

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

SS April 7, 2020

The City Council of the City of Elko, State of Nevada met for a special meeting beginning at 4:00 p.m., Tuesday, April 7, 2020. Due to the COVID-19 pandemic the meeting was held via GoTo Webinar.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons
Councilman Robert Schmidlein
Councilman Chip Stone
Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Dale Johnson, Utilities Director
Kelly Wooldridge, City Clerk
Candi Quilici, Accounting Manager
Jan Baum, Financial Services Director
Mike Haddenham, WRF Superintendent
Dennis Strickland, Public Works Director
Bob Thibault, Civil Engineer
James Wiley, Parks and Recreation Director
Cathy Laughlin, City Planner
Jim Foster, Airport Manager
Matt Griego, Fire Chief
Dave Stanton, City Attorney
Ty Trouten, Police Chief

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. Comments may be made through

GoToWebinar.com or by emailing kwooldridge@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

Mr. Chris Johnson 123 Woods Court stated he was interested to see how the Goto Webinar worked and he feels this is a great way to go and appreciates the opportunity for the public to participate.

Mayor Reece Keener did a public service announcement reminding everyone to follow the CDC protocols and use social distancing, eliminate the number of trips you take each day and just do what is absolutely necessary.

Mayor Keener noted the agenda for this meeting of the City of Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can view the virtual meeting on a computer, laptop, tablet or smart phone. The agenda was also posted at www.elkocity.com under government/agenda.

APPROVAL OF MINUTES: March 10, 2020 Regular Session

**** A motion was made by Councilman Chip Stone, seconded by Councilman Robert Schmidlein, to approve the minutes of March 10, 2020.**

The motion passed unanimously. (5-0)

I. PRESENTATIONS

- A. Review, discussion, and possible adoption of the 2020 Street Inventory and the 2020 Construction Season Project List, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff conducted a street inventory in February. The purpose of this annual survey is to evaluate current road conditions and to recommend a list of maintenance projects for the upcoming construction season. Please find enclosed for your review, in the supplemental agenda information, City Staff's 2020 Street Inventory, and recommendations for the 2020 Construction Season Project List. DS

Dennis Strickland, Public Works Director, presented the Street Inventory power point document.

Mayor Reece Keener called for public comment without a response.

**** A motion was made by Councilman Robert Schmidlein, seconded by Councilwoman Mandy Simons, to adopt the 2020 street inventory and the 2020 construction season project list.**

The motion passed unanimously. (5-0)

II. PERSONNEL

- A. Review and possible approval of “Administrative Leave with Pay” for full-time employees sent home pursuant to Governor Sisolak’s amended shutdown order, starting April 11, 2020 and until April 30, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

During the March 18, 2020 Emergency Meeting, the City Council amended the City of Elko Sick Leave Policy to allow full-time City employees to use accrued Sick Leave if sent home pursuant to the Governor’s shutdown order, with the intention of keeping full-time City employees in a pay status. Employees without adequate sick leave accruals were eligible for Sick Leave donations. A total of 3,202 hours were donated by City employees to cover the deficit through April 10, 2020.

Due to Governor Sisolak’s Emergency Directive 010, effectively extending the statewide business shutdown until April 30, 2020, the City of Elko needs a mechanism to keep affected full-time employees in a pay status beyond April 10, 2020. CC

City Manager Curtis Calder explained the Governor ordered a 30-day business shutdown on March 17, 2020 to begin by noon on March 18, 2020; leaving about 18 hours to determine what the City would do. The City suspended most services and reduced staff by about 1/3. The sick leave policy was amended to allow full time employees to use sick leave when on leave pursuant to the shutdown order. The sick leave policy can be used for public health requirements. Part-time and seasonal employees have also been sent home, but they are without pay. A total of 4,465 hours of sick leave has been used since April 4, 2020. Approximately 1000 hours were donated by senior leaders at the City. The Governor extended the stay-at-home order until April 30, 2020 in Emergency Directive 010. Our goal is to have full-time employees remain in a pay status. Mr. Calder’s recommendation is to transfer to administrative leave with pay beginning April 11, 2020. Council approval is needed to do this because the City’s HR Policy only allows administrative leave with pay for disciplinary proceedings. This will sunset on April 30, 2020 and will require further fiscal analysis if there are further shutdown orders by the Governor.

Mayor Keener discussed letting individuals utilize their sick time until it is completely depleted and then letting them go into a negative balance, however Mr. Calder explained the City’s payroll program does not have the functionality needed to do this.

Councilman Schmidlein stated he is on the fence about this. He asked how many days of sick leave have employees used so far.

Mr. Calder explained they have used from March 18 – April 10, 2020 so far. We have used all of the donations and people have exhausted most of their sick leave.

Councilman Schmidlein asked if we have enough reserves to cover the administrative leave.

Mr. Calder answered yes, right now the City is well positioned to cover this for now. A typical two week payroll period for the City is about \$300,000. The reserve fund is fully funded, as is the contingency fund. There is also ending fund balance from the last year. However, at the next council meeting we will be discussing the tentative budget and we are projecting a loss of about four million dollars for this time period. The budget presentation will be much different than the one 3 weeks ago due to the declining revenues.

Councilman Stone asked to clarify that we do have the funds to cover until April 30, 2020 but what will happen after the 30th?

Mr. Calder stated it would be a policy decision at this point. The money will be there but the Council will need to set priorities regarding other expenses. For example, a week ago we paid two bonds and had a cash flow issue. If the Governor states the stay-at-home order is extend until May, we will have to do further fiscal analysis.

Councilman Hance stated he felt this is the best option for now.

Mayor Keener stated the best course of action will be to limit it to April 30, 2020.

All members of the Council thanked the employees that donated their time.

**** A motion was made by Councilwoman Mandy Simons, seconded by Councilman Chip Stone, to approve the administrative leave with pay for full-time employees sent home pursuant to Governor Sisolak's stay-at-home order from April 11 – April 30, 2020.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Mandy Simons, seconded by Councilman Bill Hance, to approve the general warrants.**

The motion passed unanimously. (5-0)

- B. Review and possible approval of Print n' Copy warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Mandy Simons, seconded by Councilman Bill Hance, to approve the Print N' Copy warrants.**

The motion passed (4-0 Mayor Reece Keener abstained.)

- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Mandy Simons, seconded by Councilman Bill Hance, to approve the Great Basin Engineering warrants.**

The motion passed (4-0 Councilman Robert Schmidlein abstained.)

D. Review, consideration, and possible award of the bid for the Cedar Street Reconstruction Project Phase 3, and matters related thereto, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m. on March 19, 2020. This item has been approved and budgeted for in the 2019/20 Fiscal Year Budget, Capital Construction Fund. DS

Dennis Strickland, Public Works Director, pointed out the low bid was from Great Basin Engineering Construction Company at \$1,992,039.19. He stated there is approximately \$2.2 million dollars available in capital construction for this project. He pointed out the bid includes all of the added alternates including alternate number three the work on behalf of the Elko County School District on an adjacent street in the amount of \$275,274.33. He read a letter into the record on behalf of the school district approving the work. There is also a current MOU depicting the school district is responsible for their portion of the project. This leaves the City responsible for \$1,853,154.86.

Councilmember Mandy Simons asked if the School District is still prepared to follow through with this given the current budget situation due to COVID-19.

Mr. Strickland stated the letter was dated April 6, 2020.

Mayor Keener felt we should be able to complete all of the alternates. He called for public comment without a response.

**** A motion was made by Councilmember Chip Stone, seconded Councilmember Mandy Simons, to award the Cedar Street Construction project phase three to Great Basin Engineering, in the amount of \$1,992,039.19, to include the additive alternates one two and three.**

The motion passed (4-0 Councilmember Robert Schmidlein abstained.)

D. Review, consideration, and possible approval to enter into a Professional Services Agreement with Carter Engineering for the administration of quality control and quality assurance for the Cedar Street Reconstruction Project Phase 3 in the amount of \$146,390.00, and matters related thereto. **FOR POSSIBLE ACTION**

City Council is scheduled to award the contract for the Cedar Street Reconstruction Project Phase 3 on April 14, 2020. The quality control and quality assurance would include surveying, testing, field meetings, inspections and as-builts, etc. as described in the attached proposal from Carter Engineering. DS

Dennis Strickland reported Carter Engineering has done a great job on the first two phases and brought the project in under budget both times. Lana Carter was available for comment.

Councilman Bill Hance asked about the \$146,390.00, wondering if we needed to add the alternate for the school district.

Ms. Carter stated she would contract directly with school district so this does not need to be added.

**** A motion was made by Councilmember Roberts Schmidlein, seconded by Councilmember Mandy Simons, to enter into a Professional Services Agreement with Carter Engineering in the amount \$146,390.00 for the administration, quality control and assurance of the Cedar Street Reconstruction Phase Three.**

The motion passed unanimously (5-0)

E. Review of the bids received and possible award of the Plantmix Bituminous Pavement materials to be used for the Year 2020 construction season, and matters related thereto.

FOR POSSIBLE ACTION

Bids were received until 3:00 p.m. local time on Thursday, April 2, 2020. DS

Dennis Strickland explained no bids were received. We will take no action on this item. Both vendors have reached out to him. Q & D has concerns with other jobs in Northern Nevada being halted by NDOT. Staker Parsons has concern with volatility of the cost of oil. We will work with the City of Elko Purchasing Policy and apply the sole source to do the job.

No action was taken on this item.

IV. NEW BUSINESS

A. Review, consideration and possible action to approve the City of Elko as the Nevada Department of Transportation Permittee for a Flashing Pedestrian Crossing and related upgrades to be located on Mountain City Highway at the intersection of Terminal Way, and matters related thereto. **FOR POSSIBLE ACTION**

Nevada Gold Mines has requested that the Nevada Department of Transportation (NDOT) consider permitting upgrades to the pedestrian crossing at the intersection on Mountain City Highway and Terminal Way. The NDOT, City Staff and representatives for Nevada Gold Mines have discussed the merits of the project, along with the responsibility for design, construction and maintenance of the project. The NDOT has agreed to design and construction of the infrastructure and requested the City to be the permittee responsible for the maintenance of the infrastructure. All parties discussed the potential of a separate agreement between the City and Nevada Gold Mines addressing the maintenance of the infrastructure. It is not customary for the City to have a separate agreement with a private party for maintenance of infrastructure under a NDOT permit. Additionally, the City has permitted and benefitted from substantial development in immediate vicinity. The Assistant City Manager has communicated, to the NDOT and Nevada Gold Mines, that a separate maintenance agreement would not be consistent with past practice and present practical administrative difficulties under those types of agreements. Nevada Gold Mines concurs that there should not be a separate maintenance

agreement. Nevada Gold Mines has requested City Council support of the project and commitment by the City to maintain the infrastructure as the NDOT permittee.
SAW

Scott Wilkinson, Assistant City Manager, stated the NDOT Carson City office determined this project is warranted and wants the City of Elko to be the permittee. He does not feel we should look at a third party agreement. The letter from Nevada Gold Mines is in the packet. Mr. Wilkinson stated if the City is not interested in being the permittee he does not think the project will move forward.

Mayor Keener stated this project is important due to the pedestrian traffic in this area and this should be done proactively before there is an accident.

Councilmember Schmidlein said he drives through this intersection five days a week and sees quite a bit of pedestrian traffic to the airport and the Nevada Gold Mine employees walking across. He has seen the highway patrol flash the emergency lights to let drivers know there are pedestrians on rainy or foggy days. He stated the crosswalk at Aspen way is not adequate. He asked if we are just doing the maintenance.

Mr. Wilkinson stated this is correct. There is little expectation of maintenance costs the first few years after the infrastructure is put in. The City has a lot of permits with NDOT throughout the City with the City as the permittee. We have been meeting with NDOT working on older ones in which the City is not the permittee to fix these.

Mayor Keener feels this is worthy of consideration and there is limited risk to take on the maintenance. Nevada Gold Mines is a good community partner and it is nice to have the opportunity to give back to them.

Councilman Schmidlein asked if the intention is for Nevada Gold Mines to continue parking at the airport as well as Gold Dust West.

Mr. Wilkinson doesn't think the two issues are related. There is a lot of foot traffic in the area due to development.

Curtis Calder, City Manager, stated he has no reason to believe NGM will cancel the lease they have at the airport. This is a pedestrian safety issue.

Councilman Chip Stone stated he sees quite a bit of foot traffic in this area and it helps NGM employees as well as others in the community.

Dennis Strickland stated we have signal agreements with every signal that correlates with NDOT. This will be very similar to the agreement we have for the signal by Home Depot. All the agreements state that the City partners with NDOT and our maintenance has been minimal.

**** A motion was made by Councilmember Mandy Simon, seconded by Councilmember Robert Schmidlein, to approve the City of Elko as a Nevada Department of Transportation**

permittee for a flashing pedestrian crossing and related upgrades located on Mountain City Highway at the intersection of Terminal Way, conditioned on NDOT designing and installing the upgrades at no cost to the City and the City accepting the responsibility for the maintenance of the infrastructure.

The motion passed unanimously (5-0)

V. REPORTS

A. Mayor and City Council

Councilman Stone reported the Clerk's Office started a City Facebook page called "The City of Elko" and we have had a lot of positive response. It is a good source for the public to get information.

Mayor Keener reported there are great things happening the in the community with alot of people doing things to help each other. We are thankful for our local medical providers. He asks that the public observe the CDC guidelines for social distancing and everyone do their part to stay safe so we can get past this time more quickly. We are blessed to be living in Elko versus a large metropolis and we have a low number of cases of the COVID infection.

B. City Manager – Report on Overall City Operations

Curtis Calder stated it has been a different type of time for the City because we are not interfacing as much with the public so employees have had to adapt and have done a great job. He appreciates all of the employee's flexibility. Hopefully the citizens have not felt that big of a reduction in service. The Parks Department is pretty much shut down. Public Safety (police and fire) are at full capacity. The Building Department is short staffed but still doing plan review, permitting and inspections. We plan to do more of this to keep contractors working. Public Works is at a reduced capacity but at the ready to deal with any emergencies. The Airport is at about half capacity and SkyWest cut the morning and evening flights. City Hall has finance, HR and IT working because we are in the middle of budget season. The State has not given municipalities any extensions of budget deadlines. We would have liked to have had an extension so we could have more information as to the effects of the shutdown. You will see the tentative budget on April 14th and will need to take action so we can submit it on April 15th. Hopefully we will be getting back to normal in May and we will not need to make many changes to this tentative budget. However, if the shutdown lasts any longer we will need to amend the tentative budget. We are getting a high volume of calls and emails and we are trying to answer questions the best we can with the uncertainty in the public. The virtual meetings will probably be the way we need to interact for the near future.

C. Assistant City Manager

D. Utilities Director

E. Public Works

F. Airport Manager

G. City Attorney

H. Fire Chief

I. Police Chief

- J. City Clerk
- K. City Planner

Cathy Laughlin reported we had a great response in the RDA grant applications due on March 30th. We had way more requests than we had budgeted and will hopefully be able to have a RDA meeting soon.

- L. Development Manager
- M. Financial Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

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There were no public comments.

There being no further business, Mayor Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk