



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, May 11, 2021 at 4:00 P.M., P.D.T. at the Elko City Hall, 1751 College Avenue, Elko, Nevada, and by utilizing [GoToMeeting.com](https://www.gotomeeting.com)

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

[GoToMeeting.com](https://www.gotomeeting.com)

<https://global.gotomeeting.com/join/293463909>

You can also dial in using your phone **+1 (408) 650-3123** Access Code: **293-463-909**

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko Website, <http://www.elkocitynv.gov> the State of Nevada's Public Notice Website,

<https://notice.nv.gov> and in the following locations:

**ELKO CITY HALL**  
1751 College Avenue, Elko, Nevada 89801  
**Date & Time Posted: Thursday, May 6, 2021 at 8:30 A.M.**

Posted by: **Kim Wilkinson** Administrative Assistant 

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 at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocity.com>

*Dated the 6<sup>th</sup> day of May, 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.

  
Curtis Calder, City Manager  
Elko, Nevada

**CITY OF ELKO**  
**CITY COUNCIL AGENDA**  
**REGULAR MEETING**  
**4:00 P.M., P.D.T.**  
**TUESDAY, MAY 11, 2021**  
**ELKO CITY HALL, CHAMBERS**  
**1751 COLLEGE AVENUE, ELKO, NEVADA**  
**<https://global.gotomeeting.com/join/293463909>**

**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:      April 27, 2021      Regular Session**

**I.      PRESENTATIONS**

A.      Update by Jon Griggs, Chairman of the Western Folklife Center, Board of Trustees, on the National Cowboy Poetry Gathering, and matters related thereto. **INFORMATION ONLY – ACTION WILL NOT BE TAKEN**

B.      Presentation of City of Elko IT Department Year in Review, and matters related thereto. **INFORMATION ONLY – ACTION WILL NOT BE TAKEN**

Oasis Online began management of the City of Elko IT Department July 1, 2020. Dan Slentz, Owner of Oasis Online is presenting a City of Elko IT Department year in review. JB/DS

C.      Presentation by Duncan Golf Management regarding Ruby View Golf Course, and matters related thereto. **INFORMATION ONLY – ACTION WILL NOT BE TAKEN**

- D. Presentation by Applied Analysis entitled “Ad Valorem (Property) Tax Rate Analysis – Alternatives and Key Considerations,” and matters related thereto. **INFORMATION ONLY – ACTION WILL NOT BE TAKEN**

**II. PERSONNEL**

- A. Employee Introductions:
  - 1.) Joshua Montoya, Firefighter, Fire Department
- B. Swearing in of the Fire Department Driver/Operator II and Fire Marshal, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review and possible approval of an adjustment to the City of Elko Management Compensation Schedule, for the positions of Police Captain and Police Lieutenant, effective July 1, 2021, and matters related thereto. **FOR POSSIBLE ACTION**

Due to ongoing salary compaction within the City of Elko Police Department, Staff is recommending that the position of Police Captain be moved from Grade 37 to Grade 39, and that the position of Police Lieutenant be moved from Grade 32 to grade 36. Although the position of Police Captain is currently vacant, there are two (2) Police Lieutenants currently employed at the Elko Police Department. The fiscal impact for the proposed adjustment is less than \$10,000 for FY 2021/2022. A copy of a memo to the Human Resources Manager has been enclosed in the agenda packet for review. CC

**III. APPROPRIATIONS**

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

**IV. SUBDIVISIONS**

- A. Review, consideration, and possible acceptance of Public Improvements for the Tower Hill Phase 4 Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

The City Council approved Final Map 8-20 on November 10, 2020. A Performance and Maintenance Agreement was entered into on that same day.

The Developer has completed the public improvements in accordance with the approved plans. The City is in receipt of the required Certification of the project by the Engineer of Record. Upon acceptance of the public improvements by the

Council, the Developer is required to provide maintenance security in the amount of \$13,850.80 for a 12-month maintenance period. MR

- B. Review, consideration, and possible conditional acceptance of Public Improvements for the Tower Hill Phase 3 Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Council approved Final Map 15-19 for Tower Hill Phase 3 on February 25, 2020. A Performance and Maintenance Agreement was entered into that same day.

The Developer has substantially completed the Public Improvements in accordance with the approved plans with the exception of a portion of the Lamoille Highway shared-use path. The developer is asking for a conditional acceptance with the understanding that the pathway will be completed prior to the City releasing the remaining portion of the Performance Bond provided to the City in January of 2021. The City is in receipt of the required Certification of the project by the Engineer of Record. Upon acceptance of the Public Improvements by the Council, the Developer is required to provide maintenance security in the amount of \$102,095.20 for a 12-month maintenance period. This bond has already been paid. MR

## V. UNFINISHED BUSINESS

- A. Review, consideration, and possible action for a determination from City Council on how to control public access to 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.

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.

NDEP has determined it is the City’s responsibility to control public access to the ponds since this is a publicly owned course. Staff is requesting determination from City Council on how they would like to control public access. DJ

**VI. NEW BUSINESS**

- A. Review, consideration, and possible approval of a Settlement Agreement and Release of Claims with Zach Woster, Chad Woster and Mercedes Woster based on a November 10, 2019 vehicle accident, and matters related thereto. **FOR POSSIBLE ACTION**

On November 10, 2019, Zach Woster sustained injuries when the vehicle he was driving collided with a fire truck driven by Robert Lino at the corner of Fifth and Idaho Streets. Mr. Lino, a volunteer firefighter with the City of Elko Fire Department, was responding to a call at the time of the collision. The fire truck was owned by the Nevada Division of Forestry and provided to the County and the City by means of interlocal agreements. The vehicle driven by Zach Woster was owned by his parents, Chad and Mercedes Woster. No lawsuit has been filed in relation to the collision. As a result of settlement discussions, Zach, Chad and Mercedes Woster have agreed to release their potential claims in exchange for \$150,000, to be apportioned between the City and the County. CC

- B. Review and possible award of an advertising proposal from Lamar Airport Advertising to provide for the advertising within the airport terminal, and matters related thereto. **FOR POSSIBLE ACTION**

On March 9, 2021, Council authorized Staff to solicit proposals for the Airport Advertising Concession Agreement. Proposals were opened April 23, 2021. The airport received one (1) proposal from Lamar Airport Advertising. Lamar Airport Advertising is the current concessionaire for the airport. JF

**VII. RESOLUTIONS AND ORDINANCES**

- A. First reading of proposed Ordinance 859 amending Sections 2-1-2 (Applicability) and 2-1-4 (Permits) of the Elko City Code relating to accessory buildings, 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 City Council initiated changes to the appropriate sections at their meeting on April 13, 2021.

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 are agendaized separately on this agenda. MR

- B. First reading of proposed Ordinance 860 amending Sections 3-2-2 (Definitions), 3-2-5 (Residential Zoning Districts), 3-2-6 (RB Residential Business District), and 3-

5-4 (Uses Permitted and Minimum Standards) of the Elko City Code relating to accessory buildings, 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 changes to the appropriate sections at their meeting on April 6, 2021 and recommended that the City Council approve Ordinance 860 at their meeting on May 4, 2021.

The changes to the Zoning Regulations include the addition and/or modification of definitions pertaining to accessory buildings, a reduction in required setbacks throughout all residential zoning districts, and other modifications designed to make the use and placement of sheds easier for both the City and its residents. These amendments are being made in conjunction with proposed amendments to the Building Regulations, which are agendaized separately on this agenda. MR

- C. First reading of Ordinance No. 861, an amendment to the City Zoning Ordinance, specifically Section 3-2-4; Establishment of Zoning Districts, 3-2-19; Nonconforming Uses & 3-2-21; Amendments, and matters related thereto. **FOR POSSIBLE ACTION**

Planning Commission at their April 6, 2021 meeting, initiated Zoning Ordinance Amendment 1-21. Planning Commission considered this ordinance at their meeting May 4, 2021 and recommended City Council adopt Ordinance 861. CL

## VIII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible approval of a request to reimburse brothel business license fees paid January 1, 2020 - June 30, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

Kathleen and Gabriel Ornelas, owners of Desert Rose Club, LLC have requested reimbursement of \$1,625.00 out of the \$3,250.00 paid for brothel license fees from 1/1/2020 – 6/20/2020. The brothels were ordered closed due to the Governor’s Directives on March 17, 2020. The City Council passed an ordinance delaying fees to one quarter of what is due 30 days after opening. The brothels have paid the following:

1/1/2020 - 6/30/2020 - \$3,250 (asking \$1,625 of this reimbursed)  
7/1/2020 - 12/30/2020 - \$0 (pursuant to City Ordinance 855)  
1/1/2020 - 6/30/2020 - \$1,625 (pursuant to City Ordinance 856)

- B. Review, consideration, and possible approval of a request from Elko POW/MIA Association for the closure of the round parking lot and the end parking lot in the Elko City Main Park for the Les Brown Memorial/Celebration of Life to be held on June 12, 2021, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko POW/MIA Association are planning a memorial for Les Brown and would like to have it at the Main City Park. They would like to close a couple of the parking lots within the Park as they estimate at least 200 attendees. KW

- C. Review, consideration, and possible approval of a request from Elko High for a donation of \$500 to the graduation fireworks program, and matters related thereto. **FOR POSSIBLE ACTION**

Elko High School would like to have a fireworks display following the graduation ceremony as a way to celebrate the ending of a difficult year for the graduating Seniors. The high school has \$2,000 for the display, a private donor has given \$500, and Principal Wickersham is request \$500 from the City. KW

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

- A. Review, consideration, and possible action to rename a portion of Powder House Road to Elko Mountain Way, and matters related thereto. **FOR POSSIBLE ACTION**

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

**X. REPORTS**

- A. Mayor and City Council
- B. City Manager – Nevada League of Cities Retreat – June 16-18
- 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