

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

SS June 24, 2014

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, June 24, 2014.

This meeting was called to order by Councilwoman Mandy Simons.

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

Council Present: Councilwoman Mandy Simons
Councilman Robert Schmidlein
Councilman Reece Keener

Council Absent: Mayor Chris J. Johnson
Councilman John Rice

City Staff Present: Curtis Calder, City Manager
Mike Hess, Landfill Superintendent
Dawn Stout, Administrative Services Director
Lorraine Martinez, Accounting Supervisor
Ryan Limberg, Utilities Director
Dennis Strickland, Public Works Director
Scott Wilkinson, Development Manager
Matt Griego, Fire Chief
Doug Gailey, Human Resources Manager
Ted Schnoor, Building Official
Ben Reed Jr., Police Chief
Jeremy Draper, Civil Engineer
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**

Councilman Keener said last week the community lost a national guardsman, Capt. James Chandler, and asked for a moment of silence for his wife and children.

Police Chief Reed presented Cindy Danielson, Animal Control Officer, with a plaque in recognition for her many years of service.

Cindy Danielson said it has been an interesting job and she will miss a lot of aspects about the job.

Police Chief Reed presented John Hamilton, Police Corporal, with a plaque in recognition for his many years of service.

John Hamilton said it has been an honor working for the city. He will miss the family he has created over the years.

II. APPROPRIATIONS

- B. Review, consideration, and possible approval for Staff to solicit bids for the Landfill Scale Extension Project, and matters related thereto. **FOR POSSIBLE ACTION**

This item was budgeted for and approved in the FY 2014/15 Capital Equipment budget for the Landfill. The current scales are not long enough to legally weigh any loads that are over 34 feet in length. This project will extend the scales by 40 feet and allow us to legally weigh all loads that come through the facility. DS

Dennis Strickland, Public Works Director, explained our scales are just not long enough to weigh loads in excess of 34 feet. We are not legally compliant. This is the only big purchase for the landfill this year.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve the request for staff to solicit bids for the Landfill Scale Extension Project.**

The motion passed unanimously. (3-0)

- C. Brief presentation and possible acceptance of the FY 2014/2015 Pollution Legal Liability Insurance Renewal Offer, including approval of invoice for payment, and matters related thereto. **FOR POSSIBLE ACTION**

The Pollution Legal Liability Program is separate from the City's Liability Insurance. As you may recall, the Nevada Public Agency Insurance Pool Program contains absolute pollution exclusion, meaning that no coverage is provided for pollution liability in that program. Our quote includes coverage for the Landfill, Water Reclamation Facility, Water Department, Swimming Pool, and Hazardous Material Response/Cleanup.

Your agenda packet includes an invoice of coverage offered for the following fiscal year. The City of Elko's total program costs for FY 2014/2015 are \$26,348.00 representing no increase in premiums compared to the current fiscal year. CC

Curtis Calder, City Manager, introduced a representative from McMullen Insurance. There is no increase in the cost for this policy. Staff recommended approval.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to accept the Fiscal Year 2014/2015 Pollution Legal Liability Insurance Renewal Offer, including approval of invoice for payment in the amount of \$26,348.00.**

The motion passed unanimously. (3-0)

I. PRESENTATIONS

- A. Badge pinning and administration of the Fire Officer's Pledge to Driver Operator II, Jason Logsden, and matters related thereto. **FOR INFORMATION ONLY
NON-ACTION ITEM**

Matt Griego, Fire Chief, explained Jason Logsden went through testing and a promotional process and was being promoted to Driver Operator II. His family was present and his son pinned his new badge on his uniform.

Councilman Schmidlein administered the Fire Officer's Pledge.

III. NEW BUSINESS

- A. Review, consideration, and possible approval for a Grant of Easement for utility purposes to NV Energy to be located on City property, and matters related thereto. **FOR POSSIBLE ACTION**

NV Energy requires a utility easement to be located on City property for the purposes of extending power to a proposed communication tower on abutting property. The easement includes an area of approximately 412 square feet. SAW

Scott Wilkinson, Development Manager, explained there is a tower proposed up by the Barrick Exploration building on Spruce Road. They need to have power lines come off one of the power poles to serve power to that building. A condition of the building permit was to have the city grant an easement to NV Energy.

Councilman Keener asked when these things come up, does the utility company pay for the survey. (yes) What about the legal costs the city incurs?

Mr. Wilkinson answered our attorney usually prepares the grant document. The easement has been reviewed and approved by our legal dept.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve the Grant of Easement for utility purposes to NV Energy.**

The motion passed unanimously. (3-0)

IV. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 21-14 authorizing budget transfers for Fiscal Year 2013/2014 for various funds of the City pursuant to NRS 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**

This is the annual year-end housekeeping item to transfer funds between functions, and funds as required to fund all budgetary changes that occurred during the fiscal year. DS

Dawn Stout, Administrative Services Director, explained this is an annual housekeeping item. She went over the process for the new councilmembers.

Councilman Keener said he was concerned about the information systems travel and training. Was that related to the new software upgrade?

Ms. Stout answered it was related to that new software. We needed to request additional training because we didn't feel completely comfortable once we implemented the product. There was no travel and training of our personnel within that department.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve Resolution No. 21-14, authorizing budget transfers for Fiscal Year 2013/2014 for all listed funds, pursuant to NRS 354.598005.**

The motion passed unanimously. (3-0)

- B. Review, consideration, and possible approval of Resolution No. 22-14 authorizing augmentation of the 2013/2014 Fiscal Year Budget of the Airport Fund increasing appropriations to \$6,101,896 to account for \$165,000 in unanticipated revenues, pursuant to NRS 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**

The Airport Fund received \$165,000 in additional revenues from a transfer from the General Fund pursuant to Resolution No. 21-14. This revenue was not budgeted and was unanticipated during the budgeting process. In order to pay for the expenses associated with this revenue it is necessary to augment the budget. DS

Ms. Stout explained this is the other portion of the transfers. In the budget transfers there was a transfer out to the Airport Fund in the amount of \$165,000. The reason for that is the appeal that was lodged against the city in the Airport litigation that we have ongoing.

John Carpenter asked how much has been spent this fiscal year.

Ms. Stout answered \$165,000.

John Carpenter said it says here that we received \$165,000 as additional revenue but in reality that came from the General Fund. (Yes) You could have settled this thing for \$60,000 or less.

He argued that the city is throwing money at this deal. You need to decide to shut this deal off and stop throwing money out.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve Resolution No. 22-14, augmenting the Airport Enterprise Fund in the amount of \$165,000, pursuant to NRS 354.598005.**

The motion passed unanimously. (3-0)

- C. Review, consideration, and possible approval of Resolution No. 23-14 a resolution designating components of the fund balance of all required governmental funds pursuant to GASB Statement No.54, and matters related thereto. **FOR POSSIBLE ACTION**

The Governmental Accounting Standards Board (GASB) issued Statement No. 54 Fund Balance Reporting and Governmental Fund Type Definitions, with the intent of improving financial reporting by providing fund balance categories that will be more easily understood. Resolution No. 23-14 further designates the components of all qualifying governmental fund balances. DS

Ms. Stout explained this is a housekeeping item. We are required to comply with GASB.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to approve Resolution No. 23-14 committing the fund balance of all required governmental fund pursuant to GASB Statement 54.**

The motion passed unanimously. (3-0)

- D. First Reading of Ordinance No. 785, an ordinance amending Title 3, Chapter 3, Subsection 5 of the Elko City Code entitled "PRELIMINARY PLAT STAGE (STAGE II)", by amending the code stipulating a period of four (4) years, with specific exceptions for extensions, for the for submission of final map in conformance with NRS 278.360, and to direct Staff to set the matter for public hearing, second reading and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

Nevada Revised Statutes 278.360 provides an approval period of four (4) years, with specific exceptions for extensions, for presentation of a final map and the present City Code needs to be updated to provide periods for submission of final map to be consistent with NRS 278.360. SW

Scott Wilkinson, Development Manager, explained this is a housekeeping issue. Our code allows for an approval period of two years for a tentative plat. The NRS was revised to allow for an approval period within a four-year period.

Councilman Schmidlein asked if there was a need for this.

Mr. Wilkinson said this has come up a couple of times. Lately it has been busy and that hasn't been the case. Our code conflicted with NRS so we needed to revise our code. In this case, we can't be more restrictive than NRS.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to ratify the first reading of Ordinance No. 785 and direct staff to set the matter for Public Hearing, Second Reading and Possible Adoption.**

The motion passed unanimously. (3-0)

VI. REPORTS

A. Mayor and City Council

Councilwoman Simons brought up two things: 1) she wondered if anyone would like to consider it starting council meetings with a prayer; and, 2) in the county they stopped using the binders and use something digital. Maybe they could consider it. Dawn Stout said that was in the budget for this year and Ben Mangeng may have found something that could work.

B. City Manager

Curtis Calder said we asked council if they would be available for a special meeting on July 1 and we will be publishing an agenda for that special meeting. The Airport Apron Reconstruction Project is under way. We will be starting the Runway Rehabilitation Project on July 1.

C. Assistant City Manager

D. Utilities Director

Ryan Limberg mentioned the annual water restrictions are in affect.

E. Public Works

Dennis Strickland acknowledged Road & Highway Builders donated some extra asphalt to the city. They have been struggling with getting some lighting at the 5th Street pocket park and it is up and making a huge difference up there.

F. Airport Director

G. City Attorney

H. Fire Chief

Chief Griego handed out the June 2014 Fire Watch Newsletter. (Exhibit "A")

I. Police Chief

Chief Reed noted three years ago we had a murder in the community and the family will hold a candlelight vigil in memory of the victim. The murder suspect is still on the run.

J. City Clerk

K. City Planner

L. Development Manager

M. Administrative Services Director

Lorraine Martinez reminded everyone that Monday is the last day of the fiscal year. Minutes the cat was put down last week and they will be putting up a picture and a note for the people that ask about her.

N. Parks and Recreation Director

O. Civil Engineer

Jeremy Draper said they are doing a master plan for the Main City Park area to increase parking capacity and narrow up the roadway. At the 5th Street

Park there is a vacant lot next to it and we are working on acquiring that property. They are working on a county-wide bicycle plan.

P. Building Official

II. APPROPRIATIONS (Cont.)

A. Review and possible approval of Warrants. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve the warrants that were distributed dated 6/24/2014.**

The motion passed unanimously. (3-0)

APPROVAL OF MINUTES: June 10, 2014 Regular Session

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve the minutes from the June 10, 2014 meeting in their entirety.**

The motion passed unanimously. (3-0)

V. 6:00 P.M. PUBLIC HEARINGS

A. Review, consideration, and possible adoption of Resolution 24-14, a resolution adopting the Elko County Multi-Jurisdictional Hazard Mitigation Plan, and matter related thereto. **FOR POSSIBLE ACTION**

In 2013 the City of Elko participated in meetings with the Nevada Department of Public Safety and the Elko County Local Emergency Planning Committee to update and revise the Elko County Multi-Jurisdictional Hazard Mitigation Plan. The plan has been reviewed and approved by FEMA pending adoption by Elko County and all participating jurisdictions. JD

Jeremy Draper, Civil Engineer, explained this document talks about what we would do if we had dam failure floods and earthquakes. They looked at the vulnerability analysis which is a great section. It was completed through the Department of Public Safety (DPS) and NDEP. Once adopted it would allow us to go after some additional grants that mitigate some of the hazards that are listed in this document.

Councilman Schmidlein said it looks like there has been a lot of hard work put into this. There are a lot of good features to it and it will benefit the city and surrounding cities.

Mr. Draper noted that any time there is a national disaster he gets phone calls asked what the city has in place in case that happens here. We will forward this on to DPS and Elko County.

Councilwoman Simons asked about the process. Do all the cities adopt it and then the county?

Mr. Draper answered yes and then it is approved from FEMA from that point.

Councilman Schmidlein said he recalled reading through the spills that have been reported over the last several years. He was surprised how much and the different types of material that have been spilled in the immediate area.

Councilman Keener said the maps referenced a south side dam. Where is that?

Mr. Draper pulled up a map on the overhead screen showing where all the dams are. He also demonstrated what areas would be affected if each of the dams were to burst. We have had some of these dams burst in Elko before. Of all the hazards, flooding is one of the biggest ones we have to deal with.

Councilman Keener asked in terms of a terrorism component of this plan, how secure are our well facilities?

Ryan Limberg, Utilities Director, answered we have our own plan for that; a Vulnerability Assessment Plan and then our own plan similar to this relating to utility infrastructure. Those locations are quite secure. Most have a fence around them and locked doors. All of our tank sites have the locked fences with the wire on top.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve Resolution No. 24-14 adopting the Elko County Multi-Jurisdictional Hazard Mitigation Plan and noting that Mr. Draper was going to follow up on a couple of items on that.**

The motion passed unanimously. (3-0)

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, Councilwoman Mandy Simons adjourned the meeting.

Councilwoman Mandy Simons

Shanell Owen, City Clerk