

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 PM, Tuesday, November 23, 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.

I. CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

II. ROLL CALL

Present:

Reece Keener, Mayor
Mandy Simons, Councilwoman
Chip Stone, Councilman
Clair Morris, Councilman
Giovanni Puccinelli, Councilman

City Staff Present:

Diann Byington, Recording Secretary
Jan Baum, Financial Services Director
Curtis Calder, City Manager
Jeff Ford, Building Official
Cathy Laughlin, City Planner
Candi Quilici, Accounting Manager
Susie Shurtz, Human Resources Manager
DJ Smith, Computer Information Systems Coordinator
Dave Stanton, City Attorney
Dennis Strickland, Public Works Director
Ty Trouten, Police Chief
Scott Wilkinson, Assistant City Manager
Kelly Wooldridge, City Clerk
Dale Johnson, Utilities Director
Matt Griego, Fire Chief
James Wiley, Parks and Recreation Director

III. PLEDGE OF ALLEGIANCE

IV. 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

Danny Benson, 1854 Ruby View Drive, asked everyone to join him in singing happy birthday to Councilman Puccinelli.

Lynne Hoffman, 1085 Barrington Ave., read a statement (Exhibit "A")

V. APPROVAL OF MINUTES

V.A. Approval of November 9, 2021 Minutes, Regular Session

The minutes were approved by general consent.

Councilwoman Simons abstained from the motion because she wasn't present for the meeting.

VII. PERSONNEL

VII.A. Employee Introductions:

- 1.) Samantha Swartzendruber, Part Time Laboratory Technician, Sewer Department
- 2.) Jonathan Keil, Patrol Office II, Police Department

Both new employees were present and introduced.

VI. PRESENTATION

VI.A. Presentation and possible approval of the Consolidated Annual Financial Report and Audit for the City of Elko for the Fiscal Year ending June 30, 2021, including but not limited to, Staff response to audit findings, and matters related thereto. **FOR POSSIBLE ACTION**

A representative from Hinton Burdick CPAs will log in to present the City of Elko's Fiscal Year 2020/2021 Financial Report. JB

Jan Baum, Financial Services Director, introduced Mike Spilker from Hinton Burdick CPAs and handed out the Audit Report (Exhibit "B").

Mike Spilker, Hinton Burdick CPAs, gave a presentation via GoToMeeting (included in the packet).

**** A motion was made by Council Member Stone, seconded by Council Member Morris to approve the Consolidated Annual Financial Report and Audit for the City of Elko for the Fiscal Year ending June 30, 2021.**

The motion passed unanimously. (5-0)

VIII. APPROPRIATION

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

**** A motion was made by Council Member Simons, seconded by Council Member Puccinelli to approve the general warrants in the amount of \$989,534.99.**

The motion passed unanimously. (5-0)

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

**** A motion was made by Council Member Morris, seconded by Council Member Puccinelli to approve the general hand-cut checks in the amount of \$223,568.67.**

The motion passed unanimously. (5-0)

VIII.C. Review and possible approval of Print n' Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Council Member Morris, seconded by Council Member Simons to approve the Print 'N Copy warrants in the amount of \$224.09.**

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

VIII.D. Review, consideration, and possible approval of a Financing Proposal and Shared Agency Agreement from Motorola Solutions, Inc. for Flex Records Management Software for the Elko Police Department, in the amount of \$258,915.76, and matters related thereto. **FOR POSSIBLE ACTION**

Our current Records Management System (RMS) is paired with the existing Computer Aided Dispatch (CAD) system in place at the Central Dispatch Administrative Authority (CDAA). In conjunction with the Elko County Enhanced 911 Board, the CDAA Executive Board recently voted to replace the existing Tyler Tech CAD System with a Motorola Spillman CAD System. As a consequence, our existing Tyler Tech RMS will not be easily compatible with the new CAD System, creating interoperability problems between local public safety agencies.

The City of Elko believes the Motorola Flex Records Management Software is an ARPA-eligible purchase. However, in the event it is not, approval of the Financing Proposal allows the City of Elko to begin the transition process without any payments becoming due until one (1) year after contract execution. If ARPA-eligible, the entire purchase will be facilitated in December 2022, with no prepayment penalty. If not, the City will budget the annual, interest free lease payment of \$86,305.25 in the next three budget cycles. TT

Chief Trouten explained they are looking for approval if the ARPA funding is not approved for this purchase. We have had several issues with Tyler Tech since purchasing the software. They have been almost non-responsive when contacting them to correct issues. They would like to go with Motorola Spillman, which is what the County and the State use. It allows greater interagency operability so we can share information. There are several things to be gained with this.

Mayor Keener said the board and staff has done a lot of due diligence on this issue and it doesn't make sense to move forward any further with Tyler Tech. Based what he has been on briefed on, he is was in support of this and even more so if we can utilize the ARPA funding to pay for it.

**** A motion was made by Council Member Morris, seconded by Council Member Stone to approve a Financing Proposal and Shared Agency Agreement from Motorola Solutions, Inc for Flex Records Management Software for the Elko Police Department, in the amount of \$258,915.76.**

The motion passed unanimously. (5-0)

X. PETITION, APPEAL, AND COMMUNICATION

X.B. Review, consideration, and possible approval for Anthem Broadband to occupy approximately 410 feet of City owned conduit crossing the Humboldt River at the Sports Complex, as shown on their plans for the Head End Project. **FOR POSSIBLE ACTION**

Anthem Broadband proposes to install three micro-ducts in the existing conduit. They would occupy two of the micro-ducts, and the third would be for future City use. BT

Scott Wilkinson, Assistant City Manager, explained there is a letter in the packet from Anthen Broadband that includes five conditions for the occupancy of that conduit and asked that those conditions be referenced in the motion.

Mayor Keener thought we should do all we could to help them move forward with their fiber buildout. It is encouraging to see the equipment all over the city and the fast rate that they are going. He called for public comments without a response.

**** A motion was made by Council Member Stone, seconded by Council Member Puccinelli to approve for Anthem Broadband to occupy approximately 410 feet of City owned conduit crossing the Humboldt River at the Sports Complex with the conditions in the letter dated November 10, 2021.**

The motion passed unanimously. (5-0)

Dave Stanton, City Attorney, said he felt the letter needed to be attached rather than just referred to in the motion.

Mr. Wilkinson stated this is just a Council action approving it. They have the ability to occupy under the Franchise Agreement.

Mr. Stanton said he understood but there were conditions stated in the letter that are incorporated in the motion.

Councilman Stone offered to restate the motion and read the conditions into the motion.

**** A motion was made by Council Member Stone, seconded by Council Member Puccinelli to approve for Anthem Broadband to occupy approximately 410 feet of City owned conduit crossing the Humboldt River at the Sports Complex, including the conditions in the letter dated November 10, 2021. The conditions being: 1) Anthem Broadband will not have access to the duct for maintenance/inspection on a 24/7 basis, instead it would only be with prior arrangement with the City; 2) the proposed infrastructure will be located within an easement to be granted by the City under separate action; 3) Anthem Broadband will complete and be utilizing the proposed segment of infrastructure incorporating the City owned conduit within 2 years; 4) Anthem Broadband will dedicate one of the microducts with a 13mm internal diameter to the City for its future use; and, 5) Anthem Broadband shall not disturb any wetlands areas as designated by any Federal, State or Local Agency.**

The motion passed unanimously. (5-0)

IX. NEW BUSINESS

IX.A. 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. The proposed easement crosses the Humboldt River near the Sports Complex. This is in the location of the spare conduit that the City installed along with our irrigation water bore to serve the Sports Complex. BT

Mr. Wilkinson felt the action sheet covered all of the details and offered to answer any questions.

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

The motion passed unanimously. (5-0)

IX.B. Review, consideration, and possible approval of a Deed of Dedication for a Public Utility Easement, on City owned property, APN 001-690-001, 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 fiber optic route within this easement. The proposed easement crosses the Sports Complex parcel, and is north of the ballfields, along the south side of the Humboldt River. BT

Mr. Wilkinson explained this is an easement that runs from a point of connection at the end of the conduit to Errecart Boulevard. They will install their own conduit in this section.

**** A motion was made by Council Member Stone, seconded by Council Member Puccinelli to approve the Deed of Dedication for a Public Utility Easement on City owned property, APN 001-690-001.**

The motion passed unanimously. (5-0)

IX.C. Review, consideration, and possible action to accept a letter of resignation from Ms. Tera Hooiman from the Planning Commission, and to further authorize Staff to commence with the standard

recruitment process to fill the vacancy on the Planning Commission, and matters related thereto. **FOR POSSIBLE ACTION**

Cathy Laughlin, City Planner, explained Tera Hooiman has recently submitted her letter of resignation since her and her family are moving to Las Vegas. She will complete the December 7th meeting but will not be a commissioner by the end of that meeting. With the holidays, she would like to start the recruitment process now.

**** A motion was made by Council Member Stone, seconded by Council Member Puccinelli to accept a letter of resignation from Ms. Tera Hooiman from the Planning Commission and direct staff to begin the recruitment process.**

The motion passed unanimously. (5-0)

Mayor Keener asked in order to thank Tera for her years of dedication to the Planning Commission, that she gets presented with a plaque.

Ms. Laughlin explained they have already ordered her a plaque and wish to present it to her at the December 7th Planning Commission Meeting. She was hoping Mayor Keener could be there for that.

Mayor Keener stated he would be there.

X. PETITION, APPEAL, AND COMMUNICATION (Cont.)

X.A. Ratification of the Police Chief issuing a 45-day Temporary Packaged Liquor License and issue a Regular Packaged Liquor License, to Leila Welch, Desirae Leininger, and Stefanie Covert, DBA We Cater to You, located at 1250 Lamoille Highway #1045, Elko, NV 89801, and matters related thereto.
FOR POSSIBLE ACTION

Chief Trouten explained this one was pretty straight forward. This is a food service truck and it is also selling packaged beer with their food. They are normally down near Princess and a Redneck by the old tire shop. They serve great food. There was no problem with the background. He recommended approval.

**** A motion was made by Council Member Morris, seconded by Council Member Stone to ratify the Police Chief issuing a 45-day temporary packaged liquor license and issue a Regular Packaged Liquor License to Leila Welch, Desirae Leininger and Stefanie Covert, dba We Cater to You, located at 1250 Lamoille Highway #1045, Elko, Nevada 89801.**

The motion passed unanimously. (5-0)

XI. REPORTS

XI.A. Mayor and City Council

Councilman Puccinelli thanked Chief Trouten and Lieutenant Pepper for giving him a tour of their facility.

Councilman Stone reported the ECVA received a letter today stating the pre-pay loan they received for PPE was forgiven.

Mayor Keener mentioned he was disappointed by the new legislative district boundaries that were recently published. He thought it was a big take-away for the rural areas but we will have to live with it for ten years.

XI.B. City Manager

Curtis Calder thanked Jan, Candi and the finance team for getting all of the information together for another successful audit. A lot of good work was done there. The Christmas Party is scheduled for December 10, 2021 and please remember to RSVP. The next evening is Chief Griego's going away party. Children are welcome at the Christmas Party but Santa Claus will not be there.

XI.C. Assistant City Manager

Scott Wilkinson reported the Union Pacific (UP) Purchase/Sale Agreement will be on the next City Council agenda. There is an appraisal agreement that has already been executed by UP.

Mayor Keener said he would get with Mr. Wilkinson after Thanksgiving to go over the details.

Mr. Wilkinson said he would put together information about how the agreement will play out and how it will be executed.

XI.D. Utilities Director

No report.

XI.E. Public Works

Dennis Strickland reported the fall free dump day last weekend went well but was no busier than a regular weekend.

XI.F. Airport Manager

Mayor Keener had a question about something in the Audit. He noticed the operating revenues at the Airport were way down in 2018 vs. 2017. What was the driver on that?

Jim Foster did not know the driver in that off hand.

Curtis Calder said SkyWest had a schedule change when they went to the larger regional jets in that era and we lost some frequency of flights. He thought that might be what it was or at least a portion of it.

XI.G. City Attorney

No report.

XI.H. Fire Chief

No report.

XI.I. Police Chief

Chief Trouten reminded Council that Mr. Keil will become Officer Keil tomorrow morning at the swearing in ceremony. The Police Department got word back on a couple of their JAG Grants. We were successful on both of them but he has to reduce some of the finances because they didn't give them everything. He just came back from Sheriffs and Chiefs and said we are far from alone in this community with people being upset with the fact that our criminals are arrested and then let back out on the streets momentarily. It is happening across the state dependant upon the laws and the new changes.

Mayor Keener gave the Police Department kudos for their big wins lately, including the arrest and recovery of the 4 year-old child that was in the Amber Alert.

XI.J. City Clerk

No report.

XI.K. City Planner

No report.

XI.L. Development Manager

Absent.

XI.M. Financial Services Director

Jan Baum wanted to give kudos to Candi and the finance staff. They do a fabulous job. Finance during the audit literally touches every department and every department was great getting information back to them. The entire City as a whole was super conservative during the fiscal year. Everyone tightened the belt and the audit showed that.

XI.N. Parks and Recreation Director

No report.

XI.O. Civil Engineer

Absent.

XI.P. Building Official

Jeff Ford reported the Certificate of Occupancy was issued for the Performing Arts Building. The school stuff is all done. There is a McDonald's in review, an industrial supply building is in review and another Dotty's is in review. The plan is to demo the McDonald's on Idaho Street and build a new building.

XII. 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

Lee Hoffman, 1085 Barrington, pointed out that the name Giovanni has too many syllables in it to fit into Happy Birthday. He goofed that up when he was singing.

There being no further business, Mayor Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk

Council

Day 618 of 15 days to flatten the curve.

US Vaccine Adverse Events Reporting System data 12/14-11/12/2021 for Covid 19 vax 654,413 adverse events, 54,962 serious injuries and 8664 deaths. Historically, the voluntary reporting of VAERS has been shown to record about 1% of actual events

European countries are not allowing Moderna for under 30 years of age because of increased risk of myocarditis. Pfizer numbers are similar but here, anyone 5 and over is urged to be vaxxed. Pfizer has added tromethamine which has respiratory and other side effects to their vaxxes for kids and the FDA has also approved for the first time, an anticoagulant for children. Have you seen the ads telling us that kids have strokes and heart problems, too? Is this in preparation for the coming consequences of the vaccine on children? Have you seen the lists of young and not so young vaccinated athletes who have suddenly collapsed?

Some European countries are waiting before allowing children to get vaxxed to see how it goes in the US. Canada just approved 5-11 but with 8 weeks, not 3 like in the US, between doses. Canada does NOT require parental consent for even these young children to be vaccinated!

Only about 1500 children vaccinated (2300 total participants) and only followed for about 2 months before Pfizer was approved. And they are telling us they believe these are safe and effective. An 11 yr. old will be given 1/3 of the dose of a 12 year old who is given a regular adult dose. A 5 year old will be given the same dose as an 11 year old. Make sense?

All of you know someone who had serious reactions to their vaxxes. I bet you know of people in our county who "died suddenly" days or weeks after they were vaxxed. Just check out our local obituaries. What about anyone who was vaxxed and was hospitalized or died of covid? It is taboo to talk about and even medical professionals are not allowed to say that these could be vax related. Why ?

The FDA has asked the court for 55 years before they are required to release Pfizer data that they received before approving the vaccines. Why?

CDC has stopped reporting breakthrough cases. Page with breakthrough hospitalizations and deaths data has disappeared Reporting of Breakthrough case numbers without hospitalizations and deaths ended on August 28th. Just today mainstream reporting is warning of large numbers of breakthrough cases in the most highly vaccinated states.

Why has the CDC and other health agencies discouraged the use of early treatments that are working well in other countries as well as the US when not banned? (with early treatment options, the FDA would not have been able to give EUA for the vaxxes).

Think you had covid and want your antibodies tested? The FDA has removed about 270 Antibody tests that had emergency use authorization leaving only 90 that are now allowed. Why? Why has FAUCI and others said that only vaccine immunity works and should be

considered? Why are businesses not allowing exemptions for immunity from a previous covid infection? This does not happen with other vaccines.

State of NV and Elko County are now adding the antigen test results for test and positivity numbers. In the past, positive quick antigen tests had to be followed up with confirmed PCR results before being added to the counts. These results are affecting our numbers and also adding to the quarantine, masking and retesting requirements for school and work. These antigen tests are not as accurate as the PCR tests.

Pfizer booster is same as Pfizer first two shots. Moderna booster is ½ dose. Today the CDC says you are considered fully vaxxed after 2/1 primary doses. Immunocompromised people are now advised to get 3 MRna shots and a booster. Fauci said to expect people in the future to be considered fully vaxxed only after boosters. How many other vaccines have required 2 shots and a booster in less than a year's time to help protect?

Bill Gates' recent statement that "these vaccines only slightly reduce transmission" "We need a new way of doing the vaccines" I wonder what surprises (smallpox) he has in store for us next?

Biden approved Federal covid funds and ARPA funds , through FEMA, give families up to \$9000 for funeral expenses if covid is listed on the death certificate. This is money with no ending deadline.

Robert F. Kennedy JR, Dr. Scott Atlas, and Alex Barenson, among others, have very informative books soon to be or recently published that discuss the information about the really big picture that you might not be seeing or hearing on other media.

The State Public Health Department is going to be mandating this for schools by the 22-23 school year, if not sooner. As city leaders, I hope you will do all you can to educate your citizens and support resolutions that may come up that affect our children. Please continue to stay informed.