

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

SS May 24, 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 24, 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  
Jonnye Jund, Accounting Manager  
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  
Mike Hess, Landfill Superintendent  
Ben Mangeng, Information Systems Manager  
Dawn Leyva, Recreation Services Manager  
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: May 10, 2016 Regular Session**

*The minutes were approved by general consent.*

## **I. PRESENTATIONS**

- A. A presentation of a plaque to Ben Mangeng, Information Systems Manager, for his 8 Years of Service, and matters related thereto. **INFORMATION ONLY-NON-ACTION ITEM**

Mayor Johnson read and presented a plaque to Ben Mangeng.

Dawn Stout, Administrative Services Director, said a few kind words about Mr. Mangeng.

Ben Mangeng, Information Services Manager, thanked the City of Elko for the opportunity it has provided him.

## **II. PERSONNEL**

- A. Employee Introductions:

- 1.) Greg Thomason, Golf Course Laborer, Parks and Recreation Department  
*Present and introduced.*
- 2.) Cheryl Poll, Part Time Records Tech, Fire Department  
*Present and introduced.*

## **III. APPROPRIATIONS**

- D. Review, consideration, and possible final acceptance of the Elko Senior Citizens Center Energy Savings Retrofit Project, and matters related thereto. **FOR POSSIBLE ACTION**

This project was awarded to YESCO, LLC at the January 26, 2016 Council Meeting in the amount of \$42,423.11. There were two change orders totaling \$6,515.15. This additional work included the installation of seven (7) LED wall packs with emergency battery backup units, and the wiring associated with the wall packs. The project has been completed in conformance with the plans and specifications and is ready for final acceptance in the amount of \$48,938.26. This project is a 100% reimbursable grant from CDBG Funds. SO

Shanell Owen, City Clerk, explained the project ran very smoothly. We did our final walk through and everything was fine and met the specifications. Upon final acceptance she will

complete the documentation to close out the CDBG grant and then we will receive reimbursement from CDBG.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to approve the final acceptance of the Elko Senior Citizens Center Energy Saving Retrofit Project in the amount of \$48,938.26.**

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

Dick Harris, President Elko Senior Board, thanked the council for awarding the project, YESCO for the work they did, Dennis Strickland and his crew for keeping an eye on things and Ms. Owen for getting this all done.

#### **IV. SUBDIVISIONS**

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 2-16 for the Golden Hills Estates Unit 2 Phase 2 subdivision, filed by Sierra Blue Development & Holdings LLC, for the proposed division of approximately 5.138 acres into nine lots and three remainder parcels for residential development within an R (Single Family and Multiple Family Residential) Zoning District located generally west and east of Mitty Avenue, approximately 110 feet north of Chris Avenue (APNs 001-619-002 & 001-619-006), and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered this item on May 3, 2016 and took action to forward a recommendation to City Council to conditionally approve the Final Plat. JD

Cathy Laughlin, City Planner, explained this is the final plat. Previously you have seen the preliminary plat. The staff memo listed out the conditions from the different departments. Planning Commission conditionally approved this with the conditions listed in the staff memo.

**\*\* A motion was made by Councilman Keener, seconded by Councilman Rice, to conditionally approve Final Plat No. 2-16 for the Golden Hills Estates Unit 2 Phase 2 subdivision subject to the conditions as recommended by the Planning Commission from their May meeting.**

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

#### **V. NEW BUSINESS**

- B. Review, consideration and possible approval of a Concessionaire Agreement filed by Sierra Petersen, dba 6S Curbside Kitchen and Catering, to operate a mobile food truck in the Main City Park, Area 4, and matters related thereto. **FOR POSSIBLE ACTION**

Sierra Petersen applied for a Concessionaire Agreement to occupy concessionaire space in the Main City Park. The requested hours and days of operation are May thru October, seven days a week, from 6:00 a.m. to 11:00 p.m. She currently holds an Elko City Business License. SO

Ms. Owen said there is one other vendor in the area; the snow cone business. Ms. Petersen has completed the Concessionaire Agreement and she will have to give us the required insurance. Everything is standard for this type of request.

Councilman Rice said we have room for six vendors. Is it first come first served?

Ms. Owen answered yes. We show them the map and they choose which spot they want.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve the Concessionaire Agreement filed by Sierra Petersen, dba 6S Curbside Kitchen and Catering, to operate a mobile food truck in the Main City Park, Area 4.**

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

- C. Review, discussion, and consideration to offer a discounted fee for the Summer Elko Explorers Program pending early registration between the dates of May 25, 2016 and June 30, 2016, and matters related thereto. **FOR POSSIBLE ACTION**

Due to low enrollment in the Elko Explorers, Staff is requesting authorization to offer a discounted daily rate of \$20.00 from \$25.00 in an effort to increase participation. DL

Dawn Leyva, Recreation Services Manager, said enrollment was low last summer when we raised the fees. She is looking to increase the enrollment by lowering the fees.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Keener, to authorize staff to offer a discounted rate of \$20 from \$25 for the early registration in Elko Explorers for the duration of May 25, 2016 through June 30, 2016.**

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

- D. Review, consideration, and possible approval of a request by Tera Hooiman dba Event Source, for the closure of Chris Sheerin Way for a Special Event called Touch-a-Truck, to be held on May 28, 2016, and matters related thereto. **FOR POSSIBLE ACTION**

The event will be from 9:00 a.m. to 4:00 p.m. with the time for the requested closures being 6:00 a.m. to 5:00 p.m. SO

Ms. Owen explained the event.

Councilman Rice asked what kind of equipment will be there.

Ms. Owen answered they wanted a street sweeper. They talked about an ambulance and there will be a Fire truck. There will be some mining equipment.

Dennis Strickland, Public Works Director, said she was trying to get any type of big trucks there for the kids to go through and learn about.

Ms. Owen said it is her understanding that the children will not be able to turn anything on.

Councilman Rice said he was looking at the liability disclaimer.

Ms. Owen said she had her attorney and insurance company look it over and it has been vetted.

Councilman Keener asked about the insurance.

Ms. Owen answered we don't have the insurance yet but we will get it before we allow them to hold the event.

Dave Stanton, City Attorney, said the release doesn't release the city. It releases the Event Source and its officers. One condition would be that the city would be named an additional insured.

Ms. Owen said the regular insurance that they provide us for the event, which is exactly what this would be.

**\*\* A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve the request for the Touch a Truck Event to be held on May 28, 2016, which will involve the closure of Chris Sheerin Way and this will be subject to proof of insurance to be provided by Event Source.**

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

## **VI. RESOLUTIONS AND ORDINANCES**

- C. Review, consideration, and possible approval of Resolution No. 19-16, a Resolution providing for the transfer of the City's 2016 Private Activity Bond Cap to the Nevada Rural Housing Authority, and other matters related thereto.  
**FOR POSSIBLE ACTION**

The City of Elko has previously transferred its portion of the tax-exempt private activity bond cap to the Nevada Rural Housing Authority. This year the Nevada Rural Housing Authority is requesting the City's allocation of the bonds for the purpose of providing a means of financing the costs of single residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income. A request letter from Nevada Rural Housing Authority and Resolution No. 19-16 have been enclosed in the agenda packet for review. CC

Curtis Calder, City Manager, said this is an item we have seen previously. We have a representative present. This program, in the past, has provided significant benefit the Elko County and City region through a "Home At Last" program that helps with first-time home buyers and providing mortgage assistance.

Bill Brewer, Nevada Rural Housing Authority, thanked the city for sharing the allocations with them. We pool those allocations with other rural cities and counties and that gives us a program that is large enough to assist a number of people.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Keener, to approve Resolution No. 19-16.**

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

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

- C. Review, consideration, and possible award of a bid for the STP Road and Hot Springs Road Improvements Project, and matters related thereto. **FOR POSSIBLE ACTION**

Public Improvements are required per City Code. Bids were opened on May 11, 2016. A Bid Tally Sheet is included as backup information. RL

Ryan Limberg, Utilities Director, said the low bidder was Ruby Dome Inc. in the amount of \$342,875.06. Staff recommended awarding the project to Ruby Dome Inc. Their bid was responsive with no errors on it.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve an award to the low bidder, Ruby Dome Inc., for the STP Road and Hot Springs Road Improvements Project, in the amount of \$342,875.06.**

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

### **I. PRESENTATIONS (Cont.)**

- B. Pursuant to NRS 354.596, review, discussion, and approval of the Final Budget for the City of Elko for Fiscal Year 2016/2017, inclusive of all funds, and matters related thereto. **FOR POSSIBLE ACTION**

Dawn Stout, Administrative Services Director, went over the budget summary using a presentation.

- General Fund Summary
- Recreation Fund
- Capital Equipment Replacement Fund
- Youth Recreation Fund
- Municipal Court Assessment Fund
- Revenue Stabilization Fund
- Redevelopment Agency Fund
- Capital Construction Fund
- Ad Valorem Capital Fund
- Public Improvement Development Fund
- Facility Fund
- Debt Service Fund

- Water Fund
- Sewer Fund
- Landfill Fund
- Airport Fund
- Golf Fund
- Health Insurance Fund

Councilman Keener said he is blown away that the health insurance expenditures represents about 1/8 of what the city will spend this year.

Ms. Stout said originally when we were looking at our rates for health insurance we were anticipating that they would go up about 15% minimum. When we finally got our rates in, and we are looking at a couple of different options, we haven't heard back yet from the different negotiating units as to whether are interested in a secondary plan or not, which would be a co-pay plan in addition to the high deductible plan we already have. We have not had a good claim year since we have gone back to being partially self-insured.

Mayor Johnson called for public comment without a response.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve the final budget for the City of Elko fiscal year 2016-2017 inclusive of all funds.**

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

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

- E. Review, consideration, and possible award of a bid for the Flagview Sidewalks T.A.P Grant Project, and matters related thereto. **FOR POSSIBLE ACTION**

This is a federally funded T.A.P. Grant Project with a total budget of \$597,368, which requires City Match funds of \$29,868. Bid were opened Friday March 20, 2016. A Bid Tabulation and a Staff recommendation will be provided at the meeting. BT

Councilman Schmidlein disclosed that his partners at Canyon Construction are also partners in Great Basin Engineering Contractors. He was not exactly sure where the conversation is going to go, or what it is about, so he recused himself and left the chambers.

Bob Thibault, Civil Engineer, explained the bids were opened last Friday for the Flagview project (Exhibit "A"). Staff's recommendation is to reject all bids at this time and hopefully rebid the project. The budget for this grant funded project was just under \$600,000. We had one bidder below that budget amount, Sierra Nevada Excavation. Mr. Jeff Lommori was in attendance. There were a couple of errors in their bid tabulation. He explained the errors. There is a letter from Sierra Nevada regarding the intent of the bid (Exhibit "B"). Mr. Stanton has reviewed the bids and could explain his position on it. All other bids are well over the \$600,000 budget for the project. That is why he was recommending that we reject all bids.

Dave Stanton, City Attorney, said he went through the bid. The issue is a material error in a bid, something that is substantive, is an error that probably can't be waived. Arithmetic errors, typographical errors and technical defects in the bids can be waived by City Council. The problem is that there is specific language in the bid documents that says if there is an inconsistency between the unit price and the total amount then the unit price controls. This bid had two different errors. How do we waive both errors in light of the fact that the bid documents actually say that there is a mechanism for reconciling these types of errors? That would be over the line and should be considered a material error and not a technical defect. In his opinion, this is a non-responsive bid.

Councilwoman Simons asked why there was an item under Great Basin Engineering that was red.

Mr. Thibault said that was another mathematical error.

Mr. Stanton said the way this item is agenda'd he didn't feel council could direct us to rebid it. The council can reject the bids and then it can be brought back under another agenda.

Jeff Lommori, 272 Cedar Street, said he would do the project for the \$525,000, that's not an issue.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Rice, to reject all bids.**

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

## **V. NEW BUSINESS**

- A. Review, consideration, and possible sale of the modular airport, Air Traffic Control Tower (ATCT) to the Boulder City, Nevada, and matters related thereto.  
**FOR POSSIBLE ACTION**

The City of Boulder City, Nevada is interested in possibly purchasing the Air Traffic Control Tower at Elko Regional Airport. The Air Traffic Control Tower, was purchased by the City of Elko on June 19, 1997 for \$110,000. In 2016 dollars that purchase price of \$110,000 is now worth \$163,206.00. In 2014, an insurance claim put in an additional \$35,000 in improvements including new flooring, walls, ceiling tiles, insulation, bathroom fixtures, and plumbing. The ATCT is estimated to be worth around \$198,000, and is in excellent working condition. The City of Boulder City would like the Council to consider selling the facility. MG

Mark Gibbs, Airport Director, explained there are pros and cons either way. This tower is completely owned by the City. Determining the price could be difficult. This was military surplus from 1969. It can be difficult to find an air tower that is modular. We don't need the tower. We also don't predict that we will need another air traffic person. During fire seasons this is a good tool during heavy traffic.



Councilman Rice noted it is underutilized except for fire season. It is a pretty good asset for the airport. Would we miss it when it is gone? What would that \$200,000 do for us? Would it be a good shot in the arm?

Mr. Gibbs answered that money can be used towards the land purchase on the Jennings property or even for our portion of the AIP grant matches.

Councilwoman Simons wondered what it would take for us to use this on a full-time basis. If we ever get to that point we would have the money to buy another set up like this. She felt it was worth selling.

Councilman Keener asked if this generates any revenue during a fire season.

Mr. Gibbs didn't believe there has been any revenue gained from the BLM use of that. Ms. Stout nodded in agreement that there has not been any revenue.

Curtis Calder, City Manager, said if there is an interest in selling this to Boulder City, it might be helpful to seek the input from the Advisory Board. Right now we just wanted to see if there was any interest in selling this at all.

Mr. Gibbs said in the future, airports our size are going towards unmanned automated towers and it will be all digital. He supports the decision and will put it on the Advisory Board agenda.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Rice, to direct staff to remand this down to the Airport Advisory Board.**

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

- E. Review, discussion, and possible approval of the National Historic California Emigrant Trail Interpretive Center Advisory Board's sponsorship of the Elko County Western Heritage Festival Parade, scheduled for August 4, 2016, and matters related thereto. **FOR POSSIBLE ACTION**

The First Annual Elko County Western Heritage Festival is scheduled for August 4 -7, 2016. The organizing committee is not a corporate entity, but rather a group of citizens from Elko, Carlin, Wells, and surrounding areas.

As such, the organizing committee requires various sponsorships from existing entities in order to acquire insurance, etc. for certain events. As the kick-off parade will be held in the City of Elko, Staff is requesting that the National Historic California Trail Interpretive Center Advisory Board, an Advisory Board established by the City Council, be considered as the official parade sponsor. If approved, the parade can be insured through the City of Elko's existing liability coverage. CC

Kurt Alleman, 1867 Sawyer Way, Chairman of the Advisory Board, explained we are not under any certain group so we are looking for someone to sponsor the parade, such as the Advisory Board, and have it fall under the city's liability insurance.

Jan Peterson, Co-Chairman, 655 Pine, said in filling out the parade request, it will require insurance coverage. The parade will be from 6:00pm to 7:00pm on Thursday, August 4<sup>th</sup>. We don't anticipate a lot of impact on the route or the community.

Councilwoman Simons asked if it will be the standard route at 6:00pm on a Thursday. (Yes) That seems to be a heavy traffic hour time.

Mr. Alleman said they could always change the time. They are adaptable. They want to have the parade and then have a dinner at the city park.

There was some discussion about the parade route and traffic issues during that timeframe.

Mr. Alleman said the intent is to make this an annual event.

Ty Trouten, Police Lieutenant, said the route splits 11<sup>th</sup> Street and they do allow for those going to the park, such as the Fourth of July and such. Generally the traffic is eastbound Idaho to 12<sup>th</sup> that is very heavy and around 5<sup>th</sup> Street and around Silver Street. It should not be a larger than normal impact on the traffic.

Mr. Calder said all this item is doing is requesting the advisory board be the sponsor of the parade. The paperwork still needs to be filled out.

**\*\* A motion was made by Councilman Keener, seconded by Councilwoman Simons, to name the National Historic California Trail Interpretive Center Advisory Board as the official parade sponsor that is scheduled to be held in Elko on August 4, 2016**

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

## **VI. RESOLUTIONS AND ORDINANCES (Cont.)**

- A. Review, consideration, and possible approval of Resolution No. 15-16, a Resolution authorizing a one-time contribution from the Sewer Fund to the Recreation Fund in the amount of \$1,100,000 for the Golf Irrigation Upgrade Project to facilitate disposal of effluent from the Water Reclamation Facility, and matters related thereto. **FOR POSSIBLE ACTION**

The Council previously discussed authorizing a one-time contribution to the Golf Irrigation Upgrade Project in the amount of \$1,100,000 for that portion of the project associated with the disposal of effluent from the Water Reclamation Facility. This resolution memorializes that contribution. DS

Dawn Stout, Administrative Services Director, explained we vetted this through the Department of Taxation. Dave Stanton has reviewed this as well.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Keener, to Resolution No. 15-16, a resolution authorizing a one-time contribution from the Sewer**

**Fund to the Recreation Fund in the amount of \$1,100,000 for the Golf Irrigation Upgrade Project to facilitate disposal of effluent from the Water Reclamation Facility.**

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

- B. Review, consideration, and possible approval of Resolution No. 16-16, amending Resolution No. 36-99 regarding park hours of operation, and matters related thereto. **FOR POSSIBLE ACTION**

During the May 10, 2016 meeting, Council directed Staff to draft a Resolution amending park hours of operation. A copy of the draft Resolution addressing park closure times for Angel Park has been included with the agenda packet for review. JW

James Wiley, Parks and Recreation Director, explained this is the third time we have met to consider this item. This would be the final step in the process. The resolution does state the hours of operation specific to Angel Park as discussed. It also states the other parks hours of operation.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to adopt Resolution No. 16-16, which addresses Angel Park as it opens at 6:00am and closes at 9:00pm April through October, and during the months of November through March it opens at 6:00am and closes at 8:00pm.**

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

**III. APPROPRIATIONS**

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

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

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

## VIII. REPORTS

### A. Mayor and City Council

*Councilman Rice mentioned the Board of Regents will be hearing an item designating Great Basin College as a State College. It is an important step for the college and rural Nevada.*

*Councilman Keener reported Thursday, PACE Coalition is sponsoring an informative breakfast on the marijuana impact on communities. He attended the GBC graduation and was impressed with the number of graduates. We will have the Thursday Elko Rec Board meeting at 2:00pm.*

*Councilwoman Simons announced she will not be at the next meeting.*

*Mayor Johnson reported there was poor weather for the dedication of the new Police Station. He read a proclamation from the Attorney General, Adam Laxault (Exhibit "C"). The city had a proclamation and he read that too (Exhibit "D"). He read his speech into the record (Exhibit "E").*

### B. City Manager

*Curtis Calder recognized and thanked the Parks Department for helping out the Rotarians with their project at Johnnie Appleseed Park that started during the Clean Up Green Up event. The next meeting will be three weeks out.*

### C. Assistant City Manager

### D. Utilities Director

### E. Public Works

*Dennis Strickland reported on the Cedar Street Project.*

### F. Airport Director

### G. City Attorney

### H. Fire Chief

*Chief Griego handed out a copy of his most recent newsletter and the new Child Passenger Safety flyer. (Exhibit "F")*

### I. Police Chief

*Chief Reed thanked council and staff for making the new Police Station happen. The officers are happy to be in there and everyone is proud of it. They plan to move in towards the end of next week as long as everything gets signed off.*

### J. City Clerk

*Shanell Owen recognized Diann Byington for being a recent graduate from Great Basin College with her Associates Degree and with a very high GPA.*

### K. City Planner

### L. Development Manager

*Jeremy Draper thanked council and everyone that showed up for the Police Station Dedication Ceremony. There are some punch list items to take care of.*

### M. Administrative Services Director

### N. Parks and Recreation Director

*James Wiley reported on the Golf Course Irrigation Project.*

### O. Civil Engineer

### P. Building Official

**BREAK**

## VII. 6:00 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing and possible adoption 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 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. First reading was held on May 10, 2016. CL

Cathy Laughlin, City Planner, explained this is the second reading. We sent out 106 notices to property owners that have property that lie within the area that we are proposing to eliminate. She did receive a few phone calls and she also reached out to a couple effected property owners as well. This is eliminating areas permitted to have domestic animals other than household pets. We changed definitions and locations and part of the code regarding non-conforming uses.

Mayor Johnson called for public comment without a response.

**\*\* A motion was make by Councilman Schmidlein, seconded by Councilman Rice, to conduct second reading, public hearing and adopt Ordinance No. 804.**

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

- B. Public hearing pursuant to NRS 268.059(a) regarding the fair market value of approximately .80 acres (35,000 sq. ft.) of City owned property located generally north of W. Main Street approximately 645 feet east of Hot Springs Road. Discussion and possible motion affirming that the fair market value of the property is \$60,000 in accordance with the appraisal of Jason Buckholz of CBRE Inc., appraiser, and possible adoption of Resolution No. 17-16, a resolution of the Elko City Council finding it is in the best interest of the city to sell APN 001-301-001 and hereby declaring its intention to sell such property at public auction pursuant to City Code Section 8-1-3 and NRS 268.062, and matters related thereto. **FOR POSSIBLE ACTION**

Council moved to accept the application for sale of City owned property by Rubyview Investments, LLC on April 12, 2016. CL

Ms. Laughlin explained in the packet is the appraisal and the application. The resolution was prepared by Mr. Stanton and staff. The resolution states this will be set for auction on June 14, 2016. We will advertise as required for public auction.

Councilman Schmidlein asked this is being established as a minimum of \$60,000. (yes) We went out for the appraisal, is that part of the sale of the \$60,000 or is the appraisal paid for above and beyond.

Ms. Laughlin answered the applicant paid for the appraisal. If the applicant is not the successful buyer then the successful purchaser of the property will reimburse the city for the appraisal and we will send that reimbursement to the applicant.

Mayor Johnson called for public comment without a response.

**\*\* A motion was made by Councilman Rice, seconded by Councilwoman Simons, to accept the fair market value as ascertained during the public hearing of \$60,000 and adopt Resolution No. 17-16.**

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

- C. Review, consideration and possible action to conditionally approve Preliminary Plat No. 3-16, filed by Parrado Partners, LP et al, for the development of a subdivision entitled Great Basin Estates involving the proposed division of approximately 19.64 acres of property into 81 lots for residential development within an R (Single Family and Multiple Family Residential) Zoning District, located generally on the north side of Clarkson Drive, approximately 725 feet east of 12<sup>th</sup> Street (APN 001-630-062, 001-630-064, and 001-630-067), and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the preliminary plat on May 3, 2016, and took action to forward a recommendation to City Council to conditionally approve Preliminary Plat No. 3-16. CL

Ms. Laughlin explained this subdivision was previously approved by Planning Commission and City Council. It is a modification to the boundaries for Phase 1A. This was due to the LOMR not being received yet. We had Mr. Capps reapply for this process and went through Planning Commission. We are here today to redefine the boundaries of Phase 1A so that he can file the Final Plat and proceed with property sales.

Councilwoman Simons asked if this was so he could build on the high ground.

Ms. Laughlin answered the area that 1A is in, it does not include the flood plain that was of concern. The applicant was present to answer questions.

Mayor Johnson called for public comment without a response.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Rice, to conditionally approve Preliminary Plat No. 3-16 for the Great Basin Estates Subdivision subject to the conditions as recommended by the Planning Commission.**

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

- D. Review, consideration, and possible adoption of Resolution 18-16, a resolution finding it in the best interest of the City to sell City owned real property without offering the property for sale to the public, and matters related thereto. **FOR POSSIBLE ACTION**

At the March 22, 2016 meeting, Council approved the sale of 2,048 square feet of a 41.93 acre parcel (APN 001-610-104) of land adjacent to 1000 Barrington Ave. Adoption of this Resolution finds that it is in the best interest of the City to sell City owned real property as a remnant without offering the property for sale to the public. Adopting this Resolution is the next step in the process to complete the sale. CL

Ms. Laughlin explained the appraisal is included in the packet. The resolution was drafted by Rich Barrows due to the conflict of interest. This resolution would complete the land sale to the DiGrazias. The applicant was present.

Councilman Keener disclosed that Mr. DiGrazia and his firm does work for him but that won't affect his judgement on this item.

Mayor Johnson called for public comment without a response.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to adopt Resolution No. 18-16.**

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

#### **COMMENTS BY THE GENERAL PUBLIC**

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

*There were no public comments.*

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

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Mayor Chris Johnson

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Shanell Owen, City Clerk