

City of Elko)
County of Elko)
State of Nevada)

SS February 24, 2009

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, February 24, 2009.

This meeting was called to order by Mayor Michael J. Franzoia

ROLL CALL

Mayor Present: Michael J. Franzoia

Council Present: Councilman Jim Conner
Councilman Jay Elquist
Councilman John Rice

Council Absent: Councilman Chris Johnson

City Staff Present: Curtis Calder, City Manager
Delmo Andreozzi, Assistant City Manager
Alan Kightlinger, Fire Chief
Don Zumwalt, Police Chief
Shanell Owen, City Clerk
Eric Howes, Parks & Recreation Director
Ryan Limberg, Utilities Director
Dennis Strickland, Public Works Director
Rick Hofheins, Airport Security Manager/Assistant Director
Jim Echanis, Human Resources Manager
Antonio Mendive, Water/Sewer Superintendent
James Wiley, Park Superintendent
Ted Schnoor, Building Official
Lynette Ronzone, Civil Engineer
Ed Wynes, City Planner
Dawn Stout, Administrative Services Director
Lorraine Martinez, Accounting Supervisor
Linda Buffington, Recording Secretary

APPROVAL OF MINUTES February 10, 2009

**** A motion was made by Councilman Rice, seconded by Councilman Conner to approve the minutes of February 10, 2009 as submitted.**

**Motion passed 3 to 0.
Councilman Elquist and Councilman Johnson were absent for the vote.**

READING OF A PROCLAMATION RECOGNIZING FEBRUARY 2009 AS “BEEF MONTH”

I. PERSONNEL

- B. Review and possible selection of a consultant to update portions of the City of Elko Classification/Compensation Plan, and matters related thereto. **ACTION ITEM**

At the November 25, 2008 City Council Meeting, the City Council authorized Staff to solicit Requests for Proposals (RFP's) for the update to the City's Classification/Compensation Plan. The last update to the Plan was completed in December of 2005.

After reviewing the submitted proposals, the top three (3) vendors were interviewed and references checks were conducted. Staff will submit a recommendation prior to the City Council meeting. JE

Human Resources Manager Echanis advised the top three vendors were interviewed by himself and City Manager Calder on February 20, 2009. Following the interviews, references were checked with clients of the top two vendors, Municipal Solutions, LLC and Communications & Management Services, LLC with no finding of disqualifying information. Based on information gathered Staff recommends Municipal Solutions for the submitted price of \$10,525.00.

Mayor Franzoia questioned if the prices were competitive.

Mr. Echanis verified they were.

**** A motion was made by Councilman Conner, seconded by Councilman Rice to approve the selection of Municipal Solutions, LLC to perform the update to the City of Elko Classification/Compensation Plan for an update to the Management Employees and Appointed Officials respective salary schedules in the amount of \$10,525.**

Motion passed 3 to 0.

Councilman Elquist and Councilman Johnson were absent for the vote.

II. APPROPRIATIONS

- B. Review and possible approval of an Agreement for Construction Engineering Services for the Well 43 Wellhouse Construction Project, and matters related thereto. **ACTION ITEM**

Provided in your packet for review is an agreement for Konakis Engineering, LLC to provide construction engineering services for Well 43 Wellhouse Construction Project in the amount of \$44,000.00. AM

Water/Sewer Superintendent Mendive was present to answer questions; Staff recommends approval.

**** A motion was made by Councilman Rice seconded by Councilman Conner to approve an Agreement for Construction Engineering Services for Well 43 Wellhouse Construction Project to Konakis Engineering, LLC in the amount of \$44,00.00.**

**Motion passed 3 to 0.
Councilman Elquist and Councilman Johnson were absent for the vote.**

After the motion and before a vote was taken Mayor Franzoia questioned the overall project cost.

Utilities Director Limberg advised approximately \$1.25 million; this will be our largest well and will produce close to 3,000 gpm.

- C. Review and possible approval of an Agreement for Professional Engineering Services with Lumos & Associates for the Southside Park Rehabilitation Project, and other matters related thereto. **ACTION ITEM**

Provided in your packet for review is the Agreement for Professional Services with Lumos & Associates for the Rehabilitation of the Southside Park's two basketball and two tennis courts in the amount of \$52,570.00 through Community Development Block Grant (CDBG) funding. Lumos & Associates will provide engineering, design, contract administration, construction management, and quality assurance/quality control for this project. LR

Civil Engineer Ronzone advised Lumos & Associates originally came in approximately \$800.00 over available engineering funds; Staff re-negotiated and they came down to the available budget amount.

Mayor Franzoia questioned if they had not would Staff have reviewed the contract and reduced some of the scopes.

Ms. Ronzone indicated they would have gone to the next qualified engineering firm to determine if they could meet the budget.

Mayor Franzoia requested clarification on the new process to be used on this project.

Ms. Ronzone advised this will be post-tension concrete and will perform better than the asphalt product. Steel tension cables go through the slab and absorb the tension which leads to less cracking. Post-tension is logical as it addresses the freeze/thaw effect so typical in our area. This product has been used in other areas i.e. Reno and Salt Lake City and is performing well.

Mayor Franzoia questioned the life expectancy of this procedure.

Ms. Ronzone estimated thirty to fifty years.

Councilman Rice questioned if there would be a grip surface over the top.

Ms. Ronzone advised there would not; it will be a durable plain color coating.

**** A motion was made by Councilman Conner, seconded by Councilman Rice to approve an Agreement for Professional Engineering Services with Lumos & Associates for the Southside Park Rehabilitation Project.**

Motion passed 3 to 0.

Councilman Elquist and Councilman Johnson were absent for the vote.

III. NEW BUSINESS

- A. Review and approval of pending Special Events, and other matters related thereto. **ACTION ITEM**

This item has been added to the agenda in order to consider any application for Special Events received by the Clerks Office. Staff will report on any application on file. SO

There were no special events.

- B. Review, consideration, and possible action to accept the 2008 Annual Report of Planning Commission Activities, and matters related thereto. **ACTION ITEM**

Pursuant to Section 3-4-23 of the Elko City Code, the Planning Commission is required to prepare and present an annual report of its activities to the Council. The Planning Commission considered this item at their meeting of February 3, 2009, and took action to approve the 2008 Annual Report of Planning Commission Activities, and forward the matter to the Council. EW

City Planner Wynes was available for questions.

Mayor Franzoia reviewed the report for the benefit of the public, see Exhibit 'A'.

Mayor Franzoia questioned if the report was publicized for the community; it may be something to consider. Even though the perception is the economy may be down we are still going along as we have somewhat, at least related to processes and applications that go forth to the Planning Commission.

Councilman Rice thanked the Planning Commission for all the hard work.

**** A motion was made by Councilman Rice, seconded by Councilman Conner to accept the 2008 Annual Report of Planning Commission Activities.**

Motion passed 3 to 0.

Councilman Elquist and Councilman Johnson were absent for the vote.

- C. Review, consideration, and possible action to accept the 2009 Calendar Year Planning Commission Work Program, and matters related thereto. **ACTION ITEM**

The Planning Commission considered and approved their 2009 Calendar Year Work Program at their regular meeting of February 3, 2009. EW

City Planner Wynes was available for questions; this is the yearly schedule used by Staff to keep on track, see Exhibit 'B'.

Councilman Conner noted many of the projects were continuing work.

Mayor Franzoia verified they were i.e. HARP.

Councilman Rice noted work on the Master Plan was included; how involved is that.

Mr. Wynes advised it is quite involved; Staff would like to bring in a consultant to do the base work. The Planning Commission and other advisory groups will add their input and take all of it into consideration for review.

Mayor Franzoia questioned whether Staff would also consider and coordinate input from representatives from utility companies i.e. NV Energy; if we see growth in an area they are hopefully seeing the same potential.

Mr. Wynes indicated Staff does meet with the utility companies periodically.

Councilman Conner recommended a member of the Planning Commission occasionally attends a meeting with the Parks & Recreation Advisory Board so they are aware of what the Planning Commission is looking at.

**** A motion was made by Councilman Rice, seconded by Councilman Conner to approve the 2009 Calendar Year Planning Commission Work Program.**

Motion passed 3 to 0.

Councilman Elquist and Councilman Johnson were absent for the vote.

- D. Review, consideration, and possible action to authorize City Staff to give a landfill voucher to adult volunteers that participate in the "*Take Pride in Your Community Day/Pride Day*" cleanup event, and matters related thereto.
ACTION ITEM

This year's "*Take Pride in Your Community Day/Pride Day*" cleanup event is scheduled for Saturday, April 25, 2009. For the last three years, the City Council has provided one voucher to the adult volunteers that were engaged in cleaning public property/right-of-ways. The voucher concept was very popular with the volunteers and affords them the same opportunity to remove waste from their personal property and dispose of it without having to pay a tipping fee at the landfill. In order to provide these volunteers the same opportunity as other citizens, these vouchers would be good for one day. DS

Public Works Director Strickland stated the vouchers have a shelf-life; two weekends past the event to facilitate the use of the voucher. Included in the packet is a comparison sheet which shows how many have been redeemed compared to the number issued. This does seem to be a popular program.

Mayor Franzoia requested verification the voucher was non-transferrable.

Mr. Strickland verified that was correct.

Mayor Franzoia questioned if the refuse being brought in was increasing.

Mr. Strickland advised it was weather dependant; good weather brings increased volume at the landfill on that day; historically it seems to be fairly close.

**** A motion was made by Councilman Conner, seconded by Councilman Rice authorizing Staff to give a landfill voucher to adult volunteers that participate in the “Take Pride in Your Community Day/Pride Day” cleanup event.**

Motion passed 3 to 0.

Councilman Elquist and Councilman Johnson were absent for the vote.

IV. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance 704, an Ordinance amending Title 4, Chapter 1, Section 15 of the Elko City Code entitled, “Solicitors, Temporary Merchants and Peddlers License” to provide for a Planning Department review to ensure compliance with zoning regulations, and to provide for further clarification of temporary merchant sales on Idaho Street when no curb, gutter, and sidewalk exists; and to provide other matters appropriately related thereto. **ACTION ITEM**

City Staff was directed by the Elko City Council on February 10, 2009 to bring back an ordinance outlining certain exceptions and amendments to the Solicitors, Temporary Merchants and Peddlers License. Ordinance 704 reflects the direction given to staff and also includes other clarifications City Staff felt were appropriate. SO

Assistant City Manager Andreozzi identified and clarified changes to the ordinance; see Exhibit ‘C’. Mr. Andreozzi advised there was one exception pertaining to the Idaho Street setback restriction of 100’ from the center line; you can reduce that minimum setback if the applicant can demonstrate the means and methods to control ingress and egress to the property and the applicant must demonstrate the means and methods to provide all the parking and backing movements will be conducted on the property itself.

Mr. Andreozzi continued and advised the original language read “*In no case shall the reduction of the required setback be less than twenty-five feet from the boundary line of Idaho Street right-of-way*”; we know that could cause an issue with some business owners. Staff conducted

additional research on design guidelines for roadway safety; a road like this with the posted speed limits has a safety area fourteen to sixteen feet away. Staff would like to propose a small change to that line which would read; *“In no case shall the reduction of the required setback be less than twenty-five feet from the edge of the used roadway or be within the public right-of-way”*.

Councilman Rice questioned if the term “used roadway” would be acceptable in court.

Mr. Andreozzi indicated it could read; *“from the edge of the roadway”*; leave it a bit gray and as we go through the process we can make that determination.

Mayor Franzoia believed *“used roadway”* was more confusing than *“edge of the pavement”*. Ideally we should have a map that defines it with more accuracy.

Mr. Andreozzi stated this issue is a bit more difficult to word because the right-of-way line varies so much on Idaho Street.

Mayor Franzoia stated that is why a map depicting the areas that are not controlled with curb, gutter and sidewalks would be a better tool.

Councilman Rice believed if our intention was to set up policies for particular parts of Idaho Street then perhaps a map is the answer; but if we intend to apply it more generally the map might be too onerous.

Mayor Franzoia believed this is to address those areas that do not have controlled access.

Mr. Andreozzi advised this will address the few areas of Idaho Street that do not have curb, gutter or sidewalk.

Mayor Franzoia suggested Staff work on the wording; edge of roadway is confusing.

Mr. Andreozzi advised there is a segment that states the applicant shall not use off-premise or directional signage. Another segment states when they vacate the area they need to leave it clean. The temporary merchant shall at all times have all their proper permits, site plan etc. displayed during hours of operation. Final item in the ordinance states that failure to comply with any provisions of this code shall be cause for the immediate revocation of the license.

Councilman Elquist arrived @ 4:40 p.m.

Mayor Franzoia noted some compliances would be after the fact; perhaps Staff should consider adding a segment pertaining to failure to comply for discussion at the next meeting i.e. a one-year license suspension.

Councilman Rice believed that is the responsibility of the property owner; they should be policing the area.

Mayor Franzoia stated this ordinance was put in place as a safety issue due to lack of curb, gutter or sidewalk.

Will Moschetti expressed concern over the wording of curb, gutter and sidewalk and believed curb and gutter would be more appropriate wording; including sidewalk makes it too restrictive.

Rick Crawford requested clarification on who would be penalized; the property owner or the vendor. He was opposed to penalizing the property owner.

Mayor Franzoia advised the penalty would be to the peddler; there would be no impact to the property owner's license.

Rick Crawford then referred to the line of measurement; the property line on Idaho Street is skewed. Can the edge of the right-hand lane be the point of measurement.

Mayor Franzoia advised Staff will need to come up with something that is practical, simple and not confusing to understand; something that is uniform.

Mr. Andreozzi stated it needs to be clear to everyone where we are talking about.

Councilman Elquist believed approval by the Planning Department should be enough; forget about the footages and state they must demonstrate means and methods to control ingress/egress and demonstrate means and methods for parking and backing.

Mayor Franzoia believed it left too much discretion to the Planning Department to determine what was good for one business as opposed to another.

Mr. Andreozzi expressed appreciation for all the comments and advised where there is no curb and gutter the distance will be 100' from the center line. The exception clause states if the applicant can maintain all parking and backup movements on the property itself etc. they can get a reduced setback.

Mayor Franzoia recommended Staff rework the document and bring it back for First Reading at the next meeting.

Councilman Rice requested verification this would have no impact on the 45 day waiver previously granted to Mr. Crawford.

Mayor Franzoia verified it would not.

**** A motion was made by Councilman Conner, seconded by Councilman Elquist to table this for further consideration by Staff and present a revamped version at the next meeting.**

**Motion passed 4 to 0.
Councilman Johnson was absent for the vote.**

III. NEW BUSINESS

- E. Review, consideration, and possible approval of a recommendation from the Ruby View Golf Course Financial Committee to charge one-half the regular greens fees for the Spring Senior Team Championship Golf Tournament to be held in May 2009, and matters related thereto. **ACTION ITEM**

Rick Longhurst, Golf Professional at Ruby View Golf Course, was asked to be a potential host for the Spring Senior Team Championship Golf Tournament to be held in May by the Northern Nevada Golf Association. This tournament was held in Spring Creek previously, but they would like to move it to Elko. They had requested to have no greens fees, but given the current economic conditions, Rick suggested hosting it with one-half the regular greens fees. This is a new tournament for the golf course and thus a new source of revenue. DS

Administrative Services Director Stout advised Will Moschetti, Ruby View Golf Course Financial Advisory Committee Chairman and Rick Longhurst were present to answer questions.

Will Moschetti advised this was an opportunity to forego some revenue we never would have seen anyway in exchange for filling a May weekend that typically is not busy anyway. It is anticipated the group size will not close the golf course to the public.

Rick Longhurst, Director, Ruby View Golf Course provided information on the tournament itself; approximately one hundred-twenty players with the primary field out of the Reno/Carson City area and approximately twenty local players. At half greens fees it would bring in between \$4,000 to \$4,500 in greens fees. It is a three day tournament; they come in on Thursday and play practice rounds so there is another day of full greens fees revenue. In addition, they will be staying three nights locally and adding to the room tax revenue. Mr. Longhurst stated this is a new event, free greens fees would not be a good thing; the City needs to see some revenue; the Association is comfortable with paying the half price.

Mayor Franzoia expressed support of the event.

Councilman Conner believed it was a win/win for the community.

Councilman Elquist questioned whether discounting fees would set a precedent for other tournaments that come into the City.

Mr. Longhurst stated it would not; the precedent already exists.

Councilman Elquist then questioned if there had been any success with fund raising with the mines etc. to make up the balance of greens fees. Mr. Elquist expressed strong support of donations.

Mr. Moschetti advised it was not something the golf course committee typically does.

Don Newman, ECVA, offered assistance with a postcard mailing to announce the new location.

**** A motion was made by Councilman Conner, seconded by Councilman Elquist approving the request from the Ruby View Golf Course Financial Committee to charge one-half the regular greens fees for the Spring Senior Team Championship Golf Tournament to be held in May 2009.**

**Motion passed 4 to 0.
Councilman Johnson was absent for the vote.**

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review and consideration of a request from the Downtown Business Association, for a donation of \$1,750 to purchase additional brackets for banners located along various city streets, and matters related thereto. **ACTION ITEM**

For the last few years the Parks Department has been working with the DBA to put banners on light poles along Idaho Street and in the Downtown Corridor four (4) times each year. Because of the time commitment, especially in the summer months, the Parks Department had requested that the DBA reduce this commitment to twice a year. Each banner installation/rotation requires a crew of five (5) Parks Department employees and takes approximately 1 ½ days. Additionally, the City's bucket truck is currently out-of-service.

In an effort to reduce the rotation to two (2) times per year, the DBA is requesting that all of the banners be installed for events within a 6 month period, requiring the use of additional light poles within the city and the purchase of additional brackets. Silver and 12th Streets would be the likely location of the additional banners. The DBA has indicated they are willing to split the \$3,500 cost of the additional brackets, but funding does not exist within the Parks Department budget. Therefore, in order to facilitate the DBA's request, the City Council would need to approve a \$1,750 donation from the Recreation Fund. EH

City Manager Calder noted Staff met with representatives of the DBA; they have requested this item be tabled until they can bring back a more complete package regarding the number of rotations of banners per year.

**** A motion was made by Councilman Elquist, seconded by Councilman Conner to table this item.**

**Motion passed 4 to 0.
Councilman Johnson was absent for the vote.**

II. PERSONNEL

- A. Review, discussion, and performance evaluation of the City Manager, and matters related thereto. **ACTION ITEM**

Performance Evaluations for Appointed Officials by City Code must take place in January of every year, with the City Council performing the evaluations for all Appointed Officials in even numbered years. In odd numbered years the City

Manager performs the evaluations for all Appointed Officials, with the exception of the City Manager position which is completed by the City Council. JE

Human Resources Manager Echanis entered into the record Councilman Johnson's comments for the various categories; Knowledge and Experience - above target, Judgment – above target, both areas with no comments. Planning and Organization – above target, Risk Taking – above target, Communications-above target also with no comments. Leadership-on target with a comment “the focus should be given to delegate and separate power from the finance person, need to increase knowledge throughout the management side of other departments and understanding the budget. Innovation-on target with the comment “too much centralization through finance”. Safety Performance – above target, Budget – above target, Supervisory Skills – the comment was “I assume evaluations are completed on time, should spend more time in training of Airport Director for his presentations or projects to the City Council and to the FAA. Other Factors – above target. Councilman Johnson's overall rating for City Manager Calder was above target.

Mayor Franzoia stated he rated City Manager Calder overall “Above Target”; this year has been more challenging with more various complex issues than have been seen in the past. The way Mr. Calder handled those and the outcome on most were to the benefit of the City ultimately and maintained equality in the system in how we treat others. Mr. Calder's knowledge of the position is excellent, his financial side of the equation still comes forth readily, especially regarding issues with the insurance. Mayor Franzoia stated it is rare to find a City Manager that has the capability to understand insurance issues.

Councilman Conner rated Mr. Calder significantly above target in all areas. Councilman Conner stated Mr. Calder excels in his job and continues to improve. Councilman Conner expressed appreciation to Mr. Calder for all his hard work.

Councilman Rice rated Mr. Calder generally above target; his commitment and passion to the City is evident and well communicated to the public in all venues. Councilman Rice expressed appreciation for the time Mr. Calder spends helping him to stay informed of various items.

Councilman Elquist rated Mr. Calder overall above target. Councilman Elquist expressed appreciation for Mr. Calder's conservative approach to budgeting and his preparedness on a wide-range of City issues. Mr. Calder exercises good judgment, an organized thought-out approach to issues and good communication skills. Mr. Calder has good relations with Staff but there is room for a clearer vision set by the management and staff; even involving the Council on some common or future goals on some of the bigger ticket items that are coming due. Councilman Elquist indicated he did not sense a clear plan on how we were going to address these items; there is an opportunity there. Councilman Elquist expressed pleasure with the financial position of the City; our S&P rating went from A- to A+. Overall Mr. Calder is doing a great job, keeps the Council informed on issues but takes the initiative where appropriate. The only short-coming is we are lacking a good long-term view; what is our five or ten-year plan for critical areas such as public safety, transportation and recreation.

Mayor Franzoia stated in his fourteen years with the City there have been some great people working here and believed this is the best functioning group. Everyone that has taken those

positions has taken it to the next level, taking what others have done and making it better. That is hard to do and is relevant to everyone in key positions.

Robert Schmidlein, Canyon Construction came forward to address the Council regarding Mr. Calder. Mr. Schmidlein stated it was appropriate for him to step up as his livelihood is at stake, especially with the airport lawsuit etc. Mr. Schmidlein requested the Council take into consideration 1) through November 30th the City has spent approximately \$857,000 on the lawsuit; by today it is likely over one million. How much money are we going to spend on this lawsuit? In the direction it is going it is going to exceed two million dollars from the City standpoint. Mr. Schmidlein advised Canyon Construction has spent \$135,000 which is only ten percent of what the City has spent; what Knight-Piesold has spent is unknown. Mr. Schmidlein questioned who is monitoring these costs, what limit will the City go to? The original contract of the portion of the 15” apron Canyon Construction built was approximately \$1.7 million. If he understands everything correctly the FAA has admitted they are going to pay for any cost of the repairs; not the lawsuit portion of it. With today’s economy and as a tax paying citizen, he questions the purpose and intent of the lawsuit. He also asks himself if this is the type of action and direction the City Manager is advising the City Council to pursue. Mr. Schmidlein asked the Council to consider these points in the evaluation of our City Manager.

Mayor Franzoia thanked Mr. Schmidlein for his comments and advised the Council could not discuss the lawsuit because it was a legal situation. Mayor Franzoia advised the purpose and intent of the lawsuit was not one person over another as much as the fact it was determined that the facility was failing. The taxpayers contracted out work to be done on behalf of the taxpayers and it was brought to our attention; the Council took the position to pursue having the failure picked up by those that haven’t been determined yet to cause the problem. It should not be the responsibility of the taxpayers to pay for something they have paid for once; therefore the analysis was brought forth in a public forum that it was much cheaper to have it rectified by those that are found at fault in the system that is provided for; someone is going to pay for it and the taxpayer shouldn’t be subjected to pay for it twice. The cost of litigation is cheaper than for the City to turn their back and have to come up with millions of dollars we don’t have to do that. There is no guarantee from the federal government that we will get what they say we will. Mayor Franzoia believed it is irresponsible for him as the Mayor and Council Person to turn away on an issue that subjects the taxpayer to more costs greater than litigation.

Mayor Franzoia indicated if City Manager Calder had not brought the matter forth and ignored the problem he probably wouldn’t be sitting here today; he wouldn’t be doing his job to protect the interests of the public. It was Mayor Franzoia’s opinion Mr. Calder did what is required of him in protecting the assets the City has.

Human Resources Manager Echanis stated the overall performance evaluation for Mr. Calder was above target; direction or action is needed to approve a one-step merit increase effective January 1, 2009.

**** A motion was made by Mayor Franzoia, seconded by Councilman Elquist to accept the performance evaluation of City Manager Calder as “Above Target” and to approve a one-step merit increase retroactive to January 1, 2009.**

Motion passed 4 to 0.

Councilman Johnson was absent for the vote.

After the motion and before a vote was taken Councilman Elquist referred to the lawsuit and agreed Mr. Calder was correct in bringing the issue before the Council; it was our judgment from there whether to go forward or not. We hired two professionals to do the job right, a contractor in place and an engineer to oversee the contractor; it was good sound judgment that if there was a problem that we had enough expertise out there it should have been done right. It is the right step to go to get it rectified. The City was responsible at the front end and responsible to try and get it cleaned up the right way, it is a big project and the stakes are high.

Councilman Rice stated it was in the purview of the City Manager's job description to bring that type of thing to the Council's attention.

City Manager Calder thanked the Council for the evaluation.

* 5:28 P.M. Mayor Franzoia called for a recess until 6:00 p.m.

VI. 6:00 P.M. PUBLIC HEARINGS

A. Public comment period. **ACTION WILL NOT BE TAKEN**

This agenda item is to provide time for the general public to address the City Council regarding items of concern. Action cannot be taken at this time, but a matter can be set on the agenda for a future meeting, as appropriate.

There was no public comment.

B. Second reading, and possible adoption of Ordinance 703, an Ordinance amending Title 1, Chapter 5, Section 5 of the Elko City Code entitled, "Precincts and Polling Places," by amending Section 5 to reflect boundary adjustments to the City of Elko by amending the precinct legal descriptions to reflect recent annexations and detachments, and matters related thereto. **ACTION ITEM**

The current legal descriptions for voting precincts outlined in the Elko City Code do not incorporate all of the corporate boundary adjustments since the last election. Ordinance 703 amends the voting precinct legal descriptions to reflect the correct boundary for each precinct. SO

Mayor Franzoia questioned if the surveys have been done or does this start the process.

City Clerk Owen advised no surveys are required.

Councilman Rice questioned if this has any bearing on Assembly Districts.

Mayor Franzoia advised it does not.

There was no public comment on this item.

**** A motion was made by Councilman Elquist, seconded by Councilman Conner to approve Second Reading and adoption of Ordinance 703, an Ordinance amending Title 1, Chapter 5, Section 5 of the Elko City Code entitled, "Precincts and Polling Places," by amending Section 5 to reflect boundary adjustments to the City of Elko by amending the precinct legal descriptions to reflect recent annexations and detachments.**

**Motion passed 4 to 0.
Councilman Johnson was absent for the vote.**

II. APPROPRIATIONS

A. Review and possible approval of Warrants. **ACTION ITEM**

**** A motion was made by Councilman Rice, seconded by Councilman Elquist to approve the warrants as submitted.**

**Motion passed 4 to 0.
Councilman Johnson was absent for the vote.**

VII. REPORTS

- A. Mayor and City Council
 - 1. Councilman Conner - Recreation Committee update
 - 2. Councilman Rice – Arts & Culture Advisory Committee update
 - 3. Councilman Elquist – City Manager evaluation also reflection of Staff
- B. City Manager – Legislative update; Emergency repair at WRF-cost of \$5,408.25
- C. Assistant City Manager – Cardboard recycling program
- D. Utilities Director – Emergency repair at WRF
- E. Public Works – Snow removal costs
- F. City Clerk – Youth Scholarship & Award
- G. City Planner – Planning Commission 3/3/09

ADJOURNMENT

There being no further business, Mayor Michael J. Franzoia adjourned the meeting.

Mayor Michael J. Franzoia

Shanell Owen, City Clerk