

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

SS September 28, 2021

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, September 28, 2021. The meeting was held at Elko City Hall, 1751 College Ave., Elko and via GoTo Meeting.

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

CALL TO ORDER

ROLL CALL

Council Present: Councilwoman Mandy Simons
Councilman Chip Stone
Councilman Clair Morris
Councilman Giovanni Puccinelli

Council Absent: Mayor Reece Keener

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

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

APPROVAL OF MINUTES: September 9, 2021 Special Session
September 14, 2021 Regular Session

The minutes were approved by general consent.

I. APPROPRIATIONS

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

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the regular warrants in the amount of \$1,226,045.53.**

The motion passed unanimously. (4-0)

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 Stone, to approve the Print 'N Copy warrants in the amount of \$50.98.**

The motion passed unanimously. (4-0)

C. Review and possible approval of Stonerock Sound Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Morris, seconded by Councilman Puccinelli, to approve the Stonerock Sound warrants in the amount of \$275.**

The motion passed. (3-0 Councilman Stone abstained.)

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

**** A motion was made by Councilman Morris, seconded by Councilman Puccinelli, to approve the general hand-cut checks in the amount of \$59,793.12.**

The motion passed unanimously. (4-0)

E. Review, consideration, and possible approval for the Fire Department to purchase and replace a 1990 Aerial Fire Truck Apparatus (Ladder 2), and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department would like to purchase a 2008 Pierce 95' Midmount Aerial from Brindlee Mountain/Fire Trucks Unlimited. The current Ladder 2 is 31 years old, which is beyond the National Fire Protection Association

(NFPA) recommended maximum age for Aerial Apparatus to be in front line use. This apparatus will increase firefighter safety and health, emergency response and scene capabilities, provide greater storage and personnel carrying capacity and reduce rising maintenance cost. The truck will be purchased utilizing a purchasing program with nppgov and the total amount for the apparatus will be \$578,875 with a 50 % down payment, and 50% upon delivery and completion to the City. MG

Chief Griego explained everything was included in the packet. We sent members of the department down and inspected the truck. They gave a punch list to the company to go through for the purchase. Once it is refurbished, we will have a brand new truck and we will be able to get at least 20 years out of it. This one also comes with a limited warranty. We will be saving about \$1 million.

Councilman Morris thought this was a good compromise and the price was easier to swallow.

**** A motion was made by Councilman Stone, seconded by Councilman Puccinelli, to recommend approval of the Fire Department to purchase a 2008 Pierce 95' Midmount Aerial, in the amount of \$578,875.**

The motion passed unanimously. (4-0)

II. UNFINISHED BUSINESS

- A. Review, consideration, and possible approval of a Revocable License Agreement between the City of Elko and Elevation Transport, and matters related thereto for the use of Airport land as a parking area, and matters related thereto. **FOR POSSIBLE ACTION**

Elevation Transport contacted Staff regarding two (2) parcels leased to Joe's Hauling, known as APN 006-09G-030 and 006-09G-008. In the event Joe's Hauling and the City enter into lease termination agreements for these two parcels, subject to Council approval, Elevation Transport desires to enter into a revocable license agreement with the City to use these parcels as a parking area. JF

Jim Foster, Airport Manager, explained this was on the last agenda but due to scheduling we didn't get an associated item on there in time. All parties are in agreement with this.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the Revocable License Agreement between the City of Elko and Elevation Transport.**

The motion passed unanimously. (4-0)

III. NEW BUSINESS

- A. Review, consideration, and possible approval of Revocable Permit No. 2-21, filed by Kevin and Dulcy Engelmeier, to occupy +/- 692 square feet of Jennings Way Right-of-Way adjacent to their parcel located at 658 Cortney Drive to accommodate landscaping and a fence, and matters related thereto. **FOR POSSIBLE ACTION**

The applicant is requesting the revocable permit for an area which is currently fenced and landscaped as part of their exterior side yard along Jennings Way. CL

Cathy Laughlin, City Planner, explained a copy of the license agreement was in the agenda packet. The application does show the legal description and the site plan of the area they are currently occupying, which would be included in the Revocable License Agreement.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the Revocable Permit No. 2-21, subject to the execution of a standard license agreement between the applicant and the City of Elko.**

The motion passed unanimously. (4-0)

- C. Review, consideration, and possible approval of a Deed of Dedication for a Public Utility Easement, on City owned property, APN 001-01R-002, and matters related thereto. **FOR POSSIBLE ACTION**

Anthem Broadband has requested this utility easement be dedicated for public use. Anthem Broadband intends to install a microduct conduit for their own use, and would also install a spare conduit, dedicated to the City, for our own future use, or use by others with City approval. The proposed easement crosses the Humboldt River, on City owned property, just west of the 5th Street bridge. BT

Bob Thibault, Civil Engineer, explained the exhibits in the packet show the easement location.

**** A motion was made by Councilman Stone, seconded by Councilman Puccinelli, to approve the Deed of Dedication for a Public Utility Easement on City owned property, APN 001-01R-002.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible approval of Revocable Permit No. 3-21, filed by 346 Silver St, LLC., to occupy +/- 657 square feet of 4th Street Right-of-Way adjacent to their parcel located at 346 Silver Street to accommodate outdoor dining with related improvements such as a railing and awning, and matters related thereto. **FOR POSSIBLE ACTION**

The applicant is requesting the revocable permit to create an outdoor dining area which could be enclosed by a railing and covered by a roof structure. CL

Cathy Laughlin, City Planner, explained normally we issue an outdoor dining permit but this is different because they have proposed attaching railing to the sidewalk and a patio cover. Because of that, we require a revocable permit. The license agreement is included in the packet.

**** A motion was made by Councilman Stone, seconded by Councilman Puccinelli, to approve the Revocable Permit No. 3-21 subject to the execution of the standard license agreement between the applicant and the City of Elko.**

The motion passed unanimously. (4-0)

- D. Review, consideration, and possible approval of a Deed of Dedication for a Public Utility Easement, on City owned property, APN 001-660-003, and matters related thereto. **FOR POSSIBLE ACTION**

Anthem Broadband has requested this utility easement be dedicated for public use. Anthem Broadband intends to install a pull box behind the sidewalk, just outside of the Right-of-Way of Dotta Drive, within the Angel Park property. BT

Bob Thibault, Civil Engineer, explained this was on the Angel Park property. It is a minimal use of our property.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the Deed of Dedication for a Public Utility Easement on City owned property, APN 001-660-003.**

The motion passed unanimously. (4-0)

- E. Review, consideration and possible approval of a termination agreement between the City of Elko and Joe's Hauling LLC for APN 006-09G-008, and matters related thereto. **FOR POSSIBLE ACTION**

Elevation Transport contacted Staff regarding entering into a lease with the City of Elko for a parcel referred to as APN 006-09G-008, which is currently leased to Joe's Hauling. Joe's Hauling informed City Staff that it was interested in terminating its lease for this parcel. Joe's Hauling is no longer in business. JF

Jim Foster, Airport Manager, explained this is the second lease termination agreement. All parties are in favor of this.

**** A motion was made by Councilman Morris, seconded by Councilman Puccinelli, to approve the termination agreement for APN 006-09G-008.**

The motion passed unanimously. (4-0)

IV. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible approval for White Cloud Communications Incorporated (White Cloud) to occupy approximately 4,625 feet of City owned conduit as shown on its plans for the Cedar Street Project, generally extending from D Street to 9th Street, and matters related thereto. **FOR POSSIBLE ACTION**

White Cloud Communications Incorporated (White Cloud) is requesting to use City owned conduit along Cedar Street, generally extending from D Street to 9th Street. White Cloud is proposing the installation of a 144 Pair Fiber Cable in the conduit. Use of this conduit would be nonexclusive. BT

Bob Thibault, Civil Engineer, explained White Cloud would like to occupy that conduit that the City installed as part of our Cedar Street Rehabilitation Project. It is a large enough conduit that others could use it.

**** A motion was made by Councilman Stone, seconded by Councilman Puccinelli, to approve White Cloud Communications Incorporated to occupy approximately 4,625 feet of City owned conduit as shown on its plans for the Cedar Street Project, along Cedar Street, generally extending from D Street to 9th Street. The occupancy of the conduit does not prohibit an override by other providers or the City, which do not interfere with White Cloud's operations.**

The motion passed unanimously. (4-0)

- B. Ratification of the Police Chief issuing a 35-day Temporary Wholesale Liquor License and issue a Regular Wholesale Liquor License, to Christina Beltram, In Jae Chyun, and Paul Russo, Jr, DBA Soul of Spirits Corp., located at 1885 Old Florence Way, Unit #117, West Wendover, NV 89883, and matters related thereto. **FOR POSSIBLE ACTION**

Chief Trouten explained this is different than what we usually see because they are in West Wendover but will be conducting business in the City of Elko. He recommended approval.

Paul Russo, Soul of Spirits Corp., was online and thanked Chief Trouten for recommending approval.

**** A motion was made by Councilman Stone, seconded by Councilman Puccinelli, to ratify the Police Chief issuing a 35-day temporary wholesale liquor license and issue a Regular Wholesale Liquor License to Christina Beltram, In Jae Chyun and Paul Russo, Jr., dba Soul of Spirits Corp., located at 1885 Old Florence Way, Unit #117, West Wendover, Nevada, 89883.**

The motion passed unanimously. (4-0)

- C. Ratification of the Police Chief issuing a 60-day Temporary Retail Liquor License and issue a Regular Retail Liquor License, to Jonathan Lund and Travis Shumway, DBA Double Dice RV Park, located at 3730 Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Chief Trouten explained both applicants live out of state. It took some time to get the fingerprints in but all is good. He recommended approval.

**** A motion was made by Councilman Morris, seconded by Councilman Puccinelli, to ratify the Police Chief issuing a 60-day temporary retail liquor license and issue a Regular Retail Liquor License to Jonathan Lund and Travis Shumway, dba Double Dice RV Park located at 3730 Idaho Street, Elko, Nevada, 89801.**

The motion passed unanimously. (4-0)

VI. REPORTS

- A. Mayor and City Council
Councilman Puccinelli said he will be contacting everyone he is a liaison with in the next couple of weeks.
- B. City Manager
*Curtis Calder said the SkyWest meetings are going to be delayed. That opens up dates for ARPA meeting. He gave some date suggestions.
Mayor Pro Tem Simons asked him to send out an email so everyone can check their calendars.*
- C. Assistant City Manager
- D. Utilities Director
Dale Johnson reported the new WRF/Water building is coming along. They are working on a punch list before they do final acceptance.
- E. Public Works
- F. Airport Manager
*Jim Foster said the SkyWest meeting will be delayed. SkyWest had some turnover and we will be looking at this at a later time.
Mayor Pro Tem Masons asked when they will start up the advisory board meetings again.
Mr. Foster wasn't sure. They can start up at any time.*
- G. City Attorney
- H. Fire Chief
- I. Police Chief
Chief Trouten said they held testing for Corporal and had two applicants for it. Josh Taylor will be the new Corporal and there will be invites sent out for the promotion ceremony. Last week Sarah Adler from the Governor's Office was in the area and he expressed some displeasure to her in getting resources for mental health care. If we could get a single center in this area that is both triage and inpatient holding, it may help some folks in the area that are repeating the cycle.
- J. City Clerk
Kelly Wooldridge reported we are very close to the new agenda management software coming online. Once we know it is all running and all is good, we will put the app on their iPads and show them how to use it. It is super easy to use.
- K. City Planner
Cathy Laughlin gave a shout out to Garret Camp, the President of the DBA. He put together a work day last Saturday for the downtown planter project. A huge thanks to Joe Carr and James Wiley for transporting the materials for them. They had about 40-45 volunteers from the Living Stones Church. The DBA was represented by Collective Coffee Roasters and the Anderson Group of EXP Realty. They completed the planters in the 400 block. Stockmen's provided lunch for all the volunteers. It was a good project.
- L. Development Manager

M. Financial Services Director

Jan Baum reported the auditors were here last week and it went pretty well. She gave a shout out to the Finance staff, Cari Carpenter, Chris Fowler and Renae Jim, Julie Holling in Payroll and Candi Quilici.

N. Parks and Recreation Director

James Wiley reported this Saturday is the grand opening of the Dog Park. The ribbon cutting starts at 10 am. Registration starts at 730am for the Puppy Love 5K. The new swimming pool heat exchanger was installed last week and it is producing a lot of heat. There is an issue with a valve but they are working that out. The indoor is remaining closed at this time. The circulation pump is still being built.

O. Civil Engineer

P. Building Official

Jeff Ford reported he got a CUP application for the Temple today.

DJ Smith reported they will be getting data up and running at the new Water/WRF building this week. The Oasis guys are coming down and they plan on having it completed this week.

BREAK

V. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 27-21, a resolution and order vacating a portion of Deerfield Way Right-of-Way, consisting of an area approximately 2,740 sq. ft. abutting APN 001-920-068, which is located within the City of Elko, Nevada, to the abutting property owner Kenneth R. Moores Revocable Living Trust, filed and processed as Vacation No. 5-21, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of August 10, 2021, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting of September 7, 2021, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 5-21 with findings in support of its recommendation. CL

Cathy Laughlin, City Planner, explained this is our final step in doing a vacation of Deerfield way. Planning Commission had two conditions. The Resolution was included in the packet and she recommended conditional approval.

Mayor Pro Tem Simons called for public comments without a response.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to adopt Resolution No. 27-21, which contains conditions as recommended by the Planning Commission.**

The motion passed unanimously. (4-0)

- B. Public hearing pursuant to NRS 268.059(1)(a) regarding the fair market value and possible sale at public auction of approximately 98,526 sq. ft. of City-owned property located generally on the Elko Regional Airport, designated as LEASE AREA N2. Discussion and possible motion determining that the annual market rent value of the property is \$29,558.00 in accordance with the appraisal of Jason Buckholz of CRBE, Inc., appraiser, and possible adoption of Resolution No. 25-21, a resolution of the Elko City Council finding it is in the best interest of the City to lease land LEASE AREA N2 and hereby declaring its intention to lease such property at public auction pursuant to City Code Section 8-1-3 and NRS 268.062, and matters related thereto. **FOR POSSIBLE ACTION**

REACH Air Medical has petitioned the City of Elko to lease airport owned property identified as Lease Area N2 located on the Elko Regional Airport. Council accepted the petition and authorized Staff to obtain the required appraisal and proceed with the statutory process of leasing the parcel at public auction as required by NRS 268.062. JF

Jim Foster, Airport Manager, explained this is just part of the process. They got the appraisal and it was included in the packet for Council review. The next step would be to hold the auction for the property. The agenda action sheet references a possible sale but the actual intent is to lease the property.

Mayor Pro Tem Simons called for public comments without a response.

**** A motion was made by Councilman Morris, seconded by Councilman Puccinelli, to accept the fair market value as determined at public hearing and adopt Resolution No. 25-21, and set the matter for public auction.**

The motion passed unanimously. (4-0)

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

There being no further business, Mayor Pro Tempore Mandy Simons adjourned the meeting.

Mayor Pro Tempore Mandy Simons

Kelly Wooldridge, City Clerk