.00):

The Library Director submitted a new grant request this year for funding to the Alaska Department of Health and Safety. This reimbursement grant in the form of Amendment #1 to our current Memorandum of Agreement was awarded in the amount of \$103,317. The Library Director continues to report quarterly on this grant. Prior awards have been successfully completed and all reports submitted which were: DHSS Community Funding 2021 grant (**\$171,049.82**) and Community Funding 2022 grant (**\$68,549.87**). Since 2020, the City of Nome has been awarded **\$342,916.00** under this grant program.

Rasmuson Foundation Grant (\$15,000):

The Library Director applied for a Rasmuson Grant and was awarded \$15,000 to the Kegoayah Kozga Public Library for Non-Fiction and Early Reader Collection Refresh and Display Updates. The library is very grateful to the Rasmuson Foundation of their support for the Kegoayah Kozga Public Library.

Juneau Community Foundation Book Hook Fund grant (\$1,000):

The Library Director applied for a Book Hook grant and received the \$1,000 grant to purchase Children's Picture books, YA books, Beginning Chapter Books and Juvenile Chapter books. We are very thankful to this organization for supporting our Rural Alaska library.

Alaska State Library Continuing Education Grant (\$1,250):

The Library Director applied for a Continuing Education grant to fulfill the Library Director's requirement to obtain Continuing Education under the Public Library Assistance grant. The Library Director attended the American Library Association's Young Adult Services Symposium focused on library services to teens and young adults.

Library Programming:

The library had an amazing year of programming. During the 2023 calendar year, we offered a variety of programs including a weekly preschool story hour, school class visits, the Readers and Leaders program, the Summer Reading Program, Iditarod movie programs, Trick or Treat at the Library, the Family Night at the Foster Building, holiday programming and the Michela Goade visit to Nome including an adult book workshop. During the 2023 calendar year, the library offered over 100 programs and welcomed over 2,650 patron visits to this programming. It was a busy year!

Holiday Programing and Christmas Extravaganza: Over the December school break, the library offered 7 holiday programs for youth and their families including the first Family Night at the Foster Building (described below). Our programs were very successful. The Library Staff also assisted City of Nome Staff to promote and plan the Christmas Extravaganza this year. It was a great event attended by many in our community.

First Family Night at the Foster Building:

We were happy to organize with the Carrie M. McLain Memorial Museum and the Katirvik Cultural Center the First Family Night at the Foster Building on December 21, 2023. The event started at 5:30 pm and ended at 7:30 pm. Youth and their adults were treated to activities at each of the three organizations. The library offered a viewing of a movie about a "Green Grump & His Loyal Dog" under our movie license. We also offered a Max the dog craft in the library. Families played in the little kid area and read books to their kids. The youth were free to wonder all evening into each of the organizations. At the end of the evening, the library sponsored a stocking stuffer gift bag. The library was happy to partner with the Bering Sea Lions Club to give a free new book to each youth that attended our program during that evening. They were so happy to bring home a brand new book to read during the school break. One library patron sent an e-mail to the library the next morning stating: ***"That was such a great event. The kids came back here and started reading and playing with their all kinds of goodies. Thank you so much."***

Library Staff:

The Library Director has worked for the City of Nome for over 22 years and as the Library Director since 2009. Janet Steppe, is completing her 15th year of service to the Kegoayah Kozga Public Library. The library has an open permanent part time position which requires working Evenings and Saturdays.

Kegoayah Kozga Public Library Year-in-Review 2023



KEGOAYAH KOZGA PUBLIC LIBRARY





Library Quarterly Report for October, November & December 2023



Item G.



City of Nome Police Department

William Crockett
Chief of Police

4th Quarter Stat Report
October 1st – December 31st, 2023

General patrol statistics

Category	Oct 1, 2023 – Dec 31st, 2023
Calls for Service counting keep checks	2794 (554 or 19% alcohol related)
Calls for Service not counting keep checks	1382
Arrests	101 (65% alcohol related)
Total Charges	255
Traffic Stops	53
Citations	17
Incident Reports	167
Sexual Assaults	9
Intoxicated Person Calls	144
Ambulance Requests	116
Fire Department Response	12
Court Service Documents	49
Dispatch Stats	
Non-Emergency Calls	855
911 Calls	233

Personnel

Officer Brett resigned.
CO Spears (PT) resigned.
CO Dickson-Bahnke was hired.
Officer Nguyen was promoted to Investigator.
Alex Thomson was promoted to Dispatch Supervisor.

Vacancies

(2) Police Officer Spots (as of 12/31/23)
(1) FT Communications Officer

Vehicles

2004 302 – Old CSO Van

Transferred to PW.

2005 290 – CSO Chevy Astro Van
Transferred to PW.

Nome Police Department
102 Greg Kruschek Avenue/ PO Box 1230- Nome, AK 99762
Voice (907) 443-5262 - Fax (907) 443-2266

2021 679 – Ford Expedition
Good condition.

2022 689 Ford Expedition
New condition

2022 692 Ford Expedition
New condition.

2016 321 – Silver unmarked Explorer
Good condition.

2016 323 – White Explorer
Good condition.

2019 885 – F-150
Good condition.

2019 887 – F-150
Good condition.

2021 978 - F-150
Good condition.

2023 721 F-150
New Condition

2023 722 Ford Transit Van
New Condition

2021 Can Am Side by Side ATV 800
Good condition.

EQUIPMENT

Renewed 5 year Bodycam Contract with AXON.
February is scheduled to start installation meetings for 2 dash cam units.
(2) Two Taser 10's were purchased and are in the pilot phase.
New headsets for dispatch were installed.

INVESTIGATIONS

2023 SA's
Total: 41
Closed: 39
Open: 2

RADIO PROJECT

Radio project is currently out for bid.

ACCREDITATION

NWAA (North West Accreditation Alliance) is moving to creating their own Alaska assessment due to the increase of Alaska agencies seeking accreditation from this organization. Currently utilizes an adopted Oregon assessment.

Working with Cole from PW for an Impound building, put on hold until next Summer.

Many policies are moving towards the approval/publish phase, however due to the Chief vacancy most are put on hold until position is filled.

Working with CO Thomson on creating training guides and policies in the Nome 911 Center.

Nome Police Department
PO BOX 1230
Nome AK 99762
907-443-2266 fax
907-443-5262 dispatch

