

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

SS June 8, 2021

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, June 8, 2021. The meeting was held in the council chambers, 1751 College Ave., Elko and via GoTo Meeting.

This meeting was called to order by Mayor Reece Keener. The public can participate in person, by phone, tablet, laptop, or computer by registering with the GoTo Meeting link provided in the agenda. Questions can be sent to cityclerk@elkocitynv.gov.

CALL TO ORDER

ROLL CALL

Council Present: Mayor Reece Keener
Councilman Chip Stone (*via GoToMeeting*)
Councilman Clair Morris

Council Absent: Councilwoman Simons
Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
Kelly Wooldridge, City Clerk
Candi Quilici, Accounting Manager
Jan Baum, Financial Services Director
Susie Shurtz, Human Resources Manager
Dennis Strickland, Public Works Director
Dale Johnson, Utilities Director
Cathy Laughlin, City Planner
Jim Foster, Airport Manager
Matt Griego, Fire Chief
Jack Snyder, Deputy Fire Chief
Ty Trouten, Police Chief
Dave Stanton, City Attorney
Michele Rambo, Development Manager
James Wiley, Parks and Recreation Director
Bob Thibault, Civil Engineer
DJ Smith, Computer Information Systems Coordinator
Diann Byington, Recording Secretary

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: May 25, 2021 Regular Session

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Presentation of an Appreciation Plaque by the Mayor, in recognition of Eurijah Lortie for his generous donation to the City of Elko Animal Shelter, and matters related thereto. **INFORMATION ONLY – ACTION WILL NOT BE TAKEN**

This item was not heard due to Mr. Eurijah Lortie being out of town.

- B. Presentation of the 2020 Public Works Year in Review, and matters related thereto. **INFORMATION ONLY – ACTION WILL NOT BE TAKEN**

This item was not heard.

- C. Brief presentation and possible acceptance of a renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approval of invoice for payment from FY 2021/2022 Funds in the amount of \$587,902, and matters related thereto. **FOR POSSIBLE ACTION**

As a member of the Insurance Pool, the City of Elko owns a share of the equity that forms the basis for its financial strength.

Your agenda packet includes an overview of coverage offered for the following Fiscal Year. The City of Elko's total program costs for FY 2021/2022 are \$587,902, representing a 14.1% increase over FY 2020/2021. CC

Curtis Calder, City Manager, introduced Alan Kalt, POOL/PACT and Dain Uriarti, LP Insurance.

Dain Uriarti, LP Insurance, explained there is an increase this year. He has seen the increases even higher in the private market. He created a loss ratio spreadsheet that shows premiums, date in and date claims paid out. The 3-year loss ratio for the City is 41%. The 5-year loss ratio is 59%. He felt this could be improved but the City is within the average.

Alan Kalt, POOL/PACT, gave a presentation (included in the packet).

Mayor Keener mentioned the Nevada League of Cities is having a retreat in Elko next week and invited Mr. Kalt to attend.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to accept the renewal proposal from Nevada Public Agency Insurance Pool (POOL) for the Fiscal Year 2021/2022, in the amount of \$587,902.**

The motion passed unanimously. (3-0)

II. PERSONNEL

A. Employee Introductions:

1.) Logan Gibbs, Patrol Officer II, Police Department

Present and introduced.

2.) Rachel Hooper, Animal Shelter Worker I

Present and introduced.

3.) Dustin Amatori, Lead Golf Maintenance Technician

Not present.

III. APPROPRIATIONS

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

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the general warrants in the amount of \$1,194,682.99.**

The motion passed unanimously. (3-0)

B. Review and possible ratification of General Hand-Cut Checks, and matters related thereto. FOR POSSIBLE ACTION

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the hand-cut checks in the amount of \$245,139.41.**

The motion passed unanimously. (3-0)

C. Review, consideration, and possible authorization for Staff to solicit bids for the construction of curb, gutter, sidewalk, and paving on Jennings Way as illustrated in the attached plans, and matters related thereto. FOR POSSIBLE ACTION

This is a missing piece of infrastructure that is going to provide drainage as well as providing pedestrian access from the Connolly Subdivisions to Adobe Middle School. We will only be constructing the section that is on the west side of Jennings Way as illustrated in the attached plans. DS

Dennis Strickland, Public Works Director, explained this is an infill project. We have had some concerns brought forward in the past where we have this missing infrastructure. We are expecting more foot traffic to and from Adobe Middle School. This project will allow for that missing infrastructure to be installed. There is plenty of money in the fund to execute on this project.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to authorize staff to solicit bids for the Jennings Way Sidewalk, Curb and Gutter Improvements.**

The motion passed unanimously. (3-0)

- D. Review, consideration, and possible award of the Public Works Department Preventive Maintenance Project 2021, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

At their March 23, 2021 meeting, Council authorized Staff to solicit bids for the Preventive Maintenance Project 2021. Bids were received until 1:00 p.m. on June 1, 2021. Only one bid was submitted. DS

Mr. Strickland explained the City has a great working relationship with this company. They have done this project for a number of years now. Their price was about \$0.05 a square yard cheaper than it was last year. They gave us a great bid. He recommended award.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to award the base bid for the Public Works Department Street Maintenance Project 2021 to Sierra Nevada Construction in the amount of \$560,782.**

The motion passed unanimously. (3-0)

- E. Review, consideration, and possible authorization for Staff solicit bids for the construction of VFW Drive from Idaho Street to Silver Street, and matters related thereto. **FOR POSSIBLE ACTION**

The new Elko Police Department Building was constructed in approximately 2015. At that time, VFW Drive was repaved to fit in the existing easement granted by Union Pacific Railroad. Since that time, Staff has acquired, from Union Pacific Railroad, the additional Right-of-Way to fully construct VFW Drive, including curb, gutter, sidewalk, and additional paving. DS

Mr. Strickland explained when the PD was done, they didn't have great access to the facility. They went in and built 24 feet of asphalt. It is important to finish that work. It provides pedestrian access to and from the PD. It will also help with drainage. He recommended approval.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to authorize staff to solicit bids for the construction of VFW Drive from Idaho Street to Silver Street.**

The motion passed unanimously. (3-0)

- F. Review, consideration, and possible authorization for Staff purchase a new Caterpillar Backhoe model 420-07 C from Cashman Equipment Company through Sourcewell Purchasing in the amount of 108,491.00, and matters related thereto. **FOR POSSIBLE ACTION**

This purchase was approved in the FY 2021/22 Budget. DS

Mr. Strickland explained the Sourcewell Program benefits the City in many ways. He looked at other backhoes from other vendors and they were all similarly priced to this piece of equipment. It is \$8,491 over what we had budgeted but in visiting with Cashman, he is hoping to bring back another Sourcewell option for the motor grader. That one will come in under budget and it will be enough to cover the overage on this one.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to authorize staff to purchase a new Caterpillar Backhoe model 420-07 C from Cashman Equipment Company through Sourcewell Purchasing in the amount of \$108,491.**

The motion passed unanimously. (3-0)

IV. SUBDIVISIONS

- A. Review, consideration, and possible approval of Final Map No. 2-21, filed by Jordanelle Third Mortgage, LLC, for the development of a subdivision entitled Zephyr Heights Unit 1 involving the proposed division of approximately 25.1 acres of property into 18 lots for residential development and 1 remainder lot within the R (Multiple-Family and Single-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located on the east side of East Jennings Way generally east of Puccinelli Parkway. (APN 001-562-010). The Planning Commission considered this item on June 1, 2021, and took action to forward a recommendation to conditionally approve Final Map 2-21. MR

Michele Rambo, Development Manager, explained this is Unit 1 of the Zephyr Heights Subdivision. There are 11 findings in the report to support the conclusion that the Final Map is in compliance. There are 14 conditions that have been placed on it. She recommended conditional approval.

Scott MacRitchie, Jordanelle Third Mortgage, said he could not make it to town for the meeting. They are excited to get started on this project.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to conditionally approve Final Map No. 2-21 for the Zephyr Heights Unit 1 Subdivision, subject to the findings and conditions as recommended by the Planning Commission.**

The motion passed unanimously. (3-0)

V. NEW BUSINESS

- A. Review, discussion, and consideration for the possible installation of fitness and exercise equipment at Angel Park, and matters related thereto. **FOR POSSIBLE ACTION**

Staff received a request from Ms. Courtney Nalivka regarding the possible installation of some outdoor exercise and fitness equipment within the Elko Park System. Ms. Nalivka works in our community as a health professional promoting and encouraging fitness and healthy lifestyles. The Parks and Recreation Advisory Board heard the request at the May 20, 2021 meeting, and recommends the Council consider approving the idea of installing equipment at Angel Park, utilizing the space where the former tennis courts were located. JW

James Wiley, Parks and Recreation Director, explained a few months ago, Courtney got in touch with him and they talked about this idea of outdoor fitness equipment. They brought some concepts tonight. Staff was in the process of doing something with the area where they demoed the tennis courts at Angel Park. They were preparing to do something there this budget cycle. This location for the exercise equipment rose to the top. He will work with Bob Thibault to come up with a plan and a design. He thought the funds were in the budget to pull this off. He introduced Courtney Nalivka.

Courtney Nalivka, Registered Dietician, explained her request. She thought this idea of exercise equipment could help encourage people to get out and improve their physical health. She explained some of the conceptual drawings that were included in the packet.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the idea of installing outdoor fitness exercise equipment at Angel Park and direct staff to prepare a detailed plan and budget for a future final plan in the 2022 fiscal year.**

The motion passed unanimously. (3-0)

- B. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Zephyr Heights Unit 1 Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-21 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, including stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-22. MR

Michele Rambo, Development Manager, explained the proposed agreement. She recommended approval.

Scott MacRitchie, Jordanelle Third Mortgage, asked if this is the same type of agreement that they have done in the past.

Ms. Rambo answered this is the same agreement they have for his development at Tower Hill.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to improve a Performance/Maintenance Agreement for subdivision improvements associated with the Zephyr Heights Unit 1 subdivision, and require that the developer enter into the agreement within 30 days.**

The motion passed unanimously. (3-0)

- C. Review, consideration and possible action to initiate an amendment to Elko City Code Title 9, Chapter 6 (Illegal Discharge and Connection to Stormwater), Chapter 7 (Construction Site Runoff Control), and Chapter 8 (Postconstruction Runoff Control and Water Quality Management), and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko stormwater program was audited by the Nevada Department of Environmental Protection and the Environmental Protection Agency in August 2020. One of the findings of that audit was that current enforcement regulations were lacking in both clarity and implementation. As a result, the audit report required the City to update its stormwater codes with enhanced enforcement procedures.

While reviewing the stormwater codes with the City Attorney, it was determined that sections other than enforcement needed numerous modifications. This includes applicability, definitions, specific processes and/or procedures, and responsibility. Modifications to these other provisions have been included as part of this proposed code change. MR

Ms. Rambo explained the proposed code changes. She was in the process of having some ongoing discussions with NDEP that may result in some changes to the ordinance in the next week or so. Before this is brought back for first reading, she will make sure those changes have been made. The Storm Water Advisory Board looked at this earlier in the day and they recommended that this initiation be made.

Mayor Keener said these changes were being driven by the audit. What does this mean to developers and builders?

Ms. Rambo answered if there is a violation, the City has a more detailed process and it helps the developers understand the process more. The requirements are not changing. This changes the enforcement portion. They don't go straight to criminal liability. There is a whole administrative process depending upon the developers'/builders' response.

Dave Stanton, City Attorney, said this all depends upon the severity of the violations. If there is no compliance, these new chapters have more detailed and more specific enforcement provisions.

Kelly Wooldridge, City Clerk, wondered if these changes would require a Business Impact Statement?

Mr. Stanton answered they talked about that and came to the conclusion that this will not impose a new significant burden upon businesses. It clarifies existing requirements.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to initiate an amendment to the Elko City Code Title 9, Chapter 6 (illegal Discharge and Connection to Stormwater), Chapter 7 (Construction Site Runoff Control), and Chapter 8 (Postconstruction Runoff Control and Water Quality Management).**

The motion passed unanimously. (3-0)

VI. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 862, an Ordinance adopting a requirement for a Nonpublic Hospital License and Establishing a License Fee, and matters related thereto. **FOR POSSIBLE ACTION**

On April 27, 2021, the City Council voted to initiate an ordinance which would create a “Local Hospital Licensure Fee.” As a result of that action, City Staff has drafted Ordinance No. 862 for review. A copy of the proposed Ordinance has been enclosed in the agenda packet for review. CC

Curtis Calder, City Manager, explained this is the first draft of the ordinance. We worked out a lot of the obvious issues we thought we were going to have with the language. We feel good about it at this point but wanted to hear from the hospital.

Steve Simpson, CEO NNRH, said he appreciates everyone taking a look at this.

Zach Fichtenbaum, Austin, TX, said the whole purpose of the licensure fee is to figure out a way to come up with more public funds to draw down more reimbursements for North Eastern Regional Hospital to get paid closer to their costs. Right now there just is not enough state share to draw down enough Medicaid payment to cover all of the costs that the hospitals incur when treating Medicaid patients. This is another vehicle to generate local funds that the City can then transfer to the State to help narrow that cost.

Mayor Keener asked if the only impact will be on the hospital facility.

Mr. Fichtenbaum answered it will only impact hospitals, more specifically, NNRH in our area.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to conduct first reading of Ordinance No. 862 and direct staff to set the matter for Second Reading, Public Hearing and possible adoption.**

The motion passed unanimously. (3-0)

BREAK

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to name field # 2 at the Elko Sports Complex after Mr. Hal Hibbert and matters related thereto. **FOR POSSIBLE ACTION**

The Council reviewed a petition from Ms. Beth Meza and other community members regarding the possible naming of field # 2 at the Elko Sports Complex after Mr. Hal Hibbert on May 25, 2021. Pursuant to the criteria for naming City of Elko Facilities and Parks, Staff requested additional public comment from organizations and citizens utilizing the facility. Subject to comments and information presented during this public hearing, the City Council may take action to name the facility as requested in the petition. JW

James Wiley, Parks and Recreation Director, explained this is the second step in the process before adoption. There are a lot of names on a petition (included in the packet) and a lot of comments. They are all favorable in naming the field after Hal Hibbert.

Mayor Keener called for public comments.

Danny Story, Elko Adult Softball, said they would be honored to have a field at the Sports Complex named after Hal Hibbert.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to name field #2 of the Elko Sports Complex after Mr. Hal Hibbert.**

The motion passed unanimously. (3-0)

VIII. REPORTS

A. Mayor and City Council

Mayor Keener said he had the opportunity to attend an open house/ribbon cutting for Elko Federal Credit Union. He spoke with a contractor when he was there and said there is a need to put together some sort of workshop regarding the City Development process. We are a customer service organization and if they want to develop in the City we need to give them good customer service or we can lose out on the development. Maybe even send out a survey. He thanked Curtis for his work with the League of Cities and the retreat, which is happening next week.

Councilman Stone said he was downtown and looked at the block ends project. There was a section that looked to have a V pattern that looked like water will pool in there.

Bob Thibault, Civil Engineer, answered that is a low impact development where the stormwater will actually flow through the landscaping. It might puddle slightly but it is intended to flow. We created that as a low spot at that corner in the curb so they decided to have it flow through the curb and the landscaping.

Councilman Stone said he went through the golf course the other day and the grass is looking really good.

Mayor Keener thanked staff for their help on a presentation he is putting together.

- B. City Manager – Nevada League of Cities Retreat June 16 – 18, 2021
Curtis Calder explained the retreat and the planned events. The annual conference will be held in Sparks in the Fall. We will have open enrollment in the last 2 weeks of June. Everyone is required to go through the open enrollment this year. The invites will be coming out shortly.
- C. Assistant City Manager
- D. Utilities Director
*Mayor Keener asked how the new Vac Truck is working.
 Dale Johnson answered it is working really well and has been busy.
 Mayor Keener asked if there has been any resolution to the water issue that was reported by the Thorntons.
 Mr. Johnson answered not really. The Thorntons complained about it again but there hasn't been any issue since then.*
- E. Public Works
*Dennis Strickland said the crews have been super busy patching the roads and getting them ready for the Micro Slurry Project.
 Mayor Keener said he spoke with Jared from Elko Sanitation and he said good things about the crew at the Landfill.
 Mr. Strickland said Elko Sanitation are great to work with and the Landfill's biggest customer. The Landfill staff went out of their way to make sure Elko Sanitation wasn't super impacted during the scale project. The new scales are in and working great.
 Mayor Keener said he spoke with Brad with Facilities and he was talking about how the City changed out all the lights up to 7th Street. Was there an update from NV Energy on the 400 and 500 blocks?
 Dennis Strickland said he got an email from Mr. Campbell last week saying they are working diligently at getting the damaged lights in the Coffee Mug section fixed. We are missing 2 luminaires there and one by Roys. We have upgraded the lights at 3rd and Silver by making them brighter. There will be a radar speed limit sign coming to slow people down in the downtown area. We will light up the block ends too with Bob's project.
 Mayor Keener thought it would be helpful to get Dave Zornes involved. He is who brought the lighting issue to his attention as being a safety concern.*
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
Chief Griego said his crews have been able to get back into the schools for their events before the school year ended. They look forward to doing it again next year. The numbers have been modest but they are getting calls while on another call. It used to be rare that we saw two calls at the same time.
- I. Police Chief
- J. City Clerk – Legislative update
Kelly Wooldridge said she is working on the final spreadsheet on the legislative bills that impact the City. She will get it out to everyone as soon as she gets it done.
- K. City Planner
- L. Development Manager
- M. Financial Services Director – ARPA update

- N. Parks and Recreation Director
Mayor Keener said he noticed a lot of charges in the payables for temps. He asked if the temps have worked out. James Wiley answered there has been some good luck with some and not so good luck with a couple. He didn't think they had any temps right now.
- O. Civil Engineer
Bob Thibault reported they are laying sod at the Corridor Block Ends Project. The 5th Street Park Parking Lot is almost 90% done. It looks great and recommended everyone go and take a look at it.
- P. Building Official

Councilman Stone commented about Elko High School's graduation and the fireworks display. People loved it and he has heard nothing but good things.

Before going into the closed session, Mayor Keener asked if there were any public comments without a response.

II. PERSONNEL (Cont.)

- B. Update regarding Labor Negotiations between the City of Elko and the Elko Fire Fighters Association, IAFF Local 2423, and matters related thereto.
INFORMATION ONLY – NON ACTION ITEM

Note: This portion of the meeting may be closed pursuant to NRS 288; therefore, the Council may move to adjourn the meeting prior to consideration of this item.

Mayor Keener adjourned the meeting and moved to a closed session. At 6:53 pm, he adjourned the closed session and re-opened the regular meeting.

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 Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk