

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

SS June 12, 2018

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:03 p.m., Tuesday, June 12, 2018.

This meeting was called to order by Mayor Chris Johnson.

CALL TO ORDER

ROLL CALL

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
Councilwoman 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
Dennis Strickland, Public Works Director
Jonnye Jund, Administrative Services Director
Aubree Barnum, Human Resources Manager
Cathy Laughlin, City Planner
Ben Reed Jr., Police Chief
Ty Trouten, Police Captain
Jeremy Draper, Development Manager
Matt Griego, Fire Chief
John Holmes, Fire Marshal
James Wiley, Parks and Recreation Director
Jim Foster, Airport Manager
Bob Thibault, Civil Engineer
Dave Stanton, City Attorney
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**

Scott MacRitchie, 312 Four Mile Trail, Elko, asked that since there are now proposed changes to the Development Code, that a public forum be held for developers and the public to work out potential issues.

Curtis Calder, City Manager, said they were planning some sort of public workshop and everyone will be notified.

APPROVAL OF MINUTES: May 22, 2018 Regular Session

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Reading of a proclamation by the Mayor in recognition of the month of June 2018 as Men’s Health Month, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

Mayor Johnson read the proclamation.

- B. Brief presentation and possible acceptance of a renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approval of invoice for payment from FY 2018/2019 Funds in the amount of \$423,448.56, and matters related thereto. **FOR POSSIBLE ACTION**

As a member of the Insurance Pool, the City of Elko owns a share of the equity that forms the basis for its financial strength.

Your agenda packet includes an overview of coverage offered for the following fiscal year. The City of Elko’s total program costs for FY 2018/2019 are \$423,448.56, which now includes environmental liability coverage and represents a 1.5% increase over the current year. CC

Curtis Calder, City Manager, turned the time over to LP Insurance.

John Smales, LP Insurance, 555 5th Street, introduced Mike Rebaleati, COO of the POOL, who would like to explain how it all works.

Mike Rebaleati, 201 S. Roop Street, Carson City, NV, explained they were able to keep the rates basically flat for the City of Elko. It has been a challenging year, considering the impact the insurance market has had with the three big hurricanes that effected the Southeast. He went over the coverage. He offered to answer any questions.

Councilman Keener asked if their group has any plans to offer airport liability insurance.

Mr. Rebaleati answered yes. They do offer that as a separate policy.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the renewal proposal from Nevada Public Agency Insurance Pool, aka POOL, and approve invoice for payment from Fiscal Year 2018/2018, in the amount of \$423,448.56.**

The motion passed unanimously. (5-0)

IV. APPROPRIATIONS

- F. Review and possible approval of Airport Liability Insurance Policy for FY 2018/2019, and matters related thereto. **FOR POSSIBLE ACTION**

LP Insurance Services, Inc. has competitively sought airport liability insurance for this coming fiscal year. Based on quotes received, the lowest quote was AIG Aerospace, who is also our current provider, with a premium of \$8,853/year for the same coverage we currently receive. Last year AIG Aerospace provided the same coverage amount for \$7,338.00/ year. JF

Jeff Foster, Airport Manager, explained this is their yearly insurance. There was an increase this year. Dain Uriarte was present and he was the one who obtained the quotes.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve the quote provided by AIG Aerospace Insurance, in the amount of \$8,853 for the Airport liability insurance coverage at a level of \$20,000,000 for Fiscal Year 2018/2018.**

The motion passed unanimously. (5-0)

III. PERSONNEL

- A. Employee Introductions:
- 1.) Makayla Galindo, Police Records Technician I, Police Department
Present and introduced.
 - 2.) Mandiee Ferguson, Recreation Coordinator, Recreation Department
Present and introduced.
- B. Appointment of Ms. Kelly Wooldridge as the City Clerk for the City of Elko, effective June 18, 2018, and matters related thereto. **FOR POSSIBLE ACTION**

During the May 22, 2018 Council Meeting, Council selected Ms. Kelly Wooldridge for the position of City Clerk and authorized a formal job offer to be made. Staff is pleased to report that the job offer was accepted. AB

Aubree Barnum, Human Resources Manager, explained Ms. Wooldridge was not able to be here today but she did confirm her availability.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to appoint Ms. Kelly Wooldridge as the City of Elko City Clerk effective June 18, 2018.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible approval of the City Clerk Department to overlap the City Clerk position for a maximum of three (3) weeks in order to train the new City Clerk, and matters related thereto. **FOR POSSIBLE ACTION**

Shanell Owen, the current City Clerk, has announced her retirement from the City of Elko effective July 6, 2018. Staff is seeking Council permission to start Ms. Owen's replacement in advance of her retirement date (maximum overlap of 3 weeks). Ms. Kelly Wooldridge has confirmed her availability to start her new position as City Clerk with the City of Elko, effective June 18, 2018. Staff is requesting approval to allow Ms. Wooldridge to be hired on June 18, 2018 to allow for training by Ms. Owen. AB

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to authorize to hire Ms. Kelly Wooldridge, new City Clerk, prior to the retirement date of Shanell Owen, the current City Clerk, for the maximum overlap of three weeks.**

The motion passed unanimously. (5-0)

IV. APPROPRIATIONS (Cont.)

- D. Review, consideration, and possible award of the Public Works Department Preventive Maintenance Project 2018, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

At the April 24, 2018 meeting, Council authorized Staff to solicit bids for the Preventive Maintenance Project 2018. Bids were received until 3:00 p.m. on June 7, 2018. DS

Dennis Strickland, Public Works Director, explained the bidding was very close. We have the funding to do the additive alternate. He recommended awarding the base bid and the additive alternate in the amount of \$532,007.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to award the bid to SNC, which is Sierra Nevada Construction, for the Public Works Department Street Maintenance Project 2018, in the amount of \$532,007.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible issuance of final acceptance for the WRF Reuse Water Fill Station, and matters related thereto. **FOR POSSIBLE ACTION**

The project is complete. There were two change orders required. The first change order was \$14,224.92. The subgrade material was unsuitable to construct on and

had to be removed and replaced with suitable structural material and geotextile fabric. The second change order was \$1,339.84. This additional cost was for installing a drain on the fill stand, which was inadvertently missed when the project was bid. RL

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to issue final acceptance for the WRF Reuse Water Fill Station.**

The motion passed unanimously. (5-0)

- G. Amendment No. Fifteen (15) to Contract Dated January 14, 2014 Between Jviation, Inc., and the City of Elko, Nevada, and matters related thereto. **FOR POSSIBLE ACTION**

This item is to amend the current contract between The City of Elko and Jviation, Inc., Jviation contract amendment No. 15 will cover fees associated with Airport Improvement project (AIP) 49, including engineering and design services. JF

Jim Foster, Airport Manager, explained this covers the construction of the new electrical vault. The fence project amendment was already approved.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to accept Amendment No. 15 to the Contract between Jviation, Inc. and the City of Elko.**

The motion passed unanimously. (5-0)

- H. Review, consideration, and possible award of the bid for the Outfield Fencing associated with Elko Sports Complex Project, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m. on June 8, 2018. A complete bid tabulation will be provided for consideration. JW

James Wiley, Parks and Recreation Director, explained this is for a portion of the fencing on the playing fields. There was a pre-bid meeting that had some good interest, however, at bid opening there was only one bid (Exhibit "A"). It is below the engineer's estimate. He recommended approval.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to award the bid for the Outfield Fencing, a component of the Elko Sports Complex Project, to Lamoille Fencing, in the amount of \$96,624.**

The motion passed unanimously. (5-0)

- I. Review, consideration, and possible award of the bid or, in the alternative, direction to Staff to rebid the Comfort Station construction contract associated with Elko Sports Complex Project, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m. on June 4, 2018. Two bids were received. A complete bid tabulation is provided in your packet. Both bids indicate that the General Contractor will be completing less than 50% of the work. Staff previously removed the standard clarifying language shown in Exhibit 4 – DESIGNATION OF SUBCONTRACTORS, stipulating that the prime contractor must perform at least 50% of the work, which is an Orange Book requirement. Although there is a reference to the Orange Book in the bid documents, the intention was to remove the “50% of the work” requirement for the prime contractor and nowhere in the bid documents is this requirement specifically stated. As an additional matter, with respect to the qualification requirement in the bid documents, despite not indicating experience with building construction projects specifically, Staff has determined that the apparent low bidder, Granite Construction, meets the qualification requirements. Staff believes that the project information submitted with the bid demonstrates significant experience in management of public works projects and elements of those projects, such as utility installation and structural work that are sufficiently similar to the Comfort Station project to satisfy the qualification requirement. SAW

Scott Wilkinson, Assistant City Manager, explained the issue of the orange book. The orange book applies to A license type work and not B license or vertical work. We would have this issue with any type of structure. He recommended award to Granite Construction with specific findings that Granite Construction would meet the experience qualifications to complete the work and that the contract does not specifically state that the prime contractor is required to perform 50% of the work.

Councilman Schmidlein agreed that the orange book is just a general A. All the general B is built under building code, fire code, electrical codes and everything else. He wasn't sure if the 50% requirement would have made a difference since there was a big difference in bid amounts.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to award the bid for the Comfort Station for the Elko Sports Complex to Granite Construction Company, in the amount of \$888,888, with specific findings that; 1) Granite Construction meets the experience qualifications to complete the work, and 2) the contract does not specifically state the prime contractor is required to perform 50% of the work.**

The motion passed unanimously. (5-0)

- J. Review, consideration, and possible approval of a Line Extension Agreement between Sierra Pacific Power Company, d/b/a NV Energy and the City of Elko, for the provision of electric facilities for the Elko Sports Complex, for a total contract amount of \$38,981, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of the proposed Line Extension Agreement has been enclosed in the agenda packet for review. A credit of \$2,000 has been applied, leaving a balance of \$36,981, due and payable upon execution of the Agreement. BT

Bob Thibault, Civil Engineer, explained this will provide electrical service into the Sports Complex.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve a Line Extension Agreement between Sierra Pacific Power Company, dba NV Energy and the City of Elko, for the provision of electric facilities for the Elko Sports Complex, for a total contract amount of \$38,981.**

The motion passed unanimously. (5-0)

V. SUBDIVISIONS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 2-18, filed by Autumn Colors, LLC., for the development of a subdivision entitled Autumn Colors Estates, Phase 5 involving the proposed division of approximately 5.85 acres of property into 21 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District and 20 lots for townhome development within the CT (Commercial Transitional) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of the intersection of Mountain City Highway and Cattle Drive (APN 001-01F-316). Preliminary Plat was recommended to City Council to conditionally approve by Planning Commission June 5, 2012 and conditionally approved by City Council June 26, 2012. Phase 5 is the final phase of Autumn Colors Estates. The Planning Commission considered this item on February 6, 2018 and took action to forward a recommendation to City Council to conditionally approve Final Plat 2-18. CL

Cathy Laughlin, City Planner, explained the background information and code review on the project. This is the final phase. Staff recommended approval.

Councilman Schmidlein asked about the exemption for curb/gutter. What is NDOT's plan with curb/gutter that was poured some years ago? Will they tear it out? What are their plans going forward?

Scott Wilkinson, Assistant City Manager, answered there have been some management changes at NDOT. This entire subdivision and frontage was approved by NDOT but they have revisited things. It is still not determined if the curb/gutter will be removed or not. At some point they were requiring a deceleration and acceleration lane but until that is resolved there may be some issues on Cattle Drive. We are struggling through these issues. The curb/gutter may stay in place until NDOT figures out what they are doing.

Councilman Keener thought they should hold onto this letter because it states NDOT would put the curb/gutter in if the need for infrastructure arises.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to conditionally approve Final Plat No. 2-18 for Autumn Colors Estates, Phase 5 subdivision, subject to the conditions as recommended by the Planning Commission.**

The motion passed unanimously. (5-0)

- B. Title: Review, consideration, and possible action to conditionally approve Final Plat No. 8-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 2 involving the proposed division of approximately 13.907 acres of property into 19 lots for residential development and 1 remaining lot within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on February 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 2-18. CL

Ms. Laughlin recommended tabling the item because the performance agreement was not on the agenda for this subdivision.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to table this item to the next agenda.**

The motion passed unanimously. (5-0)

VI. NEW BUSINESS

- A. Review, consideration, and possible approval of a First Amendment to the Lease Agreement with C-A-L Stores Companies, Inc., and matters related thereto. **FOR POSSIBLE**

The Lease Agreement was approved by Council on April 24, 2018, in accordance with the provisions of NRS 268.064, including adoption of Resolution No. 11-18, public noticing, and public hearing requirements.

Upon approval by Council, all parties signed the agreement. Thereafter, it was noticed by the City Finance Department that, through oversight, the prior lease agreements had listed a lease amount per year. The recently approved lease agreement had listed the correct lease amount dollar value (for the year) but had changed the lease terms from each year to each month, thereby increasing the rent over 12 times its previous amount. This was not the intent of the parties.

Staff seeks to resolve this inaccuracy by clarifying that the stated rental amount is annual rather than monthly. The corrected rental amount is shown on the

proposed First Amendment to Lease Agreement included in the agenda packet.
RL

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the First Amendment to the Lease Agreement with C-A-L Stores Companies, Inc.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of Revocable Permit 1-18, filed by McGinley & Associates on behalf of Elko Acquisitions LLC, to occupy a portion of the intersection of Ellis Way and Golf Drive right-of-way, to accommodate installation of one new monitoring well, and matters related thereto. **FOR POSSIBLE ACTION**

As part of an ongoing monitoring process being completed by McGinley and Associates, they would like to install, sample and maintain one new groundwater monitoring wells, which is proposed to be located in the City of Elko Right-of-Way. City Code requires they have a Revocable Permit to occupy the Right-of-Way. CL

Cathy Laughlin, City Planner, explained this is a continuation of the monitoring of the Red Lion Chevron Gas Station. Staff has reviewed this and have no issues. She recommended approval.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve Revocable Permit No. 1-18, subject to execution of a standard license agreement between the applicant and the City of Elko.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible authorization for the City of Elko to enter into an “Intrastate Interlocal Contract Between Public Agencies” with the State of Nevada, Department of Safety, State Fire Marshal, and matters related thereto. **FOR POSSIBLE ACTION**

Enclosed is a copy of the “Intrastate Interlocal Contract between Public Agencies.” Interlocal Agreements between public agencies should result in mutual benefits for all of the parties involved. In essence, an interlocal agreement is a collaborative contract between public bodies aiming to provide more efficient, less costly public services. JH

John Holmes, Fire Marshal, explained nothing much has changed with this agreement. We are just upgrading the interlocal agreement.

Councilman Schmidlein said he read through some of this and he noted a date of 2017.

Mr. Holmes said this should have been done some time ago and we can change that date to the end of this month.

Dave Stanton, City Attorney, said the right way to do this is to look at the proposed document, and if Council sees things that need to be changed in the final agreement, just point those changes out in the motion.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to allow the City of Elko to enter into an agreement with Nevada State Fire Marshal's office to provide services outlined in the agreement, pending the update of the correct date, June 30, 2018.**

The motion passed unanimously. (5-0)

- D. Review, discussion, and possible reappointment of three members whose terms are set to expire back to the Arts and Culture Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

Three member of the Arts and Culture Advisory Board terms are set to expire this summer, or have expired. Each of the members has expressed an interest in being reappointed to the board for an additional term. Those board members are:

Catherine Wines	4 Year Term
Bailey Billington Benson	4 Year Term
Mica Johnson	2 Year Term

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to appoint Catherine Wines for a 4-year term, Bailey Billington Benson for a 4-year term and Mica Johnson for a 2-year term to the Arts and Culture Advisory Board.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible authorization to enter into an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Autumn Colors Phase 5 Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guaranty in accordance with Elko City Code 3-3-45. The subdivider has indicated that he would provide a performance bond to satisfy 3-3-45 of Elko City Code. The agreement has been drafted based on that assumption. JD

Jeremy Draper, Development Manager, said the agreement was in the packet and Mr. Bailey was present earlier. There is a provision in the agreement because they are still waiting for NDOT's approval on some of the improvements in that right-of-way.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve the Agreement to Install Improvements and Performance Maintenance Guarantees for Autumn Colors Phase 5.**

The motion passed unanimously. (5-0)

- F. Review, consideration, and possible approval of Revocable Permit 2-18, filed by McGinley & Associates on behalf of Al Park Petroleum, Inc., to occupy a portion of the 11th Street Right-of-Way, to accommodate installation of one new monitoring well, and matters related thereto. **FOR POSSIBLE ACTION**

As part of an ongoing monitoring process being completed by McGinley and Associates, they would like to install, sample and maintain one new groundwater monitoring well, which is proposed to be located in the City of Elko Right-of-Way. City Code requires they have a Revocable Permit to occupy the Right-of-Way. CL

Cathy Laughlin, City Planner, explained this is a continuation of the monitoring of Al Park Petroleum. The license agreement was in the packet and she recommended approval.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve Revocable Permit No. 2-18, subject to execution of the standard license agreement between the applicant and the City of Elko.**

The motion passed unanimously. (5-0)

- G. Review, consideration, and possible approval of the revised School Resource Officer Cooperative Agreement between the Elko County School District, the County of Elko, and the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The original Cooperative Agreement was entered into by all three parties in January 2015. The Program has been very successful. The previous financial arrangement within the agreement anticipated the Elko County School District assuming a larger portion annually. At times the verbiage within the agreement was difficult to interpret. The parties have recently collaborated to simplify the financial arrangement. An effort was also made to ensure the revised agreement reflects current practices in the field. All parties have met, conferred, and agreed to the conditions set forth in the revised Cooperative Agreement. BR

Ben Reed, Jr., Police Chief, explained the program has been successful. Some minor changes were made. He went over the financial changes to the agreement.

Curtis Calder, City Manager, commented when the old agreement was entered into, there was some uncertainty with the federal grant funding. This agreement, as written, is more equitable to the City taxpayer. He supported this agreement and he recommended approval.

Councilman Rice spoke in favor of the program.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the Elko Police Department to enter into a Revised Cooperative Agreement for the School Resource Officer Program, between the Elko County School District, the County of Elko and the City of Elko.**

The motion passed unanimously. (5-0)

VII. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 831, an ordinance amending Title 4, Chapter 1, of the Elko City Code entitled “Business Regulations”, and matters related thereto.
FOR POSSIBLE ACTION

At its May 8, 2018 meeting, the Elko City Council directed Staff to review and suggest changes for farmer’s market vendors. SO

Shanell Owen, City Clerk, explained the proposed ordinance changes.

Councilman Keener asked under Farmer’s Market, he would like to see that definition expanded to include dairy products and non-alcoholic beverages.

Councilman Rice noted this is a great step and a great opportunity for farmers and consumers.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to conduct the First Reading of Ordinance No. 831, and direct staff to set the matter for Public Hearing, Second Reading and possible adoption, and also clarify the revisions suggested by Councilman Keener regarding dairy products and non-alcoholic beverages.**

The motion passed unanimously. (5-0)

- B. First reading of Ordinance No. 832, an ordinance amending Title 4, Chapter 6, of the Elko City Code entitled “Transient Lodging Tax”, amending Section 12 relating to the penalty for delinquent transient lodging tax, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff is recommending changes in accordance with NRS 268.096. SO

Ms. Owen explained the proposed ordinance changes.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to conduct the First Reading of Ordinance No. 832, and direct staff to set the matter for Public Hearing, Second Reading and possible adoption.**

The motion passed unanimously. (5-0)

VIII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to approve Curb, Gutter, and Sidewalk Waiver No. 2-18, filed by Swire Coca Cola USA, which waives the requirement for curb and gutter on the north side of West Idaho Street abutting APN 001-679-013, and matters related thereto. **FOR POSSIBLE ACTION**

Per Elko City Code Section 2-13-3, public improvements are required when vacant lots are developed. The applicant has submitted an application for a permit for development of the parcel. NDOT has reviewed the need for curb and gutter at this location, and has determined that it is not needed to control drainage in this area. Staff recommends approval of the waiver for curb and gutter with sidewalk still being required. JD

Jeremy Draper, Development Manager, explained there are backup documents and a staff memo included in the agenda packet. NDOT wants open drainage in this area for now. He recommended approval.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, that Council finds from the advice of the Nevada Division of Transportation that there is no need for curb and gutter on this stretch of Idaho Street and NDOT wants to keep it as open drainage, that the City agrees with their finding, and with that finding in mind, Council will approve Curb, Gutter and Sidewalk Waiver No. 2-18 for the waiver of curb and gutter along West Idaho Street, abutting APN: 001-679-013, with the requirement that the sidewalk will still be installed.**

The motion passed unanimously. (5-0)

- B. Ratification of the Police Chief issuing a 60-day temporary retail beer and wine license and possible issuance of a regular retail beer and wine license to Caleb Tapia, Casey Parish, Kyle Ashley, and Severyn Immenschuh, dba XP Gaming LLC, located at 1250 Lamoille Highway #730, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Chief Reed explained he met with one of the representatives of the partnership. It took a while to get all the applicants processed through the background checks. This is a unique business model. They have a venue for board games, etc., and would like to include service of beer and possibly wine. They are good to go and he recommended approval.

Councilwoman Simons asked if it was a 21 and over establishment.

Caleb Tapia, 1050 Connolly #48, said it is family friendly but they wanted an option for people if they wanted to sit down, play a board game and have a beer. They have an expresso bar. They will not serve until after 4pm and at that time no one under the age of 21 cannot sit at the bar.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to ratify a 60-day temporary retail beer and wine license and issue a regular retail beer and wine license to Caleb Tapia, Casey Parish, Kyle Ashley and Severyn Immenschuh, dba XP Gaming LLC, located at 1250 Lamoille Highway #730, Elko, NV 89801.**

The motion passed unanimously. (5-0)

- C. Ratification of the Police Chief issuing a 30-day temporary Retail Liquor License and possible issuance of a regular Retail Liquor License to Acela Ceja, dba Cabo, located at 449 Railroad Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Chief Reed explained at the last meeting he asked council to take no action. The water issue was addressed the very next day. Ms. Ceja was present in the audience. Staff is satisfied that she has done everything she needed to do. She is good to go and he recommended approval.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to ratify a 30-day temporary retail liquor license and approve the issuance of a regular Retail Liquor License to Acela Ceja, dba Cabo, located at 449 Railroad Street, Elko, NV 89801.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible action to accept a petition for the vacation of a portion of the Jennings Way Right-of-Way consisting of an area approximately 7,036 sq. ft., filed by DDS Properties, LLC. and processed as Vacation No. 1-18, and matters related thereto. **FOR POSSIBLE ACTION**

The property was annexed into the city in 2017. The property owner is proposing to align the property boundary parallel with the centerline of the street for a proposed subdivision entitled Humboldt Hills. CL

Cathy Laughlin, City Planner, explained this property was recently annexed in and it was rezoned. We would enter into an agreement with the new property owners as part of this vacation. It will straighten up the area. She recommended accepting the petition and referring the matter to the Planning Commission for review.

Councilman Schmidlein asked if they had a grading permit up there. (yes)

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to accept a petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission, in regards to Vacation No. 1-18.**

The motion passed unanimously. (5-0)

IV. APPROPRIATIONS (Cont.)

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

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

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

- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

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

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

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

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

The motion passed unanimously. (5-0)

II. CONSENT AGENDA

- A. Review, consideration, and possible approval of the revised Sick Leave Policy, Chapter 6.3 of the City of Elko Personnel Policy Manual and matters related thereto. **FOR POSSIBLE ACTION**

The Sick Leave Policy has been revised to include additional family members in the list of eligible criteria for sick leave usage. AB

- B. Review, consideration, and possible approval of the revised position description for WRF Operator in Training, and matters related thereto. **FOR POSSIBLE ACTION**

The WRF Operator in Training position description has been revised and updated to more accurately reflect the requirements and qualifications of the position, and to comply with updated position description standards as recommended by POOL/PACT. AB

- C. Review, consideration, and possible ratification of the Elko Police Department's application for the 2018 Bullet Proof Vest Partnership Grant through the Department of Justice, Office of Justice Program. The grant, a 50/50 match grant, is valued at four-thousand, five hundred dollars (\$4,500.00), and matters related thereto. **FOR POSSIBLE ACTION**

On May 25, 2018, the Elko Police Department applied for the 2018 Bulletproof Vest Partnership Grant. The grant funds would be used to replace expired bulletproof vests and supply bulletproof vests to newly hired officers. This grant had an application deadline of May 31, 2018.

Bulletproof vests are mandatory personal protective equipment (PPE) for all police officers. The vests have an approximate life span of five (5) years. In 2018/19 the Elko Police Department intends to replace ten (10) expired vests and issue vests to newly hired officers, at a cost of approximately nine thousand dollars (\$9,000.00). The Elko Police Department has applied for and utilized this half-match grant for over fifteen (15) years. BR

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

The motion passed unanimously. (5-0)

X. REPORTS

A. Mayor and City Council

Councilman Keener recognized new Webelo Casen Thomas attending tonight. The Broadband Action Committee will be meeting tomorrow night at the Police Station. It is terrific to see the paving completed on Ruby Vista. He congratulated the Mayor for running an upstanding campaign.

B. City Manager

Curtis Calder said everyone had an invite to Shanell Owen's going away retirement party on the 29th at the new Cowboy Gear Museum on Commercial Street.

C. Assistant City Manager

Scott Wilkinson mentioned mud-bogging activities at the Sport Complex.

D. Utilities Director-BLM Station Failed-Emergency Repair

Ryan Limberg reported on an emergency repair at the pressure reducing station behind BLM for a total of \$10,781.36. The river seems to be dropping roughly an inch every day. We are below three feet and below the long-term average flow. It looks good completing the project this year.

E. Public Works

G. City Attorney

H. Fire Chief

I. Police Chief

Chief Reed reported the 911 Grant Application looks like it will be recommended for funding. If this money comes through it will allow this area to purchase the equipment outright. The PD, Sheriff's Office and NDI have been working on a major case involving a juvenile victim, a registered sex offender and another adult. There are very serious charges and a press release will go out tomorrow. Body cameras are moving forward. They are organizing, in conjunction with Elko Fire, a presentation from First Net, the National Public Safety Communication System being built by the Feds, on June 28 in the community room. He also invited everyone to Flag Day Ceremony put on by the Elks Lodge, June 14th at 6pm at Lamoille Grove.

J. City Clerk

Shanell Owen reported she is working on a significant update to the City website.

K. City Planner

- L. Development Manager
- P. Building Official

IX. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration and possible approval of Preliminary Plat No. 3-18, filed by Robert E. Morley on behalf of Riverside Villas Nevada LLC., for the development of a subdivision entitled Riverside Villas a Condominium Development involving the proposed division of approximately 7.872 acres of property into 97 lots for residential development within the C (General Commercial) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the preliminary plat on May 1, 2018, and took action to forward a recommendation to Council to conditionally approve Preliminary Plat No. 3-18. CL

Cathy Laughlin, City Planner, explained the background and code analysis of this project. Planning Commission recommended conditional approval. The applicant was present to answer questions.

Councilman Keener asked, when this was originally permitted, there was an agreement regarding the green scaping. It doesn't appear to be irrigated right now. Is that agreement enforceable?

Ms. Laughlin answered it is a condition listed in the CUP. She will continue to enforce that.

Scott Wilkinson, Assistant City Manager, said he has had some concerns regarding the landscaping. He suggested the applicant explain.

Branson Brinton, 1319 E. Iron Boberg Circle, Draper, Utah, said last year the landscaping was really bad. We tried to figure out what the issue was. The company that originally installed the irrigation system put in too many sprinkler heads and the pressure was not sufficient to cover it all. They worked out that issue and now they are getting good coverage. It looks better than last year. Some trees have died and they are working on getting those replaced.

Jeremy Draper, Development Manager, said this will be going from a rental property to a ownership property. He requested that they provide copies of the notifications to the City as they go through this process.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to conditionally approve Preliminary Plat No. 3-18 for the Riverside Villas, a condominium development, subject to the conditions as recommended by the Planning Commission.**

The motion passed unanimously. (5-0)

X. REPORTS (Cont.)

E. Airport Manager

Jim Foster reported that they were awarded the FAA grant. There is omnibus bill out there for about \$1billion of AIP funding available nationwide for airports. For the State of Nevada, they have designated eleven airports to which the funds would be available. Elko is one of those airports. They haven't come out with a final rule yet but as it is now, the AIP grants will be funded 100%. They like equipment and land acquisition projects. He should find out at the end of the month. Councilman Keener asked where things were with the Master Plan. Mr. Foster answered the FAA has the ALP. He is not sure if Aviation has submitted that yet.

M. Administrative Services Director

Aubree Barnum reminded Council that she sent an email regarding the City Manager's performance evaluation that is due July 1. Anyone who is enrolled in the City's health program, open enrollment is ongoing now.

N. Parks and Recreation Director

James Wiley reported on the mud bogging at the Sports Complex. They continue to have weekly progress meetings with Granite Construction. They are getting ready to start laying out sewer lines and the concrete wall will be started soon.

O. Civil Engineer

Councilman Keener asked Bob Thibault, when NV Energy did the Police Station, it seems they came back with a higher cost than what he saw for the Sports Complex. Bob Thibault said that is their estimate so the actual costs could go either way.

BREAK

Council went to a closed session for the following agenda item:

XII. LABOR NEGOTIATIONS

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

Note: This portion of the meeting may be closed pursuant to NRS 288; therefore the Council may move to adjourn the meeting prior to consideration of this item.

The closed session was adjourned and the Council Meeting continued.

COMMENTS BY THE GENERAL PUBLIC

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

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

There were no public comments.

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

Mayor Chris Johnson

Shanell Owen, City Clerk

Elko Sports Complex - Fence Project
June 8, 2018

Name
 Address
 City State
 Phone
 No.

CONTRACTOR
 Lamoille Fencing
 P.O. Box 281275
 Lamoille, NV 89828
 775-753-6140

No.	Bid Item Description	Bid Quantity	Unit	Unit Price	Total Amount
1	Fencing Per Plans @ _____ Per Lump Sum.	1		\$96,624.00	\$96,624.00
	TOTAL BASE BID				\$96,624.00

NOTES:

