

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

SS March 26, 2013

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, March 26, 2013.

This meeting was called to order by Mayor Chris J. Johnson

NOTE: The order of the Agenda has been changed to reflect the order business was conducted.

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
Councilman Rich Perry
Councilwoman Mandy Simons
Councilman Robert Schmidlein

City Staff Present: Curtis Calder, City Manager
Delmo Andreozzi, Assistant City Manager
Shanell Owen, City Clerk
Matt Griego, Fire Chief
Ryan Limberg, Utilities Director
Fritz Sawyer, WRF Superintendent
Mike Haddenham, WRF Assistant Superintendent
Dennis Strickland, Public Works Director
Mike Hess, Landfill Superintendent
Dennis Price II, Street Superintendent
Vince Smith, Water/Sewer Superintendent
Dawn Stout, Administrative Services Director
Doug Gailey, Human Resources Manager
James Wiley, Parks and Recreation Director
Rick Magness, City Planner
Jeremy Draper, Civil Engineer
Tony Ferguson, Sr. Engineering Technician
Rick Hofheins, Airport Security Manager/Assistant Director
Ted Schnoor, Building Official
Don Zumwalt, Police Chief
Tom Coyle, Assistant City Attorney
Robert Spencer, Electrical/Facilities Superintendent
Brian Mickels, Golf Course Superintendent
Diann Byington, Recording Secretary

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

APPROVAL OF MINUTES

March 12, 2013 - Regular Session
FOR POSSIBLE ACTION

March 7, 2013 - Special Session
FOR POSSIBLE ACTION

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Elko County Monthly Update: County Commissioner Glen Guttry – **NON-ACTION ITEM – INFORMATION ONLY**

Glen Guttry was not present.

- B. Review, consideration, and possible direction to Staff regarding the Fiscal Year 2013/2014 Budget, inclusive of all Enterprise Funds and the Elko Redevelopment Agency Fund, and matters related thereto. **FOR POSSIBLE ACTION**

Dawn Stout gave a presentation.

Water Fund: We are not anticipating any rate increases in the water fund this year. She went over the revenues and costs associated with the water fund. It was mentioned at the end of the last budget presentation that we were looking at possibly engaging a federal lobbyist to help us get some things through at the federal level that we need to do. That cost would be about \$120,000.00 and we would like to split that 60/40 between the water fund and the RDA fund to help us with the Union Pacific property acquisition and getting the title in the City’s name. That amount for the water fund would be about \$72,000.00 and has not been included in the budget presented.

Councilman Perry asked the Manzanita public improvements are curb, gutter, sidewalk and pavement to the eight city wells along Manzanita?

Ryan Limberg, Utilities Director, answered that is correct. Jeremy worked up a cost estimate for us for the frontages of those wells that we have along Manzanita Drive. It is half of a street

width's paving and curb, gutter and sidewalk. That would be something you could consider if the Street Department is doing work in that area at the same time.

Councilman Perry asked is that going to happen this year.

Dennis Strickland, Public Works Director, answered they don't have any plans for any improvements out there at this time.

Councilman Perry said then it is a placeholder for when the other parts of Manzanita start to get completed in there.

Mr. Limberg said they could do a half a width now or we can hold it until those properties develop. The challenge on some of these locations is the other side of the street may not develop.

Councilman Perry asked if it didn't happen it would stay in there and be in retained earnings at the end of this next fiscal year. (yes)

Mr. Strickland said we won't have an opportunity for improvements on the other side of Manzanita unless the city does them.

Councilman Rice asked if we were to go with the inclusion of the federal lobbyist that would come out of the non-operating expenses. (yes)

Ms. Stout said we have included \$20,000 for the water meter grant program. We will have to develop some criteria for that because it is aimed at low-income people who live on small lots who would like to reduce their water bill by installing a meter. They would apply for that grant and the city would pay for the installation of the meter pit. The people would still be responsible for purchasing the meter and the appurtenances to meter.

Councilwoman Simons asked how much is a meter.

Ms. Stout answered a meter is about \$340.00.

Mr. Limberg said that would be the price for a ¾ inch meter. This is something that Councilman Elquist wanted to see in the budget. Maybe a real small house on the tree streets that perhaps a single elderly person lives in that doesn't have much usage. This grant program seemed to be the best option where they go on a meter and pay for the actual usage.

Councilman Rice thought the cash cost of the meter could pay for itself in savings in 12-18 months.

Ms. Stout said that is the fairest way staff felt we could do this. Otherwise we would need someone to monitor if they meet the income levels.

Councilman Perry asked are you proposing a cap of \$20,000. (yes)

Councilman Schmidlein asked if this would be based on first come first served type scenario.

Ms. Stout answered yes and once we meet the budget level we would be done for the year.

Councilman Rice thought the \$20,000.00 was a reasonable amount in this pilot year. We might see that there is a greater need in the future. We need to get a good application process that provides a deadline.

Mr. Limberg said Councilman Elquist wasn't targeting low-income or a certain income range. If people are using less water we needed to make that more equitable. He didn't envision any financial criteria in it.

Councilwoman Simons said if you ask low-income people to front \$350 they won't be able to do this.

Ms. Stout said there is probably a greater need for low income people. It will be tough for them to come up with the total cost of the meter. This is a pilot program. We have never done this before.

Councilman Schmidlein asked why purchase a 5 yard dump truck and not a 10 yard dump truck. He assumed this will be for helping with snow removal too.

Mr. Limberg answered the utility trailer for skid steer on the list shown on the overhead screen would be an attachment for the dump truck. A 5 yard dump truck has greater maneuverability in tighter spaces.

Mr. Strickland said we are trying to look at the equipment needs of the city. We are trying to be smarter with how we purchase equipment.

**** A motion was made by Councilman Rice, seconded by Councilman Perry, to go ahead and include the \$20,000.00 for the water meter grant program and request staff to come back to council with the criteria for the program implementation before it is implemented.**

The motion passed unanimously. (5-0)

Councilman Perry said the other action item which isn't in the budget is the use of someone to facilitate a water project and the Union Pacific Corridor. He wanted to understand the probability better. Maybe put that at a different council meeting. It is a strategy that he has heard the City Manager talk about. If we do go after a water project we need to decide which one it would be.

Curtis Calder, City Manager, said we need to know before we submit the final budget on May 15th. Just because we budget it doesn't mean we have to spend it. A lot will depend on the atmosphere in Washington DC because currently not a lot of things are happening. We need to see some movement there. That would be something we would hold on to until after we assess

the movement. We may not use a lobbyist. When you are talking about 75% federal funds it can be used for more expensive projects. We are talking about some of our water or sewer projects. Getting federal assistance can make the difference when getting a project done.

Lina Blohm, Redevelopment Advisory Council (RAC), said this is regarding monies that could possibly come from the water fund as well as the RDA fund for obtaining a lobbyist. If you pass it as stated it goes to reason that 40% will be adjudicated to the RDA fund. Perhaps as Councilman Perry suggested there needs to be more discussion prior to the May 15th meeting as to what percentages we are talking about and what kind of a bang are we getting for the buck as far as the lobbyist goes.

Councilman Rice asked Ms. Stout do you need direction from us tonight.

Ms. Stout answered in order to get it in the tentative budget she would need direction. But if council chooses to wait until the final budget to include it she could do that as well.

Mayor Johnson said we can tweak the budget at the end and even decrease capital expansion.

Councilman Rice agreed that they need more discussion.

There was no action on funding a federal lobbyist.

Ms. Stout continued with her presentation.

Sewer Fund: Unlike the water fund, the sewer fund has two different rates; operating rate and capital rate. We did raise the operating rate last year. Another addition that came up which had not been anticipated is there is \$116,000.00 that we will need to budget on the West Idaho Street Project. If that project goes we will have to go out and lower and raise the manholes so we will need to budget to do that. It is not included in the budget presented.

Councilman Perry said he was surprised that the retained earnings at the end of 2014 are that high. What is the assumption and the total cost of the Waste Water Reclamation Facility?

Ms. Stout answered they came up with about \$8 million on that for total over all costs.

Fritz Sawyer, WRF Superintendent, said they are anticipating it to come in at about \$8.2 million. We anticipate that by July 1 we will have about 75% of that spent.

Mr. Limberg said we have seen some strong years with our connection fee revenue. A few years ago we were closer to a 1/3 of that number.

Councilman Perry asked what is the scope of work for the engineering on the sewer expansion at exit 298.

Mr. Limberg answered we have two financing agreements we will be bringing back to City Council as soon as they are complete. One request is for the Elko Mountain area. The other

request is for the Exit 298 area. Part of that financing requesting is for engineering fees for sewer to that area. He hoped that before the budget is approved that council will either approve or not approve the financing agreement. If they were not approved this line item would come out of the budget. We didn't feel it was appropriate not to include this knowing this is a fee that might be coming.

Councilman Schmidlein asked if that also could be used in other areas. You are just allocating this price tag for possible future development.

Mr. Limberg said the two big ones we have are Elko Mountain and Exit 298. The Elko Mountain project we have the sewer to the hospital so it is just running the lateral lines which would typically be the developers expense. The reason we included Exit 298 is because it is the most likely next area. He can't answer if it could be used at other places or not.

Councilman Schmidlein said he wanted to see it used as general future expansion engineering. With potential developers coming in on 298; they come in and deal and turn around and have their land values appraised higher and then leave. Until we have a definite commitment for development there he wants to see a general title instead of a specific area.

Mr. Limberg agreed to change the title.

**** A motion was made by Councilman Perry, seconded by Councilwoman Simons, to approve the sewer fund as presented with one change; sewer expansion engineering as opposed to exit 298. Also include the addition of \$116,000.00 in non-operating expenses for the manholes on the West Idaho Street project.**

The motion passed unanimously. (5-0)

After the motion and before the vote, Jeremy Draper, Civil Engineer, said it is not the West Idaho Project. It is actually the NDOT project which includes Idaho Street, Mountain City Highway and 5th Street.

Councilman Perry amended his motion to strike West Idaho and replace with NDOT project.

Ms. Stout continued with her presentation.

Landfill Fund: They have different rates for the types of materials that come into the landfill but generally the rate is \$31.00 per ton of refuse that goes to the landfill. They are not anticipating a rate increase but there was a gentleman that suggested a rate increase for people that do not cover their loads.

Councilwoman Simons asked if we did increase the fees would that require an impact statement. (yes) She was not sure if it is worth it right now since we recently increased the fees. It seems overkill to do an impact statement every year.

Mr. Strickland said staff has some concerns about the uncovered load. This will affect county residents too. If this were to take place you have turned the staff at the front gate into somewhat

of a law enforcement type roll. We are not in support of that. Most folks will pull over next to the facility to cover their load.

Councilman Perry agreed he had no appetite for this. Last year we did raise the fees to fund about \$40,000 of labor and equipment to do trash pickup. He wanted to know if that is happening.

Mr. Strickland said we are continuing with that program. We still fund the downtown and parks collection. That charge-out is still taking place. We have NDF crews that come in and provide that service.

**** A motion was made by Councilman Rice, seconded by Councilman Perry, to approve the Landfill Fund as presented.**

The motion passed unanimously. (5-0)

Ms. Stout continued with her presentation.

Airport Fund: The airport fund is more complex based upon the various services we do have to provide for the airport and they don't generate a lot of revenues to cover those services. We haven't included those charge-outs in the budget but we do list them for Council's reference. If you do include those you charge them out to the Airport and then you have to turn around and transfer the money back in to cover the charges. This caused some confusion for some people in the community. We pulled it out but we put the costs in here for Council's reference.

Councilwoman Simons asked the numbers do not include administration or ARFF services. (yes)

Councilman Schmidlein asked is the administrative charge and ARFF fund coming out of the general fund. (yes) Those are above and beyond. Where are they being transferred in?

Ms. Stout answered they are not being transferred in anymore. It confused some people what we were doing.

Councilman Schmidlein noted it is a loss of almost \$700,000.00.

Ms. Stout answered yes, if they were being charged for those services.

Councilman Schmidlein asked if ARFF services costs could be reduced.

Ms. Stout answered the cost is salaries and benefits based upon 24 hour coverage at the airport.

Councilwoman Simons asked is that mandated by FAA.

Ms. Stout answered we have to have it in order to have commercial air service.

Councilman Perry asked did you include the landing fees. (yes)

Councilman Rice asked for a few years there was a flurry of development on airport property. That has tapered off. Are there any rumblings of further development of airport property?

Mr. Calder answered there is the acreage just north of Aspen Way with a contract listing agreement with NAI Global. That has been in place for about 6 months or so. We are hoping to land a development that will lease that on a long term lease. We have had some meetings with potential developers.

Councilman Perry said this fund has gotten better in recent years. The revenues are going up. We need to get a new airport manager in there to add flights and competition. When this airport was built it was decided that Elko needed an airport. The Ctax is coming from industrial sales. Those are the people flying in and out of the airport. This is a service to the people that are paying the Ctax that justifies the subsidy of the airport. If we didn't have one would we be getting the regional hubs for developers? If you took it away it would be problematic for businesses.

Ms. Stout said the airport enterprise function used to be part of the general fund. They were subsidized by the general fund and we decided to separate them out and see if they could stand on their own. They are dependent on things that happen in our economy.

Councilman Perry said that by putting them in as enterprise funds that brought the scope and now the march is there to try to get them on their own.

Councilman Schmidlein said he knows Newmont is short of parking. He has been approached to see where we might be able to accommodate them for more parking. They are looking to move across the street at the casino for more parking. Can we accommodate parking so we may be able to bring in more revenue?

Mr. Calder answered we have engaged in discussions with Newmont when they needed additional parking. We do have some available property just to the west of their building. We went as far as getting an appraisal on the property and letting them know what the proposed ground lease would cost on an annual basis. We were prepared to move forward. Then the cost of developing the parking lot was what Newmont was not comfortable with. The ground lease is available for anyone who would like to develop a parking lot. It would generate approximately 25 spaces. Mr. Magness and his staff are looking at coming up with interim parking solutions. They are looking at the old terminal parking right now. We are open to leasing them the ground to develop a parking lot.

**** A motion was made by Councilman Perry, seconded by Councilman Rice, to accept the Airport Fund budget proposal as described.**

The motion passed unanimously. (5-0)

Ms. Stout continued with her presentation.

Golf Fund: There are various different fees collected. Most are user fees. We have gotten some additional revenues.

Councilman Schmidlein asked regarding the infrastructure it is deteriorating, where the money would come from to fund some projects out there. Would they come from the General Fund? Sooner or later there will be a huge expense to accommodate the irrigation and other items. There are also some other items discussed at the golf meeting. Are we going to set aside money to rehab the golf course?

Ms. Stout said that is an issue we need to look into. That is why we have the irrigation analysis and feasibility study. We want to know what the cost would be. We may have to phase it like we do larger projects. A lot of the larger capital improvement projects that happen out at the Golf Course come from the recreation fund.

Councilman Perry agreed that there are some concerns out there. It is a 40 year old system and it is failing.

Mayor Johnson asked Brian Mickels, Golf Course Superintendent, how much do you spend on the system to keep it up?

Mr. Mickels answered the water department has been helping with the big stuff. It is to a point that you fix it as it breaks. There is no preventative maintenance that will help. We haven't had the money to hire a plumbing contractor to come and fix the issues.

Mayor Johnson asked should the council consider increasing the budget to cover these expenses.

Mr. Mickels answered that is why we want to do this irrigation analysis and feasibility study right now. He has seen copies of some of them and proposals. This could answer a lot of these questions. They look at all the components on the golf course; the age and the average life of each component. They will do water audits and pump station efficiency testing and other analysis. They can do dynamic hydraulic testing and measure pressures over time on the golf course. They can map what is happening in what area at what time. They will all be impressed with the information you can get from these audits.

Councilman Perry asked from this feasibility you will be able to come forward with a recommendation for how much in subsequent years it would take to do a logical replacement of material and have a long term maintenance plan with costs.

Mr. Mickels answered this professional will give us an idea of what he feels is needed and any methods or phasing options we might have along with the costs associated with each of those.

Mayor Johnson asked how are the trees doing.

Mr. Mickels answered not very well. The evergreens are affected by the salt in the soil. There isn't much you can do. Once you see the tree being affected that is about 2 years into it. We need to fund for tree replacement and have a tree planning program.

James Wiley, Parks and Recreation Director, said the city just completed an urban forest study of trees in the city. That will help us build budgets in the future. That will give us a little bit more time to prepare a more accurate number and plan. We are about a year out on a solid tree replacement plan out there. It won't hurt to wait another year. We are dealing with a mature forest at the golf course. We need to pay attention to an over-time tree replacement. We can come up with accurate numbers and a plan to do that. We need to somehow come up with a funding mechanism so we can put aside money each year for these replacements.

Councilman Perry said the recreation fund has had a fair amount of money recent years. The golf course is part of the recreation fund. If we are going to consider things like tennis courts then we should consider the golf course.

**** A motion was made by Councilman Perry, seconded by Councilwoman Simons, to accept the golf fund as it is presented and direct staff to come up with a five year capital plan for the golf course after they are in receipt of the feasibility study for the irrigation system.**

The motion passed unanimously. (5-0)

Ms. Stout continued with her presentation.

Redevelopment Agency Fund: The only reason this one was included was because of bringing back the item regarding the federal lobbyist. As mentioned, we want to split that cost 60/40 between the water fund and this fund for that lobbyist should council decide to go ahead with it. This is as it was presented to council in the previous meeting workshop with the possible direction of the inclusion of the \$48,000.00 for the possible funding of a lobbyist.

Lina Blohm, RAC, said we already have a line item of consulting expenses that has already been allocated. At the last meeting we had to table bringing to you the list of priorities. We recognize the significance of bringing that land to the city's tax base. She wants more time to discuss adding this expense to the pot of money. Also on their list is hiring an RDA manager/consultant for some of the economic analysis studies they feel are needed in the redevelopment area due to the blighted buildings and buildings that cannot be completed that are sitting empty.

Ms. Stout said this wouldn't authorize the expenditure but it would put it in the budget.

Councilman Rice thought it does warrant more discussion. We can put this money back into the budget at a later time. In terms of the RDA fund, the first priority being the UP land, second being a position being funded; he looks at working with a lobbyist as addressing those two items up front.

Mr. Calder gave an update on the UP acquisition.

Councilman Perry asked there are two parts to this; the right-of-way from Union Pacific (UP) and the title from the federal government. (yes)

Councilman Perry asked if this would be a one year expenditure or longer.

Mr. Calder answered it would be a one year expenditure. If it can't happen in one year then he wouldn't recommend engaging the lobbyist for longer.

Councilman Rice recommended we put this on the next agenda for both of these items. The agenda ought to be worded in such a way that if we wanted to act on these two items at that time to insert them into the tentative budget that we could do that.

Councilman Perry asked if he meant before we finish the budget and not the next meeting.

Councilman Rice answered he was suggesting the next agenda but Ms. Blohm and the RAC may not be meeting before then.

Ms. Stout said the tentative budget is due to the Department of Taxation by April 15th. Our meeting is April 9th. If you make a lot of changes to the budget at that meeting it won't give her enough time to make those changes to the budget documents.

Councilman Rice asked does it make more sense to have this in the tentative budget.

Ms. Stout answered either way is fine she just needs time to prepare the documents.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve the Redevelopment Agency Fund as presented.**

The motion passed unanimously. (5-0)

V. 6:00 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing, and possible adoption of Ordinance No. 762, an ordinance amending Title 3, Chapter 2, Section 3 of the Elko City Code entitled "General Provisions," by adding an as-built provision, and matters related thereto.
FOR POSSIBLE ACTION

It is crucial for the City Water Department to have accurate "As-Built" drawings for all new construction projects. These drawings are referenced for emergency repairs, future maintenance, and to update utility mapping systems. Currently, Staff is unable to adequately obtain "As-Built" drawings on several projects (primarily commercial and industrial) as this provision/requirement is not defined in City Code. Staff desires to amend the current City Code to require "As-Built" drawings for all new construction. RL

Ryan Limberg, Utilities Director, explained we went over this item before and he didn't have anything to add.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to conduct second reading, hold public hearing and adopt Ordinance No. 762.**

The motion passed unanimously. (5-0)

- B. Second reading, public hearing, and possible adoption of Ordinance No. 771, an ordinance amending Title 3, Chapter 5, Section 4 of the Elko City Code entitled "Uses Permitted and Minimum Standards" hereby increasing garage and carport setbacks to 20 feet from 15 feet for property bordering a public street and from 12 feet for property bordering an internal street, and to direct Staff to set the matter for public hearing, second reading and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

This amendment is similar in nature to the possible amendment to City Code Section 3-2-5 which is also proposing garage and carport setbacks being increased to 20 feet from 15 feet in order to address the issue of oversized vehicles parking in driveways and overhanging sidewalks. RM

Rick Magness, City Planner, explained this has also been in front of council before. They have identified safety concerns for pedestrians and sidewalks. This will standardize what can be done with our driveways.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to conduct second reading, hold public hearing and adopt Ordinance No. 771.**

The motion passed unanimously. (5-0)

- C. Second reading, public hearing, and possible adoption of Ordinance No. 772, an ordinance amending Title 3, Chapter 2, Sections 3 and 5 of the Elko City Code entitled "General Provisions and Residential Zoning Districts" hereby adding the words "street and" to Section 3-2-3 B. 6., adding setback requirements for detached accessory buildings within the RS Zoning District, increasing garage and carport setbacks to 20 feet from 15 feet, removing language which pertains to the general maximum density of three and four-family residential developments, and clarification of language and fixing formatting errors throughout Section 3-2-5, filed and processed as Zoning Ordinance Amendment No. 1-13, and to direct Staff to set the matter for public hearing, second reading and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission determined that it is necessary to amend the zoning regulations of the Elko City Code to clarify the requirements for "full frontage" public improvement construction/installation consistent with City Code 3-2-17, regulate setbacks for accessory buildings in the RS Zoning District, increase the front yard setback associated with garages and carports in Residential Zoning Districts, and clarify density language relating to three and four-family dwelling units, and pursuant to Section 3-2-21 made a motion to initiate the process at its

regular meeting of February 5, 2013. The Planning Commission held a public hearing on March 5, 2013 and took action to forward a recommendation to City Council to approve the amendment. RM

Mr. Magness explained this is a housekeeping item.

**** A motion was made by Councilman Schmittlein, seconded by Councilwoman Simons, to conduct second reading, hold public hearing and adopt Ordinance No. 772.**

The motion passed unanimously. (5-0)

I. PRESENTATIONS (Cont.)

- C. Public Works Director Dennis Strickland – 2012 Public Works Year in Review.
NON-ACTION ITEM – INFORMATION ONLY

Dennis Strickland, Public Works Director, gave his presentation that was included in the agenda packet.

II. APPROPRIATIONS

- B. Review, consideration, and possible award of the Cemetery Fence Replacement Project, and matter related thereto. **FOR POSSIBLE ACTION**

At the January 8, 2013 Council meeting, Staff was authorized by Council to Solicit bids for the replacement of the fence around the City Cemetery; bids were received and opened on Friday, March 22, 2013. Staff will be providing a recommendation at the meeting. JD

Jeremy Draper, Civil Engineer, explained they recommended rejecting all the bids. After reviewing the bids they found some technical issues with the three lowest bidders in their bid documents. The other two bidders are outside the budget. They want to re-solicit.

**** A motion was made by Councilman Rice, seconded by Councilman Perry, to reject all bids.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible authorization for Staff to enter into a Professional Services Agreement (PSA) with Tetra Tech for the design and construction management of curb, gutter and sidewalk along West Idaho Street, and matters related thereto. **FOR POSSIBLE ACTION**

At the March 12, 2013 Council meeting, Staff was authorized by Council to negotiate a PSA with an engineering firm for the design of curb, gutter and sidewalk along West Idaho Street. Staff has met with Tetra Tech and reviewed the scope of work associated with this project. JD

Mr. Draper explained Mr. Jack Pence from Tetra Tech was in the audience. His proposal was in the packet.

Councilwoman Simons asked was he the only bid.

Mr. Draper answered with the professional services agreements we don't receive bids. We just have to select someone based upon qualification.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to authorize staff to enter into a PSA with Tetra Tech for the design of the curb, gutter and sidewalk along West Idaho Street.**

The motion passed unanimously. (5-0)

III. NEW BUSINESS

- A. Review, consideration, and possible action to approve a modification to the collection schedule for the residential recycling collection component of the Exclusive Franchise Agreement between the City of Elko and Elko Sanitation, and matters related thereto. **FOR POSSIBLE ACTION**

On June 11, 2012, the City of Elko entered into a new “*Exclusive Franchise Agreement*” with Elko Sanitation which added the Collection, Transportation, and Diversion of Residential Co-Mingled Recyclables to the standard Collection, Transportation, and Disposal of Municipal Solid Waste.

Pursuant to the Agreement, Elko Sanitation would like to request that the City of Elko modify the collection schedule to improve the operational efficiency of the program. The proposal would not affect the level of service; however, it would change the week of collection for some of the customers. Currently, the recycling trucks are in service every other week. The modification would provide weekly service to the routes increasing productivity and efficiency of the program.

If approved, Elko Sanitation would employ a communications outreach and work with the customers through the transition. DA

Delmo Andreozzi, Assistant City Manager, introduced Chris Wright from Elko Sanitation. The level of service adopted when they entered into the agreement was once a week with every other week for recyclables. Every other week they have a truck that goes out to the community and picks up recyclables on those days. They pick up solid waste and recyclables. On the week they are scheduled to send out the recycling truck is a heavy week for them. They want to improve their efficiency. On the off week there is no truck going out. They want to cut the customers in half and have a route on the normal Monday and then off Monday. It is not a change in the level of service.

Councilman Perry said right now you are doing it every other week. How many trucks run for the recyclables?

Chris Wright, Elko Sanitation, answered it was set up to run just one truck but the route sizes are too large so they are running two trucks.

Councilman Perry asked if he meant to run one truck continuously five days a week. (yes)

**** A motion was made by Councilman Perry, seconded by Councilman Rice, to approve a modification to the collection schedule for the residential recycling collection component of the exclusive franchise agreement between the City of Elko and Elko Sanitation.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action to accept the 2013 Planning Commission Work Program, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered a draft 2013 Work Program at their regular meeting of March 5, 2013. They took action to approve the Work Program with minor refinements and forward it on to Council. RM

Rick Magness, City Planner, explained a couple of meetings ago we talked about the Planning Commission's accomplishments in 2012. We have already started work for 2013. They want to express an effort in assisting with RDA and RAC and City Council to help facilitate and identify businesses that come in and opportunities. There is a concern with RAC and redevelopment moving forward. Another item is to review and update the land inventory. There is interest in identifying property that we can sell or exchange property for the benefit of the city. The current approved list was approved in 2005 and we thought we would update that a little bit. They want to continue to receive training regarding planning commissions, knowledge of NRS and other opportunities that can help them with their recommendations, conduct and everything else that goes along with those responsibilities. Some of these other projects (like special projects) would be to evaluate the zoning districts in the downtown area. One code they want to look at is signage. The sign code itself is on the list to take care of. Another opportunity they want to take care of is the processing and what an application process looks like in the book when they are sitting up here so it may be clearer. All of this is so the conduct of the Planning Commission could direct their recommendations to this board that are beneficial, useful and presented in a better fashion. They would like to help with the addressing of about 1100 residences. They want to help push that forward. Something that has helped out already is landscaping that was applied to commercial buildings. In conjunction with the building department they have been able to implement that. Developers need to consider providing landscaping on their developments. That is in conjunction with the desire to improve the curb, gutter and sidewalks in the city.

Councilman Rice said in terms of the cell tower ordinance and wind turbines, one of the important aspects of cell towers is what to do with them when they are no longer useful. Cell

technology may not be what we are using in 5 years from now. There needs to be some provision for dismantling them. He is also glad they are working on alternative energy technologies. We want to encourage them even though they may not be ideal at this time.

Mayor Johnson asked do they have suggestions with helping the redevelopment and what do they need from council to make that happen.

Mr. Magness answered the concerns that council hears are the same concerns that they hear. It is to help understand economically the opportunities that exist downtown and how that can be facilitated. They also support the implementation plan that has been approved by that city that identifies projects throughout the city. They want to be stake holders in the project. Some members do have a vested interest in the downtown area.

Councilman Schmidlein said he would like to see the RDA board and the RAC board coming together. Ideas are not being listened to. We need to bring it together and make it happen or we are just spinning wheels.

Mayor Johnson said he went to Central Dispatch the other day and learned the importance of the addressing project. That is going to be a good project. We need to work on that and was glad to see that was on the Planning Commission's task list.

Councilman Perry said he wanted to see one more thing on their list. During his last year of being on the Planning Commission he realized that all the apartments being approved in commercial zoning or R zoning with a conditional use permit and that left the city with no good continuum of residential zoning from low to high density in comparison to other cities. He gave Mr. Magness his notes on the issue.

**** A motion was made by Councilman Rice, seconded by Councilman Perry, to accept the 2013 Planning Commission Work Program.**

The motion passed unanimously. (5-0)

IV. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and first reading of Ordinance No. 773, an ordinance repealing Title 8, Chapter 9 of the Elko City Code entitled "Elko Heat Company Franchise," and matters related thereto. **FOR POSSIBLE ACTION**

Title 8, Chapter 9 of the Elko City Code expired in 2008. The City of Elko has since negotiated a License Agreement with Elko Heat Company for their utilities.
DA

Councilman Schmidlein disclosed he has a direct involvement with Elko Heat, not so much financially or as a partner, but he does about 99% of all their work. He recused himself from the room and the vote.

Mr. Andreozzi explained this should have come to council some time ago. This is a housekeeping issue. We had the original agreement with Elko Heat that dated back to 1983. That franchise agreement expired in 2008. Then we entered into a license agreement that was adopted in 2010. The two agreements are duplicated. The license agreement is easier to deal with and make changes to when necessary. The problem with the franchise agreement being in City Code is it will take two readings to make any changes. He recommended first reading and set the matter for second reading, public hearing and possible adoption.

**** A motion was made by Councilman Rice, seconded by Councilman Perry, to conduct first reading of Ordinance No. 773 and direct staff to set the matter for second reading, public hearing and possible adoption.**

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

II. APPROPRIATIONS (Cont.)

A. Review and possible approval of Warrants. FOR POSSIBLE ACTION

Councilman Schmidlein asked in regards to the general fund for the Elko County Controller for \$64,000.00.

Ms. Stout answered that is the third quarter contract for the municipal court services that they provide for the city.

Councilman Schmidlein asked about a payment to the Star Hotel for a wine tasting event. He assumed it was for materials.

Ms. Stout answered the Parks and Recreation Department had a fundraiser and they had to pay for supplies (the food and wine).

Councilwoman Simons asked about a custom desk for the Fire Department.

Matt Griego, Fire Chief, answered this was a replacement for the Deputy Chief. The rooms are not square in his department and a regular desk would not fit properly.

Councilman Rice said there is a \$14,000.00 payment to Callaway Carpet Cleaning. He asked Chief Zumwalt are we clean and back in.

Don Zumwalt, Police Chief, answered Callaway is finished as of last Friday. We had air samples done. Are we back? No. We are going to wait 90 days and then do more air testing. If they are good then the detectives will move back to the basement. The Parks Department has done some work in the landscaping to prevent future water damage in the building.

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

The motion passed unanimously. (5-0)

VI. REPORTS

- A. Mayor and City Council
Mayor Johnson reported on his visit to Central Dispatch and what he learned while he was there.
Councilwoman Simons reported on a ride along with Chief Zumwalt. She gave some suggestions on the alcohol related problems in the downtown area.
Councilman Rice reported on the ECVA meeting held earlier today.
- B. City Manager – Legislative Update
Curtis Calder gave a legislative update. April 19 is Local Government day in Carson City. He talked about Assembly Bill 139, the proposed business license portal that may be on the Secretary of State website. Some citations have been issued to some local bars and they have received some response to those citations.
- C. Assistant City Manager
Delmo Andreozzi reported they have been discussing with Joe McCarthy, former RDA Manager for the City of Carson City, about coming to Elko and helping with a joint meeting with the RDA and RAC.
- D. Utilities Director
- E. Public Works
- D. Airport Director
- E. City Attorney
- F. Fire Chief
Matt Griego reported on runs; fire and EMS calls.
- G. Police Chief
- H. City Clerk
Shanell Owen reported on the presentation for CDBG last week. She had just received an email saying the CDBG grant is being recommended for partial funding.
- I. City Planner
- J. Development Manager
Jeremy Draper reported on the NDOT project he has been working on.
- K. Administrative Services Director
Doug Gailey reported on the Airport Director recruitment.
- L. Parks and Recreation Director
James Wiley reported they are ramping up on spring sports and they are working on the water and irrigation systems.

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 Chris Johnson adjourned the meeting.

Mayor Chris Johnson

Shanell Owen, City Clerk