

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

SS September 22, 2015

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, September 22, 2015.

This meeting was called to order by Mayor Chris Johnson.

NOTE: The order of the Agenda has been changed to reflect the order business was conducted.

ROLL CALL

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
Councilwoman Mandy Simons
Councilman Robert Schmidlein
Councilman Reece Keener

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Ryan Limberg, Utilities Director
Dawn Stout, Administrative Services Director
Jonnye Jund, Accounting Manager
Dennis Strickland, Public Works Director
Aubree Anderson, Human Resources Manager
Mark Gibbs, Airport Director
Ben Reed, Police Chief
Jeremy Draper, Development Manager
Matt Griego, Fire Chief
Bob Thibault, Civil Engineer
James Wiley, Parks and Rec Director
Dave Stanton, City Attorney
Fritz Sawyer, WRF Superintendent
Ted Schnoor, Building Official
Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

APPROVAL OF MINUTES: September 8, 2015 Regular Session

The minutes were approved by general consent.

II. APPROPRIATIONS

- B. Review, consideration, and possible issuance of Final Acceptance for the West Secondary Clarifier Mechanism Replacement Project, and matters related thereto. **FOR POSSIBLE ACTION**

This project was awarded to Gerber Construction at the April 28, 2015 Council meeting. The work has been completed and Staff is recommending final acceptance for the project. The project came under budget by approximately \$9,200 with no change orders. FPS

Fritz Sawyer, WRF Superintendent, recommended final acceptance.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve final acceptance for the West Secondary Clarifier Mechanism Replacement Project in the amount of \$177,829.25.**

The motion passed unanimously. (5-0)

I. PERSONNEL

- A. Review, consideration, and possible approval of the revised position description for Recreation Services Manager, and matters related thereto. **FOR POSSIBLE ACTION**

The position description for Recreation Services Manager has been revised and updated to reflect the correct reporting structure and has been formatted as recommended by POOL/PACT. AA

Aubree Anderson, Human Resources Manager, explained the current description has the Recreation Services Manager reporting and providing support to the Assistant City Manager. That has been revised and updated to have them reporting to the Parks and Recreation Director.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to approve the position description as presented effective September 22, 2015.**

The motion passed unanimously. (5-0)

II. APPROPRIATIONS (Cont.)

- C. Review, consideration, and possible award of the bid for the Jennings Way Sidewalk Project, and matters related thereto. **FOR POSSIBLE ACTION**

Bids for the Jennings Way sidewalk project were accepted until 3:00 PM on Tuesday, September 15, 2015, a bid tabulation will be provided. This project is partially funded through a TAP grant administered by NDOT. JD

Councilman Schmidlein disclosed and recused himself from the chambers because one of his partners is involved with a company that may potentially be awarded the project.

Jeremy Draper, Development Manager, explained there were two bids for the project. The bids were really close for this type of work. He recommended awarding a base bid only amount to Great Basin Engineering in the amount of \$317,771.35.

Mayor Johnson asked about the budget.

Mr. Draper answered the estimate for the total project was \$350,000. We will go ahead with base bid and no alternates.

Councilman Rice asked who the other bidder was.

Mr. Draper answered the other one was Z7 Development at \$328,132. The bids were close. If you looked at the alternates the awarding contract would have been Z7 but since we are looking at just the base bid the contract should be awarded to Great Basin Engineering.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to award the bid for the Jennings Way Sidewalk Project to Great Basin Engineering in the amount of \$317,771.35 with no additive alternatives pending a 5-day bid protest period.**

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

- D. Review, consideration, and possible approval of the final acceptance of the Public Works Department Preventive Maintenance Project 2015, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

At their June 9, 2015, meeting, the Council awarded the bid for the Preventive Maintenance Project 2015 to Sierra Nevada Construction in the amount of \$314,007.00. Per contract, Staff decreased the amount of Micro Slurry Seal to be placed. Micro Slurry Seal was also placed on Airport Facilities. Sierra Nevada Construction has satisfactorily completed the work at this time. DS

Dennis Strickland, Public Works Director, explained they reduced the amount of micro slurry to fit within the budget. We are ready for final acceptance.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to approve the final acceptance of the Preventative Maintenance Project 2015 Public Works Department Street Maintenance Project in the amount of \$273,456.32.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible authorization to apply for a \$2,500 Elko Visitors and Convention Authority Marketing Grant for Explore Elko digital marketing in smaller Utah markets, and matters related thereto. **FOR POSSIBLE ACTION**

Council approved the application for a \$5,000 Nevada Commission on Tourism grant for “Explore Elko” digital advertising in smaller Utah markets (St. George, Moab, Logan, Brigham City, Cedar City, and Logan). The airport would like to share the expense of the matching portion of the NCOT grant with the ECVA as the marketing Elko as a tourism destination is a joint responsibility. Elko Regional Airport is requesting a 50% share in the local match to the NCOT grant; \$2,500 will be paid by the Airport Enterprise Budget and \$2,500 is sought from an ECVA marketing grant. The digital campaign is a component of the 2015-2016 budgeted marketing endeavor that Younger Advertising Agency will handle on behalf of the airport. The digital campaign would launch on May 1, 2016 and last 31 days. MG

Mark Gibbs, Airport Director, explained last year they went after a similar grant from the ECVA. This would be for next year.

Councilman Rice asked what it was aimed at.

Mr. Gibbs answered they will be cross-marketing three different things. We are combining our Explore Elko Experience (a brand of the ECVA) with Helo-Skiing, the California Trail Center, ATV exploring and the 2016 tourism guide.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to authorize staff to apply for a \$2,500 matching grant with ECVA contingent upon the successful disbursement of \$5,000 from the Nevada Commission on Tourism.**

The motion passed unanimously. (5-0)

III. NEW BUSINESS

- A. Review, consideration, and possible authorization to modify an Agreement to Install Curb, Gutter and Sidewalk, between the City of Elko and Flyer’s Energy, a successor to Bi-State Petroleum, dated January 12, 1998 for improvements along the east side of 14th Street to require those improvements to be along the Silver Street Frontage, and matters related thereto. **FOR POSSIBLE ACTION**

At the December 9, 1997 meeting of the City of Elko Board of Supervisors, a temporary waiver was granted for the curb, gutter and sidewalk improvements along the east side of 14th Street and improvements were waived along the north side of Silver Street. With the improvement project taking place along Silver Street at this time Staff approached Flyer’s Energy about installing the improvements required by the agreement to be installed on Silver Street rather than being installed on 14th Street. The approximate value of those improvements based on the contract awarded for the City’s project is \$20,991.JD

Councilman Schmidlein disclosed a partner of his has a contract with the city regarding this project and recused himself from the chambers.

Jeremy Draper, Development Manager, explained we have an existing temporary waiver for curb, gutter and sidewalk installation along 14th Street. He would like to call that waiver and have them install the improvements on Silver Street. In talking with Mr. Johnson from Flyers Energy you should have a letter in the packet from them. They would like to apply a portion of this towards the installation of sidewalk that has not been included in the Silver Street Project.

Councilman Rice said are they requesting a permanent deferral on 14th Street. He didn't think the City Council had the authority to do that.

Mr. Draper said the waiver was for 14th Street. At the time there was a permanent waiver given for Silver Street to Bi-State Petroleum. There was a railroad spur that was up against the north side of Silver Street. The Board of Supervisors at that time decided there was no need for pedestrian access on that said of the train tracks.

Councilman Rice asked if the city is going to have to install the sidewalk on 14th street. It will be a busy street and it will have to have pedestrian access leading back to the Police Department.

Mr. Draper answered that is correct. If Flyers Energy did some type of improvement on their property that triggered those requirements, they would be required to install the curb, gutter and sidewalk at that time. This will shift the responsibility that they have now onto Silver Street.

Tom Johnson, Flyers Energy, said in his conversations with Mr. Draper, they just wanted to make sure that they would not be responsible for anything on 14th unless they do something to trigger the improvements.

Councilwoman Simons noted that the only thing they would be responsible for in the future is if they expanded or something and we hadn't done 14th Street yet. If they never expand or do anything to trigger it, or we do it first, then they are good to go? (yes)

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to modify the Agreement to Install Curb, Gutter and Sidewalk between the City of Elko and Flyers Energy to allow the improvements to be installed along Silver Street rather than on 14th Street as required by the agreement.**

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

- B. Review, consideration, and possible approval of the assignment and assumption of two (2) Summit Air Ambulance leases to REACH Air Medical Services, LLC, and matters related thereto. **FOR POSSIBLE ACTION**

Summit Air Ambulance, LLC was recently acquired by REACH Air Medical Services, LLC. Summit Air Ambulance has two leases with Elko Regional Airport that are now the responsibility of REACH. The assumption will assign rights and responsibilities under the current leases to the new owners. MG

Mark Gibbs, Airport Director, explained this is a housekeeping item.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to assign two airport leases currently the responsibility of Summit Air Ambulance, LLC to REACH Air Medical Services, LLC, based upon the sale of Summit Air Ambulance, LLC to REACH Air Medical Services, LLC on May 19, 2015.**

The motion passed unanimously. (5-0)

- C. Review, consideration and possible approval of an amendment to the Elizabeth Younger Agency 5-year Airport Advertising Services Contract, and matters related thereto. **FOR POSSIBLE ACTION**

Elizabeth Younger Agency Ltd., who provides airport advertising services for Elko Regional Airport is working with both Delta Air Lines and the Airport to provide a FY 2015-2016 advertising campaign for the airport. This contract amendment has already been budgeted into the approved Airport Fiscal Budget. In addition, to the Scope of Services listed in the amendment, the airport is carrying additional advertising through successful grant applications. In this contract amendment \$7,500 will come from grant dollars and \$29,350 will be from the Airport Enterprise Fund. MG

Mr. Gibbs explained the Elizabeth Younger Agency asked that this item be tabled.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to table Item III-C.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible action to fill a vacancy on the Elko City Planning Commission, and matters related thereto. **FOR POSSIBLE ACTION**

On June 23, 2015, Council accepted a letter of resignation from Planning Commission member Greg Thornton effective July 8, 2015. Staff conducted the standard recruitment process and has received two letters of interest to serve on the Planning Commission, copies of which are included in the Council packet. The new member will be appointed to a four-year term, which will expire at the end of July 2019. RM

Scott Wilkinson explained this is the council's decision to make. The applicant Jeff Dalling was present to answer questions.

Councilman Schmidlein said both are highly qualified to fill the vacancy. He felt it was difficult to choose. He may want to choose the one that filed first.

Councilman Keener said he knows both applicants but he is leaning towards Dr. Colon.

Councilwoman Simons said she is leaning towards Mr. Dalling because he was actually present.

Councilman Rice agreed with Councilwoman Simons and Mr. Dalling was the first applicant.

Mayor Johnson felt the city was fortunate to have two good applicants.

**** A motion was made by Mayor Johnson, seconded by Councilwoman Simons, to appoint Jeff Dalling to fill the vacancy on the Elko City Planning Commission.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible granting of a utility easement to NV Energy across property owned by the City of Elko on Idaho Street on parcel 006-32H-006, and matters related thereto. **FOR POSSIBLE ACTION**

NV Energy is requesting the City grant an easement facilitating installing overhead powerlines underground across the property. JD

Jeremy Draper, Development Manager, explained this is located in Elko County but it is one of the City Well sites on the east end of town. NV Energy wants to install new underground power lines because there is new development in the area.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to grant an easement to NV Energy across a parcel of land identified as APN: 006-32H-006 owned by the city as shown in the exhibit.**

The motion passed unanimously. (5-0)

- F. Discussion and possible action to reschedule the October 13, 2015 City Council Meeting to October 12, 2015, and matters related thereto. **FOR POSSIBLE ACTION**

Due to a scheduling conflict with the October 13 – 15, 2015 Nevada League of Cities Conference, Staff is requesting that the October 13, 2015 be rescheduled to Monday, October 12, 2015. CC

Curtis Calder, City Manager, explained it will bump us up a day but there are three weeks between meetings.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to reschedule the regular first meeting in October 2015 to Monday, October 12, 2015.**

The motion passed unanimously. (5-0)

IV. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 798, AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF ELKO, NEVADA, GENERAL OBLIGATION (LIMITED TAX) RECREATIONAL FACILITIES AND REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2015

FOR THE PURPOSE OF FINANCING AND REFINANCING THE COSTS OF RECREATIONAL PROJECTS; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, AND OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF; and matters related thereto. **FOR POSSIBLE ACTION**

The Debt Management Commission, at their meeting held July 14, 2015, approved Resolution DMC 1-2015 authorizing the City of Elko to proceed with the issuance of the City's General Obligation (Limited Tax) Recreational Facilities Bonds (Additionally Secured by Pledged Revenues) in the maximum amount of \$8,000,000. This Ordinance is the next step in the bonding process.
DS

Dawn Stout, Administrative Services Director, explained we have bond and financial counsel present in the audience.

Andy Artusa, Zion's Public Finance, went over the many steps for bonds.

Councilwoman Simons asked about the public offering and why we are doing that.

Mr. Artusa answered it had to do with the term of the bond. Banks typically want to lend with a term of 10 years or less.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to conduct the first reading of Ordinance No. 798 and direct staff to set the matter for Public Hearing, Second Reading and Possible Adoption.**

The motion passed unanimously. (5-0)

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Consideration of an appeal from Elko Hospitality, Inc. requesting a deferral of water/sewer connection fees for a proposed Home 2 Suites Hotel to be located at 2572 E. Jennings Way, and matters related thereto. **FOR POSSIBLE ACTION**

Historically, the City of Elko has considered occasional deferrals of water/sewer connection fees for large, multi-unit projects (hotels, multi-family, etc.). However, on December 8, 2009, the City Council voted to no longer allow deferrals of water/sewer connection fees.

If approved, Staff requests that the developer reimburse the City of Elko for costs associated with developing the deferral agreement, estimated to be \$3,500. A copy of the appeal letter and the December 8, 2009 City Council meeting minutes have been included in the agenda packet for review. CC

Curtis Calder, City Manager, explained back in December 2009 City Council voted to no longer allow these, they also noted in the minutes that these will be appealable. The policy is no longer

available but what they are proposing is unique. Dave Stanton has some concerns with it but he would like to hear from the developer first.

Scott Nadel, Best Western Elko Inn, said they are proposing a 90-day deferral for the connection fee costs by the city placing a lien on the property. The city would be paid back within 90 days. The AT&T cost was more than they anticipated during construction.

Dave Stanton, City Attorney, noted the code says the water connection and sewer connection charges shall be payable on demand to the city at the time the Building Inspector issues the building permit.

Councilman Rice said he didn't know about the lien opportunity until now. That seems to be a viable option but the code is clear. As much as he would like to figure out a way to help out with this phase, the City Council doesn't have a mechanism to do this.

Councilwoman Simons liked the lien as an option but she also didn't feel they could do this.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to deny the deferral.**

The motion passed unanimously. (5-0)

After the motion and before the vote, Mayor Johnson said these types of requests were tough but what the city does for one they have to do for all. We appreciate the risk they are taking and they want the project to be successful.

Council voted on the motion.

VII. REPORTS

- A. Mayor and City Council
*Mayor Johnson said we got the Sage Grouse deal. The Sage Grouse are not endangered anymore.
Councilman Keener noted the time was 4:45 and public hearing is at 6:00. Maybe in the future we can schedule that hearing sooner. Curtis Calder commented when there is a public hearing we need to notice the time.*
- B. City Manager – LASSO Fundraiser update
Curtis Calder said they held the drawing for the motorcycle. The winner was Faith Holtolth. He also showed City Council the new logo for LASSO.
- C. Assistant City Manager
- D. Utilities Director-Willow Street PRV Project update
Ryan Limberg gave a report on the Willow Street PRV project. They increased the pressure and solved the problem. They didn't have to do the bore under I80 like they thought they needed to.
- E. Public Works
Dennis Strickland reported on the impact of the parking that was removed in areas around town. He also updated council on the Urban Project that NDOT has been working on.
- F. Airport Director – Runway Rehabilitation Project update

Mark Gibbs gave an update on the runway project. (Exhibit "B") The runway grand opening is Monday at 1:45 pm.

G. City Attorney

H. Fire Chief

Matt Griego handed out copies of his monthly newsletter. (Exhibit "A") They have turned in the final draft for the Mutual Aid Agreement with Elko County Fire. They recently got new radios and pagers and he is in the process of distributing them.

I. Police Chief

Ben Reed informed council of the events the Police Department will be supporting over the weekend.

J. City Clerk

K. City Planner

L. Development Manager – Police Station Project update

Jeremy Draper gave an update on the progress of the Police Station construction.

M. Administrative Services Director

N. Parks and Recreation Director

James Wiley reported the Tennis Courts have been open for play for a week and a day. He is still waiting for a response from the contractor regarding some items on the punch list. The Swimming Pool Roof Repair project has been completed. They had the last softball tournament for the year.

O. Civil Engineer

P. Building Official

Mayor Johnson said Elko County is still considering raising the sales tax. When the Commissioners first started with the process they thought they were bound, because of the size of the county that the sales tax had to be raised by ¼%. That is not the case. They can raise it up to ¼%. There are some questions as to whether or not the county could share the money with the cities or not. After contacting Senator Goicoechea, he has checked with LCB and, yes, through an agreement, the county can distribute the tax. There will be another public hearing in October. This may end up on a Elko City Agenda in order to get the city's support. It would benefit the city to get a distribution from the tax.

II. APPROPRIATIONS

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

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

The motion passed unanimously. (5-0)

BREAK

VI. 6:00 P.M. PUBLIC HEARINGS

A. Review, consideration, and possible action to either ratify or declare void the prior adoption of a resolution, Resolution No. 26-15, which approves Rezone 9-15,

filed by Bailey & Associates LLC, for a change in zoning from AG (General Agricultural) to R (Single-Family and Multiple-Family Residential) for the development of residential lots, the property being located generally west of Sagecrest Drive approximately 665 feet north of Mountain City Highway (APN 001-01F-318), and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject zone change request on August 4, 2015. Subsequently, an appeal was received of the Planning Commission's recommendation. At the September 8, 2015 meeting of the City Council, a public hearing was held in which Council received testimony from the individuals who appealed the Planning Commission's recommendation. The Council also considered the recommendations of the Planning Commission, Staff and the property owner in support of the recommendation to adopt the requested zone change; the Council then approved the zone change request. Subsequently, it was determined that certain corrections needed to be made with respect to notices. Accordingly, this matter is being presented to Council for the purpose of hearing any additional testimony from the public concerning the rezone request. The Council may then choose to either ratify or declare void the decision made at the September 8, 2015 public hearing. RM

Dave Stanton, City Attorney, explained there were some additional notices that were given after the last public hearing that approved this rezone. At the hearing tonight anyone can provide new testimony. If new testimony is given that could not be given at the last meeting because they weren't noticed, council can take that into consideration. If council decides tonight that adequate notice has been given and everyone has been given a chance, then council can ratify the decision.

Councilwoman Simons asked how many people were given notice that were not given notice before.

Scott Wilkinson, Assistant City Manager, answered he doesn't have an exact count but he guessed four or five property owners.

Mayor Johnson called for public comment.

Linda Morse, PO Box 135, Elko, NV, said she is not going to restate her comments from the last meeting. She thanked Mr. Wilkinson for identifying the notice error and fixing it. Sagecrest Road is the only access into the multi-family subdivision. As you enter into Autumn Colors you first find Medium Density homes. The density in the development has grown into a population surge along with vehicle congestion. Once the construction is complete the density will be 500 to 550 people. Vehicle congestion occurs as drivers line up on Sagecrest Drive waiting to make that left hand turn towards Elko. Sagecrest Drive houses the US Post Office lock box for each one of the 230 units. They are located on the right hand side as you enter Sagecrest Drive. She complained that residents block the roadway as they pull over and check their lock boxes. Zoning laws are intended to promote health, safety, welfare, convenience, morals and prosperity in the community at large and are meant to enhance the general welfare rather than to improve economic interests in any particular property owner. Providing for the general welfare of the public is the basic goal of government. Bailey's initial plan was to build 11 homes upon annexation of the 2.8 acres on Sagecrest Drive. Once the annexation was approve, Mr. Bailey

increased the number of units from 11 to 13 and then filed for rezoning. Bailey's plan for 13 homes does not offer a foot path, bike path or an escape route to a safe haven. Ultimately the safety and welfare of its residents during an emergency will become compromised. Your concern as a governing body is for health, peace, morality and safety of your citizens. She felt council should declare void their September 8 decision.

Kathy Pennington, Sagecrest Drive, said in looking at the map for annexation, the parcel in question has the same parcel number as the neighboring parcel. She was concerned about Mr. Bailey owning only half of the road to the subdivision. The comment was made previously that property values will go up because of the development so close to their home. It doesn't seem likely that will happen with her home being 4,000 sq. ft. and the new homes are less than 2,000 sq. ft. The east side of the road where the Post Office boxes are, that has become a haven for folks that do not live on Sagecrest Dr. or in that subdivision. People are showing up on the weekends and they are parking their motorhomes, trailers, trucks. They are offloading ATV's and taking them through those areas that are county and BLM. This has presented a challenge this last summer. The traffic is bad enough with people stopping to check their mail, but the weekends have all those motorhomes and trailers too. This will only get worse with the addition of more homes.

Councilman Rice asked for clarification on the APN.

Mr. Draper answered the number was an error on Far West's side when they made the map and it should be 009 and not 008. The legal description for the zone change references parcel 3 of the map that created those 4 lots. The zone change is notified correctly and the legal description is correct.

Councilwoman Simons asked about rules for fire access and how many entrances you need.

Mr. Draper answered the maps have been approved by the Fire Marshal. Autumn Colors Drive actually has a fire access easement that extends over Cattle Drive. What is proposed for Autumn Hills, everything meets fire codes as it is presented today.

Councilman Schmidlein asked about the mailboxes. Are those on Bailey property?

Mr. Draper answered they are in the right-of-way.

Councilman Schmidlein asked if there is adequate parking there or should there be "No Parking" signs and people should be walking to them.

Mr. Draper answered that is something they can evaluate.

Scott Wilkinson, Assistant City Manager, added they are off the road quite a ways. There is quite a bit of parking there. That whole side of the road is not developed at this time.

Mr. Draper said Mr. Bailey was required to do a traffic study with the Autumn Colors subdivision. It did identify the traffic flow on both Sagecrest and Cattle Drive.

Mr. Wilkinson added as he develops there will be pedestrian access extended on the existing pedestrian access up through the subdivision.

Councilman Schmidlein asked who has the right to enforce where people store RV's and stuff there on the weekends.

Mr. Draper recommended that she call dispatch over the weekends and have the officers enforce that.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to ratify the adoption of September 8, 2015 resolution to approve Rezone No. 9-15.**

The motion passed unanimously. (5-0)

COMMENTS BY THE GENERAL PUBLIC

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

Linda Morse said it has been a pleasure working with everyone. She will be working with Jon Bailey in the future and she looks forward to having him in one of her classes when she substitutes.

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

Mayor Chris Johnson

Shanell Owen, City Clerk