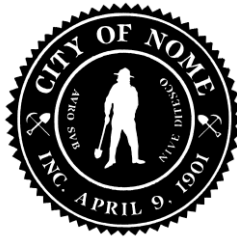


**Mayor**  
John K. Handeland

**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 MINUTES**  
MONDAY, JANUARY 29, 2024 AT 7:00PM  
COUNCIL CHAMBERS IN CITY HALL

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

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**ROLL CALL AT 7:05PM**

Members Present: Scot Henderson; Mark Johnson; Adam Martinson; M. Sigvanna Tapqaq (teleconference); Maggie Miller; Luke Hansen

Members Absent: Cameron Piscoya (excused)

Also Present: John K. Handeland, Mayor; Glenn Steckman, City Manager; Jeremy Jacobson, Deputy Clerk; Thomas Simonsson, NJUS Plant Operations Manager; Nickie Crowe, Finance Director (virtual)

In the Audience: Ken Hughes; Angela Hansen; Jackie Reader; Trinh Johnson, Ryan Tunseth (teleconference); Ryan Tunseth, President of the Alaskan Marijuana Industries Association (teleconference); Deilah Johnson, Village of Solomon Tribe (teleconference); Jana Weltzin (Zoom); Heather Sinnok

**APPROVAL OF AGENDA**

A motion was made by C. Henderson and seconded by C. Johnson to approve the agenda.

A motion was made by C. Henderson and seconded by C. Johnson to add Item D (Clerk Contract) under Executive Session and move Item A from New Business to after Executive Session.

At the roll call:

Aye: C. Johnson; C. Martinson; C. Tapqaq; C. Miller; C. Henderson

Nay:

Abstain:

The motion to approve agenda as amended **CARRIED**.

**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)
- B. Letter of December 19, 2023 from Village of Solomon to Nome Common Council re: Proposal for a Plastic Bag Ban

- 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
- D. Letter of January 7, 2024 from Mark Synnott to Nome Common Council re: Request Refund of 2024 Tax Payment, Penalty, & Interest Paid
  - C. Henderson advised that Mr. Synnott took part in a well-known commercial expedition. Inquired if this poses a conflict with our ordinances in regards to personal property taxes.
  - Mayor Handeland requested to have accessor review the ordinance for further discussion in next meeting.
- 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
- F. Parks & Recreation Department Quarterly Report (October - December 2023)
- 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

### **CITIZEN'S COMMENTS**

- Greg Smith brought with him 179 signed letters of support for Council's review. Thanked Manager Steckman and C. Henderson for visiting Nome Grown to inquire about processes. Shared a form published and required by AMCO called MJ31 Walk Up or Drive Thru Exterior Pick Up Diagram and Operating Plan. Stated attempts to communicate with the City have been ignored. Clarified alcohol and tobacco will not be sold and will only operate under approved marijuana license. Declared Nome Grown is not responsible for the vaping crisis at the High School and follow strict procedures combat this. Warned strict restrictions may cause unwanted results such as increase activity via black market, citing examples of black-market restaurants and cabs all operating under current ordinances. Encouraged a vote of "nay" on O-24-01-01.
- Ryan Tunseth, President of the Alaskan Marijuana Industries Association (via teleconference) thanked the City of Nome and Council for hospitality to the marijuana industry. Stated opposition to any prohibition on drive thru for two main reasons: (1) Accessibility for elderly and disabled clients and (2) health and safety for employees. Shared Marijuana usage was recently reclassified from Class 1 to Class 3 controlled substance. Encouraged a vote of "nay" on O-24-01-01.
  - o Mayor Handeland inquired if Anchorage had resolved their issues. Mr. Tunseth stated a resolution has not been met.
  - o C. Henderson inquired if it is a requirement to ID every individual inside a vehicle at a drive thru. Mr. Tunseth confirmed yes.
  - o C. Johnson asked for Kenai's status on the subject. Mr. Tunseth shared that Kenai discussed this 3 months prior and actually turned it down reasoning not wanting to impend upon the robust businesses currently in operation.
- Ken Hughes addressed the contention that the Planning Committee improperly granted a variance. Planning Commission believes that the decision was not erroneous but welcomes additional training with our city lawyer, Mr. Severin. Inquired updates on the last two vacant seats in the Planning Committee. Expressed appreciation for the detailed agenda item under executive session, however, would like the agenda to be sent out earlier.

- Deilah Johnson from Village of Solomon Tribe, advised that Band the Bag campaign launched back in 2018 and relaunched in summer of 2023. Shared 8-10% of the total oil supply is to generate plastic, which equates to 12 million barrels of oil just for the US alone. 11 states have banned plastic bags. Would like Council to consider banding plastic bags in Nome via Ordinance.
- Trinh Johnson shared that while she supports local businesses, she also had concerns regarding the pot shops. She disclosed her own experience of seeing a runner run inside to make a purchase and bring it out to a minor waiting at the bus stop, noting that this was not a onetime occurrence. She intervened to prevent the minor from being given marijuana but questioned how often this is happening when no one is there to see it or to intervene. Also expressed concerns of nepotism in NPD, citing previous lawsuit against the city. Stating that half the police force is related, mentioning familial relationships between officers, dispatch, and now the Executive Assistant to the City Manager. Questioned the hiring process and feels there are no other requirements besides family relations to gain tenure with the PD and City. Inferred that City Hall vacancies are the result of aversion to management. Queried why the coupled PD Officers were scheduled to arrive and leave town at the same time. Declared claims of decline in sexual assault cases are incorrect. Feels victims are not being addressed or followed up on. Reiterated that the City Manager's decisions should represent that of the citizens and not his own. That businesses should be supported not condemned. Noted her application for Planning Commission was ignored and disregarded; requested for better procedures for future applicants.
- Jackie Reader, lead bartender at Nome Grown, addressed marijuana stigma and black market in Nome. Due to stigma many clients are afraid of being seen in a pot shop, thus forcing them to resort to black market purchases. Opined that opening the drive thru would help bring more people to the legal shops resulting in increased sales tax.
- Jana Weltzin, Attorney representing Marijuana and Alcohol companies, noted during the COVID pandemic there were many drive thru shops and there were zero violations through the State Control Board. Explained that many people who utilize drive thru windows are elder or ill, making the trips in and out of the car more hazardous. Reiterated the potential increase of black-market distribution of untested, unregulated, and untaxed marijuana products. Shared that currently there are more than 6,000 marijuana handler card holders within Alaska, likening 6,000 additional jobs. Highly encourage a vote of "nay" on O-24-01-01.
  - o C. Henderson specified that while industry professionals opined the black market is a result of stigma, others would contend the black market is a result of pricing differential. Jana reiterated that while pricing is a factor; the other influence is convenience, citing Amazon and Uber Eats as examples.
- Heather Sinnok, General Manager of Nome Grown, advised that Nome Grown has an ID scanner that identifies the individual, age, birth date, expiration date, as well as how many times they've visited the location. This information is used to indicate if multiple purchases are made in one day or if the individual is on the blacklist. Advised the confiscated vapes at the schools are not the brands sold at Nome Grown. Also shared that many people who have purchased on the black market have pulled away due to the lack of purity in the products and fears of lacing.

### **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.**

A motion was made by C. Henderson and seconded by C. Johnson to adopt O-24-01-01.

Council recessed at 7:59pm for Public Hearing.

- Julie Analook expressed that she didn't mind the usage marijuana but does not like vaping. Shared that marijuana helps with her arthritis and knows many elders who use and need marijuana.
- Trinh Johnson shared that she is required to show her ID every time she enters a liquor store, even as a companion and not purchaser.
- Ken Hughes wished to emphasize the safety aspect of quality control. Shared an article highlighting a recent charge of a massive illegal drug ring that affected surrounding areas such as Savoonga. Expressed that approval or denial of the drive thru would not have any substantial effect on underage acquisition or usage, however, by allowing more access for people to make legal purchase we can hopefully reduce the amount of illegal, and dangerous, purchases. Encouraged a vote of "nay" on the Ordinance.
- Greg Smith shared that delivery was outlawed in state statute since the beginning, thus the only other option to create convenience is a drive thru.
- Jana Weltzin reiterated her previous stance. She wanted to highlight elders and sick individuals benefit from convenience and pure products most.
- Heather Sinnok reiterated the vapes found at the school are not from Nome Grown and they strictly scan all their products. Also stressed the importance of convenience for elders and sick individuals unable to physically come inside the store.
- Jackie Reader also wished to reiterate their previous stance on the subject.
- Ryan Tunseth also reiterated their previous stance on the subject and wish to encourage a vote of "nay."

Council returned from Public Hearing at 8:11pm.

Discussion:

- Manager Steckman wished to recognize that there is currently no mention of drive thru windows in our ordinances but we do have a several drive thru windows installed throughout the years, the most recent installation being during COVID. Noted all the existing windows are in commercial areas. This particular property is located next to a residential multiplex unit. Confirm that the City has indeed been in correspondence with Mr. Smith regarding marijuana and this is a result of the window installation without permit for city code. This was all discussed in executive session when Mr. Smith threatened to sue the city. Manager Steckman also thanked Mr. Smith for the tour of his facilities and was thoroughly impressed with the operation. Also clarified that clients must place orders online prior to pick up as an extra security measure applied by Nome Grown.
- Greg Smith confirmed plenty of space for traffic flow. Pointed to the option "pending" on the AMCO form, citing lack of proper communication from the City.
- C. Henderson shared his experience visiting Nome Grown. Appreciated the healthy discussion and viewpoints. Majority of the conversations he's had with constituents have been positive. Inquired about accuracy in determining impairment from someone walking in versus someone sitting in a vehicle.

- Deputy Chief Will Crockett expressed concerns of legal accountability. Would the seller, the buyer, or the user be held accountable for an illegal act committed under the influence of marijuana.
- Mayor Handeland expressed concerns of multiple buyers utilizing shared cab service for pick up. While the window and area by the window is well lit, the interior of the vehicle may not be, thus obscuring proper identification.
- Greg Smith shared there are multiple cameras surrounding the window, one being an infrared camera. Every ID will be scanned. Everything must be purchased prior to pick up via app. There have been zero citations due to marijuana impairment in the state of Alaska. Under state statute there can be no children 7 years or younger in the vehicle. Advised that no cabs would be allowed at the drive thru.
- C. Henderson expressed a need for additional lighting as he felt the only two current light sources are not enough. Also suggested installation of a wheel chair ramp for convenience to elders and wheelchair bound clients.
- C. Johnson expressed appreciation for passion and participation on this discussion. Recognize the convenience the drive thru would provide. Disclosed that through his research found some municipalities have approved and some disapproved drive thru, some have removed marijuana usage altogether. Anchorage and Kenai are the only two Alaskan cities that have addressed this issue and both chose not to allow driver thru. Expressed concern of traffic flow and possible nuisance to residents.
- C. Henderson conveyed apartment owner's concerns of the smell of marijuana, smell of exhaust from idling vehicles, traffic, snow removal, and a possibility of a stop sign be added. Mentioned marijuana license renewal occur every two years and this can and will be a part of that renewal review.
- C. Johnson shared nationwide drive thru as a whole are being denied and banned citing exhaust and effect on climate.

At the roll call:

Aye: C. Johnson

Nay: C. Tapqaq; C. Miller; C. Henderson; C. Martinson

Abstain:

The motion **FAILED**.

### **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

Amended to be reviewed after Executive Session.

- B. R-24-01-10 A Resolution Awarding the Contract for the Heating and Ventilation System Upgrade Project for City Hall to Sturgeon Electric

A motion was made by C. Martinson and seconded by C. Henderson to adopt R-24-01-10.

- Manager advised that the city will utilize the ARPA funds as there is an expiration date and cannot be used for the HVAC for the Recreation Center.

At the roll call:

Aye: C. Miller; C. Henderson; C. Johnson; C. Martinson; C. Tapqaq

Nay:

Abstain:

The motion **CARRIED**.

### **UTILITY MANAGER'S REPORT**

- A. Activity Report: January 6, 2024 to January 26, 2024
- Mayor Handeland advised NSEDC will be funding an energy subsidy with a goal of getting it out to the public earlier this year. The Community Benefits Department will be present at City Hall February 5<sup>th</sup> and 6<sup>th</sup> to assist anyone with in person applications. Amanda Patrick from NSEDC is also available for assistance. Applications are available at the Utilities Office.
    - o Manager Steckman advised that the public can also stop by City Hall and staff will assist as well.

### **CITY MANAGER'S REPORT**

- A. Manager's Activity Report: January 6, 2024 to January 19, 2024
- B. Manager's Activity Report: January 20 to January 26, 2024
- Manager Steckman advised the finance report will be provided in the next meeting.
  - The swimming pool is filled and warming up, however, the pool will not be open until end of February due to final certification from manufacturers. Noted by handfeeding a commercially operated pool we have been violating the law.
  - In regards to vaping Manager Steckman shared Nome Grown nicotine products are securely stored to prevent underage acquisition. One of the shops does not sell nicotine products and was unable to reach the third shop. Nome/Teller AC store does sell nicotine vaping devices but not Hanson's.
  - C. Henderson inquired about aviation personal property tax issues. Manager Steckman advised this would be on the February 12<sup>th</sup> meeting agenda.
  - C. Miller questioned how we conduct public relations, specifically community updates for the pool. Manager Steckman advised that although each Department Head handles their own community updates, he provides updates every two weeks in the Manager's report and the media also report on the meetings. However, Manager noted he will work on ways to better disburse information to the public.
  - C. Henderson inquired about NEST. Now that HomePlate has been in operation for a few months, have there been any improvement on emergency calls and effects on Front Street.
    - o Manager Steckman informed that as of a few weeks ago there were only 4 residents at HomePlate due to staffing concerns. Manager has been addressing hours of operations between the Day Shelter and NEST to ensure there is overlap.
    - o Deputy Chief Will Crockett confirmed a decrease in calls from Front Street.
  - Manager Steckman scheduled a meeting with Board of Directors at NSHC to discuss sexual assault cases, housing for sexual assault victims, and possibilities to increase prosecutions. Three years ago, there were 120 open cases, we are down to 41 cases with 2 active cases currently.
    - o Deputy Chief Will Crockett also addressed earlier public statement of victims not being supported. Stated every report of sexual assault is investigated, however, the cases are victim centered and can only move forward if the victim wishes to do so. If a victim declines to pursue the case, PD will not harass the victim but will continue to provide support and resources through

- victim's advocacy. The statute of limitation for many sexual assault cases are indefinite. Often times victims wish to remain anonymous but will agree to a sexual assault kit via the hospital. Even if a victim wishes to not move forward at the time of assault, the kit is still submitted to the crime lab for testing to get a complete case built up in the chance that the victim will come forward in the future.
- C. Johnson clarified the specific case referenced by Mrs. Trinh Johnson stating a 15-year-old assault victim made a report with a police officer who then went on their two weeks leave and upon their return to work did not follow up with the victim. Additionally, during the time gap the perpetrator also assaulted a 12-year-old in the same household. The mother of the victims chose not to press charges. C. Johnson expressed concerns that minors are being abused by adults and yet the adults are the ones given the choice to press charges.
  - Deputy Chief Crockett clarified that detective investigations are only handled by full time local staff to prevent these concerns, however, in this particular example the victims did not want to speak up against their assailant. Deputy Chief explained that a lot of damage can be done if police take it upon themselves to investigate without full cooperation from the victim. Unauthorized actions may alert the suspect, placing the victim in further harm. Any victim that make a report will be contacted by our Victim's Advocate regardless of stance on pursuit of changers.
  - C. Miller inquired if the Victim's Advocate is part of NPD, how trauma trained investigators are, and if the training is region focused to include local cultures.
  - Deputy Chief confirmed the Victim's Advocate, Sharon Sparks, is part of NPD. Added that our current investigator was chosen specifically due to his high sense of empathy. He has been trained and continues to acquire further training. Deputy Chief shared that Sharon is of Native ancestry and from this region. PD looks to Sharon for guidance through her experiences on how the agency moves forward. Shared that every police officer is trained on understanding trauma. He is looking to invest further into the victim's advocacy program and expand it in the near future.
- C. Johnson shared that he spoke to the new owners of the Nugget Inn. Opined that previous owners had been operating under the same conditions without any issues. While we want everyone to be compliant to codes, would like the City to recognize the new owners are trying to fill a much-needed void in Nome and to work with them.
- Mayor Handeland clarified that delays are due to miscommunication between their architect and the State, not the owners and the City. The new owners were very complimentary of both Cliff and Glenn for their efforts throughout this process.
  - Manager Steckman explained in order to reopen they not only need to be compliant with the City and State but also FEMA. He and Cliff have met with them on multiple occasions to provide guidance.

- C. November 16, 2023 Nome Port Commission Regular Meeting Minutes
- D. Port Monthly Update - January 2024
- E. Public Works FY24 2Q Report
- F. Carrie M. McClain Memorial Museum FY24 2Q Report
- G. City Building Inspector FY24 2Q Report
- H. Kegoayah Kozga Library FY24 2Q Report
- I. Police Department FY24 2Q Report

**CITIZEN'S COMMENTS**

- Ken Hughes inquired about the carbon footprint of the new thicker bags being offered at Hanson's and AC's and looks forward to Council's discussion and decision on the matter of banding plastic bags.

**COUNCIL MEMBER'S COMMENTS**

- Council Member Henderson wanted to thank NSEDC for the energy subsidy. Thanked Mayor Handeland and Port Director Baker for their efforts for the Port signing. Noted the passing of Howard Farley and suggested to name the port after Howard Farley.
- Council Member Johnson congratulated Joy and John for almost a decade of work to get the port project approved. With the development of the port, suggested the City should look into creating an Economic Development position to assist with future planning.
- Council Member Martinson: No comments.
- Council Member Tapqaq: No comments.
- Council Member Miller inquired about a strategic plan. Thanked all the community members who came out. Requested more professional language while interacting with community members.
  - o Manager Steckman advised that the City has a comprehensive plan that is part of the strategic plan, however has been outdated since 2020. Is looking to include this in the budget for next year.

**MAYOR'S COMMENTS AND REPORT**

- A. Activity Report: January 6, 2024 to January 26, 2024
  - Thanked C. Henderson and C. Johnson for coming to the port signing.
  - Thanked everyone who attended the port meetings last week.
  - Nome Eskimo Community has a Long-Range Transportation Plan Community Meeting on Feb 8<sup>th</sup> for future roads and projects and expansion of transportation infrastructure in the Nome area.
  - Noted Howard Farley's passing. Acknowledged his contribution to Iditarod and Nome.
  - Also noted the passing of Martina Little.



- Will be requesting the appointment for the two vacant seats in Planning Commission at next meeting.

**EXECUTIVE SESSION**

- A. 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.

A Motion was made by C. Henderson and seconded by C. Johnson to enter into Executive Session to discuss Contractual and Personnel Matters the Immediate Knowledge of Which Could Have Adverse Effects on City of Nome Finances. Encompassing discussion on Police Chief Candidate, NSHC Contract, and update on Real Property Tax Dispute with NSHC.

The Council entered executive session at 9:27pm.  
The Council came out of executive session at X.

**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

**ADJOURNMENT**

Hearing no objections, the Council adjourned.

**APPROVED and SIGNED April 22<sup>nd</sup>, 2024**

\_\_\_\_\_  
**JOHN K. HANDELAND**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**DAN GRIMMER**  
**City Clerk**