

CITY OF ELKO
CITY COUNCIL AGENDA
SPECIAL MEETING
4:00 P.M., P.S.T., TUESDAY, DECEMBER 18, 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**

I. 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**
- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review, consideration, and possible issuance of final acceptance for the WRF Emergency Diesel Generator (Equipment), and matters related thereto. **FOR POSSIBLE ACTION**

Smith Power Products Inc. (Smith) was awarded this bid with a scheduled delivery date of July 2, 2018. The generator arrived on site September 24, 2018.

The generator was delayed in part due to manufacturing of the generator. Additionally, and to a greater degree, the generator was delayed when the subcontractor Koontz-Wagner, who was tasked with building the weatherproof enclosure and fuel tank, went out of business. This then resulted in the generator being rerouted and rush shipped to the Midwest for a rush build of the enclosure, fuel tank, and appurtenances, then rush shipped back to Elko, all at Smith’s expense.

When the unit arrived, the enclosure varied from the original design specs which the concrete pad had been designed around. To rectify this matter, Smith agreed to pay for an enlarged concrete pad. This change resulted in additional delays.

The generator is currently on site and operational. Smith has agreed to reimburse the City for the additional concrete pad expense (24,200.00) as well as LD's in the amount of \$29,175.00 (10% of the equipment cost as limited by the contract) to be deducted from their invoice. RL

II. 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

III. NEW BUSINESS

- A. Review and consideration of a request from Mr. Rob Fitzgerald of Surebrec Holdings, LLC for a Special Reimbursement Agreement as defined in City Code 9-1-35 (E), for reimbursement of a sewer main and boring costs within the I-80 Right of Way, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Fitzgerald is the owner of a parcel of land and wishes to develop. In order to do so, Mr. Fitzgerald needs to install sewer service. Currently there is not a viable means of discharging sewer from the site. In order to do so, a sewer main would need to be installed under I-80 or a sewer lift station would need to be installed.

Staff vastly prefers a gravity sewer main under I-80 when compared to a lift station alternative. The sewer main bore is proposed to be located at a low point where it could be used by multiple parcels. RL

- B. Review, consideration, and possible recommendation to City Council for Revocable Permit No. 5-18, filed by Elite Storage & R.V., LLC. to occupy a portion of 12th Street right-of-way to accommodate a sign, and matters related thereto. **FOR POSSIBLE ACTION**

Elite Storage & R.V. LLC. is currently under construction on their storage units at the intersection of 12th Street and Opal Drive. If approved, this will be the location of their sign for the business. CL

IV. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 838, an ordinance approving an amendment to the development agreement between the City of Elko, Nevada, a municipal corporation and political subdivision of the State of Nevada (“City”), and Copper Trails LLC, a Nevada limited liability company (“Owner”), specifically to add Phase 2 of the Copper Trails subdivision and impose a bottom of finished floor elevation for all future placement of principal building sup-gradient of the Eight-Mile drainage easement of two feet higher than the back of curb elevation as measured at the front lot line adjacent to the street of record, and to direct Staff to set the matter for second reading, public hearing and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to N.R.S. 278.0205 and Section 3-2-26(F) of the City Code, Council may amend or cancel binding development agreements by mutual consent of the parties to the agreement or their successors in interest if it finds that the amendment to the agreement is consistent with the Master Plan. The amendment shall be approved by adoption of an ordinance. In this instance, the owner has requested the City amend the approved development agreement and Staff is in agreement. SAW

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of 5’ of the existing 10’ public utility and drainage easement along the southwesterly lot line, parcel referred to as APN 001-61J-028, filed by Koinonia Construction and processed as Vacation No. 4-18, and matters related thereto. **FOR POSSIBLE ACTION**

The applicant has requested a vacation of half of the existing easement due to the irregularity of the parcel shape and setbacks requirements. CL

- B. Consideration of a request from Ms. Callie Tregidga to hold the “Relay for Life” Event in the Elko Main City Park (area 10) on May 18th and 19th, 2019, including the extension of the curfew from 11:00 P.M. on May 18th until 8:00 A.M. on May 19th and authorization to park one (1) RV Trailer overnight, and matter related thereto. **FOR POSSIBLE ACTION**

A letter from Callie Tregidga, Director of Operations, Hilton Garden Inn, has been placed in your packet for your review. CC

- C. Ratification of the Police Chief issuing a 60-day Temporary Retail Liquor License and issue a Regular Retail Liquor License, to Sartini Gaming LLC / Sean T. Higgins DBA Gold Bar, located at 3600 West Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

VI. 5:30 P.M. PUBLIC HEARINGS

- A. First reading for Ordinance 837, an Amendment to Title 4, Chapter 9 of the Elko City Code entitled “Prostitution,” and matters related thereto.” **FOR POSSIBLE ACTION**

Council initiated Staff to make changes to City Code Title 4, Chapter 9, “Prostitution,” as well as to complete a business impact statement on October 23, 2018. On December 11, 2018 council determined there was a direct and significant impact to businesses due to the proposed rule fee structure (pursuant to NRS 237.080). Furthermore, council approved the business impact statement subject to the proposed fee structure being changed to \$5000 per applicant for the application, \$6500 for a new license, and \$6500 for an annual renewal of the brothel license. Today is the first reading of the ordinance. If council approves first reading, the next meeting will include the second reading of the ordinance as well as the resolution outlining the revised fee structure. BR

- B. Review, consideration, and possible action to adopt Resolution No. 30-18, a resolution of the Elko City Council adopting a change in zoning district boundaries from C- General Commercial and GI- General Industrial to R-Single Family and Multiple Family Residential approximately .287 acres of property located generally north of the intersection of 9th Street and River Street, filed by Donald Carlson and Velvet Carlson, and processed as Rezone No. 7-18, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject zone change request on December 4, 2018 and took action to forward a recommendation to City Council to adopt a resolution which conditionally approves Rezone No. 7-18. CL

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