

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

SS September 9, 2014

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, September 9, 2014.

This meeting was called to order by Mayor Chris Johnson.

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

Mayor Present: Chris J. Johnson

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

City Staff Present: Curtis Calder, City Manager
Dawn Stout, Administrative Services Director
Doug Gailey, Human Resources Manager
Shanell Owen, City Clerk
Ryan Limberg, Utilities Director
Dennis Strickland, Public Works Director
James Wiley, Parks and Recreation Director
Ben Mangeng, Information Services Manager
Dave Stanton, City Attorney
Matt Griego, Fire Chief
Ben Reed, Jr., Police Chief
Jeremy Draper, Civil Engineer
Lorraine Martinez, Accounting Supervisor
Jonnye Jund, Accounting Manager
Mark Gibbs, Airport Director
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**

Jeni-Lei Powell, Ruby Mountain Pawn, 185 10th Street, wanted to find out how many council members and others know about the Shake Out, Don't Freak Out, The Great American Shake Out? Her business was the only business in the county that registered for this national event. She handed out flyers for the event (Exhibit "A"). This is an earthquake preparedness annual event.

APPROVAL OF MINUTES: August 26, 2014 **Regular Session**

The minutes were approved by general consent.

August 26, 2014 **Special Session**

The minutes were approved by general consent.

I. PRESENTATIONS

A. Presentation of a Retirement Plaque to Lorraine Martinez, Finance Department

Mayor Johnson asked Lorraine Martinez to go to the front of the room. He presented her with a plaque in recognition of her 25 + years of service to the City of Elko.

Lorraine Martinez, Accounting Supervisor, said a few words about how time flies. When she started she was one of the youngest and is now one of the oldest. Everyone has been wonderful all these years and she will miss everything. Goodbye tension and hello pension!

Dawn Stout, Administrative Services Director, thanked Ms. Martinez for all of her support and hard work over the years. She has been a very dedicated employee.

II. PERSONNEL

A. Employee Introductions:

1.) Dana Champion, Animal Control Officer

Present and introduced.

2.) Jonnye Jund, Accounting Manager

Present and introduced.

IV. UNFINISHED BUSINESS

A. Review, discussion, and possible approval to hire one additional Police Officer to be assigned as a School Resource Officer and authorize the Police Chief to begin participation in the countywide School Resource Officer Program, and matters related thereto. **FOR POSSIBLE ACTION**

During the review process for the FY2014-15 Budget, Council approved an additional \$50,000 within the Police Department's salary and benefits budget for a School Resource Officer position. Police Chief Ben Reed, Sheriff Jim Pitts, and Elko County School District Superintendent Jeff Zander have facilitated

numerous meetings to collaborate further details of this program. Approximately \$250,000 has been committed to this program from the various entities. The Police Department is ready to begin the program and hire one additional Police Officer. BR

Ben Reed Jr., Police Chief, explained they have made presentations in the various cities and the County Commissioners and the Spring Creek Board of Directors and have received favorable responses from them. They have met several times and we are ready to proceed. Our goal at the time was to get two Police officers along with 2 Deputies (for a team of four) that would respond to all 17 schools within the county. His budget request in the spring was \$50,000. We can accomplish one officer with this amount with a small cushion in the budget. We are trying to do this with combined funding and get this started with one deputy and one officer. We also applied for COPS Hiring Grants from the US Department of Justice but we don't have answers yet as to whether or not we qualify for the funding. He is ready to proceed if council also agrees to allow him to hire a school resource officer.

Councilwoman Simons asked if they approved this tonight, how much time would lapse before we had an officer in there.

Chief Reed answered he would probably be able to have someone in there by next month at the earliest.

Sheriff Pitts said he was shooting for January.

Councilman Keener asked if they give the green light for this would the City of Elko Resource Officer only operate within the city limits.

Chief Reed answered they would cross jurisdictional lines to make this happen. The city officer would respond to the city schools and the surrounding immediate areas (Spring Creek and Carlin) when needed.

Councilman Schmidlein asked if West Wendover is participating in this. He thought they weren't looking to contribute towards this.

Jeff Zander, Elko County School District, answered that they have not continued discussion with West Wendover. They contributed money for their own officer to handle that. He talked about the entities that have committed to this program and the other funding sources they are trying to secure. He is hoping something comes out of the next Legislature regarding school safety and school resource officers.

Councilwoman Simons asked even if West Wendover were to say they don't want to contribute any money, through the school district and the county, would they would still be serviced.

Sheriff Pitts said he has an opening for a West Wendover deputy and they are thinking of repurposing that officer to be the school resource officer for that area. Originally they wanted to set this up with 2 police officers and 2 deputies. We would station one in Wells to cover Jackpot and Wendover. Since then they have looked at other options. He put in for 3 deputies for the school resource officer in his grant request. If they get that they will probably still put a deputy

in Wells to cover Wells and Jackpot, and then have a Wendover deputy to cover that area. During the 9 months that school is in, that deputy will be the resource officer.

Councilman Keener asked Mr. Zander about this being a temporary situation that eventually the school district will be able to supply on its own.

Mr. Zander said he would like to keep the inter-local agreement in place. Originally we had resource officers but they weren't post certified. We lost those positions through the recession. In the meantime our intent was to come back and put officers in the schools and the school would assume that cost over time.

Kathy McAdoo, Director PACE Coalition, said as an entity in the county and the city, they are an entity that truly believes in the collaborative process. This is a prime example as to how this can work together. PACE has always partnered and advocated with these three entities to provide safe and healthy communities in which our children can grow up and hopefully come back and be leaders. We are a very small non-profit but we did choose to write some funding in to some grants for the school resource officer. It was confirmed today that we will receive \$3,000 to donate before September 30th and as of October 1st we will have an additional \$9,000. She is in support of this. Community issues need community solutions.

Councilman Schmidlein asked with us going to the new 12-hour shift, they are looking to implement a 5-day 8-hour shift. Are we going to rewrite an endorsement to the current union contract to identify this?

Chief Reed thought that might be the right way to proceed with the contract. The intent is to have the officers mirror the school schedule.

Councilman Schmidlein asked in hiring this resource officer, will it also be written in the amendment that if the funding went away that officer would no longer be in that position.

Chief Reed said he can't promise what will happen with the funding. He said there is enough transition within his personnel that he could absorb an officer into his fold without a layoff.

Doug Gailey, Human Resources Manager, said if it is an employee of the Police Department then it is "last hired, first fired." Once that person got seniority with someone else behind them, that person would be laid off.

Mayor Johnson said the Police Department is always looking to fill positions. In the event that things change, he is sure they could go into the Police Department without an issue. There may be a little over-staffing for a short time but there is constant change of personnel.

Councilman Rice added there is a county-wide commitment to this program. The community of Elko County has shown its support and need for this program. As we go forward we will find a way to fund this program properly.

Sheriff Pitts said no matter what, they are going to try to find funding for this. We want to keep these officers in the schools.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the \$50,000 in funding and instruct the Chief to move forward with this project and to include in the letter of agreement that we establish with all entities, including the union and other organizations, the concerns that Councilwoman Simons has expressed in regards to hiring.**

The motion passed unanimously. (5-0)

II. PERSONNEL (Cont.)

- B. Review, consideration, and possible adoption of proposed General Provisions Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The General Provisions Policy is a new policy recommended by POOL/PACT. DG

Doug Gailey, Human Resources Manager, explained he is trying to get the Policy Manual up to speed. This policy is entitled General Provisions and doesn't make a lot of sense all by itself but once it gets inside the new Policy Manual it will make more sense. It deals with administrative stuff such as HR files, etc.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to approve the policy as presented effective September 9, 2014 for the General Provisions Policy.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible adoption of proposed Travel Expenses Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Travel Expenses Policy has not been updated since 1999. The proposed policy coincides with the POOL/PACT Policy recommendations. DG

Mr. Gailey explained this is just an update. The biggest change to this would be, rather than the \$27 a day we give employees to eat on, it would fall in line to similar to what the Police Department contract has. We would go with the GSA rate. Items 2, 3 and 4 were corrected. They said "as mentioned in Item 6" and there is no Item 6 so he deleted that language.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to approve the proposed Travel Expenses Policy as presented effective September 9, 2014 with the note on Section 2.3 that there will be some minor edits on that.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible adoption of proposed Vehicle Use Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Vehicle Use Policy has been updated to reflect the changes in the police reorganization and the police contract. The proposed policy coincides with the POOL/PACT Policy recommendations. DG

Mr. Gailey explained this is pretty much the same policy as before but now he included the Detectives, who now have take-home cars and there is no Police Captain so that language was removed.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve the policy as presented effective September 9, 2014.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible adoption of proposed Discipline Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Discipline policy has not been updated since 1992. The proposed Discipline Policy coincides with the POOL/PACT Policy recommendations. DG

Mr. Gailey explained this policy is mostly for management and confidential. This mostly just updated the language.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the Discipline Policy as presented effective September 9, 2014.**

The motion passed unanimously. (5-0)

- F. Review, consideration, and possible approval of an Agreement between the City of Elko, and the Elko Fire Fighters Association Local No. 2423, July 1, 2014-June 30, 2016, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has concluded negotiations for FY 2014/2015 & FY 2015/2016. A redlined copy of the proposed Collective Bargaining Agreement has been included in the agenda packet for review. DG

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

Mr. Gailey explained they did conclude negotiations. There were three changes to the contract.

Councilman Keener asked about Article 19. It says the employees will have bi-annual performance evaluations. Do they only get performance reviews every two years?

Mr. Gailey answered they are done every 6 months.

Councilman Keener felt it should be semi-annually, every 6 months.

Mr. Gailey said that Article had not been opened up. He will talk to the union and see if they are opposed to the change or we can put it on the list for the next contract.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to approve the contract collective bargaining agreement between the City of Elko and the Elko Firefighters Association Local Number 2423 for the time period July 1, 2014 through June 30, 2016.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

- B. Review, consideration, and possible authorization to solicit Statements of Qualifications from Airport Planning Consultant Services to complete an Airport Master Plan at Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

On June 26, 2014 Curtis Calder and Mark Gibbs attended a meeting at the Federal Aviation Administration (FAA) Phoenix Airports District Office (ADO) to discuss matters pertaining to airport compliance and the five year airport capital improvement plan. At the request of the FAA, Elko Regional Airport must complete a formal Airport Master Plan Study. The airport is required to follow requirements in FAA Advisory Circular 150/5100-14D, *Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects*. The airport must solicit qualifications from interested consultant firms interested in completing an airport master plan at Elko Regional Airport in 2015 (based upon FAA AIP Funding availability). Upon selecting the most qualified firm, the airport will enter into negotiations over the lump sum price for completing this planning study. The Airport Master Plan serves as the ten year development plan for capital development for the airport and is the opportunity for the citizens of Elko to have a voice in guiding the future of this airport. MG

Councilwoman Simons asked why aren't we using Aviation for this.

Mark Gibbs, Airport Director, answered there are three types of airport improvement grant projects that we can have for consultant services. Last year we bid for engineering services. The other two are planning services and architectural services. At the time we didn't think we were going to need to do a planning study we never bid for planning services. Now that we are having to do a master plan, which is a planning function, we are required to rebid it.

Councilwoman Simons noted then this is not in Aviation's contract.

Mr. Gibbs said they could bid on it just like anyone else that is interested.

Councilman Schmidlein asked about the estimated cost.

Mr. Gibbs answered \$480,000. It is a major study for the airport and not optional in this case.

Mayor Johnson asked what the city's portion in this would be and when was the last master plan completed.

Mr. Gibbs answered the city would be responsible for 6.25% of that amount and the last master plan was completed in 2004.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to authorize Elko Regional Airport staff to advertise and solicit for qualifications in order to select a consultant to perform an Airport Master Plan Study.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible Award of the 9th Street Pedestrian Bridge Walkway Rehabilitation Project, and matters related thereto. **FOR POSSIBLE ACTION**

The deadline for submitting bids was 3:00 p.m. local time on September 5, 2014.
DS

Dennis Strickland, Public Works Director, explained the bid tabulation should be in the packet. Gerber Construction Inc. was the low bidder on the project. He recommended awarding additive alternate #1 to replace the fence. The total award would be \$174,300. They are looking to do this work next spring.

Councilman Rice asked about additive alternate number 2.

Mr. Strickland wanted to graffiti proof that spiral ramp area but they may see what they can do with the Parks Department.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to award the bid for the 9th Street Pedestrian Bridge Walkway Rehabilitation Project to Gerber Construction to also include the base bid along with alternate number one for a total price of \$174,300.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible award of the bid for One (1) New Front-end Rubber Tired Wheel Loader, Four Wheel Drive, for the Street Department, and matters related thereto. **FOR POSSIBLE ACTION**

The deadline for submitting bids was 3:00 p.m. local time on September 4, 2014.
DS

Mr. Strickland explained they got some exceptional numbers. Our budget was in the \$230,000 range so we were surprised to see these bids at \$162,561. We do want to add the extended warranty for a total of \$165,061.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to award the bid for One (1) New Front-end Rubber Tired Wheel Loader, Four Wheel Drive to Cashman Equipment Company with the additive alternative of the extended warranty and the total amount of \$165,061.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible award of the Silver Street/Errecart Boulevard Traffic Signal Project, and matters related thereto. **FOR POSSIBLE ACTION**

The deadline for submitting bids was 3:00 p.m. local time on September 5, 2014.
DS

Mr. Strickland explained they got great bids on this project as well. Titan Electric had to be disqualified because they didn't register with the City Clerk prior to submitting their bid. This project was bid below budget.

Councilman Keener disclosed out that he owns property adjacent to this intersection. He doesn't feel like this would financially benefit him in any way or bias his opinion on it.

Mr. Strickland said they want this in place before the snow flies.

Councilman Rice asked if he was recommending any alternatives.

Mr. Strickland answered yes. We are recommending all three of the alternatives for a total of \$229,466.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to award the bid for the Silver Street/Errecart Boulevard Traffic Signal Project to Par Electric in the amount of \$229,466.**

The motion passed unanimously. (5-0)

- F. Review, consideration, and possible approval to donate \$6,500 to SnoBowl for the payment of insurance premiums, and matters related thereto. **FOR POSSIBLE ACTION**

Due to the lack of snow, SnoBowl has not been able to generate sufficient revenue to cover annual insurance expenses. JW

James Wiley, Parks and Recreation Director, explained last year we did not open the SnoBowl for the Winter Season at all, thus we didn't generate any revenue. The timeliness of these insurance payments are due before the snow season. We are anticipating snow this year but we need to make this payment ahead of the season in order to operate. Occasionally the city has assisted the SnoBowl in paying this from time to time. They wanted to put this in front of City Council for consideration and they will be going to Elko County for the other half of the cost.

Councilman Rice predicted it will be a big El Nino year. We need to do this. It is part of the challenge of running the SnoBowl.

Councilwoman Simons wanted to make sure we are sharing this expense with the county.

Curtis Calder, City Manager, said we have the money in the Rec Fund. Our Rec Fund is pretty tight so this is about the maximum we will be able to find.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve a \$6,500 contribution to the SnoBowl contingent upon Elko County making an equal contribution.**

The motion passed unanimously. (5-0)

- G. Review, consideration, and possible award of a contract for the Swimming Pool Replastering and Maintenance Project, and matters related thereto. **FOR POSSIBLE ACTION**

At the August 12, 2014 Council meeting, Staff was authorized to solicit for bids for the replastering of the outdoor swimming pool. Bids were opened on Friday September 5, 2014. A bid tab will be provided for Council to review. JD

Jeremy Draper, Civil Engineer, explained Adams Pools was the lone bidder and he recommended awarding the project to them with the alternate number 4 and a total amount of \$248,330.

Councilman Schmidlein asked about the lifetime expectancy of this.

Mr. Draper answered they expect this to last 8 to 10 years before we have to do this again. Hopefully by that time we are looking at an Aquatics Center.

Councilman Rice asked if he was recommending all 4. (Yes)

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to that we award the Swimming Pool Replastering and Maintenance Project to Adams Pools in the amount of \$244,985 plus alternative 4 in the amount of \$3,345 for a total of 248,330, pending a 5-day bid protest period.**

The motion passed unanimously. (5-0)

- H. Review, consideration, and possible authorization for Staff to solicit bids for the Police Station Facility Project, and matters related thereto. **FOR POSSIBLE ACTION**

The City Council recently approved Ordinance No. 786, an Ordinance providing for the issuance by the City of Elko of its General Obligation (Limited Tax) Medium-Term Public Safety Bonds. Now that funding is secured and plan review is essentially complete, Staff is requesting authorization to solicit bids. CC

Curtis Calder, City Manager, explained we are in the final stages of the plan review and putting the actual bidding documents together. We would like to get authorization to solicit bids at this point in time but we will not release those until staff has completely reviewed the bidding documents. We are trying to streamline the process.

Councilwoman Simons said CAPPS Group had a check list of things they have to do before the final sale of the property. Where are they on all that?

Mr. Calder answered most, if not all, of their public improvement items have been completed. There may be a few punch list items that they will need to work on but the major issue is receiving the LOMR letter from FEMA. The land transaction can't occur until we get the LOMR which is completely outside of our control. He thought they had a maximum of 90 days and they are well within that timeframe. As of the last update from the developer, it was moving through the FEMA process in their mapping department. That might take some time. That is why we wanted to get permission to solicit bids now. We can't award bids until we know we have the property transaction completed.

Councilwoman Simons said this will be conditional on the Planning Department reviews being completed and the CLOMR and the sellers. The purchase agreement will be done before we award a bid.

Mr. Calder agreed that will be done before we award a bid. This is just to solicit bids at this time.

Councilman Rice said this gives contractors an opportunity to start doing their research and due diligence on it.

Mr. Calder said they won't release the bidding documents yet until staff is completed with the review. We are in the final stages of plan review. Things are close to coming together. We are trying to maximize the process as much as possible. The architect was present to answer questions.

Councilman Schmidlein asked if there will be a base bid and then alternates for the garage and the Silver Street improvements.

Byron Smith, LCA, said they have identified four possible alternates for the bid. He explained the alternates. 1) the annex building (accessory building; 2) to build the shell of the accessory building only and not to build out the interior; 3) to change the chain-link from the wrought iron fencing that we have around the front portion of the security fence; and, 4) to look at an alternative site design in the event that council decided to revisit the power lines crossing the site.

Councilman Schmidlein asked why the Silver Street improvements aren't an alternate.

Mr. Smith said Silver Street was pulled out of their scope and will be handled separately.

Mr. Calder said it is still part of the project budget but it makes sense to bid that as a separate project. We envision that construction would happen in the spring.

Councilman Schmidlein said he had no issue with that. His only concern is that if we don't have enough money but pulling the Silver Street improvements out will gain us a ¼ million. By building just a shell you will save a lot of money if you don't have enough money to do the main portion of the building. His main focus is to build the Police Station.

Mr. Calder said they did receive their funding from the bond. Based on the last opinion of probable construction costs/total project cost came in at \$6.279 million. Right now, after we have paid some of the bills, such as the Bond Counsel and the deposit on the land purchase and

some architectural bills to date, our balance sits at \$6.366 million. It is still very tight and that is why those alternatives are so important.

Councilwoman Simons asked if we were to get the LOMR within this month, when do you envision breaking ground.

Mr. Calder answered if we got the LOMR tomorrow, we can realistically have a notice to proceed out by mid-October then the contractor would mobilize and could break ground as early as November 1. That is probably the best case scenario. It is critical to get the concrete on the ground before it gets too cold.

Councilwoman Simons said it seems to matter when we bid these projects. The timing seems to matter on how the bids come in.

Councilman Schmidlein said it is a good time to bid now because we are heading into winter. Since the concrete will be done in the wintertime you will have to heat it. The best way to approach a building is to get the shell closed in then you can do all the interior work. With our last several winters it has been pretty mild. Councilman Rice thinks we are going to get a lot of snow. The next few months would be a good time to bid this.

Kimberly Owen, 1289 Park View, asked why it would be prudent to bid now and not wait. Our contract for this seems vague. It doesn't seem prudent to send anything out to bid without owning the land. The due diligence for the underlying land hasn't been completed yet. There was no preliminary title report, no soils report, and no phase 1 done. Those reports still need to be completed. If anything arises in those reports it could impact the building design and who knows what that will do to the plans.

Councilwoman Simons said that was why she asked the question but we will not award any bid until that is taken care of.

Ms. Owen said the bids are based on some plans and if anything comes up in the due diligence that has not been completed that could impact those plans and you may have to do the whole process over again.

Mr. Smith said the geo tech report has been completed by Mr. Capps and Summit Engineering. Summit told him the information on the geo tech report was reliable based on the testing they were going to do and the field work that was going to be done. He relied upon Summit's professional opinion that the geo tech report was adequate and sufficient enough for him to do his design work. He will be going out there to do some compaction testing to verify everything.

Ms. Owen said the geo tech report was done by CAPPs and the city should have their own report completed.

Mayor Johnson said he will be relying on the architect that has done design in Elko County for 30 years. If they say this is ready to go to bid then he supports that.

Councilman Rice agreed and is confident in the professionals that we have engaged in this and the staff. He is ready to move forward. He appreciates what Ms. Owen has brought up but these are questions they have already brought up.

Ms. Owen asked why the reports have not been brought forward. There is usually a process where council would approve those reports and that hasn't happened.

Mayor Johnson said he has asked some of the questions she has brought up and a lot of it has to do with the purchase agreement and what is in there. There were some things that were brought up and everyone has a different way of doing business but in his research he found answers that have always gotten Elko to the next place it needs to be. He is relying on the realtor has done his work and all the other professionals that have been working on this that they have everything in place that needs to be.

Councilman Schmidlein asked Mr. Calder if he was releasing bid documents until the purchase agreement has been completed and the City of Elko has secured the land.

Mr. Calder said no, we wouldn't award any bidding documents until we own the land. Our intent is that we wouldn't release any bidding documents until after the Building Department and Engineering have looked through the specifications and have approved those.

Councilman Schmidlein asked how far out do you think you are with having the bidding documents completed.

Mr. Smith said we have submitted the documents for plan review. We got the plan review comments back and we are scheduled to have the plan check comments picked up and resubmitted by the end of this week. We expect to have everything done by the end of this week.

Councilman Schmidlein thought we should secure the land and then release the bidding documents.

Mayor Johnson thought it would be fine to move forward once the purchase agreement is secured. There is a provision that could be added that this will only be awarded in the event of. It can be added to the motion that bidding won't happen until the land is secured.

Councilman Keener said there has been so much due diligence it would be a surprise to everyone if something dropped out. He is in support of authorizing staff to move forward and try to compress the timeline.

Councilman Schmidlein asked you don't want to put in the motion to wait until the land is secured.

Councilman Keener answered no.

Mayor Johnson said sometimes contractors may not want to bid on a project until the land has been secured. You don't want to have a project bid a second time because your chances to get the best bid the second time are not the best. He thought it might be best to have staff wait until the property is secured to move forward.

Councilman Rice wanted some assurance from LCA and staff that putting that provision would hurt the timeline.

Mr. Calder said the property acquisition will be a short timeline. We are probably halfway through the 90 day timeline for the LOMR.

Councilman Schmidlein asked Mr. Smith what the building schedule length was.

Mr. Smith thought it was between 10 and 12 months.

Councilman Schmidlein noted that all of the exterior work will happen next spring/summer.

Councilman Rice asked if we made a motion to authorize staff to solicit bids for the Police Station Facility to be circulated upon the close of the property; this will still allow staff the opportunity to prepare these bid documents.

Mr. Calder said staff would be working actively on the plans and specifications.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to authorize staff to solicit bids for the Police Station Facility with the provision that those bidding documents be circulated upon the City's acquisition of the property.**

The motion passed unanimously. (5-0)

VI. REPORTS

A. Mayor and City Council

Councilman Rice sits on the Commission on Aging and he recently attended a presentation on senior suicides. Nevada ranks highly on the bad list for suicides among seniors. PACE Coalition has been recognized for their work in this community on this problem. In the next month there will be a forum to help train people to look at this particular issue.

Councilwoman Simons said a while back we set up with a License Agreement with a restaurant at the Airport and suggested to everyone that they go try the food.

Councilman Schmidlein said the Cancer Center will be breaking ground next week.

B. City Manager

Curtis Calder reminded everyone that League of Cities will be the 24th and the 25th for us. Delmo Andreozzi will be going down a day early to give a presentation.

C. Assistant City Manager

D. Utilities Director

Ryan Limberg said they will have a state lab inspection on October 16th.

E. Public Works

Dennis Strickland reported that the landfill scale project started this week. He appreciated the kudos from James Wiley and noted it is all about team effort.

- F. Airport Director
Mark Gibbs reported October 16 they will host Business After Hours at the Airport Terminal. This Friday is the Airport Advisory Board meeting at noon at the Airport.
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
Shanell Owen sent council members a report on the City Clerk's departmental goals and the City Manager performed her evaluation for this year.
- K. City Planner - Rezone Report
Curtis Calder gave a report for Rick Magness regarding Rezone 5-14 that was heard at the last Planning Commission meeting, which was filed by Alejandro Perez to consider a change in the zoning from General Industrial to R-Single Family Residential to better reflect the residential use and matters related thereto.
- L. Development Manager
- M. Administrative Services Director - Update year-end Sales Tax Revenue
Dawn Stout reported on where we ended up this fiscal year on our Sales Tax numbers. The last two months we saw a positive increase in the numbers. We ended up with \$12.152 million in sales tax. Overall we did well and our General Fund is in good shape going forward.
- N. Parks and Recreation Director
James Wiley reported the tennis courts are basically gone now. Public Works has begun the demolition of the tennis courts. He thanked Dennis Strickland and his crew in assisting his department with projects. He has been working on an agreement for operating the SnoBowl. It is taking a bit longer than they anticipated but they want to get it right before it is brought to council for approval.
- O. Civil Engineer
- P. Building Official

V. 6:00 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing and possible adoption of Ordinance No. 788, an ordinance amending Title 3, Chapter 2, Section 5 of the Elko City Code entitled "RESIDENTIAL ZONING DISTRICTS" by adding language to clarify existing private garage setbacks, filed and processed as Zoning Ordinance Amendment No. 2-14, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission took action to initiate an amendment to the zoning ordinance during its July 1, 2014 meeting. It then held a public hearing on August 5, 2014 and took action to forward a recommendation to Council to adopt an Ordinance which approves the zoning ordinance amendment. RM

Curtis Calder, City Manager, explained this is the same information that was presented at the first reading and it was approved by the Planning Commission with a recommendation for council approval.

Mayor Johnson asked if there was any public comment with no response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to conduct the Second Reading/Public Hearing and to adopt Ordinance No. 788.**

The motion passed unanimously. (5-0)

- B. Review of bids received and subsequent public auction for the sale of approximately 60.75 acres of City owned property located generally south of Errecart Boulevard across from the city hospital, and matters related thereto. **FOR POSSIBLE ACTION**

On August 12, 2014, Council approved Resolution No. 29-14 which set forth the conditions of the public auction for the sale of City owned land. The minimum sale price must be \$550,000.00 payable in cash or cashier's check at close of sale which shall be within sixty (60) days of acceptance by the City Council of the highest bid. A copy of Resolution No. 29-14 has been enclosed in the agenda packet for review. RM

Mayor Johnson noted first he is to open all sealed bids and declare the amount and the bidder.

Shanell Owen, City Clerk, said one sealed bid was received and she passed it over to the Mayor Johnson to open it.

Mayor Johnson opened the bid, dated Sept. 5, 2014, from Elko West Properties LLC who offered to purchase the property at the appraised value of \$550,000. Now we are ready for oral bids and they need to be at least 5% higher than the written bid. He asked for oral bids but there were no oral bids offered. He called for public comments.

Kevin Doer, 2370 Khoury Lane, said he was amazed and thanked Mr. Bailey for offering to develop the property. He is glad they got the appraised value out of that acreage. It has some potential.

Mayor Johnson confirmed with Ms. Owen if they were ready for a motion.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to accept the written bid by Elko West Properties for \$550,000.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

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

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve the warrants.**

The motion passed unanimously. (5-0)

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**

Nicole Ortzon, Live Rude Girls, 185 10th Street, said currently they are raising money for mammogram assistance. Everything they raise stays in Elko. They help multiple organizations. They are having four upcoming events and handed out flyers (Exhibit "B"). 1) girls night out; 2) Treasured Chests 5K/10K run; 3) on the 11th is their music fest with 5 bands; and, 4) game fest that will have 6 game tournaments for kids to come and play. All of the families of the Live Rude Girls are involved and participating with this. They are constantly looking for donations for these events for prizes.

Bill Hance, 724 5th Street, suggested now that you have sold a large chunk of land maybe you can take part of that money and purchase the property next to FISH for the homeless. The city needs to help out or this won't happen. The restriping downtown is a great improvement with the traffic flow.

There being no further business, Mayor Chris Johnson adjourned the meeting.

Mayor Chris Johnson

Shanell Owen, City Clerk