



CITY OF ELKO  
CITY MANAGER  
1751 COLLEGE AVENUE  
ELKO, NEVADA 89801  
(775) 777-7110/FAX (775) 777-7119

The Elko City Council will meet in regular session on Tuesday, January 9, 2018

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.D.S.T.

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko

Website, <http://www.elkocitynv.gov/>, the State of Nevada's Public Notice Website,

<https://notice.nv.gov/>, and in the following locations:

**ELKO COUNTY COURTHOUSE**

571 Idaho Street, Elko, NV 89801

Date/Time Posted: January 4, 2018 at 8:50 a.m.

**ELKO COUNTY LIBRARY**

720 Court Street, Elko, NV 89801

Date/Time Posted: January 4, 2018 at 9:00 a.m.

**ELKO POLICE DEPARTMENT**

1448 Silver, Elko NV 89801

Date/Time Posted: January 4, 2018 at 8:40 a.m.

**ELKO CITY HALL**

1751 College Avenue, Elko, NV 89801

Date: Time Posted: January 4, 2018 at 8:30 a.m.

Posted by: <u>Kim Wilkinson</u>	Administrative Assistant	
Name	Title	Signature

The public may contact Kim Wilkinson by phone at (775)777-7110 or email at [kwilkinson@elkocitynv.gov](mailto:kwilkinson@elkocitynv.gov) to request supporting material for the meeting described herein. The agenda and supporting material is available at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocitynv.gov/>

Dated this 4<sup>th</sup> day of January, 2018

**NOTICE TO PERSONS WITH DISABILITIES**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Elko City Council, 1751 College Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

  
Curtis Calder, City Manager

**CITY OF ELKO**  
**CITY COUNCIL AGENDA**  
**REGULAR MEETING**  
**4:00 P.M., P.D.S.T., TUESDAY, JANUARY 9, 2018**  
**ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA**

**CALL TO ORDER**

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

**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**

**APPROVAL OF MINUTES**            December 12, 2017    **Special Session**  
   December 12, 2017    **Regular Session**

**I.            PRESENTATIONS**

- A.    Presentation and possible approval of the Consolidated Annual Financial Report and Audit for the City of Elko for the Fiscal Year ending June 30, 2017, and matters related thereto. **FOR POSSIBLE ACTION**

Mike Spilker with Hinton Burdick CPAs will be in attendance to present the City of Elko's Fiscal Year 2016/2017 Financial Report. JJ

**II.          PERSONNEL**

- A.    Employee Introductions:
  - 1.)    Ashley Cooper, Police Records Technician II, Police Department
  - 2.)    Andrew Kellum, Patrol Officer I, Police Department
  - 3.)    Melinda Black, Patrol Officer I, Police Department
  - 4.)    Dean Pinkham, Patrol Officer 1, Police Department

**III.        APPROPRIATIONS**

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

- B. Review and possible approval of Print 'N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review, consideration, and possible approval to solicit bids for the City of Elko Water Main Removal and Replacement Project, and matters related thereto. **FOR POSSIBLE ACTION**

This project is included in the current fiscal year budget. There are four alley locations targeted for replacement in this project. These locations have been selected based on the high volume of waterline repairs in these areas (9 this past year). RL

- E. Review, consideration, and possible approval to solicit equipment bids for the WRF- Emergency Diesel Generator Project, and matters related thereto. **FOR POSSIBLE ACTION**

The current generator (700 KW) is undersized to run all of the necessary plant equipment during power outages and high flows or full plant load. A minimum generator size of 1000 KW is required to do that. Staff desires to solicit bids for a new, larger, 1250 KW generator. This project is budgeted for in the current fiscal year. RL

- F. Review, consideration, and possible approval to solicit construction bids for the WRF-Emergency Diesel Generator Project, and matters related thereto. **FOR POSSIBLE ACTION**

The current generator (700 kW) is undersized to run all of the necessary plant equipment during power outages and high flows or full plant load. A minimum generator size of 1000 kW is required to do that. Staff desires to replace this generator with a larger unit (1250 kW) and solicit bids for the necessary related construction work to remove and replace this unit. This project is budgeted for in the current fiscal year. RL

- G. Review, consideration, and possible final acceptance of the Chilton Centennial Tower Construction Project, and matters related thereto. **FOR POSSIBLE ACTION**

This project was awarded to YESCO in the amount of \$183,860.00 on August 22, 2017. This project had no change orders and was completed on time and in conformance with the plans and specifications. BT

- H. Review, consideration, and possible approval for the Fire Department to accept a Local Giving Grant of \$2,500.00 from Wal-Mart Stores Inc. to assist with cost associated with fire prevention education, and matters related thereto. **FOR POSSIBLE ACTION**

Wal-Mart Stores Inc. has established grants to assist local agencies to fund public education. The City of Elko Fire Department Prevention Bureau has been selected as the recipient of a \$2,500.00 grant for community fire prevention education materials. Wal-Mart has been a great supporter of the Elko Fire Department's fire prevention efforts for many years. JH

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

- A. Review, consideration, and possible approval of a lease agreement between the City of Elko and the Elko Television District, for 2,500 square feet of property located at Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Television District is requesting to lease 2,500 square feet of property in the vicinity of the airport beacon, for the purposes of installing a utility building and related Elko Television District equipment. A copy of the proposed lease has been included in the agenda packet for review. CC

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

- A. Review, consideration, and possible action to accept the resignation of Arts and Culture Advisory Board Member Simone Turner, and matters related thereto. **FOR POSSIBLE ACTION**

Ms. Simone Turner's letter of resignation has been included in the agenda packet for review. CC

- B. Review, discussion, and possible authorization to advertise for one (1) vacant position on the Arts and Culture Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

Arts and Culture Advisory Board Member Simone Turner has submitted her resignation from the Board, which leaves one vacant position. CC

- C. Review, consideration, and possible action to modify the fees currently charged for reuse water as defined in Resolution 2-08, and matters related thereto. **FOR POSSIBLE ACTION**

At the December 12, 2017 Council meeting, "a Motion was made by Mayor Johnson, seconded by Councilwoman Simons, to direct Staff to solicit bids for the WRF Fill Station less the scope of work of the electronic reader that the City of Elko would not bill for effluent water".

Currently, construction water is the only use which we bill for reuse water. RL

- D. Review, consideration, and possible action to initiate an amendment to Title 4, Chapter 6 of the Elko City Code entitled "Room Tax," and matters related thereto. **FOR POSSIBLE ACTION**

City Staff is recommending several changes to the Room Tax Code to assist with reporting deadlines and auditing compliance. SO

- E. Review, consideration, and possible initiation for the adoption of the '2018 International Existing Building Code' and possible amendments to related existing City Code sections and/or the model IEBC, and matters related thereto. **FOR POSSIBLE ACTION**

The Council took action at its meeting on April, 11 2017 directing Staff to adopt the 2018 Building Code. Currently the City has adopted the 2009 Building code. During the 2015 code change cycle the international code council membership voted to delete Chapter 34, Existing Structures, from the 2015 IBC code and reference the *International Existing Building Code* (IEBC). As a result, the City will be required to adopt the International Existing Building Code as a separate model code. The 2015 IEBC contains more extensive provisions than Chapter 34 of the 2009 IBC, such as seismic and energy requirements. Staff will evaluate the appropriateness of the level of adoption and make a recommendation to the Council. JF

- F. Review, consideration, and possible initiation for the adoption of the '2018 International Property Maintenance Code' and possible amendments to related existing City Code sections and/or the model IPMC, and matters related thereto. **FOR POSSIBLE ACTION**

The Council took action at its meeting on April 11<sup>th</sup>, 2017 directing Staff to adopt the 2018 Building Code. Currently the City has adopted the 2009 Building code. The 2018 Building Code contains a section entitled "International Property Maintenance Code". Enforcement of this code will require additional Staff and training. As a result, Staff is not recommending adoption of this model code. In addition, the adoption process would require a business impact statement. JF

- G. Review, consideration, and discussion for the appointment of one (1) new member to the Parks and Recreation Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

Council authorized Staff to advertise for one (1) open position on the Parks and Recreation Advisory Board at a previous meeting in early 2017. Since then, Staff has received three letters of interest from Ms. Katie Archuleta, Mr. Christopher Kentopp, and Ms. Amber Fox. All have expressed a desire to serve as a member on the Board. The appointment will be for the remainder of the vacant term through June 30, 2019. JW

## VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for annexation of property to the City, filed and processed as Annexation No. 3-17 by Swire Coca-Cola, Inc., consisting of approximately 3 acres of property located on the north side of West Idaho Street, and matters related thereto. **FOR POSSIBLE ACTION**

- B. Ratification of the Police Chief issuing a 30-day temporary Retail Liquor License and Caterer's Liquor License and issuing a regular Retail Liquor License and Caterer's Liquor License to Mai Burrows, Jaden Enterprises, LLC dba Cowboys, located at 442 Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

**VII. 5:30 P.M. PUBLIC HEARINGS**

- A. Review, consideration, and possible adoption of Resolution No. 01-18, a resolution of the Elko City Council amending the Elko City Master Plan Acknowledgments, Land Use and Transportation components, and the Land Use and Transportation Atlas Maps #5, #6, #8 & #12, filed as Elko City Master Plan Amendment No. 1-17, and matters related thereto. **FOR POSSIBLE ACTION**

On December 5, 2017, the Planning Commission adopted its Resolution No. 1-17 to amend the Acknowledgments, Land Use and Transportation components, and the Land Use and Transportation Atlas Maps #5, #6, #8 & #12 of the current Elko City Master Plan, and also took action to recommend City Council adopt said amendment via a resolution. An amendment of this type requires positive action by both the Planning Commission and the Council. If the Council suggests any changes to the Master Plan amendment as adopted by the Planning Commission, the Master Plan must first go back to the Planning Commission for review and approval. CL

- B. Review, consideration, and possible action on the Planning Commission's recommendation that the Council deny Zoning Ordinance Amendment 3-17, Ordinance No. 825, amending Title 3, Chapter 2 of the Elko City Code (entitled "Zoning Regulations") adding a new Section 29 entitled "Marijuana Establishments and Medical Marijuana Establishments Prohibited," and matters related thereto. **FOR POSSIBLE ACTION**

At its December 5, 2017 meeting, the Planning Commission considered the action initiated by the Council to establish a new Section 3-2-29 of the Elko City Code to prohibit marijuana establishments and medical marijuana establishments in all zoning districts. Under State law, marijuana establishments and medical marijuana establishments cannot be licensed in areas where such uses are precluded by zoning. The Planning Commission voted to recommend denial of the amendment, in part, because Elko City Code 4-1-5 prevents the City from issuing business licenses to applicants for businesses that violate Federal law, including marijuana establishments and medical marijuana establishments. The Council must either approve or deny the Planning Commission's recommendation. CL

- C. Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-18(E)(3), appealing the Elko City Planning Commission's decision to deny Conditional Use Permit No. 6-17, filed by Lyfe Recovery Services, LLC., which seeks permission to operate a halfway house within an R (Single Family and Multiple Family Residential) Zoning District, located generally on the east side of

Winchester Drive approximately 400 feet north of Orchard Cove Drive (1683 Winchester Drive), and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Elko City Code 3-2-25, the Council may affirm, modify or reverse the decision of the Planning Commission.

The Planning Commission considered the subject conditional use permit on December 5, 2017 and took action to deny the conditional use permit. Subsequently, of the applicant appealed the Planning Commission's decision. CL

- D. Review and consideration of the Business Impact Statement for Zoning Application Fee increases, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to NRS 237.090, a Business Impact Statement must be prepared and considered by the City Council prior to the adoption of a resolution increasing Zoning Application Fees. SO

## VIII. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk-**Financial Disclosure Statement**
- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

## COMMENTS BY THE GENERAL PUBLIC

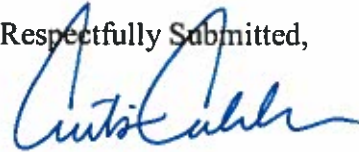
Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible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

**NOTE:** The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda

items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

**ADJOURNMENT**

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Curtis Calder", written in a cursive style.

Curtis Calder  
City Manager