

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

SS April 27, 2021

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, April 27, 2021. Due to the restrictions found in the State of Nevada Emergency Directive 006, the meeting was held in the council chambers, 1751 College Ave., Elko and via GoTo Meeting.

This meeting was called to order by Mayor Reece Keener. He stated the agenda for this meeting has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can participate in person, by phone, tablet, laptop, or computer by registering with the GoTo Meeting link provided in the agenda, or calling 775-777-0590. Questions can be sent to [cityclerk@elkocitynv.gov](mailto:cityclerk@elkocitynv.gov).

## CALL TO ORDER

## ROLL CALL

**Council Present:** Mayor Reece Keener  
Councilwoman Simons  
Councilman Chip Stone  
Councilman Bill Hance  
Councilman Clair Morris

**City Staff Present:** Curtis Calder, City Manager  
Scott Wilkinson, Assistant City Manager  
Kelly Wooldridge, City Clerk  
Candi Quilici, Accounting Manager  
Jan Baum, Financial Services Director  
Dennis Strickland, Public Works Director  
Dale Johnson, Utilities Director  
Cathy Laughlin, City Planner  
Matt Griego, Fire Chief  
Jack Snyder, Deputy Fire Chief  
Ty Trouten, Police Chief  
Dave Stanton, City Attorney  
Michele Rambo, Development Manager  
James Wiley, Parks and Recreation Director  
Bob Thibault, Civil Engineer  
Jeff Ford, Building Official  
Paul Willis, Computer Information Systems Coordinator  
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**

*There were no public comments.*

## APPROVAL OF MINUTES: April 13, 2021 Regular Session

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Stone, to approve the April 13, 2021 minutes.**

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

Mayor Keener asked Curtis Calder to give an update regarding the reopening on May 1<sup>st</sup>. We are at the mercy of the County on that.

Curtis Calder, City Manager, said the County was required to submit a local mitigation and enforcement plan which they did a week or so ago. It seemed to be received well by the task force. The big question after that was when is the State going to approve it if they are going to approve it. We have a lot of issues just within the City with special events, softball tournaments, and things that we have to permit and we needed to know whether we are under local control after May 1<sup>st</sup> or still under State control. The latest information he had from the Elko County Manager is that the State of Nevada is not going to officially or formally approve any of the state plans but she did notify us that is to be viewed as we are under the County plan as of May 1<sup>st</sup>. That is what we are going to start abiding by as of May 1<sup>st</sup>. There is some confusion about the local plan and he would encourage everybody to take a look at it. He thought it was on the County website. It is encouraging the use of face masks to keep people safe, but it does not get rid of the face mask mandate. There is 100% occupancy, the social distancing is gone and the face mask mandate remains. It is left up to the cities in Elko County to handle the permitting and the licensing for special events just like always. The cities can be stricter if they want to be. Things could change before May 1<sup>st</sup> but that update was as of yesterday.

Mayor Keener was confident the County's plan will not be onerous and the City of Elko will abide by it. He reported there will be a community concert tonight next door at 7:00pm. This is a free concert and he felt it was important for the community to get out there and support it.

## 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**

Esther Quilici, CEO Vitality Unlimited, thanked Council for allowing her and the board members to be here for the proclamation. She appreciates the City recognizing the work that Vitality has done throughout the years since 1971. It was founded through a public/private partnership. Private citizens got together when the federal government put out a call for help to cities all over the United States. The City of Elko responded. Dorothy North who passed away 6 years ago, came in 1977. Again, it was a public/private partnership because she was able to get the state money to come into the City of Elko to help build the foundation for professional treatment. Even today, we exist through the public/private partnerships that we have, the alliances we have created.

Mayor Keener read the proclamation and gave a copy to Ms. Quilici.

- B. Reading of a proclamation by the Mayor, in recognition of Saturday, May 1, 2021 as Elko Youth Law Awareness Day, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Keener read the proclamation.

- C. Reading of a proclamation by the Mayor, in recognition of Friday, April 30, 2021 as National Arbor Day, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Keener read the proclamation.

## **II. PERSONNEL**

- A. Employee Introductions:
  - 1.) Grant Engbretson, Head Lifeguard/Assistant Pool Manager  
*Present and introduced.*

## **III. APPROPRIATIONS**

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

**\*\* A motion was made by Councilman Hance, seconded by Councilman Stone, to approve the general warrants in the amount of \$905,347.39.**

*The motion passed unanimously. (5-0)*

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

**\*\* A motion was made by Councilman Hance, seconded by Councilman Stone, to approve the hand-cut checks in the amount of \$144,862.39.**

*The motion passed unanimously. (5-0)*

- C. Review and possible approval of a Grant, Bargain, and Sale Deed and Contract of Purchase and Sale between KJAM, LLC and the City of Elko, for real property located at 104 Twelfth Street, referred to as APN 001-374-008, for the purchase price of \$98,587.89, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of the Grant, Bargain, and Sale Deed and Contract of Purchase and Sale has been included in the agenda packet for review. CC

Curtis Calder, City Manager, explained this is a property the City has had an interest in purchasing for some time. The property has been vacant for some time and the building has been removed. City staff recommended the purchase of the property.

Mayor Keener called for public comment without a response.

**\*\* A motion was made by Councilman Stone, seconded by Councilman Morris, to approve a Grant, Bargain and Sale Deed and Contract of Purchase and Sale between KJAM, LLC and the City of Elko, for property located at 104 Twelfth Street, referred to as APN 001-374-008, for the purchase price of \$98,587.89.**

*The motion passed unanimously. (5-0)*

#### **IV. NEW BUSINESS**

- D. Review, discussion, and possible action to initiate an ordinance to create a “Local Hospital Licensure Fee,” and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has been approached by Northeastern Nevada Regional Hospital regarding a collaborative effort to support Medicaid patients within our community. Similar programs exist in other States and have benefitted low-income and needy patients. A copy of a letter from Steve Simpson, Chief Executive Officer of NNRH has been enclosed in the agenda packet for review. CC

Curtis Calder, City Manager, explained the item in the agenda had a letter associated with it. It was presented to the staff a couple of months ago. He has had discussions with Dave Stanton and NNRH and Lifepoint executives. He wondered if City Council would be interested in initiating an ordinance change to create this licensure fee, which our City Code doesn’t currently support.

Steve Simpson, CEO NNRH, explained he had some guests with him. Jim Gjerset is an attorney out of Texas that has helped Lifepoint Health in various hospitals to gain greater access to reimbursement as it relates to Medicaid patients. As a hospital, we are open to everybody. We take care of anybody that comes through our doors. There is a certain amount of uncompensated care that we encumber on an annual basis.

Jim Gjerset, Attorney, Austin, Texas, said he works with local community hospitals and government entities. The issue in health care is the state does not have enough money to draw down enough dollars to cover the costs for the uninsured and low income population. That burden falls on the local communities because the City and the County have to pay for it and the hospital has to eat the dollars that deal with them. Insurance rates go up. We have put together a program

where local communities partner with private hospitals. If you generate what is called State and Local Revenue, it will be a tax revenue or some other vehicle, and we draw down that money and then send that up to the Federal Government, they will draw that back down through the amount of low income Medicaid population that your people provide for at the hospital. That helps limit the delta between the actual costs of care and what is paid for it. It doesn't actually cover it but it gets them closer. It is a benefit to the hospital. They have a program with the State right now that they work with the state and we take over and provide non-profit charity care services in the amount of \$20-\$30 million a year in Nevada.

Zach Fichtenbaum, Austin, Texas, said some of the services they provide are wrapped around hunger services that make sure people down on their luck will get fed and transition to employment. They will work with health and substance abuse recovery, a lot of psychiatric services. They fund mobile mammograms and things like that.

Mr. Gjerset said they work with the state on these programs. The problem is that the State is in a little bit of a crisis right now. There is not enough state revenue, even though we provide these services, we are looking at local communities to help support bringing in additional funds. They don't want it to cost the community anything. Because it will benefit the hospital and the community, we recognize that it's not really appropriate to say you guys got to put the money up. We want the city to impose a tax on the hospital fee, based on net patient revenues according to federal law. That fee will be \$4-\$5 million here. They will take that money, send it to the state, the state will send that to the Medicaid program, and that generates \$15 million in total reimbursement for low income and needy populations. That is below cost. It is not like an add-on. They are trying to mitigate the loss of dealing with these patients. It is pretty easy for the city to do this. You basically send an invoice for the tax and they send you the money. You do an intergovernmental transfer to the state and the state is limited to using it for the Medicaid program. They can only use it for poor people in the community. The state can't steal it. We need a lead dog to get this in play. We have Reno, the City of Las Vegas and some bigger players on board but it is hard to get those giant communities on board with this. They wonder if it will work and what will happen. We need someone to step up and say they will do this. The state likes the idea but he has to show them that it is legal and appropriate for them to say they will do it. He can't show them it is legal and appropriate without actually seeing how it works.

Mayor Keener stated one of his concerns was the administrative overhead associated with something like this for our City Accounting Department. What would be the extent of our administration on this?

Mr. Gjerset answered the reality is that there is almost no cost for the city. They set everything up. They will send the city the invoice and the city will send it back. If there is work, you will have to get your attorney involved, that is legally appropriate for them to reimburse the city for those costs. The trick is to make sure you really did it by documenting the costs. They are comfortable with reimbursing costs.

Jan Baum, Financial Services Director, said she doesn't know much about the program. She hasn't seen any of the details on it. She can't imagine that there will be absolutely no accounting or financial services having to be done.

Mayor Keener said it sounds like it will be a fairly large amount of money that would be moving in and out of the City accounts for this. From an accounting standpoint, how would this be recorded and would it be subject to audit?

Mr. Baum answered it would. If it is similar to a room tax, where we have to evaluate their revenue and then assess a fee, it will be subject to audit and budget.

Mr. Gjerset said the tax is based on net patient revenue from the hospital and that is based on a federally submitted cost report. That cost report comes with all kinds of penalties if you do it incorrectly. It is a line item on the cost report that we would send to whoever does the payment.

Mayor Keener wondered if legal had any questions for these representatives.

Dave Stanton, City Attorney, said he has a few things to say but he wanted others to speak before he discussed his issues. He has been in touch with Mr. Gjerset. If we do this, money will come into possession of the city. There is a state law that says the expenditure funds have to serve a substantial benefit to the residents of the city. That is a rule that overlays all of this. One of the things he was concerned about, even though he thought it was a great idea if it all works, is that there is a lot of uncertainty. The uncertainty is in several steps along the way. There is nothing to say the State of Nevada will go along with this. We collect the tax, do an intergovernmental transfer and give it to the state, there is nothing that guarantees that this money is going to be used for the program the way we want it to be used. We think so, that they are looking favorably on this sort of an arrangement, but they are sort of tentative. We talked about having some sort of an interlocal agreement with the state to deal with this. He thought the time involved in developing something like that would probably be prohibitive and take too long. They want to take a shot at it and see if the state is going to accept it. He saw that as being a bit speculative. The next step in the process is what happens if this works and is accepted as part of the upper payment limit program and the money is distributed. The money is distributed to a group of hospitals and not to just NNRH. The group of hospitals has an informal arrangement where they divide up the proceeds. It is not contractual or a binding arrangement. Some of this money is expected to go to Lifepoint and to NNRH. He thought these were informal handshake deals with no real guarantee that the money is going to come back to the city. If the City Council decides to move forward with this, he would hope that there would be a finding or maybe a set of findings that these uncertainties are acknowledged but we still believe that this program will provide a substantial benefit to the residents of the city. There has to be that finding before they could do it.

Mayor Keener asked if he discussed any costs associated with crafting the ordinance (the firm's legal fees)?

Mr. Stanton answered they didn't really. He would expect it to be a few hours at least that would be involved in crafting the ordinance.

Mayor Keener stated that Mr. Stanton doesn't work for free and he was pretty sure Mr. Gjerset didn't either.

Mr. Gjerset said Mr. Stanton's costs are perfectly legal and appropriate. They could pay for that to make sure it is covered. They would have it documented. As to the tax going to the government, it doesn't actually work that way. They would have the tax and the city would issue an invoice

based on that line item in the report. That would invoice would be due once the state said they were good to go. There are two things they can do with the money. They can either use it for the Medicaid program or they have to give it back to NNRH. They are not concerned with the state stealing the money. They would be violating federal law if they did. Regarding how it is divided up, you can't legally under federal law, redirect Medicaid payments. The reality is that the city as a governmental entity cannot say they will do this and then dictate where the money goes. We have to work together. If people want to give back the money to Elko to support them, the program would die the next day. He represents NNRH and Lifepoint. He also represents other hospitals. Those hospitals also work with them across the country. If anyone were to stiff them, then that would go across the country and cause millions of dollars of problems. Once the money gets to the hospitals they can do whatever they want with it. They all work together to say they will support each other and make sure that they are all benefitting from this program. He cannot legally bind someone to say they are going to make sure this or this happens. If that did happen, they would not do it again.

Mayor Keener asked if Mr. Stanton was comfortable with a motion for staff to move forward with creating this ordinance and meanwhile, the City Clerk, City Attorney and the Financial Services Director will do some background to find out what the impacts are on this. To find out what the best way to approach this would be.

Mr. Stanton answered a motion for staff to pursue the preparation of an ordinance and research associated issues before coming back for a first reading was appropriate. Once we get to the point of first and second reading, we will have to have that finding.

Mayor Keener called for public comment without a response.

Councilwoman Simons clarified that we send a bill, you owe us this fee and NNRH will pay us \$4-\$5 million. Then we send that to the state. Then the state gives that back to the hospital in the form of Medicaid payments?

Mr. Gjerset answered correct. The way the Medicaid program works, it is a sharing partnership. The state puts up their share. You can do this as a private hospital. It has to be through intergovernmental transfers.

Mayor Keener asked if the money gets sent back to this community.

Mr. Gjerset answered it is sent to a specific Medicaid account that is under this particular program. You send your money specifying the program it is for and they then fund that particular program with that money.

Mayor Keener asked if the city had to extend any municipal funds. We get the funding and then we pass that funding on to the state, correct?

Mr. Gjerset answered the city would never send money until they imposed the tax and received the cash.

Councilwoman Simons said they are taking hospital money to pay the hospital.

Councilman Stone noted that nothing is guaranteed that it is coming back to our hospital.

Councilwoman Simons said the money we taxed them for could then go to Lifepoint in Tennessee unless we go through and pay Medicaid, then it stays at this hospital? She didn't know why this would matter.

Mr. Gjerset said they would get triple that amount back to the hospital.

Councilwoman Simons asked if we are closing the Medicaid gap, it would seem to her that as a business model, you would have to charge people a little more knowing that some people won't pay.

Mr. Gjerset indicated that was not the case.

Councilwoman Simons asked if this would increase people's medical bills by doing this.

Mr. Gjerset answered the ordinance passed could keep them from increasing the passing tax onto consumers. They want to prove the concept of the program in order to get other bigger areas on board. There are areas with hospitals that would not benefit from this and they are not approaching them.

Mayor Keener said his biggest concern was from the accounting perspective. We will need for our financial services team to evaluate that and how it's being handled by other public entities. That will be part of our due diligence. This may be worthy of moving forward on.

Councilman Hance asked if we could do this as a city, can you also do it with the county and extend the funding even further.

Mr. Gjerset answered they could not because the city is an incorporated city and the only one with the ability to impose a hospital license fee. Because you are incorporated, the county does not have the ability to impose a licensure fee on hospitals under Nevada law.

Councilman Morris said he would like to move forward and at least get an ordinance drafted that he can look at. He is concerned that the State of Nevada is involved in this.

**\*\* A motion was made by Councilman Stone, seconded by Councilman Morris, to directing staff to research and prepare an ordinance to create a local hospital licensure fee and present the ordinance to Council for a first reading.**

*The motion passed unanimously. (5-0)*

## **II. PERSONNEL (Cont.)**

- B. Update regarding Labor Negotiations between the City of Elko and the Elko Fire Fighters Association, IAFF Local 2423, and matters related thereto.  
**INFORMATION ONLY – NON ACTION ITEM**

**Note: This portion of the meeting may be closed pursuant to NRS 288; therefore, the Council may move to adjourn the meeting prior to consideration of this item.**

Mayor Keener adjourned the meeting and Council went to a closed session.

## **VI. 5:30 P.M. PUBLIC HEARINGS**

Mayor Keener called the meeting back to order at 5:45 p.m.

- A. Public hearing pursuant to NRS 268.059(1)(a) regarding the fair market value and possible sale at public auction of approximately 2,643 sq. ft. of City-owned property located generally northeast of the intersection of Sewell Drive and Sage Street, designated APN 001-013-018. Discussion and possible motion determining that the fair market value of the property is \$12,500 in accordance with the appraisal of Jason Buckholz of CRBE, Inc., appraiser, and possible adoption of Resolution No. 15-21, a resolution of the Elko City Council finding it is in the best interest of the City to sell APN 001-013-018 and hereby declaring its intention to sell such property at public auction pursuant to City Code Section 8-1-3 and NRS 268.062, and matters related thereto. **FOR POSSIBLE ACTION**

Two adjacent neighbors petitioned the City of Elko to sell a city owned parcel formerly known as Well 16 parcel. Council accepted the petition and authorized Staff to obtain the required appraisal and proceed with the statutory process of selling the parcel at public auction as required by NRS 268.062. The City sold the parcel at public auction and during the title process, the City determined that a portion of the sold property was not deeded to the City of Elko. It was not feasible for the City to acquire that 430 sq. ft. portion of the parcel so City Council took action at their February 11, 2021 meeting to rescind the previous sale, directed Staff to obtain a new appraisal and commence with the sale of the remainder parcel. CL

Cathy Laughlin, City Planner, explained the new appraisal came in at \$12,500 because of the size reduction of the parcel. With approval and adoption of the resolution, it clearly states the auction information.

Mayor Keener called for public comment without a response.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Morris, to accept the fair market value as determined at the public hearing and adopt Resolution No. 15-21.**

*The motion passed unanimously. (5-0)*

- B. Second reading, public hearing, and possible adoption of Ordinance No. 857, an ordinance amending Title 8, Chapter 21, Section 4 entitled "Sidewalk Maintenance, Reconstruction, and Repair", and matters related thereto. **FOR POSSIBLE ACTION**

The first reading of Ordinance No. 857 was conducted on April 13, 2021. MR

Michele Rambo, Development Manager, explained this is the second reading. There have been no changes since the first reading and she has not gotten any comments from the public.

Mayor Keener asked if there were any substantial changes that could trigger concerns from the contractors.

Ms. Rambo answered this section of code is rarely used. The contractors already have to go to ADA compliance, we just added it to the code.

Mayor Keener called for public comment without a response.

**\*\* A motion was made by Councilman Stone, seconded by Councilman Hance, to approve second reading, public hearing and adopt Ordinance No. 857.**

*The motion passed unanimously. (5-0)*

#### **IV. NEW BUSINESS (Cont.)**

- B. Review, consideration, and possible approval for the Fire Department to upgrade the level of Emergency Medical Services from the Advanced Emergency Medical Technician to the Paramedic level, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department would like to increase the Emergency Medical Services provided to the citizens of Elko. Presently the Fire Department provides EMS service at the Advanced EMT scope and would like to provide a Paramedic level of service. This scope increases the care that is provided from the initial engine company to the transport of a patient in the department ambulance. The Paramedic level of care greatly enhances the ability of our first responders to handle all types of medicals and provide enhanced care that is needed to stabilize a patient. JS

Jack Snyder, Deputy Fire Chief, gave a presentation (included in the packet).

Erin Coleman, Firefighter, said as a department they need to provide the best service they can for the community. There are some services they cannot provide as advanced EMT. If you break your leg, we can't do a whole lot for you. Cardiac calls would be different. We would be able to give them medications. If we are the first ones on scene, we can perform CPR and shock you and maybe transport you but we cannot give medications. That time is crucial to the patient. She recommended moving the level of EMS to Paramedic.

Mayor Keener noted they cannot work at those advanced levels unless the city goes to the higher level.

Mr. Snyder said the end goal is to provide the best service to the community that they can.

Lee Cabaniss, Director Elko County Ambulance, 729 13<sup>th</sup> Street, read a letter in support of the move to paramedic service (Exhibit "A").

James Johnston, Fire Captain, spoke in favor of the paramedic program and further explained the benefits to the citizens.

Mayor Keener read a letter into the record (Exhibit “B”).

Ray Mowrey, Fire Captain, said he was present to speak in support of the program. The firefighters are ready to advance to paramedic services.

Mayor Keener asked if he was speaking for himself or for the association.

Mr. Mowrey answered he was there on behalf of the association. We have 3 certified paramedics on staff right now. Next month we will have 7. Next year we will have 8. We have been working closely with Mr. Cabaniss and his group for the last 5 years. ALS is a service the taxpayers will benefit from every day. Seventy percent of our calls are EMS and a high number of those could benefit from ALS, which is the paramedic level. ALS is the national standard and most of the public expects ambulances to have paramedics but we don't have it. We are one of four career departments that are not paramedic. Everyone else is. We are lagging behind. We would be able to provide the same treatment for cardiac events as they could in the ER with those drugs. They can diagnose and start treating immediately. He gave an example of a series of medical calls that occurred in one shift where paramedic service levels were needed but the Fire Department could not give that level of service. He felt this was a service the City needs and that is what they want to give the citizens.

Dr. Amber Donelli, GBC, spoke in favor of the paramedic program.

Lee Hoffman, 1085 Barrington Ave., thought it was inopportune to consider this action while negotiating with the Firefighters' Association. He had no idea what is going on in the negotiations and how it relates to this but as a citizen of the community, it gives the appearance of giving some leverage to the union. The agenda packet says no appropriation required but common sense tells you that this will be expensive in the long run. He also assumes that this will also be worked into the firefighters' compensation. The board should ask for some sense of what this will cost before acting on this. There are other city considerations, other city staff and other city needs. We want to be prepared for every contingency but we don't want to be terrorized or traumatized by saying we don't have paramedic service level in our city ambulance. We do have it in the county ambulance. The best service available could end up bankrupting the city. He urged Council to consider this carefully, not strictly emotionally.

Curtis Calder, City Manager, said we are in collective bargaining negotiations with the firefighters. This was something that our Fire Chief, as an appointed official, chose to bring to City Council. City Council would need to make the policy decision regarding the level of service the City would provide.

Paul Ward, Executive Director for MedX AirOne, said there have been very many great arguments regarding this. He is the administrator for the team that gets the patients from the hospital to the higher level care centers. He fully supported this item.

Mr. Mowrey stated they put together a rough estimate and the funds that they are already generating with GEMT program would cover the costs 100% by their projections. Even if it didn't cover 100%, it would cover a majority of it.

Mayor Keener closed public comments. We have heard some different comments on this. He asked Mr. Calder what his recommendation was.

Mr. Calder said we do have a cooperative agreement with Elko County Ambulance that states Elko County Ambulance is the primary ambulance service in the city. In that we also agreed the county will be continuing to provide that service to the city as the primary ambulance. Elko County is at the ALS/Paramedic level of service and we are not. Regarding our transports, we have been in that business for a little over 10 years. He looked at the records for those years and Elko Fire Department averaged 3.25 transports per month with an average reimbursement of \$258 per call. If you calculate that out, the ambulance program is making us an average of \$10,000 a year. Our current minimum requirements to become a firefighter have changed over time. Now they have to be an EMT upon hire and be an Advanced EMT within one year of employment. He remembers recruiting firefighters 20+ years ago and it was a Basic EMT. Then we went to Intermediate EMT and now we are at Advanced EMT. Our service levels have increased over the years. The final step would be to get to the paramedic level. While it is true that a lot of fire departments throughout the state have advanced to paramedic level service, it hasn't been that way for that long of a time. 2016-2017 was when you saw the Reno/Sparks area fire departments get authorization from their city councils to advance to the paramedic level of service. If you are the only ambulance provider in a community, you would want to be at the paramedic level. We are not the primary ambulance service in this community. We are a backup to Elko County Ambulance. He thought the level of service that we have is the level of service that we can actually afford.

Councilwoman Simons said at this time and where the City is, she thought no action would be the best course of action.

Mayor Keener asked the other councilmembers if they wished to make a motion without a response.

**NO ACTION**

**BREAK**

- A. Review, consideration, and possible approval of the revised Title VI Compliance Policy and Plan for the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved the Title VI Compliance Policy and Plan on March 9, 2021. On March 31, 2021 NDOT reviewed the plan pursuant to Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) regulations. NDOT found some deficiencies in the City's plan and gave the City 30 days to provide them with a plan for compliance. The revisions to the plan have been completed and reviewed by the City Attorney and are outlined in the attached power point presentation. KW

Kelly Wooldridge, City Clerk, explained the changes using a presentation.

Mayor Keener thought this is a housekeeping issue because we don't have a choice in complying.

Dave Stanton, City Attorney, said he wasn't sure if it was NDOT or a consultant, but a number of the comments were subjective. He wasn't sure if they will approve this or send it back with comments.

**\*\* A motion was made by Councilman Hance, seconded by Councilman Morris, to approve the Elko City's Title VI Compliance Plan and Policy and allow staff to make minor and other adjustments as needed going forward.**

*The motion passed unanimously. (5-0)*

- C. Review and possible approval of the Health Insurance Subsidy provided to City of Elko retirees after June 30, 2021, and matters related thereto. **FOR POSSIBLE ACTION**

Staff will present Retiree Subsidy scenarios and present how the different scenarios impact Postemployment Benefits Other than Pensions (OPEB) liability. JB

Jan Baum, Financial Services Director, said this was reviewed at the last council meeting. As employees retire from the city or are vested in PERS, they can opt into the City of Elko health insurance plan after they leave the city. Currently we subsidize our employees very similar to scenario 1. If we continue with this our liability will be \$5.1 million. There are 4 scenarios.

Mayor Keener confirmed that she stated if we stay on the same track we are currently on we're looking at liability based on actuarial tables of \$5.1 million.

Ms. Baum said that is correct. That is a snapshot of what our census is as of 7/1/2020. It is a snapshot of the present value of claims and premiums for that census as of 7/1/2020. As we go into the future, next year there will be a new snapshot based on the additional people that add to the census or people who have reached retirement age and have gone off the plan. The census changes all of the time. At the last meeting she presented scenario 1, scenario 2 and scenario 4. Scenario 2 would leave what we are doing now but take away the subsidy for the dependents. Scenario 3 is similar to what Councilman Hance asked for, we would pay \$100 a month for the retiree subsidy up to the age of 65. Scenario says we will not subsidize any retiree premiums. In all of these scenarios we will grandfather the 5 participants that are on the plan right now, the way we are subsidizing them, that will continue for those or if there are more as of June 30, 2021.

Curtis Calder, City Manager, said this OPEB liability report is specific just to our health insurance plan. It does not include the folks we subsidize that are participating in PEBS, correct?

Ms. Baum answered that is totally separate. These scenarios would not affect those retirees. We pay those premiums every month.

Mr. Calder asked in affect, in scenario 3, the liability of \$3.394 million will really have a \$3.394 million plus whatever we pay out annually to PEBS.

Ms. Baum answered yes. Currently we pay approximately \$15,000 a month to PEBS.

Mayor Keener said it is an interesting conundrum. In the private sector, people typically work until 65. They don't have that lag time between retirement and Medicare.

Councilman Morris said once you turn 65 you go on Medicare and we need to do that. It doesn't make sense to do that for a lifetime.

Ms. Baum said we are asking for a policy decision because right now we don't have a policy. We are doing what we have been doing for years for the employees. The retirees get the same benefit as the employees. The liability is getting large but Council wants to stay with scenario #1 then we can do that.

Mayor Keener asked if staff had a recommendation.

Ms. Baum recommended scenario #4 because not many people are taking advantage of the plan now.

Councilwoman Simons thought her recommendation would be #3 or #4.

**\*\* A motion was made by Councilman Hance, seconded by Councilman Morris, to approve the Scenario #3 option for the City of Elko Retiree Health Insurance Subsidy effective July 1, 2021.**

*The motion passed unanimously. (5-0)*

## **V. PETITIONS, APPEALS, AND COMMUNICATIONS**

- A. Ratification of the Police Chief issuing a 35-day Temporary Retail and Caterer's Liquor License and issue a Regular Retail and Caterer's Liquor License, to Erica Cook and Thomas Patton, DBA Cooks Steakhouse & Saloon, located at 245 3<sup>rd</sup> Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Chief Trouten explained the background is complete and there were no issues. He recommended approval

Mayor Keener called for public comment without a response.

**\*\* A motion was made by Councilman Stone, seconded by Councilman Morris, to ratify the Police Chief issuing a 35-day temporary retail and caterer's liquor license and issue a Regular Retail and Caterer's Liquor License, to Erica Cook and Thomas Patton, dba Cooks Steakhouse & Saloon, located at 245 3<sup>rd</sup> Street, Elko, Nevada 89801.**

*The motion passed unanimously. (5-0)*

- B. Review, consideration and possible action a request by Mr. Patrick Zdunich to change City Code 5-3-25 Animal Noises; Nuisances, and matters related thereto. **FOR POSSIBLE ACTION**

On April 12, 2021 Mr. Zdunich contacted the City Clerk's Office regarding the Animal Noises ordinance. Elko City Police had contact with him on this date regarding a complaint of dog barking. He would like to propose a change to the Animal Noise and Nuisances code. His email regarding the request is in the packet.  
KW

Kelly Wooldridge, City Clerk, explained we don't have a time range in our ordinance when a dog can and cannot bark. He was upset because the Police were there at 10am in the morning. He was proposing that dogs should be able to bark during the day. There should be a time limit such as no dogs barking between 10:00 pm to 8:00 am. He felt most dogs will bark when their owners are away at work and the dog should be able to bark during the day. He requested to be on City Council and she sent him this agenda but he wasn't present.

Mayor Keener called for public comment.

**\*\* A motion was made by Councilman Morris, seconded by Councilman Hance, to deny the request to change the City Ordinance 5-3-25 Animal Noises: Nuisances and matters related thereto.**

*The motion passed unanimously. (5-0)*

## **VII. REPORTS**

### **A. Mayor and City Council**

*Mayor Keener thought the RDA meeting was interesting with an applicant acting belligerent. The public can be hard to work with. He was absent at the last meeting but had a chance to sign-in and watch most of the GoToMeeting. Mayor Pro Tem did a great job. He didn't know what is going on with his medical condition. He is going for a second opinion and he may need to go to emergency surgery and may not be able to attend the next Council Meeting. He and Councilman Morris will be attending a photo op in the morning with Nevada Gold Mines' \$100,000 donation to purchase a simulator for the Police Department.*

### **B. City Manager**

*Curtis Calder said there will be a presentation from Duncan Golf at the next meeting. There will also be options for the pond presented. There will be a presentation by Jeremy Algero with Applied Analysis regarding the property tax issue. He sent an email out last week to hold the date of the ribbon cutting at the Sports Complex on June 24<sup>th</sup>.*

*Mayor Keener asked Council to reserve June 16-18 to host the Nevada League of Cities retreat.*

*Mr. Calder spoke about the planning that has been done for the retreat.*

*Mayor Keener has reached out to our legislators inviting them to the event. He thought now might be the time to reach out to NDOT about relocating their yard. NDOT has made it clear that moving their yard is not in their plans and they have an administrative building they are working on. He asked if staff has any conversations with them at all since the new engineer took over.*

*Scott Wilkinson answered they have had conversations with the local leadership over the years and let them know that is a project identified in our*

*Master Plan; to have them locate outside of the downtown area here and then out to state ground on the other side. It is always about money. Interesting enough, they continue add on and expand the use of the current area. It might be a conversation that needs to elevate up to the State Office.*

*Mayor Keener said he would like to know if NDOT has pulled a permit for the work. He asked Mr. Wilkinson to put in writing a reminder to NDOT that it is in our long range plan for them to exit.*

B. Assistant City Manager

*Scott Wilkinson said he received the 1<sup>st</sup> Quarter Report from TracB, the needle exchange program. They handed out 190 syringes and they received 322. We continue to see more syringes received than they hand out. There are three registered campers participating in the program right now.*

D. Utilities Director

E. Public Works

*Dennis Strickland said NDOT did pull a permit from his Department to hook into some additional natural gas that they will be using in one of the new facilities. He would love to see them move too. They are getting ready to pave Sage St. on Thursday. The Landfill did facilitate another free dump day for the spring clean-up. Mother nature wasn't kind to the customers and had super high winds. He reported on the installation of the new scales at the landfill.*

*Mayor Keener asked about a charge in the payables, under Fleet maintenance, I Work Systems. It looks like management software. Is that a new software they are using?*

*Mr. Strickland answered no. They used to share it with Fleet. The program we have been using for a number of years has been split among a couple of department. The support prices were raised so much that it was more expensive to pay the support prices than it was to go out and buy the I Works Module that is already being used in other departments.*

F. Airport Manager

*Jim Foster thanked Dale Johnson and the crews for helping them out with a water issue they have been working on since 4:00pm.*

*Mayor Keener asked if he watched a video link he forwarded to him.*

*Mr. Foster answered he had looked into that and did some research. It is a viable option for us but when they are talking about small airports they are talking about airports that already have 6+ commercial service providers and over 100,000 residents. According to that we would be an extremely small airport.*

*Mayor Keener asked about a SkyWest schedule change.*

*Mr. Foster said SkyWest puts their schedule out a month in advance. They don't consult with the airport when they do that. They are looking at time slots all across the country for different airports. One of the time slots is the Salt Lake City time slot. They have to make it work with all of the new construction. He hopes eventually we will see it go back to the typical 5:30-6:00 am departure. He reached out to Hillary to meet. SkyWest is available for open meetings now and we can plan a trip to go there and talk to them.*

*Mayor Keener asked if the new parking system is up and running.*

*Mr. Foster answered no. We are still working off the old system. We should be in the final stage. We have an installation scheduled for the fiber optic*

*cables that will run the system for us. He is working with finance to get the accounts set up.*

G. City Attorney

H. Fire Chief

*Chief Griego asked if the new statistics were working out and if they wanted to see something else in the report.*

*Mayor Keener answered he appreciates the reports. It is important for them to know what is going on if they get questioned by the public.*

I. Police Chief

*Chief Trouten said they were able to complete their 2020 awards. The last item was recognizing some citizens that went above and beyond to help them. He spoke about the simulator they are looking forward to getting and suggested Council come in and check it out.*

J. City Clerk

*Kelly Wooldridge reported her email had been hacked. If you received an email with an odd attachment from her, do not open that email. Her email is not working properly right now. The brothels have all decided to open on or around May 1<sup>st</sup>. As of tomorrow they should all be inspected and getting ready to pay their licenses. She reported on the legislature activity.*

K. City Planner

*Cathy Laughlin thanked Mayor Keener for his comments regarding the RDA meeting today. She strives to be professional to the public and offered to send them the email she sent to the applicant. Staff is just doing their job when they deny things. It isn't personal; they are following code.*

L. Development Manager

M. Financial Services Director

*Jan Baum said Dan Slentz from Oasis Online is planning on coming to the next meeting to give a report. The email scam that happened today was unique. It appears that someone sent Kelly Wooldridge an attachment that she clicked on it and they captured her email and password information.*

N. Parks and Recreation Director

*Mayor Keener asked about a propane charge in the payables for the golf course.*

*James Wiley wasn't sure what it serves so he will have to check on it. It could be for some of the out buildings.*

O. Civil Engineer

P. Building Official

## **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.

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Mayor Reece Keener

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Kelly Wooldridge, City Clerk

**City Council, Fire Department upgrade to Paramedic 4/27/2021**

Good afternoon Mr. Mayor and Members of City Council. My name is Lee Cabaniss, and I am the Director of Elko County Ambulance Service located at 729 13<sup>th</sup> Street in Elko.

As you are aware our station is located within the City of Elko and we are the Ambulance Service provider for the City of Elko and the unincorporated areas within Elko County. From our station in Elko, we respond to medical calls as the primary transporting EMS agency, and we also respond to other “all hazards” incidents such as structural fire, hazardous materials, and law enforcement incidents to provide medical support.

Since I took over as the Director in 2016, we have worked to develop a strong, collaborative working relationship with the City of Elko Fire Department. We have worked to provide or attend joint training including Paramedic level medical training, incident command training, and attend all hazards exercises where the participation of the County Ambulance and the City Fire Department are integral to the success of the shared goal of providing excellent service and clinical care to the citizens and visitors we serve.

Over the past several years we have shared policies, developed joint medical protocols, and work to support each other synergistically.

Should you approve the City of Elko Fire Department moving from the Advanced EMT level to the Paramedic level, Elko County Ambulance Service remains dedicated to working collaboratively with our partners at the City of Elko Fire Department. Regardless of your decision we intend to continue our work as the lead transporting Paramedic EMS agency and to support interagency training, shared medical protocols, and continued collaboration between the departments.

**Exhibit “A”**

First I'd like to thank you for taking the time to read this letter for the meeting tonight. I know there is a lot to consider so I won't take too much of your time. I'd like to take this moment to speak in favor of the approval for the fire department to upgrade to the level of paramedic.

Currently, the fire department can operate at an advanced EMT for the City of Elko. Now while most would not understand the cause for alarm with this, there is a concern for the level of care that is provided for the citizens of Elko VS the level of care they deserve. The citizens deserve the highest care possible during a medical emergency especially given the distance from a critical care facility. The Elko fire department has the capability and the knowledge to deliver the highest care possible but is restricted from doing so by the current level set at an advanced EMT only thus the need to approve the upgrade to paramedic is crucial.

Elko County has a population of a little over 52,000; only 4,000 less than Carson City and Lyon County. This is the population the county ambulance must cover with only having two (2) readily available staffed ambulances. Not only is Elko county highly populated, the areas within the county are widely spread out over many miles. The City of Elko has a population of over 20,000 with a growth rate of approximately .31% annually. While the city fire department responds to medical calls within the city, they are currently restricted from providing the care needed for a population this high. As stated before, this is worrisome given the distance Elko is from a critical care facility. The fire department right now is only allowed to operate at an advanced level restricting them from offering the level of care needed for the citizens of Elko. Both Lyon County and Carson City operate not only as a fire department but they run and staff an ambulance out of the fire department at a paramedic level.

While the fire department in Elko can operate at an advanced level, that is not the care needed in the event of a true emergency. At an advanced level, they can do basic life support methods which include limited drug administration for diabetic emergencies, allergic reactions, drug overdose, and breathing difficulties. At a paramedic level, they can do more adequate life saving measures that include managing and correcting heart arrhythmias, pain management, sedation and advanced airway tools. So what exactly does this mean? This means if you or someone you love is having a heart attack and the fire department is first on scene, they are not allowed to treat this emergency at a level that gives the best chance to save a life. Difficulty breathing sometimes requires lifesaving treatment including advanced airway but at the current advanced level they are allowed to operate now, they cannot offer those life saving measures. This is not due to the fact the fire department is not capable of providing the level of care, it entirely due to the restrictions currently in place for the fire department.

The City of Elko fire department currently has 18 career members. These men and women are the best people I have ever had the pleasure of knowing. Right now, there are currently three (3) fire personnel that are certified as a paramedic; next month that number will rise to seven (7). In addition, they have a member that is currently in his first year of the paramedic program. These men and women have voluntarily upgraded themselves to paramedic to better serve our community but again, are unable to operate at a paramedic level. The men and women of the City of Elko fire department have gone above and beyond the call of duty to serve the people of Elko. It is time we allow them to continue to serve the community and allow them to serve at the level of paramedic; a level the citizens deserve.

While Elko may seem like a big town, we are closely woven to the people within our community. These medical emergencies the fire department respond to could be you, your family, your neighbor, or even a coworker. There are many instances where the fire department is your first responder on scene to a

## **Exhibit B**

medical call. Are you willing to deny the citizens of Elko the highest care possible that is being proposed?  
Are you willing to deprive that care for our family and friends in our community?

With respect, I urge the City Council to vote to approve the upgrade. As a citizen of Elko, I am in support of the approval of the upgrade. Please consider the safety of the people of Elko and the quality of care they deserve and approve the upgrade to the paramedic level for the City of Elko Fire Department.

Sincerely,

Amanda Hoehne citizen of the City of Elko