

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.S.T., TUESDAY, DECEMBER 11, 2018
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

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.

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**

APPROVAL OF MINUTES: September 18, 2018 Special Joint Workshop Planning and the Elko City Council

I. PRESENTATIONS

- A. Presentation of a retirement plaque to Mary Hassett, Fire Department for her 23 Years of Service, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**
- B. Presentation by Linda Tobey, Nevada Health Centers regarding the expansion of the Elko Family Medical and Dental Center (EFMDC), and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**
- C. Presentation and possible approval of the Consolidated Annual Financial Report and Audit for the City of Elko for the Fiscal Year ending June 30, 2018, and matters related thereto. **FOR POSSIBLE ACTION**

Mike Spilker with Hinton Burdick CPAs will be in attendance to present the City of Elko's Fiscal Year 2017/2018 Financial Report. JJ

II. APPROPRIATIONS

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

- B. Review and possible approval of Print ‘N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

III. UNFINISHED BUSINESS

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

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

IV. NEW BUSINESS

- A. Review, consideration, and possible approval of an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Great Basin Estates Phase 3 subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-45. The Planning Commission recommended as one of the conditions for approval of the final plat, that the agreement shall be approved by the City Council.

The Planning Commission also recommended that the Developer shall enter into the agreement within 30 days of the City Council’s approval of the final plat. CL

- B. Review, consideration, and possible appointment of Ms. Jorja Muir to fill one (1) vacant seat on the California Trail Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

A “Letter of Interest” has been submitted by candidate Ms. Jorja Muir and has been placed in your packet. CC

- C. Hearing and/or review of investigation and findings concerning alleged nuisance(s) and/or accumulation of excessive solid waste and possible declaration of a nuisance(s) and/or excessive solid waste and appropriate order(s)/actions for abatement of nuisance(s) and removal of solid waste regarding the property located

at 403 Pine Street, Elko, Nevada, owned by William Armstrong and other actions, orders or matters related thereto. **FOR POSSIBLE ACTION**

The City has received numerous complaints concerning the storage of inoperable automobiles and the accumulation of solid waste on the property located at 403 Pine Street. Accordingly, the complaints were forwarded to the City Clerk's Office as required under 5-1-5 of city code. The City Clerk forwarded the complaints to the City Manager on July 13, 2018. The City Manager assigned the investigation to the Assistant City Manager on July 17, 2018. The Assistant City Manager completed an investigation and presented those findings to the City Manager on July 26, 2018. Based on the findings of the investigation, it was determined that the storage of solid waste on the property violates the following sections of city code:

- a. Title 5 Chapter 1; 5-1-4(I) Offensive Matter
- b. Title 5 Chapter 1; 5-1-4(N) Public Nuisance further defined
- c. Title 9 Chapter 2; 9-2-8(A) Fly Breeding Conditions

The storage of vehicles in various states of disrepair and utilized for storage violates the following sections of city code:

- a. Title 5 Chapter 1; 5-1-4(N) Public Nuisance further defined
- b. Title 5 Chapter 1; 5-1-4(P) Outside storage of vehicles

The property owner has been properly noticed under the noticing provisions stipulated in Title 5 Chapter 1 of city code, Title 9 Chapter 2, NRS Chapter 241 and NRS 268. The noticing was completed by the City's legal counsel. SAW

V. RESOLUTIONS AND ORDINANCES

- A. Review and consideration of submitted data and/or arguments and determination as to whether the proposed ordinance and fee for **BROTHEL LICENSING** will impose a direct and significant burden upon a business or directly restrict the formation, operation, or expansion of a business.

Pursuant to NRS 237.080 the City of Elko notified owners and officers of businesses which may be affected by the fee for **BROTHEL LICENSING**. Staff has prepared a Business Impact Statement for Ordinance 835, AN ORDINANCE AMENDING TITLE 4, CHAPTER 9, OF THE ELKO CITY CODE ENTITLED "PROSTITUTION" BY ADDING NEW LANGUAGE AND CLARIFYING MATTERS RELATED THERETO; AND RESOLUTION 27-18 AMENDING THE LICENSING FEES OF BROTHELS, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to NRS 237.090, a Business Impact Statement has been prepared and must be considered by the City Council prior to the public hearing and adoption for the ordinance and resolution. KW

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review for possible approval or denial of a House of Prostitution License Application and Retail Liquor License Application made by Louis R. Goldberg, Anna L. Brown, and Peter S.N. Tang, dba Inez's Brothel located at 232 S 3rd Street, Elko, and matters related thereto. **FOR POSSIBLE ACTION**

A comprehensive background investigation was conducted by Elko Police Detectives regarding the Applicants. Mr. Goldberg, Ms. Brown, and Mr. Tang have met the requirements relating to City Code 4-9-7. The Police Chief has reviewed the investigation and documented a summary of the results in the attached memos to the Council. BR

- B. Ratification of the Police Chief issuing a 90-day Temporary Packaged Liquor License and issue a Regular Packaged Liquor License, to Dennis O'Keefe, DBA Golden Gate Gas, located at 3600 West Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

- C. Review for possible approval or denial of a House of Prostitution License Application and Retail Liquor License Application, modifying the current House of Prostitution License and Retail Liquor License Application, to add Peter Tang to the license, DBA Mona's Ranch, located at 103 S 3rd St, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

A comprehensive background investigation was conducted by Elko Police Detectives regarding the Applicant. Mr. Tang has met the requirements relating to City Code 4-9-7. The Police Chief has reviewed the investigation and documented a summary of the results in the attached memo to the Council. BR

VII. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

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NOTE: The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

Respectfully Submitted,

Curtis Calder
City Manager