

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

SS January 28, 2020

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, January 28, 2020.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons
Councilman Robert Schmidlein
Councilman Chip Stone
Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Dale Johnson, Utilities Director
Kelly Wooldridge, City Clerk
Michele Rambo, Development Manager
Candi Quilici, Accounting Manager
Jan Baum, Financial Services Director
Karen Walther, Animal Shelter Manager
Dennis Strickland, Public Works Director
Bob Thibault, Civil Engineer
James Wiley, Parks and Recreation Director
Clark Phillips, Water/Sewer Superintendent
Cathy Laughlin, City Planner
Jim Foster, Airport Manager
Jeff Ford, Building Official
Matt Griego, Fire Chief
Dave Stanton, City Attorney
Ty Trouten, Police Chief
Diann Byington, Recording Secretary

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**

Mayor Keener noted that the agenda was light and asked Chief Trouten to give a presentation of the awards ceremony that happened a couple of weeks ago.

Police Chief Trouten spoke about who was honored with awards and why.

APPROVAL OF MINUTES: January 14, 2020 Regular Session

**** A motion was made by Councilman Schmidlein, seconded by Councilman Stone, to approve the minutes.**

The motion passed unanimously. (5-0)

I. CONSENT AGENDA

- A. Review, consideration, and possible approval of a List of Appraisers, recommended by the City Manager, for purposes of conducting appraisals during the 2020 calendar year, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code Section 8-1-1 requires the City Manager or designee to compile and to submit a List of Appraisers qualified to conduct business in the City of Elko to the City Council on or about January 1st of each year. The Planning Department has developed a list of qualified appraisers interested in conducting business with the City of Elko and the City Manager has approved the list. CL

Councilman Hance asked if we have any appraisers in the City of Elko.

Cathy Laughlin answered we don't have any licensed general appraisers. We just have residential appraisers.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the Consent Agenda.**

The motion passed unanimously. (5-0)

II. PERSONNEL

- A. Employee Introductions:
- 1.) Clark Phillips, Water/Sewer Superintendent, Utilities Department
Present and introduced.
- B. Fire Department Badge Pinning and Administration of the Fire Officer's Oath, promotion of Firefighter Jeffrey Winrod to Fire Lieutenant.

Jeff Winrod wasn't present and Chief Griego asked this be moved to the next meeting.

III. APPROPRIATIONS

- D. Review, consideration, and possible final acceptance of the Elko Sports Complex Phase 1 Project, and matters related thereto. **FOR POSSIBLE ACTION**

At their April 10, 2018 meeting, Council awarded the Sports Complex Phase 1 Project to Granite Construction in the amount of \$6,781,516.66. There were fourteen monetary Change Orders during construction that resulted in a combined additional cost of \$160,122.40. There were also seventeen changes to quantities of bid items, which resulted in a combined savings of \$43,804.00. The final cost of the project was \$6,897,835.06. This project was substantially completed on October 17, 2019. Final punch list items and final billing have since been completed. BT

Bob Thibault, Civil Engineer, explained the change orders were included in the packet. The project went fairly smoothly and the project is substantially complete. He recommended approval.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve final acceptance of the Elko Sports Complex Phase 1 project, by Granite Construction, in the amount of \$6,897,835.06.**

The motion passed unanimously. (5-0)

Mayor Keener asked Mr. Calder about a ribbon cutting

Curtis Calder, City Manager, answered we don't have a date yet. We are waiting to see when we are going to be connecting the irrigation and getting it seeded. We are thinking May but it is out there a way.

- E. Review, consideration, and possible direction to Staff, to solicit bids for the Water Tank Interior Coating Project-2020, and matters related thereto. **FOR POSSIBLE ACTION**

In September of 2018, ten (10) of the City's Water Storage Tanks were inspected by Blue Locker Diving. Upon review of the videos, many deficiencies were noted on the interior of the Water Storage Tanks. An Engineering firm and Staff has placed the critical tanks on a priority list to be recoated or replaced. Indian View Heights Tank No. 1, and Ruby Vista Tank No. 2, were budgeted for recoating in 2020. DJ

Dale Johnson, Utilities Director, explained they are asking to solicit bids for the recoating of storage tanks No. 1 on Indian View Heights (in the high-pressure zone) and No. 2 on Ruby Vista (part of the low-pressure zone).

Councilman Schmidlein asked how often they have to do the interior.

Mr. Johnson answered it depends. They are required to dive them every 3-5 years. It has been a little longer than that on this go-around. There were some deficiencies noted. The deficiencies are typically in the top part of the water tank where there is air and not water.

Mayor Keener asked if that is like a rubber type product.

Mr. Johnson answered it is typically epoxy paint.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Stone, to direct staff to solicit bids for the Water Tank Interior Coating Project 2020.**

The motion passed unanimously. (5-0)

- F. Consideration and possible authorization for Staff to apply for Federal Aviation Administration Grant # AIP 3-32-0005-051-2020, to acquire Snow Removal Equipment, and matters related thereto. **FOR POSSIBLE ACTION**

The project consists of acquiring new Snow Removal Equipment (SRE), i.e., truck, plow, and sander. The purpose of the project is to replace old equipment that has exceeded its useful life with newer equipment. The project will benefit the Airport, by supporting or improving operational levels and providing SRE that will replace less-reliable and difficult-to-maintain equipment. JF

Jim Foster, Airport Manager, explained the two frontline SRE trucks were purchased in 2002. They have been maintained but the equipment is getting aged. This will be an easy project for staff to do. We don't want to take anything out of service; we want to add to our fleet.

Mayor Keener asked if the new equipment will be faster and more efficient.

Mr. Foster answered we do 40 feet per pass on the current equipment. The new equipment will do 60 feet per pass. This will make it more efficient. A new deicing truck will have newer technology that will allow staff to know they are putting down the correct application rate.

Councilwoman Simons asked if this was the next project on the AIP list. She didn't remember it being up there.

Mr. Foster answered this is on the lower levels but the FAA bumped it up. This moved up due to the last inspection and the age of the equipment. The deicing truck went down last year and it was an approximate \$8,000 repair. He talked about the required deicing procedures.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to authorize staff to apply for FAA AIP 3-32-0005-051-2020.**

The motion passed unanimously. (5-0)

- G. Review, consideration, and possible approval to authorize Staff to solicit bids for the Cedar Street Reconstruction Project Phase 3, and matters related thereto. **FOR POSSIBLE ACTION**

This item has been approved and budgeted for the 2019/20 Fiscal Year Budget, Capital Construction Fund. The City may construct public improvements for the Elko County School District on a reimbursable basis as part of this contract. DS

Dennis Strickland, Public Works Director, explained this will be the third and final phase of the Cedar Street Reconstruction Project. If they receive good bids, they want to squeeze in a section over by Johnny Appleseed Park as an additive alternate. With the School District's addition of some new infrastructure facilities on their campus, it triggered some public improvements on 9th. It would make sense to save money on the mob and de-mob on a separate project to that as part of this project. The School District would reimburse us for their scope of work.

Mayor Johnson asked if there will be any street narrowing.

Mr. Strickland answered it will narrow up a little bit except in front of the school. They expect to be done with all of the work before school starts again.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to authorize staff to solicit bids for the Cedar Street Reconstruction Project Phase 3, to include the construction of public improvements for the Elko County School District on a reimbursable basis.**

The motion passed unanimously. (5-0)

IV. UNFINISHED BUSINESS

- A. Status update on the Public Nuisance complaint regarding 403 Pine Street, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

Based upon City Council action on October 22, 2019, Staff is providing a status update with regard to 403 Pine Street. MR

Michele Rambo, Development Manager, explained last Wednesday, she and Jeff did a walkthrough with a structural engineer to evaluate the structure. The recommendation was to tear down the building. They are working with the lawyers on a timeline to remove property and move forward.

Mayor Keener said he heard some discussion of the possibility of the demolition being done in-house by our Public Works Department.

Ms. Rambo answered that is an option. We can also have it go out to bid. By the next meeting, they will have a better idea of the direction they want to go.

Mayor Keener asked if that would tie up the Public Works crew for a long time.

Dennis Strickland, Public Works Director, answered no. It is not a City piece of infrastructure and it may be cleaner to hire a contractor to do the work for us.

Mayor Keener liked having the City staff do it.

Ms. Rambo said the structural engineer was present to answer questions.

Councilman Schmidlein thought they should condemn it and leave it.

Tom Hawkins, Lostra Engineering, stated they did a full walkthrough. The entire upstairs roof is gone. There is structure that is supporting the second floor that is completely gone. The foundation may be salvageable but that will require a lot of work. It would have to be updated to the new code provisions.

Mayor Keener called for questions without a response. He thanked Mr. Hawkins for rushing the report.

V. NEW BUSINESS

- A. Review, consideration and possible authorization for Staff to work with the Elko County School District to develop an Interlocal Agreement for additional work to be performed for the Elko County School District in conjunction with the Cedar Street Phase 3 Reconstruction Project, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko County School District initiated projects on the Elko High School Campus that triggered the requirement for public improvements to be installed along 9th Street from Cedar Street to College Avenue. In an effort to economize resources, Staff is requesting approval to develop an Interlocal Agreement with the Elko County School District that will include the required public improvements within the scope of work of the City's contract. The Interlocal Agreement would insure that the Elko County School District is contractually bound to reimburse the City for work performed on those public improvements. The Elko County School District's public improvements will directly tie into the City of Elko Cedar Street Phase 3 Project. By including the Elko County School District's public improvements in the City's contract, the Elko County School District will save on such costs as additional bid documents, additional mobilization and demobilization. Staff does not anticipate that this will result in significant additional expense to the City. DS

Dennis Strickland, Public Works Director, explained this ensures that we will be reimbursed for the work. It makes sense to have one contractor doing all the work since it all ties in to our work.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to authorize staff to work with the Elko County School District to develop an Interlocal Agreement for the construction of public improvement for the Elko County School District in conjunction with the Cedar Street Phase 3 Reconstruction Project.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of the revised Humanitarian Campground Rules, and matters related thereto. **FOR POSSIBLE ACTION**

The Humanitarian Campground Rules require revision to reflect the concerns the Fire Department has with an "approval" of wood stoves installed in tents. SAW

Scott Wilkinson, Assistant City Manager, explained they went out to the camp with the Fire Marshal and Fire Chief. The previous stove rules required you had a stove in a tent designed for that purpose, which would be the typical canvas type tent. As they did some inspections, we noticed that even though the tents weren't designed for that purpose, some stoves were installed reasonably, and several others that were not. We don't have a Fire Department approval for a residential installation of a wood stove. It was complicated to say that the Fire Department is going to issue an actual approval for a wood stove in a tent at the camp. It puts the Fire Department in a difficult position to do that when we don't do that in a residential home. We make recommendations when doing an inspection. Right now there is an outright prohibition of wood stoves at the camp today. We thought we could still have the Fire Department look at the stove. They can provide some written recommendations for consideration and leave it at that.

Fire Chief Griego said most of their authority and jurisdiction revolves around commercial structures. We can inspect homes but can only make recommendations. They would be doing the same thing at the camp. They also run into solid fuel fires inside tents and they can run into carbon monoxide issues.

Mayor Keener noted it would be no wood stoves unless it is the proper type of tent and approved by the Fire Department.

Chief Griego said he thought they were relaxing that a bit with this change. The campers are going to do what they need to do to keep warm. They will also preface the safety inspections with an explanation that they are doing this at their own risk. We can't guarantee anything but we can give them advice to make it as safe as possible.

Mr. Wilkinson stated the track-changes document was included in the packet and it shows what is being deleted.

Councilman Stone said the numbers at the camp are down from what he heard.

Mr. Wilkinson said at the peak there were 26 individuals and several of them camp together. Two left Friday for rehab. A couple camps have also been abandoned. He thanked Public Works for cleaning it up. There is a core group still down there.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to approve the revised Humanitarian Campground Rules.**

The motion passed unanimously. (5-0)

VI. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 848, an ordinance amending Title 5, Chapter 3, section one (1), and twenty through twenty-two (20-22), adding the option for a Cat Caregiver Person, or organization to engage in a Trap-Neuter-Return (TNR) Program for Feral Cats, and matters related thereto. **FOR POSSIBLE ACTION**

On December 10, 2019, Council heard a presentation by Mark Robison, Senior Consultant with the Humane Network, and Co-Executive Director of Maddie's Pet

Project regarding Trap-Neuter-Return (TNR) Programs. Council initiated amendments to Title 5, Chapter 3 of the Elko City Code to allow for TNR within the City of Elko. KW

Mayor Keener stated there was passionate support for this program the last time we discussed this.

Curtis Calder, City Manager, went over the changes to the ordinance. There are some details to our current policies that we will have to adjust. For instance, what do we do when a citizen brings in a trapped cat to the shelter and the cat has a tipped ear as part of this program? Our policy is to euthanize the cat. Do we release it to their property? Is it part of a colony on their property? What if the owner doesn't want it on their property? These are details we need to work out.

Mark Robison, Maddie's Pet Project, said, regarding someone bringing in a feral cat in a situation like what Mr. Calder was talking about, that is an opportunity to create a dialogue with the citizen about why the City has decided to support a TNR program. If the cat is removed, another cat will just move in. That new cat will not be spayed or neutered. This will be an opportunity to talk about the benefits of the program.

Karen Walther, Animal Shelter Manager, said she supports the program and the changes being made to the ordinance. There is a lot to work out. We have not tried this before but she assured Council that they will go slowly and enlist others to help establish a program.

Mayor Keener said if we implement this but it doesn't work out, we can revisit and make changes to it. The last time we discussed this we heard from supporters of the program. He wondered if there was anyone present with concerns or questions and wanted to speak about it.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to conduct First Reading of Ordinance No. 848, and set the matter for Public Hearing, Second Reading and Possible Adoption.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS (Cont.)

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

Councilman Stone asked the Police Department that bought the Polaris and trailer. Was it reimbursed?

Mayor Keener answered it was fully grant funded.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the general warrants.**

The motion passed unanimously. (5-0)

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

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the Print 'N Copy warrants.**

The motion passed. (4-0 Mayor Keener abstained.)

- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the Great Basin Engineering warrants.**

The motion passed. (4-0 Councilman Schmidlein abstained.)

VIII. REPORTS

- A. Mayor and City Council

Mayor Keener reported there is a Medicare Elko Workgroup scheduled for Wednesday, February 19, 2020. He will be unable to attend that night. He asked that someone attend for him at the Elko Senior Center beginning at 6:00 p.m. The Police Awards Ceremony was a great event. There is a lot of interest going on with broadband providers. There were some additional concerns brought to his attention regarding infrastructure being kept confidential since 9-11. We need to look into that further. We also need to look at our Dig Once policy. He thought we might have some new franchise agreements at the next Council meeting.

Scott Wilkinson said there are some providers that are very interested. He wasn't sure how we will be addressing the other issues and will have to consult with legal.

Councilman Hance wants to see what other cities are doing.

Mayor Keener said he is hoping to see the Governor at the Gathering at a Friday night event. He offered to bring items up to him if staff brings it to him. He will also see the key management of NV Energy.

- B. City Manager – FY 2020/2021 Budget Schedule

Curtis Calder said they have established the budget calendar. They would like to schedule the strategic meeting for Tuesday the 18th at 4:00 pm. The first big workshop will be at the regular meeting on March 10th. He wasn't sure if that would be a special meeting or not. We will get our final revenue projects about a week later from the State. We will review the tentative budget on the 24th. The final budget is due June 1st but our public hearing is May 26th. They are planning a LASSO Recognition Dinner for Thursday, March 26th. He hopes to get the invitation out in the next week or two.

- C. Assistant City Manager
D. Utilities Director
E. Public Works

F. Airport Manager

Jim Foster updated Council on the other AIP projects that are still open. The gate issue is fixed and he will be asking for that one to be closed out. The Airport Master Plan (AIP 46) project has some issues and they submitted to the FAA for a modification of standards. He is looking at going to Phoenix in March for Airport meetings and is hoping to have the time in the first part of the month to travel.

G. City Attorney

H. Fire Chief

Chief Griego said there were some additions to the Fire Department over the weekend with the birth of three babies.

I. Police Chief

Chief Trouten thanked those that attended the Awards Ceremony and the swearing in. The next meeting they will have the Annual Report. There was a meeting last week concerning marijuana driving issues. The debate is where to set the levels. There will be another hearing in March for the public.

J. City Clerk

K. City Planner

L. Development Manager

M. Financial Services Director

Jan Baum reported the software update went smooth but there have been some difficulties with the online utility payment program. It is working now but she wanted Council to be aware of that.

Mayor Keener asked about the IT Manager.

Ms. Baum answered they received an email last night and he pulled out. They have gone through two recruitments.

N. Parks and Recreation Director

James Wiley said snow is fading away. The Snobowl was open on Saturday but now we are down to dirt. He is crossing his fingers that we can still run the towrope next weekend. He thought the Snowbowl will be closed after this weekend.

O. Civil Engineer

P. Building Official

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 03-20, a resolution of the Elko City Council, adopting a change in zoning district boundaries from C (General Commercial), PQP (Public-Quasi, Public), and RMH (Mobile Home Park, and Mobile Home Subdivision) to CT (Commercial Transitional), Zoning District approximately 4.008 acres of property, filed by Koinonia Development LP, and processed as Rezone No. 5-19, and matters related thereto.
FOR POSSIBLE ACTION

The Planning Commission considered the Subject Zone Change Request on January 7, 2020, and took action to forward a recommendation to City Council to adopt a resolution, which approves Rezone No. 5-19. CL

Cathy Laughlin, City Planner, explained this includes all four parcels that were recently purchased by Koinonia Development LP. This zone amendment is bringing this property into conformance with the Master Plan. She went over the application. Planning Commission had one condition and recommended conditional approval.

Councilman Schmidlein asked on the east end, is that a half road improvement on the drawing.

Ms. Laughlin answered it is and they will be adding in the other half for ingress into the townhome development.

Mayor Keener called for public comments without a response.

**** A motion was made by Councilman Hance, seconded by Councilman Schmidlein, to adopt Resolution No. 03-20.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action to conditionally approve Tentative Map No. 13-19, filed by Kelly Builders LLC, for the development of a subdivision entitled Townhomes at Ruby View, involving the proposed division of approximately 1.297 acres of property into 10 lots for residential development, and 1 common lot within the R (Single-Family and Multiple-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located on the south side of Indian View Heights Drive near the intersection of Griswold Drive (APN 001-530-026). The Planning Commission considered this item on January 7, 2020, and took action to forward a recommendation to conditionally approve Tentative Map 13-19. MR

Michele Rambo, Development Manager, explained this is a tentative map for a 10-lot subdivision with the intent of building townhouses. The rest is a common lot to be maintained by an HOA. There was a comment about traffic during Planning Commission, in terms of the interface with Griswold Drive, but the development meets the requirements. She went over the analysis of the project. There were a number of findings and conditions as recommended by the Planning Commission.

Mayor Keener called for public comments without a response.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Stone, to conditionally approve Tentative Map No. 13-19 for the Townhomes at Ruby View subdivision, subject to the findings and conditions as recommended by the Planning Commission. The City Council determines that the property can be divided based on the findings required in Section 3-3-5-E2 of the municipal code.**

The motion passed unanimously. (5-0)

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**

There were no public comments.

There being no further business, Mayor Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk