



**CITY OF ELKO  
CITY MANAGER  
1751 COLLEGE AVENUE  
ELKO, NEVADA 89801  
(775) 777-7110/FAX (775) 777-7119**

### **PUBLIC MEETING NOTICE**

The Elko City Council will meet in regular session on Tuesday, April 13, 2021 at 4:00 P.M.–7:00 P.M., P.D.S.T. at the Elko City Hall, 1751 College Avenue, Elko, Nevada and by utilizing [GoToMeeting.com](https://global.gotomeeting.com)

Please join my meeting from your computer, tablet or smartphone.

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**ELKO CITY HALL**

**1751 College Avenue, Elko, NV 89801**

**Date/Time Posted: 8:30 a.m. P.D.S.T., Thursday, April 8, 2021**

<b>Posted by:</b> <u>Kim Wilkinson</u>	<b>Administrative Assistant</b> <i>Kim Wilkinson</i>
<b>Name</b>	<b>Title</b> <b>Signature</b>

The public may contact Kim Wilkinson by phone at (775) 777-7110 or email at [kwilkinson@elkocitynv.gov](mailto:kwilkinson@elkocitynv.gov) to request supporting material for the meeting described herein. The agenda and supporting material is available on the City website at <http://www.elkocity.com>

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at: <https://global.gotomeeting.com/join/190908805> You can also dial in using your phone at **United States: +1 (872) 240-3412** the Access Code for this meeting is **190-908-805** Public Comment and questions can be received by calling (775) 777-0590 or by emailing: [cityclerk@elkocitynv.gov](mailto:cityclerk@elkocitynv.gov)


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*Dated this 8<sup>th</sup> day of April, 2021*

### **NOTICE TO PERSONS WITH DISABILITIES**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Elko City Council, 1751 College Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

  
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Curtis Calder, City Manager  
Elko, Nevada

**CITY OF ELKO**  
**CITY COUNCIL AGENDA**  
**REGULAR MEETING**  
**4:00 P.M., P.D.S.T.**  
**TUESDAY, APRIL 13, 2021**  
**ELKO CITY HALL, CHAMBERS**  
**1751 COLLEGE AVENUE, ELKO, NEVADA**  
**<https://global.gotomeeting.com/join/190908805>**

**CALL TO ORDER**

*The Agenda for this meeting of the City of Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone by registering at the link above.*

**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: March 23, 2021 Regular Session**

**I. PRESENTATIONS**

A. Reading of a proclamation by the Mayor, commemorating the 50<sup>th</sup> Anniversary of Vitality Unlimited, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

B. Review and possible approval of the Fiscal Year 2021/2022 Tentative Budget, and matters related thereto. **FOR POSSIBLE ACTION**

Staff will provide a revised budget presentation and will be requesting tentative budget approval and submittal. JB

C. Presentation of the 2020 Fire Department Year in Review, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

## II. CONSENT AGENDA

- A. Review, consideration, and possible approval of the Full-Time Human Resources Coordinator job description, and matters related thereto. **FOR POSSIBLE ACTION**

The change to the position of Human Resources Coordinator from Part-Time to Full-Time, was approved during the City Council Meeting on March 23, 2021 as part of the FY 2021-2022 Budget. The position will provide support to various Human Resources activities and functions, including file maintenance, recruiting benefits administration, safety, and HR administrative support. SS

## III. PERSONNEL

- A. Employee Introductions:
- 1.) Mr. Juan Salazar, Laborer, Water Department
- B. Swearing in of recently promoted Fire Department employees: Driver/Operator I, Driver/Operator II and Fire Captain, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

## IV. 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 ratification of General Hand-Cut Checks, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review, consideration, and possible action to accept Amendment No. Four (4) to Contract Dated February 26, 2019 between Jviation, INC and The City of Elko, Nevada, and matters related thereto. **FOR POSSIBLE ACTION**

This item is to amend the current contract between The City of Elko and Jviation, Inc. Jviation contract amendment #4 will cover fees associated with Airport Concessions Disadvantage Business Enterprise (ACDBE) program. Jviation will assist the airport in updating its Airport Concessions Disadvantaged Business Enterprise (ACDBE) Goal for FY20-22 to be in compliance with the FAA. JF

## V. NEW BUSINESS

- A. Review, consideration and possible action to initiate an amendment to Elko City Code Sections 2-1-2 "Applicability" and 2-1-4 "Permits" in the Building Regulations, and matters related thereto. **FOR POSSIBLE ACTION**

Several sections of both the Building Regulations and Zoning Regulations address City requirements pertaining to accessory buildings, such as sheds. Staff has determined that these City Code provisions require further clarification. The Planning Commission initiated an amendment to the applicable sections of the Zoning Regulations at their meeting of April 6, 2021. City Staff is now requesting that the City Council initiate similar and/or corresponding changes to the Building Regulations.

The changes to the Building Regulations include the addition and/or modification of definitions pertaining to accessory buildings and clarification of what types and sizes of accessory buildings require a building permit. These amendments are being made in conjunction with proposed amendments to the Zoning Regulations which will be presented to the City Council at a later date once they have gone through the Planning Commission process. MR

- B. Review, consideration, and possible action for a determination from City Council to fence the golf course ponds, and matters related thereto. **FOR POSSIBLE ACTION**

The ponds were lined in the fall of 2020 and then refilled with water. Since that time there has been two instances where animals have gone into the ponds and could not get out without assistance from the owners. Once the owners of the animals entered the ponds they were also unable to exit the pond without assistance. If public access is controlled and achieved with fencing, a minimum of a 6' fence shall be used in Parks according to WTS-7 NDEP Guidance Document for Reclaimed Water Storage Ponds. NDEP did not require the ponds to be fenced and the plans were approved as submitted. Staff is requesting determination from City Council to have the ponds fenced or leave them unfenced, which poses a risk for someone entering the ponds and drowning if they cannot get out.

City Staff has implemented further safety measures in response to these incidents.

- Added additional warning signage around the ponds.
- Raised the pond level 24" to reduce the amount of exposed liner on the banks.
- Attached safety ladders around the ponds banks and life rings at these points

## VI. RESOLUTIONS AND ORDINANCES

- A. First reading of proposed Ordinance 857 amending Title 8, Chapter 21, Section 4 of the Elko City Code entitled "Sidewalk Maintenance, Reconstruction, and Repair", and matters related thereto. **FOR POSSIBLE ACTION**

The proposed amendment consists of three components: 1) clarify decision-making authority for the reconstruction and/or repair of sidewalks, 2) require that all sidewalk construction, reconstruction, and/or repair comply with applicable federal

laws including the Americans with Disabilities Act, and 3) minor adjustments to language for additional clarity. The City Council Initiated Ordinance No. 857 at their March 23, 2021 meeting. MR

## VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Ratification of the Police Chief issuing a 30-day Temporary Retail Liquor License and issue a Regular Retail Liquor License, to Tania Kump, Jeff Kump, and Scott Ygoa, DBA Evergreen Flower and Gift Shop, located at 232 3<sup>rd</sup> Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Ratification of the Police Chief issuing a 60-day Temporary Retail Liquor License and issue a Regular Retail Liquor License, to Thomas J. Duncan, DBA TD's Golf at Ruby View, LLC, located at 2100 Ruby View Drive, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review, consideration, and possible action to rename a portion of Powder House Road to Elko Mountain Way, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff is working toward acquiring rights-of-way and easements to allow for the installation of water mains and tanks in the area of Powder House Road. The proposed alignments of streets in the future development creates an intersection where Powder House Road would make a 90° bend if both sections were to remain as Powder House Road. Changing the name of the section nearest Lamoille Highway to Elko Mountain Way allows all of the residents using a Powder House Road address to maintain that address. No existing addresses would be affected by this proposed change. BT

- D. Review, consideration, and possible action for a request to connect the sewer lateral for 2005 Indian View Heights to the private system of Town Homes at Ruby View, and matters related thereto. **FOR POSSIBLE ACTION**

The home owners of 2005 Indian View heights Lester Decker and Jody Abe have requested that their sewer lateral be connected into the new development of Town Homes of Ruby View. This has been requested because they have a septic tank system which pumps the effluent water to the Christian Center of Elko and then the effluent gravity feeds into the City Sewer System. This system was installed in 2006 because there was no sewer in the area to service the home. In 2019, City Council approved a waiver request from Cater Engineering for Town Homes at Ruby View to not extend the sewer main along the frontage of their property as it would not serve any future customers.

There are many issues with approving this request as follows:

- The City does not have the authority to require the Developer of The Town Homes at Ruby View project to accept the proposed sewer connection.

- The Town Homes at Ruby View sewer system will be private and maintained by a Home Owners Association.
- The Final Map for the Town Homes at Ruby View and associated utility plans have been approved by the NDEP and the City. The final map does not include an easement for the proposed sewer. Inclusion of the sewer will require revisions to both the Final Map and the utility plans. Work has commenced on the project and changes to the plans would likely result in change orders to the developer.
- City Code states customers are responsible for their service lateral to the main including the connection, commingling private services for multiple services is not practical and is extremely poor planning. Which party would be responsible for sewer lateral maintenance if issue develop.
- There are no agreements with the Town Homes at Ruby View for inclusion of the sewer.
- An agreement between the Colony and City for utility service would be required. DJ

E. Review, consideration, and possible action to accept a petition requesting the lease of City owned property pursuant to NRS 268.062, approximately 2.262 acres, identified as Lease Area N2 located at the Elko Regional Airport, at public auction, and authorize Staff to obtain the required appraisal, 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. If Council accepts the petition, an appraisal will be obtained and Council will hold a meeting on the fair market value of the property and adopt a resolution declaring its intention to lease the property at public auction. JF

**VIII. 5:30 P.M. PUBLIC HEARINGS**

A. Second reading, public hearing, and possible adoption of Ordinance No. 858, an ordinance amending Title 4, Chapter 6, Section 13 entitled Uses and Purposes of Transient Lodging Tax Proceeds, and matters related thereto. **FOR POSSIBLE ACTION**

On March 9, 2021, the City Council approved a request by the Elko Visitors and Convention Authority to initiate a change in how the Room Tax Funds could be spent in order to give the ECVA some flexibility in their budget. First reading of the ordinance was approved on March 23, 2021, and published in the Elko Daily Free Press on March 25, 2021. KW

**IX. REPORTS**

- A. Mayor and City Council
- B. City Manager - Legislative Update
- 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. Financial Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

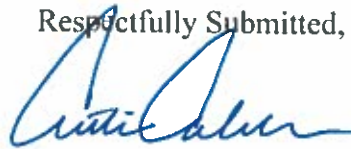
### COMMENTS BY THE GENERAL PUBLIC

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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