

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

SS August 10, 2021

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, August 10, 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](mailto:cityclerk@elkocitynv.gov).

## CALL TO ORDER

## ROLL CALL

**Council Present:** Mayor Reece Keener  
Councilwoman Simons  
Councilman Chip Stone  
Councilman Clair Morris  
Councilman Giovanni Puccinelli (*sworn in after appointment*)

**City Staff Present:** Curtis Calder, City Manager  
Scott Wilkinson, Assistant 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  
Cathy Laughlin, City Planner  
Jim Foster, Airport Manager  
Jack Snyder, Deputy Fire Chief  
Ty Trouten, Police Chief  
Dave Stanton, City Attorney  
Bob Thibault, Civil Engineer  
Michele Rambo, Development Manager  
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**

Mayor Keener noted the Bird Rides have arrived in town. He hoped that business venture goes well and everyone enjoys them responsibly. It was another successful National Night Out. He recognized the community partners that helped make the event possible: PACE Coalition, Pepsi, Blach Distributing, Albertsons, Bonanza Produce, Troy Eden, Dave Lockie and Trinity (who provides the in-house meals at the jail). The blacktop (microslurry) is looking great and he thanked the public for their patience with the project.

Lee Hoffman, 1085 Barrington Ave., stated last Wednesday, August 4, the Elko County Commission unanimously passed two motions in protection of our personal freedoms. First they directed their staff to draft an ordinance that would prohibit door-to-door solicitation and finding people that have not been vaccinated for COVID. This ordinance will be specific to unincorporated Elko County and will have no affect within our City limits. They also directed the County's offices and agents to refuse to enforce the Governor's mask mandate. Including in the motion, "we encourage others to do the same but recognize that mask wearing is a personal choice and those wanting to wear a mask should be comfortable doing so." As a citizen of the City of Elko, he was requesting that they place on an upcoming agenda, consideration of a similar ordinance prohibiting door-to-door solicitation involving vaccinations and consideration of the City's position regarding the mask mandate. He realized the City may be reluctant to take the exact stand that the County has taken, but it is still an important item for public discussion, information and input. He thought it was important that we in Elko County show a unified front to the highest degree possible. Our liberties are being eroded and we look to our local governments to stand up for us. The more voices we have singing the same tune, the more clearly we will be heard. Following the County Commission meeting last Wednesday, he did not have time to make this request via email in time for this agenda. He did send members of the Council and Mr. Calder an email earlier today but he wanted to come and make the request on the public record at this time.

Mayor Keener noted he was in receipt of the email (Exhibit "A") and Mr. Calder was too. It is important to have a public conversation about that. The community deserves to know where we stand on that. Look for that to be on an upcoming agenda.

Danny Story, 4748 Spear Street, said he was present because he was not extended the professional courtesy of being notified that himself and Elko Adult Softball was going to be discussed in an action item last meeting. He knows this was done intentionally and he was ashamed, as Council should be, as someone that sits on the Parks and Recreation Advisory Board was discussed without the ability to defend themselves. He did realize it was put out in the community but he would expect a little bit more of a professional courtesy. He hoped he doesn't face any unfair consequences for what he was about to say but he felt he had the right to speak in public comments. He also knew it would be misconstrued that he started this discussion but he wanted to be clear, it was the Justice for Stephanie Foundation who rose before you and triggered this reactionary presentation that your City Manager clearly enjoyed presenting without his presence. Only then could he convince you that these slides were factual and give you the other side of the story. Elko Adult Softball merely pledged their support to the Justice for Stephanie Foundation in that meeting. Councilman Morris mentioned in that meeting that it was nice to get both sides of the story. He as a member of law enforcement should be well aware that there are more than two sides of the story. There are at least three and in this case, more likely four. Before he got into the actual facts, he wanted to remind Council of what he has brought to the City of Elko over the last 15 years, mostly as an unpaid volunteer. He ran several dozen tournaments over the years, bringing in tens

of thousands of tax dollars to the community, not just in softball but also little league state events and much more. He had been behind the scenes of this complex from feasibility study to today. He has raised hundreds of thousands of dollars for various charities and he has represented Elko in towns all over the western United States, always promoting Elko, Nevada in a positive light. Contrary to popular belief, he is a huge supporter of law enforcement. First responders, military, veterans, etc. There is also another side of the comment of him disrespecting law enforcement that he will get to later. At the beginning of the pandemic he sat down with most local leaders involved in the decision making in Elko and the County. He sat in with Assemblyman Ellison, Sheriff Narvaiza, Chief Trouten, Curtis Calder, James Wiley, Reece Keener and Amanda Osbourne, just to name a few. He had conversations with other Councilmembers and County Commissioners, Sheriff Deputies, Nevada Highway Patrol, Elko PD, Elko Fire Department, EMS, doctors, nurses, probation officers and much more through this entire pandemic. Nobody can question his passion and respect for the City of Elko and Elko County, nor should he be labeled as a public health risk. So referring to the timeline in question that was presented at the last City Council Meeting he will go back to a little bit before this timeline starts. This timeline starts in 2011 where supposedly the City of Elko, before the full-service model for Adult Softball. That, in fact, did not happen in 2011. That started in 2008 when the City of Elko took over Adult Softball. What happened, the Co-Ed league was losing their president. Their Women's league had been through embezzlement and couldn't run anymore. Vega approached the City and in a nutshell, the City absorbed all three leagues. The Men's league was not real happy as they had been self-sufficient for years. He had previously helped out the late president, Ralph Bayharano, simply because he was on the team and frequented the fields. The knowledge he brings from sports, the knowledge he had within the league coupled with a sports background and a desire to have a job that revolved around sports presented what he thought was a great opportunity. He assisted Eric Howes in the transition still helping (Eric Howes was the former Parks and Recreation Director) with schedules, umpires, tournaments and much more to make sure the leagues succeeded. Towards the end of the second season, another opportunity presented itself. The Elko Indian Colony approached him and asked him to take over Adult Basketball. Eric and him sat down and put a plan together to absorb Adult Basketball and a part-time job was created. In the discussion Eric had told him that if he could keep leagues going year round he would consider to seek out a full-time Sports Coordinator position. So he started Adult Flag Football which was a huge success while he was running it. So he created the Sports Coordinator position that currently is in the Parks and Recreation Department but he did not get the job. He was bent about it at first but in the long it was probably the right choice for all parties involved. He stayed on as a liaison and created an advisory board called Elko Adult Players Association to help the players have a voice in all adult sports. All the adult league rules and regulations, profit law and by-laws were designed by him and currently the same. The leagues are all self-sustaining to this day. A simple google search will get you to an article in the Elko Daily Free Press entitled The Story Behind Elko City Softball. As referenced by City Staff, he was the one that kept things running smooth, performing tasks that your full-service model should have been doing. These are wishful numbers we are about to go over. He mentioned these things because he felt he has established a great relationship with the City and the sports community. Now let's get to the document. Line one, in 2011 the Parks and Recreation Department assumed management and operation of Adult Softball Leagues. Once again that is not correct. That happened in 2008 and they didn't assume anything, they took it over. Line two, under this model the Parks and Recreation Department handled registration, organization, directing, managing, budgeting, expenses, field maintenance and concessions. Much of this is debatable but what is not is that the Parks Department did a fantastic job on the fields once they took over and they are getting better by the year. Joe Carr does a magnificent job with the fields.

At the time, Wade was a field manager there and James was also in the Parks Department but has done a great job as the Recreation Superintendent. Line No. 3, staffing requirements for league play, 2 full-time recreation employees and one part-time concession stand employee. This is just not true. There was just one full-time employee. The salaried manager did a little bit of work on the adult leagues and the salaried manager's choice to open the concession, who she ran, sometimes with the assistance of Barrick employees. Line No. 4, staffing requirements for tournament play, 3 full-time recreation employees, 2 full-time parks employees and 3 part-time concession employees. This number is absurd. Never has there ever been 8 hourly employees running a tournament except for the Ruby Classic Baseball Tournament. Most of those employees were salaried so it was not like we were paying someone separately to run these leagues. Page No. 2. He is going to have to go back a year here because it talks about the partial service model of 2016. He will have to go back to 2015. Because in 2013 he mostly stepped away from adult softball to focus on creating Junior League Baseball for Elko Little League after Babe Ruth had dissolved. In 2015 he got a text message, Tuesday, January 27<sup>th</sup> with the agenda item to raise fees in a screen shot. He disputes the fact that players were notified. If they were he was omitted from the list because he still participated in all these leagues. It seemed to be a reoccurring theme. Against his better judgement, James was ordered to put together a new fee structure in a fairly short amount of time to push through. He did not fault James for this as he was doing his job with misguided leadership. We have to compare apples to oranges, ladies and gentlemen. He spoke his mind as did other players that could make it on such short notice. The resolution passed 3-2. Once again, Men's Softball was left out in the rain with very little representation. This created a firestorm of past and present players who now were forced to choose whether their kids could play or they could play, which everyone should choose youth every time. Players set up a meeting and invited him to the Gold Dust West restaurant to discuss the options. Their thought was they were going to boycott the league and play somewhere else, or things of that nature. His idea was simply to get a group of individuals together, like the Elko Adult Players Association, which was dissolved conveniently the previous fall, by the Recreation Director, to go back to Council and ask for a smaller increase or a different approach. He didn't think that was unreasonable. After the City refused to adjust, Elko Adult Softball was formed. We kept the fees the same and entered into a field sharing plan with the Recreation Department. We opened registration for Men and Women against the City's with the understanding we would share and divide the fields according to number of teams. Elko Adult Softball ended up with 16 Men's teams and 8 Women's teams. The City of Elko ended with 10 Men's teams. Even though we had twice the amount of teams, the Recreation Director took the fields with more game slots on week nights and would not let us use them for games when they did not have their slots filled. By the time Co-Ed registration was complete, Elko Adult Softball had 24 teams, the City of Elko had 3. At that time they bowed out because the players saw the benefit and value in of Elko Adult Softball with no fee increases vs. the competition. Back to our page 2, line 1, in 2016 the Parks and Recreation Department discontinued the management of operations for Adult Softball leagues but continued managing tournaments. They were forced to discontinue management of the league because there was no participation, when all they had to do was compromise. We didn't want to take it, believe me, we were forced to by the players. They ran the Ice Breaker and the 24-hour Tournament into the ground, and of course, Stephanie's. We ran the Door-Slammer and helped with teams and umpires for the others, and there was also one other tournament not mentioned, which was the Out of Darkness – Suicide Awareness tournament, which they also helped with. By this time, it was starting to come out that the Recreation Director had changed Stephanie's from a benefit to a memorial, keeping the funds for City profit without Lydia's knowledge. Line item 2, this change was a result of Elko Softball's concerns regarding increase and the perception that their league was subsidizing other recreation

funds. Perception, how about the strange coincidence of them raising softball fees to support the City's Fun Factory and other youth programs that lost money because the City lacked the foresight to adjust for the Boys and Girls Club being built. Strangely enough, the following spring, the Recreation Department borrowed \$50,000 from the General Fund, which was almost the exact amount lost by youth programs ran by the Recreation Director. That is not perception, that is fairly obvious. Line No. 3, under this model the Parks and Recreation Department retained all team fees and concession revenue from tournament play. That was correct which makes Stephanie's Tournament that much more gut wrenching to watch. Line No. 4, exception, Stephanie's Tournament collected and retained all revenue from beer and burrito sales. Correct, except for not listed in the competition agreement. Page No. 3, once again, year is incorrect. Minimal service model 2018. He had the combined flyer and all these timelines he has on record; he has email records of all of it.

Mayor Keener interrupted and noted Mr. Story was at 10 minutes speaking right now and maybe this is something we should consider putting on the agenda so we can devote a full hearing to it. There is absolutely no intention to prevaricate or to hide agenda items from any group but he will tell them that any group that comes in here that makes charges as Mr. Marin did two meetings ago, really has a responsibility to understand what is going on and see what is going to be upcoming on the agendas.

Mr. Story said that was not his organization. He is not part of the Justice for Stephanie organization. He is the President of Elko Adult Softball and that is why he said to begin with, Justice for Stephanie was who triggered this document. He was present defending the misconstrued timeline that has been thrown towards Elko Adult Softball and later on, himself. He would have thought, like he said, a little professional courtesy, a little email saying we are going to be discussing Elko Adult Softball. You guys know he doesn't get off work until 5pm. This has happened before. That is where he was bent on this, is just, hey, we are going to talk about you. If it wasn't a problem for him to defend himself, he would invite his competition to come in and debate him, which he has done several times. He was not looking to debate. He was looking to dispel the document and go over what he has been accused of and put it out on public record. That is all he was trying to do. He wasn't trying to dispute. He wished this had been done last October.

Mayor Keener asked Mr. Story how much longer was his statement estimated at.

Mr. Story answered he had not timed himself but he was probably a little over ¼ through.

Mayor Keener said it is not going to happen then, the rest of that. We have important business to cover this evening. We can have an agenda item to address your concerns and if you could in advance, prepare your comments and submit those to either James or the City Manager's Office and we will see to it that this gets agendized so we can give it the proper attention it sounds like it deserves.

Mr. Story said he wasn't given the same. That is all he was saying.

Mayor Keener thanked him for his statement. He let Mr. Marin know that he had three minutes to speak.

Pedro Marin responded with no. Three minutes for public comment?

Mayor Keener stated again that he had three minutes.

Mr. Marin asked for public comment?

Mayor Keener answered yes.

Mr. Marin said okay, then he will be sending something to get on as an agenda item. He will have to do everything as quick as he could. He was present representing Justice for Stephanie and himself personally, and also Battle Born Media Networks and we are filming. The fact that you brought his name up during public comment that had really nothing to do with his organization, is really unprofessional. Speaking of professionalism, he will start with this. He would like to offer his condolences and Justice for Stephanie's condolences for the loss of Bill Hance. He considers him a good friend and we all consider him a good friend and he always helped them out. Since he only had three minutes, he was going to try to work his way through this thing and apparently make it as quick as he could. He would like to start by apologizing to law enforcement as in that statement it was said that we were very unprofessional to the law enforcement officers that showed up to shut us down. He apologized for that. They were very emotional. They worked two years for that thing. They put in their entire heart and soul into this. The officers were rude to himself, to Danny Story and to his mother-in-law. You can watch the video and if you want to go back to social media, the officer was very rude. The part that really got him was that he was very rude to his mother-in-law. But if he was rude to him, he apologized. He has already apologized to the Chief of Police and he would be more than happy to meet with the officer and apologize to him. He will put his phone number on that board if you would like him to and he is more than willing to sit down and talk with anybody about this entire situation. The other thing is that when this was presented, it was presented by Scott Wilkinson, who nobody with Justice for Stephanie that he knew of, has ever met with him other than the founder, Lydia Cortez, who has now passed away. So why it was him that made this statement is beyond him when it should have been the City Manager who they all sat down with and had a meeting with. He told Curtis the same thing, if you want to have a conversation, all you have to do is call him. He would more than happy to sit down with him. The other thing that he will have to get to, obviously pretty quick, is that when we did sit down, we had a meeting with the Chief of Police, the Mayor and Curtis Calder, the City Manager. Curtis's first statement in that meeting, he decided to start off with a profanity. He decided to say that they basically told the City, I'm not going to say it but it starts with an F, and everyone in that meeting knows that. He was incredibly rude to Danny, incredibly rude to him, and incredibly rude to his mother-in-law, which is the part that really irritated him, because that is his mom. That being said, on top of that, the directive that was given to them at their event states that they were in violation of the Directive 027, signed by the Governor of Nevada. If you look at that directive, it clearly states that you are supposed to be wearing a mask. The Mayor of Elko, Reece Keener was there and we have pictures and video of him not wearing a mask, of you not practicing social distancing, and you shaking his hand.

Mayor Keener wondered if he was asking for him to apologize.

Mr. Marin answered he did not want an apology. He was saying that to him it was very hypocritical that you allowed two other events to happen and still didn't follow what law enforcement shut us down. He didn't blame law enforcement because they are doing their job. The fact that he was there trying to shut them down for something that is clearly on here. He didn't know what to say

to that. Apparently, probably his three minutes were up and he had plenty more to say but he definitely wanted to get on to an agenda item and they will be talking about this a lot more. That is the reason why we decided to move this thing to Sparks Nevada. He mentioned one other thing. They just held a tournament in Battle Mountain and the first thing that the City told them was that they would donate all of the proceeds from their concessions to the Justice for Stephanie organization. No questions asked. They said here you go. We didn't even have to ask. We didn't expect that. We were just holding a tournament. That's what they did. To him it was very hypocritical and Councilman Morris, he agreed with Danny with getting the two sides of the story. If he had more time to talk, they would get the whole story because they do not have the entire story. We actually had a professional videographer on that 9-11 tribute. We had almost every law enforcement agency helping us out, almost every first responder agency helping us out. We had the Sheriff there and all kinds of things. Mayor Keener was there and he saw it. We hired one of the best production companies in the world because that was how much work they put into this thing. We hired them because we wanted to make that thing do it if we were going to do it. That was exactly what you shook his hand and said, that he did an amazing job. He put together an amazing 9-11 tribute and he knows he did. Since he is out of time and Danny is out of time, they would love to come back and have an agenda item.

Mayor Keener said we could certainly do that. Thank you for your comments to law enforcement. He will concede that he did not realize... He saw Danny at the tribute. He saw Mr. Marin at the tribute and he thought, wrongly, that the two were affiliated together. He knows that Danny did stay at the outset.

Mr. Marin said he wasn't blaming the Mayor because no one was wearing masks. That was not the point of his comment. The point of his comment was that law enforcement came to shut them down when in fact the Mayor was just there and two other events were there. We have videos and drone footage of everything.

Mayor Keener said it would be on an agenda. Just one correction was that a presentation, a non-action item and there was nothing that was voted on by the Council at that time.

April Crooks, PO Box 8204, thanked Lee Hoffman for what he said about a united front with our County Commission about the whole mask and vaccines. When people don't wear a mask you get the assumption that they don't want to. The Governor's mandate, which is not a law, also states there are exemptions; medical exemptions, mental health exemptions. Just for the record, when people don't wear a mask, it's not because they are trying to be hypocritical. She will be here more often.

**APPROVAL OF MINUTES:      July 27, 2021      Regular Session**

*The minutes were approved by general consent with the abstention of Councilwoman Simons.*

**I.      PERSONNEL**

A.      Employee Introductions:

- 1.)      Tyler Hudspeth, Mechanic I, Fleet Maintenance Department

*Present and introduced.*

- B. Review, consideration, and possible appointment of a City Council member, and matters related thereto. **FOR POSSIBLE ACTION**

Due the death of Councilman Bill Hance on July 14, 2021, the City Council has 30 days to fill the vacancy. On July 27, the City approved the application package to fill the unexpired term. The application was listed on the City of Elko Website and advertised in the Elko Daily Free Press. KW

Kelly Wooldridge, City Clerk, explained we have seven applicants: Tammie Cracraft Dickenson; Dennis Petersen; Gratton Miller; Giovanni Puccinelli; Jeff Dalling; Randy Ridgway; and Rowena Smith. Their applications are complete and included in the packet.

Mayor Keener wanted to give all the applicants a chance to address Council before the board discussion. He asked if any of the applicants wanted to speak.

Tammie Dickenson stated that in the interest of time, she would cede her comments.

Dennis Petersen, Giovanni Puccinelli, Jeff Dalling and Randy Ridgway all got up, introduced themselves and said a few words. Gratton Miller and Rowena Smith were not present at the meeting.

Mayor Keener shared some thoughts. Bill was a great contributor to the board and we have some great candidates to choose from. He was leaning towards Mr. Petersen or Mr. Puccinelli because of their experience in the construction industry.

Councilwoman Simons commented she was happy to see seven people had applied. Any one of them would be great. She thought if the candidates could not be here then she worried what else might get in the way of their attendance. That narrowed the choices down to five. Diversity makes this board great, with different points of view.

Councilman Morris said he was pleased to see so many applicants for the position. This is a tough decision and a vast bucket of applicants to choose from. He leans towards Mr. Puccinelli because of his business and people skills.

Councilman Stone agreed it is a wonderful group of people that applied. For him it was important that the applicants were present. He liked the long haul approach and thought it was good if the applicant was willing to stay and run for office when the term is up.

April Crooks said she was new to the community and wanted the board to appoint someone that will work for the voters.

Robert Schmidlein, 2976 Lanae Ct., said coming in here and sitting down after 8 months felt like he missed something. It will be a tough decision tonight. The two that are not present for the meeting should be eliminated. He offered some more ideas to help eliminate candidates further. He stated he would support Giovanni Puccinelli for the position if he were to vote on it.

Mayor Keener closed public comments and opened it up for board discussion.



Mayor Keener said when he was appointed onto this board, he was the Chairman of the Planning Commission and it was a seamless transition but there is a large learning curve and it takes a long while to get up to speed.

Councilwoman Simons stated her top choices were Jeff Dalling, Dennis Petersen or Tammie Dickenson.

**\*\* A motion was made by Mayor Keener to appoint Giovanni Puccinelli to the remainder of Bill Hance's term.**

Councilman Stone wanted more deliberation before a motion.

**Councilman Morris seconded the motion.**

Mayor Keener pulled his motion so there could be more deliberation.

Councilman Stone wanted to talk about his choices. Mr. Ridgeway brings a lot to the table. So does Mr. Dalling. He is impressed with how Mr. Puccinelli reacts in public meetings. He would fully support Mr. Puccinelli in this.

**\*\* A motion was made by Mayor Keener, seconded by Councilman Morris, to appoint Giovanni Puccinelli to the unexpired term of Councilman Bill Hance.**

*The motion passed unanimously. (4-0)*

Mayor Keener swore in Giovanni Puccinelli to City Council.

- C. Review, discussion, and evaluation of Appointed Official job performance for Fiscal Year 2020/2021, including the possible award of merit pay increases, and reappointment for the following eligible Appointed Officials: 1) Curtis Calder, City Manager; 2) Ty Trouten, Police Chief; 3) Matt Griego, Fire Chief; and 4) Kelly Wooldridge, City Clerk, and matters related thereto. **FOR POSSIBLE ACTION**

Current City policy requires performance reviews to be completed for each Appointed Official during the month of July each year. All Appointed Officials, who are considered employees, shall be evaluated by the Council on years that end in an odd number. Prior to any reappointment of an Appointed Official, a performance evaluation shall be completed. In addition, Council determination is required for reappointment of each Appointed Official, and merit increases for those eligible. A copy of the job performance ratings is included in the agenda packet for review. SS

Susie Shurtz, Human Resources Manager, explained the evaluation scoring was included in the packet. They are looking for three actions from Council: acceptance of the evaluations, merit increases and reappointments.

Mayor Keener asked if they were all made aware of their evaluations. (yes) He congratulated everyone on their stellar performances.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Stone, to accept the evaluations of the Appointed Officials jobs performances for fiscal year 2021, and award Chief Trouten and Ms. Wooldridge a two-step increase and Chief Griego a one-step increase, and everyone is reappointed to the position they are currently in.**

*The motion passed unanimously. (5-0)*

## **II. 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 Morris, to approve the regular warrants in the amount of \$476,393.61.**

*The motion passed unanimously. (5-0)*

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

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Morris, to approve the General Hand-Cut Checks in the amount of \$125,963.38.**

*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 Councilman Morris, seconded by Councilman Puccinelli, to approve the Print N' Copy warrants in the amount of \$889.76.**

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

C. Review and possible approval of Ruby Mountain Lock & Safe Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**\*\* A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the Ruby Mountain Lock & Safe warrants in the amount of \$171.50.**

*The motion passed unanimously. (5-0)*

E. Review, consideration, and possible award of a contract for the VFW Drive Improvements, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m., on August 6, 2021. This item has been approved and budgeted for construction in the current fiscal year budget. A bid tabulation is provided in the agenda packet. BT

Dennis Strickland, Public Works Director, explained they received 3 great bids. He recommended award to Acha Construction.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Morris, to award the contract for the VFW Drive Improvements to Acha Construction in the amount of \$424,657.**

*The motion passed unanimously. (5-0)*

- F. Review, consideration, and possible approval of the Elko Police Department to purchase a Leica Scanner Kit, training and related equipment, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department was approved in the FY2021/22 budgeting process to purchase a Leica Scanner Kit, training and related equipment. The cost of a Leica Scanner Kit, training and related equipment is \$19,077. TT

Chief Trouten explained the purchase request.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Stone, to authorize the Elko Police Department to purchase a Leica Scanner Kit, training and related equipment, in the amount of \$19,077.**

*The motion passed unanimously. (5-0)*

- G. Review, consideration, and possible approval of the Elko Police Department to purchase a Law Enforcement Firearms Training System, and related equipment, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department received \$150,000 (one hundred and fifty thousand dollars) in donations. The department is looking to purchase a Law Enforcement Firearms Training System, and related equipment. The cost of a Training System and related equipment is \$163,272.30 (one hundred and sixty-three thousand, two hundred seventy-two dollars and thirty cents). There is an additional donation coming from Kinross Gold Corporation for \$10,000 (ten thousand dollars), to assist in covering a portion of the cost. TT

Chief Trouten thanked all the generous donors that helped with the purchase of this. This device will train our officers and help us correct and identify behaviors that will not be ideal when dealing with the public.

Mayor Keener encouraged everyone on the board to check out the system when they can.

**\*\* A motion was made by Councilman Stone, seconded by Councilman Morris, to authorize the Elko Police Department to purchase a law enforcement training system and related equipment.**

*The motion passed unanimously. (5-0)*

## **VI. 5:30 P.M. PUBLIC HEARINGS**

- A. Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-22(H), appealing the Elko City Planning Commission's decision to deny Variance No. 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, located generally on the south corner of the intersection of Idaho Street and 5<sup>th</sup> Street (397 5<sup>th</sup> Street), and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Elko City Code 3-2-25, the Council may affirm, modify or reverse the decision of the Planning Commission.

The Planning Commission considered the subject variance on July 6, 2021 and took action to deny the variance. Subsequently, the applicant appealed the Planning Commission's decision. CL

Cathy Laughlin, City Planner, explained a copy of the email received today requesting the item be tabled until the next agenda was placed on the dais.

Mayor Keener reported they were still waiting for it to be recorded and it was being held up at the attorney's office. He wondered if there was enough time for public hearing notifications.

Ms. Laughlin answered they have already started sending out the notifications for the hearing.

George Robles, applicant, said they knew the boundary line adjustment would take a long time. We didn't anticipate it going forward until later.

**\*\* A motion was made by Councilman Stone, seconded by Councilwoman Simons, to table this item until the next meeting.**

*The motion passed unanimously. (5-0)*

## **II. APPROPRIATIONS (Cont.)**

- H. Review, discussion, and possible approval for the Fire Department to purchase radio microwaves and associated hardware for the final phase of the Fire Department Radio Repeater Project for the amount not to exceed \$156,704, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department would like the approval to purchase radio microwaves and associated hardware to complete the final phase of the radio system upgrade. Phase 2 will tie both the repeater sites together allowing for

responders to get the strongest signal from the repeater system anywhere in the City. In Addition, this will complete the system to be P-25 digital compliant. The system will be purchased and installed by Sierra Electronics, at the price not to exceed \$156,704. The benefits to the final phase is that it enhances communications by allowing personnel to not have to change channels depending on where they are in the city. In addition, it will take an analog system and become digital allowing for clearer communications. JS

Jack Snyder, Deputy Fire Chief, explained the purchase request and why they are wanting to make the enhancements to the radio system.

**\*\* A motion was made by Councilman Stone, seconded by Councilman Puccinelli, to recommend the Elko Fire Department complete Phase 2 of the Repeater Project by Sierra Electronics at a price not to exceed \$156,704.**

*The motion passed unanimously. (5-0)*

### **III. SUBDIVISIONS**

- A. Review, consideration, and possible action to conditionally approve Division of Large Parcels No. 1-21, filed by Section Five Associates, LLC, for the division of approximately 590.258 acres of property into eight lots for future development, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located at the northern terminus of North 5<sup>th</sup> Street and consists of two existing parcels. APN 001-01D-001 consists of 314.652 acres in an A (General Agriculture) Zoning District within the City of Elko. APN 006-09L-002 consists of 275.60 acres within Elko County. Council will only be considering the area of land within the City limits, while Elko County will be reviewing the portion within their jurisdiction.

The Planning Commission considered this item on August 3, 2021, and took action to forward a recommendation to conditionally approve Division of Large Parcels No. 1-21. MR

Michele Rambo, Development Manager, explained the request. She recommended conditional approval.

Scott Wilkinson said there was an offer for an easement to extend Jennings Way included in the packet.

**\*\* A motion was made by Councilman Stone, seconded by Councilman Morris, to conditionally approve Division of Large Parcels No. 1-21, subject to the findings, conditions and recommendations of the Planning Commission.**

*The motion passed unanimously. (5-0)*

#### IV. RESOLUTIONS AND ORDINANCES

- A. First reading of proposed Ordinance No. 864 amending Title 3, Chapter 2, Section (Traffic, Access, Parking, and Loading Regulations) of the Elko City Code, and matters related thereto. **FOR POSSIBLE ACTION**

A long-standing policy of Staff was to require driveways for single-family residences be designed with a slope of 14 percent or less. This conforms to the policies of other cities within the State of Nevada. However, this requirement was never added to the City Code. With housing development moving up into the hills, it has become necessary to codify this 14 percent requirement. During the process of adding this, Staff took the opportunity to update and/or modify other portions of this Section. These changes include adding additional uses to the parking requirement table, matching zoning regulations with the Master Plan, and adjusting parking requirements for mixed-use buildings within the Central Business District. The Planning Commission initiated these changes at their meeting on July 6, 2021 and recommended that the Council approve Ordinance No. 864 at their meeting on August 3, 2021. MR

Ms. Rambo explained the proposed changes. She did receive one question from a developer but since that question was addressed and answered, she has not heard from anyone else.

**\*\* A motion was made by Councilman Stone, seconded by Councilwoman Simons, to conduct first reading of Ordinance No. 864 and direct staff to set the matter for public hearing, second reading and possible adoption.**

*The motion passed unanimously. (5-0)*

#### V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of a portion of the Deerfield Way Right-of-Way consisting of an area approximately 2,740 sq. ft., filed by Kenneth R. Moores Revocable Living Trust and processed as Vacation No. 5-21, and matters related thereto. **FOR POSSIBLE ACTION**

The area requesting to be vacated was dedicated to the City of Elko with Tower Hill Unit 1 subdivision. It was intended originally as a pull out area for the local mailboxes but the design was later changed during construction. It is not being used for any purpose at this time. CL

Cathy Laughlin, City Planner, explained the vacation petition. The mailboxes are off the area being requested for vacation. The property owner, Mr. Moore, requested this be vacated to him. He plans to merge the lots and build with access off Dearfield Way, which we would prefer instead of Stitzel.

**\*\* A motion was made by Councilman Morris, seconded by Councilman Puccinelli, to accept the petition of a vacation of a portion of Dearfield Way right-of-way, consisting of an**

area approximately 2,740 sq. ft., filed by Kenneth R. Moores Revocable Living Trust and processed as Vacation No. 5-21.

*The motion passed unanimously. (5-0)*

## VII. REPORTS

### A. Mayor and City Council

*Mayor Keener congratulated new Councilman Puccinelli.*

*Councilman Puccinelli said he would like to sit and talk to everyone to get a feel of things.*

*Mayor Keener reported the Mayor Arts Awards was Wednesday of last week. It was a neat event to recognize art in Elko. National Night Out was another successful event. He received an Open Meeting Law event invite for the 19<sup>th</sup> and 20<sup>th</sup>. He lost his cool during public comments and apologized for it. He went by the Dog Park and it is looking great.*

*Councilman Stone reported the Relay for Life event was last week and they did a great job. He took his \$6 scooter ride and it was fun. There were a lot of people out last night riding them.*

### B. City Manager

*Curtis Calder said we need to start looking at a date for the ARPA funds meeting. Labor Day Holiday week would be a good time to do it. We have to get this wrapped up and our reports back to the Department Treasury by the 31<sup>st</sup> of October. He assumed that Councilman Puccinelli will assume Councilman Hance's liaison appointments.*

*Mayor Keener reminded Mr. Calder we have not done a going away party for Councilman Schmidlein.*

*Mr. Calder said they were talking about inviting him to the Christmas Party. We are happy to put an item on the next agenda regarding the mask mandate. We are following the directive and the State of Nevada has been approved through their plan to enforce the mask mandate.*

*A special meeting at the Convention Center was suggested so there will be enough room for everyone. Mr. Calder said he would contact the ECVA to check for availability.*

*Mayor Keener said he would leave it up to Mr. Calder and Mr. Wiley to get an item on the agenda for the Justice for Stephanie group and contact them about it.*

*Mr. Calder said if there is an item and there is no action necessary, we will send it out as soon as we can. That item got assembled while he was on vacation. The dates on the presentation may be off since it was put together so quickly. He will reach out to Justice for Stephanie and Elko Adult Softball to get a request in writing from them. We need to know what action they are requesting. He would be willing to meet with them privately if they would prefer.*

### C. Assistant City Manager

### D. Utilities Director

*Dale Johnson reported the water tank project has been completed and we can expect final acceptance at the next meeting. The shop project is almost complete. They will do the final walk through on Thursday.*

*Mayor Keener asked a question about an expenditure on the warrants.*

*Mr. Johnson answered it had been budgeted for. It was for a skid for one of the sewer trucks.*

D. Public Works

*Mayor Keener said he noticed outside the old Nevada State Bank there is a light pole without any light fixtures. Was that the one that was hit?*

*Dennis Strickland answered he was informed late last week when Dick Campbell from NV Energy came into his office and said, "congratulations, we conveyed all the lights in the Downtown Corridor to the City." He didn't agree with inheriting two pole that will not be cheap to replace. He was sure the ball had been dropped on replacing those lights.*

*Scott Wilkinson said Cathy Laughlin was working on that because he didn't think NV Energy could just convey them to us without us accepting their generous gift.*

*Cathy Laughlin said we would need to take City Council action on this but she has not seen any communications from NV Energy saying they are conveying them to us. Changing the bulbs to LED did not satisfy Stockmens' CEO; they say it is still too dark.*

*Mr. Strickland said the poles are outdated and you cannot get parts for them.*

F. Airport Manager

G. City Attorney

*Dave Stanton reported he will be working with Curtis on the agenda item regarding the mask mandate. We are constrained by some legal requirements and mandates are law. That is what we are stuck with. He will also be speaking to the issue of liability. He thanked and welcomed Councilman Puccinelli on his new appointment.*

H. Fire Chief

*Jack Snyder, Deputy Fire Chief, reported September 11 they are bringing back the Fire Prevention Picnic.*

*Councilman Stone said he wanted information on the bell.*

*Mr. Snyder said they are working with Fernando in the Fleet Department to build a temporary structure to house the original fire bell that is currently being stored in Station 2. They want to display it at the picnic for everyone to see.*

I. Police Chief

*Chief Trouten thanked everyone for the help at the National Night Out and thanked the generous donors again. We have 2 of our 3 newest officers out on their own. They are done with interviews and such for animal control.*

J. City Clerk

*Kelly Wooldridge reminded everyone about how terrible the audio is at the Convention Center. She preferred that we ask people to join the GoTo Meeting. She thanked Council for the evaluation and the 2-step raise. She acknowledged her staff for keeping her on track. She wanted to get a better picture of the swearing in and she will need to redo the group photo.*

K. City Planner

L. Development Manager

M. Financial Services Director



*Jan Baum welcomed the new board member. The ARPA funds will be a long process. As part of the ARPA guidance, it asks for community involvement. There will need to be at least one workshop, maybe two, to determine our beginning plan.*

N. Parks and Recreation Director

O. Civil Engineer

*Mayor Keener asked Mr. Thibault what the FEMA letter was about.*

*Bob Thibault wasn't sure what the letter said but there are some things going on with FEMA. He would follow up with them to make sure all is well.*

P. 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

**From:** Lee Hoffman <[leehoffman51@gmail.com](mailto:leehoffman51@gmail.com)>

**Sent:** Tuesday, August 10, 2021 1:35 PM

**To:** Reece Keener <[rkeener@elkocitynv.gov](mailto:rkeener@elkocitynv.gov)>; REECE KEENER <[Reece@alliancenv.com](mailto:Reece@alliancenv.com)>; morrisc <[morrisc@frontiernet.net](mailto:morrisc@frontiernet.net)>; Chip Stone <[happypl@frontiernet.net](mailto:happypl@frontiernet.net)>; MANDA SIMONS <[mandysimons@gmail.com](mailto:mandysimons@gmail.com)>

**Subject:** Request for City Agenda Items

August 10, 2021

Greetings Mayor Keener, City Council Members, and Mr. Calder -

Last Wednesday, August 4, the Elko County Commission unanimously passed two motions in protection of our personal freedoms.

- They directed their staff to draft an ordinance that would prohibit door-to-door solicitation aimed at finding people who have not been vaccinated for COVID. This ordinance will be specific to unincorporated Elko County and will have no effect within our city limits.
- They "directed" the County's "offices and agents to refuse to enforce the Governor's mask mandate..... We encourage others to do the same, but recognize that mask wearing is a personal choice and those wanting to wear a mask should be comfortable doing so."

As a citizen of the City of Elko, I request that you place on an upcoming agenda consideration of a similar ordinance prohibiting any door-to-door solicitation involving vaccinations and consideration of the City's position regarding the mask mandate. I realize that the City may be reluctant to take the exact stand that the County has taken, but it is still an important item for public discussion, information and input.

I think it is important that we in Elko County show a unified front to the highest degree possible. Our liberties are being eroded and we look to our local governments to stand up for us. The more voices we have singing the same tune the more clearly we will be heard.

Following the County Commission meeting last Wednesday, I did not have time to get this request to you for today's (Tuesday, August 10) agenda. I will be present at your meeting today and plan to make this same request under Public Comment.

Best regards,



Lee Hoffman  
Citizen of Elko