

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

SS May 10, 2016

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, May 10, 2016.

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.

ROLL CALL

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
Shanell Owen, City Clerk
Dawn Stout, Administrative Services Director
Aubree Anderson, Human Resources Manager
Ben Reed Jr., Police Chief
Rich Genseal, Police Lieutenant
Mark Gibbs, Airport Director
Jeremy Draper, Development Manager
Matt Griego, Fire Chief
Bob Thibault, Civil Engineer
James Wiley, Parks and Rec Director
Cathy Laughlin, City Planner
Ted Schnoor, Building Official
Robert Spencer, Electrical/Facilities Superintendent
Dave Stanton, City Attorney
Dennis Strickland, Public Works Director
Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item

on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

APPROVAL OF MINUTES: April 26, 2016 **Regular Session**

The minutes were approved by general consent.

I. PRESENTATIONS

- A. A reading of Proclamation in by the Mayor, in recognition of Saturday, May 21, 2016 as Kids to Parks Day, and matters related thereto. **INFORMATION ONLY-NO ACTION WILL BE TAKEN**

Mayor Johnson read the proclamation.

- B. Special Recognition of the contributions by NYTC Staff and Crews for their participation in the recent “Take Pride in Your Community Event,” and matters related thereto. **INFORMATION ITEM ONLY–NO ACTION WILL BE TAKEN**

Dennis Strickland, Public Works Director, thanked the youth for participating at the landfill. This is the least we can do to acknowledge them for their help.

Mayor Johnson presented the young men and staff with certificates. He spoke favorably about the young men helping with the event and how much we appreciate them.

II. APPROPRIATIONS

- G. Review, consideration, and possible approval to award a One (1) Year Contract for Custodial Services at the Elko Police Station to Facility Service Group in the amount of \$1,253.75 per month, and matters related thereto. **FOR POSSIBLE ACTION**

On March 22, 2016 City Council authorized Staff to solicit bids for custodial services for the new Elko Police Station. Bids closed April 22, 2016. RG

Rich Genseal, Police Lieutenant, explained we received five bids. Facility Service Group was the lowest bidder. He contacted them in person to make sure they understood the contract completely. The only contingency we have on this is if we award this bid tonight, they need to find personnel that will pass the background check. They are the only bid that came in under the amount of money they have allocated for this.

Councilman Rice noted that their bid was so much lower than the other bids. Can they make a living with this?

Mr. Genseal agreed that was a concern. That is why he called them. They do this in Arizona, Utah, Nevada, California, etc. and they specialize in small government contracts like this.

Councilwoman Simons asked if this seemed reasonable because it is a bigger facility.

Mr. Genseal said there is a lot more that would need to be provided. It is yet to be seen if this will work.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to award the Custodial Services for the period of one year to Facility Service Group in the amount of \$1,253.75 per month and this will be contingent on the contractor's ability to hire someone that meets the security qualifications here in the Elko market.**

The motion passed unanimously. (5-0)

III. UNFINISHED BUSINESS

- A. Consideration of a request by Eric Lattin to change the hours of operation for Angel Park, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Lattin resides in the vicinity of Angel Park and is requesting that the park be closed at dark due to excessive noise and vandalism etc. Council considered the request at the April 12, 2016 meeting and remanded the matter to be further discussed with the Parks and Recreation Advisory Board. The Advisory Board considered Mr. Lattin's request at their April 21, 2016 meeting and recommends closing the parking lot at Angel Park at 9:00 p.m. during the months of April through October and 8:00 p.m. during the months of November through March.
JW

Councilman Schmidlein disclosed that he is partners with Eric Lattin's parents but Mr Lattin will not receive any financial benefit with this so he will participate.

James Wiley, Parks and Recreation Director, explained this was brought before the Advisory Board at council's request. They are proposing that during the summer months, a 9:00pm closure and in the winter months an 8:00pm closure. We will have to secure the parking lot somewhat and they have discussed having a chain and bollards. They will have to restrict vehicle access on the other side towards Auto Zone. If council authorizes this closing we will have to bring it back in the form of a resolution. He will start ordering signs in the meantime.

Councilman Rice asked who would lock it.

Mr. Wiley said Mr. Lattin has offered to assist us with that. That may not be a good long-term solution. Typically the Parks Department would have to take some ownership in that. When we build the sports complex we will have a swing gate there that will have to be locked too.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to direct staff to draft a Resolution amending Title 8, Chapter 11 of the Elko City Code**

pursuant to park closure times, to be brought back for final approval at a subsequent meeting.

The motion passed unanimously. (5-0)

I. PRESENTATIONS (Cont.)

- C. A Presentation by Public Works Director Dennis Strickland of the 2015 Public Works Year in Review, and matters related thereto. **INFORMATION ITEM ONLY–NO ACTION WILL BE TAKEN**

Dennis Strickland gave a presentation. (Exhibit “A”)

II. APPROPRIATIONS (Cont.)

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

Councilman Schmidlein asked regarding the \$46,700 from Titan Electric; is that going to be an insurance reimbursement. (yes)

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

The motion passed unanimously. (5-0)

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

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

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

- C. Review, consideration, and possible authorization for Staff to proceed with Change Order #4 to FAA AIP Grant #45 and Aviation Contract Amendment #11 to Re-establish Primary Airport Control Station (PACS) and Secondary Airport Control Station (SACS) at Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

Accurately surveyed monuments maintained by the airport in US National Geodetic Survey CORS Program, is essential to tie the airport in Elko to the U.S. National Spatial Reference System (NSRS). The survey information is safety critical, and is mandatory for all FAR 139 Certificated Airports to maintain continuous airport geodetic control. Aircraft Instrument Procedures rely on this survey data to provide geospatially accurate information to bring aircraft safely to the runway surface. In order to complete the Master Plan Update with AGIS Survey, both the PACS and SACS need to be reestablished. Under previous airport management, the previous PAC/SAC Survey Monuments were not maintained, allowing them to be damaged/destroyed. The cost to replace the PACS/SACS is \$20,120.00 of which

the local share is \$1,257.50 (6.25% grant match). The airport must establish PACS/SACS as a condition of its FAA Airport Grant Assurances, this is not optional. MG

Mark Gibbs, Airport Director, explained without the PACS/SACS reestablished we would not be able to continue with the Master Plan Grant. It would also jeopardize any changes to our procedures if we have to resurvey any new procedures. All the airports in the United States have to be tied to one particular geographic geodetic control.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to amend the Aviation contract to include the scope of work to reestablish Airport Geodetic Control in the amount of \$20,120 contingent on FAA funding of 93.75%. The scope of work is to reestablish Airport Geodetic Control in a change order to FAA AIP Grant 45 RWY 6-24 Rehabilitation Phase 3.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible issuance of final acceptance for the Sewer Slip Line Project 2015, and matters related thereto. **FOR POSSIBLE ACTION**

The project was successful and the work has been completed. There was one Additive Change Order in the amount of \$4500.00 and one Deductive Change Order for a net increase of approximately 1%. Staff recommends issuance of final acceptance. RL

Ryan Limberg, Utilities Director, explained we weren't able to complete all of the project like we hoped. We did get about 99% done. There were a few hundred feet at the top of Court Street where we couldn't get the liner introduced due to too many bends in the sewer main at that location. We did have one additive change order. There were several laterals that protruded into the sewer main and they had to be cut out. The deductive portion was for the stretch where they couldn't install the liner. We had a good team and a good project.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to issue the final acceptance for the Sewer Slip Line Project 2015.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible final acceptance of the 2015 Ruby Vista Reuse Pipeline Replacement Project, and matters related thereto. **FOR POSSIBLE ACTION**

The 2015 Ruby Vista Reuse Pipeline Replacement Project is complete. The project included one change order for an isolation valve. FPS

Mr. Limberg explained the change order was in the amount of \$5,949 which brought the new total to \$168,014. Staff recommended final acceptance.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to accept the 2015 Ruby Vista Reuse Pipeline Replacement Project in the amount of \$168,014.**

The motion passed unanimously. (5-0)

- F. Review, consideration and possible authorization for Staff to solicit bids for the Public Works Department Preventive Maintenance Project 2016, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

Micro Slurry Seal is a preventive maintenance treatment, which will be applied to approximately 35,214 l.f. of selected city streets that were identified, and adopted as part of the City of Elko Street Inventory. This work will be completed after July 1, 2016. DS

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to authorize staff to solicit bids for the Public Works Department Street Maintenance Project 2016.**

The motion passed unanimously. (5-0)

IV. NEW BUSINESS

- A. Review, consideration and possible authorization to accept the resignation of Ms. Susan Scarlet-Macaw from the Arts and Culture Advisory Board, and authorize Staff to advertise the vacancy on the Board, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to accept the resignation of Ms. Susan Scarlet-Mccaw and thank her for her service on the Arts and Culture Advisory Board and authorize staff to advertise the vacancy on the board.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action to direct Staff to initiate business impact statements to increase the fees associated with Title 9 of the Elko City Code entitled Health and Sanitation, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff recommends increasing the water connection fees and the landfill user tipping fees in order to adequately fund the Landfill and Water Funds.

Shanell Owen, City Clerk, explained during the budget process it was noted that staff was recommending a couple of fee increases. These are the two that require business impact statements. The direction tonight would be to begin the process. We will have several hearings that will come before council. All businesses that will be affected will be notified. We can put both on one notice and we will if it is possible. The last business impact statement was in 2012. Since then the process has changed so we will be following the new procedure.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to direct staff to initiate the business impact statement process to increase fees associated with Title 9 of the Elko City Code entitled “Health and Sanitation,” which has to do with increasing the water connection fee and the landfill user tipping fee.**

The motion passed unanimously. (5-0)

V. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 804, an ordinance amending Title 5, Chapter 3 entitled “Animals and Fowl,” specifically amending Section 1 of the Elko City Code entitled “Definitions” and also amending Section 17 entitled “Places Where Domestic Animals Other Than Household Pets May Be Kept,” eliminating locations of areas permitted to have domestic animals other than household pets and any amendments related thereto, and to direct Staff to set the matter for public hearing, second reading and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

The City Council took action to initiate an amendment to Elko City Code Title 5, Chapter 3 on April 12, 2016. CL

Cathy Laughlin, City Planner, explained last month we brought this to you to initiate the code change. One change made since the last presentation was the definitions; from domestic to domesticated. That was a recommendation by Mr. Stanton. The rest of it, when we get to the places where domesticated animals, other than household pets, may be kept; we are leaving in the areas that are permitted by zoning. We are eliminating areas 5-11 as presented. Anybody that has a legal conforming use currently will then have a legal non-conforming use. We added in livestock grazing, a section to allow the city to do any type of grazing necessary for weed control.

Councilman Keener asked if there was a non-conforming use, they would be grandfathered in. If the property changed hands it would go away? (Yes)

Councilman Rice asked if everyone has been notified.

Ms. Laughlin answered no because this is the first reading. They will be sending out notices for the public hearing.

Scott Wilkinson, Assistant City Manager, clarified the legal non-conforming use would continue unless it is abandoned under the non-conforming use section under our zoning code. We don't really have to have property change hands. If somebody decided that they didn't want to keep animals and they abandoned that use for twelve months, then they wouldn't be able to go back to that use also.

Councilman Keener asked if there were any properties that would be negatively impacted with this ordinance.

Ms. Laughlin answered we have two zoning classifications that allow it currently. It can be zoned Agricultural or it can be zoned Residential Suburban. The only area that currently does not meet the standards would be Metzler. Those properties are zoned Residential.

Curtis Calder, City Manager, said there is one definition that we will change before second reading; Animal Shelter Supervisor to Animal Shelter Manager.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to conduct first reading of Ordinance No. 804 and direct staff to set the matter for public hearing, second reading and possible adoption.**

The motion passed unanimously. (5-0)

VI. REPORTS

A. Mayor and City Council

Councilman Keener was able to attend Southwest Gas' opening of the pipeline a couple of weeks ago. He thanked Dennis and the Street Department for their modifications to the corner of 12th and Silver Streets to accommodate a medical office that had been impacted negatively.

Mayor Johnson thought the presentation of the RDA plan was great. Also Dennis Strickland's presentation was good. He will be out of town beginning tomorrow and back by Thursday the following week.

B. City Manager

Curtis Calder attended the insurance pool meetings about a week and a half ago. They went very well. The invitation has gone out for the open house for the Police Department, which is set before the next City Council meeting at 2:00pm.

C. Assistant City Manager

D. Utilities Director

Ryan Limberg reported the exit 298 project is moving along nicely.

E. Public Works

Dennis Strickland reported on the Take Pride event. The Cedar Street Project is underway.

F. Airport Director

Mark Gibbs reported on the Aspen Way laydown yard that Road and Highway used during construction. He also reported on the punch list for the runway project.

G. City Attorney

H. Fire Chief

I. Police Chief

Chief Reed said we planned the open house on a city council day on purpose. We plan to have a short ceremony and raise the flag for the first time.

J. City Clerk

K. City Planner

L. Development Manager

Jeremy Draper reported on the Police Station progress. He will be out the rest of this week but he can take people on tours next week.

- M. Administrative Services Director-Update on Sales Tax
*Dawn Stout reported on the February sales tax revenues. Our IS Manager, Ben Mangeng, has tenured his resignation.
Aubree Anderson reported on the Safety Committee.*
- N. Parks and Recreation Director
James Wiley reported the Golf Course Project is running smooth.
- O. Civil Engineer
- P. Building Official

THE MEETING CLOSED FOR LABOR NEGOTIATION DISCUSSION.

VII. LABOR NEGOTIATIONS

- A. Closed session to discuss ongoing labor negotiations with the Elko Fire Fighters Association, Local 2423, Elko Police Officers Protective Association, IUPA – AFL/CIO Local 233, and Operating Engineers, Local 3, and matters related thereto.
INFORMATION ONLY–NO ACTION REQUIRED

THE MEETING REOPENED FOR PUBLIC COMMENTS.

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