

City of Elko)
County of Elko)
State of Nevada)

SS January 13, 2015

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, January 13, 2015.

This meeting was called to order by Mayor Chris Johnson.

NOTE: The order of the Agenda has been changed to reflect the order business was conducted.

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
Councilwoman Mandy Simons
Councilman Robert Schmidlein

Council Absent: Councilman Reece Keener

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Ryan Limberg, Utilities Director
Dawn Stout, Administrative Services Director
Shanell Owen, City Clerk
Rick Magness, City Planner
James Wiley, Parks and Recreation Director
Doug Gailey, Human Resources Manager
Dennis Strickland, Public Works Director
Mark Gibbs, Airport Director
Jeremy Draper, Development Manager
Dave Stanton, City Attorney
Josh Carson, Fire Marshal
Ben Reed Jr., Police Chief
Ted Schnoor, Building Official
Dennis Price II, Street Superintendent
Diann Byington, Recording Secretary

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

APPROVAL OF MINUTES: December 9, 2014 Regular Meeting

The minutes were approved by general consent.

I. PERSONNEL

A. Employee Introductions:

- 1.) Jeremy Rekwart, Equipment Operator I, Street Department

Present and introduced.

IV. NEW BUSINESS

- E. Review, consideration, and possible approval to appoint Mr. Joshua Patrick Brown to serve as a board member to the Arts and Culture Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Joshua Patrick Brown submitted a letter of interest to serve on the Arts and Culture Advisory Board. Currently, there is one vacant position open. CC

Councilman Rice spoke in favor of Mr. Joshua Patrick Brown joining the Arts and Culture Advisory Board.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve the appointment of Joshua Patrick Brown to the Arts and Culture Advisory Board.**

The motion passed unanimously. (4-0)

- G. Review, consideration, and possible approval to appoint Mr. John Collett to the California Trail Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. John Collett submitted a letter of interest to serve on the California Trail Advisory Board. Currently, there is one vacant seat. CC

Curtis Calder, City Manager, said Mr. Collett was here earlier. This position has been vacant for well over a year. He recommended Mr. Collett for the vacancy and felt he would be a good fit.

**** A motion was made by Mayor Johnson, seconded by Councilwoman Simons, to appoint John Collett to the California Trail Advisory Board.**

The motion passed unanimously. (4-0)

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Ratification of the Police Chief issuing a 30-day temporary retail liquor license and issue a regular retail liquor license to Dean S. Vavak and Lori K. Vavak, dba Double Dice RV Park Bar & Grill, located at 3730 E. Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Chief Reed said the Vavaks were present. This is a long time established business. They are taking the business over effective March 1. There was a slight change to the agenda; we did not issue a temporary liquor license but we are issuing a regular license effective March 1. We have had no issue with the liquor license at the establishment. He recommended issuance of a license.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to accept the Chief's recommendation that we issue a regular retail liquor license to Dean S. Vavak and Lori K. Vavak dba Double Dice RV Park Bar & Grill, located at 3730 E. Idaho Street in Elko, effective March 1, 2015.**

The motion passed unanimously. (4-0)

I. PERSONNEL (Cont.)

- B. Review, consideration, and possible adoption of Personal Appearance Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Personal Appearance Policy is a revised policy and has been formatted consistent with POOL/PACT HR recommendations. DG

Doug Gailey, Human Resource Manager, explained these policies are kind of a boiler plate and we take them from the POOL/PACT. We missed one section that doesn't quite match our culture. In Section 2, where it says, "blue jeans, t-shirts, sweatshirts and leggings are not appropriate for office dress," we would like to redact that. He didn't realize that when he was doing that the ladies in the front office wear jeans and they usually look nice and professional. In Elko, if you wear dark jeans those are actually dress pants.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to adopt the Personal Appearance Policy with the revisions.**

The motion passed unanimously. (4-0)

- C. Review, consideration, and possible adoption of Reporting Convictions Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Reporting Convictions Policy is a new policy and has been formatted consistent with POOL/PACT HR recommendations. DG

Mr. Gailey explained this is a new policy to help us follow-up and see if a conviction will impact an employee's job.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to adopt the Reporting Convictions Policy as presented.**

The motion passed unanimously. (4-0)

- D. Review, consideration, and possible adoption of Children and Animals in the Workplace Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Children and Animals in the Workplace Policy is a new policy and has been formatted consistent with POOL/PACT HR recommendations. DG

Mr. Gailey asked that this item be tabled.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to table this to a further date.**

The motion passed unanimously. (4-0)

- E. Review, consideration, and possible adoption of Whistleblower Protection Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Whistleblower Protection Policy is a new policy and has been formatted consistent with POOL/PACT HR recommendations. DG

Mr. Gailey explained this policy is required under NRS 281.611. We don't currently have this policy.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve the Whistleblower Protection Policy.**

The motion passed unanimously. (4-0)

- F. Review, consideration, and possible adoption of Telecommuting Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Telecommuting Policy is a new policy and has been formatted consistent with POOL/PACT HR recommendations. DG

Mr. Gailey said this is a new policy and is one of the hottest things with HR related issues. We don't currently have this in place. It can be a reasonable accommodation if needed.

Councilman Rice asked if this could be for an employee that needs to be home.

Mr. Gailey answered some positions (such as IT) can do their work from home. Some people can't but this can be an option for those that do not need to be there for the public.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to adopt the Telecommuting Policy as presented.**

The motion passed unanimously. (4-0)

- G. Review, consideration, and possible adoption of Chain of Command Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Chain of Command Policy is a revised policy and has been formatted consistent with POOL/PACT HR recommendations. DG

Mr. Gailey explained this is a straight-forward policy that encourages people to follow their established chains of command.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve the Chain of Command Policy as presented.**

The motion passed unanimously. (4-0)

- H. Review, consideration, and possible adoption of Vehicle Operators Drug and Alcohol Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Vehicle Operators Drug and Alcohol Policy is a revised policy and has been formatted consistent with POOL/PACT HR recommendations. DG

Mr. Gailey explained this is an extremely long policy. It covers NDOT drug testing. We do currently have a policy but this gives us some minor updates and reformatting.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve the Vehicle Operators Drug and Alcohol Policy.**

The motion passed unanimously. (4-0)

- I. Appointment on one (1) member of the City Council to the Elko County Regional Transportation Commission, and matters related thereto. **FOR POSSIBLE ACTION**

Mayor Johnson recommended Councilman Rice.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to appoint Councilman Rice to the Regional Transportation Commission.**

The motion passed unanimously. (4-0)

- J. Appointment of one (1) member of the City Council to the Northeastern Nevada Regional Development Authority, and matters related thereto. **FOR POSSIBLE ACTION**

Mayor Johnson recommended Councilman Rice.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to approve Councilman Rice to the NNRDA.**

The motion passed unanimously. (4-0)

- K. Appointment of one (1) member of the City Council to the Elko County Debt Management Commission, and matters related thereto. **FOR POSSIBLE ACTION**

Mayor Johnson recommended Councilman Schmidlein.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to appoint Councilman Schmidlein to the Elko Debt Management Commission.**

The motion passed unanimously. (4-0)

- L. Appointment of one (1) member of the City Council to the Elko Convention and Visitor's Authority, and matters related thereto. **FOR POSSIBLE ACTION**

Mayor Johnson recommended Councilman Rice.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to appoint Councilman Rice to the ECVA.**

The motion passed unanimously. (4-0)

- M. Mayoral designation of City Council members to specific "Liaison" positions within the City of Elko. **NO ACTION BY THE COUNCIL REQUIRED**

With the completion of the 2014 Municipal Election, the Elko City Charter authorizes the Mayoral designation of City Council members to the following "Liaison" positions:

1. Police Department Liaison
2. Street Department Liaison
3. Waterworks and Sewer Liaison
4. Fire Department Liaison
5. Airport and Public Property Liaison
6. Parks/Recreation Department Liaison
7. ECVA Liaison (Board Member)
8. Elko County Water Planning Commission Liaison
9. Elko County Fair Board Liaison
10. Recreation Board Liaison
11. Other Departments Not Listed – SO

Mayor Johnson said most everything will be the same with just a couple of changes:
Airport and Public Property is Councilwoman Simons;
Fair Board will be left open at this time because there isn't really a spot for a councilman;

Second on Airport will be Councilman Keener;
Fire Liaison first will be Councilman Schmidlein and second will be Councilman Keener;
Parks first will be Councilman Keener and second will be Councilwoman Simons;
Police first will be Mayor Johnson and second will be Councilman Rice;
Streets first will be Councilwoman Simons and second will be Mayor Johnson;
Building Department first will be Councilwoman Simons and second will be Councilman Keener;
Water and Sewer first will be Councilman Keener and second will be Councilman Schmidlein;
RDA first will be Councilman Schmidlein and second will be Mayor Johnson;
Landfill first will be Councilman Schmidlein and second will be Councilman Keener;
Animal Shelter first will be Councilwoman Simons and second will be Councilman Rice;
County Commission will be changed so that we will just visit outside the meetings;
Centennial Committee will be Councilman Keener; and,
Recreation Board will be everyone but Councilman Rice.

- N. Election of Mayor Pro Tempore, and matters related thereto. **FOR POSSIBLE ACTION**

Mayor Johnson recommended Councilman Rice.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to elect Councilman Rice as the Mayor Pro Tempore for this year.**

The motion passed unanimously. (4-0)

II. APPROPRIATIONS

- C. Review, consideration, and possible approval to authorize Staff to solicit bids for One (1) New Hooklift Mounted Asphalt Patch Body, for the Street Department, and matters related thereto. **FOR POSSIBLE ACTION**

This item has been approved and budgeted for in the Fiscal Year 2014/15 Budget, Capital Equipment Fund. DS

Dennis Strickland, Public Works Director, explained his budget number may be low, by as much as \$15,000 to \$20,000 on this. It can come in as much as \$135,000 to \$140,000. We were \$85,000 under on the loader that we recently purchased so we have enough wiggle room for this purchase. This will be replacing a 25 year old unit that we have. This is a hook lift unit. The old unit may be a good fit for the City of Carlin or Wells. They could get some good use out of it. If not it will go into the auction.

Councilwoman Simons asked if this will be done through state purchasing.

Mr. Strickland answered no. We will have to go out to bid for this.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to authorize staff to solicit bids for One (1) New Hooklift Mounted Asphalt Patch Body for the Street Department.**

The motion passed unanimously. (4-0)

- D. Review, consideration, and possible award of a 5 Year Aviation Planning Services Contract at the Elko Regional Airport to Jviation, Inc., and matters related thereto. **FOR POSSIBLE ACTION**

On November 10, 2014, Council allowed the airport to enter into negotiations with Jviation, Inc. who was the highest ranking qualified firm to provide aviation planning services at the airport. On September 9, 2014 Council, granted permission to apply for a FAA Grant to complete an Airport Master Plan Update. The Federal Aviation Administration has requested that Elko Regional Airport complete an Airport Master Plan with Airport GIS survey in 2015. This AIP eligible planning project is scheduled for the FY 2015 Federal grant cycle as AIP Grant 3-32-005-45. The Scope of Work for the Airport Master Plan was negotiated and an Independent Fee Estimate (IFE) for the Master Plan completed by Rood & Associates. The Master Plan was estimated by Jviation to cost \$483,701. The Independent Fee Estimate provided an estimate for the same scope of services at \$523,083 which was 108.14% of the Jviation's planning estimate. Since both estimates are within 10% of each other and Jviation's cost of services is below the IFE, the Federal Aviation Administration will accept the fees proposed by Jviation for AIP grant 45.

The airport respectfully asks that Jviation be awarded a Five Year Planning Contract that is contingent upon Federal AIP funding at 93.75% and airport need. Each future planning project will be taken before Council for consideration prior to any contractual obligations. MG

Councilman Schmidlein asked if there was any current data that has been established that the consultant can reuse in the current planning.

Mr. Gibbs said there is a mountain of current data that they will be provided to the consultant when they are doing the Master Plan effort. They had tried to avoid a Master Plan effort by doing an Airport Layout Plan Update. All the forecasts and discussions of future planning that went into changing the Airport Layout Plan has all been done. That will be provided to the consultant. We are also leveraging the Federal dollars to do a lot more. They will be doing a model zoning ordinance for the Planning Department that would typically cost the city money to do.

Councilman Schmidlein asked if this fee was a little high.

Mr. Gibbs answered that Master Plans are terribly expensive to begin with. He doesn't feel the fee is high but that is why they do an Independent Fee Estimate by a company that has no shirt in the game. They even bid it as a higher cost. He wanted to avoid doing a Master Plan but he had no choice in the matter since the FAA is requiring it.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to award Jviation Inc. a Five Year Contract for Planning Services at the Elko Regional Airport.**

The motion passed. (3-1 Councilman Schmidlein voted no.)

- E. Review, consideration, and possible approval for the Elko Police Department to enter into a Memorandum of Understanding (MOU) agreement, for the School Resource Officer Program, with the Elko County School District and the Elko County Sheriff's Office and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department and the Elko County Sheriff's Office received government grant funds to implement the School Resource Officer program. It is a requirement of the grant to have a Memorandum of Understanding in place prior to utilizing these funds. The Memorandum of Understanding has been reviewed by the City Attorney's Office, the Elko Police Department, the Elko County Sheriff's Office, and the Elko County School District. All parties are in agreement of the conditions set for the MOU agreement. BR

Chief Reed explained this is required. They have been working on this for several months. The City Attorney, Mr. Stanton, has been working hard to consolidate comments from everyone. The county passed this at the Commissioners Meeting last week. The School District is hearing this tonight. In trying to get all three entities and meet all the requirements for the grant, we tried to walk that delicate balance to state how the money will be handled and what the duties will be, etc. He is happy with the agreement. It will be revised as we move forward. The officers have been in place for about 2 weeks. They are off and running. On their first day they did more before noon than patrol officers do in a week. He gets a daily report. The MOU is the housekeeping to make it all work.

Dave Stanton, City Attorney, mentioned assuming someone makes a motion, use the title on the document rather than a Memorandum Of Understanding.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to recommend approval for the Elko Police Department to enter into a School Resource Officer Cooperative Agreement between the Elko County School District, the County of Elko and the City of Elko.**

The motion passed unanimously. (4-0)

III. SUBDIVISIONS

- A. Review, consideration, and possible acceptance of public improvements for Copper Trails Unit 1, and matters related thereto. **FOR POSSIBLE ACTION**

Council approved the Final Map on July 24, 2012, an Agreement to Install Public Improvements and a Performance Guarantee was entered into on April 22, 2014.

The Developer has substantially completed the public improvements in accordance with the approved plans. The City is in receipt of the required certification of the project by the Engineer of Record. The Developer has filed a cash deposit with the City in the amount of \$22,312.80 for a 12 month maintenance period. JD

Jeremy Draper, Development Manager, explained this subdivision is located off Copper Street along North 5th Street. It is 5 lots plus two remainders.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to accept Copper Trails Unit 1 Subdivision public improvements.**

The motion passed unanimously. (4-0)

IV. NEW BUSINESS (Cont.)

- A. Consideration and possible appointment to fill a vacant position on the Airport Advisory Board by appointing Mr. Steve Christean or Mr. Andrew Boyd, and matters related thereto. **FOR POSSIBLE ACTION**

On June 30, 2014 Art Moses appointment ended and Mr. Moses would like to retired from the Airport Advisory Board. The Airport Advisory Board advertised the vacancy after permission was granted by Council. Mr. Steve Christean and Mr. Andrew Boyd have provided an email volunteering to become an Airport Advisory Board member. With no other candidates expressing an interested in the vacant position, the Airport Director recommends Council to appoint either Mr. Christean or Mr. Boyd as a new Airport Advisory Board member for Elko Regional Airport. MG

Mark Gibbs, Airport Director, explained he doesn't know Mr. Boyd but he does know Mr. Christean. It is the pleasure of the council.

Councilwoman Simons said she doesn't know either candidate but Mr. Boyd talked about his experience as a pilot and a veteran in his correspondence. That experience may help. Mr. Christean didn't mention any experience with flying or airports. Her thought was Mr. Boyd would be the best choice.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein; appoint Mr. Andrew Boyd to the Airport Advisory Board.**

The motion passed unanimously. (4-0)

- B. Consideration and possible acceptance for a \$10,000 Nevada Commission on Tourism Marketing Grant on behalf of Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

Council authorized Elko Regional Airport to apply for a Nevada Commission on Tourism Marketing Grant to advertise using SkyWest to visit Elko. The market focus is the Wasatch Front in Utah. The Elko Convention and Visitors Convention Authority is participating with a \$5,000 match. Elko Regional Airport is also contributing a \$5,000 match. The total marketing grant is \$20,000. MG

Mr. Gibbs said this is the first time we have been awarded this grant. We are very excited about it. The last time the Airport was partnered with SkyWest to do any advertising for Elko was in 2002. SkyWest is ecstatic and grateful we applied for and got this grant.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to accept the Nevada Commission on Tourism Marketing Grant in the amount of \$10,000.**

The motion passed unanimously. (4-0)

- C. Ratification of Staff's action to renew the Nevada Deferred Compensation Interlocal Contract between Public Agencies to be able to continue to participate in the Nevada Public Employees' Deferred Compensation Program effective January 1, 2015, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko participates in the Nevada Public Employees' Deferred Compensation Program. The State recently awarded the contract for recordkeeper services to a single vendor, Voya Financial (formerly ING). With the transition to the new vendor, the Nevada Deferred Compensation Program is required to renew all of its Interlocal Contract/Agreements currently executed. As we received the renewal contract after the last Council meeting, staff signed the renewal to keep it in effect. DS

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to ratify staff's action to renew the Nevada Deferred Compensation Interlocal Contract.**

The motion passed unanimously. (4-0)

- D. Review and possible approval of the "Consent to Assignment and Assumption of Non-Exclusive License Agreement," thereby assigning, transferring, and setting over all rights under the Non-Exclusive License Agreement between the City of Elko and Elizabeth Younger Agency to Lamar Advertising Southwest, and matters related thereto. **FOR POSSIBLE ACTION**

Elizabeth Younger Agency Ltd. who provides airport advertising services for Elko Regional Airport was recently acquired by Lamar Advertising Southwest, Inc. The current staff at the Younger Agency who provides advertising services for the airport will continue to provide us with advertising support services under Lamar Advertising Southwest. The assumption of the airport advertising contract by Lamar Advertising Southwest will continue through April 1, 2016. Lamar is the nation's largest outdoor advertising firm. MG

Mr. Gibbs explained it is Lamar Transit and not Lamar Advertising Southwest. A different sub company of Lamar has purchased the Younger Agency. It is written in the contract language in the packet.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to allow the assignment of the Airport Advertising Services Contract to Lamar Transit from the Elizabeth Younger Agency.**

The motion died.

After the motion, Councilman Rice said his copy of the agreement said Lamar Advertising Southwest and he didn't see Lamar Transit.

Mr. Gibbs said he had turned in a corrected contract but he will follow-up and make sure the right contract gets signed.

Councilwoman Simons asked if they could move forward with this item or if they needed to table it.

Mr. Calder felt they could move forward but note the name change.

Councilwoman Simons added to her motion, **“upon receipt of the new form.”** Councilman Rice said his second stood with the revisions.

Mayor Johnson confirmed with Dave Stanton, City Attorney, that they can move forward with the change.

Mr. Stanton said he did not see a reference to Lamar Transit and had not heard the name. What is the relationship between of the two entities?

Mr. Gibbs answered they are both subsidiaries of the Lamar Advertising Group.

Mr. Stanton said they are two different legal entities. He would prefer to table this item. This had not been agenda'd properly.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to table this item.**

The motion passed unanimously. (4-0)

- F. Review, consideration, and possible approval of a renewed Water Rights Priority Agreement with Bruce and Sidnie Miller, and Bar L Ranch, and matters related thereto. **FOR POSSIBLE ACTION**

The Water Rights Priority Agreement involves secondary (reuse) water rights. A portion of these secondary water rights are in the City's name and a portion of the water rights are in the name of Bruce and Sidnie Miller, or Dorothy Young. The City previously had an agreement with the Millers and Bar L Ranch that expired in 2014. The new water rights agreement includes newly acquired secondary (reuse) water rights permits. RL

Ryan Limberg, Utilities Director, explained in the packet is the old agreement and the new agreement. He gave background information on the item. The Millers are in support with this. This agreement is for our treated waste water. The original document was done in 2004. It listed

some priorities. There are only two substantive changes in the document. There is a new first in the priority, Permit No. 48840S10. There was also a correction to the limits that can be used by Dorothy Young.

Mayor Johnson asked about the available capacity for the City of Elko to use the water parks or other city properties.

Mr. Limberg answered we have 2800 acre feet. At build out, if we were using all of our water rights, we would have half of that according to the treatment plant. That 2800 feet is permitted currently but part of it is for storage and part is for use. There isn't a surplus at this time for people to file on to get additional secondary water rights because we have that tied up in the uses and permits.

Mayor Johnson asked if the city uses the effluent water more would they have to do to modify this agreement or is there plenty of room for the city's use.

Mr. Limberg answered we could do that and permit S10 is something we recently applied for. We just received it in the last couple of years. It is for irrigation use. If we wanted to do that again next year on a different permit we could do that.

Mayor Johnson noted there is 2800 acre feet available. How much is going to the Miller's and Dorothy Young.

Mr. Limberg answered Dorothy Young has 318 acre feet and 92 additional acre feet. The Millers have 513. That leaves the city with roughly 1800.

Mayor Johnson wanted to make sure the city could water all the parks and the golf course.

Mr. Limberg answered we have to keep in mind the order of usage. We have first priority for 646,000 gallons a day. Then we have second priority for 1,500,000 gallons per day. Right now the golf course uses 800,000 gallons a day in the summer. The third priority is the Millers for 1,800,000 gallons a day. We couldn't use 5,000,000 gallons a day before the Millers got to use any. They have their priority and then it comes back to the city again and then back to the Millers.

Mayor Johnson asked how much room is there on the first water right for the City of Elko. Will there be plenty of water to water the parks?

Mr. Limberg believed there would be enough. This agreement will be in place for 10 years. We have storage reservoirs for use in the summer too.

Mayor Johnson asked if there is an obligation for the city to provide water.

Mr. Limberg answered the Miller's and Young have permits in their own names. Supplying water has never been a problem. We usually have a surplus because we have been able to reduce the usage.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve the Water Rights Priority Agreement with Bruce and Sidnie Miller and the Bar L Ranch.**

The motion passed unanimously. (4-0)

H. Review, consideration and possible action to add a parcel commonly known as the Humboldt River corridor, APN 001-01R-001, to the City of Elko Land Inventory, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered this item on January 6, 2015 and took action to forward a recommendation to Council to include the parcel in the City Land Inventory. RM

Rick Magness, City Planner, explained this is cleaning up zoning that is out there right now. This area was given to the city via a Quit Claim Deed. We recently discovered that there is some industrial zoning and some residential zoning in the area.

Councilman Schmidlein asked if that runs along the river.

Mr. Magness answered it does run along the river. He asked Mr. Draper to indicate on the overhead screen how the zoning overlays.

Councilman Rice said the agenda item only calls for them to accept it into the land inventory.

Mr. Magness noted that is correct and they will see another item later on. He apologized for skipping ahead.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to add APN: 001-01R-001 to the City of Elko Land Inventory with the property determination of retaining it for the Humboldt River Corridor and related park uses and the APN number refers to a parcel of land commonly known as the Humboldt River Corridor.**

The motion passed unanimously. (4-0)

After the motion and before the vote, Mayor Johnson said he remembers Delmo Andreozzi talking about this. This was an unknown land previously and it turns out that the City owns it.

Jeremy Draper, Development Manager, added that they have done some research and found that this was granted to us at the end of Project Lifesaver through the Nevada Department of Transportation. They got it from the Federal Government through the same project.

Mayor Johnson asked about the end of the HARP trail.

Mr. Draper noted we can develop the HARP trail to Errecart without having to receive an easement from the adjacent private land owner.

Councilman Rice talked about the city acquiring the property next to that.

Mr. Draper said the property is currently land-locked without legal access to it. In order for that to happen, Front Street would have to be extended. This is all in the FEMA flood plain so development would require additional dirt work and CLOMR and LOMR.

Mr. Calder explained further about who owns the property and how the city tried to purchase the property some years ago.

Council voted on the motion.

- I. Review, consideration, and possible action to accept the 2015 Planning Commission Work Program, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered a draft 2015 Work Program at their regular meeting of January 6, 2015. They took action to approve the Work Program with a minor modification, as presented, and forward it to Council for approval. RM

Mr. Magness explained in the packet is the work plan for the Planning Commission. The Planning Commission felt this was achievable.

Councilwoman Simons asked about the Downtown Corridor Project not having any dates.

Mr. Magness said they have just started this project so the dates will be filled in later on.

Councilwoman Simons asked about the re-addressing project.

Mr. Draper said that project can be ongoing for several years. We are making progress but it is slow.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to accept the 2015 Planning Commission Work Program.**

The motion passed unanimously. (4-0)

V. PETITIONS, APPEALS, AND COMMUNICATIONS (Cont.)

- B. Review, consideration, and possible action to accept a petition for annexation of property to the city, filed and processed as Annexation No. 3-14 by N.A. Degerstrom, consisting of ± 11.985 acres of property to include a portion of the I-80 right-of-way located approximately 2,700 feet northeast of the intersection of East Idaho Street and Manzanita Lane, and matters related thereto. **FOR POSSIBLE ACTION**

Jeremy Draper, Development Manager, indicated the parcel on the overhead. Part of this parcel had already been annexed into the city. This will bring the other half of the parcel into the city. There is a memo in the packet. He recommended this be forwarded to Planning Commission for further vetting.

Mayor Johnson asked about the adjoining properties and Mr. Draper used the overhead screen to answer. (Ruby Dome, Ally Bear and an RV Park)

Councilman Schmidlein asked if the subject property has concrete and other waste on it.

Mr. Draper answered Degerstrom would like to use this as their laydown yard for their construction company. Recommended zoning would be LI. Even though this shows up as two parcels on the map, legally it is only one parcel. We annexed half of it some years ago.

Councilman Schmidlein speculated that the annexation was done because the city needed it for the Right-of-Way for the water main coming through there.

Mr. Limberg didn't think it was annexed for the water main. The water main actually goes on the I80 side. The well is further north.

Mr. Draper noted this was annexed in 1998.

Scott Wilkinson, Assistant City Manager, didn't think there was a logical reason to do the annexation in the past. Now the parcel has multiple jurisdictions on it. How do you develop under two different jurisdictions? This will clean up the issue the best we can. It is somewhat isolated on the east end of town.

Mayor Johnson felt this was okay conceptually. The property would have city water but would be on a septic tank.

Mr. Wilkinson thought we may want to make a recommendation for zoning.

Mr. Draper said the recommendation is that this move forward to Planning Commission for a recommendation from them.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to accept the petition for annexation of property to the City as Annexation No. 3-14 by N.A. Degerstrom, consisting of approximately 11.985 acres of property to include a portion of the I80 Right-of-Way, located approximately 2700 feet NE of the intersection of East Idaho and Manzanita Lane and that we forward to the Planning Commission and suggest to the Planning Commission a zoning designation of Light Industrial (LI) be considered.**

The motion passed unanimously. (4-0)

After the motion and before the vote, Councilman Schmidlein noted Ruby Dome is next to it. That will be county?

Mr. Draper answered yes. There is a city parcel, county and then city.

Councilman Rice asked about a county island.

Councilwoman Simons asked if it will be fully surrounded.

Mr. Draper answered technically no. It will still have a small piece that connects to the county.

Mr. Wilkinson said technically we have city islands out there.

There was discussion about bringing water into the city as part of an annexation. If there is a domestic well on the subject property that water right would typically go back to the state rather than the city.

Council voted on the motion.

VI. REPORTS

- A. Mayor and City Council
- B. City Manager
Curtis Calder reported on the scheduled Local Government Summit (a joint meeting with the Nevada League of Cities) that will be held on Friday the 23rd in Henderson. He will be driving down there and attending.
- C. Assistant City Manager
Scott Wilkinson reported the warming shelter was activated December 30, 31 and January 1. FISH and Red Cross came together and made that happen.
- D. Utilities Director
- E. Public Works
Dennis Strickland reported the Errecart signal is going up. The repairs have been made on the Idaho Street signals by the original contractor at no charge to the city.
- F. Airport Director
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
Shanell Owen reported that Joshua Tree rescinded their CDBG grant application at the last minute.
- K. City Planner
Rick Magness reported on a rezone from GI/Residential to PQP for the Humboldt River Corridor (included in the packet).
- L. Development Manager
Jeremy Draper reported the Police Station project is out to bid and the Pre-Bid meeting is next week.
- M. Administrative Services Director-Sales Tax Report
Dawn Stout reported on the Sales Tax Revenues from October.
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

II. APPROPRIATIONS (Cont.)

- A. Review and possible approval and/or ratification of Warrants. **FOR POSSIBLE ACTION**

Councilman Schmidlein asked about Jordanelle 3rd Mortgage, he assumed that is a deposit being returned. (yes) Under the Fire Department there is a Millennium Trailer 28 ft. bumper pull. What is that?

Dawn Stout, Administrative Services Director, answered that was part of their budgeted item that they had in the Capital Equipment Fund and it was previously approved through that process.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to approve all warrants, including Print 'N Copy warrants.**

The motion passed unanimously. (4-0)

B. Review and possible approval and/or ratification of Print 'N Copy Warrants.
FOR POSSIBLE ACTION

See the item above for action taken.

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

There being no further business, Mayor Chris Johnson adjourned the meeting.

Mayor Chris Johnson

Shanell Owen, City Clerk