

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

SS June 25, 2019

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, June 25, 2019.

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 Chip Stone
Councilman Bill Hance
Councilman Robert Schmidlein

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Ryan Limberg, Utilities Director
Kelly Wooldridge, City Clerk
Michele Rambo, Development Manager
Jeff Ford, Building Official
Bob Thibault, Civil Engineer
Candi Quilici, Accounting Manager
Dennis Strickland, Public Works Director
Jim Foster, Airport Manager
Cathy Laughlin, City Planner
Jack Snyder, Fire Department
Ben Reed, Police Chief
Susie Shurtz, Human Resources
Shelby Archuleta, Planning Technician

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.

The minutes were approved by general consent.

I. CONSENT AGENDA

- A. Review, consideration, and possible acceptance of a Deed of Dedication from the City of Elko to the City of Elko for a permanent non-exclusive Right of Way, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko recently purchased the subject property from Barry Lipparelli. This action will dedicate the property as right-of-way for the future road extension of Cattle Drive. BT

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the Consent Agenda.**

The motion passed unanimously. (5-0)

II. PERSONNEL

- A. Review, consideration, and possible approval of the Part-Time Domestic Violence Systems Advocate position description, and matters related thereto. **FOR POSSIBLE ACTION**

The Part-Time Domestic Violence Systems Advocate position was approved in the FY 2019/2020 Budget, as a new position within the Police Department. This position is Grant funded through the Services Training Officers Prosecutors (STOP) Grant, awarded to the City of Elko on June 3, 2019. Staff is proposing this position be placed within a Part-Time Hourly Pay Scale of \$30-\$40/hour, dependent upon candidate qualifications, not to exceed 1040 hours annually. A position description has been included in the agenda packet for review. SS

Susie Shurtz, Human Resources Manager, explained this position was approved in the previous budget as a grant funded position. With the grant funding approved they are asking for final approval on the position and position description so they can move forward with recruitment and hiring.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to approve the part-time Domestic Violence position at a maximum of 1040 hours annually, as a grant funded position.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of the Part-Time Laboratory Technician position description, and matters related thereto. **FOR POSSIBLE ACTION**

The Part-Time Laboratory Technician position was approved in the FY 2019/2020 Budget, as a new position within the Sewer Department. The position will help

meet the needs of daily testing and analysis in the Lab within the City of Elko. Staff is proposing this position be placed within a Part-Time Hourly Pay Scale of \$20-\$22.50/hour. A position description has been included in the agenda packet for review. SS

Ms. Shurtz explained this position was also previously approved in the budget process as an addition to the Sewer Department Lab. They are asking for final approval on the position and the position description so they may move forward with recruitment and hiring.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve the position description as presented.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

- B. Review, consideration, and possible issuance of final acceptance for the Well 36 Public Improvements Project, and matters related thereto. **FOR POSSIBLE ACTION**

The project is complete. Staff recommends issuance of final acceptance. There was one Change Order for the project, consisting of three sub items, at a cost of \$4,299.49. RL

Ryan Limberg, Utilities Director, recommended final acceptance.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve Final Acceptance on the Well 36 Project, in the amount of \$123,003.38.**

The motion passed unanimously. (5-0)

- C. Review and possible approval of the Elko Regional Airport Liability Insurance Policy for FY 2019/2020, and matters related thereto. **FOR POSSIBLE ACTION**

LP Insurance Services, Inc. has competitively sought airport liability insurance for the upcoming fiscal year. Only one (1) quote was received from AIG Aerospace at \$9,741/year, representing a 10% increase over the current year. JF

Jim Foster, Airport Manager, explained there was an increase from the year before.

Mayor Keener felt it was affordable when you think of the potential exposure to a disaster.

Curtis Calder, City Manager, said we get twice the limit on the liability than we would get from POOL/PACT.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to approve the AIG Aerospace Police, effective July 1, 2019, for \$9,741 for the year.**

The motion passed unanimously. (5-0)

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. MR

Michele Rambo, Development Manager, explained the Cease and Desist Order has been lifted by NDEP. She recommended conditional approval.

Mayor Keener asked Mr. Capps if he reviewed everything in terms of the conditions and he was good with everything.

Robert Capps, Parrado Partners, answered yes.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Stone, to conditionally approve Final Plat No. 11-18, for the Great Basin Estates Phase 3 Subdivision, subject to the conditions as recommended by the Planning Commission.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS

- A. Review, consideration, and possible approval of a PER (Preliminary Engineering Report) from Lumos and Associates for the Exit 298 Sewer Force Main and Lift Station Design, and matters related thereto. **FOR POSSIBLE ACTION**

The PER is included as supplemental agenda information. Staff will go over a summary of the design and associated costs. RL

Ryan Limberg, Utilities Director, explained the preliminary engineering report was included in the packet. They are looking at designing a lift station and a force main. Each of those has two options

for Council to make decisions on. He went over the design options. In the packet was also a cost sheet breakdown so all the options could be compared.

Councilman Schmidlein liked the wet/dry well option.

Mayor Keener felt the safety aspect was huge.

Councilwoman Simons confirmed that Mr. Limberg would prefer the two force mains and dry/wet combination. (yes)

Mayor Keener asked if this was budgeted for the upcoming fiscal year.

Mr. Limberg answered the construction of this is not budgeted. It is a little premature to construct this now as we would not have enough flow to make it work.

Councilman Schmidlein asked about who would pay for the frontage along I80.

Mr. Limberg said the City would likely need to pick up that cost unless NDOT wanted to help out.

Bob Thibault, Civil Engineer, indicated on the overhead, highlighted in yellow was the sewer design completed.

Mr. Limberg stated the design was at 60% right now and they would like to finish up the design. They do need to know what option to go with in order to finish up the design.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve to move the preliminary engineering report from Lumos and Associates for Exit 298, going with the wet well/dry option, as well as, option 2 in regards to the force main with the 6-inch and 10-inch main.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Great Basin Estates Phase 3 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, included 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. As part of the conditions of approval the Planning Commission recommended that the agreement be approved by the City Council. The Planning Commission also recommended that the Developer shall enter into the agreement within 30 days of the City Council's approval of the final plat. MR

Michele Rambo, Development Manager, explained this is the typical performance agreement. The developer has 30 days to enter into the agreement once it is approve by Council. The developer is here and has indicated that he is in agreement.

Robert Capps, Parrado Partners LP, said he is in agreement with the agreement as drafted.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the Performance and Maintenance Agreement for subdivision improvements associated with the Great Basin Estates Phase 3 subdivision. The subdivider shall enter into the agreement within 30 day or table this item if no action is taken on the associated final map.**

The motion passed unanimously. (5-0)

VI. RESOLUTIONS AND ORDINANCES

- C. Review, consideration, and possible approval of Resolution No. 12-19, a resolution adopting the National Incident Management System in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The National Incident Management System (NIMS) was published by the Department of Homeland Security on March 1, 2004. It provides a comprehensive and consistent national approach to all-hazard incident management at all jurisdictional levels and across all functional emergency management disciplines. The benefit of NIMS is especially evident at the local level, when the entire community prepares for and provides an integrated response to an incident

Jurisdictions are required to adopt NIMS implementation requirements as a condition of receiving federal preparedness funding assistance and/or grants. KW

Jack Snyder, Deputy Fire Chief, explained while they were updating the Emergency Operations Plan, they noticed this was not in writing as it should be. All agencies follow this structure but it was not in writing. This is a formality to say we have adopted it.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to adopt Resolution No. 12-19, recognizing the National Incident Management System as the foundation for incident command coordination and support activities for the City of Elko.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS (Cont.)

- C. Review, consideration and possible approval of a request from Mary Spealman, dba Boot Scoot N' Brew for concession space at the Elko City Main Park, and matters related thereto. **FOR POSSIBLE ACTION**

Sisters Food has terminated their concessionaire agreement. This leaves a space #1 available and Mary Spealman would like to utilize it for a mobile expresso shop Boot Scoot N' Brew. KW

Kelly Wooldridge, City Clerk, explained this will make the park concessionaires full.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Stone, to approve Boot Scoot N' Brew for a concession space No. 1 at the Elko City Main City Park.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible approval of a lease agreement amendment between Newmont Mining USA and Nevada Gold Mines, LLC between the City of Elko, Elko Regional Airport and Newmont Mining Corporation at the Elko Regional Airport, and lease assignment and assumption between Newmont Mining USA and Nevada Gold Mines, LLC, and the City of Elko, Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

Newmont Mining Corporation entered into a lease agreement with the Elko Regional Airport for the lease of 45 parking spaces located at the airport terminal on March 1, 2019. This amendment extends that lease and assigns it to Nevada Gold Mines LLC. JF

Jim Foster, Airport Manager, explained this extension is until January. This will transfer the name and extend the lease.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to approve the Lease Agreement Amendment between the Elko Regional Airport and Nevada Gold Mines LLC.**

The motion passed unanimously. (5-0)

VI. RESOLUTIONS AND ORDINANCES (Cont.)

- A. Review, consideration, and possible approval of Resolution No. 10-19, a resolution amending Police Department fee's effective July 1, 2019 and matters related thereto. **FOR POSSIBLE ACTION**

The State Department of Public Safety is increasing the State fee portion of fingerprint based background checks effective July 1, 2019. BR

Ben Reed, Jr., Police Chief, explained this is a housekeeping issue. We amend these fees time to time, almost annually. Some things have happened at the State level to increase the fees that we have to charge.

Shelby Womack, Police Records Supervisor, said they were notified by the State that as of July 1st, the gaming control board would no longer take finger print fees. Normally we transmit it electronically. They are having us take the fee up front so the fee gets paid. The FBI fee and the state investigation fee have also increased.

Mayor Keener pointed out that we went through all these fees a couple years ago and brought everything up to speed to cover costs. We are just increasing these fees for the charges that are being passed through us.

Chief Reed said that was correct. These increases were State driven.

**** A motion was made by Councilman Stone, seconded by Councilman Schmidlein, to adopt Resolution No. 10-19, effective July 1, 2019.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of Resolution No. 11-19, a resolution donating a City of Elko Fire Engine to the Elko County Fire Protection District, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department has determined that the 1997 Emergency One Fire Truck has reached its useful life for the City and would like to donate the Engine to the Elko County Fire District. JS

Jack Snyder, Deputy Fire Chief, said the former Engine 2 has served the City for 21 years. It was retired from service when the new Engine 1 was received.

Linda Bingaman, Elko County Fire District, thanked City Council for their consideration of this. When they took over the Fire District, they inherited a very old fleet and minimal equipment.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to adopt Resolution No. 11-19, finding the 1997 Emergency 1 Fire Truck has reached its useful life for the City of Elko and approve the donation to the Elko County Fire District.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible approval of Resolution No. 13-19, a resolution providing for the transfer of appropriations between accounts within the City of Elko 2018/2019 Fiscal Budget pursuant to N.R.S. 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. CQ

Candi Quilici, Accounting Manager, explained this is annual year-end housekeeping. Proposed transfers are included in the packet. The swimming pool repairs are included.

Curtis Calder, City Manager, said another one was the capital construction that covered the 6th Street Culvert Replacement. We just received a letter from FEMA and DEM denying reimbursement so it was the right call to transfer. We have spoken to our auditors so they can make the necessary adjustments.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve Resolution No. 13-19, a resolution providing for the transfer of appropriations between accounts within the City of Elko 2018/2019 Fiscal Budget pursuant to NRS 354.598005.**

The motion passed unanimously. (5-0)

- E. First reading of proposed Ordinance No. 841 “Amending Title 2, Chapter 13 Of The Elko City Code Entitled ‘Sidewalks, Curbs, Gutters’ and Recodifying The Section As Title 8, Chapter 21”, and matters related thereto. **FOR POSSIBLE ACTION**

The section of the City Municipal Code regulating the installation of curb, gutter, and sidewalk is currently located within the City’s Building Code (Title 2). Council’s adoption of the 2018 IBC on June 11, 2019 essentially repealed the existing Title 2 and made it necessary to move the curb, gutter, and sidewalk regulations. Council initiated Ordinance No. 841 at their June 11, 2019 meeting to not only change the location, but add standard enforcement language, clarify existing language, and correct typos. MR

Michele Rambo, Development Manager, explained this is simply moving the regulations to another location and correcting some typos, and clarifying some vague regulations. The regulations are not being changed.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to conduct first reading of Ordinance No. 841, and direct City Staff to set the matter for second reading, public hearing and possible adoption.**

The motion passed unanimously. (5-0)

- F. First reading of proposed Ordinance No. 843 “Deleting Title 2, Chapter 1, Section 15 Of The Elko City Code Entitled “Exemptions For Existing Buildings, Structures And Building Service Equipment Systems”, and matters related thereto. **FOR POSSIBLE ACTION**

On June 11, 2019, Ordinance No. 839 adopting the 2018 International Building Code was approved by Council. Council also approved to initiate Ordinance No. 843 deleting the existing building code since it is contained in Ordinance No. 839 and the International Building Codes. KW

Kelly Wooldridge, City Clerk, explained this is more housekeeping due to the existing building codes being contained in the International Building Code.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to conduct the first reading of Ordinance No. 843, and direct staff to set the matter for second reading, public hearing and possible adoption.**

The motion passed unanimously. (5-0)

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Ratification of the Police Chief issuing three 30-day Temporary Retail Liquor Licenses and a 30-day Temporary Packaged Liquor License and issue three Regular Retail Liquor Licenses and a Regular Packaged Liquor License, to Justin Lee Beltram and Eric Hans Perrson, DBA Red Lion Hotel and Casino (retail liquor), located at 2065 Idaho Street, Elko, NV 89801, Gold Country Inn & Casino (retail liquor), located at 2050 Idaho Street, Elko, NV 89801, High Desert Inn (retail liquor), located at 3015 Idaho Street, Red Lion Chevron (packaged liquor), located at 2175 Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Chief Reed explained that he tried to get that all under one agenda item. The property changed hands. They all have liquor licenses. The background checks are complete with no issues. They will receive separate licenses for each business.

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Stone, to ratify the Police Chief issuing three 30-day temporary retail liquor licenses and a 30-day temporary packaged liquor license and issue three Regular Retail Liquor Licenses and a Regular Packaged Liquor License, to Justin Lee Beltram and Eric Hans Perrson, DBA Red Lion Hotel and Casino (retail liquor), located at 2065 Idaho Street, Elko, NV 89801, Gold Country Inn & Casino (retail liquor), located at 2050 Idaho Street, Elko, NV 89801, High Desert Inn (retail liquor), located at 3015 Idaho Street, Red Lion Chevron (packaged liquor), located at 2175 Idaho Street, Elko, NV 89801.**

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 Simons, seconded by Councilman Hance, to approve the general warrants.**

After the motion and before the vote, Councilman Schmidtlein asked, under the Elko Redevelopment Agency, there was an overpayment to the City of Elko for Wells RDA.

Councilwoman Simons had the same question and wondered if it was related to the last overpayment.

Cathy Laughlin, City Planner, answered no. The County was paying us the Wells portion of their redevelopment. We didn't catch it until three of four months in. The County caught it when Well contacted them.

Mayor Keener asked if it was only for this current fiscal year and it only happened for a few months.

Ms. Laughlin said Wells just got approved for their redevelopment area recently. This should be their first few payments.

Councilman Schmidlein asked regarding the Animal Shelter and American staffing, How much American Staffing do we use at Animal Shelter each year.

Curtis Calder, City Manager, answered we budget a certain amount every year because we know we are going to have people in and out. Currently have an employee out on long-term sick leave as a result of surgery. They are being used more than normal right now.

The motion passed unanimously. (5-0)

VIII. REPORTS

A. Mayor and City Council

Mayor Keener met with Troy Poncin and a prospective broadband provider. He thanked Cathy Laughlin for a tour of nuisance homes. There is a fundraiser Walk-a-thon on Saturday at 10:00 am at Elko High, hosted by the National Alliance for Mental Illness.

Councilman Schmidlein asked for an update on Armstrong property.

Jack Snyder, Deputy Fire Chief said the Fire Marshal has sent the appropriate paperwork to the City Clerk so the process may move forward.

Chief Reed said one went into custody for arson and is still in custody.

There was some discussion about other properties and serving the property owners paperwork.

Councilman Stone said there was an ECVA meeting today. The California Trail Center received \$2,500 to help them with a large convention they are promoting. The Animal Shelter Maddy's event went well.

Mayor Keener said he provided the wrong dates for Nevada League of Cities.

Councilwoman Simons said she will miss the next meeting.

Mayor Keener reported that mosquito spraying happened on Monday and there will be a follow-up application (weather permitting) next Monday or Tuesday. The summer water conservation watering schedule is in place for three times a week for all users within the City of Elko.

B. City Manager

Curtis Calder reported the Swimming Pool is open. Everything seems to be going well. He got an email from NNYSA Soccer Group asking for the Mayor or a Councilmember to participate in the kickoff. He received a letter from FEMA DEM denying reimbursement for the 6th Street Culvert and he will put a copy of it in their boxes. This weekend at the SnoBowl is the motorcycle race. There is also another motorcycle race happening in Wells at the same time. They are unrelated.

C. Assistant City Manager

Scott Wilkinson said the Executive Director from the Nevada Commission on Ethics did a presentation today at 1:30 pm. A copy of the presentation was available for information purposes.

D. Utilities Director

E. Public Works

F. Airport Manager

Jim Foster said the insurance policy has no deductible. He received a phone call about the noxious weeds at the Airport. They typically mow the infields and along the runway under normal conditions. With the wet winter and spring they have not been able to get out and mow yet. They are also getting ready to start spraying the weeds.

Mayor Keener said he noticed some large military helicopters and wondered if they landed at the airport.

Mr. Foster said he was out of town at the time but assumed they stopped and purchased some fuel before heading out again.

G. City Attorney

H. Fire Chief

Deputy Fire Chief Jack Snyder reported open burn season will end at the end of the month. The burn ban will begin July 1. The Hazmat Team responded to train derailment last week. Nine of their volunteers went down to the Nevada State Firefighters Association Conference that was held in Laughlin. They came away with the Fire Department of the Year for the entire state.

I. Police Chief

Chief Reed reported the Tactical and SWAT teams have had some good collaboration with the Sheriff's Office. The teams were able to attend an Advance Tactical Team Training in Winnemucca that was mostly grant funded. They have been working on getting back up to four Canine teams. Jason Checketts was able to train the two new handlers and they passed with flying colors. The Bomb Squad responded to the train derailment. Winnemucca called for a bomb team for an IUD next to a bank. We sent the team but it did not contain any explosives. National Night Out is scheduled for August 6, 2019 starting at 5:00 pm. The FLEAT Academy had opening ceremonies yesterday and graduation is this Saturday.

J. City Clerk

K. City Planner

L. Development Manager

M. Parks and Recreation Director

N. Civil Engineer

Bob Thibault reported the Sports Complex work is under way again. They have had some issues with the concrete floors in the concession building over the winter. They are researching the causes and looking for a solution.

O. Building Official

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