

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

SS April 14, 2015

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, April 14, 2015.

This meeting was called to order by Mayor Chris 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  
Councilwoman Mandy Simons  
Councilman Robert Schmidlein  
Councilman Reece Keener

City Staff Present: Curtis Calder, City Manager  
Scott Wilkinson, Assistant City Manager  
Ryan Limberg, Utilities Director  
Dawn Stout, Administrative Services Director  
Ben Mangeng, Information Systems Manager  
Shanell Owen, City Clerk  
Dennis Strickland, Public Works Director  
James Wiley, Parks and Recreation Director  
Doug Gailey, Human Resources Manager  
Jonnye Jund, Accounting Manager  
Mark Gibbs, Airport Director  
Jeremy Draper, Development Manager  
Matt Griego, Fire Chief  
Ben Reed Jr., Police Chief  
Mike Hess, Landfill Superintendent  
Darin Windous, Fleet Superintendent  
Joe Carr, Parks Superintendent  
Bob Thibault, Civil Engineer  
Rick Magness, City Planner  
Ted Schnoor, Building Official  
Dave Stanton, City Attorney  
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 24, 2015      **Regular Session**

   March 24, 2015      **Special Session**

*The minutes were approved by general consent.*

### I.      **PRESENTATIONS**

- A.      Presentation of a Retirement Plaque by Mayor Johnson and Police Chief Ben Reed to Sergeant Troy James for his 24½ years of service. **INFORMATION ITEM ONLY–NO ACTION WILL BE TAKEN**

Mayor Johnson presented Sergeant Troy James with a plaque in appreciation for his many years of dedication and service.

Troy James said a few words in thanks to the City and staff.

- B.      Presentation of Certificates and Plaques by Mayor Chris Johnson to the Winners of the Knights of Columbus Free Throw Competition. **INFORMATION ITEM ONLY–NO ACTION WILL BE TAKEN**

Mayor Johnson asked if anyone was present for the Knights of Columbus Free Throw Competition with no response. He continued to the next item.

- C.      Reading of a Proclamation by the Mayor in Recognition of National Arbor Day. **INFORMATION ITEM ONLY–NO ACTION WILL BE TAKEN**

Mayor Johnson read the proclamation.

### II.     **PERSONNEL**

- A.      Employee Introductions:

1.)      Christopher Ballesteros, Patrol I Officer

*Present and introduced.*

2.)      Francisco Lara, Mechanic I

*Present and introduced.*

3.)      Josh Kauffman, Street Superintendent

*Present and introduced.*

**I. PRESENTATIONS (Cont.)**

- D. Presentation, review, and discussion regarding the design and cost estimate for the Elko Sports Complex Project, and matters related thereto. **INFORMATION ITEM ONLY–NO ACTION WILL BE TAKEN**

The City of Elko contracted with MGB+A to provide design services and construction cost estimates for the Elko Sports Complex Project. Representatives from MGB+A will be present to provide an overview of the completed work. JW

James Wiley, Parks and Recreation Director, gave a presentation because MGB+A was unable to attend (included in packet).

Mayor Johnson asked about the size of the soccer fields positioned in the ball fields.

Mr. Wiley answered that they are slightly narrower than an official sized field but it is a common practice.

Councilwoman Simons asked about the City's portion of the total price.

Mr. Wiley answered the City's portion equals about 1/3 of the \$10.2 million total. He continued with the presentation.

John Carpenter said he heard the city will have a lot of tournaments. Will the first phase be able to accommodate the tournaments they discussed?

Mr. Wiley answered yes those fields in the first phase can accommodate tournaments.

John Carpenter noted the parking lots don't look very large. How many cars can park there?

Jeremy Draper, Development Manager, said the size of the parking lots was based on the fields being full. There are approximately 150 to 180 spaces per parking lot.

John Carpenter asked if room tax will pay about 1/3 of the total.

Mr. Wiley said our goal is to have this project broken down into thirds. The city would pay for 1/3, large donations will pay 1/3 and the last 1/3 would come from smaller donations, smaller businesses and in-kind services.

John Carpenter asked if they are going to wait until we have the full amount for the first phase of the project to start or will we be putting up the room tax money and nothing gets done.

Mr. Wiley answered we need to start something soon. Starting the project will get people interested in helping fund the rest of the project.

Councilman Keener asked if there is any preference as to natural or artificial turf.

Mr. Wiley answered it depends who you talk to. A lot of these facilities are going to artificial surfaces because you get more of a year-round playability factor. He didn't feel it was a real issue.

Councilman Keener asked regarding player safety, if there is difference between the two.

Mr. Wiley answered there could be if they are not properly maintained. The artificial surface is a more consistent playing surface than the natural turf.

Councilman Schmidlein asked about the longevity of the turf and how long would it be before we replace the turf.

Mr. Wiley answered it depends on the amount of usage. The jury is still out on the artificial turf but there is a warranty for seven years on the turf. Some fields in Sparks have had to replace some turf at the seven year mark but he felt the fields could last at least a decade. The turfs will need some maintenance and grooming.

Jolene Stone, 181-2 Bullion Road, asked, if we lived in a perfect world, what would be the start date and opening date of the sports complex.

Mr. Wiley answered, in the perfect world, we would have the funding secured and start the fields next year and have it completed in one year. They still need to do some fundraising and secure grants.

Julie Debenham asked which sport will utilize the most people.

Mr. Wiley answered that for the youth soccer is bigger. Adult softball is probably utilizing the fields the most.

Ms. Debeham thought the one using the fields the most should be the ones using it first.

Mr. Wiley said that has been identified and the Master Plan addresses that. These fields are multi-use.

Ms. Debenham noted the total project would cost approximately \$22 million. She thought we would want more money in the coffer before we start doing the project.

Mayor Johnson agreed that is a good idea. They are looking at different strategies for the funding. The city has been engaged with different foundations within the state. The indicators are good that the project will get funded.

- E. Review and possible approval of the Fiscal Year 2015/2016 Tentative Budget, inclusive of all funds, and matters related thereto. **FOR POSSIBLE ACTION**

Dawn Stout, Administrative Services Director, gave a presentation. (Exhibit "A")

- GENERAL FUND
- PROPERTY TAX ABATEMENT

Councilman Keener noted a mistake in the mathematics. Ms. Stout continued with her presentation.

- FY 2015/2016 ROLLUP COSTS
- PROJECTED GENERAL FUND REVENUES – 2015/2016
- COMMUNITY SERVICE DONATION REQUESTS
- RECREATION FUND
- RECREATION FUND PROJECTS LIST
- CAPITAL EQUIPMENT REPLACEMENT FUND
- YOUTH RECREATION FUND
- FACILITY FUND
- MUNICIPAL COURT ASSESSMENT FUND
- REVENUE STABILIZATION FUND
- REDEVELOPMENT AGENCY FUND
- CAPITAL CONSTRUCTION FUND
- PUBLIC IMPROVEMENT DEVELOPMENT FUND
- AD VALOREM CAPITAL FUND
- DEBT SERVICE FUND
- WATER FUND
- SEWER FUND
- LANDFILL FUND
- AIRPORT FUND
- GOLF FUND
- HEALTH INSURANCE FUND
- PROPOSED SCHEDULE

**\*\* A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve the 2015/2016 Tentative Budget.**

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

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

- B. Review, consideration, and possible approval of the revised position description for Senior Accounting Technician, and matters related thereto. **FOR POSSIBLE ACTION**

The position description for Senior Accounting Technician has been revised and updated and has been formatted as recommended by POOL/PACT. DG

Doug Gailey, Human Resources Manager, explained they took out the supervisory aspect of the job description.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Rice, to approve the position description as presented effective April 14, 2015.**

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

- C. Review, consideration, and possible approval of reclassification of Cari Carpenter from Accounting Technician II to Senior Accounting Technician, and matters related thereto. **FOR POSSIBLE ACTION**

Cari Carpenter is currently performing the job duties of the Senior Accounting Technician. Reclassifying her to that position will more accurately compensate her for the duties that she is performing for the City. DG

Mr. Gailey explained the Accounting Manager, during the evaluation process, noticed the things Ms. Carpenter is responsible for are above and beyond her job description. He recommended upgrading her to the Senior Accounting Technician to take care of those issues.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the reclassification of Cari Carpenter to the position of a Senior Accounting Technician effective 4/15/2015.**

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

### **III. APPROPRIATIONS**

- C. Review, consideration, and possible authorization to apply for a Billboard Advertising Grant from the Elko County Recreation Board, and matters related thereto. **FOR POSSIBLE ACTION**

The airport in coordination with SkyWest Airlines would like to initiate billboard advertising on Interstate I 80 for a four month period in 2015. The billboards will be designed by SkyWest Airlines and will advertise the daily Elko-Salt Lake City jet service. Eastbound traffic will have a billboard place in Wells, NV. Westbound traffic will be advertised in Toole, UT. The grant request is \$15,500. MG

Mark Gibbs, Airport Director, explained in the packet is the proposal prepared by Younger Agency. This is in combination with work they are working on with SkyWest Airlines on the Nevada Commission on Tourism Grant. They are trying to leverage cooperation with the airline to maximize advertising for our destination in Elko.

Councilwoman Simons asked if there was a match for us.

Mr. Gibbs answered we are already setting aside money in the budget for advertising. We are trying to get more advertising for our buck.

Councilman Schmidlein asked what the thought process in placing the billboard in Wells was.

Mr. Gibbs answered that they lose passengers because they choose to fly out of Salt Lake City instead of flying out of Elko. The billboard placement was suggested by SkyWest.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve the Elko Regional Airport to move forward in applying for a grant with the Elko County Recreation Board.**

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

- D. Review, consideration, and possible authorization to enter into a contract with NV Energy to relocate existing overhead utility lines that bisect the site for the new Police Station, and matters related thereto. **FOR POSSIBLE ACTION**

At the February 24, 2015 Council meeting, an award was made for the construction of the new Police Station, which included an additive alternate to relocate the Police Station based on the relocation of existing overhead utilities. NV Energy has provided an estimate of \$154,095.00 to relocate the overhead facilities; Staff is seeking authorization to enter into a contract with NV Energy for this work. JD

Jeremy Draper, Development Manager, explained they had NV Energy representatives present in the audience. They have gone back and forth over this proposal because of the development of the property. NV Energy added some additional poles for structural purposes. The revised estimate is \$150,353.00 which is less than what is in the packet. They wanted to remove the lines from the Police Station site because there could be some security concerns.

John Carpenter asked what is this tax that is being tacked onto it.

Mr. Draper answered it is a tax imposed by the PUC and not the city or NV Energy. It is a tax that all users have to pay.

Mayor Johnson was not in favor of moving of the power lines initially because 1/3 of the bill would be tax. The tax is a very high rate.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Rice, to authorize staff to enter into a contract with NV Energy to relocate the power lines at the new Police Station Facility in the amount of \$150,353.00.**

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

- E. Review, discussion, and possible approval for City funding participation to hire William E. Payne & Associates to establish Unmanned Aircraft Systems Range (UAS) Test Sites in Elko County in partnership with the Nevada Institute for Autonomous System (NIAS), and matters related thereto. **FOR POSSIBLE ACTION**

Elko County has provided authorization to use the RailPort Facility for a UAS test range site under the condition that the Northeastern Nevada Regional Development Authority (NNRDA) and the City of Elko hire William E. Payne & Associates to establish a safe UAS range test site program for Elko County. NNRDA has already agreed and budgeted a 50% of the cost for hiring the UAS consultant under an agreement that the City of Elko would provide the other 50%

of funding. Elko County has agreed in principal to provide for the costs of providing \$5 million dollar insurance rider for UAS operations on Elko County land. The consultant would provide research and program parameters to enter into a formal operating agreement with NIAS to bring commercial UAS operations to Elko County. The UAS range test site program is one of the Governor's strategic economic diversification programs for the State of Nevada. MG

Mark Gibbs, Airport Director, explained he attended the Aviation Symposium hosted by Governor Sandoval in February. He called for all communities and industry partners and local governments to join him in supporting this UAV Economic Diversification Program that the state is putting forward as one of the top economic priorities. He has taken it upon himself to bring Elko into alliance with the governor's strategic goals.

Councilwoman Simons asked if this company has done this before.

Mr. Gibbs answered yes. This company handles all sorts of specialty projects related to UAS including being hired by the State of North Dakota, State of Colorado and has also instituted a UAS operations for a police department in Washington State.

**\*\* A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to authorize the City of Elko and NNRDA to retain William E. Payne & Associates to develop a UAS Test Range Site Program in Elko County.**

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

- F. Review and possible approval of a Federal Aviation Administration (FAA) reimbursable agreement to replace Runway 5/23 Visual Approach Slope Indicators (VASIs) with upgraded Precision Approach Path Indicator (PAPIs), and matters related thereto. **FOR POSSIBLE ACTION**

On February 14, 2015, Council approved the airport to enter into negotiations with the Federal Aviation Administration Air Traffic Organization to replace the 1976 Visual Approach Slope Indicators (VASI) with new Precision Approach Path Indicators (PAPI). The initial cost estimate provided to Council was for \$250,000. Upon conclusion of negotiations, the FAA estimates the project to cost \$162,835.66. The City is responsible for providing the FAA in Oklahoma City a check for this amount. When the monies for AIP Grant #46-Runway 5/23 Rehabilitation-Phase 3 are disbursed by the FAA the City will request a refund for 93.75% of the project estimate that is an eligible for Federal reimbursement. The total estimated cost to the City for providing a new PAPI Navigational Aid at Elko Regional Airport is \$10,177.23. MG

Mr. Gibbs asked for this item to be tabled.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Keener, to table this item.**

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



- G. Review, consideration, and possible ratification of the Police Chief to apply for an Office of Criminal Justice Assistance (OCJA) Grant. The grant, valued at fifteen-thousand, fifty-eight dollars (\$15,058.00), would be used for the refurbishment of the Police Department, Bomb Squad Containment Vessel, and matters related thereto. **FOR POSSIBLE ACTION**

The Police Department applied for an OCJA grant on March 31, 2015, for the refurbishment of the Police Department, Bomb Squad Containment Vessel.

The Bomb Squad Containment Vessel is an integral piece of equipment, used by the Bomb Squad to respond to explosive related threats within the City, Elko County, and several surrounding counties. The Bomb Squad's single-vent containment vessel, (purchased in 1999), is in need of repair or replacement. The cost of a new containment vessel is between \$250,000 and \$450,000. Repair is the more cost-effective method. BR

Ben Reed Jr., Police Chief, explained he is asking for ratification for this grant application. This grant is for equipment refurbishment without a match from the city if approved. These items are in the next budget as well but he is trying to take advantage of the grant opportunity to supplement the budget.

Mayor Johnson asked if that amount will be enough to make it usable again.

Chief Reed answered yes and they would transport the vehicle to the factory to have it repaired.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Keener, to ratify the Police Chief's action to apply for an Office of Criminal Justice Assistance Grant with a value of \$15,058.**

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

- H. Review, consideration, and possible ratification of the Police Chief to apply for an Office of Criminal Justice Assistance (OCJA) Grant. The grant valued at thirty-five thousand, twenty dollars (\$35,020.00) would be used to replace seventeen (17) bullet resistant vests for the Elko Special Response Team (ESRT), and matters related thereto. **FOR POSSIBLE ACTION**

The Police Department applied for an OCJA grant on March 31, 2015, to replace seventeen (17) bullet resistant vests for the Elko Special Response Team (ESRT). The ESRT are personnel trained in the use of tactics and weapons for deployment in high-risk situations, such as hostage situations, barricaded subjects, and open field searches. These high-risk situations carry a higher likelihood of armed resistance, which requires the members to be protected in the event of gunfire. The ESRT's current protective vests are set to expire in October 2015. BR

Chief Reed explained this is similar to the previous item. The difference in these vests versus the vests used by patrol officers is that they are very heavy and tactically oriented. Those vest warranties are only for five years. That is typical in the ballistics manufacturing business. They are trying to offset this with grant funding. If you try to sell the old vests you might incur some

liability. We have blown them up, piled them up and gave them to employees that are waiting for their fitted vests. This is a problem nationally.

**\*\* A motion was made by Councilman Keener, seconded by Councilman Rice, to ratify the Police Chief's action to apply for an Office of Criminal Justice Assistance Grant with a value of \$35,020 for the bullet proof vests.**

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

- I. Review, consideration, and possible award of the bid for a used Water Wagon for the Landfill, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m. on Friday, April 3, 2015. Only one bid was received.

Dennis Strickland said the bid should be in the packet. It was a good bid and met all specifications.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to award the bid for One (1) Used 5,000 Gallon Water Wagon to Cashman Equipment in the amount of \$176,900.**

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

#### **VIII. 6:00 P.M. PUBLIC HEARINGS**

- A. Second reading, public hearing, and possible adoption of Ordinance No. 792, an ordinance repealing Title 9, Chapter 4 of the Elko City Code entitled "Milk" in its entirety, and matters related thereto. **FOR POSSIBLE ACTION**

Shanell Owen, City Clerk, explained this is a housekeeping item. The City of Elko no longer regulates the distribution of milk and we can delete this from our code.

**\*\* A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to adopt Ordinance No. 792 entitled "Milk."**

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

- B. Public hearing and possible approval of the 2015 Motorcycle Jamboree Special Event to be held June 18 through June 21, 2015 including the following requests:

1. Closure of the downtown corridor from 3<sup>rd</sup> Street to 6<sup>th</sup> Street between Commercial and Railroad Street for the duration of the event. The closure request includes the corridors along with the crossroads.
2. Closure of the downtown corridor between 6<sup>th</sup> Street and 7<sup>th</sup> Street to allow for event set-up with access to parking for businesses during the evenings of Thursday and Friday. It will remain closed Saturday for the concert.

Other matters may be discussed as related thereto. **FOR POSSIBLE ACTION**

Due to the number of citizens and businesses this event affects, a public hearing is being conducted to give affected citizens and businesses the opportunity to voice their concerns and answer any questions. All affected businesses and citizens were notified of this hearing. The event is the same as last year. SO

Ms. Owen explained this is the annual public hearing for the Elko Motorcycle Jamboree. Representatives were present. We have had several pre-jamboree meetings. We usually receive the liability insurance and the fees prior to the event.

Brandi Notestine, 1718 Crestwood, explained they were present to review the street closures. They spent some time with the City Engineering Department to update the map. We haven't changed anything from a closure standpoint. Closures would begin Thursday at 6:00 a.m. They have contacted many of the businesses downtown. There were a couple of comments they have addressed. The application has been approved by NDOT for the 5<sup>th</sup> Street closure.

Mayor Johnson said there was a concern regarding the Thursday closure. It isn't different than previous years.

Ms. Notestine said the notice went out the same as other years. She isn't sure where the confusion is coming from. Bodily's was concerned about the street closure in front of his business but it will still close at 6:00 p.m. just like previous years.

Mayor Johnson asked about projected numbers and the benefit to the community.

Ms. Notestine said she believes the event will be similar to the previous years. They are not getting a big name band this year but they are hoping to attract more people to the venue. They expect to see more traffic downtown on Friday. There will be the same amount of vendors. They are attracting new vendors this year too.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the application by the Elko Motorcycle Jamboree for permission for the road and corridor closures beginning on Thursday, June 18 and ending on Sunday, June 21, as presented.**

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

### **III. APPROPRIATIONS (Cont.)**

- J. Review, consideration, and possible authorization for Staff to file a Conditional Letter of Map Revision with FEMA for the grading work associated with the Elko Sports Complex, and matters related thereto. **FOR POSSIBLE ACTION**

The design for the Elko Sports Complex is completed and construction is scheduled to begin in 2016, due to its proximity to the Floodplain and Floodway for the Humboldt River any grading work associated with the project is required to file a CLOMR and subsequent LOMR with FEMA. A CLOMR has been completed as part of the design package for the Sports Complex and is ready to be filed with FEMA. JD

Jeremy Draper, Development Manager, explained this encroaches into the flood way. They had a sub consultant for this project for MGB+A look at this. Total costs for filing this are approximately \$6,500 for FEMA to review this. It can take from 90 to 150 days for us to get the application through FEMA. We want to have this in place for the 2016 construction season.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to authorize staff to file a CLOMR for the grading work associated with the Elko Sports Complex, appropriations required to be \$6,500.**

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

#### **IV. SUBDIVISIONS**

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 2-15 for the Autumn Colors Estates Phase 3 subdivision, filed by Autumn Colors LLC, for the proposed division of approximately 16.05 acres into 15 lots and two remainder parcels for residential development within an R (Single Family and Multiple Family Residential) Zoning District located generally at the terminus of Boulder Creek, approximately 705 feet northwest of Snowy River Drive (APN 001-01F-262), and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered this item on April 7, 2015 and took action to forward a recommendation to Council to conditionally approve the Final Plat. JD

Mr. Draper explained this is one of Mr. Bailey's projects. He continues to have success in the single family residential development. This was taken to Planning Commission for review and they have recommended it with some conditions.

**\*\* A motion was made by Councilman Rice, seconded by Councilwoman Simons, to conditionally approve Final Plat No. 02-15 for the Autumn Colors Estates Phase 3 Subdivision, subject to the conditions as recommended by the Planning Commission.**

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

#### **V. UNFINISHED BUSINESS**

- A. Review, consideration, and possible approval of City of Elko employee credit cards and corresponding credit limits and matters related thereto. **FOR POSSIBLE ACTION**

On February 10, 2015, Council approved a credit card policy for City employees. Staff indicated that they would provide a list of employees as well as predetermined credit limits to Council for approval of each individual card issued to the City of Elko. All employees have signed a Declaration for Wage Deduction Associated with Improper Use of City-Issued Credit Cards as required by the policy. JJ

Jonnye Jund, Accounting Manager, explained this is a housekeeping item. She wanted council to have a list of employees with credit cards.

Councilwoman Simons asked about the Chiefs holding several travel cards.

Ms. Jund explained that certain companies will issue a credit card to a City of Elko employee. US Bank will not do that. She wasn't sure if they will have that availability. If so it will be a City of Elko employee card under the Police Department that will be issued when people travel. It will not be issued to a specific person but it will fall under the Chiefs.

**\*\* A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve the submitted list of individuals along with the corresponding credit limits as submitted.**

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

## **VI. NEW BUSINESS**

- A. Review, consideration, and possible selection of an alignment for Errecart Boulevard and related infrastructure needed for development and authorization for Staff to begin approaching properties owners about dedication of lands for said uses, and matters related thereto. **FOR POSSIBLE ACTION**

Recent interest in properties along a proposed Errecart Boulevard alignment have prompted Staff to begin studying and identifying routes for Errecart Boulevard and infrastructure locations to service this area. Staff is requesting that Council select a preferred route for Errecart Boulevard and direct Staff to begin working with properties owners along the identified routes to dedicate lands for future development of the infrastructure. JD

Jeremy Draper, Development Manager, explained on the map there are several different alignments for Errecart Blvd. They are trying to firm up where the right-of-way will go so they could plan for utilities. He gave a presentation (included in the packet).

Councilman Keener asked about the speed on the roadway.

Mr. Draper answered they anticipate this to be about 35 mph. By the hospital should be 35 mph too. This would provide a straight shot to the hospital.

Councilman Schmidlein asked to see a previous slide that shows the three different alignments. If you go with the upper alignment you get into elevations that are way too high. He agreed that option one is the best one presented.

Mr. Draper said they could phase this roadway.

Jon Bailey, Bailey & Associates, felt this side of town will start to see a lot of interest. There is a lot of interest in providing another route out to Spring Creek. If we don't address adding additional residential property we will start stifling development. He wanted council to consider this roadway and a water tank so we can see development move forward.

Scott Wilkinson, Assistant City Manager, said part of the exercise here was to minimize property to be annexed into the city in the future. He suggested we have some very specific language in the motion to require us to acquire the right-of-way in the incorporated areas of the city before we look at acquisition of right-of-way in unincorporated areas. Also give us some flexibility that the alignment would be conceptual at this time. A second motion could be specific that we work on that final right-of-way alignment that could minimize annexation of property in the future. It might be something to consider as you move forward.

Mr. Draper added this is a long-term project and development will help us out on this. In ten years we can have this fully built out.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to go with selection of Option No. 1 and to: 1) direct staff to acquire those portions of the right-of-way within the city limits incorporated boundary prior to staff taking any action to acquire right-of-way outside the incorporated boundaries; and, 2) direct staff to re-evaluate the alignment crossing non-incorporated areas to ensure the most economic alignment and alignment minimizing the area required for annexation.**

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

After the motion and before the vote, Mayor Johnson disclosed he is a trustee of the Charles Chester Family Trust who has been in negotiation with Scott MacRitchie and the companies he represents for water rights. They have made their transaction and it is outside of this property. He didn't see it as a conflict where he would abstain but did want to disclose.

**Council voted on the motion.**

- B. Review, consideration, and possible approval of three (3) Grant of Easement Agreements for Roadway, Drainage, and Public Utilities Easements (Skivington, JPL, and Burke), and matters related thereto. **FOR POSSIBLE ACTION**

The above-mentioned easements are located on property which is situated between the end of Sundance Drive and Section 19 property. The easements will be used for a water line installation and in some instances roadway access as well. The terms and conditions of each of the three easements are attached. Each of the three easements should be approved individually with the goal being approval of all three of the easements. RL

Ryan Limberg, Utilities Director, explained each one of the easements and their conditions. JPL would like the city to install a 12 inch tap on their property. Skivington wanted two 12 inch taps off the proposed water main through that location. Mr. Burke at the end of Sundance would like a one inch water tap and \$6,000 in exchange for that easement. This would give us the three easements to the Miller property. The Miller property has a deed of dedication for the right-of-way on Cattle Drive but that has not been executed at this time.

Councilman Schmidlein asked for the one inch tap, is that property currently inside the city. (NO.) If we allow the homeowner to hook up to that tap in the future will we require them to annex into the city?

Mr. Limberg answered they would need to have other property annexed into the city first. There are other addresses in the county that have city water. This particular address has a domestic well.

Councilman Schmidlein said we have it written in the city code that we don't allow homeowners access to our water unless they annex.

Mr. Limberg said we have some language in city code that says we are allowed to provide service to customers outside the city limits. That is what we do right now in Sundance but there is a higher rate.

Curtis Calder, City Manager, said the practice in the last three to five years has been to require that the property owner annex into the city first.

Councilman Keener asked if the one inch tap would require a water meter.

Mr. Limberg answered yes. Everything new after 2005 has a water meter.

Scott Wilkinson, Assistant City Manager, added he would have to come back to council for a water service agreement. There would be language that the property annexes into the city when it can.

Councilman Keener asked if it was fair to ask for \$6,000 cash.

Mr. Limberg answered it depends on the value of the easement. Without the easement we cannot do the waterline. He felt it was fair and reasonable.

**\*\* A motion was made by Councilman Keener, seconded by Councilwoman Simons, to conditionally approve Grants of Easement and associated terms listed for each easement and direct staff to record the three easements once the Deed of Dedication for Cattle Drive is recorded.**

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

- C. Review, consideration, and possible approval to modify or waive the requirements of City Code Section 9-5-33, Extension of Sewer Main Facilities, and approve the installation of septic at a parcel located at the 6500 block of East Idaho Street, and matters related thereto. **FOR POSSIBLE ACTION**

The property in question is owned by NA Degerstrom Inc. and is located approximately at the 6500 Block of E. Idaho Street (currently not addressed) and is situated approximately 3500' from the nearest sewer main.

City Code states the following, "9-5-33: EXTENSION OF SEWER MAIN FACILITIES:

Sewer main facilities may be extended by subdivider, developer, property owner or other persons in accordance with plans and specifications submitted to and approved by the city engineer.

A. Construction And Extension: The inside diameter of every sewer main shall not be less than eight inches (8"), except as may be determined by the city engineer. The subdivider, developer, property owner or other persons shall construct all sewer mains in accordance with the plans and specifications as submitted and approved by the city engineer and pay any and all costs for the minimum size sewer main required for this development as determined by the city engineer. Every sewer main extension must be extended across the full frontage of the developer's or property owner's property and not only to the closest corner of their property, provided, however, that the city council may modify or waive the foregoing requirements contained in this sentence if one or more of the following conditions can be met: the requirements are: 1) not economically feasible, 2) will discourage future development, or 3) will not serve the best interests of the public." RL

Mr. Limberg explained there were two issues to address. 1) If council will modify or waive the requirements. The code requires a main extension across the full frontage of the property. The closest main is 500 feet from their place of business. We see fairly limited potential in this area for putting that expenditure to good use. One option is that this is not economically feasible. It seems excessive to expect this across the frontage. 2) If the first item is approved then the approval of a septic system at the property.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to waive the requirements of the City Code Section 9-5-33 regarding sewer main extensions because it is not economically feasible and further approve the installation of a septic system at this parcel.**

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

- D. Review and possible approval of a request by Steve Christean for the Elko Pride Festival Parade to be held on June 13, 2015 from 11:00 a.m. to 12:00 p.m., and matters related thereto. **FOR POSSIBLE ACTION**

This is a new parade application. They will be following the standard parade route, starting at 11:00 a.m., ending at 12:00 p.m., Staff has reviewed the application and the required insurance has been received by the Clerk's office. SO

Shanell Owen, City Clerk, explained since this is a new parade it needed to come to council for approval. The application is included in the packet. The applicant included support from businesses downtown.

Steve Christean said they want to bring something new to Elko. The month of June is classified as Pride Month. This event can bring people to Elko. It started out that were going to do this subtly. We decided that we would do everything out in Lamoille. We thought we would try a



parade between the Mine Expo and the Jamboree. They are working on the Rainbow House and the plans will be drawn by the time of the parade.

Mark Gibbs is in strong support and a member of the committee. Elko needs to champion everyone in the community and break down barriers. An event like this is important. It tells folks of all types that they are valued as citizens.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve the request by Steve Christean for the Elko Pride Festival Parade to be held on June 13, 2015 from 11:00 am to 12:00 pm, as submitted.**

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

- E. Review, consideration, and possible initiation of the ordinance process for the implementation of a Transient Lodging Tax increase in the amount of two (2) percent, and matters related thereto. **FOR POSSIBLE ACTION**

At the Special Budget Presentation held March 24, 2015, Council directed Staff to proceed with an ordinance which, if approved will increase the Transient Lodging Tax by two (2) percent. The proposed increase is for the purpose of financing the Golf Course Irrigation and Sports Complex Projects. DS

Dawn Stout, Administrative Services Director, explained this would require two ordinance readings. We hope to have the first hearing at the end of April. That would put us in line to go forward with refunding the current California Trails bond as well as incorporating the two new Recreation projects into the new bond.

Councilwoman Simons asked if this was tied to any kind of bond. If we vote not to bond, this would still be separate?

Ms. Stout answered that was correct but that is what we would be using if we decided to go ahead with bonding.

Councilman Schmidlein asked what is the bottom dollar on the Golf Course irrigation project. He wasn't at the last meeting and doesn't know what it ended up at.

James Wiley, Parks and Recreation Director, answered that once they finalized the design they came in at \$3.2 million. They made a \$250,000 deduction by incorporating some new technology. Now they are looking at financing around \$2 million for a \$3 million project.

Councilman Schmidlein noted we are looking at a 2% room tax increase. He is behind supporting the increase but he felt the golf course project should be phased and not bonded.

Councilwoman Simons said she is not committed to supporting a bond but she is in support of the 2 % increase.

Ms. Stout stated this would raise our portion of that tax to 6%.

Councilman Schmidlein said this is a touchy situation because a majority of the population loves to do sports. Everyone is going to be in support of these types of things. The Sports Complex coming down the road; we are building it for 35,000 people utilizing it. We may get stuck with the whole bill and everyone can come over the hill and use the new complex. We need to get more creative down the road when we do these projects.

Ms. Stout said the problem with financing is that tax increases would be abated. We try to be as creative as we can. People that use those fields would also stay in our hotels. We do need to maintain the golf course and the current irrigation system is failing. The new system will be more efficient and require less maintenance. We were looking at an automated system to make it more efficient and require less staff time.

John Carpenter wanted to see a real breakdown showing how much the city can bond for and where the money would go. He isn't sure how the city will be able to pay for this. The sewer should pay for some of the water project at the golf course. He doesn't pay the room tax but he has to collect it. You don't want to make it so people want to stay down the road in Winnemucca. He thought that the people doing the project were supposed to go out and find all these grants for us to build this. There has to be more serious work done on this. The mines aren't doing as well as we would like them to. The price of gold is not going up.

Councilman Keener noted that all of that will be thoroughly vetted. Staff will be looking at the sewer fund to help fund the golf course irrigation project.

John Carpenter said he has heard the arguments about the sewer fund. If we weren't using that sewer water on the golf course you would have to be making more ponds and that is not cheap. We pay for it in what we pay for in the sewer and water. Then the rest of the money can go to the sports complex. We need to sit down and see why the money can't be spent out of the sewer fund to pay for the golf course.

Councilman Schmidlein asked what the \$533,000 projection is based on from the increase.

Ms. Stout answered it was based on what we are seeing in our current revenues. She went to the Room Tax Lodging Committee with Curtis Calder and James Wiley. The committee was in favor of the increase.

Councilman Rice said the ECVA is in favor of the increase.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Rice, to initiate the ordinance process for the implementation of a Transient Lodging Tax increase in the amount of 2%.**

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

- F. Review and possible approval of a request from Habitat for Humanity to close a portion of B Street for a block party to be held on April 15, 2015 from 4:00 p.m. to 8:00 p.m., and matters related thereto. **FOR POSSIBLE ACTION**

Habitat for Humanity is requesting a closure from W. River St. and B St. to W. Douglas and B Street to be closed for a block party for the dedication of their first home. SO

Shanell Owen, City Clerk, explained this event is tomorrow. Representatives are present to answer any questions. This is for a dedication of a project they have been working on.

Lee Gagle, 498 Pipe Springs, Kanab, Utah, said tomorrow they are planning on handing over the keys to the house to the family. This has been a project that they have been working on for about three years. He has spent the last few months here to get the house finished for tomorrow's event. He invited council to the event.

**\*\* A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve this request from Habitat for Humanity for a closing of W. Silver Street and B Street to W. Douglas and B Street for a block party to be held April 15, 2015 from 4:00 pm to 8:00 pm.**

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

After the motion and before the vote, Mark Gibbs, Airport Director, recognized Pam Jensen who has been instrumental in this project.

#### **Council voted on the motion.**

- G. Review, consideration, and possible action to conditionally approve Parcel Map No. 4-15, filed by Andrew and Shannon Knudsen, for the division of approximately 8.802 acres into two parcels, located generally southwest of the intersection of Mountain City Highway and Sundance Drive (APN 001-01E-033), and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered this item at its April 7, 2015 meeting and took action to forward a recommendation of conditional approval to the Council. The Parcel Map contains an offer of dedication for right-of-way and it is for this reason that the map was referred to the Planning Commission and subsequently to the Council. JD

Jeremy Draper, Development Manager, explained this is off Tamarac and Sundance. One of the conditions prior to this map being recorded is that he would have to do the public improvements on Parcel 2 and extend the utilities as appropriate. He recommended approval.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Keener, to conditionally approve the Parcel Map No. 04-15 subject to conditions as recommended by the Planning Commission.**

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

After the motion and before the vote, Councilman Schmidlein asked if they had any issue with meeting all the obligations of putting the curb and gutter on three sides of the property.

Mr. Draper answered no they don't.

**Council voted on the motion.**

- H. Review, consideration, and possible acceptance of the dedication of a pedestrian easement for the extension of the HARP Trail, and matters related thereto. **FOR POSSIBLE ACTION**

As a condition of a conditional use permit received by Riverside Villas they are dedicating to the City of Elko an easement for pedestrian purposes which will be used by the City to extend the Harp Trail to Opal Drive at a future date. JD

Mr. Draper explained this is Riverside Villas. They were recently completed. When they completed this latest section the parking lot actually ended up going into that pedestrian easement so they had to realign the easement.

**\*\* A motion was made by Councilman Keener, seconded by Councilwoman Simons, to accept the dedication of the easement for pedestrian purposes as dedicated by Riverside Villas for the HARP Trail.**

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

**VII. PETITIONS, APPEALS, AND COMMUNICATIONS**

- A. Review, consideration, and possible action to accept a petition for annexation of property to the city, filed and processed as Annexation No. 1-15 by Tibensky, Embry, Holmes, and Rainey, consisting of approximately 41.4 acres of property located approximately 1,650 feet southwest of the intersection of E. Idaho Street and Youth Center Road, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Draper said this is adjacent to a recently annexed piece of property. This will allow us to get another piece of property along Ruby Vista Drive. We already have a waterline through this property. He recommended forwarding this to the Planning Commission for further consideration.

Councilman Schmidlein said annexing this in will give us the homerun along the north side of the interstate.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to accept the Petition for Annexation of property to the city No. 1-15 by Tibensky, Embry, Holmes and Rainey and forward it to the Planning Commission.**

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

- B. Review, consideration, and possible action to accept a petition for the vacation of a portion of the Front Street right-of-way consisting of an area approximately 248 feet in width by 10 feet in depth, filed by the Ron and Joan Meyer Family Trust and processed as Vacation No. 2-15, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Draper explained this is along Front Street. The business would like to utilize that section of the property as storage. The city staff felt this was a good vacation of the excess right-of-way. He would like to have this forwarded to the Planning Commission for consideration.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to accept the petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

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

- C. Review, consideration, and possible action to accept a petition for the vacation of the utility and drainage easements located on the southwesterly side of APN 001-920-037 consisting of an area approximately 10 feet in width by 315 feet in depth, filed by Klondike Holding LLC and processed as Vacation No. 1-15, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Draper explained a representative for this was in the audience. This is for a future building and will be similar to other buildings they have in the area. There are utility easements along the property line but no utilities in the easement. He recommended this be forwarded to the Planning Commission.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to accept the petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

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

- D. Review, consideration, and possible action to approve Curb, Gutter, and Sidewalk Waiver No. 2-15, filed by N.A. Degerstrom, which waives the requirement for public improvements on the northwest side of Idaho Street abutting 6487 Idaho Street, and matters related thereto. **FOR POSSIBLE ACTION**

Per Elko City Code Section 2-13-3, public improvements are required for all new construction involving the addition of gross floor area exceeding 400 sq. ft. N.A. Degerstrom is requesting a waiver based on being surrounded by county properties, the nearest public improvements being approximately one mile away, and NDOT not wanting anything built in their right-of-way. JD

Mr. Draper explained this is on the outskirts of the community. One consideration that NDOT has is that where a pathway would be going. There are no other pedestrian improvements in the area. NDOT is supportive of this. He recommended approval of the waiver.

Councilwoman Simons asked if there could be a scenario of a sidewalk there in the future.

Mr. Draper answered part of the issue they have with this is the proximity of the freeway. If we do any type of improvements he would see it on the east side.

**\*\* A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve Curb, Gutter and Sidewalk Waiver No. 02-15.**

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

## **IX. REPORTS**

- A. Mayor and City Council - National League of Cities 40 Year Membership Certificate  
*Councilman Keener is glad to see Newmont's received their record of decision for the Long Canyon Mine.  
Mayor Johnson read a letter from the Nevada League of Cities regarding the City being a member for 40 years.*
- B. City Manager – Legislative Update  
*Curtis Calder reported SB125 (the air service development bill) survived the deadline and is moving to another committee. One bill got out of Assembly and is headed to the Senate is AB19. If approved will change the requirement for specific dates for budget hearings. SB11 (Home Rule Bill) died. The legislative session is past the half-way mark.*
- C. Assistant City Manager  
*Scott Wilkinson reported on two items. 1) Due to the concerted efforts of staff, the homeless camp is coming together. 2) The 25<sup>th</sup> of April will be the annual clean-up day.*
- D. Utilities Director
- E. Public Works  
*Mike Hess thanked Council for their support for his water wagon. Mayor Johnson commented on the work done at the landfill.  
Dennis Strickland reported there is an interest out there to adopt alleys. Maybe it will bare some fruit.*
- F. Airport Director - Airport Manager's Conference  
*Mark Gibbs reported on the Airport Manager's Conference he attended last month. We are out of sight and out of mind and that is reflected in the state funding for civil aviation. Neighboring states have more funding.*
- G. City Attorney  
*Dave Stanton reported the FISH board has approved the license agreement for the homeless camp.*
- H. Fire Chief
- I. Police Chief  
*Chief Reed reported on three items. 1) The Veterans Services Coalition Committee, he has been working with, is beginning to gain steam. There were a lot of people at the meeting last week at GBC. They plan to do monthly meetings. 2) He thanked council for the vote to move the power lines at the new Police Station. He was at the ground breaking last week. His staff is starting to believe that they will get a new station. 3) Two weeks ago, Flagview Intermediate School had some students walk to the Police Station with posters that are now displayed all over the station.*
- J. City Clerk – CDBG

*Shanell Owen reported on the grants we applied for through CDBG. Both projects have been recommended for funding. Hopefully in July we will receive the award. They also had an audit of the current CDBG projects and everything went really well with that.*

- K. City Planner - Rezone No. 2.15  
*Rick Magness reported on a rezone that was approved by Planning Commission (included in the packet).*
- L. Development Manager  
*Jeremy Draper said we are starting to see movement at the new Police Station. There have been issues with the contractor for the Tennis Courts and getting him out here to complete the project.*
- M. Administrative Services Director - Sales Tax Update  
*Dawn Stout reported on Sales Taxes. February was down but that is typical. Usually March will come up. Overall we are up from where we anticipated where we would be.*
- N. Parks and Recreation Director  
*James Wiley said tomorrow there will be another presentation of the Sports Complex at Stockmen's Casino. Hopefully the consultants can make it out tomorrow.*
- O. Civil Engineer
- P. Building Official

### **III. APPROPRIATIONS (Cont.)**

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

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

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

- B. Review and possible approval of Print 'N Copy Warrants. **FOR POSSIBLE ACTION**

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

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

### **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**

*Bill Hance said we are all doing great.*

There being no further business, Mayor Chris Johnson adjourned the meeting.

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Mayor Chris Johnson

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Shanell Owen, City Clerk