

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

SS May 28, 2013

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, May 28, 2013.

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  
Councilman Rich Perry  
Councilwoman Mandy Simons  
Councilman Robert Schmidlein

City Staff Present: Curtis Calder, City Manager  
Delmo Andreozzi, Assistant City Manager  
Shanell Owen, City Clerk  
Matt Griego, Fire Chief  
Dennis Strickland, Public Works Director  
Scott Wilkinson, Development Manager  
Doug Gailey, Human Resources Manager  
James Wiley, Parks and Recreation Director  
Rick Magness, City Planner  
Jeremy Draper, Civil Engineer  
Ted Schnoor, Building Official  
Don Zumwalt, Police Chief  
Mark Gibbs, Airport Director  
Rick Hofheins, Airport Security Manager/Assistant Director  
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**                      April 23, 2013  
**FOR POSSIBLE ACTION**

Mayor Johnson explained that the date of the minutes to be approved was incorrect and this will have to be put on the next agenda.

**II. PERSONNEL**

A. Employee Introductions:

1) Mark Gibbs, Airport Director

*Present and introduced.*

2) Matt Hughey, Firefighter

*Present and introduced.*

**I. PRESENTATIONS**

A. Presentation by the Elko County Sheriff's Department regarding regional law enforcement consolidation, and matters related thereto. **INFORMATION ONLY – ACTION WILL NOT BE TAKEN**

Kevin McKinney, Lieutenant Elko County Sheriff Office Operations Division, gave a presentation. (Exhibit "A")

Councilman Perry said we did a study that started about eight months ago. It was called the Matrix Study. Its intent was to look at the police department and analyze the things we needed to improve. Have you read the study?

Lt. McKinney stated he has read the study.

Councilman Perry noted some of the things mentioned in the presentation were also in the Matrix Study.

Lt. McKinney said we recognized some of those deficiencies within our department over a year ago and we started addressing those issues. We switched to a 12 hour schedule back in January and since then we have saved the county with a 49% drop in overtime since we switched shifts. We developed a new evaluation policy and procedure. He has been working on a three to five year strategic plan. We have been improving our policy. Many things in that study we have already identified and are developing changes. We were doing most of this before the study. The Sheriff asked him to do this presentation in February. He has previously talked to some of council members individually and have discussed some of these issues.

Councilwoman Simons asked where the number of 17,000 that have been consolidated to 1000; where did you get that statistic?

Lt. McKinney answered from the U.S. Department of Justice. That wasn't an exact number, he rounded down.

Councilman Rice noted that neither Carlin nor Wendover are included in this proposal. Is there a particular reason for that?

Lt. McKinney answered five years ago the City of Carlin approached the Sheriff Office on consolidating. Sheriff Lotspeich gave a proposal and it was rejected. Wendover has never approached us. If the City of Carlin or Wendover asked us to do this we would have no problem doing it. We would be able to do it more efficiently.

Councilman Schmidlein said Sheriff Pitts approached him regarding a merger and he brought it to council.

Shane Daz, President Police Officers Association, said he has read the Sheriff Office proposal and he wanted to speak about some of the issues he found in the paperwork. The City of Las Vegas did this in the 1970's. The main area that Las Vegas Metro patrols is the City of Las Vegas. They have Laughlin and one other unincorporated area. The other major incorporated cities are Henderson, North Las Vegas, Mesquite, and Boulder City. They all have their own Police Departments. North Las Vegas is in dire financial straits and they have not disbanded their Police Department. In 2003, Wells signed an agreement with the Sheriff Office to provide police services. What is the quality they are getting? They don't always have 24 hour coverage. They have three deputies that are stationed in Wells to cover the city and the surrounding county. They have a lieutenant that is supposed to supervise Wells, Jackpot and Wendover. They also have a deputy that goes to Wendover part-time to cover when they need. Is this the type of coverage the City of Elko will be getting? The Salt Lake Unified Police Department started out as 10 areas in Salt Lake County that are unincorporated. There are actually 16 incorporated cities in 6 townships. These smaller areas were contracting with the Salt Lake County Sheriff Office and they didn't like their service. It was costing too much. They formed this unified police department. It is ran as a company now with the Sheriff in charge. Salt Lake Unified Police Department only provides services for 10 of the 22 areas in the Salt Lake Area. If this is such a great arrangement how come all 22 areas don't contract with Salt Lake Unified Police Department? The statement about the 17,000 police departments combining to 1000 regional law enforcement agencies, there is a total 17,985 state, county and local police agencies in the United States. Of those, 12,501 are police departments. He doesn't see that they have combined into 1000 agencies. The factor driving this consolidation; you may have the cost of daily operations. In 2010 the Sheriff Office was \$409,000 over budget. In 2011 they were \$62,500 over budget. In 2011 they spend \$395,000 in overtime. Who pays when the budget is overspent? Does this mean that the cost to the city will go up? If the City of Elko is requiring the most for Police services due to calls for service it would make sense that the city has to pay more. The call load in the city is higher than the entire county. As of last night, the police department had handled 12,821 calls for service. The Sheriff Office had handled 9,285 calls. NRS 280 doesn't really apply to our situation however NRS 280.201 states "whoever has the

most calls for service has the larger percentage of budget to pay.” If the state sees it this way what is to stop the sheriff from agreeing and charging the city more for services. The Police Department uses the same computer system as dispatch. The Sheriff Office uses a totally different system. In 2011 the city spent hundreds of thousands of dollars for this computer system. What system will we go to if this consolidation happens? If it is decided to go with the Sheriff Office system then it could cost hundreds of thousands of more dollars to change. Also, the system that the Fire Department currently uses would no longer be operational. Who pays for this? Some areas are already combined. We do use a pooled K9 system now. This will not get more K9’s to the city unless the Sheriff is planning on adding K9s to his department. Right now we use the on duty K9. If one is not on shift we have to call one out. The city officers frequently use the only Sheriff Office K9 in the Elko area because he is on duty. This already saves the city money in call out overtime. The Police Department gets a lot of equipment from seizure funds which is money found during traffic stops by Police Department K9s. The city saves thousands of dollars every year in equipment. The county will gain more K9s but the city will not. The city will get the same K9 service minus the seizure funds. The response team started in 1996 and was staffed 100% by the Police Department. It is still ran by the Police Department however it is now a metro unit with the Sheriff Office and is used throughout the entire county and already some other counties in the state. The city will not get a better response team service but will continue to get the same service. The Elko Bomb Squad is staffed by four Police Department members. It costs the city roughly \$5,000 a year to operate this service. They service 5 counties across the state. All the equipment the Bomb Squad has, which is over \$1 million, was purchased through a grant with the Federal Government. More detectives would be great but he didn’t feel it would help the situation. The Sheriff Office has three full-time detectives and one part-time detective. The Police Department has seven full-time detectives. The Police Department’s Detective Division is over 300 cases back-logged with seven detectives. The Sheriff Office plans on adding Crimes Against Children unit, School Resource Officers and additional manpower to the Narcotics Task Force. Where is the manpower going to come from? It would have to come from the patrol division which is often shorthanded. It would mean that there are less people patrolling the streets. With these additional units being created what will happen to the 300 cases being investigated by city detectives now? There simply is not enough manpower to investigate all the back log of cases and create new units within the detective division. He understood the importance of having school resource officers in the schools, however without the manpower to adequately staff each school this program will be nothing different than what we have now. At one point the Sheriff Office was part of the juvenile crimes task force and decided to pull their detective from the unit. The Sheriff Office is understaffed too. At times there are only two deputies working in the Elko area. This includes everything from Spring Creek, Osino, Ryndon and Mountain City. How many officers will the Sheriff have working in the City of Elko? Lt. McKinney showed two commands and everything north is the Elko area. Does that mean the city officers will patrol everything from Mountain City to Osino and the City of Elko? The city is staffed with no less than four officers at a time. No matter what incidents happen in the entire county the city always has four officers. Will this be the case when the merger happens? If there is a major incident like there was in Wells two years ago, what will stop everyone from leaving the city to help? When that deputy was shot in Wells every deputy that was working in the Elko area at the time left and went to Wells to assist. This left Spring Creek, Ryndon and Osino uncovered. The city police department had to cover shifts in Spring Creek for the Sheriff Department because they did not have the manpower. If

council decides to go ahead with this merger and then decide in three years it was not what they thought it would be, what would the cost be to get the Police Department back? How will the city get back the equipment that the Sheriff Office acquired in the merger? These are questions that need to be thought about. The City of Elko has a highly trained Police Department that is proud to serve the citizens of Elko. We are requested by State POST Academy to teach baton, defensive tactics, boxing skills, crime scene investigation and a K9 class. We have been requested by other agencies in the state to teach classes in their departments. This is something that benefits both the employees and the citizens of Elko. It is something for all of us to be proud of. The Sheriff answers to one group of people and that is the voters of Elko County. The city gives up control of the police services once the merger takes place. Right now the city council has a say in how the Police Department functions. You as the council have the ultimate say in how we protect this great city. The citizens expect that when they call for police in the city they will get an officer to arrive in a timely manner. If a merger were to happen could council guarantee that an officer would arrive in a timely manner? This may not be done because you may not have an officer available in the City of Elko. The mission statement says that the City of Elko is to provide the citizens with a clean and safe community. Can council guarantee this part of the mission statement if it gives up the Police Department? He recommended voting down a merger.

Mindy Kale said she and her husband are looking to relocate here from Reno. She is a retired Police Officer. She has worked for several agencies. The first agency she worked for was a very small department in California. The city had about 5,000 people. That department has gone to the Sheriff Department and they have stayed there for 30 years. Financially it worked better for them but they were a very small department. The last agency she worked for had a city population close to Elko's. They established into a police department and wanted to get out of the control of the Sheriff Department for some of the reasons the Association President just mentioned. She didn't want to tell City Council which way to go on this but do it cautiously and do your homework on this. When you hand over control you lose some of the autonomy that you had when you had your own officers. The majority of her career was working on patrol. She took pride in the Police Departments she has worked for. If you are not happy with the service and you want to transition back it is a big deal and a lot of money.

### **III. APPROPRIATIONS**

- B. Review, consideration, and possible final acceptance of the Traffic Signal Battery Backup Project for the Facilities Department, and matters related thereto. **FOR POSSIBLE ACTION**  
At the February 26, 2013 meeting, Council awarded this project to Titan Electrical Contracting, to include alternates 1 and 2, in the amount of \$97,600.00. Titan Electrical Contracting has satisfactorily completed the project. DS

Dennis Strickland, Public Works Director, explained we did come in under budget. The state came through and did some work on our behalf. The power was knocked in our area today. The technician went out and saw that the new power pack functioned perfectly. He was comfortable with us taking final acceptance of the work.

**\*\* A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve the final acceptance of the Traffic Signal Battery Backup Project to Titan Electrical Contracting in the amount of \$97,600.00.**

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

- C. Review, consideration, and possible approval of a three year fire extinguisher service contract, to include fire extinguisher servicing, hydro-testing, and purchase of new equipment, and matters related thereto. **FOR POSSIBLE ACTION**

On April 9, 2013, Council authorized Staff to solicit bids for fire extinguisher servicing and purchase of new equipment. Three bids were received and opened on Friday, May 17, 2013. Attached is a complete bid analysis. DG

Doug Gailey, Human Resources Manager, explained we took the number of extinguishers we have and asked each company how much it would cost to service that particular fire extinguisher and to hydro-test (which is supposed to be done annually). Then we took the total of what it would cost each year. We looked at the yearly costs to service the fire extinguishers that we have and the low bidder was State Fire/DC Specialties for \$9,824.00 per year.

**\*\* A motion was made by Councilman Perry, seconded by Councilman Schmidlein, to accept the three year contract bid from State Fire/DC Specialties for extinguisher contract in the amount of \$9,824.00 per year.**

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

- D. Consideration and possible action to award a contract to Granite Construction Company totaling \$1,592,592 for the Runway 05/23 Rehabilitation Phase II Project, contingent upon receiving Federal AIP funding, and matters related thereto. **FOR POSSIBLE ACTION**

A grant application for federal assistance was submitted to the Federal Aviation Administration on May 21, 2013. If approved by the Federal Aviation Administration (FAA), the grant will fund 93.75% of the proposed contract, or \$1,493,055. A "Recommendation of Award" has been included in the agenda packet for review. RH

Rick Hofheins, Airport Security Manager/Assistant Director, explained we ask that you award this bid to Granite Construction. Our portion will be roughly under \$100,000.00. It is already coming in under budget.

Councilwoman Simons asked if it was the base bid plus alternate one? (yes)

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Rice, to award a contract to Granite Construction Company totaling \$1,592,592.00 for the Runway Rehabilitation Phase II project contingent upon receiving federal AIP funding. This is for base bid plus alternate one.**

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

#### **IV. UNFINISHED BUSINESS**

- A. Continued review, consideration, and overview of Title 4, Chapter 5 “Elko Liquor Control Code” inclusive of licensure/permit requirements and revocation processes, including the possibility of direction to Staff to begin the business impact statement process for code amendments, and matters related thereto. **FOR POSSIBLE ACTION**

This item was considered during the February 26, 2013 Council meeting. City Council directed Staff to make amendments and come back with another draft for further consideration. SO

Mayor Johnson explained their objective was whether or not to direct staff to begin a business impact statement. In order to make these changes to the code it will require a two meeting process, first and second reading.

Dave Stanton, City Attorney, explained that since the last meeting we have made a few more revisions. Some based on direction from council and also staff input. He wanted to go through some of the additional changes without being redundant. He gave a presentation (included in agenda packet).

Councilman Perry felt the language to the church exemption should be the old language.

Councilwoman Simons asked if there are churches in this area that rent out their hall for a party that may bring in a bartender to serve. If so then they should get a liquor license. The bartender should also go through the class and have the proper licensing. A church party is fine but renting out the building should not receive the exemption.

Mr. Stanton said it gets problematic the way it is written right now. It has to be dispensed by a duly ordained minister. The Saint Patrick’s Day party at the Catholic Church involves the use of alcohol but is not dispensed by an ordained minister. We need to deal with the duly ordained minister part.

Shanell Owen, City Clerk, added this is an issue that we have come up against. If there are special events at the church where a non-profit might use the church and it is open to the public, then they would not have to have the liquor license. At any other place they would have to get the Special Event Liquor License.

Councilman Perry said “church sponsored events” are exempt because a wedding reception will hire a caterer or the ladies at the hall to serve. We shouldn’t have anything to do with that.

Ms. Owen said a wedding is a private event. We regulate the public events.

Councilman Perry asked if the hall was rented out to a party would it not fall under the group that did it. That would be covered under Civic and Fraternal Organizations.

Ms. Owen answered that is a specific license all in itself. It would actually be a special event license that they would get.

Mr. Stanton thought there may be some language in the code that deals with Councilman Perry's issue. That would be this new exemption we are proposing. A private event not open to the public such as a company party or wedding wouldn't be keyed to be on church property necessarily but would probably cover the types of activities he was concerned about. It would be an exemption. We wanted to tighten up the church exemption to make it be some sort of a religious ceremony but if there is a private event there would be a new exemption.

Councilwoman Simons asked if we go to a casa event at the Catholic Church where alcohol is served; it is open to the public and on church property, where would that fall?

Mr. Stanton answered they would need a license because it would be a public event and it wouldn't be a religious event. Just because it is on church property doesn't distinguish it from the same event that isn't on church property. What distinguishes a church event is its religious characteristics.

Councilman Rice asked the use of liquor for "sacramental purposes on the premises of any church"; during the Basque Festival there is a Catholic mass in Main City Park. Does "sacramental purposes" cover that?

Mr. Stanton answered that definition would not cover that. Maybe it should be added to this language to cover that.

Councilman Perry stressed again to go back to the old language.

Mr. Stanton continued with his presentation.

Councilman Schmidlein asked where you come up with the 14 days of video required. What is the purpose?

Mr. Stanton answered it is not a magic number. It was to give law enforcement officers enough time to go in and get the footage.

Chief Zumwalt said we need to be able to have a window of time to do follow-up as we learn things. We don't want too small a window. Most of the time video cassettes are only used for 24 hours and then they get recorded over. You need to get a lot of cassettes and keep them for 14 days. With digital equipment the 14 days is not really an issue because that footage ends up on a computer of some sort and storage isn't a problem. Fourteen days is not a big window.

Councilman Perry said video surveillance is necessary in some high risk areas. The way this is written it will be required that every mom and pop place, pizza parlor and such to have video



surveillance equipment. Ninety percent of our problems are in about 10 different places. We are going to cast this huge net. This will make people uneasy. It belongs under the same provisions as security because this will impact too many businesses.

Mr. Stanton asked do you think we should look at trying to exempt out certain types of businesses. How should we tighten this up?

Councilman Perry said it goes back to the statistics as to when most of our violence is occurring. If there is a premise that is going to remain open between 1:00 a.m. and 6:00 a.m. then they should have video surveillance equipment. A lot of them already do but a fair amount of them don't.

Mr. Stanton noted it would need to operate 24 hours a day.

Councilman Perry said you can't turn them off. They aren't expensive. You just need to make sure they are operating.

Councilman Rice asked are you suggesting any establishment that is open beyond 1 am.

Councilman Perry answered yes and serving alcohol.

Mr. Stanton continued with the presentation.

Councilman Schmidlein asked what size of a window are we talking about. You need to dictate more clearly the specific size you want here.

Chief Zumwalt said when a business is well lit and windows are clear where you can see from the sidewalk, we don't have trouble there. We have trouble where there is a dark secluded place where no one can see in. He doesn't care what size window. We had a lot of discussion with staff to make things cleaner and came up with this proposal. You have to remember that we as staff have thought about it and tried to be reasonable. We think this will make things better. Go to the bars and look at the windows. If the place is well lit and connected to the outside via a clear window it will be a cleaner and safer environment. He doesn't want to mandate that the bars get big windows.

Mr. Stanton said we can add words of "not less than" to the code.

Tony Still asked what about the Horseshoe.

Chief Zumwalt said we don't want to mix apples and oranges. Mona's would be a different environment. That has a different license established. The Horseshoe has a different has a different license. If we are going to talk about those then we need to be prepared to open the door wide open. They have a sexually oriented business license that makes it totally different. We are not talking about those. We are talking about bars and liquor licenses only.

Councilman Schmidlein said we are starting to focus on specific places. We need to be very careful with how we are going to word this.

Chief Zumwalt agreed. We have to be fair and reasonable. What are our marching orders? Our marching orders are to make a cleaner and safer environment. If council would like to give some guidance with wording or on lighting in windows we will make the change.

Delmo Andreozzi, Assistant City Manager, said some of the idea of connectivity from the outside to the inside is actually referred to in our redevelopment plan. It talks about fenestration. It talks about disconnectivity from the outside to the inside. It is good practice for businesses.

Mr. Stanton continued with the presentation.

Mayor asked for questions and public comment.

Robert Wines, local attorney in town. The chief's response to the video surveillance and Mona's and the Horseshoe not being subject to these rules, he disagreed. This is the liquor code and it doesn't contain an exemption that says if you are covered by a different licensing provision you don't have to comply with this. You have a problem if you have an open window at a girly house or the Horseshoe. When you have surveillance cameras in there you have problems with freedom of expression and freedom of assembly. The way this is written right now it requires that video equipment be installed into the bathroom. He challenged video surveillance to find out if anyone is over-serving. He had an issue with the definition of intoxication as it is written in the code. He had a problem with automatic cancellation. A private family in its home is excluded from coverage, however, what happens if I have a beer in my backyard? That isn't in my home. You have to have a liquor license to have a beer in your backyard. "Sacramental purposes" does pose some problems with the way it is written. You require that stockholders, residential agents and everybody else be part of the liquor license. Why would a publicly traded entity such as Newmont or Barrick want to list all their stock holders in South Africa, England and other areas on a City of Elko liquor permit? It is too broad. Just get the people responsible for it. You have to have a fixed business location to have a liquor license so therefore a taco truck cannot have a liquor license. He questioned having a felony vs. a felony of moral turpitude. He doesn't think the City Manager should have any power in a liquor license. The Mayor and the City Council are in charge of the City and the City Manager. He felt there was a lot of room for abuse. He questioned the Police Chief having the power to close a bar to protect the bar property. If there are violations of this chapter, the Chief should be reporting these to the council who should make the decision. Security guards are going to cost the owners. If you have a restaurant that closes at 9:00 p.m. you need to hire someone to come in either after you close or before 7:00 a.m. to clean up all around the property. You need to re-draft this thing and make it say what you want it to say.

Mr. Stanton said a lot of what Mr. Wines was talking about are things that have been in the code for quite a while. We can go back in and define some more terms.

*There was a computer glitch that stopped the recording. The Mayor asked for a break while the computer was rebooted and the program re-started.*

Chief Zumwalt said we are trying to make things better and we can refine all the revised changes.

Brandy Sandstrom, manager of Goldies Bar, said in the renewal there are reasons the renewal is not automatic. If the proceedings have just been initiated why would that stop a renewal? The owner and I are the only ones that have access to certain areas of the bar. Are we going to get called in at the middle of night? What avenues will be given to appeal a suspension? What remedy will we have if they find it was not a legitimate reasoning? The people at the bars need to have a contact list of who to contact immediately in order to appeal a bar closing. Why is this a better option than a police walk thru?

Scott Reutner, Owner of Mattie's Bar and Grill, asked about these surveillance tapes? Can the police take those without a warrant? It sounds like the Chief can come in and take any tape he wants. We have a conference room that would be impossible to put a window in there so there could be a view. How do you define a security person? They have people there but would they be considered security?

Mike Uriarti, manager of The G Bar, said the NRS states that any security person would have to take the TIPS program too. It's the bad apples that ruin it for everybody. He has been coming to these meetings since the liquor codes started being talked about in October. We have all done our fair share to try to control the situations. When does it stop impacting our revenue? He claimed he hasn't seen any officers in his bar since he began managing it a month ago.

Tony Still, 2265 Idaho Street, asked what is the progress of better lighting and video cameras in the downtown corridor. About three months ago you were going to look into more lighting and video camera in that area because of the fights and so forth that was going on.

Mayor Johnson said we found that some of the lighting was not working and that has been repaired.

Mr. Still felt it was the city's responsibility to put in more lighting and cameras and not the responsibility of the bar owners to take care of the situation. After the Matrix report and we see there is considerable room for improvement in the Police Department but yet there are more things being put on the Chief (liquor and such). He lacks confidence in the Police Department handling that when they can't handle what they already got.

Clay Grimmel, Owner of The G, said we talked about security cameras and cleaning up in front of the bars. There are other businesses downtown besides the bars that make messes. Maybe they should have their areas clean before we open? Seems like the last council meeting he came to we went through these different laws and we came to some kind of an agreement and now you have new stuff in here.

Councilman Rice asked in regards to a business impact statement, do we need to have an amended code hammered out in order to send one out.

Curtis Calder, City Manager, said we need to be pretty close to what the codes will look like before that is sent out.

Councilman Schmidlein asked if we are going to require the bars to have security guards at each door after 1:00 a.m. will that apply to the casinos and everything else that is open. If we are going to put that in there it is going to be all or none. He has a problem with this security issue because some businesses are required to have it and others don't. If we are going to set the surveillance in place from 1:00 a.m. to 8:00 a.m. then what are we going to ask for? Are we going to require one at the entrance or one that will oversee the bar? What are we asking for?

Mayor Johnson asked does council feel these changes are ready or do they want staff to come back with more clarifications.

Councilman Perry said the last time we went through this we looked at it page by page. He doesn't know how else to do this. A lot of this is clean up bringing this into the 21<sup>st</sup> century.

Council began going through the proposed changes page by page. The following are the pages that Council and the public discussed:

**Page 4:** Mr. Wines said this is the page that had the broad definition of intoxication.

Mr. Stanton said the definition was worked out by his partner (Tom Coyle, Assistant City Attorney) and this was as close of a definition that he could come up with that he would be able to prosecute with. We are talking about a licensing issue here. We thought this described in general terms, intoxication, as closely as you can get.

Councilman Perry and Councilman Rice both said they have no issue with this.

Councilman Schmidlein asked when you say impaired because of ingestion of liquor or other substances. These bars do not serve other substances.

Councilwoman Simons said if someone is high we don't want them to be served alcohol either.

**Page 7:** Councilman Perry wants the same language for 4-5-2-2 that he proposed leaving the old language.

Ms. Owen said the one problem we were having with that is where it says "used during church sponsored events." People were thinking "special occasion, parties." They weren't considering the "special occasion, parties" had to do anything with the church sponsored events. They would say they were having a special occasion party there.

Councilman Perry asked if it should just say "church sponsored events and social gatherings held on church premises?"

Councilman Rice said in the language it says "church sponsored events and social gatherings." Does that mean church sponsored social gatherings? It doesn't mean a wedding reception?

Mr. Stanton asked for clarity, does it have to be used by a duly ordained minister?

Councilman Rice said there are lay people that administer the sacrament.

Mr. Stanton asked leave it in or take it out.

Councilman Perry answered take it out. *“The use of liquor for sacramental purposes used during church sponsored events and social gatherings held on church premises.”*

Mr. Wines said he has an issue with the definition of home.

Councilman Rice wanted to make sure they could still hold Holy Communion in the Main City Park during the Basque Festival. That would include sacramental wine and is not on church premises.

Chief Zumwalt said the Basque Club gets a special event liquor license.

Mayor Johnson asked Councilman Perry to restate the changes he wanted.

Councilman Perry said *“The use of liquor for sacramental purposes used during church sponsored events and church sponsored social gatherings held on church premises.”*

Mayor Johnson said this change was approved with general consent.

Mr. Wines said Item 1 above the item discussed. It says liquor served by a private family in its home.

Councilman Schmidlein said it should be home and property.

Councilman Perry suggested replacing home with residence.

**Page 9:** Mr. Wines said regarding 4-5-4B; he serves as a resident agent for several corporations. He doesn't know if any of them are bars or not. He has no interest in those entities other than serving as a resident agent. He wasn't sure why resident agents and stock holders are included in this requirement for a liquor license application.

Mr. Stanton said he has no problem taking that out.

**Page 11:** Mr. Wines said he has a problem with 4-5-6A and being required to have an established place of business. That would stop the VFW from getting any kind of liquor license for the fair.

Ms. Owen said this is for a regular license and not a special event liquor license. That is covered under a different part of the code.

**Page 12:** Mr. Stanton asked if we wanted to define a drive-in business.

Councilman Rice noted there was a drive-thru liquor business that is now the empty Mexican restaurant (Grilled Pepper). He thought we should leave it in.

Mayor Johnson asked Mr. Stanton if he was proposing putting in drive-in business as a definition in the first part of the code.

Mr. Stanton answered if council wanted him to he could put in a definition, otherwise it will be the common definition of the term.

Mr. Wines said when he read this he read it as preventing the Wine Walk downtown because that is a service outside the business location. The drive-in didn't make sense to him and it confused him.

Councilwoman Simons said she was sure the general definition of a drive-in would satisfy our needs.

Mayor Johnson clarified to Mr. Stanton that they did not want him to define a drive-in business.

**Page 14:** Brandy Sandstrom said she had a problem with the renewal if there is pending litigation against the license holder. It shows guilt before guilt if they won't renew a license even though there are proceedings. That shouldn't be in there. If for some reason it comes up that the license holder is guilty they are going to revoke the license anyway.

Councilwoman Simons asked Ms. Sandstrom if she wanted to remove "and no proceedings have been instituted or are pending in any court or before the city council."

Ms. Sandstrom said that would be fair otherwise it gives them the opportunity to refuse to renew our license and allow us to conduct business while this proceeding is going through. There has been no result yet but why punish us when we have not been proven guilty or had a chance to show that the proceedings against us are incorrect.

Mr. Stanton said that is a fair point. He didn't have a problem with that.

**Page 15:** Mr. Wines said he had a problem with "no liquor license will be issued or renewed if the applicant, licensee or license business is in violation of any of the provisions of the Elko City Code. What provisions? If the manager drove through a stop sign so they don't get to renew their license?"

Councilman Rice said a liquor license is a privilege. There should be some expectation to be upstanding.

Mr. Stanton said the focus is on the last part of this. It is about a violation that affects the business and not a traffic violation. We can say something to affect "to the patrons and the license business."

Councilman Rice felt we weren't clear that we are talking about this being connected to the business itself.

Mr. Stanton suggested "impacts the ability of the licensed business to operate safely." Or "to comply with all health and safety provisions in the city code."

Councilman Rice suggested "any provision of the Elko City Code directly connected to the operation of the licensed business."

Councilwoman Simons thought the code already stated that.

Mr. Wines asked how do you know you have a violation if nobody tells you. There is no notice of this.

Councilwoman Simons and Councilman Rice said they are fine with it as it is written.

**Page 17:** Ms. Sandstrom suggested some rewording. 4-5-13-7 "if anyone of the licensee named in the license or any manager, agent or bartender refuses to permit the Chief of Police or any police officer or any other duly authorized representative of the City to visit and reasonably inspect every part and portion of the licensee premises or refuses or fails to furnish the Chief of Police upon request..." The issue is the basement and office at Goldies. Ron and she are the only ones that have access to those areas. So they are going to have to refuse them. If we are rewording this maybe make this more logical.

Councilwoman Simons said she understood reasons to inspect different areas.

Councilman Rice said that is the responsibility of the licensee. Especially if your establishment is open.

Ms. Sandstrom felt it should be specified as licensee or manager. We can be called and then come in.

Councilman Perry said that falls under reasonable. There is a lot of NRS that has reasonable hours.

Mr. Wines had an issue with the section above that. It says that a manager, bartender violates and provision of the Elko City Code then the license is revoked.

Councilwoman Simons added while acting in a way connected to the business.

Mr. Wines said if the bartender or manager is driving to work to respond to an emergency and gets caught on the cell phone talking to the people at the bar they should lose their liquor license.

Mr. Stanton said there is something in Nevada called the coming and going rule. That means that if you are coming or going to work you are not acting in the course and scope of employment.

**Page 20:** Ms. Sandstrom asked that we give a procedure in order for the immediate right to appeal.

Councilwoman Simons asked if the Police Chief comes in and says you are suspended then he needs to hand you a piece of paper saying if you want to appeal this is what you do.

Ms. Sandstrom said she wanted a list that says this is who you call right now. That singular power to one person without the ability to have a remedy handed to you right then.

Councilman Rice suggested wording about right to appeal. He suggested that the appeal be made to the Mayor or the Mayor Pro Tempore.

Councilman Perry envisioned this as a bad situation. There is a reason to go in and shut down. That happened a couple of months ago. He felt the Police Chief has the right to make that decision. That impacts the policemen down there. This is for the safety of the community.

Councilman Rice said this is for an extreme occasion. He felt the right to appeal ought to be there. If the Chief of Police says we are shutting down, it is shut down until the appeal. Someone, if they want to, can make a call to the Mayor and say “they shut us down and we think that is wrong.” Until the Mayor or the Mayor Pro Tempore says that is right then they are shut down.

Mayor Johnson said it is qualified to be 12 hours.

Councilman Rice said he is trying to give her something he may not ought to. The place will be closed for up to 12 hours but if you make a call to the Mayor and plea your case and he agrees with you then it can reopen. In the meantime you will remain closed.

Ms. Sandstrom said her concern is they be given the option to immediately appeal. We do need to have that outlet immediately available. In writing is going to be more difficult.

Councilwoman Simons suggested what if we keep all of this but change the City Manager or designee to the Mayor or Mayor Pro Tempore. Then have Mr. Stanton include language at which point they will be given appeal information.

Mr. Stanton asked does the council want the Mayor or designee or just the Mayor.

Councilman Rice thought it was fine to say Mayor because if the Mayor is out of the area then it goes to Mayor Pro Tem.

Mr. Uriarti asked if the Chief closes you down for 12 hours, after you have cleaned up and kicked everyone out, after a couple of hours can you appeal then and reopen.



Councilman Rice answered you can appeal at any time. After 12 hours you are open anyway.

Uriarti asked if it was an issue and you were closed down with the main reason you were closed down was that one person or a group of individuals, that person(s) is gone. When you call for an appeal and you say they are gone are we now able to reopen. Or do we still have to wait the 12 hours.

Mayor Johnson answered that the Chief can close it for 12 hours or it can open in less than 12 hours. You go back to the Chief or the officer and ask for permission to reopen.

There was some discussion about whether or not that is in the code.

Officer Matt Locuson said this idea came from way back in February that we need a cooling off period for some of these bars. You have violations of codes, the point was to shut the bar down and let them reopen at 8:00 a.m. the next morning. The report will be drafted and submitted to the Chief and open for the City Council for review. It doesn't hold the bar up all day or for 12 hours. If we are going to close the bar and let them reopen 5 minutes later because they made a phone call we are defeating the point. Just because a bar has a fight we aren't going to go in and close you. When the bartender cannot control the crowd this is what we are talking about. This is the teeth that council gave us to shut them down so we don't have a homicide in the corridor again. We are worried about reopening 10 minutes after the fight.

Councilman Rice said he was wrong and found if you go down the page, it says "communicated to the Mayor or Mayor Pro Tem in writing or verbally by telephone. There has to be some due process. I don't think we will be doing what you explained. He has enough confidence in the bartenders/manager that if there is blood being shed in your establishment the first thing on your mind will not be "I will have to reopen." You will want the situation handled. He felt we all have that in mind.

Scott Wilkinson, Development Manager, suggested that we need to establish a minimum closing time such as two hours. An appeal can be had after that period of time. If the Police Chief comes in and designates a minimum closing time not to exceed 12 hours, they can appeal the difference between a minimum closure time and the stated closure time. It takes ambiguity out of it.

Councilman Perry said he liked the way it is written right now. Other council members agreed with the changes recommended by Councilwoman Simons.

**Page 22:** Under Video Surveillance, Mr. Wines said he has problems with this.

Councilwoman Simons noted we need to remove "all" locations on this. Technically that would include bathrooms.

Mayor Johnson said he has heard general support for this from other businesses.

Mr. Stanton said we can take out the consumed part. There may be places that you want video of where it is consumed but at least this would deal with the process of selling, serving and delivering the alcohol to the patron.

Mayor Johnson asked Chief Zumwalt how many times have you run into these situations where video surveillance wasn't available when it should have been.

Chief Zumwalt answered on occasion we go in and ask and on occasion it is available to us. Many times it doesn't work. Many times it's not worth anything. Some places don't have video at all. Nobody wants videos of the bathrooms. Some people have video surveillance to protect their own interest. He suggested that the video surveillance be used to protect customers and patrons and others than the bar owners interest. If we go to a bad bar fight or a homicide no one wants to be a victim. If surveillance is available it would help.

Councilman Rice said you want this in here to address the over serving. We have tried to address that problem. No one gets over served in that bar, but in the previous bar. The problem is why we have been having this discussion for the last year. Someone wound up dead and the person that did the shooting was so drunk that he didn't remember doing it. They got overserved. In 2013 the expectation of privacy is much different than it was 10 years ago.

Mayor Johnson said he is leaning towards removing this.

Schmidtlein agreed because if we are going to videotape for over serving then we need to rewrite this.

Councilman Rice is in support of this with the word consumed being deleted from the revision.

Councilwoman Simons agreed. The surveillance can be a help in solving some major crimes.

Councilman Perry said he is not in favor of this. For the time being leave this alone and encourage bar owners to have it. Put in the code that any surveillance tapes will be made available to the Police Department.

Councilwoman Simons suggested the surveillance cameras be mandatory for businesses open between the hours of 1:00 a.m. to 8:00 a.m. Adding that may work.

Councilman Rice said if we scratch this for the time being we end up scratching it for the long run.

Councilman Schmidtlein asked if we are going to impose this upon the businesses then why don't we put surveillance in the streets. From a city standpoint should we really have to put surveillance in the Downtown Corridor? We are looking at life threatening situations of our citizens.

Councilman Perry said the casinos do have that now and they share it with us. The homicide was outside and the videos would not have shown anything.

Councilman Rice said we go back to alcohol fueled violence. The problem is that people are over served. The guy that got beat up outside cloud nine, nobody saw it. We have nothing. It's that kind of stuff that the Police Department may be able to go back to some surveillance video that showed that fellow with a group of people.

**\*\* A motion was made by Councilman Rice, seconded by Councilwoman Simons, that video surveillance remains in the proposed code with two amendments: 1) establishments open between 1:00 a.m. and 8:00 a.m.; and, 2) the word consumed be deleted.**

*The motion passed. (3-2 Councilman Schmidlein and Mayor Johnson voted no.)*

After the motion and before the vote, Councilman Perry said if we are going to go down that we need to say something about sexually oriented businesses.

Councilman Rice amended his motion that it **would exempt sexually oriented businesses.**

Councilman Schmidlein said if you are going to do that then there is a lot more that needs to be depicted here. It says all premises licensed hereunder shall maintain and utilize at all times an operation video surveillance system with a field of view that includes all locations.

Councilwoman Simons specified "where liquor is sold, served or delivered."

Ms. Sandstrom said she understood the concerns but blaming it on the bars is incorrect. We stop people from bringing beer into the bars. As much as we try we do not like the violence. She doesn't agree with requiring video surveillance. We are doing as much as we possibly can. We cannot control the violence.

Scott Reutner said he doesn't like having surveillance and giving it to the Police Department. You need to subpoena that. If there was a crime then you can subpoena. There is no privacy left. It is not his responsibility to watch out for someone that over drinks.

Officer Matt Locuson said there is no expectation of privacy in public (which includes a public licensed bar) as long as the establishment is open. As far as the subpoena, if that is what will get your cooperation then that is what they will do. They would have to restrict everyone surrounding the area until the subpoena is signed to make sure any evidence is not tampered with. You can do that lawfully under state law.

Mr. Stanton said that is correct and there is no invasion of privacy in a public area.

Council voted on the motion.

Mr. Stanton asked for clarification. Do we exempt out certain areas or just sexually oriented businesses?

Councilman Rice said the motion was to leave in the video surveillance provision for all premises licensed hereunder who are open between the hours of 1:00 a.m. and 8:00 a.m. and to delete the word consumed. The motion also included exempting out sexually oriented businesses.

Mayor Johnson asked about outdoor windows.

Councilwoman Simons said get rid of it.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Perry, to strike C. Outdoor Windows.**

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

Councilman Perry wanted to talk about security.

Councilman Rice thought that may be too many security guards. He has spoken to bar owners that have a door that is an exit only. The back doors may get alarmed and try to have people enter and exit just through one door.

Councilwoman Simons thought just one would be enough. If they have at least one to help handle things that might help.

Councilman Schmidlein asked wouldn't the surveillance take care of that. The impact of this will hurt businesses.

Councilman Rice said some businesses have already implemented them. It isn't a bad idea to have the ordinance reflect the practice.

Councilman Simons asked can a manager count as a security person if the bar is not busy. She didn't want a bartender to act as a security guard. There are some times when the bar is truly slow.

Councilman Rice thought maybe certain nights and not 7 days a week; perhaps Thursday, Friday and Saturday nights. Security on top of surveillance is not redundant.

Ms. Sandstrom said the rowdiest times are Friday and Saturday nights. She has her security come in from 10:00 p.m. until 6:00 a.m. unless the business dies down to where nothing is going on and then we allow him to go home.

Councilman Perry thought we were getting too far into their business and take out this requirement.

**\*\* A motion was made by Councilman Perry, seconded by Councilman Schmidlein, to remove the security.**

*The motion passed. (4-1 Councilman Rice voted no.)*

**Page 23:** Ms. Sandstrom asked how specific do you want the trash picked up. We go out and remove bottles and broken glass that are in front of our business. Out back most of the trash is from the trash company dumping it across the alley when they pick up the garbage. How far out do we go on picking up trash? Do you expect us out in the parking lot?

Mayor Johnson answered it said adjoining right-of-ways is the boundary. He assumed that would be the frontage of the building and the frontage of the property.

Mr. Stanton suggested wording this slightly different; say from “adjoining city sidewalks, alleyways and rights-of-way.”

Councilwoman Simons asked does that mean they are in charge of the whole alley.

Mr. Stanton answered no it would just be the adjoining alley.

Clay Glemmel asked that would mean the same area that we have to pay for a special permit for a jamboree, etc.

Councilman Perry clarified sweep up your sidewalk and pick up your trash. It will mean better business in the end if we make that place look better all of the time.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Schmidlein, this stays with an amendment being to move the word adjoining so that it reads “...bodily fluids from adjoining city sidewalks, alleyways and rights-of-way.”**

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

**Page 27:** Councilman Rice thought the discussion had been to remove D numbers 1 through 22 from the ordinance itself. Will that provide any enforcement?

Mr. Stanton said these were the suggestion of Tom Coyle. He felt it was helpful if this was in code. If it is in code then this is something that people can look at and rely on. There were some prior City Council meetings where we had support for this.

Councilwoman Simons asked when you take the TIPS training they tell you things to look for. Perhaps if they have a list then we can use their list?

Mr. Stanton said the comment was that this was pretty close to that list.

Council didn't have any more changes for the rest of the proposed changes.

Mr. Stanton said we were going to come back with a revised draft for City Council and then do a business impact statement.

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

- A. Review, consideration, and possible adoption of Resolution No. 6-13, a resolution of the Elko City Council adopting a change in zoning district boundaries from RMH (Residential Mobile Home) to CT (Commercial Transitional), involving approximately 0.92 acres, located generally southeast of Front Street and Errecart Boulevard, filed by Salvador and Maria Uribe, and processed as Rezone No. 2-13, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject zone change request on May 7, 2013, and took action to forward a recommendation to Council to conditionally approve Rezone No. 2-13. RM

Rick Magness, City Planner, explained the Planning Commission considered this rezone. They are moving it along for approval. This parcel is adjacent to a mobile home development. It is a good transitional area for commercial of this type. He recommended approval.

Bob Thibault, Summit Engineering, was present representing the client and to answer any questions.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to adopt Resolution No. 6-13 with the conditions as recommended by the Planning Commission or as amended during the meeting.**

After the motion and before the vote, Mr. Thibault said there was a condition of a conditional use permit would be required at the time of development of the property. Within a commercial transitional zone there are permitted conditions that would not require a conditional use permit.

Mr. Magness suggested that condition be modified to say uses within that zoning be allowed.

Mayor Johnson asked was the Planning Commission looking for a conditional use permit. Does the city have the authority to require a conditional use permit if it's not in the code?

Mr. Magness said it is if council feels that way and it is usually triggered when it is adjacent to residential.

Mayor Johnson asked does the Planning Commission feel that since it is adjacent to residential that it should have a conditional use permit no matter what?

Mr. Magness answered not necessarily.

Scott Wilkinson, Development Manager, said the discussion was a bit confused with the Planning Commission. If you look at our code a conditional use permit is required for any development.

Mr. Wilkinson said this is a commercial transitional zone and you can see there are principal uses permitted. He thought the Planning Commission was under the impression that any development in a CT zone requires a conditional use permit. There may be some misinformation there.

Mayor Johnson said the motion needs to qualify that if it is a permitted use it won't require a conditional use permit.

Mr. Wilkinson suggested striking that condition if you don't believe the conditional use permit is required for any type of development.

Curtis Calder, City Manager, said before you make the motion, the Planning Commission did require the conditional use permit prior to development. Council will have to remove that requirement first.

Mr. Magness said council will have to amend or strike that and just comply with the CT zoning.

Mr. Magness said in regards to the conversation, it came up that we were focused on the development being adjacent to residential. That always triggers a conditional use permit yet with further clarification after that was done and probably the next day, we realized there are many uses that are just allowed in CT zoning. With that condition stricken and then receiving CT zoning, now they are going to be able to develop according to the code. We want them to comply with the code. There wasn't a specific direction.

Councilman Perry said we are rezoning a piece of land. Once it is rezoned they have to decide what to build on it. If that triggers a conditional use permit then the Planning Commission has to deal with it.

Mr. Wilkinson pointed out the resolution contains conditions 2 and 3 that address that conditional use permit. In the motion strike the requirement for condition 2 and condition 3 out of the resolution. They are in the body of the resolution. Ensure that the applicant agrees with condition 1.

Discussion about whether or not the planning commission meant to require a CUP.

Councilman Schmiddlein amended his motion that **“the applicant agrees with condition number 1 and we will strike conditions 2 and 3.”** Councilman Perry seconded the amendment.

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

## V. NEW BUSINESS

- A. Consideration and possible authorization for Staff to advertise for five (5) vacant positions on the Parks and Recreation Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

On June 30, 2013, the terms of five (5) board members will expire. All members are eligible for reappointment following an advertisement of the term's expiration. JW

James Wiley, Parks and Recreation Director, explained we have a 9 member advisory board. Five of those positions term out on June 30<sup>th</sup>. There is interest from several of the existing members to be considered for reappointment but we do need to advertise.

**\*\* A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to authorize staff to advertise for five (5) vacant positions on the Parks and Recreation Advisory Board.**

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

- B. Review, discussion, and possible action regarding alternative Police Department Facility locations and/or facilities, including possible authorization to: 1) request formal proposals from interested parties; and 2) retain Lombard-Conrad Architects to assist in the evaluation of alternative locations and/or facilities for City Council consideration, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has fielded numerous inquiries with regard to the proposed Police Department Facility. In some cases, unsolicited proposals have been submitted to the City for review.

In an effort to objectively evaluate proposals of this nature, Staff is requesting authorization to retain Lombard-Conrad Architects to assist in the development of proposal criteria and the evaluation of alternative locations and/or facilities. Staff envisions a proposal process of approximately thirty (30) days, followed by the architectural evaluation and presentation to the City Council. CC

Curtis Calder, City Manager, explained we have received some unsolicited proposals with regards to the Police Station Project. We have budgeted funds to move this project forward in fiscal year 2013-14. Since Lombard-Conrad was the architect that designed the facility currently designed they would be the logical choice to evaluate any of these alternative facilities that could be possibly be remodeled into a Police Station Facility or evaluate the site locations for any facility that might be built in the future.

Jeremy Draper, Civil Engineer, said one consideration to think about since this is a critical facility it should be located outside a hazard areas that have been defined. Using the overhead screen he showed a location that would be located in a FEMA dam area. If that dam were to



break the whole area would be flooded. He suggested the new facility be located outside that area.

Mayor Johnson asked can't you mitigate that.

Mr. Draper answered not this. There are possibilities but this would be a large wall of water coming down. If we are on the outskirts it is possible to raise the building. If this dam were to break, City Hall, the high school, the college and the current Police and Fire Stations would be under flood waters. If this would ever happen we would need some place to use as a command center.

**\*\* A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to authorize staff to request formal proposals from interested parties and retain Lombard-Conrad Architects to assist in the evaluation of alternative locations and/or facilities for the City Council consideration.**

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

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

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

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

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

### **VII. REPORTS**

A. Mayor and City Council

*Councilman Perry reported on and handed out a copy of an analysis of Nevada Sales Tax. (Exhibit "B")*

B. City Manager – Legislative Update

*Curtis Calder gave a legislative update. June 11, Councilwoman Simons, James Wiley and himself will be at the school district meeting to give a presentation to them about the Tennis Courts project.*

C. Assistant City Manager

D. Utilities Director

E. Public Works

F. Airport Director

G. City Attorney

H. Fire Chief

I. Police Chief

*Chief Zumwalt reported on the Matrix recommendations and their implementations. Matrix wants the Police Department to have more proactive time and within the last 55 days and we recovered almost \$120,000 worth of stolen property.*

J. City Clerk

- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director

**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